

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

81st Legislative Day

10/29/2009

Speaker Mautino: "The hour of 10:00 having arrived, the House shall be in order. Members and guests are asked to refrain from starting their laptops, and turn off all cell phones and pagers, and rise for the invocation and the Pledge of Allegiance. We shall be led in prayer today by Rabbi Aaron Melman, who is the Rabbi with the Congregation Beth Shalom in Northbrook, Illinois. Rabbi Melman is the guest of Representative Nekritz."

Rabbi Melman: "Ruler of the universe, we invoke Your blessing, Almighty God, upon the Members of this House. Bless our Leaders and all who work tirelessly for the good of the people. Bless them with an understanding and discerning mind, a listening ear, a compassionate heart, and insightful thoughts. Bless the people of the State of Illinois. Help us to gain the insight to know what is good and true, for it is through Your spirit and love that we learn to become more human. Constantly, we are awed by Your strength and by Your power so that all our shortcomings are quickly realized. Teach us, guide us, that our decisions shall be motivated by honesty and truth. Help us to see the light through the clouds of influencing forces. Help us to resist temptation, that we may be strong to realize what is fair and what is best for the people of our state. We thank You, Oh God, for enabling us to live in a free country, and we remember those who do not yet live with the same freedoms we enjoy. We pray that the Leaders of our state help those who suffer, those who are in need, and all who require support. Oh God of our ancestors, shield our Leaders, and bless them with wisdom

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and fortitude that they may lead our people in righteousness. Protect our Armed Forces in the air, on the sea, and on the land, and speed our victory over tyranny and cruelty. Let us make each day meaningful, different than the one before, helping others and moving towards a life of peace and freedom. May the words of our mouths and the meditations of our hearts be acceptable to You, Oh Lord, our rock and our Redeemer. You, who established peace in the heavens, grant peace unto us all. Amen."

Speaker Mautino: "We'll be led in the Pledge of Allegiance today by Representative Moffitt."

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

Speaker Mautino: "Roll Call for Attendance. Representative Currie."

Currie: "Thank you, Speaker. Please let the record show that Representatives Careen Gordon and Hannig are excused today."

Speaker Mautino: "Representative Bost."

Bost: "Thank you, Mr. Speaker. Let the record reflect that Representatives Stephens and Black are excused today."

Speaker Mautino: "The record will reflect. Mr. Clerk, take the record. 114 answering the roll, a quorum is present, and the House shall be in order. Mr. Clerk, First Readings."

Clerk Bolin: "Introduction and First Reading of House Bills. House Bill 4664, offered by Representative Monique Davis, a

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Bill for an Act concerning renewable energy. First Reading of this House Bill."

Speaker Mautino: "Mr. Clerk, introduction of Resolutions."

Clerk Bolin: "Introduction of Resolutions. House Resolution 720, offered by Representative Durkin, and House Resolution 724, offered by Representative Nekritz. These Resolutions are referred to the House Rules Committee."

Speaker Mautino: "Mr. Clerk, on page 6 of the Calendar, under Concurrences, appears House Bill 2239, Representative Currie."

Currie: "Thank you, Speaker and Members of the House. I move that we concur in the Senate Amendment to House Bill 2239. In the spring when we adopted the Budget Implementation Act, there was a... part of the measure was an effort to close what some regarded as a tax loophole. We've since discovered that it wasn't a loophole. What that would have required was additional payments from partnership members to the personal property replacement tax, a tax that goes to local government. So, I think there was a general understanding, among the Leaders of the four caucuses and the State Department of Revenue, that the change we made actually put at a disadvantage people who were part... partnerships rather than corporations. This restores the language that was then deleted, and the effect will be that if a member of a partnership performs services for the partnership, that will be treated just the way the services performed by a... an employee would be treated at a corporate level. So, we're trying to make sure that no matter the form of business organization, everybody is treated fairly,

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everybody is treated the same. I would appreciate your support for the Concurrence Motion."

Speaker Mautino: "The Lady has moved concurrence with Senate Amendment #1 to House Bill 2239. On that question, the Gentleman from Crawford, Representative Eddy is seeking recognition."

Eddy: "Thank you, Mr. Speaker. Very quickly to the... to the Concurrence Motion. Appreciate the... the Amendment and the concurrence because this is something that, as Leader Currie mentioned, was an oversight, something that needed to be restored, and this deduction would allow that personal services income of a partnership be paid to those partners, and it reinstates that deduction in the Illinois law that existed before this oversight, and we appreciate it. And I would also urge an 'aye' vote on this concurrence."

Speaker Mautino: "No one's seeking further recognition, the question is, 'Shall the House concur in Senate Amendment #1 to House Bill 2239?' This is final action. All those who favor signify by voting 'aye'; opposed vote 'nay'. Have all voted who wish? Have all voted who wish? Have all voted who wish? Mr. Clerk, take the record. On this question, there are 114 voting 'aye', 0 voting 'nay', and 0 voting 'present'. The House does concur in Senate Amendment #1 to House Bill 2239. And this Bill, having received the Constitutional Majority, is hereby declared passed. On page 7 of the Calendar appears Senate Bill 1050, Representative Currie."

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Currie: "Thank you, Speaker. I move that we accept the Amendatory Veto of the Governor with respect to Senate Bill 1050. This is a measure that would enable people who have finished serving their criminal sentences, it enables them to go back to the court that sentenced them in the first place, asking for a certificate of good conduct, a relief from disabilities. This measure that the Governor's Amendments made very technical changes in the Bill, so the basic thrust is still there. This Bill, when we approve the Governor's Amendment, will mean that people have the opportunity to go to court to show that they're able to operate effectively in society. It also will ask the Department of Financial and Professional Regulation to let them know ahead of time whether it's likely they would be accepted for a barber's license, a chauffeur's license, and what have you. So, I know of no opposition. And I would appreciate your support for this Amendatory Veto."

Speaker Mautino: "The Lady has moved the House to accept the Amendatory recon... recommendation of change from the Governor on Senate Bill 1050. On that question, Representative Eddy, the Gentleman from Crawford."

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

Speaker Mautino: "She indicates she will."

Eddy: "Representative, in... in its original form, the Bill did have some opposition. And I... I was wondering, in fact, I think, originally there were about 20 'no' votes, and that came from some opposition. Does the Governor's Amendatory Veto, in effect, remove that opposition, or..."

Currie: "I was not aware of any opposition, Representative."

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Eddy: "Okay. And I'm not sure specifically what it was, but... but I do know that the Governor's made some... some changes that could have, in effect, removed that opposition. I want Members to kind of check their... their voting record on this to make sure that if they were a 'no' vote on the original legislation, that they check to see if those changes made... made the opposition that they felt be removed from that Bill. So, I..."

Currie: "I did have a lot of help on drafting the Bill, changes that we made in the House from Representatives Chapin Rose and Dennis Reboletti."

Eddy: "Okay. Well, I thank you... I thank you for that and, perhaps..."

Currie: "I thank them for that."

Eddy: "...and perhaps, they... they would be willing to weigh in, but. I just want to bring that to everybody's attention. And thank you."

Speaker Mautino: "No further Members seeking recognition, Representative Currie moves to accept the specific recommendations of the Governor as to Senate Bill 1050. 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 Bassi, Jefferson, Myers, Schmitz, do you wish to be recorded? Mr. Clerk, take the record. This Bill, having received 89 voting 'yes', 25 voting 'no', 0 voting 'present', the Motion to Senate Bill 1050 are accepted, and declare this Bill passed in that form. On page 7 of the Calendar appears Senate Bill 1391, Representative Lang."

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Lang: "Thank you, Mr. Speaker, Ladies and Gentlemen. I move to concur with the Senate and override the Governor's Amendatory Vetoes on Senate Bill 1391. The Governor's changes were not in compliance with our reading of the Constitution. I think the Governor went way beyond what his authority and power was. This is a Bill that passed with a fairly substantial Majorities in both chambers."

Speaker Mautino: "Representative Lang moves that House Bill... excuse me, Senate Bill 1391 do pass, notwithstanding the specific recommendations for change of the Governor. On that question, the Gentleman from Crawford, Representative Eddy is seeking recognition. This will require 71 votes."

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

Speaker Mautino: "Indicates he will."

Eddy: "Representative, the underlying Bill deals with family and marriage therapists and certification of family and marriage therapists through the State Board of Education?"

Lang: "That's correct, Sir."

Eddy: "So, the State Board of Education would be responsible for determining certification requirements to issue standard certificates to those who would be involved in, perhaps, staffings for IEPs and other special education, or student services related to 504 plans?"

Lang: "I presume that's part of it, but the important thing to understand about this Bill, as I understand it, is that these are professionals specifically trained in family therapy. There are many situations, as you know, Representative, that arise at a school district level where the issues are very much wrapped up in what's going on in

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the family. All... additionally, I think you know there are many school districts that have had trouble employed... employing counselors of all types and varieties, and this would give us additional options in some school districts."

Eddy: "And I appreciate... I appreciate that attempt. I feel like that, although the Governor likely, because of Constitutional region... reasons, overstepped Amendatory Veto powers, I agree with that, that his solution to this was better than this Bill. I think the best thing to do is find the proper place for this type of licensure, and that the State Board of Education, because they're involved with certification issues related to education and not necessarily the types of things we'd see the Department of Professional Regulations involved in, probably isn't the best place. I think there's a better way to do this, and I'm... to the Bill, very quickly. Ladies and Gentlemen of the House, I stand in, really, reluctant opposition because I know the Gentleman brings something to the House that's attempting to solve a shortage problem, but... but I would say that this is not the way to do this. There is a better way. Actually, the Governor's Amendatory Veto, while it may stretch the limits of what he... he's able to do with that power, is the best approach. And probably the best thing to do is to... to see his recommendations made into some form of public policy for the Spring Session and to pursue this another way. There is substantial opposition to this approach. The Chicago Public Schools, the Illinois School Psychologist Association, the School So... Social Worker's Association, the Illinois Counselors Association,

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LEND, Ed-Red, SCOPE, LUDA, a number... a number of organizations that... that are concerned about this impact on... on possible costs to school districts have weighed in opposition. And I would urge at this time, that we have a 'no' vote, and we go back and do it the right way. So, I... I would respectfully request a 'no' vote on this Motion. Thank you."

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

Rose: "Mr. Speaker, to the Bill. I would just, as Representative Eddy just mentioned, I would urge everyone to go back and look at their original vote on the underlying Bill. As well-intentioned as the Sponsor may be on this legislation, and I... I suspect that the override Amendatory Veto... the Motion to override is well in order because the Governor's Veto was well out of order, but none the less, the underlying Bill is still not a good Bill. And I would urge everyone to go back and... and look, and see how they voted the first time around, and make sure that it's... it's still something that they wish to support. And that's all I would suggest here. Again, I think Representative Eddy did a fine job of enumerating some of the different problems with this Bill. Thank you, Mr. Speaker."

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

Yarbrough: "Thank you, Mr. Speaker. Will the Gentleman yield?"

Speaker Mautino: "He indicates he will."

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Yarbrough: "Representative, you've worked a long time on this Bill, and I... I know it's been around here for quite some time, and so, I want to thank you for introducing it. What seems to be the... the challenge here? Why are we trying to override the Governor's Veto?"

Lang: "I think there are a couple of issues at work here. First and foremost, there are many people in allied type professions such as school counselors who are simply opposed to this Bill because, as well-intentioned as they are, they see this as an incursion on what they do. Perhaps, less of them may be hired. But the truth of the matter is, that there are school districts in our state that can't find a counselor, that can't hire the right people. There are also school districts in this state who would, under given circumstances, want to bring in someone who's trained in family therapy rather than school counseling, which is what this Bill does. I heard the comments by one of the Gentleman on the other side of the aisle regarding this Bill, and the fact is that while the Governor has indicated in his Amendatory Veto that this Bill doesn't create guidelines, in fact, I would disagree with the Governor. It specifically says that the Board of Education would set guidelines, minimum standards, minimum certification requirements to make sure that those who would be hired, who are family therapists in school districts around this state, actually met a specific threshold. So, I think the Governor's Amendatory Veto is... it doesn't indicate the reality of the Bill."

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Yarbrough: "Thank you. Thank you for your comments there. To the Bill, Mr. Speaker. I would just ask all of my colleagues to support the Gentleman's Motion to override this Veto. I think it's... there are a number of challenges that are going on in our schools, and having a family therapist who've tried to address and navigate students through the process is... is a good thing. So, I ask for an 'aye' vote."

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

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

Speaker Mautino: "He indicates that he will."

Mitchell, J.: "Representative, do... do you feel that this Bill could possibly enlarge the exposure of school districts to litigation?"

Lang: "No."

Mitchell, J.: "Let me give you an example. Let's say a family therapist, or marriage counselor, whatever we want to call them, provides services to a child with a disability and the parents objects. The parent or the parent's attorney discovers the family therapist does not have the education, the training, the experience, and is not certified to provide such services."

Lang: "Well, Representative, let me again go back to the Bill. There's a lot of counseling folks out there that want to turn this Bill into something it isn't. This is a simple Bill. It enables school districts to hire these folks for specific purposes after... I'll say it again, after the State

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Board of Education creates certification requirements and rules and regulations about the standards these folks must meet, the hoops they must jump through, before any school district can hire them."

Mitchell, J.: "So, basically, the State Board of Education is going to put a certification pathway for marriage and family therapist that will have them then parallel what a school counselor or psychologist does already?"

Lang: "Well, but not every school has a school counselor or a school psychologist. That was the purpose of the Bill in the first place, Representative."

Mitchell, J.: "Well, Representative, I disagree with a... with a shortage of counselors and psychologists. In downstate Illinois, we don't have any problem, whatsoever, hiring those folks if the district and the Board of Education feels they're needed."

Lang: "That, actually, wasn't the testimony in committee, Representative."

Mitchell, J.: "To the Bill, Mr. Speaker. Ladies and Gentlemen, this... this Bill is ill-conceived, and it does not do anything for school districts that they can't already do. And I would urge a 'no' vote on the override."

Speaker Mautino: "The Gentleman from DeKalb, Representative Pritchard is seeking recognition."

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

Speaker Mautino: "He indicates he will."

Pritchard: "Representative, you indicated earlier that there's been a lot of work over a period of months on this issue."

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Has there been movement trying to reach some agr... compromise or agreement on this language?"

Lang: "Those who were opposed to this measure originally did not come to me in any other way other than to say they're opposed. They didn't attempt to sit down with me to try to come to some other landing place, but I would say this, during... if this Bill were to become law through the rulemaking process, those folks would have much opportunity to try to go the state board and set the bar very high which, by the way, I think it should be. I think the bar should be set very high, and they will have their opportunity to do that. This Bill doesn't say school districts have to hire anybody. This Bill doesn't say they have to hire a family therapist. This Bill doesn't even say they have to hire a family therapist who qualifies. This Bill simply creates an opportunity for school districts that think they need a family therapist, after they jump through certain hoops and certification requirements, it gives them the opportunity to hire such people to do the work that needs to be done on those school districts."

Pritchard: "As I understand the Governor's Veto, he was concerned about setting standards for certification, and quality of training and education, and wanted to specify those in the Bill rather than allowing them to be set by rule. Is it your understanding that the state board intends to set these kinds of rules, that the state board is under the Governor's guidance, so any concerns the

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Governor's... has could be addressed in the rules that the state board sets?"

Lang: "Well, the Governor... no Governor I've ever served under has ever been shy about going to any state agency or quasi-state agency to let them know how the Governor's Office feels about it. This State Board of Education, while I've had my problems with it, I think is fully capable of creating the standards, the guidelines, and certification bar necessary to implement this Bill."

Pritchard: "Thank you. And Mr. Speaker, to the Bill. There have been a lot of concerns raised about this issue, but we're really voting on the issue of the override and the Governor's objections. And as you've just heard, those objections can be dealt with through the rulemaking process, and that there should be high quality counselors available to our schools. I urge support for this legislation override. Thank you."

Speaker Mautino: "Further discussion? The Gentleman from DuPage, Representative Fortner."

Fortner: "Thank you, Mr. Speaker. I ask for a verification on this Bill."

Speaker Mautino: "I acknowledge your request. Further discussion? The Gentleman from Macon, Representative Flider."

Flider: "Yes, thank you, Mr. Speaker. Question for the Sponsor. Will the Sponsor yield?"

Speaker Mautino: "Indicates he will."

Flider: "Okay. Thank you. Representative Lang, as I understand your legislation, it is optional for a school

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district to have a marriage and family counselor. Is that correct?"

Lang: "That is correct, Sir."

Flider: "So, it's not something that a school district must do, but this certainly opens up a... an opportunity for school districts who have a situation where a family crisis might be a... an issue in a school situation, or perhaps just a family type of a situation, it may be a best approach for dealing with a student. And that's all you're simply trying to do here?"

Lang: "That is definitely, exactly, right. This provides options, options to school districts, options to families. And we really should be about doing that in this General Assembly."

Flider: "And, as I understand as well, there are some rules in effect to obtain a license to be a marriage and family therapist. There are certain prerequisites for licensure, are there not?"

Lang: "There are certainly prerequisites in the law and, of course, this Bill would provide that the State Board of Education could create bigger hoops to jump through, greater certification requirements, greater standards. And so, the safety is in the rulemaking process."

Flider: "And, so, while we here in... and I have the highest regard for the Governor, but with all due respect to the Governor, I don't think the Governor or the Legislature are necessarily in the best position to determine what all the rules and qualifications should be. In fact, it should be up to the schools. It should be those who deal with the

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students in these kinds of situations. That's what that rulemaking process would be all about, wouldn't it?"

Lang: "That's correct. During the rulemaking process, all parties would come and state their position on the rules. The rules could be amended and changed. JCAR, a body upon which I sit, will do a very good job looking at those rules to make sure that they're properly created and that everybody's had their say."

Flider: "Well, thank you, Representative Lang, for that explanation. I... You know, from my standpoint, this legislation has already passed, and it's become... it was put on the Governor's desk, and I think that where we are now is approaching this from a standpoint of who can best make sure that when we need a cou... when a school district decides to have a counselor in a marriage and family type of a situation, that that therapist would be qualified to do this job and that it could be most effective. Who could best do that but those who would be experts sitting down in a rule-making process? I think your override makes great sense. And I encourage the Body to support your override."

Speaker Mautino: "Representative Lang to close."

Lang: "Thank you, Mr. Speaker. We've had a thorough discussion of this, but I want to go back to two issues. First, the fact that this is somehow dangerous for our kids, or dangerous for our schools. My goodness. This just creates another option for schools to bring in people for specific needs. Schools sometimes can't get the counselors that they need, the proper people that they need. That was the testimony in committee. To say that every school district

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has a psychologist or a counselor on board 24/7 is... is simply not correct. Additionally, going beyond the actual Bill, many who have said they're voting against this Motion have also said that the Governor's overstepped his bounds. Now, I don't have the same problems with this Governor that I had with the prior Governor. I have great respect for this Governor, but if once you start by saying, well, the Governor's overstepped his bounds, the Amendatory Veto is beyond the bounds of the Constitution of the State of Illinois, how do you then say I'm going to vote 'no'? Once having said that the Governor did an act that was inappropriate to this Bill, how do you then say, well, but I'm going to say that that's okay. I'm going to approve the improper act by the Governor, and I'm going to help him along, even though he's done something that he should not have done by voting against this Motion. I don't think that's consistent. I think we have a responsibility to protect the Constitution, and I know, this isn't something like recall or taxes, and to talk about the Constitution of the State of Illinois when talking about this Bill may be a bit of an overreach, but I don't think so. I think we have a responsibility if we think the Governor has overstepped his bounds to make sure that we do not allow that to happen. So, Ladies and Gentlemen, I would ask you to think about this Bill in terms of the needs of school districts, but I would also ask you to think of this Bill in terms of what we do in this Body to protect us against other unconstitutional incursions by this or any other Governor. So, once we decide that the Governor has committed an... has

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performed an act here that he should not have performed, I think we're duty bound to vote against that act, and I would simply ask for 'aye' votes on the Override Motion."

Speaker Mautino: "Representative Lang moves that the House do pass the Senate Bill 1391, notwithstanding the Veto of the Governor. This requires 71 votes, and there has been a request for a verification. That has been granted. All in favor vote 'aye'; opposed vote 'no'. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Representative Burns, Representative Davis, Representative Dunkin, do you wish to be recorded? Representative Monique Davis. Have all voted who wish? Have all voted who wish? Have all voted who wish? Mr. Clerk, take the record. 48 voting 'yes', 64 voting 'no', 0 voting 'present', Senate Bill 1391, having not received a Supermajority, is declared lost. The Gentleman from Macon, Representative Flider."

Flider: "Yes, Mr. Speaker, a point of personal privilege."

Speaker Mautino: "State your point."

Flider: "Yes. Mr. Speaker, and Ladies and Gentlemen of the House, we have some special visitors here today from the Decatur area in my district, and Representative Mitchell's district. They are from the Lutheran School Association in Decatur. They're here... the U.S. History class is here visiting us. And they are in the gallery on the right side. If you would please... they're standing up, if you would please welcome to Springfield. Thank you."

Speaker Mautino: "Welcome to Springfield. Page 7 of the Calendar appears Senate Bill 1576, Representative Lang."

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Lang: "Thank you. I expect I'll fair better on this Bill, Mr. Speaker. So, I... I would move to override... to concur with the Senate and override the Governor's Amendatory Veto on Senate Bill 1576. The Governor completely rewrote this Bill, I think you can all see that. And I would simply ask for your 'aye' votes."

Speaker Mautino: "Representative Lang moves that Senate Bill 1576 do pass, notwithstanding the Veto of the Governor. No one seeking recognition, all those in favor vote 'aye'; opposed vote 'no'. The voting is now open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Representative Lyons, Representative Harris, Representative Flowers, do you wish to be recorded? Mr. Clerk, take the record. 114 voting 'yes', 0 voting 'no', 0 voting 'present'. The Motion, having received a Supermajority, Senate Bill 1576 is hereby declared passed, notwithstanding the Veto of the Governor. The Gentleman from Winnebago, Representative Winters is seeking recognition."

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

Speaker Mautino: "State your point."

Winters: "I would like to call the attention of the House to students from St. James School in Belvidere, Illinois. A couple of students from Rockford College, student teachers, and they did a very effective job of lobbying this... me this morning on a couple of Bills. So, if they'd stand in the gallery, and please acknowledge kids from St. James School."

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Speaker Mautino: "Welcome to Springfield. On page 7 of the Calendar appears Senate... excuse... excuse me. The Gentleman from McHenry, Representative Franks is seeking recognition."

Franks: "Thank you, Mr. Speaker. I'd like to let the record reflect that had I been in my seat for Senate Bill 1050 I would have voted 'no'. It was inadvertently pushed green, and it should have been a... a 'no'."

Speaker Mautino: "The record shall so reflect your wishes. Page 7 of the Calendar appears Senate Bill 1698, Representative Hamos."

Hamos: "Thank you, Speaker. Ladies and Gentlemen, I am moving to accept the Amendatory Veto in Senate Bill 1698, which has created a task force... or it will create task force on higher education private student loans. The Governor made changes in the composition of the task force and, actually, the appointive powers to the task force. So, he basically has the top principal for each of the agencies making the appointments. And he has added one new member, and that's all this Bill does... the Amendatory Veto does. And I move to accept it so that we can get this task force appointed and it can begin its work. Thank you."

Speaker Mautino: "Representative Hamos moves to accept the specific recommendations of change from the Governor as to Senate Bill 1698. No one seeking recognition, all in favor vote 'aye'; opposed vote 'no'. And the voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Mr. Clerk, take the record. 114 voting 'yes', 0 voting 'no', 0 voting 'present', the

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Motion, having received a Majority, House Bill... excuse me, Senate Bill 1698 is declared passed in this form. The Chair will now go to Senate Bills-Second Reading. On page 3 of the Calendar appears Senate Bill 146, Representative Mathias."

Clerk Bolin: "Senate Bill 146, a Bill for an Act concerning elections. The Bill was read a second time, previously. Amendment #1 was adopted in committee. For... Floor Amendment #3, offered by Representative Mathias, has been approved for consideration."

Mathias: "Thank you, Mr. Speak..."

Speaker Mautino: "The Gentleman from Lake, Representative Mathias on Floor Amendment #3."

Mathias: "Thank you, Mr. Speaker. Floor Amendment 3 makes some technical changes to two other Bills that are, right now, I believe one in the Senate, one may have passed already. And I can discuss it more in detail on Third Reading."

Speaker Mautino: "Gentleman moves adoption of Floor Amendment 3 to Senate Bill 146. All in favor say 'aye'; opposed 'no'. The 'ayes' 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. Read the Bill a third time, Mr. Clerk."

Clerk Bolin: "Senate Bill 146, a Bill for an Act concerning elections. Third Reading of this Senate Bill."

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

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Mathias: "Thank you, again, Mr. Speaker. Senate Bill 146 is basically a cleanup Bill. It has two provisions. If you recall, the first provision, Representative Fortner previously had a Bill that, I believe, is in the Senate, I'm not exactly sure, but I believe it's in the Senate now, and it provided that you had to obtain signatures in addition to the other requirements. If you're appointed to a position, you know, a House or Senate position where there was no... no one who ran in the Primary, and then there's an appointment process after the Primary, the previous Bill added the requirement of signatures. All this Bill does on that requirement is to make sure that the filing of those petitions are done in the same place that you would file the original appointment. So, if it was a state office, obviously, it's with the Secretary of State. If it was a local office, it would... may be in a county this Bill just clarifies that. That's the first item. The second item is an initiative of the State Chamber. And it basically moves up the requirements of the previously filed Bill, I believe it was Senate Bill 51, which was the Pay-to-Play Bill. And it moves up some of the requirements in that Bill to January 1, 2010, instead of July... I'm sorry, instead of July 1, 2010. And I ask for your 'aye' vote."

Speaker Mautino: "The Gentleman from McHenry is seeking recognition, Representative Franks."

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

Speaker Mautino: "He indicates that he will."

Franks: "Representative, I'm looking at our analysis. It indicates that this is trailer legislation to two separate

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pieces of legislation, House Bill 723 and Senate Bill 51.
Is that correct?"

Mathias: "That's... Yes, that's correct."

Franks: "Where are we on those two Bills, because those have
both been amendatoraly vetoed, correct?"

Mathias: "Well, I believe that... actually, Representative
Fortner, I'm not sure if he's... Yeah, he's here. He could
probably answer the status of that Bill. I believe it's in
the Senate."

Franks: "723, I believe is in the Senate, but Senate Bill fif..
I'm sorry, House Bill 723 has passed the House..."

Mathias: "Right."

Franks: "...but Senate Bill 51 has not yet been overridden, has
it?"

Mathias: "I would... if you'd..."

Franks: "Accepted. I'm sorry, accepted, not overridden."

Mathias: "Well, I... according to this, it shows that it's... it
has a Public Act number on it, but let... let me just look.
If you gave me... give me a second, I can tell you the
answer. Do you know? I will... give me a second, I will
check it out."

Speaker Mautino: "The Gentleman from..."

Mathias: "I believe it's in the House now on the Calendar of
Amendatory Vetoes."

Franks: "I... I now... here's my concern. Would it make sense
procedurally to first accept the Senate Bill 51, and then
call your Bill because in case something happened with
Senate Bill 51, then this could be a problem? And I'm

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wondering if maybe we could call that one first, and then do yours just to make sure we're doing it all correctly."

Mathias: "It, you know, of course I don't control the Calendar here, as you know, neither of us do. The problem is, this Bill has to get to the Senate and has to pass the Senate by tomorrow; otherwise, when we leave, it won't do any good to pass it after tomorrow. So, just in the interest of time, I, obviously... if it doesn't pass here, I'm sure someone in the Senate will recognize that either later today or tomorrow, and not pass the Bill there."

Franks: "I'm getting some advice as well."

Mathias: "And I believe it has if and only if language in there."

Franks: "Ri... Correct. And apparently, we do need to pass this..."

Mathias: "Yes."

Franks: "...because we're not going to get 51 back here until after the Governor does what the Governor's going to do with that."

Mathias: "Right."

Franks: "Okay. Thank you. I just wanted to make sure procedurally we were doing this correctly."

Mathias: "Thank you."

Franks: "So, thank you."

Speaker Mautino: "Further questions. The Gentleman from DuPage, Representative Fortner for clarification."

Fortner: "Thank you, Mr. Speaker. And my thanks to the Sponsor for allowing my trailer Bill to be attached to his Bill as well, and to the previous speaker's question, I think it

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sounds like things were clarified. We need to take action in this chamber today so that the Senate may also take action in concurrence with these two pieces of trailer Bill. Both of the Bills, for which they're going to be acting on, are up on the Calendar for Override Motions, but because both chambers need to act, we need to take this action and make those trailer Bills available in a timely fashion so... should those overrides go forward. Thank you."

Speaker Mautino: "No one seeking further recognition, the question is, 'Shall Senate Bill 146 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? Does Representative Flowers wish to be recorded? Mr. Clerk, take the record. 106 voting 'yes', 8 voting 'no', 0 voting 'present', Senate Bill 146, having received a Constitutional Majority, is hereby declared passed. Page 3 of the Calendar appears Senate Bill 760, Representative Howard."

Clerk Bolin: "Senate Bill 760, a Bill for an Act concerning public aid. Third Reading of this Senate Bill."

Speaker Mautino: "Representative Howard."

Howard: "Thank... thank you very much, Mr. Speaker. This Bill would amend the Illinois Public Aid Code with respect to eligibility for medical assistance during the periods of incarceration or detention. We're trying to... to accomplish one thing and that is to make certain that individuals who go into incarceration, who already have coverage, do not lose the coverage and therefore, have a problem once they leave incarceration. This merely puts that coverage, that

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medical coverage, on hold until such time as they complete their sentence."

Speaker Mautino: "The Lady's moved passage of Senate Bill 760. On that question, the Gentleman from Crawford, Representative Eddy. 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? Mr. Schmitz, do you wish to be recorded on this Bill? Mr. Clerk, take the record. 89 voting 'yes', 25 voting 'no', 0 voting 'present', Senate Bill 760, having received the Constitutional Majority, is hereby declared passed. Mr. Clerk, Senate Bill 2188 appears on page 3 of the Calendar, Representative Winters. Read the Bill."

Clerk Bolin: "Senate Bill 2188, a Bill for an Act concerning local government. Third Reading of this Senate Bill."

Speaker Mautino: "Representative Winters."

Winters: "Thank you, Mr. Speaker. Senate Bill 2188 attempts to solve a problem that we have with a referendum that was passed by a local municipality. They were... the contract that the referendum dealt with was to buy a utility from a Wisconsin utility that had agreed to a contract. Six months later, the utility changed its mind, wanted more money, and then tied the bonds up in court. They cannot be sold while a court case is going on. This simply stops the clock while a court case is ongoing. There is no opposition. This is supported by the Municipal League, by the Suburban Mayors, by the School Management Alliance. It has no affect on taxes, as these bonds were sold based on

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the utilities revenue that would be created by selling electricity. So, it has nothing to do with tax increases. I understand that some of the targets may be off, but I would appreciate your support for this Bill. And would be happy to answer any questions."

Speaker Mautino: "The Gentleman from Winnebago has moved passage of Senate Bill 2188. 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? Mr. Clerk, take the record. 82 voting 'yes', 32 voting 'no', 0 voting 'present', Senate Bill 2188, having received the Constitutional Majority, is hereby declared passed. On page 2 of the Calendar appears Senate Bill 395, Representative Riley. Mr. Clerk, read the Bill."

Clerk Bolin: "Senate Bill 395, a Bill for an Act concerning State Government. Third Reading of this Senate Bill."

Speaker Mautino: "Representative Riley."

Riley: "Thank you, Mr. Speaker, Members of the House. Senate Bill 395 basically gives the office of the Treasurer latitude in investing in repurchase agreements. And essentially, what it does, it brings the state deposit of... the deposit of state moneys at... into agreement with the federal statute, the Government Securities Act of 1986, as that Act exists now or if it's ever amended. And this is similar, a matter of fact, it's the same Bill as the Bill that passed out of here unanimously in April, I believe it was, House Bill 177. So, I would ask your support in 'aye' votes."

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Speaker Mautino: "The Gentleman moves passage of Senate Bill 395. No one seeking recognition, on... 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? Representative Burke and Mendoza, do you wish to be recorded? Mr. Clerk, take the record. 114 voting 'yes', 0 voting 'no', 0 voting 'present', Senate Bill 395, having received a Supermajority, is declared passed. On page 2 of the Calendar is Senate Bill 595, Representative Gordon."

Clerk Bolin: "Senate Bill 595, a Bill for an Act concerning local government. Third Reading of this Senate Bill."

Speaker Mautino: "Out of the record. Page 2 of the Calendar appears Senate Bill 728, Leader Miller. Mr. Clerk, read the Bill."

Clerk Bolin: "Senate Bill 728, a Bill for an Act concerning regulation. Third Reading of this Senate Bill."

Speaker Mautino: "Mr. Miller."

Miller: "Thank you, Mr. Speaker. This Bill is just simply cleanup language from Public Act 96-262. I ask for a favorable vote."

Speaker Mautino: "The Gentleman moves passage of Senate Bill 728. 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? Mr. Clerk, take the record. 114 voting 'yes', 0 voting 'no', 0 voting 'present', Senate Bill 728, having received a Supermajority, is hereby declared passed. Page 2 of the

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Calendar is Senate Bill 747, Representative Acevedo. Mr. Clerk, read the Bill."

Clerk Bolin: "Senate Bill 747, a Bill for an Act concerning liquor. Third Reading of this Senate Bill."

Speaker Mautino: "Mr. Acevedo."

Acevedo: "Thank you, Mr. Speaker, Ladies and Gentlemen of the House. Senate Bill 747 amends the Liquor Control Act of 1934. Makes a technical change in the Section concerning the sale... delivery of alcohol liquor in public buildings. Eduardo's is a grocery store that is in my district and Senator Muñoz's district. They... they currently have a license to sell liquor there already, but it's a store within a store. And all we're doing is changing to where Eduardo would take ownership of both establishments. I'll be happy to answer any questions."

Speaker Mautino: "The Gentleman has moved passage of Senate Bill 747. And on that, a question from the Gentleman from Knox, Representative Moffitt."

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

Speaker Mautino: "He indicates that he will."

Moffitt: "Representative, just a... a clarification. There are no opponents to this Bill, then, at this point?"

Acevedo: "Not that I know of."

Moffitt: "And would you say, again, if... you said it's technical? It's... you described it as a store within a store."

Acevedo: "Yeah."

Moffitt: "Does this change anything in terms of distances and..."

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Acevedo: "No. Currently, Representative, the store was owned earlier by a... a company called A&P. They had a separate part of the store to sell liquor, the rest was for groceries. Eduardo bought the grocery store, but not the liquor store. Now, the old owners of the liquor store wants to sell the... the whole establishment to Eduardo. And that's all they're trying to do. They already, currently, sell liquor there already for years."

Moffitt: "They, currently, they have for years?"

Acevedo: "They have for years."

Moffitt: "There's no change?"

Acevedo: "There's no change."

Moffitt: "Okay. Thank you."

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

Eddy: "Will the Sponsor yield? Representative..."

Speaker Mautino: "He indicates he will."

Eddy: "Thank you. Representative, the issue here is also related to a church managed or operated school that's also within the boundaries. My only question is, has the... has the church and the church school weighed in on this, and they're okay? They understand that the... this needs... they're okay with this?"

Acevedo: "Yeah, Representative, they have no problem because, like I said before, the liquor has been sold there for many, many years already."

Eddy: "So... so, they're... to... to your knowledge, and you're confirming that that school which is part of the... the church associated with this property..."

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Acevedo: "There was... there was no op... yeah, no opposition."

Eddy: "No opposition. All right. Thank you for that.
Appreciate it."

Speaker Mautino: "The Gentleman moves passage of Senate Bill 747. No one else 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. 77 voting 'yes', 37 voting 'no', 0 voting 'present', Senate Bill 747, having received a Supermajority, is hereby declared passed. Page 4 of the Calendar appears Senate Bill 332, Representative Saviano. Mr. Clerk, read the Bill. What's the status of the Bill?"

Clerk Bolin: "Senate Bill 332, a Bill for an Act concerning government. The Bill was read a second time, previously. No Committee Amendments. No Floor Amendments. No Motions are filed."

Speaker Mautino: "Third Reading. And read the Bill a third time, Representative Saviano."

Clerk Bolin: "Senate Bill 332, a Bill for an Act concerning government. Third Reading of this Senate Bill."

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

Saviano: "Thank you, Mr. Speaker, Members of the House. Senate Bill 332 simply extends the sunset date for the Land Sales Registration Act to January 1, 2020. This is from DFPR. And there is no opposition. Thank you."

Speaker Mautino: "The Gentleman moves passage of Senate Bill 332. No one seeking recognition, the question is, 'Shall

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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 Mulligan, Representative Sullivan, do you wish to be recorded? Mr. Clerk, take the record. 114 voting 'yes', 0 voting 'no', 0 voting 'present', this Bill, having received its Constitutional Majority, is hereby declared passed. The Gentleman from Lake, Representative Mathias is seeking recognition."

Mathias: "Yes. Thank you, Mr. Speaker. On Senate Bill 747, I inadvertently pressed the 'yes' vote when I wanted to vote 'no' on that Bill."

Speaker Mautino: "The record will reflect your intentions."

Mathias: "Thank you."

Speaker Mautino: "Page 2 of the Calendar is Senate Bill 595, Representative Gordon. Mr. Clerk, read the Bill."

Clerk Bolin: "Senate Bill 595, a Bill for an Act concerning local government. Third Reading of this Senate Bill."

Speaker Mautino: "Representative Gordon, Jehan."

Gordon, J.: "Thank you, Mr. Speaker. The Bill that I have before us today is a... an extension on a TIF district in my district. It would extend the TIF district from 23 years to 35 years. I have letters of support from every governmental body that will be affected by this in support in the extension of this district... in this TIF district. It passed the Senate very favorably. And I'd like to ask you for an 'aye' vote."

Speaker Mautino: "The Lady moves passage of Senate Bill 595. On that question, Representative Eddy."

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

Speaker Mautino: "She indicates that she will."

Eddy: "Representative, you mentioned the affected... taxing districts have provided letters. So, I think that's the Village of Bellevue, Peoria Sanitary District, Limestone Community High School District 310, Norwood School District 63, the Limestone Fire Protection District, and the Peoria County Board. Is that... you have letters from all of those indicating their agreement with the extension?"

Gordon, J.: "Yes."

Eddy: "Okay. Thank you."

Speaker Mautino: "The Lady's moved passage of Senate Bill 595. 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? Mr. Clerk... Does Representative Riley wish to be recorded? Mr. Clerk, take the record. 108 voting 'yes', 0 voting... Excuse me. 108 voting 'yes', 6 voting 'no', 0 voting 'present', Senate Bill 595, having received the Constitutional Majority, is hereby declared passed. Page 5 of the Calendar appears Senate Bill 1896, Representative Wait. Mr. Clerk, what's the status of that Bill?"

Clerk Bolin: "Senate Bill 1896, 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."

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Clerk Bolin: "Senate Bill 1896, a Bill for an Act concerning criminal law. Third Reading of this Senate Bill."

Speaker Mautino: "Representative Wait."

Wait: "Thank you, Ladies and Gentlemen of the House. Yes. This is a Bill that we've been working on for a considerable long time. I think that we've removed any opposition to this Bill. It came out of the committee unanimously yesterday. It just provides additional help for victims. It only applies to 266 prisoners who were sentenced under the... Section C prison code. So, I'd be happy to answer any questions."

Speaker Mautino: "The Gentleman has moved passage of Senate Bill 1896. Majority Leader Currie is seeking recognition."

Currie: "Thank you, Speaker. I rise in support of the Bill, and I am really grateful to the Sponsor of the Bill in the House, Representative Wait, and the Senate Sponsor, Senator Haine, because they were willing to work with the John Howard Association and other groups that represent some of the... the people who are the subject of this Bill. And I'm really grateful that they were as open to change as they were. And I think we now have a good measure that can be supported by the State's Attorneys' Offices, and the people who represent the people who are incarcerated. So, I join Representative Wait in asking for your 'yes' vote."

Speaker Mautino: "The Gentleman has moved passage of Senate Bill 1896. 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? Mr.

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Clerk, take the record. 114 voting 'yes', 0 voting 'no', 0 voting 'present', Senate Bill 1896, having received its Constitutional Majority, is hereby declared passed. On page 3 of the Calendar is Senate Bill 2248, Representative Joyce. Mr. Clerk, read the Bill."

Clerk Bolin: "Senate Bill 2248, a Bill for an Act concerning transportation. Third Reading of this Senate Bill."

Speaker Mautino: "Representative Joyce."

Joyce: "Thank you, Mr. Speaker, Ladies and Gentlemen of the House. Senate Bill 2248, actually, originally passed out of the Senate, I think 58 to 1. We brought it before this... the House Vehicle Safety Committee, and there were some issues from the Secretary of State's Office. They asked that we work together on it over the summer and come back to this Veto Session and make some changes. We did that in committee yesterday. What Senate Bill 2248 would do is change the DUI provision of the Illinois Vehicle Code to combine driving a motor vehicle under the influence with operating a snowmobile or motorized watercraft under the influence into a single provision. This would also allow the two departments to communicate and have records, allow the Secretary of State to track these violations. And if a person receives an OUI today, operating under the influence while driving a snowmobile or a motorized watercraft, it has no impact on their driver's license. And also, it's very difficult to enforce or get a judgment against someone operating a snowmobile because of the fact that there's no breathaly... breathalyzer or no summer... automatic summary suspension if someone refuses the breathalyzer. In

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addition to which, if someone takes a field sobriety test, they often will get thrown out of court because they have been on that vehicle for a set number of hours, and they were in heavy equipment or snow... snow equipment, boots, and complain of their legs cramping up and they could not pass that. This brings everything together into one provision underneath the Code and, hopefully, in the long term, will save lives and make people know that we're serious about operating a vehicle that is very powerful and very dangerous while you're under the influence of alcohol or drugs. I'd be happy to answer any questions. I'd appreciate an 'aye' vote."

Speaker Mautino: "Questions on Senate Bill 2248? The Gentleman from Crawford, Representative Eddy."

Eddy: "Thank you, Speaker. Will the Sponsor yield for a couple questions, clarifications? Representative, just... just want to make sure there... there's one aspect of this that I want to clarify. The understanding is that whether you're driving a snowmobile, operating a boat, or a vehicle, there are standard limits associated with alcohol that will be applied, and if you're found guilty of driving under the influence of a boat, or a snowmobile, or a motorized vehicle on the roadways, that they're all going to affect your licensure to operate that vehicle. That's a standardization of this?"

Joyce: "That's correct. And the..."

Eddy: "And... and the level is the .08 level that exists today? That hasn't changed."

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Joyce: "That's not... that's not changing and... and, actually, we don't have licensures for boats and snowmobiles. And... and, basically, what would happen is the Secretary of State has agreed to take on the responsibility of the notification to the... to the person who is found to be in violation of operating under the influence or driving under the influence, and they will provide that notification. The only time that that notification will not be provided by the Secretary of State is if it happens on private property. And private property, because of some technicalities within the... the federal Code, there's about 500 cases out of the 50 thousand cases that are done... that will be handled by DNR. And the effective date of this, just so everyone knows, the effective date of this is January 1, 2011. And for the reas... the reason of that effective date is because the forms are going to have to change for the Secretary of State's Office. So, there's a procurement time frame that has... that they have to go through, at least six months, and then a computer programming that'll have to be done by both the Secretary of State and DNR. The hope is, and as of yesterday morning, there was an attempt to... by the Secretary of State's Office, they're going to try... they have commitment to attempt to provide computer print outs of the notifications of the violations that happen on private property to DNR, so that they are not given the 50 thousand and only given the 500."

Eddy: "So, if... if you're operating a snowmobile on your private property and there's some type of a... an accident that takes

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place, and it's determined that you're over the .08 limit, that will still be reported but it's done a different way through DNR?"

Joyce: "It's... it's done a different way. Secretary of State doesn't have the..."

Eddy: "Authority on private..."

Joyce: "...legal ability..."

Eddy: "Okay."

Joyce: "...to do that."

Eddy: "One other quick clarification. There is in the Bill, I believe, a zero tolerance though, a .00 that applies only to underaged drivers, is that correct? Because..."

Joyce: "It... it's... it would be... it has not changed. It's the same what it is for..."

Eddy: "Vehicles."

Joyce: "...driving a vehicle, right now, would apply to operating a boat or a motor craft."

Eddy: "So, if you're underage and... and you're... any alcohol consumption whatsoever, you are in violation. But you're also, today, in violation if you... if you're driving a vehicle."

Joyce: "Correct."

Eddy: "So, you're just extending that same zero tolerance to boats and snowmobiles."

Joyce: "That's correct."

Eddy: "Okay. Thank you, Representative, for the clarifications."

Joyce: "Thank you."

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Speaker Mautino: "Seeking further recognition, the Gentleman from Cook, Representative Fritchey."

Fritchey: "Thank you, Speaker. Briefly, to the Bill. Ladies and Gentlemen, whether it's on the road, whether it's on the water, whether it's on the snow, lack of judgment is lack of judgment. Putting somebody's life at risk is putting somebody's life at risk. This is a very commonsense piece of legislation. The only surprise about this Bill is that we didn't do something like this some time ago. Somebody that does not have the sense, not only to put themselves at risk but others at risk, whether they're behind the wheel of a snowmobile, a car, a truck, a boat, that lack of judgment carries on. And they need to understand that they'll be held accountable for their actions and for the potential harm that they can cause to others, wherever that may be. We've seen too many tragedies every summer on the water, every winter in the snow, and every day, unfortunately, on... on the roads. This will make sure that Illinois stays at the forefront of the country in regulating DUIs, cracking down on DUIs. We have seen a very direct and measurable result from the steps that we've taken as a state, and that result has been measured in lives saved. And this Bill will further help us in reducing the number of fatalities and injuries from reckless driving in whatever form, in whatever type of vehicle that takes place in. I... I commend the Sponsor in doing this. And strongly urge an 'aye' vote. Thank you."

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

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

Speaker Mautino: "He indicates he will."

Rose: "Representative, I know you indicated the... the effective date's not until January 1, 2011. What kind of education process is going to go on, because I'll tell you, I don't think anybody expects to lose their driver's license when they're snowmobiling? So, people better know, be warned in advance that, you know, in many cases they might lose their job because they can no longer get to work."

Joyce: "Sure. That... that's... that's a valid... valid question, Representative Rose, I appreciate it. And that was another one of the points that I... I did not make of why we waited until January 1 of 2011. For extensive outreach... this is from Secretary of State's... State's Office. Ex... extensive outreach and training to law enforcement regarding the change, extensive outreach and training is needed to prevent law enforcement to inadvertently using the wrong wor... wrong form during a DUI arrest, extensive... extensive education to the public vis-a-vis public announcements, and updates of multiple brochures and rules of the road published by the Secretary of State's Office, and public ser... PSAs by... on T.V. will be rolled out from the Secretary of State's Office regarding this change."

Rose: "And who's going to pay for the PSA, Secretary of State?"

Joyce: "I think... I think that's already budgeted. They already have that in their... in their program. This will be another thing that's added in to... to that line of programming, you know, when they do their radio commercials or T.V. commercials."

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Rose: "Some..."

Joyce: "I think that's already in place."

Rose: "Somebody just brought up that the zero tolerance part might be in the wrong section of the statute. Do you know anything about that?"

Joyce: "I do not. It's the first time it's been brought up to me."

Rose: "Someone just mentioned that it may be in the school bus driver portion as opposed to the well... the well, you may just want to take a look at that."

Joyce: "Sure, we will."

Rose: "All right. Thank you, Mr. Speaker."

Speaker Mautino: "Fur... further discussion? Representative Sacia."

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

Speaker Mautino: "He indicates that he will."

Sacia: "Representative Joyce, I... I received a phone call during the debate on this issue. And I know that several Representatives have brought up the issue of zero tolerance, and if I understand correctly from the phone call I received, say, I'm an over-the-road trucker with a CDL license. If I get stopped on my snowmobile or watercraft and I've had a beer and I register anything, my license goes away. Am I correct?"

Joyce: "If... if you're a minor, the zero tolerance, I'm... with the way it is in the Secretary of State's Code now in Illinois Vehicle Code is if you are a minor."

Sacia: "Again, you know, I... I'm..."

Joyce: "This is the first I've heard of it..."

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Sacia: "Okay."

Joyce: "...Representative Sacia, so, I... I don't know."

Sacia: "I... I'm sharing with you what has been shared with me, and the concern is that our professional truck drivers, our professional school bus drivers, our... our people who rely on a driver's license for a living, that... and... and I listened carefully to what the Gentleman from Chicago spoke about earlier that this is a Bill that is way overdue and its time has come. I... I wonder, Representative, when we... when we go to a... a zero tolerance and... and I know that you're indicating that that's for a minor, but the way... and I just tried to skim through the Bill, and I'm embarrassed to say I haven't read it thoroughly, but the way I understand it, from the phone call I received as well, that this is a highly invasive piece of legislation that may take away a person's driving livelihood if it were to become law."

Joyce: "I'm trying to find the Section here."

Sacia: "Thank you."

Speaker Mautino: "Further questions? Oh, I'm sorry."

Sacia: "He... he's..."

Joyce: "Jim..."

Sacia: "...trying to get to get an answer for me."

Joyce: "Jim, I... and I'm just reading what's already in the existing statute, and the only thing that's been added to that is operating. So, driving or operating while under the influence of alcohol or other drugs, or intoxicating compound or compounds, a person shall not drive, operate, or be in actual physical control of any vehicle, and what

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we're adding to this is snowmobile or watercraft, within the state while the alcohol concentration in the person's blood or breath is .08 or more, based on the definition of a blood and breath units in Section 11-501.2. Under the... under... Continuing, under the influence of alcohol, or under the influence of any intoxicating compound or combination with intoxicating combines to a degree that renders a person incapable of driving a vehicle, operating a snowmobile, or operation a watercraft safely. So, I don't..."

Sacia: "Representative Joyce, would you consider pulling it from the record momentarily so we could get some better qualification of this?"

Joyce: "Okay. Yeah. Yeah. Pull... could you pull this out of the record, Mr. Speaker?"

Sacia: "Thank you very much, Representative."

Speaker Mautino: "Mr. Clerk, would you remove this Bill from the record at the request of the Sponsor. Page 7 of the Calendar appears Senate Bill 1725, Representative Turner."

Turner: "Thank you, Mr. Chairman, Ladies and Gentlemen of the Assembly. I move to accept the Governor's Amendatory Veto on Senate Bill 1725."

Speaker Mautino: "The Gentleman has moved acceptance of the Governor's Amendatory Veto on Senate Bill 1725. On that question, the Gentleman from DuPage, Representative Reboletti is seeking recognition."

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

Speaker Mautino: "He indicates he will."

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Reboletti: "Representative, what did the Governor's Amendatory Veto do?"

Turner: "Just postponed the date. It moved it back."

Reboletti: "For one more year?"

Turner: "That's correct."

Reboletti: "Why does the Governor think we need another year to complete the task at hand, to collect all this data?"

Turner: "Representative, in all fairness, the... it's just been a delay this year in terms of getting the work done. We... it just takes a little more time. And we accept this... the proposal that he's put forth."

Reboletti: "Well, I appreciate that, and... and I'll still support the measure. I just think that it's something that DOC can probably, readily, get their hands on and turn over to us so that we can figure out exactly what type of violations are occurring, and who's going back into the juvenile facility. So..."

Turner: "Well, and it's just a shortage of money and, you know, we had asked that it be done by September 30 of this year. So, we're already at the end of October, and we just..."

Reboletti: "And I... and I appreciate that. So, thank you, Representative."

Turner: "Right. Okay."

Speaker Mautino: "Representative Turner moves to accept the specific recommendations of the Governor as to Senate Bill 1725. All those in favor vote 'aye'; opposed vote 'no'. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Representatives Burke, Durkin, Rita, do you wish to be recorded? Mr.

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Clerk, take the record. The Motion, having received a Constitutional Majority... This Bill has received 114 'yes', 0 voting 'no', 0 voting 'present'. The Motion, having received the Constitutional Majority, specific... to accept, is declared passed in that form. Representative Cole is seeking recognition."

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

Speaker Mautino: "State your point."

Cole: "I'd just like to announce that my seatmate's birthday is tomorrow, Representative Beaubien. There's cake in the back room, Room 314. It hasn't been cut yet, so go get some. He's... he tells me he's 60 years old. I don't know if I believe that."

Speaker Mautino: "The Gentleman from Winnebago, Representative Jefferson, is speaking... seeking recognition."

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

Speaker Mautino: "State your point."

Jefferson: "I'd just like to recognize some... Rockford, we've got several students here from St. James School that came to lobby me this morning for a Bill, and I told them that's the way you get started. It's for... so they're a little young now, but they're well on the right track. Sara Matuci, Chris Banthal, Kirsten Levelle, and Alex Gonzales, along with their teacher, Professor Elaine Sharp, and their sponsor, Erick Buzzo. Would you please rise, and be recognized, please? Welcome to Springfield. Thank you very much for coming."

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Speaker Mautino: "Welcome to Springfield. Representative Turner in the Chair."

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

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

Speaker Turner: "State your point."

Golar: "Yes, today, we are joined by the You Can Stars Program. There are five winners from last year, Anitra, Erick, Amy, and Natalie. They are joined today in the back of me by their leaders, Jody and Ellen Acevedo. Let's give them a Springfield welcome."

Speaker Turner: "...from Springfield. On page 4 of the Calendar, on the Order of Second... Senate Bill's-Second Reading, we have Senate Bill 390, Representative Mautino, the Gentleman from Bureau."

Clerk Bolin: "Senate Bill 390, a Bill for an Act concerning State Government. The Bill was read a second time, previously. No Committee Amendments. No Floor Amendments. No Motions are filed."

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

Clerk Bolin: "Senate Bill 390, a Bill for an Act concerning State Government. Third Reading of this Senate Bill."

Speaker Turner: "The Gentleman from Bureau, Representative Mautino."

Mautino: "Thank you, Mr. Speaker. Senate Bill 390's a joint initiative of the Finance Authority and the Illinois Attorney General's Office and does two things: it adds efficiency projects to the list of projects that we authorized in 1906 that would be eligible for state

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guarantees from the Illinois Finance Authority. What this does is help to leverage federal and state funding that's available for energy efficiency projects that create and retain jobs in Illinois. One of these specifically is in Representative Eddy's district, but many projects throughout the state will be available. It'll share this.. the second thing is it shares the same effective date as 1906, which was passed by both chambers without opposition. Know of no opposition to the Bill and just clarifies that the Finance Authority has the ability to issue these guarantees for clean coal projects and energy efficiency. Answer any questions."

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

Eddy: "Thank you, Mr. Speaker. Very quickly, to the Bill. I want to thank Representative Mautino. This is important legislation for job creation in the state. It.. it very narrowly expands the.. the qualifications for energy efficiency that will allow, hopefully, a project to take place in.. in Crawford County that will create jobs, and more importantly, retain jobs in a.. in an inst.. or a factory that's been there for many, many years. Just want to thank him. And I'd urge an 'aye' vote. This is what we need to do in Illinois, bring jobs."

Speaker Turner: "Seeing no further questions, the question is, 'Shall the House pass Senate Bill 390?' All those in favor should vote 'aye'; all those opposed vote 'no'. The voting is now open. Have all voted who wish? Have all voted who wish? Mitchell. The Clerk will take the record. On this

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question, there are 105 voting 'aye', 9 voting 'no', 0 'presents'. And this Bill, having received the Constitutional Majority, is hereby declared passed. Representative Mautino on Senate Bill 931. Read the Bill, Mr. Clerk on..."

Clerk Bolin: "Senate Bill 931, a Bill for an Act concerning civil law. The Bill was read a second time, previously. No Committee Amendments. No Floor Amendments. No Motions are filed."

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

Clerk Bolin: "Senate Bill 931, a Bill for an Act concerning civil law. Third Reading of this Senate Bill."

Speaker Turner: "The Gentleman from Bureau, Representative Mautino."

Mautino: "Thank you, Mr. Speaker. This Bill is a joint initiative between the Department of Human Services and the Illinois Association of Court Clerks, and it's designed to create a significant cost savings to the departments. And it would... with this Bill, the department only has to send a notice to the Circuit Court when it's needed actually for the court proceeding, which, for an example, it'd be a petition to modify or an action to enforce income withholding. I know of no opposition. And appreciate an 'aye' vote."

Speaker Turner: "Seeing no questions, the question is, 'Shall the House pass Senate Bill 931?' All those in favor should vote 'aye'; all those opposed vote 'no'. The voting is now open. Have all voted who wish? Have all voted who wish? The Clerk shall take the record. On this question, there

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are 114 voting 'aye', 0 'noes', 0 'presents'. And this Bill, having received the Constitutional Majority, is hereby declared passed. Mr. Clerk, Committee Reports."

Clerk Bolin: "Committee Reports. Representative Currie, Chairperson from the Committee on Rules, to which the following measure referred, action taken on October 29, 2009, reported the same back with the following recommendations: 'direct floor consideration', and referred to Third Reading is Senate Bill 1268."

Speaker Turner: "On page 3 of the Calendar, under Senate Bills- Third Reading, Representative Sullivan, we have Senate Bill 1942. Read the Bill, Mr. Clerk."

Clerk Bolin: "Senate Bill 1942, a Bill for an Act concerning revenue. Third Reading of this Senate Bill."

Speaker Turner: "The Gentleman from Lake, Representative Sullivan."

Sullivan: "Thank you, Mr. Speaker, Ladies and Gentlemen of the House. This Bill will allow the counties of Lake, DuPage, McHenry, and Kane to hire board of review alternate members from adjacent counties for emergency purposes. The reason for this Bill and why it's come before us is there's an emergency up in these counties in regard to the volume of appeals that are taking place. We need to get bodies in the seats to... to hear these appeals to get our tax bills out in a timely manner. So, I would urge an 'aye' vote."

Speaker Turner: "Seeing no questions, the question is, 'Shall the House pass Senate Bill 1942?' All those in favor should vote 'aye'; all those opposed vote 'no'. The voting is now open. Have all voted who wish? Have all voted who

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wish? Mautino. The Clerk shall take the record. On this question, there are 112 voting 'aye', 0 'noes', 2 voting 'present'. And this Bill, having received the Constitutional Majority, is hereby declared passed. On page 5 of the Calendar, on the Order of Senate Bills-Second Reading, Representative Howard, we have Senate Bill 2109. Read the Bill, Mr. Clerk."

Clerk Bolin: "Senate Bill 2109, a Bill for an Act concerning State Government. The Bill was read a second time, previously. Amendment #1 was adopted in committee. Floor Amendment #2, offered by Representative Currie, has been approved for consideration."

Speaker Turner: "The Lady from Cook, Representative Currie on Floor Amendment #2."

Currie: "I think, really, this is Representative Howard's Amendment. Oh, I'm sorry. Withdraw. Withdraw."

Speaker Turner: "Representative Currie asks leave to withdraw Floor Amendment #2 to Senate Bill 2109. All those in favor say 'aye'; all those opposed say 'no'. In the opinion of the Chair, the 'ayes' have it. And the Amendment's withdrawn. Further Amendments, Mr. Clerk?"

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

Speaker Turner: "The Lady from Cook, Representative Howard on Amendment #3."

Howard: "Thank you very much, Mr. Speaker. Amendment #3 is a... is a trailer to House Bill 2474. And that particular House Bill created the task force on inventorying employee restr... restrictions to review statutes, administrative rules,

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policies and practices, that restrict employment of persons with a criminal record. There are a number of issues that this Amendment addresses including the size of the task force. It adds several of... additional agencies. It expands participation in the audit to include the executive... executives in each agency. It changes the date by which the state agencies must submit to the task force their report. I am prepared to take questions."

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

Eddy: "Just a quick question of the Sponsor. The Amendment."

Speaker Turner: "She indicates she'll yield."

Eddy: "Representative, what's the difference between this being subject to appropriations or subject to available resources?"

Howard: "Because we thought that there might be a... an avenue for funding other than State Government funding. In fact, there is an effort under way to try to see if there is some money someplace else. We think we have that, and it's not State Government."

Eddy: "Okay. So... so, this is... your intention is to limit the available resources statement to... other than state money, and... and..."

Howard: "Absolutely."

Eddy: "Okay. Thank you for the clarification."

Howard: "My pleasure."

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

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

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Speaker Turner: "Indicates she will."

Reis: "We're trying real quickly, Representative, to try to make out exactly everything that's in this Bill. What is the status... maybe I should ask the Clerk. What's the status of House... Floor amendment #... Floor Amendment #2."

Speaker Turner: "Withdrawn."

Eddy: "She's withdrawn that."

Speaker Turner: "That's correct."

Eddy: "So, the... the Amendment #3 becomes the Bill, and that's all that's in this?"

Speaker Turner: "That's correct."

Eddy: "Okay. Thank you. We just wanted to get a clarification on all those Amendments."

Speaker Turner: "The Gentleman from St. Clair, Representative Holbrook, for what reason do you rise?"

Holbrook: "Question of the Sponsor."

Speaker Turner: "She indicates she'll yield."

Holbrook: "In House Amendment #3, is there anything left from House Amendment #1? It's a portion concerning assessments in our three counties of Madison, Monroe, and St. Clair. That was removed, was it not?"

Howard: "That is correct."

Holbrook: "Thank you. I'm in full support of your Bill."

Howard: "Thank you."

Speaker Turner: "Seeing no further questions, is... the question is, 'Shall the House adopt Floor Amendment #3 to Senate Bill 2109?' All those in favor should say 'aye'; all those opposed say 'no'. In the opinion of the Chair, the 'ayes'

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have it. And Floor Amendment #3 is adopted. Further Amendments, Mr. Clerk?"

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

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

Clerk Bolin: "Senate Bill 2109, a Bill for an Act concerning State Government. Third Reading of this Senate Bill."

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

Howard: "Yes, thank you. You've heard the discussion prior to... the previous discussion. I'd just like to ask for green votes on this legislation."

Speaker Turner: "Seeing no questions, the question is, 'Shall the House pass Senate Bill 2109?' All those in favor should vote 'aye'; all those opposed vote 'no'. The voting is now open. Have all voted who wish? Have all voted who wish? The Clerk shall take the record. On this question, there are 115 voting 'aye', 0 'noes', 0 'presents'. And this Bill, having received the Constitutional Majority, is hereby declared passed. Mr. Clerk."

Clerk Mahoney: "Referred to the House Committee on Rules is House Resolution 736, offered by Representative Madigan."

Speaker Lyons: "Representative Joe Lyons in the Chair. Ladies and Gentlemen, on page 3 of the Calendar, Representative Joyce has Senate Bill 2248. What's the status of that Bill, Mr. Clerk? Read the Bill."

Clerk Bolin: "Senate Bill 2248, a Bill for an Act concerning transportation. Third Reading of this Senate Bill."

Speaker Lyons: "The Chair recognizes the Gentleman from Cook, Representative Kevin Joyce."

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Joyce: "Thank you, Mr. Speaker, Ladies and Gentlemen of the House. I think we had some time to try to get some clarification, and I know Representative Sacia wants to speak. We got clarification from the Secretary of State's Office that the clear intention, and the clear stat... Sections that the language refers to for zer... zero tolerance is for persons under the age of 21. That is clearly the intention. I would... I know Representative Sacia wanted to say a few words, so I'll take any other questions."

Speaker Lyons: "The Chair recognizes the Gentleman from Winnebago, Representative Jim Sacia."

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

Speaker Lyons: "The Sponsor yields."

Sacia: "To Representative Joyce's credit, he met with myself, Representative Reis, members of the Illinois State Police, Secretary of State, and the Illinois truckers, and certainly the intention of his Bill is meritorious. The Illinois truckers remain very, very concerned. They have not gone neutral on the Bill. They remain in opposition. They have the commitment from Representative Joyce that should this very lengthy Bill, and... and this is in excess of 110 or 15 (sic-115) pages, Ladies and Gentlemen, that if there are unintended consequences to CDL operators, Representative Joyce will... will bring back a trailer Bill. And I certainly applaud him for that, and I know he understands I will be a 'no' on this due to the potential issues to the Illinois truckers or to those holding CDLs."

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But again, I applaud the Representative for, as always, his willingness to try to work through issues. Thank you."

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

Mautino: "Thank you, Speaker. Will the Sponsor yield? If... and it was a little bit loud in here. I didn't hear the... the original explanation on the Bill itself, but by... or the full explanation. So, by combining these statutes, what's the practical impact? How does... how does this work if someone is on private property, on their snowmobile and it gets stopped for a... what is it, OWI or... what are they... what's the proper term?"

Joyce: "OUI. If they're on private property, they would not be subject to the summer suspension. They would... it would be the same as it is today. DNR would do the paperwork, and then they would go to court. They go to court and get convicted; they'd be convicted of a DUI. Same as... that doesn't change here."

Mautino: "So, right now, under... under the current law, I think they pulled their registrations, DNR pulls the registrations for someone in that situation. Is that how that works currently? Do they pull their... do they currently pull their driver's license for a... suspend their driver's license for a car or vehicle for a..."

Joyce: "No, they do not."

Mautino: "...for a DUI? They do not? Would this... do they do it for boats right now if you're on a..."

Joyce: "There is no driver's license for a boat or a... a snowmobile."

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Mautino: "Okay. So, the nexus on here would be after this, if you get one of these violations on... on one of those other vehicles, you lose your driver's license for a car, a vehicle, or a CDL, correct?"

Joyce: "On... on a public... on public property, that's correct. The sec... the way it would work is, the Secretary of State would provide notification to the individual that their driver's license is suspended within 46 days, as is current law, it doesn't change that at all. And their privilege is to operate any motorized vehicle, including a boat or a snowmobile, those privileges would be revoked by the same time period, and they would be covered underneath..."

Mautino: "Now, I spoke with the Secretary of State's Office briefly and I had some concerns. One that's... the State Police who have never... who had not been consulted or shown the legislation, showed concerns about some of the drafting and... this is to the Bill, actually. The State Police have... have registered concerns about the Bill. The state's attorneys who must enforce this have not been consulted on the legislation itself, and potential consequences. The CDL licenses, as it's structured right now, the Mid-West Truckers have registered a concern that since they operate under a different structure where they would have a .04, the Bill refers to a z... zero tolerance. And my concern in there, that if the drafting in the Bill isn't corrected prior to voting on it, you will have those consequences, unintended consequences by the Sponsor. I think that the... the Bill raises concerns, not on the issue it's trying to address, but in the way it addresses them. And until those

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are corrected, because it has a potential to cause unintended consequences in an area where there may not be a nexus for taking away a driver's license or denying someone their occupation and their livelihood, I would simply ask for a 'no' or a 'present' vote until the Bill can be amended or corrected."

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

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

Speaker Lyons: "The Sponsor awaits your questions."

Reis: "Representative, I want to thank you for taking the Bill out of the record for a few moments to address the age requirements and things like that, but one of my other concerns, and I understand that the Department of Natural Resources is against this Bill, who... how is... how is this all going to be enforced? Who will be responsible for pulling over the boat, or pulling over the snowmobile? How are... how do..."

Joyce: "Well, what... the same..."

Reis: "...see this being enforced?"

Joyce: "That doesn't change, who pulls over the boat or snowmobile. That's already law... local law enforcement does that today. Okay? So, that doesn't change anything here. The reason the Department of Natural Resources, I had spoke to in the opening, I'm more than happy to speak again to it. Their concern is that there would be... they would have too much paperwork mailed to them, that they don't have enough resources to handle the mail. It was strictly on the mail. So, the Secretary of State's Office, which we've

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talked about, the implementation date is two thousand... January of 2011. The Secretary of State's Office has made a commitment to try to make this work electronically so that the Department of Natural Resources, the cases that they handle right now, okay, would be somewhere between the range of 250 and 500 a year. Okay? As of... of the 50 thousand because we're talking about DNR would only handle the ones that are on private property. Their concern is the... is the paperwork, and how they handle that. So, I think that will be worked out well before the implementation date."

Reis: "Well, I... I bring that up, Representative, because there's going to be an effort today or tomorrow to raise the Department of Natural Resource's fees because the agency needs money. Their GRF funds have been cut dramatically since 2002, and there's a lot of people in this room that are very cognizant of that, and... and are discussing those fee increases. But here we are putting even more of a workload on the department, on the agency, and that's what makes it frustrating for us who are being asked to consider a fee increase when you just keep piling on the work, piling it on, piling it on. And if they have a concern on this... I, as the other people think that this is something that needs a little bit more time to work out, and we can work out the... the concerns of IDNR. Maybe we'll have a better handling on funding next year, we can meet the... address the issues of the Trucker's Association. So, while we're all very concerned about safety, we also want

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to make sure we get the Bill right. So, I would also urge a 'present' or 'no' vote."

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

Bost: "Thank you, Mr. Speaker. To the Bill. Ladies and Gentlemen, here we are, you know, in the last week of Veto Session, and... and we respect the... the Sponsor tremendously, and... but, this is... we're coming up, and we're passing a large Bill that, obviously, has many concerns. Many groups are in opposition. They see many problems that it... could exist. I would encourage, first off, the Sponsor to take it out, not call it. But if he... if he does go forward with it, please, I encourage you to vote 'no' or 'present'. You know, that... that's what we do here. We... we pay attention to the legislation, or we should. Folks, this... this has all kinds of questions. This one needs to go back and be worked on a little bit more. That doesn't mean a 'no' vote or a 'present' vote, that you're not for the safety and making sure that people don't do foolish things out there. The problem is, is the language itself. The language itself may cause some unforeseen consequences in people's lives, and we want to make sure that when we pass these Bills, that that doesn't happen. We've done that before. Right now, everybody, if you would, just look closely at this. Please, a 'no' or a 'present' would be the appropriate vote for this."

Speaker Lyons: "Representative Tryon."

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

Speaker Lyons: "Speaker... or the speaker yields."

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Tryon: "Representative Joyce, as I look through the... the text of this Bill, and it... it's setting a zero tolerance for minors under 21 years of age at point... anything over .00. And I guess... I guess my question is, and it may have been answered earlier, I was... I was off the floor, is it possible for somebody to actually blow greater than a .00 concentration rate and not have consumed alcoholic beverages, that they could have consumed NyQuil or some other kind of product and not be under the influence of alcoholic beverages?"

Joyce: "Re... Representative, you... first of all, you know, it is possible, and this zero tolerance from under the age of 21 is already law in the State of Illinois."

Tryon: "So, the answer is yes, that... that could happen? Is there any way to... any way for somebody to make a case that that's what it was? I mean... I mean, is there..."

Joyce: "Oh, sure. I mean, they have an opportunity in court, I mean, obviously."

Tryon: "Okay. No further questions."

Speaker Lyons: "The Gentleman from Menard, Representative Rich Brauer."

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

Speaker Lyons: "Sponsor yields."

Brauer: "I thought that I heard you say earlier, Representative, that if somebody was on a private lake, that this wouldn't affect them?"

Joyce: "No, no. There's a separation in the forms... the new forms that we had filled out by the arresting officer or the person writing the citation will be a checkoff for

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public versus private. At that point, if it is public, Secretary of State will handle it. If it is private, which is somewhere between 250 to 500 a year, it will be handled by DNR."

Brauer: "Well, because I know Conservation Police have authority over all waters of the state. So, they.. they would not be able to give that OUI, and then..."

Joyce: "Sure they would."

Brauer: "...have it affect somebody's livelihood?"

Joyce: "Sure they would. Why w..."

Brauer: "Okay. Thank you."

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

Black: "Thank you very much, Mr. Speaker and Ladies and Gentlemen of the House. To the Bill. People far smarter than I have already pointed out some of the difficulties in the language if... if, in fact, not the actual enforcement of this Bill. The State Police, even as amended, certainly have some concerns. DNR is opposed to the Bill. It just needs more work. Let me give you a... an example, and I think this Bill goes too far when you can take somebody doing... operating a snowmobile on their private property. I... I represent a largely rural area. And let's say the first snowfall of the season, someone was at a party and they decide to go home and get out the snowmobile for the first time that season, and they drive around in the snow on their property, 40, 50, 60 acres. They don't cross a public road; they're not on the public right of way. A CPO or a deputy sheriff goes by, sees the headlight, waits

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until they get close enough to the road, and says, come here, I want to talk to you. Has reason to suspect that the operator of the snowmobile may be intoxicated, goes through a process, I'm not even sure what the process is, the language is somewhat unclear, decides that that person is operating a snowmobile under the influence. Now, the individual's driver's license is suspended. I... I think that's a stretch. I'm not sure the courts are going to be neutral on this for very long. So, now my constituent, who was on his own property, endangering no one but himself or herself, loses a driver's license, is not able to go to work, has to go through all of the suspension process, all of the reinstatement process, may or may not even be able to get a worker's permit or an RDP for driving their car. And this... this has ramifications far beyond snowmobiles and... and boats. What about operating a golf cart under the influence at somebody's golf outing? What about the man who recently had his license restricted, and he gets on a riding lawn mower in a very small town in Illinois, and decides he'd drive his riding lawn mower downtown. He's picked up, I don't know what the courts will decide, but he's picked up, and say he's... he has no authority to operate a riding lawn mower because his license has been suspended. Well, you don't have to have a driver's license to ride a riding lawn mower or drive a riding lawn mower. This... this Bill needs quite a bit more work. It may be something that needs to be done, but no one in my district has approached me with this concept and say, we really need to tighten this up. I... I'm not aware of any statistics

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that would show we have a problem, and I have no idea how DNR would enforce this. I have 10 thousand acres in my legislative district, either in state recreation areas or state parks, 10 thousand acres. I have two people, two people are responsible for 10 thousand acres. No secretarial help. The CPOs have been cut back to the point where it's difficult to find them, difficult for them to do their job. I... I just think this Bill needs a lot more work, in all due respect to the Sponsor, I would urge a 'no' vote."

Speaker Lyons: "Representative Joyce to close."

Joyce: "Thank you, Mr. Speaker, Ladies and Gentlemen of the House. While I appreciate everybody's input on this, I must be honest and tell you... correct a few false statements. First of all, the State Police is neutral. Their concern, I think Representative Mautino mentioned and a couple others followed-up on, was that original language, which was originally why I pulled the lang... the original concern of the truckers, which is why I pulled it out of the record in the first place. That has been addressed. Tim Becker has stated very clearly, they have no problem with this. Second of all, I believe that we have addressed the concerns of the truckers, but I have also made that commitment that if they are to discover sometime before the implementation of this Bill of January 1, 2011, that there was something that was unintended that was impacting in a very negative light, which was not the intent and consequences of this legislation, that I would change it in what is going to be in the trailer Bill. Third of all, you

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want statistics? DNR wrote somewhere between 225 and 250 tickets last year, twenty seven deaths, over 10 percent of fatalities. Now, everyone can give their speeches and talk about the problems with the Bill and the language, bottom line is this has been worked on for a year. And if you don't want... if you want to come up with an excuse to say that you don't want to enforce people operating dangerous equipment under the influence of alcohol or drugs, fine, come up with your excuse, vote 'no'. But the Illinois Snowmobile Riders Association, they're for this Bill. They know it's dangerous, they know there's a safety aspect, they know there's some irresponsibility operating these vehicles out there right now. So, go ahead, you want to vote 'no', that's fine, vote 'no', but don't use an excuse of language or problems. We've addressed those problems. And I've got a commitment if there are more problems to address those problems. But if you want to feel like you're getting pressure from some group, if you want to talk about money and finances and use that as an excuse, they're going to handle 500 pieces of paper a year in the DNR, 500 pieces of paper. That means they have to open up one piece of mail, one and a half pieces of mail a day. That's a lot more expense. They just have to have it on file in order to response. There's no responsibility for enforcement from DNR. They have to have it on file so if a constituent calls and says, hey, my license has been revoked or my privilege has been revoked to operate a snowmobile or motor craft, why is that? Well, let me check, Mr. John Doe. The reason that it's been revoked is

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because you were drunk operating a boat, and thank God, you're not sitting in a prison because you killed someone. This is about safety on our roads, this is about safety on our waterways, safety on recreational vehicles. It's nothing more than that. It's not an attempt to go after anybody. It's an attempt to try to save a few more lives. So, the next time you watch a TV show... a news report, in the winter, or the summertime, you see this terrible tragedy, and it turns out that alcohol or drugs were involved in the operating of one of these vehicles, I hope you can feel good about the vote you take today."

Speaker Lyons: "The Gentleman moves for the passage of Senate Bill 2248. All those in favor signify by voting 'yes'; those opposed voted 'no'. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Ms. Cole, DeLuca, Sandy. Mr. Clerk, take the record. On this Bill, there are 79 Members voting 'yes', 33 Members voting 'no', 3 voting 'present'. This Bill, having received the Constitutional Majority, is hereby declared passed. Representative Michael Smith, for what purpose do you seek recognition, Sir?"

Smith: "Thank you, Mr. Speaker. Just for an announcement. For those of us on the Education Committee and the Education Appropriations Committee, we've had the pleasure of being assisted by Amy Ballinger-Cole for the last couple of years, and she will be leaving the House Democratic staff, tomorrow is her last day. She'll still be around the Capitol doing work with Advance Illinois, but I know on our

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side we certainly owe her a great deal of gratitude and wish her the best of luck."

Speaker Lyons: "Congratulations, Amy, a job well done. Representative Jerry Mitchell, for what purpose do you seek recognition, Sir?"

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

Speaker Lyons: "Please proceed."

Mitchell, J.: "Amy, for us on the Republican side that were in the Education Committee, we also want to wish you the best of luck, and you've been very gracious to help both sides when... when we needed it. And we wish you well, but we're all going to miss you. Thank you."

Speaker Lyons: "Thank you, Representative, for your kind words. Ladies and Gentlemen, if I could have your attention. We have some very, very special guests here today. I would ask all staff to please go to the back of the floor or off the floor and all Members to please be in their seats. It's my privilege and honor to introduce a group of visiting dignitaries who are here. And I will be introducing the speaker, but I will turn this over now to Representative Toni Berrios to recognize all of our guests to my right, your left. Representative Berrios."

Berrios: "Thank you, Mr. Speaker, Ladies and Gentlemen of the House. Today we are pleased to welcome several special guests who are with us today representing members of the Ibero-American Consular Association of Chicago. We have Joao Andre Lima, Acting Consul General of Brazil, Jose Miguel Gonzalez, Consul General of Chile, Nancy Pulecio

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Valez, Consul General of Colombia, Gonzalo Andrade, Consul General of Ecuador, Patricia Maza Pittsford, Consul General of El Salvador, Ambassador Javier Ruperez, Consul General of Spain, Jesus Rodriguez, Consul General of Venezuela, and Gisselle Castillo Veremis, Consul General of the Dominican Republic and the President of the Ibero-American Consular Association of Chicago. Let's all welcome them here to Springfield today."

Speaker Lyons: "Thank you, Representative Berrios, and thank you, Ladies and Gentlemen, for that warm reception. Speaking to us today will be the President of the Association, the Consul General from the Dominican Republic, Castillo... Castillo Veremis. Consul General Veremis, welcome."

Dr. Castillo Veremis: "Good afternoon, State r... Speaker... no, he's not here. Sorry. Good afternoon, State Representative, Ladies and Gentlemen. It is an honor for the Consul Generals of the Ibero-American Consular Association of Chicago to be here today. We believe that this visit is a great opportunity to create a stronger ties between the government of Illinois and the Ibero-American community of Illinois. As we represent the government of our country, we also represent the interests and need of our people in the State of Illinois. The Ibero-Americans are approximately 13 percent of the state's population, and it's the fastest growing minority. Today, we would like to take this first step toward creating a closer relationship between the Ibero-American Consular Association of Chicago and the Representative of the State of Illinois. We are

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looking forward for further continued relation, and to conclude, on behalf of the Consul Generals that are here today, I would like to extend our appreciation to all of you for welcoming us here. Thank you so much."

Speaker Lyons: "Welcome to the State of Illinois, we are honored. It's our pleasure to have it. And photographs will be available. Both... both of our photographers are here to be able to take some pictures. So, again, welcome to Illinois, Iris Martinez. Senator, thank you for being part of the reception committee, and to the whole Hispanic Caucus. Congratulations, again. Thank you, everybody. The Chair recognizes the Lady from Lake, Leader JoAnn Osmond."

Osmond: "Thank you, Mr. Speaker. The Republicans would like to caucus for approximately an hour and a half in Room 118."

Speaker Lyons: "Ladies and Gentlemen, the Republicans have asked for a caucus immediately for about an hour and a half, which means we will be back here at 3:30. So, the House will stand at ease 'til the hour of 3:30. The House will come to order. Mr. Clerk, Agreed Resolutions."

Clerk Bolin: "Last House Resolution 719, offered by Representative Black. House Resolution 721, offered by Representative Monique Davis. House Resolution 722, offered by Representative Farnham. House Resolution 723, offered by Representative Sente. House Resolution 725, offered by Representative Senger. House Resolution 726, offered by Representative Brauer. And House Resolution 727, offered by Speaker Madigan."

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Speaker Lyons: "Representative Lang moves for the adoption of the Agreed Resolutions. All those in favor signify by saying 'yes'; those opposed say 'no'. In the opinion of the Chair, the 'ayes' have it. And the Agreed Resolutions are adopted. Ladies and Gentlemen, on page 4 of the Calendar, under Senate Bills-Second Reading, is Senate Bill 253. What's the status of that Bill, Mr. Clerk?"

Clerk Bolin: "Senate Bill 253, a Bill for an Act concerning property. The Bill was read a second time, previously. No Committee Amendments. Floor Amendment #1, offered by Representative Saviano, has been approved for consideration."

Speaker Lyons: "The Chair recognizes the Gentleman from Cook, Representative Skip Saviano."

Saviano: "Thank you, Mr. Speaker and Members of the House. Floor Amendment #1 becomes the Bill, and what it does is it provides for an escrow for the high-priced mortgages. It's a good consumer protection gesture. And I would ask that the Floor Amendment #1 be adopted."

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

Clerk Bolin: "No further Amendments. No Motions filed. All note requests have been withdrawn."

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

Clerk Bolin: "Senate Bill 253, a Bill for an Act concerning property. Third Reading of this Senate Bill."

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Speaker Lyons: "Representative Skip Saviano."

Saviano: "Thank you, Mr. Speaker. This puts us in line with the Federal Law. And I would ask that we pass Senate Bill 253. Thank you."

Speaker Lyons: "Any discussion? The Chair recognizes Representative Lou Lang."

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

Speaker Lyons: "Sponsor yields."

Lang: "Thank you. So, is this in agreement with everyone involved, Representative?"

Saviano: "Yes. Everybody's neutral."

Lang: "And I'm noticing there's something wrong with your voice. Are you all right, Sir?"

Saviano: "Yeah. I think I'm getting a cold."

Lang: "I think there's a movie in your future with that voice. Let me... let me..."

Saviano: "Hopefully."

Lang: "Would it be all right, because you're not feeling that great, if I just kept you talking for an hour or so, people yield me their time?"

Saviano: "Why not."

Lang: "Nah, I'll just pass. Thank you, Sir."

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

Saviano: "I would ask that Senate Bill 253 pass. Thank you."

Speaker Lyons: "Question is, 'Should Senate Bill 253 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.

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Clerk, take the record. On this Bill, there are 116 Members voting 'yes', 0 voting 'no', 0 voting 'present'. This Bill, having received the Constitutional Majority, is hereby declared passed. The Chair recognizes the Gentleman from Cook, Representative Dan Burke for a Motion."

Burke: "Thank you, Mr. Speaker and Ladies and Gentlemen of the House. I would move for the suspen... temporary suspension of the Rules on Senate Bill 748."

Speaker Lyons: "Per the Gentleman's Motion to suspend Rules on Senate Bill 748. The Chair recognizes Representative Roger Eddy."

Eddy: "Thank you. The Sponsor of the Motion yield for a quick question?"

Speaker Lyons: "Sponsor yields."

Eddy: "Representative, can you briefly describe what the Senate Bill 748, the Bill... what's it... what it does?"

Burke: "A very standard liquor license exemption in the City of Chicago. A location that has distance between a church and a school. Both entities, both CPS, and the church are neutral on the matter. So, there's no objection to this variance."

Eddy: "Representative, I... I received information that there was a letter that was supposedly forthcoming from the specific school district that has not been received yet. Do you know anything about that, that promise that was made by the Senate Sponsor?"

Burke: "I have been given to understand that there's neutrality on the part of Chicago Public Schools. This is in... this is in Representative Berrios's district. Actually, the

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Chicago Public Schools does not have policy with respect to issuing letters other than to say that they are neutral."

Eddy: "Okay."

Burke: "So, they do not support these initiatives, but they indicate their neutrality."

Eddy: "What... what school district specifically... which... which building, or is it a neighborhood community school, do we know? Here... here's the issue. My understanding is, that in... the Senate Sponsor indicated that, before this Bill would move, that there would be a letter from the school district... the school, the specific school, that said they had no objection. Do we have that letter..."

Burke: "Yes."

Eddy: "...that's basically... we have a letter from the specific school?"

Burke: "Representative, I understand our staff is very careful in these matters. They have reviewed, we have certain requirements in order to initiate these exemptions, and I've been given to understand that they are in compliance with all the necessary sign-offs."

Eddy: "Okay. So, I take that, and I'm not going to object to your Motion based on your word that that's there, because that's all I wanted to make sure there was that specific commitment made by the Senate Sponsor that there would be agreement from the school..."

Burke: "Yes."

Eddy: "...and I wanted to make sure, before we went forward, that that had taken place. Your word is good with me. I'm not going to object to your Motion based on that. Thank you."

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Burke: "Thank you, Representative."

Speaker Lyons: "Seeing no objection, the request to suspend posting requirements on Senate Bill 748 prevails. Ladies and Gentlemen, on page 7 of the Calendar, under Amendatory Veto Motions, Speaker Madigan has Senate Bill 51. The Chair recognizes Speaker Michael J. Madigan."

Madigan: "Mr. Speaker and Ladies and Gentlemen of the House. This Bill is concerned with major changes in the procurement process for the State of Illinois. The Bill was heavily negotiated during the Spring Session. The Governor offered an Amendatory Veto, which was found to be not compliant with the Constitution. The Senate has overridden the Governor's Veto, and my plan is to move to override the Governor's Veto. And therefore, Mr. Speaker, I so move."

Speaker Lyons: "The Speaker has made his Motion to override the Governor's Veto to Senate Bill 51. Is there any discussion? Seeing none, again, the Speaker has made a Motion to override the Governor on Senate Bill 51, notwithstanding the specific recommendations for change from the Governor. All those in favor of this vote 'aye'; those opposed vote 'no'. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Representative McCarthy, Representative Verschoore. Mr. Clerk, take the record. The Motion, having received the Supermajority, House... Senate Bill 51, having received 115 'yes' votes, 0 'no' votes, and 0 'present' votes, is declared passed, notwithstanding the specific recommendations for the change of the Governor."

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

McCarthy: "Thank you, Mr. Speaker. I'd like to be recorded as a 'yes' in the Journal. I somehow hit the button, but it didn't work. So, I'll try better next time. Thank you."

Speaker Lyons: "The Journal will reflect your wishes, Representative McCarthy."

Clerk Mahoney: "The Rules Committee will meet immediately in the Speaker's Conference Room. May I have your attention. The Rules Committee will meet immediately in the Speaker's Conference Room."

Speaker Lyons: "Ladies and Gentlemen of the House, just as a point of information, the Rules Committee is meeting. The plan is for after the Rules Committee meets, we will go into the Executive Committee will meet, and then we will come back on the House Floor. So, that is the plan. The Executive Committee will be meeting momentarily. Decisions will be made back there that we'll bring back to the House Floor, and we will reconvene somewhere close to 6:00 to the call of the Chair, but roughly around 6:00. Mr. Clerk."

Clerk Bolin: "Committee Reports. Representative Currie, Chairperson for the Committee on Rules, to which the following measures were referred, action taken on October 29, 2009, reported the same back with the following recommendations: 'direct floor consideration' for Amendment #4 to Senate Bill 941 and Amendment #4 to Senate Bill 1846."

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

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Davis, W.: "For the purposes of an announcement."

Speaker Lyons: "Please proceed."

Davis, W.: "Ladies and Gentlemen, the House Members of the Illinois... to the House Members of the Illinois Legislative Black Caucus, we will be meeting in Room 122B of the Capitol as soon as we recess for committees to meet with IDOT and the Laborers' Union. Thank you."

Speaker Lyons: "Mr. Clerk."

Clerk Bolin: "Attention Members. The Executive Committee will meet immediately in Room 114. The Executive Committee will meet immediately in Room 114."

Speaker Lyons: "So, Ladies and Gentlemen, the House will stand in recess 'til the call of the Chair, and as anticipated, the call of the Chair will be somewhere around 6:00. At ease."

Speaker Mautino: "The hour is now 6:40, and the House will be in order. Mr. Clerk."

Clerk Bolin: "Committee Report. Representative Burke, Chairperson from the Committee on Executive, to which the following measures were referred, action taken on October 29, 2009, reported the same back with the following recommendations: 'recommends be adopted' a Motion to Concur with Senate Amendments 3, 4, and 5 to House Bill 3923, Floor Amendment #3 to Senate Bill 1466, and Floor Amendment #2 to Senate Bill 1514. Also, 'do pass as amended Short Debate' for Senate Bill 744 and Senate Bill 748."

Speaker Mautino: "On page 6 of the Calendar appears House Bill 3923, Representative Harris."

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Harris: "Thank you. This is a concurrence from the Senate. If you recall, this Bill amends the Insurance Code. There was considerable discussion on the floor, and there was the commitment to work out issues in the Senate and return to this Body. I'm pleased to announce that we have worked out all the issues, there is no known opposition. We have agreement from organized labor, from the business community, from the insurance community, from health care advocates, and the Bill, as before you, does three things. For the first time, it allows citizens of the State of Illinois to appeal adverse health care determinations by their insurance company and have outside reviewers determine whether or not they are entitled to that health care treatment. Second, it requires transparency in that health insurance companies are required to submit, and will be posted on the Division of Insurance Web site, cost information so that people can determine how much of their premium dollar goes to administrative expense versus actual purchase of health care for the insured. And third, it will assist small businesses and individuals in shopping for insurance with the standardized application developed jointly by the industry, the Division of Insurance, and health care advocates. I'd be happy to answer any questions and would ask for your concurrence on Amendments 3, 4, and 5."

Speaker Mautino: "Mr. Clerk, please take this out of the record for a moment. On Supplemental Calendar #2... Mr. Clerk, would you read Senate Bill 744."

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Clerk Bolin: "Senate Bill 744, a Bill for an Act concerning gaming. Second Reading of this Senate Bill. Amendment #1 was adopted in committee. No Floor Amendments. No Motions are filed."

Speaker Mautino: "Hold this Bill on Second Reading. Mr. Clerk, would you read Senate Bill 748."

Clerk Bolin: "Senate Bill 748, a Bill for an Act concerning liquor. Second Reading of this Senate Bill. No Committee Amendments. No Floor Amendments. No Motions are filed."

Speaker Mautino: "Any further Amendments? Move this Bill..."

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

Speaker Mautino: "Move this Bill to Third Reading. Page 6 of the Calendar appears House Bill 3923, Representative Harris."

Harris: "Thank you, Mr. Speaker. I would just renew my Motion to Concur with Senate Amendments 3, 4, and 5 as discussed, previously."

Speaker Mautino: "The Gentleman moves concurrence with Senate Amendments 3, 4, and 5. And on that question, the Lady from Cook, Representative Flowers."

Flowers: "Thank you, Mr. Speaker. First of all, I would like for my name to be removed. I put a slip in to have my name removed off House Bill 3923. And I want to say that I really appreciate all the hard work that the Sponsor had committed to this issue, and there's fewer things more important facing America today than health care reform. Unfortunately, I see some troubling parallels between the battle over health care reform in Washington, D.C., as well as with this legislation. On April 3, the Illinois House

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sent a very good Bill, a strong consumer Bill, to the Illinois Senate. This Bill would have made it simpler and easy for Illinois families to apply for health insurance. That Bill would have required insurance companies to cover mental and emotional disorders. And most importantly, that Bill would have required health insurance companies to spend a minimum of 75 percent of their revenue to provide health care benefits to the families that they promised to protect. Well, that was then. Not surprisingly, the insurance industry opposed that Bill. And after a contentious debate, it passed with a slim majority, with one vote coming from the other side. Just as in Congress, Democrats stood up for what they believe in, and the Illinois House of Representatives passed a very strong reform Bill. The Illinois Senate took a different approach. The House of Lord, as some refer to them, wanted to make everyone happy. Gone is the streamline insurance application process, gone is the mandatory coverage for mental health, and the insurance companies will continue to be able to discriminate. No longer thanks to the Senate and Amendment #3 that we'll be asking to concur on, will the insurance companies be required to spend a minimum of their premiums to collect or on health care benefits for Illinois families that they paid for. And if that wasn't bad enough, Senate Amendment #3 weakens the existing law that protects HMO patients, lengthening the appeal process for denied claims and putting patients further at risk. Not surprisingly, the Illinois Senate capitulated to every demand that the insurance company had. The insurance

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companies now support this Bill. It passed the Illinois Senate nearly unanimously. Ladies and Gentlemen, the choice is before us today. A vote to concur with this Senate Amendment is a vote against strong consumer protection. A vote to concur with this Senate Amendment is a vote to weaken existing consumer protection HMO patients that the Democrats fought for so long for. A vote to concur with this Senate Amendment waves the white flag of surrender, not just to the Senate, but to the insurance industry. We must send a message that we represent 110 thousand people and that their best interests, not the insurance best interests, is what we should be fighting for. I urge a 'no' vote. Thank you."

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

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

Speaker Mautino: "He indicates that he will."

Eddy: "Representative Harris, it appears that while perhaps there's still not complete agreement regarding the mental health coverage, there appears to be an elimination of some existing limitations on the number of visits or treatments for mental health coverage as long as they're deemed medically necessary. So, that's a change."

Harris: "The mental health community could not come to agreement within itself on what those standards ought to be, so we are taking that out for consideration at a further time from the Bill that was originally before the House."

Eddy: "Okay. So..."

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Harris: "There was disagreement between the different facets of the mental health community on what was appropriate, so we could not come to an agreement that would satisfy the professionals."

Eddy: "What... what does the Amendment do to the minimum medical loss ratio?"

Harris: "It requires complete transparency, and you will see in that Section of the Amendment where, you know, each and every operating line item of the insurance company must be reported on, I believe, a semiannual basis to the Division of Insurance, and there will be complete transparency and disclosure so that any Illinois insured or any consumer advocate can look at any company and determine for themselves what part of the premiums they're paying are actually going to health care versus other expenses of that insurance company."

Eddy: "So, are... are there additional protections that, prior to this agreement, were not in place in addition to the loss ratio?"

Harris: "Oh, absolutely. The entire process of external review is now available to Illinois residents where before such a right was not available to persons who had PPO, POS, or other similar health insurance arrangements. Now, if your insurance company denies you a treatment that you believe should be covered or that's medically necessary and your health care provider believes it should be covered, you now have the opportunity to have that reviewed by independent external reviewers, and that they would have the final say-so on the provision of that care for you or your family."

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Eddy: "Okay. And there is... while there may not be opposition, some of the groups aren't necessarily happy with all of that, either. I mean, they may be neutral, they may not be opposed, but to say that they support it may not be accurate either. The negotiations probably didn't make everyone happy."

Harris: "I would say that any negotiation, everyone does not walk away happy, and I would welcome working with you, I would welcome working with Representative Flowers on stronger language, going down the road."

Eddy: "Thank you. To the Bill, very quickly. I think Representative Harris has worked hard on this issue, and at this point, given the agreement that's made, we should support it and continue working on other concerns, but this Bill deserves an 'aye' vote."

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

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

Speaker Mautino: "He indicates that he will."

Black: "Representative, in Amendment #3 on page 55, line 5, Until July 1, 2013, if an external independent review decision made pursuant to upholds a determination adverse to the covered person, the covered person then has the right to appeal the final decision to the Department of Insurance. If the external review decision is found, by the director of the Department of Insurance to have been arbitrary and capricious, then the director, with consultation from a licensed medical professional, may

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overturn the external review decision. That gives extraordinary power to the director of the Department of Insurance. Evidently, the drafters of the Amendment understood this because they... they do away with this power that the director would have on July 1, 2013. So, why do we give him this extraordinary power until a date certain in 2013?"

Harris: "You will also note, Representative, that one of the facets of the external review process is complete recordkeeping on the application for the review of different external review procedures, and it was agreed between all the parties that we would come back at that date certain and reevaluate whether that was an appropriate safeguard or if it were no longer necessary."

Black: "All right. So, the director would then have the authority to order another... another... a second independent review?"

Harris: "Only in the case of arbitrary and capricious decisions, which I'm told is a... a term of art for lawyers, and the lawyers among us might help define it better. No? A lawyer's shaking his head."

Black: "Yeah."

Harris: "But I'm told that within the insurance industry, arbitrary and capricious decisions would refer to those where it could be shown that the decision by an external reviewer or other person was tainted by some kind of self interest or pecuniary interest in the outcome and was not based solely on the best medical needs of the patient."

Black: "Are you sure you're not an attorney?"

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Harris: "And I see the lawyer is now shaking his head."

Black: "That was a very good explanation. The director may overturn and order a new review and can pick a licensed medical professional, who the director will consult with. Is that going to be a list from which they choose or..."

Harris: "If you look earlier in the Bill, there is a list that would be maintained by the Division of Insurance by specialty of independent persons who would review these claims, so that if you had, for instance, a claim for neurosurgery, it would be reviewed by another neurosurgeon and not a podiatrist."

Black: "Okay. All right. If... if it's deemed that this is an important Section of this Bill, then why does it sunset in July of 2013?"

Harris: "In Illinois, since we've never had a track record of experience with the appeals process, it was agreed between all the parties to test and see if any cases rose to, you know, that threshold during that point in time and then to revisit that particular portion of the Bill on that date certain."

Black: "All right. So, the extraordinary power given the director sunsets in 2013. It would have to come back to the General Assembly..."

Harris: "Yes."

Black: "...if it is deemed, oh, what a wonderful idea and we want to continue?"

Harris: "And we would have empirical evidence and scientific evidence that would substantiate that kind of request."

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Black: "Okay. All right. It has come to my attention that, while it may be portrayed as an agreed Bill, two major carriers in the State of Illinois still have definitive concerns about this legislation. I believe Health Alliance has expressed not opposition but concerns particularly with this Section of the Bill, of giving the director of Insurance what they consider to be some extraordinary powers after the review has been done. So, would it be safe to assume that while Health Alliance and CIGNA are not in opposition they have some concerns about one individual having this kind of authority?"

Harris: "I don't want to speak for them. I think it's certainly possible that they might have that..."

Black: "Okay."

Harris: "...concern about this particular, you know, Section and that particular line."

Black: "Okay. And would it be safe to assume that since Representative Flowers took her name off the Bill that she has concerns with the Bill?"

Harris: "Oh, I believe she expressed herself very clearly."

Black: "Well, it was very loud in here, and I could hardly hear."

Harris: "I think the summary version is, yes."

Black: "Yes. All right. Well, I saw the Governor's lobbyist, the Governor's legal counsel on the floor, and she has a large hearing aid, and it was interfering with my hearing aid. That might be why I couldn't hear these electrical interferences."

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Harris: "And as in discussions with the Representative and with Representative Eddy earlier, I would love to continue to work on strengthening consumer protection and small business protection on the insurance issue here in Illinois."

Black: "On behalf of my brother who owns and operates a small business, he would certainly second that, and that's where the jobs are going to be created. You know that, I know that. And if we continue to make it more difficult for small businessmen and women in Illinois to operate to make a profit... I know profit isn't a four letter word, you know that, I do... if they don't make a profit, they cannot hire people. And it's that simple."

Harris: "And Representative, we want this Bill and others like it to be sure that they are able to retain as much money for profit as they can as opposed to paying for coverage that their employees don't need."

Black: "All right. Thank you for your answers, Sir. Thank you."

Speaker Mautino: "Further questions? Representative Durkin."

Durkin: "Will the Sponsor yield?"

Speaker Mautino: "He indicates he will."

Durkin: "Representative, I just have a couple brief questions, and I hope I'm not being redundant, but who chooses the reviewers at this expedited stage?"

Harris: "These are through the Division of Insurance."

Durkin: "How many individuals be assigned.. how many of these reviewers will be assigned to each claim, is it one or will it be three? Do we know how that's going to be..."

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Harris: "I don't believe that there's a specific number specified, Representative. I can check and certainly get back to you."

Durkin: "Yes. Is there a cost associated with filing for the appeal of this denial, for this expedited review?"

Harris: "There is not a cost to the consumer, and the insurance companies have agreed to bear the cost of the review."

Durkin: "Okay. And this list of individuals are... who are going to be on this menu of individuals that can review, they are brought... are they recommended by the insurance companies to the Department of Insurance?"

Harris: "They are selected by the Division of Insurance, and they are selected at random within their specialty to review cases that are appropriate to their expertise."

Durkin: "Okay. Have you found out whether or not there is a review team or if there's a review individual for the claim made?"

Harris: "I'm told it's a panel of three, but I'm going to have to look at that and come over and tell you."

Durkin: "Very good, thank you very much."

Harris: "I don't want to misspeak."

Durkin: "Okay. Okay."

Speaker Mautino: "No one seeking further resig... recognition, Representative Harris to close."

Harris: "Thank you, Ladies and Gentlemen. And I would appreciate an 'aye' vote. And I would look forward to continuing to work with my colleagues on further strengthening protections for Illinois consumers and small businesses."

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Speaker Mautino: "The question is, 'Shall the House concur in Senate Amendments 3, 4, and 5 to House Bill 3923?' This is final action. All those in favor signify by voting 'aye'; those opposed signify by voting 'nay'. Have all voted who wish? Have all voted who wish? Have all voted who wish? Mr. Clerk, take the record. On this question, there are 106 voting 'yea', 10 voting 'nay', and 0 voting 'present'. The House does concur in Senate Amendments 3, 4, and 5 to House Bill 3923. And this Bill, having received a Constitutional Majority, is hereby declared passed. Mr. Clerk, Committee Reports."

Clerk Bolin: "Committee Report. Representative Currie, Chairperson from the Committee on Rules, to which the following measures were referred, action taken on October 29, 2009, reported the same back with the following recommendations: 'direct floor consideration' for Amendment #3 to Senate Bill 1471."

Speaker Mautino: "On page 4 of the Calendar appears Senate Bill 1471. Mr. Clerk, what's the status of this Bill?"

Clerk Bolin: "Senate Bill 1471, a Bill for an Act concerning regulation. The Bill was read a second time, previously. Amendment #1 was adopted in committee. Floor Amendments 2 and 3 have been approved for consideration. Floor Amendment #2 is offered by Speaker Madigan."

Speaker Mautino: "On Floor Amendment #2, Speaker Madigan."

Madigan: "Mr. Speaker, please withdraw the Amendment."

Speaker Mautino: "The Amendment is withdrawn. Further Amendments?"

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Clerk Bolin: "Floor Amendment #3, offered by Speaker Madigan, has been approved for consideration."

Speaker Mautino: "On Floor Amendment #3, Speaker Madigan."

Madigan: "Mr. Speaker, our plan is to present the Amendment on Second Reading, take questions on Second Reading, adopt the Amendment on Second Reading, and put the matter on the Order of Third Reading, where Representative Davis will present the Bill on Third Reading. This is concerned with regulation of cemeteries. And the Bill would require cemetery owners, managers, and customer service employees to become licensed by the Illinois Department of Financial and Professional Regulation. This means that anyone with a supervisory role or anyone who's negotiating with consumers will have to be licensed. Independent contractors who perform this work must also become licensed. The Bill requires cemetery employees to register with the department. This means that the department will maintain information on the cemeteries administrative assistants, lawn mowers, other types of maintenance workers. Independent contractors hired to perform this work must also register. Employees will be issued a registration card that they must carry while working. The Bill requires cemetery owners to reasonably maintain their properties. Here reasonable maintenance includes, but is not limited to, the laying of ground cover as soon as practical following burial, the removal of trash and debris from the cemetery, and the repair of drains, roads, and fences. The Bill requires cemetery owners to maintain cemetery maps. If the department believes that the cemetery is violating

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the Act, it may hold them to a higher standard and require them to obtain a plat. The map or plat must be open to public inspection. The Bill also requires cemeteries to maintain burial records that include information such as the deceased name, age, date of burial, and a permanent parcel identification number. The Bill requires the department to create and maintain a burial database. Within 72 hours of a burial, a cemetery manager must send the department the burial record for entry into the database. The Bill vests the department with broad enforcement powers. It may investigate all cemetery-related activity. It may examine and audit a cemetery owner's records, care funds, and other aspects of cemetery operation that it may deem appropriate. Penalties for violation of the Act: for example, failure to reasonably maintain the property, failure to prepare a plat, include reprimands, revocations, suspensions, or fines not to exceed \$10 thousand. These are consistent with the penalties in other regulatory statutes under the department's jurisdiction. The Bill provides protection to cemetery employees against retaliatory actions by their employers. The Bill provides the following types of cemeteries are exempt from the licensure requirement and new regulations. One, family burial grounds would be exempt. Next, inactive cemeteries, those that have performed no burials in the last 10 years, exempt. Next, small cemeteries, those that are less than two acres, exempt. The Bill also exempts cemeteries owned by the City of Chicago near the O'Hare modernization project. There

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are partial exemptions in the statute. Religious cemeteries, municipal cemeteries, and relatively inactive cemeteries, those that have performed less than 25 burials over the course of two years, and they do not maintain care funds are partially exempt from the Bill. Partial exemption means they do not have to become licensed, but they must adhere to the following new regulations established in the Bill: one, partial investigation, possible investigation, possible investigation and mediation by the department. Next, a new duty of care. Next, the obligation to maintain a map or a plat. Next, the burial record requirement. Next, whistle-blower protection for the employees. And lastly, the obligation to make entrees into the database. Under current law, the Crime Victims Compensation Act provides compensation to the victims of violent crimes and their family members. This Bill expands the current law to allow the relatives of a deceased person, whose body is dismembered or whose remains are desecrated, to be compensated for reburial costs and psychological care. The Bill will require customer service employees at funeral homes to have the same licensure requirement as those at cemeteries. They will be expected to treat customers professionally, ethically, and fairly. Mr. Speaker, I move for the adoption of the Amendment."

Speaker Mautino: "The Gentleman has moved adoption of Floor Amendment #3. On that question, the Gentleman from Cook, Representative Dunkin."

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

Speaker Mautino: "He indicates that he will."

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Dunkin: "I'd first like to thank you, Mr. Speaker, for being extremely responsive of this traumatic situation that occurred several months ago in our state. Certainly, a lot of us were not expecting or... were extremely surprised. I think this legislation is an excellent start for being the first... the first round of us never having to go through this experience again. Just a few questions. Just trying to get some clarity on some of the partial organizations, the organizations that are partially regulated by us. My first question is, if it's a religious organization or municipality, what partiality or partial regulatory... what are we regulating with them, I guess, is the real question, specifically?"

Madigan: "Mr. Speaker, could we have some order?"

Speaker Mautino: "Please bring the noise level in the chamber down so we can hear the debate."

Madigan: "I believe the Gentleman's question would be, what does it mean that religious cemeteries and municipal cemeteries and relatively inactive cemeteries would enjoy a partial exemption? Partial exemption means that those cemeteries that are partially exempt do not have to go through the licensure requirement that other cemeteries would be required to adhere to. What it would mean is, that the partially exempt cemeteries would be subject to possible investigation and mediation by the department, they would be subject to a new duty of care, they would be subject to an obligation to maintain a map or a plat, they would be subject to the burial record requirement, the whistle-blower protections for employees, and they would be

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subject to the obligation to make entries into the database."

Dunkin: "Thank you. Can you elaborate on the trust fund accountability with not-for-profit, municipalities, and religious institutions? In other words, if I'm a not-for-profit... if I'm a Catholic or Jewish cemetery, do I have... or what regulatory obligations do I have to report to the Illinois Department of Professional Regulations?"

Madigan: "Representative Dunkin, the cemeteries that you enumerated would be exempt from those requirements, but we've been advised that probably a majority of those cemeteries don't maintain that type of an account."

Dunkin: "Okay. The Consumer Bill of Rights, is there a requirement that religious or municipal cemeteries have those articles or Bills of Rights that consumers would be re... that the for-profits would be required to have as well?"

Madigan: "The answer to your question is no. Here, again, we've been advised that the method of operation of those cemeteries is different than the for-profits, and consequently, they argued successfully that there would not be a need for that type of regulation."

Dunkin: "Okay. So, what's a typical... what's the typical activity level compared to a for-profit versus a religious or municipality, where is it that they are not subject to a bill of rights? Just trying to get some clarity."

Madigan: "Well, Representative, you were involved early on in this issue..."

Dunkin: "Sure."

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Madigan: "...and so you know that when you talk about cemeteries, why there are a lot of different types of cemeteries. They come in a lot of varieties and shapes, and we found that as we attempted to work through this issue why we were required to give different consideration to different types of cemeteries in order to develop this Bill, which, we hope, is well-balanced."

Dunkin: "Sure."

Madigan: "And there are differences in the Bill, but we hope that it's well-balanced and across the board."

Dunkin: "And I believe your intention and your actions really spoke volumes. You've been very responsive and assisted me as well in helping to make this happen. Last question, for some of the for-profit organizations, are they required to register even contractors, let's say, if they were to come to fix a septic tank or do some maintenance, just a contractor that they would hire as a third party?"

Madigan: "Representative Dunkin, the Bill would provide that in the case of the for-profit cemeteries, that they're subject to licensure. Now, for them, it means that their supervisory people and their customer service people will be required to go through a licensure procedure at the department. Employees below that level, say grass cutters, are simply required to register. If a cemetery brings in an independent contractor to do any function at a for-profit cemetery, then the requirements of the statute would apply to the independent contractor, just as if those people were employed by the cemetery."

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Dunkin: "Okay. So, it would be just a one-time registration with DPR?"

Madigan: "Yes."

Dunkin: "Okay. Thank you. To the Bill. Again, Mr. Speaker, thank you for being responsive and very responsible with this Amendment. We obviously experienced a traumatic experience in our state. No one anticipated any of this. I think this Bill has... is probably one of the most comprehensive pieces of legislation to really put us in a corrective format. And we hope, again, never ever to experience this. This Bill has been very personal for me, personal for a number of Members here and their families, and this is the right thing. And I would strongly encourage an 'aye' vote. Thank you."

Speaker Mautino: "Further discussion? The Gentleman from Vermilion, Representative Black is seeking recognition."

Black: "Well, Mr. Speaker, first of all, I have an inquiry of the Chair."

Speaker Mautino: "Yes, Sir."

Black: "The Gentleman prefaced his... or ended his remarks by saying he would like to move the Bill to Third Reading and then answer questions. As usual, with the general background noise in the House, somebody on your side of the aisle decided to pontificate on the Amendment. Now, if we're going to ask questions of the Amendment, that's fine with me, but since the Bill is still on Second Reading, I have filed a fiscal note as indicated and is certainly within our rights or my rights to know what the fiscal cost is as amended by Floor Amendment #3. I would not have done

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so, would not have had time to do so, had you moved the Bill to Third Reading. But you did not do that, and I would ask the fiscal note be filed before the Bill moves to Third Reading."

Speaker Mautino: "Mr. Clerk, are there any notes filed on this Bill?"

Clerk Bolin: "Several notes have been filed to the Bill. The most recently filed note was a fiscal note for the Bill as amended by #3."

Speaker Mautino: "Have you received your response?"

Clerk Bolin: "All requested notes have been filed."

Speaker Mautino: "Speaker Madigan to close."

Madigan: "Well, Mr. Speaker, the Amendment has been..."

Black: "Mr. Speaker, for crying out loud. Inquiry of the Chair."

Speaker Mautino: "Yes, Sir."

Black: "There's no way in hell that a fiscal note could have been filed already when I just filed the fiscal note request 60 seconds ago, and you're moving the Bill to Third? And you're telling me a fiscal note has already been filed on Floor Amendment #3? That's impossible. Even the Speaker can't do that."

Speaker Mautino: "Mr. Clerk, the note. Would you present a copy of the note?"

Black: "Drafted before it was even filed. Drafted before it was even filed. So much for reform."

Speaker Mautino: "Mr. Clerk. Speaker Madigan."

Madigan: "Move for the adoption of the Amendment."

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Speaker Mautino: "The Gentleman moves adoption of Floor Amendment #3 to Senate Bill 1471. All in favor say 'yes'; opposed 'no'. The 'yesses' have it. Roll Call. 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. 79 voting 'yes', 37 voting 'no', 0 voting 'present', the Amendment is adopted. Mr. Clerk, further Amendments?"

Clerk Bolin: "No further Amendments. No Motions filed. All notes that have been requested have been filed."

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

Clerk Bolin: "Senate Bill 1471, a Bill for an Act concerning regulation. Third Reading of this Senate Bill."

Speaker Mautino: "Representative Davis."

Davis, M.: "Thank you, Mr. Speaker. First of all, I'd like to thank a lot of people who helped bring this Bill to its current shape. I'd like to thank the Governor for forming a task force who met about 10 times. I'd like to thank Patricia Holmes, who acted as the task force chairperson. We'd like to thank cemetery owner Carter, who sat on that committee. We'd like to thank Steve Morrill from the Cemetery Association, and all the many people who worked on this legislation, Dan Brady. We want to give a special thanks, of course, to Speaker Madigan for working very diligently with all of those who had issues, hopefully to bring consensus to an extremely important issue. I think most of the time we don't realize that some of these issues have been before us before when our Comptroller first... in his first term came aboard, there was an attempt to pass

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legislation very similar to what this legislation entails. Because of what happened in the District 27 that I represent, this legislation became significantly important to make certain that it does not happen again. I believe that all of the concerns that most people had have been addressed, and I think this legislation will help to protect those, the whistle-blowers who want to advise of any illegal behavior occurring in their cemeteries where they're employed. Once again, I thank all of those involved, and Mr. Speaker, I will answer questions if there remain any."

Speaker Mautino: "The Lady has moved passage of Senate Bill 1471. And on that question, the Gentleman from Winnebago, Representative Sacia."

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

Davis, M.: "Yes."

Speaker Mautino: "Indicates that she will."

Sacia: "Representative Davis, I don't think there's anyone in the State of Illinois that is not thoroughly aware of what happened at Burr Oaks Cemetery. The concern I have is, as I read this legislation, I struggle to find how what we are doing here will prevent this type of activity from occurring. I recognize that we're going through significant hoops and hurdles and responding the way the Legislature always does when there is a significant issue in the state, and certainly this is a significant issue. I represent a large number of cemeteries and of course I recognize that a large percentage of them are exempted out. However, I do represent a significant number of for-profit

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cemeteries and one of the concerns I have, again in this, what I consider overzealous effort in an attempt to correct what happened at Burr Oak Cemetery, and to use a very significant example, is am I right in stating that cemetery workers, i.e. the people that mow the grass will have to be registered or certified in some way?"

Davis, M.: "They won't be certified, they will merely register with the department."

Sacia: "Okay."

Davis, M.: "They will register with the department and when you stated what could happen based on this legislation to prevent it from occurring again, it's the very fact that the department has the ability to investigate complaints and go out and determine how they should be resolved."

Sacia: "Ahha. Investigate complaints. As an Illinois licensed auctioneer, I'm familiar with the organization that is going to be doing the regulating. I don't think they have enough money or any people to go out and do investigations at cemeteries. If I may digress just for a moment, Representative Davis, and use the example again of the lawn mowing folks. So I assume perhaps a background investigation would be required of someone that is going to mow the lawn in the cemetery?"

Davis, M.: "No, Sir."

Sacia: "No? Okay."

Davis, M.: "There is no investigation of people who are mowing lawns."

Sacia: "Okay. But they have to be registered."

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Davis, M.: "They simply have to register with the department, and..."

Sacia: "Okay. But I..."

Davis, M.: "...you know, this is the department that regulates a number of professions in our state. Yes."

Sacia: "It certainly does. Yes. I recognize that, Representative Davis, and they do yeomen's work with not near enough money and not near enough personnel, and when I look at the fees that are attached here, I truly don't see how there is adequate funding to do any investigation. I jokingly made a comment earlier today that I envisioned another state agency and we're going to call it the Illinois Burial Police, and they're going to go around and they're going to monitor the for-profit cemeteries. And if I'm right, that constitutes roughly 12 percent of the cemeteries in the State of Illinois. Am I correct?"

Davis, M.: "Well, I don't think there's going to be the need for a cemetery police, however, I do believe, had this legislation been in place, it would have been very doubtful that what happened at Burr Oak could have continued to occur. We understand that these actions continued over a number of years, it was just not one year. And had this department been in place and been allowed to go out and regulate the manager and look at the complaints that were issued, that were called in, then this would not have continued for the length of time that it did. It is very disturbing when you have a number of burial sites that were desecrated, that were moved, where people were... the workers were fearful of reporting this to the correct agency, but

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this whistle-blower law in this Bill will help to prevent that kind of fear. I understand your concerns, but I think the Bill exempting small cemeteries, exempting religious cemeteries, partially exempting the municipal cemeteries will take care of those concerns that you have."

Sacia: "Representative Davis, I believe I'm correct in stating that there are several thousand cemeteries in the state and one of the earlier speakers, the Gentleman who spoke on Second Reading, made a comment that he felt that this was a good start. And what concerns me is we're starting down a path here that could end up being somewhat of a slippery slope. And again going to the ones that I represent, you know, the township ones and so forth, the number of e-mails and phone calls that I have received asking for help regarding this Bill, has been certainly not overwhelming, but fair to say significant and certainly fair to say also, and you just made a comment and I'm only going to paraphrase it, that the department will be able to go out and investigate. But again, Representative Davis, I don't see them having the manpower to go out and investigate. I think they can conduct a... you know, some telephone calls, but their agency, that I'm aware of, does not have investigators to travel to cemeteries to monitor activities."

Davis, M.: "Representative, most of the cemeteries will act within this law and there will be little need to investigate them."

Sacia: "Well, I couldn't agree more."

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Davis, M.: "And we don't... we don't necessarily feel this is a start."

Sacia: "Okay."

Davis, M.: "We feel that this has been a successful accomplishment to solve a problem, one that occurred in my district and hopefully prevented from happening in yours or any of the others."

Sacia: "Representative Davis, you know the respect I have for you and I know you always bring good legislation and there's nobody that works harder. The fact remains, however, you know, last year, if I'm not mistaken, there were 20 complaints with the Attorney General's Office and all of them had little or nothing more to do than maintenance of cemeteries to include lawn mowing. And again, I envision this cemetery that hires worker bees to mow the lawn and you would agree that that's hard work and they quit at noontime and the guy goes go home and said I've had enough of mowing cemeteries. Now we've got the grass growing in April or May. May would be a better choice of words I guess, and all of a sudden, they don't have anybody registered to mow the cemetery. And I just see us creating about as many problems as we're curing."

Davis, M.: "Registration is simply sending in your information to the department and getting a card that states that you are a cemetery worker, that's all. There's no investigation that takes place for those who come to cut the lawn. We heard those complaints and we addressed that by..."

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Speaker Mautino: "Will the Lady answer the question and the Gentleman will bring his remarks to a close."

Davis, M.: "Okay."

Sacia: "Thank you. I'll just finish, Representative. I don't want to take a lot of time on this and I know we've got to move on with other issues tonight. I see this as a very onerous Bill, long-term costing those 12 percent of our cemeteries significant amounts of money, very significant amounts with registering these plots and what is going to be required. And I really believe that financially going forward, this will be a significant cost. And I would urge a 'no' vote. Thank you."

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

Black: "Thank you very much, Mr. Speaker, and Ladies and Gentlemen of the House. This is in response to a... I don't know, how in the world do you even put into words what happened at Burr Oak? Gut-wrenching, unique probably to Illinois. Some things have happened in other states. Nobody who is going to vote against this Bill in any way, shape or form, should we ever be told by any of you that we... well, you must not object to what happened at Burr Oak. On the contrary, I think anybody would be sickened by what happened at Burr Oak. But this will be portrayed as consumer protection. It's before the Primary. Some of you need that. I understand that. I've been in politics a long time. This isn't consumer protection in the true sense of the word. Of 2,500 cemeteries in Illinois, 88 percent of them are exempted from this Bill. Eighty-eight

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percent of them are exempt from this Bill, leaving you about 200 cemeteries that actually have to follow this law. I can't say it any better than the Chicago Tribune did on July 18 of 2009. Current law already gives the Comptroller's Office some oversight of private cemeteries. Hynes has used it. His office cited Burr Oak five times from 2001 to 2007 for failing to make timely required deposits in a maintenance trust. He cited Burr Oak in 2004 for failing to include the correct locations for burials in its paperwork. He sent an auditor to visit the cemetery every three months in 2008. The cemetery owners made good on missed trust fund payments, late fees, and missing paperwork, but nobody figured out that bodies were being removed from graves and the graves were being resold. Is Illinois about to uncover a rash of grave robbers? Probably not. So there should not be a rush to build some new regulatory scheme. This is, after all, a state that does not come close, does not come close to paying for all the government it has now. I don't think it can be said any more eloquently than the Chicago Tribune said in an editorial. Let me point out something, the rules are important to me. They always have been. I don't know why. I never win a rules fight, but we used to follow the rules down here a modicum of the time. Today, we don't follow the rules. And what are you going to do about it, Representative? Not much I can do. But I want to show you something, a fiscal note that I filed on this Bill with Floor Amendment #2. The Illinois Department of Financial and Professional Regulation says that this Bill will cost

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them \$9 million to implement, \$9 millions. We don't have \$9 million. I guess we'll have to add to that to the Governor's latest borrowing of 900 million. I want to show you something about the House Rules. The fiscal note that I requested on House Amendment #2 was filed at 3 p.m. today. The fiscal note that I requested on Floor Amendment #3 that was requested approximately three minutes ago was filed today at 1 p.m. before Floor Amendment #3 was even filed. We got a fiscal note on an Amendment that didn't exist. This is a tragic situation. None of this would have prevented Burr Oak. The criminal background check wouldn't have caught anything. The owner of Burr Oak did not have any criminal activity in her past. I understand this ghastly situation needs to be addressed. I'm not sure this addresses it any more efficiently than the laws that were in place when this happened. Nine million dollars to implement this Bill and most of us who have been here longer than a year know why we had to fast-track this Bill. You have to go back home and say you did something before the Primary. I'd like to once go home and talk to my wife and say I was part of following the rules today. Here's proof in writing that the rules that govern this chamber don't mean a thing. Two wrongs don't make a right. I intend to vote 'no'."

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

Rose: "Thank you, Mr. Speaker. Will the Lady yield for two questions?"

Speaker Mautino: "Yes."

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Rose: "Representative, there's something in here that indicates that all services that cemeteries will no longer be able to be paid in cash. What forms of payment will be acceptable?"

Davis, M.: "Money order, check. The reason for that is, there was a location that was accepting cash.."

Rose: "And then mysteriously..."

Davis, M.: "...at the gravesite for burials."

Rose: "At that gravesite."

Davis, M.: "Money orders, checks, cashiers checks, there are many forms of payment that may not include cash."

Rose: "Okay. On the question of DPR... or whatever it's called these days, Financial and Professional Regulation, why them? Why'd you pick them?"

Davis, M.: "I'm sorry. I didn't hear you."

Rose: "Why were they picked? I mean formerly this was in the Comptroller's hands. Why did we move it out of the Comptroller's hands?"

Davis, M.: "Because that's who does the licensing and the professional regulating. That is the department that does that, so we ch..."

Rose: "Surely, you're not saying that the Comptroller didn't do his job."

Davis, M.: "No. We're saying that the Comptroller does not issue licenses for nurses, for security officers. Licenses are..."

Rose: "But you'll agree that... you'll agree that the Comptroller did inspect this facility several times."

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Davis, M.: "We do know that the Comptroller visited that location, yes."

Rose: "Here's my concern, and I think I echo Representative Black's comments, no one would wish this on their worst enemy. It is abhorrent what happened. The concern I have is, I had a constituent call.. the roofers' licenses don't have any inspectors. No inspectors at DFPR. I talked to the director himself. They are so financially cash strapped that they don't have the inspectors. So, how is it exactly that moving this from the Comptroller to DFPR or to anybody is going to accomplish your goal on a \$20 annual fee?"

Davis, M.: "Brent Adams, who is a director of the Illinois Department of Professional and Financial Regulations, and he is in support of this legislation. He sat on the task force, he helped us to develop the legislation, and many of you perhaps are thinking that this will be perhaps a daily occurrence, but the point is, with all of the cemeteries that we have and this regulation, there won't be a constant need for inspections. There won't be a constant need for that."

Rose: "Well, I guess, Representatives that..."

Davis, M.: "This industry was unregulated."

Rose: "The concern I have is a couple fold. One is this partial exemption. The partial exemption is mired in rulemaking authority that we have yet to see. A lot of our township cemeteries they don't have the tax base to afford mowing, yet alone what may come in the rulemaking. That's an unknown that's a concern. However, to your basic point

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the only way this works is to have a heavy who can come in and enforce the law. And when I'm told by the director of DPR that we don't have enough roofing inspectors to enforce the roofing license law, we don't have enough inspectors to enforce any of these laws, and then you hear Representative Black talk about a \$9 million fiscal note. I don't know at the end of the day. I mean, I guess I appreciate the time you put in and all the Members have put into this. I don't know that you're going to accomplish the task, but for me, I have a great degree of unease and uncertainty about the remaining rulemaking authority as relates to township municipal cemeteries."

Davis, M.: "Can I just..."

Rose: "Sure."

Davis, M.: "Can I let you know that townships are partially excluded."

Rose: "I understand that."

Davis, M.: "They don't have to have many of the things that the profit-making cemeteries have to have. They're exempt from the majority portions of this Bill."

Rose: "I understand that they're exempted, 'partially', but quite a bit of the regulation that they will have to comply with is subject to rulemaking authority."

Davis, M.: "There is no... there's no licensure fee that they will have to pay..."

Rose: "I'm not worried about that. What I'm saying is, you know, I've mentioned this awhile back to some other folks. You know, Murdock Township, Illinois... Murdock Township doesn't have enough tax basis to mow..."

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Speaker Mautino: "The Gentleman's time has expired. Can you bring your remarks to a close?"

Rose: "Absolutely, Mr. Speaker. The point is they don't have enough money to mow let alone maintain, and what concerns me, despite the fact that you're... have, well, a good point that the professional side of this industry has not been regulated and now will be, but the public side, the township side is now subject to rulemaking and we don't know what that's going to be."

Davis, M.: "Oh, the tilen... I'm sorry. The township officials are neutral on this Bill."

Rose: "I understand that, but..."

Davis, M.: "They have been here. They are neutral on the legislation."

Rose: "But they still have to go to rulemaking. We don't know what that's going to be. And I guess my point in saying is I'm going to respectfully vote 'no' on this simply because I don't think a) that you're going to be able to enforce it because there's nobody at DFPR to do it, but b) there's too many unknowns in the rulemaking process. And that's just as respectful as I can be to you 'cause I know you put a lot of time into this, Representative."

Davis, M.: "Well, thank you very much. I don't think it's going to be as costly as you may think and the rulemaking will be done by an advisory board and four members are from the Cemetery Association."

Speaker Mautino: "The Lady from Kankakee, Representative Dugan."

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Dugan: "Thank you, Speaker, will the Sponsor yield? Representative, and I've talked to you about some of the concerns of the calls that I've gotten from about 20 different... and in my area small... they're smaller. Now, I'm not quite sure if they fall into the two acre category, but... but many of them are concerned as to the additional cost because in my district, and I think in many a little bit farther downstate, we have small cemeteries and they're very cash strapped as I think others have said. So, my question is, do we know where the 12... since there is only 12 percent of the cemeteries being affected by this Bill, do we have any idea where the 12 percent are? I mean, do we know... it would be easier for me 'cause now I'm not able to get back to my cemeteries that called since Amendment #3 has come out. Do we know where the 12 percent are?"

Davis, M.: "Well, first of all, we don't know a lot about cemeteries because we have no way of registering them. There are a number of cemeteries who will not fall under this legislation. They have a partial exemption. The religious cemeteries, the municipal cemeteries, and relatively inactive cemeteries, the family cemeteries, those that have less than 25 burials in a course of two years are exempt from this law. I think that most of those that you're speaking of, Representative, will be exempt from the majority portion of this law. I think the only thing that they will have to be required to do is to record the burial locations which they already are required to do and also to maintain the grounds."

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Dugan: "Which of course I'm assuming most... so the... the licensing fees and all of that that we were concerned would affect the smaller cemeteries or privately owned cemeteries are not going to necessarily be paying fees or license fees or..."

Davis, M.: "No not those that are partially exempt. For someone to register for those who are partially exempt there is no fee. They merely go and get a card that states they work at a particular cemetery and they keep that card when they're working on those grounds, similar to a security guard. There's no fee required of them."

Dugan: "Okay."

Davis, M.: "And here's... here's some of the exemptions. Where are we? The full exemptions are: family burial grounds, inactive cemeteries, those that have performed no burials in the last 10 years, small cemeteries that are less than two acres. The Bill exempts a number of cemeteries in those categories. And the partial exemptions, Representative Dugan, are religious cemeteries, municipal cemeteries, relatively inactive cemeteries, and those that have performed less than 25 burials over two years. And they do not maintain cash funds... care funds, I apologize, care funds. This means that they have... they do not have to become licensed, but they must adhere to the following new regulations established in the Bill: possible investigation and mediation by the department, the new duty of care, the obligation to maintain a map or plot, most of those do that already, the burial record requirement, the whistle-blower protection requirement for their employees, and the

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obligation to make entries into the database. Now that is really not costly. Many of them already do many of these things."

Dugan: "And I appreciate that, Representative, I guess... was there a reason why some received full exemption and some only received partial exemption?"

Davis, M.: "Well, we were trying to cover those burial grounds where they're family burial grounds and we really did not have complaints in reference to the religious cemeteries. They seem to be well-maintained even though they still are under the maintenance agreement in this legislation, but they seem to be doing a fairly good job with their burial. And they are more of a service. They're not profit-making, so that's why they were exempt."

Dugan: "Then I only have one more question. And again, I'm trying to get my arms around this 'cause I..."

Speaker Mautino: "The Lady's time has expired. Would you like to bring your remarks to a close, please."

Dugan: "Okay. I just have one other question then. Is there a reason why other municipalities were only partially exempted and the City of Chicago got a full exemption?"

Davis, M.: "Well, as you know, there's a very special circumstances in reference to O'Hare Airport and the conditions in that particular area. You're very welcome. Thank you, Representative."

Speaker Mautino: "Further questions? The Lady from Cook, Representative Mulligan."

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

Speaker Mautino: "Indicates that she will."

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Mulligan: "The previous speaker just alluded to what I want to speak to. On page 13 that's come up under Amendments at Section C it says, 'nothing in this Act applies to the City of Chicago in its exercise of its powers under the O'Hare Modernization Act or limits the authority of the City of Chicago to acquire property, or otherwise exercise its powers under the O'Hare Modernization Act, or requires the City of Chicago or any person acting on behalf of the City of Chicago to comply with the licensing regulation investigation or mediation requirements of this Act in exercising its powers under the O'Hare Modernization Act'. Now I would have asked Speaker Madigan this question, but I was having a hard time finding it after he alluded to it, and then a few other things occurred on the House Floor with Representative Black and some of the things that were going on here, so it took me a little while to come up with it and move on. But I would curiously like to know why this is put into a Bill like this. And I don't know if Representative Davis can answer that, but I will tell you, although I'm prepared to back the Bill because I talked to Representative Brady about it, what Rep... what happened with Representative Black is certainly a point to be taken because what happens around O'Hare they are protected, Chicago is protected, they're always protected around O'Hare. What's happening with the cemetery that they've been suing on there, not to expand into that area, is also protected here. You know, the former Governor that we impeached was outrageous and capricious in what he did and it was very easy to telegraph the fact that he was not

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doing things by the book, but it's the subtle, more insidious things that are put in when you don't abide by the rules, when the power is pushed by the people in power and you don't feel that you need to spend the extra fifteen minutes or half a day to abide by the rules. Why is it that we always have to protect the City of Chicago and O'Hare? This is obviously egregious and I'd like the Representative to explain to me what this has done in the Bill and why they thought there would be a problem with this. And I'd also like to point out that Representative Black did have a very good point. Although, I voted on behalf... with the Speaker on the Amendment, I do think the fact that we do not abide by the rules and that power is pushed, as we will see later on in Bills that are debated on this House Floor, over and over again. He speaks to the... what is deteriorated in this Body into a very sad state of affairs for the State of Illinois. If Representative Davis could please explain to me why that was included in this Bill."

Davis, M.: "Because they are going through a modernization and we don't want to interfere... we don't want to interfere with the modernization of O'Hare Airport."

Mulligan: "Modernization is a loose word. When you take a cemetery that has remains of different people, you egregiously push around the people in the suburbs, you've passed legislation over years in this Body that gives the City of Chicago supreme control over the surrounding suburbs. We cannot vote it out because it's one of the few airports in the country where the people that are attached

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to it do not vote for the people in power. And this Body has routinely gone along and helped with this. So here it is again in this Bill. Let's make sure, and I must commend the staff who did this, let's make sure we always cover Chicago, always make sure that we don't have this in here, particularly, that the fact of the matter is, we're all here to go along with Cook County, go along with Todd Stroger, and go along with Mayor Daley."

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

Eddy: "Thank you, Mr. Speaker. Will the Sponsor yield? Representative, I want to make sure that for the type of township and municipal cemeteries that are prevalent in my district, that your intent regarding reasonable maintenance is indeed reasonable because I think in the rulemaking process, it's important to establish some intent. Reasonable maintenance would just simply mean, for example, making sure it's mowed, that it's up kept, that there isn't debris. You're not talking about having paved... paved roads through the cemetery, are you? You're talking about the most... the lowest standard of reasonable maintenance possible. Is that correct?"

Davis, M.: "Yes, Representative, and what may be reasonable for a huge cemetery may not be reasonable for a very small cemetery."

Eddy: "Well, what I want to make sure doesn't happen is once... sometimes in the rulemaking process what looks like a canoe turns into a yacht. I just want to make sure we're talking about reasonable in terms of what we think is reasonable:

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mowing, minor reasonable maintenance: not, for example, paved blacktop roads through it. We're talking about just making sure it's maintained in a manner that's acceptable. That's your intent?"

Davis, M.: "That is correct, Representative, reasonable maintenance."

Eddy: "And then providing reports to the family, the existing maps on file... if they don't have a map it doesn't exist, they don't have to put it on file anywhere, correct?"

Davis, M.: "Well..."

Eddy: "Some of these folks don't even have a plat or a map or a... they've never had the thing..."

Davis, M.: "All cemeteries have a survey or a map."

Eddy: "...they've never had it taken care of that way because it's so old."

Davis, M.: "This legislation requires that within six months of the passage of the Bill that they will... smaller or larger cemeteries who don't have one, will come up with a map that shows the plats and they have to maintain that in their office and have it visible."

Eddy: "So..."

Davis, M.: "Or available."

Eddy: "Okay. But that can be a map or a plat that they provide."

Davis, M.: "That is correct."

Eddy: "They don't have to be professionally done..."

Davis, M.: "No."

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Eddy: "...it doesn't have to cost a lot of money. That's what... they can provide that as a drawn map or plat of that cemetery."

Davis, M.: "And the reason for that, Representative, was because Burr Oak did not have designations of where particular burial plots should be."

Eddy: "Okay. But they can draw that themselves. They don't have to go through a huge amount of expense to get this done and they can use their existing map... this doesn't require... your intent is not to have a rule made that they have to hire someone in to do an expensive mapping process. Okay."

Davis, M.: "We certainly don't want that. No, we do not."

Eddy: "That's what... thank you. And one other issue, when you talk about those who are not subject to the Act at all, those are cemeteries, family burial grounds that are less than two acres or no interments in the last 10 years and they also don't have any care funds. Is that correct?"

Davis, M.: "Yes."

Eddy: "Okay. Either/or, not both. Not and/or."

Davis, M.: "Exemptions are for family burial grounds, small cemeteries, cemeteries where no one has been buried for a number of years."

Eddy: "Or, okay. Those are 'ors' not 'ands', not all three of those."

Davis, M.: "Right."

Eddy: "Okay. Thank you. The final thing is I actually had a school district contact me because they have title to a cemetery. It was bequeathed to them as part of some land

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given to the school district and I wanted to get this on the record. Our understanding is that that is a local government and that they are falling under the definition and because they haven't had an interment there since the 1950s, they are not subject to that Act at all."

Davis, M.: "That is absolutely correct."

Eddy: "Thank you, Representative."

Davis, M.: "They are partially exempt."

Eddy: "Now, wait a minute. They haven't had an interment..."

Davis, M.: "But they're partially exempt. They would still have to maintain their grounds."

Eddy: "Representative, I think..."

Davis, M.: "How many burials have they had?"

Eddy: "None."

Davis, M.: "Do you know... none?"

Eddy: "No interments. Then they're not subject to the Act at all, correct?"

Davis, M.: "In how long? In what period of time?"

Eddy: "Since 1950."

Davis, M.: "1950? They are totally exempt."

Eddy: "Thank you."

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

Black: "Thank you, Mr. Speaker, I've spoken in debate, but I believe my name was used in debate. With your permission."

Speaker Mautino: "Proceed."

Black: "Thank you. Representative Davis, let me ask you about... in Floor Amendment #2 there was a considerable and onerous mandate on cemetery owners, they had to control traffic in

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the case of a funeral. Now, I'm not sure how they would do that. They would either hire an escort company or whatever. I think it has been diminished in Floor Amendment #3, but an example, on Monday of this week I attended a funeral for a fallen warrior who was killed on active duty in Afghanistan. The funeral procession was the longest I've ever been in. The cemetery was off a United States Highway, U.S. Route 36 just east of the Village of Rantoul. The Rantoul Police Department, the Champaign County Sheriff's Department stopped all traffic on U.S. 36 so the funeral procession could turn into the cemetery and then, I don't even remember if all of the cars were able to be accommodated in the cemetery, then stopped all traffic as we left. Now a cemetery owner, I don't believe, could afford that. So what would the duties be for a cemetery owner in case of a very, very large funeral procession?"

Davis, M.: "They are to use their best effort. That's all. I'll read it to you what it says in this legislation. 'Vehicle traffic control: a cemetery authority shall make reasonable, best efforts to ensure that funeral processions enter and exit the cemetery grounds with minimal disruption to vehicle traffic on the streets and roadways surrounding the cemetery. The cemetery authority and funeral directors arranging funeral processions to the cemetery are both under a duty to exercise their very best efforts to help prevent multiple funeral processions from arriving on the cemetery simultaneously'. In speaking to people outside, we realize sometimes they have absolutely no control of

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that. So, all we're asking is that they use reasonable, best effort. That's all we can ask."

Black: "But I assume then that the cemetery owner assumes liability in the case of a traffic accident."

Davis, M.: "There is no liability in this legislation for that."

Black: "Well, I don't think there has to be specific liability, but if I get into a traffic accident, I'm going to sue the cemetery owner for backing up traffic on a highway."

Davis, M.: "Well, that's current law, Representative Black. People sue people a lot for different reasons."

Black: "Yes, I am aware of that. Floor Amendment #2 required a surety bond which I think was impossible to get. Now you have a... what, a liability policy is..."

Davis, M.: "Well, in Floor Amendment 2 that was in there, but it's not a part of Floor Amendment 3."

Black: "Well, I understand that. I understand that. What kind of financial document are you requiring under Floor Amendment #3?"

Davis, M.: "Just proof of liability insurance, that's all."

Black: "All right. There's one, I think, glaring flaw. There's no dollar amount. The dollar..."

Davis, M.: "Well, it depends on... it depends on how big your cemetery is..."

Black: "No. That's not what that... no."

Davis, M.: "It'll be established by rule."

Black: "No, Representative..."

Davis, M.: "I mean, you can't... you can't have a standard for that because the sizes of the cemeteries are so different."

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Black: "No, Representative, that has nothing to do with it."

Davis, M.: "That would be..."

Black: "The amount of money... the amount of money that the cemetery owner must post in some kind of liability policy or financial document will be set by rule."

Davis, M.: "That is correct."

Black: "Yeah. Wow. Mr. Speaker and Ladies and Gentlemen of the House, I hope that you will bear with those of us who have concerns about this Bill. I take no pleasure in speaking against this Bill. There's a Member on my side of the aisle, who I have great respect for, who has worked hundreds of hours on this issue. Do you think it... the easy thing to do would be to sit down and shut up and vote 'no'. That's not the way we ran this place when I came down here 24 years ago. We didn't play loose and fast with the rules when I came down here 24 years ago. What we just saw on the fiscal notes is wrong. We must be governed by rule and there have been some falsehoods said. When you are partially liable under a Bill that's like saying you're partially pregnant. You're either covered under these rules or you're not. And I think some of you are going to be surprised..."

Speaker Mautino: "Mr... Would you bring your remarks to a close, Sir."

Black: "I'll do so and I appreciate your kindness. No one in their right mind could take any satisfaction of opposing this Bill for all of the work that's gone in it, but there are things I think could have been done better. That's subject to debate. Some of the cemeteries that you think

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are totally exempt are not totally exempt. I have cemetery associations in my district. I have dozens of them. They have six members on a board. One is the secretary. They might pay the secretary \$250 a year. They're not exempt; they're partially exempt. They're going to have to file paperwork. They're going to have to start computerizing records. They don't have the money or the means or the wherewithal to do that. I know what's going to happen. There are 14 thousand cemeteries in the State of Illinois, 2,500 are operating. The rest have been abandoned for one reason or another. This Bill, if not carefully and judiciously administered by rule, and we're not... we're voting on things tonight, we don't know what's going to be in the rules. You're going to see more abandoned cemeteries and I don't think that helps anybody."

Speaker Mautino: "The Gentleman from McLean, Representative Brady."

Brady: "Thank you very much, Mr. Speaker. To the Bill. Ladies and Gentleman, I've... it's been interesting to stand here and listen to a number of individuals talk about an area and industry that I have spent my formal education for and my entire adult life in. And it's also interesting to hear that somehow there wasn't careful thought, consideration, put toward this legislation. Is it perfect, no. I think each and every one of you down here know no Bill is perfect. But does it get to some reforms that are needed? In my opinion, yes. You know we had the Governor's Task Force and for those who say we've rushed into things, I would simply say that many of us spent our entire summer

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and fall hearing testimony, not just from testimony of advocates that think some of the changes we need in this industry but also from those in the industry opposing certain things in this legislation and that continue to do that today. But that's part of the process. In looking at some of the alleged facts that have been tossed around the Capitol, many of you know that I've been involved in a number of these issues and tried to advocate to push some reform in this industry for quite some time. Not happy about one... several of the areas in the industry have the problems that they've had, whether that be the funeral side or the cemetery side. But you know we have a responsibility here, Ladies and Gentlemen, to learn from things that occur that are mistakes, that are problems, that are criminal activities, and that affect peoples' lives. There's a bunch of numbers floating around that, as a result of the burdens, just 12 percent of Illinois cemeteries with 65 percent of Illinois cemetery consumers having no benefits associated with disclosure, licensing, registration, the list goes on. Tuesday I spent my day with a widow, whose husband from the sheriff's department in my county died, very young age. She chose a township cemetery. The very township cemetery that has partial exemption under this Act and presently has the same type of exemption, very similar, right now under the Cemetery Care Act. It was interesting that even though this person did not have a great deal of resources from the township cemetery, was the Sexton. The Sexton sat down, provided a plot, map of the cemetery, grave locations for purchases of two cemeteries,

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documentation, contract, and everything that I felt in my professional opinion was needed to provide this widow with the comforting fact that she had legally purchased and owns those spaces. That's a cemetery that's presently without regulation in this area and receives a very fair, I think, partial exemption. The others, a number of those, are for-profit cemeteries. They're regulated a little bit differently. You know, one of the things I've advocated for I really don't think is that difficult. My good friend and associate, who's an auctioneer and Representative, indicated that we... he likes his auctioneers. But we ask some of you, maybe on both sides of the isle, to think people sitting down with families in their most difficult time of their life, somehow, we shouldn't know who they are. We shouldn't care that they are making thousands of dollars worth of transactions with that family. We don't need to know who they are. We don't need to demand any continuing education, training, testing. No. Let's just move on the way it is. Doesn't that make sense? Move on the way it is. We shouldn't do anything to try and help protect the consumer more in this industry. You know, when you talk about rulemaking, some of the other issues that have been batted around here, that somehow the process is going to be more burdensome or things occur. You think I put my name on the Bill because I want to see that happen? You think I'm not going to be part of watching in the process of what develops so it is as fair as possible for those in the cemetery industry that have resources and those who don't? And we made a lot of concessions on this

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Bill, Ladies and Gentlemen. We've tried to work with an industry. We can't be everything to all people. Many of you said, you know, if you can help treat those cemeteries in my district that don't have the resources as some others that do, that's something that I think is very important. I know the hour's late and we're tired. I would just simply ask the following: I yield to those of you in certain professions, whether it's a lawyer, whether it's insurance, whatever the area may be, education, because I believe you know what's good for a profession or an industry. I would like to think that you have that same feeling about what I'm speaking towards, what I've tried to advocate for, what I've pushed for, what I believe is needed and what I think, quite frankly, is thoroughly very little to ask of an industry that presently, for the most part, is very unregulated. I thank Representative Davis, the Speaker, Representative Dunkin, many of those who served on the task force, whether they agree or disagree on the legislation. The fact is, the time has come, Ladies and Gentlemen, to make some changes in the industry. And usually change means that there is going to be those who have to come along with that change very slowly, kicking and screaming, but a change in the long run is going to mean benefits for those we all try and serve in Illinois. Thank you very much. And I ask for a 'yes' vote."

Speaker Mautino: "No one seeking further recognition, the Lady from Cook, Representative Monique Davis moves passage of Senate Bill 1471."

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Davis, M.: "It's okay. I just... I thank you, Mr. Speaker, very much. And I think for all of us, who at some point must leave our loved ones and those dear to us, we want to leave them in the hands of those who will protect and care for them. I thank all of those who assisted with this legislation. And Mr. Speaker, thank you for this opportunity. I urge an 'aye' vote."

Speaker Mautino: "The Lady's moved passage of Senate Bill 1471. 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 Reis, DeLuca, Tracy? Mr. Clerk, take the Record. 89 voting 'yes', 27 voting 'no', 0 voting 'present', Senate Bill 1471, having received a Supermajority, is hereby declared passed. Mr. Clerk, on page 4 of the Calendar appears Senate Bill 1466. What's the status of that Bill?"

Clerk Bolin: "Senate Bill 1466, a Bill for an Act concerning elections. The Bill was read a second time, previously. Amendment #1 was adopted in committee. Floor Amendments 2 and 3 have been approved for consideration. Floor Amendment #2 is offered by Speaker Madigan."

Speaker Mautino: "Representative Madigan on... Speaker Madigan on Floor Amendment #2."

Madigan: "Mr. Speaker, please withdraw Amendment #2."

Speaker Mautino: "Mr. Clerk, withdraw Amendment #2. Any further Amendments?"

Clerk Bolin: "Floor Amendment #3, offered by Speaker Madigan, has been approved for consideration."

Speaker Mautino: "Speaker Madigan on Floor Amendment #3."

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Madigan: "Mr. Speaker, I would propose to adopt this Amendment on Second Reading and then consider the matter on the Order of Third Reading. I would move for adoption of the Amendment."

Speaker Mautino: "The Gentleman has moved adoption of Floor Amendment #3. All in favor say 'yes'; opposed 'no'. The 'yesses' have it. And the Amendment is adopted. Mr. Clerk, further Amendments?"

Clerk Bolin: "Floor Amendment #4 remains in the House Rules Committee, but a Motion to Discharge has been filed."

Speaker Mautino: "Speaker Madigan."

Madigan: "Mr. Speaker, are there further Amendments?"

Speaker Mautino: "Mr. Clerk."

Clerk Bolin: "No further Amendments have been approved for consideration."

Speaker Mautino: "Representative Cross... Leader Cross is seeking recognition."

Cross: "Thank you, Mr. Speaker. I, under House Rule 18(g), would move for the... or move for the discharge of Floor Amendment 4 to Senate Bill 1466 from the House Rules Committee. Under House Rule 54(a)(2), all Motions are assigned Standard Debate status and I wish to debate this Motion. Upon conclusion of the debate, I ask for a recorded vote on the Motion to Discharge. Under Rule 49 and Article IV, Section 8(c) of the Illinois Constitution, any vote shall be a record vote whenever five Representatives shall request. I know five are doing so. There are at least five Members on this side of the aisle

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that wish for a recorded vote on the Motion to Discharge from the House Rules Committee."

Speaker Mautino: "Representative Currie."

Currie: "Thank you Speaker. I object to the Motion."

Cross: "Well... Mr..."

Speaker Mautino: "The Motion fails for lack of unanimous consent."

Cross: "Mr. Speaker, I'm not sure anybody on this side of the aisle is surprised by that, but... or probably, for that matter, anybody in the State of Illinois. I do want to talk about this Amendment and the need to do it and there are a few good things in the underlying Amendment in the Bill. But the reality is, from where we were at the end of Session to today, and subsequent to the veto of the last Campaign Finance Bill, nothing has changed and the status quo of this process and the funding of campaigns has not changed and will not change one bit. The reality is, under the present Bill that is about to be debated, the Speaker and the President of the Senate and the Legislative Leaders get stronger in their ability to raise money and dole out money in the process, while individual Members actually get weaker, and their ability to raise money is capped. And while the capping process is supported by many, the idea of the Legislative Leaders and the Speaker and the President of the Senate having additional power and additional money and not being restricted does not sit well with a state that has struggled time and time again with ethical lapses and most recently with a Governor being charged with numerous criminal offenses. The underlying Bill that we're

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about to debate does cap and restrict the flow of money from Legislative Leaders and their PACs in the context of Primaries. And while that is admirable, I think we all know that the significant amount of money that is handed out in elections is really centered on the General Elections and this Amendment attempts to and does take the concept and the idea of restricting this in the Primary field over to the General side. And let me just go over some numbers to put it in perspective of what goes on in this state in Primaries, and what goes on in this state in General Elections. This is based on D-2's file, January.. for the period of January to December's through 2008. The State Republican Party and the Primary cycle spent \$400 thousand. In the General Election, they spent five times that amount, 2.7 million. The Democrat Party in the Primary season back then spent \$108 thousand. In the General Election, they spent 40 times that amount, \$4.1 million. Friends of Mike Madigan spent 660 thousand in the Primary. In the General, that was up three times to 2 million. Citizens for Cross spent 250 thousand in the Primary season, and the General went up to 2.1. The House Republican organization spent 389 in the Primary season, went up to 2.1 in the General. The point is, to say we're going to regulate Primaries really does not get to the crux of the problem, does nothing to change the status quo. The power, the money, the control, is all centered on the money that's handed out during the General Elections. Many of you on that side of the aisle and some on this side of the aisle, and of course, the same holds true for the Senate. If we are serious about

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changing this culture, addressing the issue of power, addressing the issue of control, we need to take this concept that you have put in this underlying Amendment, #3, and broaden it to include General Elections. I certainly will have an opportunity, I hope, when the underlying Bill is called, to talk more about it, but this Amendment is critical. And if you want to change the status quo and you really are convinced or really want to follow through on your statement that you want change, this is the only way to do it. This is the only way to enact change, this is the only way to reduce the power, this is the only way to reduce the control that ultimately will rest in only four people in this state, 'cause no one else... or everybody else is regulated with the exception of the four Legislative Leaders. So, for those reason and others, I would ask that you reconsider your position, Majority Leader Currie, and allow us to have a vote on the underlying Bill. Thank you."

Speaker Mautino: "Speaker Madigan."

Madigan: "Mr. Speaker, what Order is the Bill on?"

Speaker Mautino: "The Bill is on the Order of Second Reading."

Madigan: "I would suggest we go to Third Reading."

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

Clerk Bolin: "Senate Bill 1466, a Bill for an Act concerning elections. Third Reading of this Senate Bill."

Speaker Mautino: "Leader Cross."

Cross: "Thank you, Mr. Speaker. I thought a few other people on our side would have an opportunity to speak. If that's

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not the case, under House Rule 57(a), I'm going to move... move to appeal the ruling of the Chair and that there be a recorded vote to discharge Floor Amendment #4 to Senate Bill 1466 from the House Rules Committee. A recorded vote."

Speaker Mautino: "Although there's been intervening business in the discretion of the Chair, I will grant and... and approve that Motion."

Cross: "I think there were a few people also had their light on, Mr. Speaker, that wish to speak if I am not mistaken. I think Representative Bassi had her light on. I see Representative Black's light on. And ultimately, we would like a vote to overrule the Chair, but I think they would like an opportunity to speak."

Speaker Mautino: "On the Motion, the Lady from... where are we at here... the Lady from Cook, Representative Bassi is next to speak. Representative Bassi."

Bassi: "Thank you, Mr. Speaker. Here we go again, guys. After House Bill 7 was recognized for the epic failure that it was, I had really hoped we would get the opportunity to debate a complete comprehensive campaign reform package when we got back to the Capitol this week. Sadly, that is not the case. I will give my friends on the other side of the aisle credit for addressing some of the many problems that were in the original plan, but you, again, refuse to include the one reform needed most, the limits on contributions to candidates from Legislative Leaders and the state Parties. Without those caps, the new reform is not only business as usual but makes matters worse. The

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four Legislative Leaders controlled at least \$25 million in each of the last three election cycles. Other limits on contributions to candidates from other sources are meaningless when Party Leaders can continue to give unlimited amounts of cash to their chosen candidates. I ask you again, Mr. Speaker, to release House Amendment #4, so that we can still do today what our constituents expect of us, which is to put their interests above Party politics. We need to extend the caps on Legislative Leaders and political Parties to include the General Election as well as the Primary. Sadly, Change Illinois was either worn down or bought out, but their acceptance of a Bill that gives even more power to the most powerful man in Illinois politics today is at the very least unfortunate. Release Amendment #4, please, so that we can actually do the right thing. Thank you, Mr. Speaker."

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

Eddy: "Thank you, Mr. Speaker. Just very quickly to the Motion. Ladies and Gentlemen of the House, the Motion is to Discharge... Discharge an Amendment from Rules so that we have the opportunity on the House Floor to debate the issue as to whether or not what we believe to be an essential reform, and that is extending the limits on Leaders to General Elections and not just Primaries, should be a part of this Bill. Now, if... if you believe that that is a better reform or makes for a better reform Bill than the Bill that you have in front of you... and many of you... many of you have been quoted and have supported a Bill that does

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that, vote for the Motion to... let's override the objection, get the Amendment out on the floor and for once, when we're talking about ethics and reform, let democracy have a chance in this chamber. That's all. If you don't want to vote... if you don't want to vote for the Amendment when we have an opportunity to debate it on the floor, that's fine, defend that but don't hide, don't hide behind supporting your Leadership. That's just a place to run and hide. Vote to get the Amendment on the floor and then vote it up or down. This is a basic... this is just a basic tenet of democracy. There are enough individuals who supported the original version of this legislation to have what should at least be a meaningful debate in an open forum as to whether or not that those limits, those limits that we're imposing for Primaries should be imposed in the General Election. That's it; that's how simple this Motion is. We're... we're attempting to allow open debate. Look, we're at a turning point; we are at a turning point in this state. Are we going to... we going to hide from our responsibilities, and then say all you were doing was voting to... to uphold an objection from your side of the aisle? Are you going to hide behind that, or are you going to vote to at least allow an open debate on what many, many people believe to be the essential part. And I was in the Executive Committee and the folks from Change Illinois have done a terrific job of advocating for what is right and they stated there that they believe this Bill would be better with that Amendment. They said that. They said it would be a better Bill. Let's do our job. Let's at least have a vote

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on that Amendment, show a little bit of courage like the newspapers have been talking. Show a little bit of courage."

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

Black: "Thank you very much, Mr. Speaker, and Ladies and Gentlemen of the House. I join with my colleagues, particularly Representative Eddy, Representative Cross. The Motion before you is not to say 'yea' or 'nay' to the Bill. The Motion before you is to allow, as Representative Eddy so elegantly said, a simple Amendment that regulates the authority of the four Legislative Leaders, who heretofore have been totally unregulated in the amount of money they can give to... to a candidate in the Primary or a General Election. That's the ultimate issue here. I mean, how... how can you sit here day after day and say you're a Member of a legislative... Representative, Legislative Body, when you participate in schemes that do not allow fair and open and honest debate on a question of the ultimate issue? If we're allowed to discharge and debate Floor Amendment #4, if you don't like it after the debate, you're free to vote 'no'. If you hear something in the debate that says... I cou... you know, that makes sense, then you're free to vote 'yes'. I just attended a funeral Monday, as I said earlier, of a young man who died in Afghanistan leaving a widow and a one-year-old child. Are we worthy of his sacrifice? What did he die for? I really don't know anymore. I come down here... and I heard the... the homilies of his service. He allegedly died so that we can be free, so that our form

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of government can continue to exist in a world that's extremely dangerous and unfriendly to our way of life today. Well, then why did he die? If you say to me tonight what you want Representative Black, what a minority of the... of this Body wants is... we don't care, you have no voice, you have no rights. I'm not going to let this idea be debated. Then why did he die? Ask yourself that question. Are you worthy of his service? Are you worthy of his death? If that young man died so that I sit here day after day and have my rights trampled on, ignored, ridiculed, then bring them home, Mr. President. Bring them home because they're serving under false pretense. I have no rights here. I'm a Republican. I'm in the Minority. You played loose and fast with the rules 45 minutes ago. If I were you, I would have been embarrassed by that and you're going to play in accordance with your rules just now. And so you say to Staff Sergeant Michael Rudzinski, we don't care. We're not about debate. We're not about ideas. We're not about the free flow of information. We don't want to hear what anybody else has to offer. We only care about what we offer. I thought that's why Staff Sergeant Rudzinski was serving in Afghanistan to try and get their country to allow the free flow of ideas, to establish, as President Obama has said, a democrac... a democratic government in Afghanistan. Well, let's start with our own. Let's start with our own situation. We're all elected. We all represent the approximate same number of people. Discharge the Amendment. God forbid, it has a committee hearing. You can defeat it in committee. You

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can defeat it on the floor. You might want to pass it. You might want to vote for it. But what you do is you allow your Leadership to control your vote on a very important fundamental issue and then you hide behind it. Well, I didn't vote against Floor Amendment #4. Floor Amendment #4 was never offered. You know, if it had been offered, I would have voted for it. How can you continue to fool yourselves? There's an old commercial, I think it is an American Express commercial... an old commercial years ago, don't leave home without it. I would submit to you that the press and a vast majority..."

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

Black: "Forbid I'd go over time. Heaven forbid. I would submit while you laugh over there, while the Speaker grins, I think the public has finally caught on. I think the media has finally caught on. You better not come home without true reform, because if you do and you hide behind whatever it is you're hiding behind, some of you are not going to come back here, and that might be the beginning of true democracy in the State of Illinois."

Speaker Mautino: "No further Members seeking recognition? For the record, the Motion to Discharge failed to achieve unanimous consent, and Leader Cross has asked to appeal the ruling of the Chair. And so the question is, 'Shall the Chair be sustained?' And those supporting the ruling of the Chair vote 'aye'; opposed vote 'no'. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Mr. Clerk, take the record. 64 voting 'yes', 52 voting 'no', 0 voting present, the Chair

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is sustained. The Lady from Cook, Representative Mulligan is seeking recognition."

Mulligan: "Yes. I'd.. I'd like to ask a procedural question. Is there some reason that Bill wasn't moved back first to Second before that vote was taken? It's kind of a given fact that the vote was going to go down. Particularly if you leave it on Third. I think that's pretty... speaks to what's going on here tonight. I think that's a really bad thing to do. That Bill should have been on Second while we debated that and it should have been on Second when we took the vote."

Speaker Mautino: "Mr. Clerk, read the Bill. Senate Bill 1466."

Clerk Bolin: "Senate Bill 1466, a Bill for an Act concerning elections. Third Reading of this Senate Bill."

Speaker Mautino: "Speaker Madigan."

Madigan: "Mr. Speaker, thank you very much. This is concerned with Senate Bill 1466. The Bill is concerned with campaign finance, and there's been references to House Bill 7 which is a previous Bill concerned with campaign finance. There are three significant differences between this Bill and House Bill 7. One, the limits on contributions to candidates now apply on an election cycle basis not a calendar year basis. Two, the limits on contributions from PACs have been reduced almost in half from 90 thousand to 50 thousand. Three, the Bill establishing an aggregate limit on contributions made by political party to candidate committees prior to an election... prior to a Primary Election. The Bill provides that a candidate political committee may accept contributions up to \$5 thousand from

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an individual, \$10 thousand from a corporation, labor organization or association, \$50 thousand from a political action committee or another candidate committee. In a Primary Election... Primary Election a candidate may accept up to the following amounts from all political party committees. Where statewide offices \$200 thousand, for a candidate for the Illinois Senate \$125 thousand, for a candidate for the Illinois House \$75 thousand. For judges, \$125 thousand for a candidate for Supreme or Appellate Court in Cook county, \$75 thousand for a candidate for Supreme or Appellate Court in any other county, \$50 thousand for a candidate for the Circuit Court statewide. For elective offices in counties with more than a million residents, \$125 thousand to a candidate elected by the voters of the entire county, \$75 thousand for all other candidates elected to county, township and municipal office. Elective offices in counties other than a county with one million residents, \$75 thousand for a candidate elected by voters of the entire county, \$50 thousand for all other candidates elected to county, township, and municipal office. A committee formed by a political Party may accept contribution up to \$10 thousand from a individual, \$20 thousand from a corporation, labor organization or association, \$50 thousand from a political action committee, \$50 thousand from a political Party or candidate political committee for a Primary Election and unlimited for the General Election. A political action committee may accept contributions up to \$10 thousand from an individual, \$20 thousand from a corporation, labor

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organization, association, or political Party committee, \$50 thousand from another political action committee or a candidate committee. The Bill substantially increases the reporting of political contributions and expenditures. It requires quarterly reports of contributions and expenditures. Additional, political committees are required to submit year-round reports of contributions of \$1 thousand or more. During the 30 days before an election, these contributions must be reported within two business days. For the rest of the year they must be reported within five business days. Also, the Bill requires an individual who makes electioneering communications during any 12-month period in an amount... in excess of \$3 thousand relating to any candidate or question of public policy to file a discloser with the State Board of Elections. The Bill also provides for the possibility for obtaining an injunction to prevent a person or media outlet from broadcasting an electioneering communication in violation of this provision. The Bill would provide to the board of elections mechanisms to enforce contribution limits and reporting requirements. For the first time, the State Board of Elections will have the ability to conduct audits of political committees to ensure committees abide by contribution limits and reporting requirements. Each year the board will be required to conduct random audits of political committees and the board will have the authority to audit a committee if the board determines there is reason to believe a violation of contribution or reporting laws has occurred. The board has the ability to increase

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the penalties for intentional violation of reporting requirements and reduce or waive fines for technical or inadvertent mistakes. Finally, the Bill would require a task force to conduct a thorough review of the implementation of campaign finance legislation in the State of Illinois, and the possibility of implementing a system of public financing of political campaigns in exchange for voluntary adherence to specific expenditure limitations. The task force will consist of 11 members, preappointed by the Governor, one of whom shall be designated as the chair, and two each by the four Legislative Leaders. Mr. Speaker, I move for the passage of the Bill."

Speaker Mautino: "The Gentleman has moved passage of Senate Bill 1466. And on that question, the Gentleman from Kendall, Leader Tom Cross."

Cross: "Thank you, Mr. Speaker. And I want to acknowledge, just briefly, that some good things have been discussed, and in large part, to some on this side and in a large part to the Change group. But having said that, all of what we just heard in the description of this Bill does absolutely nothing, absolutely nothing with respect to the numbers I talked about a few moments ago when we tried to get a rule dis... a Bill... an Amendment discharged from Rules. The Democrat Party of Illinois in 2008 spends \$4 million, Friends of Mike Madigan spent 2 million. That won't change. The ability of the Leaders to have huge amounts of money does not change at all. You can have all the things you want in the Bill. You can talk about all the reform, but at the end of the day when it's all said and done, \$6

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million is still spent by the Democrat Party and Friends of Mike Madigan and it applies to our side, as well, and the Republicans and Democrats over in the Senate. Nothing changes, nothing when it comes to money, except one thing, everybody that's not a Leader is limited, is capped. Their ability to raise money and your ability to get... not get things done, that's a whole other issue, is limited. Leaders are not regulated. You are regulated. Nothing changes, the status quo remains the same. Tonight could have been one of the best nights in the history of this state, unfortunately, it's probably one of the saddest nights when it comes to reforming the State of Illinois. Maybe you don't know this on your side of the aisle, but I suspect you do. We're not held in high regard right now. People generally don't like elected officials. I would suggest to you that in the State of Illinois, right now, we have gotten even lower than normal when you have one Governor sitting in prison, another guy under indictment, all of the allegations regarding pay to play, this and that, doesn't bode well and sit well with the people of the State of Illinois. We had an opportunity. We have an opportunity to correct that. We're never going to have people jump up and down when we walk down the street, to say there goes an honest politician. We've got to overcome a lot, but... but this was an opportunity given to us. I mean, this is... it's almost comical. I don't know and I haven't been around as long as Speaker Madigan has, but my guess is he's never been to a signing ceremony with the other Legislative Leaders where the Governor vetoes a Bill.

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I don't know that that's ever happened where we have kind of a celebration to veto a Bill that a week or two later we said was the greatest landmark piece of legislation in the history of the State, and then we shift gears and we say we are going to start over. It's... it's almost like if you're a golfer, a mulligan or if you're in your backyard playing with one of your kids, playing catch, maybe playing baseball, it's a do-over. So we had an opportunity here to do it over. We had an opportunity to do it right. We had an opportunity to listen to everybody outside this process, not us, and get it right. And we didn't. Is it at all ironic, or does it make you question the fact that a reform Bill for the State of Illinois and the General Assembly is done in a back room by one Party. There's a writer in the City of Chicago that talks about the Chicago way and he's not saying it in a laudatory form. And unfortunately, that Chicago way, the criticism of it, has dropped down to Springfield where we do things the Chicago way, not necessarily a positive statement. What bothers me, I think, most about this Bill is that the power and the money and the control stays in the power... stays vested in four people. And I... I want to you think about this Bill as you go through it and realize and think about everybody else that gets regulated under this Bill except the four Legislative Leaders. If you're a union, you're regulated in some way in this Bill. If you're a corporation, you're regulated in some way in this Bill. If you're a citizen, just an ordinary person, you're regulated in some way on this Bill. If you're a PAC, political action committee,

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you have a vision, you have a thought about... or an advocacy group, you want to make a difference and you want to come down here, you're regulated. You're a statewide officeholder or a candidate, you are regulated. You are a Member of the General Assembly you are regulated. But if you are one of the Legislative Leaders, for all practical purposes, you are not regulated. That's the case today and that will be the case if and when this Bill becomes law. Nothing changes. Nothing changes except for the fact that, as a rank and file Member, your ability to raise money is diminished. You are regulated. Why on earth would you vote for this Bill unless you were told you have no choice? Why would you vote for a Bill that takes away your ability to raise money but gives your Leader greater ability to raise money and who he gives it to? Why would you do that? Why would you do that? Now, I know how things work around here. Oh, the Republicans are playing politics. Well, let's talk a minute and reflect on what the media has said about this issue. Not Republicans, the independent media and for that matter the Change group, lets not forget the Change group who said we need to limit the power of the Leaders. This is what the Chicago Tribune said a while back, by putting limits on groups, some groups, but not the apparatus controlled by Legislative Leaders, it will perpetuate a huge power in balance. You are perpetuating a huge power in balance by voting on this Bill tonight. The Bloomington Panagraph, limiting campaign contributions from individuals, corporations, and unions without limiting such support from political Parties and Legislative Leaders is

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worse than leaving the state's weak campaign finance laws unchanged. Approving such a change would be a step backward not forward because it would increase the power and influence of Legislative and political Leaders. The Chicago Sun-Times, political Parties, and campaign committees controlled by Legislative Leaders would have no limits on what they could give. This was before the huge move we made on Primaries, does not of course apply to Generals. Does this sound fair to anyone but the very political power brokers who would benefit from it? Of course not. We urge State lawmakers... lawmakers to enact the kind of campaign finance reform that will erase the stain on our state not deepen it. The State Journal Register, lawmakers need to be able to resist their Leaders. A novel concept. One way is to reduce their dependence on Legislative Leaders to finance their campaigns. Kent Redfield, we hear about him, and from him with some regularity. It is an illusion of reform. It essentially codifies the status quo because if it allows Leaders to raise huge chunks of money and spend it without limit... because it allows them to raise huge chunks of money and spend it without limit, doing something that is this kind of a halfway measure delaying that might ultimately make the Legislative Leaders more powerful, is not the outcome I would like. The list goes on and on. I think we've made out points, Ladies and Gentlemen of the... I almost said of the jury... in a way we are the jury I guess of trying to decide whether we're going to do the right thing in this state. Tonight we are giving a blank check

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to the Legislative Leaders, unlike we've done in a long time. And so what I would suggest tonight is... I know how this is going to go down... you're going to pass it. You're going to what you're... you're told and we'll move on. And what I would suggest is that... and I hope the Governor is listening. There's one person that can stop this now. There's one person that can say, I'm going to go back to my roots of being the reformer, going back to my roots of protecting the Land of Lincoln, going back to my roots of doing what I think is right for the citizens of the State of Illinois, going back to my roots of not letting people with unlimited amounts of power stay in power and making sure that the little guy and the common person and the man on the street is protected. And for those reasons, Governor Quinn, I would strongly urge you to get engaged in this process. Do what you know is right and AV this Bill to include the limitations we see on the Primary side on the General Election side. That is the only way you are going to reduce the power and the control and the money that influences this process. Apparently, we don't have the capacity, or you on your side of the aisle do not have the capacity to police yourselves. And the only way we can be policed, or you can be policed, is to have your Governor amendatorily veto this Bill or for that matter, outright the veto... outright veto 'cause that is the only way it will ever get done. For those reasons, Mr. Speaker and others, I plan on voting 'no'. Play the game you want to and say we're not for campaign finance reform. We're for campaign finance reform. We're for real reform. We're for reform

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that changes the status quo. We're for reform that delegates or takes away the power of a few people in the State of Illinois. It's time today, not next week, not another study, not another commission, not another... well, we're going to think about it. This is a good step forward. Let's stop that. The step forward has to happen today. This is not even close to changing the climate and the culture in this state. We are an embarrassment not only to the people of this state, we're an embarrassment to this country, the way we have handled things in this state. We are not making it better tonight; we are making it worse. People are paying attention and they are sick and tired of the way this place is run, and now is the opportunity to change that and maybe, maybe a few... few of you who voted with us on the Motion to Discharge will see your way to vote 'no' on the Bill. Thank you, Mr. Speaker."

Speaker Mautino: "Thirteen Members seeking recognition. We will go next to the Lady from Cook, Representative Coulson."

Coulson: "Thank... thank you, Mr. Speaker. To the Bill. I want to applaud Change Illinois for all the work that they've done on this issue. They were... they are an independent group of individuals who volunteered their time and worked very, very hard to enact meaningful reform in Illinois. It isn't their fault that this Bill falls short of that goal. You know, each day that we're here and are in Session, we police and impose regulations on everyone else, but it seems that we refuse or are unable to police ourselves. The residents of Illinois have made it very clear that they want real reform. Real limits on campaign expenditures and

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meaningful contribution caps. Look no further than the recent Paul Simon Public Policy Institute Poll. The results indicate that 70 percent of Illinoisans want our campaign finance reform laws to mirror those at the federal level. It is disappointing that after all that we've been through here in the State of Illinois this is the best that we can do. The momentum was on our side. We thought we had some really good reforms, and the majority of the Body here believes that we do need reform. But we should not accept a reform Bill that does not impose caps on political Parties and Legislative Leaders during both the Primary and the General Election. What we have before us today is not our best effort. I know we can do better. This Bill still does not really address the fundamental issues of big money that flows into campaigns through state Parties and Legislative Leaders. This is one of the reasons that campaigns cost hundreds of thousands of dollars. Under Senate Bill 1466, House Amendment #3, House and Senate candidates can continue to receive unlimited contributions direct and in-kind from political Parties and caucus committees. I will give the one... the Bill one credit. It does improve disclosure requirements that we have fought so hard to include, but without limits on campaign funds controlled by Legislative Leaders and political Parties nothing really changes. I want to read from the Tribune's editorial today that stated, 'They (meaning us in the Legislature) want to sell this as a better than nothing Bill, but it isn't. It would be worse than the unregulated status quo. A measure that limits contributions from some

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groups and not from others doesn't level the playing field. It gives those without caps a huge advantage.' And to continue with the Tribune, they say, 'This might qualify as a compromise, but it is not reform.' I would like to remind you that we are... can be considered politicians or statesmen as we stand here and make this vote on what should be a historic Bill. We should be able to have campaign limits like the federal limits. I urge a 'no' vote and right now is the time to be statesmen and not politicians."

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

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

Speaker Mautino: "Indicates that he will."

Fritchey: "I'll have some brief comments afterwards. But Speaker, a couple questions if you would? House Bill 7, which was the original iteration of this Bill, among the groups that ultimately did not oppose it was the Campaign for Political Reform. Is that correct? That opposed it."

Madigan: "Yes."

Fritchey: "Have they taken a position on this legislation now?"

Madigan: "Yeah, that group supports this Bill."

Fritchey: "So, the group apparently found enough differences or improvements in this legislation over the original version to change their position. Is that correct?"

Madigan: "The answer is yes."

Fritchey: "The Gentleman from Oswego had referenced comments made by Mr. Redfield who is obviously respected, not just by myself, but I think all of us here and anybody that

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cares about good governance. Was Mr. Redfield involved in the drafting of this version of the legislation?"

Madigan: "The answer is yes."

Fritchey: "Has he taken a position on this legislation?"

Madigan: "Mr. Redfield supports this Bill."

Fritchey: "In its present form?"

Madigan: "Yes."

Fritchey: "Thank you. Ladies and Gentlemen, I... I was one of the six Democrats that did not support this Bill in its previous form as House Bill 7. It was a difficult decision at the time, but it's one that I thought was the right decision. People want to talk about politics being played and political statements being made. I... I will say humbly, I've been working on ethics legislation down here since most of you were here. My name is proudly on more pieces of legislation to work on cleaning up government, the most anybody in here, and I don't say that in a boastful way I've worked with many of you to do those things, but I'm not going to have my credibility and credentials on this issue called into question. I... I just won't. With... working with many of you, we spent years to pass the Inspection Solicitation Misconduct Bill. I spent over four years working with some of the groups that have been keenly involved in this legislation. I spent over four years to pass the pay-to-play ban which finally became law this year a... a Bill which was initially met when it was first filed with ridus... ridicule and disdain, then disbelief and statements that it would never be passed. It was met with roadblocks from Democrats and Republicans alike, but we

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kept fighting and we kept working and we got it passed and it became the law of the land, not as soon as I would've liked it to, not as soon as it should have to prevent some of the damage that's been done to the state's reputation, but soon enough to prevent further damage down the road. Along the way and over the decade-plus of working on these issues, I've also learned that it is difficult if not impossible to craft a perfect piece of legislation. The Gentleman from Bloomington talked earlier about not being able to craft a perfect Bill on cemetery regulation. We've had discussions on anything involving DUIs to gun safety legislation across the board to say, look, people would like to see things different but this is a significant step in the right direction. I stood by my vote that I made on House Bill 7 and I will tell you until looking at the Bill this afternoon and reading through it and seeing what it does, it was my intention not to support this legislation today because I would liked to have seen some other things in the Bill. Ladies and Gentlemen, I don't think I've ever taken a penny from Democratic Leadership in the 13 years that I've been here. Do I think that having caps across the board makes sense? I do, I do think it makes sense. Do I think that campaign contribution limits will take money out of politics? No, and if any of you go back to your districts and say that campaign contribution limits take money out of politics, you are misrepresenting the facts to them. Folks, as a lot of you know, I think all of you know, I ran for Congress in the spring in the special Primary Election. I raised three-quarters of a million

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dollars in six weeks under federal contribution limits. Contribution limits do not take money out of politics. Contribution limits do not change the system and the influence. What takes money out of politics are Legislators that are willing to go and represent their districts regardless of how they got there. Don't look for excuses. Don't look for Members to hide behind the fact that they cast a vote one way or the other because they were beholden to Leadership to get them elected. That's what Leaders do. That's what Leaders do. That's what Tom Cross does; that's what Mike Madigan does. That's what John Cullerton does and that's what Christine Radogno does. They work to get their Members elected. Is there a Leader in this building or has there been a Leader in this building since I..."

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

Fritchey: "Is there a Leader here that has not sought to influence their Members at one time or another. No, that's part of their job too. I would hope that they would do it for the right reason, to say this is where we need to be ideologically or this is where you need to be for your district. I can't think of a time where I've had the Speaker come to me and say, you have to do this. That's not how he operates. I don't think that's how Tom, excuse me, Representative Cross operates either. This Bill does a lot of very, very, very good things. This Bill takes a state that has been broken and helps to fix it. It doesn't make it perfect, but it takes us in a big direction. The

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adage of not letting perfect be the enemy of good applies now more than ever. This is a Bill that you can take back, be proud of and come back here in January and say there's more work to be done. There will always be more work to be done. But don't use the excuse of more work needing to be done to be an excuse for doing nothing. Vote 'aye'."

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

Winters: "Thank you, Mr. Speaker. I speak to this Bill and down to the basics about campaign finance reform and reform in general in Illinois. This is our one chance. Never again do I hope and never again do I think we will see the state of corruption that we have seen this last year. When it came to a head, one Governor in jail, one Governor indicted and removed from office. The public expects this General Assembly to take reform seriously. Now Change Illinois has negotiated in good faith. I think they reached an impasse and decided to take what they could get, expecting to continue to negotiate in the future. But let me pass the unfortunate word. This is all you're going to get and it will be all that we will get the rest of our lives. We will not see anything significant more than what we face tonight. So, yes, we should ask for the perfect because we don't get a second bite at the apple. We get one chance, and if this Bill passes as it is, we'll never see any additional reform. The problem that we have in this state, I believe, my opinion, is the concentration of power in the Four Tops. On both sides of the aisle, the individual Members of the General Assembly have very little

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opportunity to take on in a serious manner the Four Tops. And to call this campaign finance reform when, as Representative Cross pointed out, we limit everybody else in the state but the Parties and the Four Tops. Everybody else has caps put on them, but not the Leadership. In fact, some of the reforms that we think would be good by having more regular disclosure of large campaign contributions, what did we do? We doubled the size of the minimum from 500 to a thousand. So I declare tonight, Illinois is for sale for 999 because if you write a check for 999, it gets disclosed only with all other, in fact, you don't even find out about it. There's no instant five-day reporting through two-day reporting. You don't find out about it until the election, 'til the quarterly reports. And the other thing is, it's when it's deposited not when it's received. So if I get checks in and I don't want my opponent to know, my understanding of the Bill is as long as I don't deposit those I don't have to report them. Now is that what we want in ethics, in campaign reform? Where I can just start collecting checks and when I finally get around to it, then I'll disclose them, but as long as they're not in the bank, nobody needs to know about it. This is a serious flaw, a serious flaw, maybe intentional. I didn't draft the Bill. We weren't included in the negotiations over this Bill. It was presented. Our alternatives were shot down. We have one chance. If we approve this Bill, we'll never see a serious reform effort again in this state. Please vote 'no'."

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Speaker Mautino: "The Gentleman from DuPage, Representative Fortner."

Fortner: "Thank you, Speaker. Will the Sponsor yield for a question? Would... would you at least do the privilege of shutting off my clock. Thank you, Speaker. No, I... I have my question..."

Speaker Mautino: "Further questions? The Gentleman from DuPage, Representative Fortner."

Fortner: "Thank you, Speaker. Will the Sponsor yield for a question?"

Speaker Mautino: "He indicates he will."

Fortner: "Mr. Speaker, I was looking at Section(Sic-Subsection) (c-5) which begins on 28, and I was a little bit puzzled. There seems to be a provision as regards to the transfer of funds either from campaign committee to campaign committee or from candidate committee to... sorry not... candidate committee to Party committee or Party committee to Party committee. And that provision shows what seems to be a sunset provision, such that would apply for only the Primary for the year 2012. Is that an accurate portrayal of that Section?"

Madigan: "The answer is yes."

Fortner: "Is there a reason why, for those provisions that deal only with the Primary which seems to be a subject of some of the other comments that we have heard, that this one was singled out for that sunset provision?"

Madigan: "That was the result of negotiations on the Bill."

Fortner: "'Cause one of the things that would seem to concern me with it ending as it does on July 1, 2013, if the report

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of the task force that's indicated in that Section comes out in the year... by September 30 of 2012, if we had a normal calendar concluding business in May of 2013 which would be the first regular Session period following that release, it would be not unusual to expect gubernatorial action as is often the case with Bills that we do in regular Session by sometime in August, which would actually be after the next petition cycle will have already begun. It just seems strange to have set up a sunset date just for that one provision, in such a way that might not at least make sure it was going to extend 'til we could have some timely action based on the task force report. And again, I just wondered if that had... if anyone had considered that particular aspect."

Madigan: "Well, as you can understand, in the negotiations such as occurred on this Bill, why there were different positions adopted throughout the negotiation. This is something that was settled on at the end of the negotiation. And everyone agreed that one purpose for the task force would be a continuing study of the implementation of this Bill, so that we'd be in a position to take additional suggestions and comments as we go forward."

Fortner: "Thank you. To the Bill. I certainly appreciate the idea that we'd have a task force see how well these particular limits worked as they function through the 2012 election cycle, particularly the Primary cycle, which is when it would have to have its report after. It wouldn't have a chance to really see how it functioned in the

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General Election cycle, because it would be reporting before that General Election. I would've been a lot more comfortable and... and somewhat surprised to see that the default wasn't to say this continues forward. This continues going forward for future Primaries with the Legislature then saying, hey, the task force recommends making changes. I think we'd have been on sounder footing to make those changes not knowing that, well, if we do nothing, we go back to the way it was prior to the adoption of the language in this Bill. So, you know, this is one thing I... I guess I have concerns that there might be other provisions where we have not really looked at the timeliness of this in such a way to make sure that not just for the 2012 Primary cycle but for all the future election cycles, we would be protected by meaningful campaign finance reform. So, I guess I'm left with that concern. Wish that we could've really been able to have seen it and address it as part of the Bill. Thank you."

Speaker Mautino: "Further discussion? The Gentleman from McHenry, Representative Tryon."

Tryon: "Thank you, Mr. Speaker. I'd like to ask Speaker Madigan some questions if I might, if he will yield."

Speaker Mautino: "He indicates that he will."

Tryon: "Thank you. Speaker Madigan, so, I understand and we're sure... I'm sure about, you know, about the implementation dates on this. We're talking about the first election cycle being 2012, correct?"

Madigan: "The answer is yes."

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Tryon: "Okay. So, wh... I mean, what... what was the genesis to pick 2012? I mean, was..."

Madigan: "A decision was made not to do it in the middle of an election cycle such as the one we're in now."

Tryon: "Okay. I... have some of the similar concerns as we talked about in committee, primarily about the... the... the transparency of when we disclose expenditures. I... I think that that's part of this Bill that needs work. We're changing it from the time that your finance chairman receives it to the time that I deposit it into the bank. And clearly, I believe you could certainly take money a week before the election have run up a bunch of credit cards and disclosed who that money came from after the election because you'd have deposited it in the bank. So I have some concerns about that. I have concerns about there being issues with postdating checks and not having to record maybe the date the check was written and the date that you received it along with when it's deposited in a bank. I think there are things like that that need to be worked on. Was... was that ever something you considered when... when you were looking at changing this? Having a... a system of reporting the date that the check was issued and the date the check was received and the date that the check was deposited in a bank?"

Madigan: "As I stated in the committee, throughout this process I've been concerned about building traps into the legislation where people acting innocently and processing checks make a mistake and suddenly there's a complaint filed, suddenly their under investigation. And in terms of

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the reporting of the checks, two considerations: number one, following a standard that when the check is deposited, it must be reported. It's easy to understand; it's certain; there's no ambiguity. Number two, it provides a period for vetting. So, most people... that checks that are submitted to them and if they find that they choose not to accept the check, they send it back."

Tryon: "To the Bill. I... I believe that Illinoisans across our state are... are thirsty for and demanding transparency in government, transparency in lection... elections. I think they're demanding election reforms. I mean, Chicago politics and now Illinois politics is infamous all over the world. And when... I have gotten e-mails from constituents over the last six months asking me what am I going to do to help clean this up? Well, I can't vote for a Bill that I think is not providing the optimum amount of transparency or the optimum amount of reform that I think we need in... in our state. I don't see this Bill taking place till 2012. I don't know why we can't come back in the Spring Session and let this Bill be vetted just like a candidate that wants to vet its checks. Let the media look at this, let Illinois look at what new campaign finance reform laws are all about. That's how we learn. That's what I want to do. We haven't seen this Amendment #3 except for a few hours. I look at... at things that I think need to be fixed and... and... and one of the things that I think is egregious to me is the fact that we are empowering political Party bosses and caucus leaders. I know, just as I didn't come here to be a... as a subservient to my Leader, I came here to be an

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active Member. I think this gives Leadership the authority to hold over its Members money that helps you get elected. I think that's exactly the kind of thing that Illinoisans are wanting cleaned up in politics in our state. And I think we can do the right Bill. I think we can have a bipartisan Bill that has meaningful reforms in it. Certainly, how can we have limits and agree there's a need to have campaign limits in a Primary but there's not a need to have campaign limits in the General Election? I don't think this sells well with the average Illinoisan. I think this isn't going to sell well when it comes time to pic..."

Speaker Mautino: "Your time has expired. Please bring your remarks to a close."

Tryon: "Look, the long and the short of it is, we can come back in the Spring Session and we can put a Bill together that'll affect the next election cycle, have it properly vetted, have some of these concerns addressed, continue to work on it. Let's not put up a Bill that says we may not... this is all we could get. It may have some problems. Let's do the right thing the first time we try to do this. And let's get it right. And I would urge a 'no' vote."

Speaker Mautino: "Eight Members seeking recognition. The next speaker is the Gentleman from Crawford, Representative Eddy."

Eddy: "Thank you. Would the Speaker yield for a question?"

Speaker Mautino: "He indicates that he will."

Eddy: "Speaker Madigan, wh... when this compromise... you said a lot of hours and a lot of time when into this and you had a lot of stakeholders involved. Wa... was Senate President

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(Sic-Senate Minority Leader) Radogno or Leader Cross present during the negotiations?"

Madigan: "Mr. Eddy, let me answer that question by telling you that there was a meeting in the Governor's Office involving the Governor, myself, Senator Cullerton, Representative Cross, and Senator Radogno. In the meeting, it went into a discussion of campaign finance, and at one point in the discussion I asked Representative Cross, I didn't ask him I simply said, Tom, I expect you're going to be a 'no' on whatever happens. And his answer was yes. And I turned to Radogno and I said I presume you're the same way. Her answer was yes. And so, from that point forward I presumed that there'd be no interest."

Eddy: "Well, let me ask you a question about that because I... that's interesting. Probably the discussion about campaign finance had... had some references made to the fact that there might be limits involved and then perhaps the question was are you interested? And the answer is no. And then at that point, if you're not interested in doing it my way, you're not interested in doing it."

Madigan: "Well, Mr. Eddy, excuse me."

Eddy: "It doesn't matter."

Madigan: "We engaged in a little discussion about the elements of the Bill. It went on for a while. And I made a matter of fact question to Mr. Cross. And in a professional manner he responded that he wasn't going to support it. I mean, so, here we are and we could engage in rhetoric and we will engage in rhetoric. But we... we know what's happening here. You people have taken a position that

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you're not going to support this, and you want... you feel this will be an election issue in November of 2010."

Eddy: "Well, I... I..."

Madigan: "That's your position, but..."

Eddy: "Well, I... I think you... I think you hit the nail on the head. And I hope, I pray to God people in this state are listening and it is an election issue. And I hope that they hold the people responsible for this crumb; it's not a half a loaf. This does not get to the essence of the combination of power and money that has created a culture of corruption in this state. This doesn't even begin to clean it up. There's not a will to clean it up. I hope they're listening. I hope it becomes the biggest election issue there is because until we clean this up, until anybody who wants something done in this state doesn't... doesn't have the limit on how much money they can give to the four people in control, and not just the four, but the two people that control the process we're not going to clean up the perception. To the Bill. Ladies and Gentlemen of the House, look, we... we can... we can pretend all we want to. The media is listening. You can fool some of the people all of the time 'cause you do, but you're not going to fool all the people all the time. They're watching this. They're watching it closely. If you're running for office next year, they're watching you. And if you think the people of this state are going to be fooled by this sham, they're not going to be. They are not going to be. And I hope the media does not allow this sham to take place. I don't think they will. They've written

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about it for months and months and months and they've called it what it is. This gives more power to the Leader. That's what this does. It's plain and simple. There's a lot of stuff in it to confuse you. There's a lot of minutia to confuse you. We're doing this, we're doing... what it does is, it does not limit the power of the Leaders who control whether or not a Bill makes it to the House Floor. So, they can negotiate with one person and that person controls where the money is. That combination of power and money is lethal to a democracy. It kills it. It kills it. You have a chance to let democracy return to the State of Illinois, which will clean up the corruption. That's the only disinfectant for this. That's it, true democracy, and we're not doing it. We're going to same... see the same thing with redistricting, folks. We're going to see redistricting, and I can predict what's going to happen now just like I predicted last spring when we set up a committee that was dominated by one Party to bring these decisions to the floor what's going to happen. We're going to have redistricting where the politicians pick who votes for them rather than the voters picking the politicians because you control the power. It's wrong."

Speaker Mautino: "Further discussion? The Gentleman from White, Representative Phelps."

Phelps: "Thank you, Mr. Speaker. Will the Gentleman yield?"

Speaker Mautino: "He indicates he will."

Phelps: "Mr. Speaker, I just have three questions for legislative intent purposes. Number one, this Bill allows labor organizations, corporations and their PACs to act as

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conduits for the transfers of dues paid by individuals to another PAC. Is that correct?"

Madigan: "The answer is yes."

Phelps: "Is it also correct in the case of PAC contributions made by individuals through dues payments, the cap on such contributions applies only to the amount given by each individual and not the entity acting as a conduit?"

Madigan: "The answer is yes."

Phelps: "Thank you, last one. So a labor organization, for example, could act as a conduit and transfer an unlimited amount of contributions in the form of dues payments from its members to its PAC and not be subject to the limits created by this Bill, as long as each contribution from the individual is under the cap. Is that also correct?"

Madigan: "The answer is yes."

Phelps: "Thank you very much."

Speaker Mautino: "And further questions? Representative Cole."

Cole: "Thank you, Mr. Speaker. To the Bill. Mr. Speaker, as you know, this is my third year here in the House, and I... I continue to be in awe when I walk up the stairs to the Capitol Building at the honor that we all have to serve in this... in this august Body. And I am deeply disappointed that the Amendment #4 was denied a hearing on the House Floor here. With all the talent in this room, that I've come to admire, this is the best we can do? We've had newspaper editorials. The public is clamoring for change. We all hear it. We all get it in our e-mails. We've had independent groups of ethic reformers coming to our offices and this is the best we can do? The momentum was on our

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side to do meaningful change this year. All I can glean from this agreement that I've read, it falls short of our best effort. The public is being snookered again, and we blew it. Thank you, Mr. Speaker."

Speaker Mautino: "The Gentleman from Cook, Leader Miller."

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

Speaker Mautino: "He indicates he will."

Miller: "I have just a few questions regarding something that Representative Phelps had talked about. If a... if the dues towards a organization or a labor group is by individual is a thousand dollars, is the... is it up to that particular union or organization to report under this that... that contribution under this legislation?"

Madigan: "The labor union must tain... must maintain a list of all of those who have made a contribution."

Miller: "Okay. And in terms of reporting, since it's a five-day reporting period, I believe, if a company is given a... a group, whatever it may be, a thousand dollars or more, is it up to the parent organization to report that within five days?"

Madigan: "The responsibility would be on the political committee."

Miller: "Okay. So... so, they do have to re... they do have to report then?"

Madigan: "The political committee."

Miller: "Okay. The political committee. Regardless, if it's... regardless of what it is? Okay. In terms of the random audits, how will that... listed here how, where, groups will be audited, how will that be decided?"

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Madigan: "The direction in the Bill to the State Board of Elections is to use a scientific method to determine who would be audited so that the selection would be fair across the board."

Miller: "So, a blind sampling of... if there was any prevalence towards one group or maybe, I don't know, a small PAC or another, would that be looked at, I guess, in the task force recommendations part..."

Madigan: "That would be the type of matter that the task force would be expected to consider."

Miller: "Okay. Is there any provisions dealing with Special Elections in this? As a couple of Representatives have mentioned, in terms of Special Elections I think Representative Fritchey talked about how much money he had to raise. Would this also be considered in terms of reporting and..."

Madigan: "Well, if someone were to be involved in a Special Election, they'd be under requirement to form a political committee. And then that political committee would be under the requirements of this Bill."

Miller: "Okay. And in terms of like groups in... like the... on a federal level like the 529s or groups that... that exist to come out against or for a particular stance. It could be for any particular issue. Do the reporting requirements apply to them? So, there could be some big business group that could be against an entity, or a labor group against a particular or some... some made-up entity that we don't know where it came from. The swift votes would be an example of

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it. Is there any way to find out those contributions listed? Is that regulated under this legislation?"

Madigan: "Mr. Miller, I... I spoke to that on my initial remarks, where I explained that the Bill would require an individual who makes electioneering communications during any 12-month period in an amount in excess of \$3 thousand relating to any candidate or question of public policy to file a disclosure with the state board."

Miller: "Okay. And in terms of the... the \$1 thousand that has to be reported and it says annually, a year, that's aggregate. Is that correct? Or is that... what is that exactly?"

Madigan: "Mr. Miller, under the current statute, any time you get a contribution of \$500 you have to report that. We changed the 500 to a thousand."

Miller: "That the... Okay. So, regardless... so, for instance, is... is it... if somebody within the quarter, I assume its quarterly reporting, if somebody in January gives you \$500 and somebody... the same person gives you a contribution in February for \$700 then you have to report it at that time, within five days, the aggregate or is it a thousand dollars?"

Speaker Mautino: "The Gentleman's time has expired. However, we will allow for an answer."

Madigan: "Well, Mr. Miller, the statute does not require aggregation, but the State Board of Elections has a rule which would require aggregation, which means you'd have to contribute under that example you gave."

Speaker Mautino: "Very briefly, your time has expired, Sir."

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Miller: "Just one... Okay. So, with... within the... that period, if it's over a thousand or within, hits that mark, then you do have to report the entire amount?"

Madigan: "Under the current board rules, the answer is yes."

Miller: "Okay. And last question. That... I... I assume this will be going to the... to JCAR for rules making by the State Board of Elections to determine at some point?"

Madigan: "The answer is yes."

Miller: "Okay. Thank you."

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

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

Speaker Mautino: "He indicates that he will."

Black: "Speaker Madigan, are you all right?"

Madigan: "Yeah."

Black: "You sure? I mean... can I cancel the amber alert? I... I was concerned; I didn't know where you went. I... I was fearful. I... I've been here 24 years, I've never seen the Sponsor of a Bill leave the floor. I even went over... go over and look under your desk. But... but you are okay? You don't need any assistance... or I would be glad to bring you some water? Mr. Speaker, I'm trying to clarify something that was said earlier. How many meetings did you and President Cullerton and the Governor and others have regarding campaign finance reform, 1, 6, 10?"

Madigan: "Obviously, Mr. Black, I don't recall the number of times I discussed this issue in meetings with the Governor and the other Leaders. I would point out that there were

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numerous meetings among the staff from the four caucuses to discuss language, review language, accept submittals of language."

Black: "How many of our staff were there? Do you... can you give me a rough idea? One or two?"

Madigan: "I'm told, two of your lawyers."

Black: "Okay. I... I can't respond for Leader Cross. I can say this, had I been invited to participate I would've love to have participated. I think one of the problems any time you talk about campaign reform or any kind of reform in this or any Legislative Body, the more people that participate I think the better the product would be. Let me ask you about the threshold, and it's already been mentioned that it was 500 and now it's a thousand. What determines when that contribution in excess of a thousand dollars must be reported? Is it upon receipt by the committee, or is it upon deposit by the committee?"

Madigan: "Deposit."

Black: "Wow. I mean, even in my district banks are open five and a half days a week. So, if... if my campaign finance chair or treasurer just didn't feel like taking those thousand dollar checks or ten thousand dollar checks to the bank for days and days and weeks and weeks, then I suppose I could have a... a wonderful surprise for my opponent who reads the last D2s and thinks I only have ten thousand dollars, when my next report will show that, in fact, I have a hundred thousand dollars. Why, why would we make it upon deposit and not upon receipt?"

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Madigan: "Because throughout this process, Mr. Black, in this instance and in others, I was concerned about building traps into the legislation. Where people acting innocently would make a mistake and then find that they're under investigation subject to a complaint. In the case of the requirement that the deposit triggers disclosure it's easy, it's clear cut, easy to understand, no ambiguity about it. That's why that particular requirement was put in the Bill."

Black: "As I... my committee made one of those honest mistakes in the last reporting period before the election last year and we were fined a hundred dollars. I'd never been fined or cited of any... anything in... in 24 years. And I find it amazing. We paid it immediately. We didn't appeal. We... but I know you are familiar with people who have never even filed, period, and they didn't pay any fine. They're not here anymore. But I just find it amazing sometimes how this process works. Thank you, Mr. Speaker. And Mr. Speaker and Ladies and Gentlemen of the House, to the Bill. I find it a little disappointing after... after the embarrassment of a Republican Governor having been sentenced and a Democrat Governor whose trial will begin just before the election probably in 2010, two other Governors having had their legal problems. I think for the first time in my lifetime the momentum was... was really present in Illinois to make some substantial changes in the wild west. We're one of only five states that was wide open. So, I... thank those people..."

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Speaker Mautino: "Time has expired. Please continue. Bring... bring your remarks..."

Black: "Yeah. Mr. Speaker, let me ask you a question. On a... on... on a legislative measure of this magnitude, when I came down here we didn't use the... we didn't use the clock. Very, very, very seldom. Is this not Unlimited Debate or..."

Speaker Mautino: "The status has been on Standard..."

Black: "Yeah. Okay."

Speaker Mautino: "...but I've given the five minutes and additional time to speakers."

Black: "All right. I... Okay. I... I just think this should perhaps get even a more full debate than what we've had. Illinois's had a checkered past. And I think we had a chance, with the impeachment of our previous Governor, God bless him and the imprisonment of a former Governor, I really thought we could really change things. And I... I thank the people in Change Illinois. They're volunteers; they worked hard. They tried. But they came up against some professionals who are very good at what they do. I don't know how any of us... I... I'm leaving I no longer can convince myself that I can change. I still love this process and I still love what we can be. I don't love what we are. Doesn't it bother some of you? Well, some of you up north nobody knows you in your district. I've campaigned and knocked on doors in other districts. They don't have any idea who you are. You come into my district, I can't go anywhere that they don't know me. Grocery store... my wife and I can't even go to a movie anymore because somebody will say, I know it's a bad time,

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Bill, but I need to talk to you. Really, not at a movie theater. That's the trouble with you damn politicians you never want to talk to us. This was in a movie theater. I get... I get tired of going to social events or ham and bean dinners or all the things that we get invited to or are expected to attend. And I know people in my district, I know most of them, and I know they don't mean it. But how many times do I have to hear this remark? And maybe you've all heard something similar. Hey, Bill, write when you find honest work. Hahahaha, hahahaha. You laugh it off, but it starts to... to gnaw at you. We had an opportunity. Roger Eddy said it more eloquently than anybody could. This is not only about money, it's about power. Those that have money make the rules under which we operate. Those who have money can determine who stays here and who doesn't, and those who have the money and the power can make the decision on whose Bill gets called and whose Bill does not. Whose Bill gets out of Rules. Whose Bills do not. That's not the way its supposed to work. It's not the way I taught it when I taught Civics Class many, many years ago. We all know it's not the way it's supposed to work. But we had an opportunity to make meaningful change and eliminate, not eliminate, but reduce some of that concentration of power and money and we won't do it. We won't do it because we're not allowed to do it. And that's what should keep you awake at night."

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

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

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Speaker Mautino: "He indicates that he will."

Mulligan: "Speaker Madigan, are the limits as outlined for judges and candidates the same in your Amendment as they were in Amendment 2?"

Madigan: "The answer is no."

Mulligan: "So where do they differ?"

Madigan: "I believe in Amendment #2 there were no limits in terms of the Primary Election. So, the biggest difference would be that Amendment #2 did not deal with limits in Primaries. Amendment #3 does."

Mulligan: "In my first election it was a Primary that I won on election day by 32 votes and then we went to court for the next six months and I ultimately lost by six votes in the Supreme Court. At one point, I had close to \$100 thousand in legal bills incurred after the campaign and about half of that was pro bono work from a law firm and the other half was legal work that I paid for or would've paid for when I eventually had the money to pay for it. And then I had legal work that was considered free from a retired Appellate Court judge who happened to be a Democrat from the law firm that I was with. And they did not charge me for his because he didn't have to bill the firm, he was on his own, but the group that gave me the pro bono work had to file slips, billing slips, for the pro bono work which were close to \$50 thousand. Now, how would that have been treated under the campaign finance reform if they were a corporation of sorts? How would you have handled something like that under this that I could not receive that money,

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or would I have been on my own? Could we stop the clock while they consider where we're going here?"

Madigan: "Representative, number 1, there's no change in this area from the current law to the Bill. Number 2, if whatever you described is any kind of contribution to your campaign, it would be covered by the cap."

Mulligan: "Well, it took two years for the State Board of Election to figure out what it was and it was only then when it was challenged in the next election. So, I've always been very cautious about what the state board does or doesn't do in giving us an opinion. But that certainly was a lot of money to defend an election, which I would've had to do and it was not considered at the time by the state board campaign, but then ultimately it was something that I had to report. So, after the fact I would've had a problem with that. Anyway to the Bill, since the time is waning. I think what's being done to PACs and groups that are different are really outstanding. I mean, you have limited them. I think the biggest issue with PACs is they back both Republicans and Democrats and you don't have total control over them, so let's limit what they can spend. I think that's a very interesting thing. What you've done here with this Bill is you've made everybody turn out to be Milquetoast the same backed by the Leaders. So, anyone that's a little unusual or a little different won't be here and if you're looking for colleagues that will stand up to a long-term Leader or something for change they won't be there any longer because they won't eventually get elected, nobody can support them and they

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won't have campaigns. And so you'll have all the same people that look the same and are backed by the same people. It's interesting how you've opted out with unions, but you haven't been able to do that with other PACs and groups that are on their own. I guess they'll have to get more creative about figuring out how to go along and make little PACs out of big PACs so there's multiple people. You might not have seen any medical malpractice reform with the judicial amounts because even though downstate you might not have been what happened with the judge in that election certainly contributed to some doctors still staying in the southern part of the state. You would never have had that if we had these reforms. I think, if everyone is the same you have no originality and we all have to be beholden to our Leaders. If you're someone different in your own Party you've now lost any support that you've had. The fact of the matter is, this does nothing. All it did was a camouflage to not talk about real... real issues. How we're going to pay providers. How we're going to do the things of the General Assembly that are really important. While you held up the whole time talking about campaign finance reform because that's what's glitzy in the newspaper. What a bunch of hogwash."

Speaker Mautino: "Further discussion? The Gentleman from Rock Island, Representative Boland."

Boland: "Thank you, Mr. Speaker. To the Bill. Ladies and Gentlemen, I'm probably one of the few people in the chamber that hasn't fully made up my mind on how to vote on this Bill. Sometimes I lean toward it thinking that this

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is how Illinois works. We go incremental change and try to improve things little by little. On the other hand, sometimes I think, no, this may be the last chance, as one of the speaker's has alluded to, and it would probably be my last chance in the chamber. And so, maybe we're settling for too little. So, since I haven't made up my mind, let me throw out just a couple of ideas that mull over in my thinking. Number 1 is, one of the good things about this is there's more transparency, but what it really means is, more paperwork and it's really not going to result in any real reform. It's nice. We'll be putting out more forms; the media can see it. Some of the reform groups can see it. That's all nice, but it's not really going to change anybody who's going to be corrupt or who's not going to be corrupt. The other... one other thought I have on this is that we're modeling this after the federal limits and any of you who've talked to your local Congressman, you know what happens with them. They spend almost all their time on the telephone raising money. If anything, it seems to me, money becomes a more important thing than it is today. So, I don't think any of us, if we're thinking that somehow modeling ourselves on the federal limits, although I think we're... we're doing a little better job there, that we're really going to solve the problem in the State of Illinois. So, let me just throw out a... a couple of ideas. In most ways this Bill is better than House Bill 7, but in one way it is not, at least in my estimation, and that is that I believe political Parties should be open and the Primaries should

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be open and there should not be endorsements in political Party Primaries. The second thing I would say is that, if we're really looking to change the system, we should be doing more than a task force on public financing. We should be following the model of Maine, following the model of Arizona, following the model of Connecticut and bringing about public financing because if we really get down to it, we all have to be honest and say the root of the problem is money. And whether it's raised in a private sense, you're always going to have that problem. So I would lay that out. I won't tell anybody how to vote. Usually when I get up to speak, I try to be 90 percent positive and try to promote a 'yes' vote. Only 10 percent usually am I negative urging somebody to vote 'no'. I still haven't made up my mind. I will listen to the rest of the debate. But again, I ask that all of you think about those things that I mentioned, particularly the public financing. This is the answer, the real answer. And if we're really serious in Illinois, that's where we have to go. Thank you very much."

Speaker Mautino: "The Gentleman from Kendall, Republican Leader Tom Cross is seeking recognition."

Cross: "Thank you, Mr. Speaker. Briefly, I... and I don't want to dwell on this, but I think it's a distinction and understanding that... that at least on our side, people should know about as to whether or not there was an offer to negotiate. I... there is a... a distinction between well, if you don't like the Bill too bad versus do you want to participate in a negotiation and a process on a very

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important issue. About a week ago when we were here for Veto Session, the statement was, well, you don't like the Bill, you're not going to support it, I take it you're not interested in... in talking. We're always interested in talking. If anybody in any... either side of the aisle has any question about our role or lack of it in the last two or three months, I would suggest you go to an independent source, perhaps somebody from the Change organization, ask them who was involved in all the meetings? Who was in the back room during all the meetings? And, if, in fact, any Republican was involved in any meeting on this issue in the back rooms, and I think you will get your answer. So, if there's anybody else that has any question about our involvement or our lack of it, please feel free to come ask me. Thank you."

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

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

Speaker Mautino: "He indicates that he will."

Lang: "Thank you. Mr. Speaker, as I understand it, this Bill prohibits people, organizations or groups from having more than one PAC, is that correct?"

Madigan: "The answer is yes."

Lang: "Does that prohibit an organization like the Chicagoland Chamber of Commerce from having a PAC if the State Chamber of Commerce has a PAC?"

Madigan: "The answer is no."

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Lang: "Does the Bill prohibit the Chicago Federation of Labor from having a PAC if the Illinois AFL-CIO has a PAC?"

Madigan: "The answer is no."

Lang: "Thank you Mr. Speaker. I... I heard comments from the other side of the aisle, particularly the Leader, that under this Bill nothing changes. He kept repeating it, nothing changes, and it was a refrain over and over again on the other side of the aisle that nothing changes under this Bill. Well, let's see. This Bill has caps. This Bill has limits. This Bill has new transparency. This Bill has a new database. This Bill has extensive reporting. This Bill has new penalties. And this Bill has random audits of all of our accounts. Nothing changes? I think many things change. Now it may be that there are many on this floor on both sides of the aisle that would like to do more, but that doesn't mean that nothing changes. That doesn't mean that there aren't substantial new reforms in this Bill that require and demand our passage of this Bill. You know we heard this debate begin with the other side of the aisle talking about their Amendment, and we had a long debate about their Amendment. And we had a long debate about how important it would be to pass their Amendment. And how different their Amendment was from our Amendment. Well, Ladies and Gentlemen, take a look at that Amendment. It's two pages long. It adopts everything in our Amendment. It adopts everything and then extends it to the General Election. Now, you may want to extend it to the General Election, but to say that the Bill does nothing when it does everything your Amendment wanted

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to do but you want to extend it beyond that is really kind of ludicrous. Our Amendment does everything your Amendment does, except you go farther. That doesn't... even the issue that was brought up about five times about depositing the checks triggering the report rather than receiving the check, that is also in your Amendment. Perhaps once in a while, people on this House Floor who had actually read the legislation we're voting on, it really would be very helpful to the process. Mr. Speaker, Ladies and Gentlemen, the whole purpose of campaign finance rules in the first place was to control special interest money so that when we came to the House Floor we didn't just simply vote the way our special interest friends asked us to. So that the large PACs didn't control our votes. So that we came down here more free to vote our consciences. Well, Ladies and Gentlemen, political Parties are not special interests. We all are a member of a political Party. You've got an R next to your name, you've got a D next to your name and of course you want support from your political Party and of course you support those in your political Party. To lump political Parties in with the kind of special interests that campaign finance laws were designed to control in the first place is wrong-headed from the beginning, wrong-headed from the beginning. Campaign finance laws are to protect us from those outside this chamber, not to protect us from those inside this chamber. And let me go on. We heard a few times about the impeached and removed and... Governor of the State of Illinois. And Ladies and Gentlemen, you're right. He looked corrupt. He acted

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corrupt. We took him out of office, and the current finance laws of the State of Illinois were sufficient to have him indicted. The current laws were sufficient to have him indicted. Now, we heard from the Leader on the other side of the aisle that we need to have campaign finance laws to control more of what we do because apparently he thinks we're all crooks. Apparently, he has no belief that most if not all of the people in this chamber and across the way are law-abiding Members of the General Assembly. He wants more controls over us because he's afraid that all 118 of us, perhaps except himself, are crooks. Ladies and Gentlemen, we have campaign finance laws in place today. Who among us has been arrested because of them? Who among us has violated them to the point where we're worried about each other? The answer is none of us, none of us. This has become a political issue, not an issue of public policy. And when the Leader on the other side of the aisle calls us... all of us crooks, I think we ought to rise up and tell him that we are not and that we want to follow the laws of the State of Illinois..."

Speaker Mautino: "The Gentleman's time has expired. Please bring your remarks to a close."

Lang: "Thank you. I for one have... cannot stand idly by and watch the Leader on the other side of the aisle call all of us, his Members and our Members, crooked. And that's what he did in his remarks, and if you don't think he did that I suggest you go back and listen to what he said. This Body and the people in it are honest people. This Body and the people in it are doing the best we can to represent our

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constituents. Some of us better than others. Some of us get it better than others. That's not the point. It's not about who does their job well. Who doesn't do their job well. It's not about who's in the Majority. It's about having even-handed laws where we can follow them. This Bill, as written, gives us a guidepost. Maybe it's only for the Primary, but it's a guidepost for us to follow. It's a guidepost. And it's a guidepost for the State Board of Elections to make sure we are following the law."

Speaker Mautino: "The Gentleman from Winnebago, Representative Sacia is seeking recognition."

Sacia: "Thank you, Mr. Speaker. Ladies and Gentlemen, I had turned off my speak light until I heard that outburst slamming the Leader on this side of the aisle who at no time questioned your integrity, Gentleman from Skokie. What has happened here tonight is the most shameful thing that is happening in my seven years in this General Assembly. This Bill will pass, everybody knows it, and we have turned a power structure into the Leadership of the House and the Senate. And anybody with a half a brain can figure it out. Mr. Redfield should be ashamed. The Campaign for Political Reform should be ashamed. The good citizens for Change should be ashamed to have allowed this scam to get as far as it has. This is shameful, Ladies and Gentlemen, and there is no doubt that it'll pass and the media will eat us alive and they should."

Speaker Mautino: "The Gentleman from Vermilion, Leader Black has spoken in debate. For what reason are you seeking that recognition, Sir?"

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Black: "Mr. Speaker, just to join my colleague in... in expressing some outrage. Those remarks directed to our Leader were... were way, way out of order. Way out of order. And Representative Sacia, you have arrived, Sir. You have been ridiculed by Steve Brown. So you now are a full-fledged Member of the House of Representatives. Mr. Speaker... Mr. Speaker, I just leave all of you with one thought. And to my good friend from Skokie, the more things change, the more... oops... the more they stay the same. Congratulations, you aren't about to give up one iota of your power. As Pogo said, 'We've met the enemy, and it's us.' And in the words of a late great President from my side of the aisle, 'I am not a crook.'"

Speaker Mautino: "Speaker Madigan to close."

Madigan: "Mr. Speaker and Ladies and Gentlemen, in closing, let me simply treat one issue which was discussed by many people in their remarks and it's very simple. The Bill provides that for all political committees in the future there shall be limits on contributions to those committees. So, in terms of income to the committees, there'll be limits on the income coming into the committees. The Bill further provides that on the spending side there will be no limits on any committees. The committee formed for the election of Governor of Illinois will not have any limits on its spending. A committee formed for the purpose of the election of the Secretary of State of the State of Illinois will have no limits on its spending. A committee formed for the purpose of supporting a political Party, will not have any limits on its spending. A committee formed for

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the purpose of supporting candidates for the Legislature will not have any limits on its spending. That's the simple concept of the Bill. That's why I'm offering the Bill to you and requesting a 'yes' vote."

Speaker Mautino: "The Gentleman moves passage of Senate Bill 1466. 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. 66 voting 'yes', 49 voting 'no', 0 voting 'present', Senate Bill 1466, having received the Constitutional Majority, is hereby declared passed. Representative Lyons in the Chair."

Speaker Lyons: "Ladies and Gentlemen, on page 4 of the Calendar under Senate Bills-Second Reading, Representative Nekritz has Senate Bill 941. Representative Nekritz. What's the... what's the status of that Bill, Mr. Clerk?"

Clerk Bolin: "Senate Bill 941, a Bill for an Act concerning transportation. The Bill was read a second time, previously. Amendment #1 was adopted in committee. Floor Amendments 2 and 4 have been approved for consideration. Floor Amendment #2 is offered by Representative Nekritz."

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

Nekritz: "Mr. Speaker, I wish to withdraw Floor Amendment #2."

Speaker Lyons: "The Lady moves for the withdrawal of Floor Amendment #2. Anything further, Mr. Clerk?"

Clerk Bolin: "Floor Amendment #4, offered by Representative Nekritz, has been approved for consideration."

Speaker Lyons: "Representative Nekritz on Amendment #4."

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Nekritz: "Thank you, Mr. Speaker. Could we adopt the Amendment and then debate the Bill on Third Reading?"

Speaker Lyons: "The Lady moves for the adoption of Amendment #4. All those in favor signify by saying 'yes'; those opposed say 'no'. And the opinion of the Chair is the 'ayes' have it. And Amendment #4 is adopted. Anything further, Mr. Clerk?"

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

Speaker Lyons: "Put the Bill on the Order of Third Reading. And read the Bill, Mr. Clerk."

Clerk Bolin: "Senate Bill 941, a Bill for an Act concerning transportation. Third Reading of this Senate Bill."

Speaker Lyons: "Representative Nekritz."

Nekritz: "Thank you, Mr. Speaker. Senate Bill 941 started out life as a Bill to fully fund paratransit services for the disabled in the RTA region, but with the budget difficulties facing all of our transit agencies in the Chicagoland region and downstate, finding resources to plug that hole proved to be difficult. Sales tax revenues, as we all know, have declined precipitously. CTA is short of funds and contemplating fare hikes and service reductions, same with Metra same with Pace contemplating fare hikes on both the fixed route and paratransit service. The downstate transit systems have similar financial difficulties. While I don't think we can avoid all of the fare increases and service reductions, we can take a step in minimizing those impacts by rolling back the free rides for seniors program instituted by the former Governor. Instituted by the former Governor without any legislative

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input, no committee hearing, no floor debate and certainly no negotiations. I recognize that this is a difficult step to take, but like so many other difficult decisions imposed upon us by the economic crisis, there aren't really great options. So while limiting free rides to the seniors to those most in need, those that qualify for the Circuit Breaker Program, may be difficult, I believe it is the fairest outcome. It strikes a better balance between the cost of the free rides with the overall needs of the transit agencies and all the riders. Seniors across the state will continue to receive the half price fares mandated by Federal law. A recent study conducted by the University of Illinois in Chicago found that limiting free rides to low-income seniors could save, in 2010 alone, the CTA as much as 25 million, Metra 10 million and Pace 2 million. Again, these saving are an important part of the overall transit budget solution. This legislation also does two other things. It assures that for... for the years 2010 and 2011 Pace will receive full funding for paratransit service as contemplated in the 2008 funding and reform legislation sponsored by my seatmate. It will avoid steep increases in paratransit fares. No new funding from the state is mandated or even necessary under this legislation. The mechanism for getting the paratransit money to pay simply reallocates an appropriation that is already included in the state budget. Finally, it freezes fares for all the service boards in the Chi... in the RTA region to the level they are currently for the next two years. I'd like to say thank you very much, and to

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Representative Bassi who has been a champion on the free rides for seniors issue. And when it became combined with the paratransit Bill that's... that's how I ended up with it. But I know Representative Bassi has done a lot of work on this and I applaud her for that. Happy to answer questions."

Speaker Lyons: "The Chair recognizes the Gentleman from Cook, Representative Ken Dunkin."

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

Speaker Lyons: "The Sponsor yields."

Dunkin: "Representative, Senate Bill 19... 941, does this stop service cuts and additional route cuts or eliminations?"

Nekritz: "No, it does not."

Dunkin: "Okay. Do you have a sense of where the proposed cuts or reductions would be in CTA?"

Nekritz: "No, I do not."

Dunkin: "So, help me understand. We... we... we're talking about legislation as significant as this is, one of the largest transportation systems in the country, and we don't know where the service cut reductions will be?"

Nekritz: "Representative, this is not about solving the CTA's budget crisis. This does two things. It redu... it cuts back on the free rides for seniors, which will help all of the ser... all the transit agencies across the state close their budget gaps."

Dunkin: "Right."

Nekritz: "But I don't pretend to say in anyway that it will... that it will completely close the budget gap. And most

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importantly, it provide... it... it gets full funding for... for the disabled rider...

Dunkin: "Mr. Speaker..."

Nekritz: "...in the RTA region..."

Dunkin: "...Mr. Speaker..."

Nekritz: "...to get... to get..."

Dunkin: "...can't hardly hear."

Nekritz: "...the rides that they need."

Speaker Lyons: "Ladies and Gentlemen, there's an important discussion going on about a very important Bill. I know we had a lot of debate over the last issue, but Representative Dunkin would ask us, please, bring the noise level down so we can hear the debate."

Dunkin: "Can you repeat your answer?"

Nekritz: "Mr... Mr. Speaker, can I... I think we'd like to pull the... the Bill from the record right now."

Speaker Lyons: "Request of the Sponsor, we'll take this Bill out of the record. Ladies and Gentlemen, on page 5 of the Calendar, at the top of the page under Senate Bills-Second Reading, Representative Dan Burke has Senate Bill 1514. What's the status of that Bill, Mr. Clerk?"

Clerk Bolin: "Senate Bill 1514, a Bill for an Act concerning local government. The Bill was read a second time, previously. Amendment #1 was adopted in committee. Floor Amendment #2, offered by Representative Burke, has been approved for consideration."

Speaker Lyons: "Representative Dan Burke on Amendment #2."

Burke: "Thank you, Mr. Speaker, Ladies and Gentlemen of the House. Senate Bill 1514 provides for local districts to

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better capture federal funding with the issuance of Build America bonds. As part of a federal stimulus incentive, Build America bond obligations issued as part of the ARRA and used for infrastructure projects qualified for repayment of 35 percent of debt service payments by the Federal Government. And there is a few more details to it, but I think in an effort to save time, I'd be happy to answer any questions, maybe get into a more in-depth understanding of it."

Speaker Lyons: "Any discussion on the Amendment? Seeing none, all those in favor of its adoption signify by saying 'aye'; 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 1514, a Bill for an Act concerning local government. Third Reading of this Senate Bill."

Speaker Lyons: "Representative Dan Burke."

Burke: "Again, Mr. Speaker, if there's no questions, I think people have a proper understanding of what it does."

Speaker Lyons: "Seeking recognition is Representative Black. Representative Black."

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

Speaker Lyons: "The Sponsor yields."

Black: "Representative, your Amendment allows the state to issue Captain America bonds. Dun dada dun. Do we have to repay them? Oh, I guess it's Build America bonds."

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Burke: "What did you say, Captain America bonds?"

Black: "Well that's what I... I just, my glasses at this late... I thought it was Captain America bonds but it's Build America bonds and who could... who could possibly be opposed to Build America bonds."

Burke: "That's for sure."

Black: "See it at your latest theater."

Burke: "There you go."

Black: "I'm one of the few people in here old enough to have war bonds from World War II, if I could only find them. Do we have to pay back a Build America bond?"

Burke: "If we choose..."

Black: "What?"

Burke: "...to issue them as Build America bonds..."

Black: "I'm glad you've qualified that."

Burke: "...not Captain America bonds."

Black: "If you choose. If... if we choose to issue the Build America bonds, then we have to repay them."

Burke: "That's right."

Black: "And how do we repay them? I mean, I'm just looking at our current fiscal condition. I know you have an idea."

Burke: "These are not new bonds. This is just a way to issue bonds and the Federal Government will be paying 35 percent."

Black: "Well, I thought they were new bonds authorized by ERA. These aren't new bonds?"

Burke: "No. A way to provide another..."

Black: "Oh, they've already been authorized."

Burke: "Correct, correct."

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Black: "Okay. Okay. Okay. So we're not raising any bond limit or debt limit or anything of that nature, right?"

Burke: "No."

Black: "Okay. Actually, Representative, I... I kind of like that Build America bonds. It's kind of like... I took my grandkids to Build-A-Bear. Have you ever been to Build-A-Bear? I digress."

Burke: "Next to..."

Black: "Let's do lunch."

Burke: "...your... your favorite store on Michigan Avenue. Old Navy, isn't it?"

Black: "I..."

Burke: "No, on... actually on State Street."

Black: "I've run into you there many, many times. It's a wonderful, wonderful place. Actually, if I might be serious for a moment, these bonds, the bulk of the interest will be paid by our federal taxes, correct?"

Burke: "Thirty-five percent."

Black: "Okay. And they're going to be... they can be used for what purpose? School construction, parks..."

Burke: "Any infrastructure, any municipal infrastructure or governmental entity infrastructure."

Black: "Do these have to be projects that are already submitted and approved, or projects that can be submitted and approved?"

Burke: "I would... just part of the capital program that we passed last year, and I would imagine that new projects would be included."

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Black: "That... that's a key point. So, it... it might be that the four caucuses could say because of the Build America bonds we could perhaps add a railroad overpass... For example, the City of Springfield has to... has to build 135 overpasses or something, I don't know. But they... they could maybe get into this money?"

Burke: "I would think that would be an opportunity."

Black: "Outstanding idea. Representative, every once in a while you restore... people like you restore my faith in this institution, Sir."

Burke: "Thank you, Sir."

Speaker Lyons: "No one else seeking discussion on the Bill, the question is, 'Should Senate Bill 1514 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? Burns, Mitchell, Jerry. Mr. Clerk, take the record. On this Bill, there's 100 Members voting 'yes', 15 voting 'no', 0 voting 'present'. This Bill, having received the Constitutional Majority, is hereby declared passed. Clerk, on page 5 of the Calendar under Senate Bills-Second Reading, Representative Elaine Nekritz has Senate Bill 1846. What's the status of that Bill, Mr. Clerk?"

Clerk Bolin: "Senate Bill 1846, a Bill for an Act concerning State Government. The Bill was read a second time, previously. Amendment #1 was adopted in committee. Floor Amendments 2, 3, and 4 have been approved for consideration. Floor Amendment #2 is offered by Representative Nekritz."

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Speaker Lyons: "The Chair recognizes the Lady from Cook on Floor Amendment #2, Representative Elaine Nekritz."

Nekritz: "Mr. Speaker, I think I'd like to withdraw Floor Amendment 2."

Speaker Lyons: "Floor Amendment #2 is withdrawn. Anything further, Mr. Clerk?"

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

Speaker Lyons: "Representative Nekritz on Floor Amendment #3."

Nekritz: "If it's all right, I'd just as soon adopt the Amendment and debate it on Third Reading."

Speaker Lyons: "The Lady moves for the adoption of Floor Amendment #3. All those in favor signify by saying 'yes'; those opposed say 'no'. In the opinion of the Chair, the 'ayes' have it. And the Amendment is adopted. Anything further, Mr. Clerk?"

Clerk Bolin: "Floor Amendment #4, offered by Representative Nekritz."

Speaker Lyons: "Representative Nekritz on Floor Amendment #4."

Nekritz: "I would like to do the same if we can. Wait, no. Is Floor Amendment #4 is a gut and replace? I thought it was a technical. I am. I may have just messed that up, Speaker. It... it is Floor Amendment #4 that I would like to run and not 3. So, we... we need to... with... Mr. Speaker, I'd like to table Amendment #3. It's back... it's on Second Reading. It's still on Second Reading."

Speaker Lyons: "Ladies and Gentlemen, the Lady moves to table Amendment #3. Amendment... All in favor say 'aye'; all

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those opposed 'no'. In the opinion of the Chair, the 'ayes' have it. And Amendment #3 is with... is tabled. Mr. Clerk."
Clerk Bolin: "Floor Amendment #4, offered by Representative Nekritz, has been approved for consideration."

Speaker Lyons: "Representative Nekritz on Floor Amendment #4."

Nekritz: "Let's adopt this one and debate it on Third Reading."

Speaker Lyons: "The Lady moves for the adoption of Floor Amendment #4. Mr. Black, do you... can you hold your questions 'til it's on Third Reading? Mr. Durkin, okay. Is that also... we'll bring it back... your questions on Third Reading? The Lady moves for the adoption of Floor Amendment #4. All those in favor signify by saying 'yes'; those opposed say 'no'. In the opinion of the Chair, the 'ayes' have it. And Floor Amendment #4 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 1846, a Bill for an Act concerning State Government. Third Reading of this Senate Bill."

Speaker Lyons: "Representative Nekritz."

Nekritz: "Thank you, and I apologize for the confusion on the Amendment. The Department of Natural Resources, like many of our state agencies, has been really hurt by budget cuts and staff reductions. Senate Bill 1846 would provide some relief for DNR by increasing permit and license fees for hunting and fishing. Every constituency group that we know of that is affected by these permit and license fee increases is supportive. The fees have not been raised for at least 15 years, and in the case of the deer hunting

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permit fee it has been since 1980. Additional funds that are raised will receive either a 75 percent or 50 percent federal match. And under Federal Law, these funds are protected from any fund sweeps. With the federal match, the department will be able to hire biologists and other front-line staff to work with fish and wildlife. These include: turkey biologists, fish and hatchery managers, and others to do educational outreach. This is a small step to assist one of our state agencies that needs resources. I ask for your support."

Speaker Lyons: "The Chair recognizes the Gentleman from Cook, Representative Dunkin. He does not seek recognition. The Chair recognizes the Gentleman from Winnebago, Representative Jim Sacia."

Sacia: "Thank you, Speaker. Ladies and Gentleman, to the Bill. You already heard the gentle Lady's comments referring to how nearly every conservation agency is in support of this legislation. I would point out that early on, when the Lady initially put her legislation together, there was some agriculture issues with it and she withdrew those and made it strictly a DNR issue. This is a good piece of legislation. It is something that is very necessary for DNR. And it's a very important piece of legislation for our state. And I would encourage all of you to support it. Thank you."

Speaker Lyons: "The Chair recognizes the Lady from Lake, Representative JoAnn Osmond."

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

Speaker Lyons: "The Sponsor yields."

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Osmond: "Representative, how long... how long has it been since you said that there was any increases?"

Nekritz: "For the migratory waterfowl fee it's been since 1990, for the deer hunting permit fee since 1980, and for the hunting and fishing and sportsman combined licen... combination license fee since 1994."

Osmond: "I have the pleasure of representing two facilities, one... Oh, actually three: I have the Adeline J. Geo-Karis State Park, I have the Chain O'Lakes State Park, and I have the marina in the northern part of the state. All three of these are maintained by the Department of Natural Resources. Every person that visits there looks for just being able to appreciate the natural resources that we have in our state. They desperately need to be maintained. We desperately need to have these fees to do that. I've talked to several people who use the facilities and all of them are more than willing to... to spend a couple extra dollars to be able to enjoy what we offer. We are up there right along that state line where people from Wisconsin come down and visit our state. We need to maintain these properties. And I stand in support and I thank Elaine for... or Representative Nekritz for taking the time to sponsor this Bill. Thank you."

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

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

Speaker Lyons: "The Sponsor yields."

Fortner: "As I understand, this increase is to generate some money to gain federal match. What's... how much federal

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match versus how much of the state dollars would we expect to see gained by these increases?"

Nekritz: "The increases would generate approximately \$3 million. As I understand it, most of those funds would qualify for a 75 percent match. The rest would qualify for a 50 percent match. So, we're talking somewhere between four and a half and five million dollars."

Fortner: "And is this... if this goes into effect, do we have... have we budgeted so that IDNR would be able to take advantage of this revenue in this current fiscal year?"

Nekritz: "We did in... in the budget that was passed for fiscal year 2010, there is sufficient appropriation in DNR to allow for the expenditure of these funds."

Fortner: "Thank you."

Nekritz: "Thank you."

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

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

Speaker Lyons: "The Sponsor yields."

Black: "Representative, I don't want to be accused of not reading the legislation, but let's just make sure that all of us understand. These funds cannot be swept because of federal regulation, correct?"

Nekritz: "Correct."

Black: "I think a former Governor tried that..."

Nekritz: "That... that didn't..."

Black: "... as I recall."

Nekritz: "...work out so well for us."

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Black: "Yeah, no, he got his hand spanked, as I recall."

Nekritz: "I think that's correct."

Black: "I just have a couple of concerns. And I certainly understand why Governor Quinn is interested in this legislation. But it appears to me that what we're... that what... what we may be trying to do... boy, you cannot order these things in the mail. Okay. Here we go. It would appear to me that we want to make DNR a self-sustaining agency by the use of fees and user fees and other fees. I... let me put the second part of the question to it and you'll... so I... I'm not trying to catch you here. FY11 net cash available with the fee increases would be a net cash flow of two thousand four hun... two million four hundred and fifty six thousand dollars. My fear is, and what has been expressed to me by some outdoors people in my district, is then that will be just rolled out of general revenue and we'll have no new money."

Nekritz: "Rep... Representative, I... I've... I've heard that concern several times as we've been talking about this Bill with Members and... and I... I can appreciate that concern. These are desperate times in... in the State of Illinois with our budget. So, while I cannot guarantee that, I don't think that that's... you know, the... the intent of this is to try to add to what... what... what the agency is being able to do rather than... rather than simply staying static. So, I... I mean, the intention is to add to..."

Black: "Well, and I..."

Nekritz: "...to the expenditures."

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Black: "...I ...I appreciate that. All of us understand and I know the director is... is here and... and I've followed the director for some time. We're so far behind and I don't know really how DNR is even going to catch up. And at some point I don't know whether it's going to be bonds or what. I just... I hope that you will and... and as I know I will in my time remaining, we can't yet put DNR on a self-sustaining basis. The backlog of maintenance, the backlog of things that were promised and never done. We'll... we'll never catch up that way. So, I don't think it's your intent, but I can understand why some outdoors people are very fearful that, oh my God, don't... don't just put them on a stand-alone footing. It'll be years before he ca... before Director Miller can even catch up with our backlog of maintenance and other issues."

Nekritz: "And... and Representative, I... I appreciate that concern. The counter to that I think or the... the counterbalance to that is, if we don't do this then we probably fall even further behind."

Black: "In other words..."

Nekritz: "So, I... I don't how to resolve the, you know, how to say yes we want to do this, but... you know... so."

Black: "Your... your point is well-taken. In other words, it'll be even worse."

Nekritz: "I... I believe so which is..."

Black: "I don't know if it can get any worse, but if..."

Nekritz: "Well, and I wouldn't know. Okay. I wouldn't argue that, but I... I belie... I believe that to be the case. That we have to try to take some steps to correct the problem

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that we have and... and then fight that battle when it comes up."

Black: "All right. Do the... do these fees take effect immediately?"

Nekritz: "Yes, they would. That's part of the urgency of the timing on this..."

Black: "Yeah."

Nekritz: "...is so we... yeah."

Black: "How many... how many fishing licenses do we normally sell in November?"

Nekritz: "Not many."

Black: "That's... that's what I was afraid of. Thank you very much, Representative."

Nekritz: "And you may have noticed it's getting cold outside."

Black: "Oh I'm sorry, you misspoke. It's doesn't take effect until January 1."

Nekritz: "Okay."

Black: "Okay."

Nekritz: "Sorry."

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

Nekritz: "Thank you for that clarification."

Black: "...and Ladies and Gentlemen of the House, to the Bill. I understand why some of you may not like this and... and some of you may not vote for it. It's very tough to raise any fee when you're in the midst of one of the worst recessions in... in most of our memory. But I can tell you this, and Director Miller and I have had a lot of conversation and correspondence back and forth, there are 10 thousand acres

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in my legislative district under the responsibility and care of the Department of Natural Resources. Director Miller has two people, two employees to manage 10 thousand acres. It can't be done. And my State Park... well, actually it's been downgraded to a state recreation area, it was scheduled to be closed. Thank you, former Governor. It's... it's a crown jewel. It's the only State Park in the system where the people of my home county..."

Speaker Lyons: "Representative Black, your time has expired. We'll give you another minute to conclude your remarks."

Black: "My time is expiring in more ways than one, Mr. Speaker. I stand in support of this and I know I'm going to catch heck. My district has been ravaged by this recession. But as I have written Director Miller and he has challenged me to help, the best friend I ever had in politics and the most amazing man next to my father I've ever known, was the late Senator Harry 'Babe' Woodyard, the finest supporter and the co... the cofounder of the Legislative Sportsman's Caucus. And during the administration of Jim Edgar, about 1800 acres or more were purchased and that became the Harry 'Babe' Woodyard Natural Area, and we were promised all kinds of things. No fault of the Sponsor of this legislation. No fault of Director Miller. But nothing has been done and the park is overgrown and that is a sad state of affairs that we treat the memory of one of the great champions of the Department of Natural Resources in that way. So I intend to vote for it. I'll take the heat from those who don't like it. And I will tell them, I'm going to keep your state parks open. And I hope to live long

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enough to work with Director Miller and see that the 'Babe' Woodyard Natural Area is brought up to what we intended it to be after that man's death in January of 1997. Vote 'yes'."

Speaker Lyons: "The Chair recognizes the Gentleman from Randolph, Representative Dan Reitz."

Reitz: "Thank you, Mr. Speaker. I guess to the Bill and I appreciate the Sponsor's efforts. Hunters have always paid their way and I echo Representative Black's comments. This is needed, it's a nominal increase overall. They haven't been raised for a long time, and we need to shore up the department. And to those that are concerned about the General Revenue Fund we... we would invite you to help us to raise the General Revenue Funds that are put into DNR. We have a lot of needs in the state and I think this will go a long way toward helping us. And I did have some questions from the people in the back row, but I'll wait and ask you those later, Elaine. Thank you."

Speaker Lyons: "No one else seeking recognition, Representative Nekritz to close."

Nekritz: "Thank you, Mr. Speaker. I anxiously await the Gentleman from Randolph's, questions. I ask for your support."

Speaker Lyons: "The question is, 'Should Senate Bill 1846 pass?' All those in favor signify by voting 'yes'; those opposed vote 'no'. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Have all voted who wish? Mr. Clerk, take the record. On this Bill, there are 78 Members voting 'yes', 36 voting

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'no', 1 Member voting 'present'. This Bill, having received the Constitutional Majority, is hereby declared passed. Mr. Clerk, I believe you have a committee announcement."

Clerk Bolin: "Attention Members. The Executive Committee will meet tomorrow morning at 10:00 a.m. in Room 114."

Speaker Lyons: "And now, seeing no further business to come before the House, Representative Barbara Flynn Currie moves, allowing perfunctory time for the Clerk, that the House stand adjourned to the hour of 11:00 tomorrow, Friday, October 30. So, the House stands adjourned, allowing perfunctory time for the Clerk, to the hour of 11:00 on Friday, October 30. Have a pleasant evening, everyone."

Clerk Mahoney: "House Perfunctory Session will come to order. Introduction and reading of House Bills-First Reading. House Bill 4671, offered by Representative Arroyo, a Bill for an Act concerning education. House Bill 4672, offered by Representative Harris, a Bill for an Act concerning education. House Bill 4673, offered by Representative D'Amico, a Bill for an Act concerning transportation. House Bill 4674, offered by Representative Eddy, a Bill for an Act concerning education. House Bill 4675, offered by Representative Sente, a Bill for an Act concerning criminal law. House Bill 4676, offered by Representative Bill Mitchell, a Bill for an Act concerning local government. House Bill 4677, offered by Representative Bill Mitchell, a Bill for an Act concerning civil law. House Bill 4678, offered by Representative Ford, a Bill for an Act

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concerning criminal law. Referred to the House Committee on Rules is Senate Joint Resolution 74, offered by Representative Flider. There being no further business, the House Perfunctory Session will stand adjourned."