

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

82nd Legislative Day

10/30/2009

Speaker Lyons: "Good morning, Illinois. Your House of Representatives will come to order. Members are asked to please be at their desks. We are led in prayer today by Reverend Janet Wold, who is the Pastor with the Shepherd of the Valley Lutheran Church in Rockford, Illinois. Reverend Wold is the guest of Representative Chuck Jefferson. Members and guests are asked to please refrain from starting their laptops, turn off all cell phones and electronic devices and join us in standing for the Pledge of Allegiance. Represen... Reverend Wold."

Reverend Wold: "Oh God, we give thanks to You for the gift of this day. Grant, Oh God, that Your holy and life giving power may move every heart, that the barriers which divide us may crumble, suspicions disappear, hatreds cease, and that with our divisions healed we might live in harmony with one another. As these Legislators work to balance the budget and meet the needs of the people of this state, we ask that You help us all to remember those who cannot speak for themselves, the poor, the disenfranchised, and the children. The task before us is difficult, Oh Holy One, but we know that in turning to You we will be shown the way and given the courage needed so that all might live in justice and peace, Amen."

Speaker Lyons: "Rever... Representative Dan Reitz, would you lead us in the Pledge."

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

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

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

Speaker Lyons: "Thank you, Leader. Representative Bost, the GOP."

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

Speaker Lyons: "Thank you, Representative. Mr. Clerk, take the record. There's 115 Members answering the quorum call. We are prepared to do the work of the people of the State of Illinois. Mr. Clerk, Rules Report."

Clerk Mahoney: "Committee Reports. Representative Flowers, Chairperson from the Committee on Health Care Availability & Access, to which the following measures were referred, action taken on October 30, 2009, reported the same back with the following recommendations: 'recommends be adopted' is a Motion to Concur with Senate Amendment #1 to House Bill 342, a Motion to Concur with Senate Amendments 1 and 4 to House Bill 2652. Representative Burke, Chairperson from the Committee on Executive, to which the following measures were referred, action taken on October 30, 2009, reported the same back with the following recommendations: 'recommends be adopted' is a Motion to Concur in Senate Amendment #1 to House Bill 607, a Motion to Concur in Senate Amendments 1 and 4 to House Bill 1306, Floor Amendment #2 to Senate Bill 744, Floor Amendment #1 to Senate Bill 1181 and Floor Amendment #2 to Senate Bill

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1265. Representative Fritchey, Chairperson from the Committee on Judiciary I-Civil Law, to which the following measures were referred, action taken on October 30, 2009, reported the same back with the following recommendations: 'recommends be adopted' is a Motion to Concur in Senate Amendment #1 to House Bill 4628. Representative Bradley, Chairperson from the Committee on Revenue & Finance, to which the following measures were referred, action taken on October 30, 2009, reported the same back with the following recommendations: 'recommends be adopted' is a Motion to Concur with Senate Amendment #2 to House Bill 2414. Representative Barbara Flynn Currie, Chairperson from the Committee on Rules, to which the following legislative measures and Joint Action Motions were referred, action taken on October 30, 2009, reported the same back with the following recommendations: 'approved for floor consideration' a Motion to Concur in Senate Amendment #3 to House Bill 4124. Referred to the House Committee on Rules is House Resolution 740. Senate Bills-First Reading. Senate Bill 660, offered by Representative Fritchey, a Bill for an Act concerning regulation. Senate Bill 2101, offered by Representative Fritchey, a Bill for an Act concerning State Government. First Reading of these Senate Bills."

Speaker Lyons: "Ladies and Gentlemen, if I could have your attention. Representative Brosnahan. Representative Brosnahan seeks recognition."

Brosnahan: "Thank you, Mr. Speaker, Ladies and Gentlemen of the House. During the last several weeks, it's been especially

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difficult for our... our servicemen and servicewomen serving overseas. There has been a... seems to be a true escalation of violence. It definitely seems that the loss of U.S. lives has been felt throughout our country. This October, actually, has been the... the deadliest for U.S. troops since the invasion began in 2001. On Tuesday of this week, in two separate bomb attacks in southern Afghanistan, eight American troops lost their lives. One of those killed was Army Specialist Jared Stanker, who was 22 years of age and he lived in Evergreen Park, Illinois. Jared was assigned to the 1st Battalion, 7th (sic-17th) Infantry Regiment, 5th Striper... 5th Stryker Brigade Combat Team, of the 2nd Infantry Division. Jared was a 2006 graduate of Brother Rice High School, in Chicago, Illinois, which was also my alma mater. Jared enlisted in the Army shortly after his high school graduation. While in the Army, Jared received the National Defense Service Medal and the Army Services Ribbon. Reading the newspaper article this morning, in our local paper, it mentioned that on Jared's Facebook page he had written down a famous quote from Edmond Burke which stated, 'The only thing necessary for evil to triumph is for good men to do nothing.' Well, Jared and all our military personnel have answered that call. Jared truly made a difference, he certainly left his mark on this earth and he will be greatly missed by his family and his friends. Jared leaves behind his parents, Frank (sic-Kevin) and Susan Stanker of Evergreen Park, as well as an older sister, Jordan Brandl. And I know I speak on behalf of everybody in this chamber when I say that are thoughts

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and prayers are with the Stanker family. At this time, I would ask for a moment of silence for Army Specialist Jared Stanker. Thank you, Mr. Speaker."

Speaker Lyons: "May he rest in peace. Representative Sacia."

Sacia: "Thank you, Mr. Speaker. Very unfortunate to add to the good words of Representative Brosnahan but I was just notified that in Stockton, Illinois, we lost another young soldier, Devin Michel. I have no further information at this time other than he was killed in action and I would like to also ask for a moment of silence for Devin Michel and as information becomes available I will certainly share it. Thank you, Mr. Speaker."

Speaker Lyons: "Representative Riley."

Riley: "Thank you, Mr. Speaker. I'd like to add to the unfortunate list of service people who have lost their lives. From Markham, Illinois, Sergeant First Class Christopher D. Shaw. He lost his life on September 29, in Operation Enduring Freedom, in the Philippines. He was killed by an improvised explosive device. Sergeant Shaw was the best of the best... best of the best. He was Airborne qualified. He was a United States Army Ranger. He was a member of the United States Army Special Forces. He did all three. He enlisted in the United States Army in 1994, while attending Texas Southern University in Houston on a track and field scholarship. He put his education aside to join the Army. His military education includes; the U.S. Army Airborne School, U.S. Army Ranger course, U.S. Army Jumpmaster Course, Basic Instructor Training Course, Advanced Non-commissioned Officer's Course, Basic

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Combat Lifesaver Course, Survival, Evasion, Resistance and Escape Course, and a Special Forces Qualification Course. I personally know he was also a combat diver. You know, there is an old song that at the time was maybe somewhat jingoistic, but... but now it really makes sense. And it basically says, 'Fighting men from the sky, fighting men who jump and die, men who, mean just what they say these are men of the Green Beret'. Sergeant Shaw was one of the best service people of all time and I think that we should remember those people who have sacrificed so much to serve this country. And I'd like for a moment of silence for Sergeant Shaw. Thank you very much."

Speaker Lyons: "May their souls and the souls of all the faithfully departed who have served this country rest in peace. Mr. Clerk."

Clerk Mahoney: "Rules Report from Chairman Barbara Flynn Currie. Approved for floor consideration is Amendment number... Floor Amendment #2 'recommends be adopted' on Senate Bill 1181."

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

Black: "Thank you very much, Mr. Speaker and Ladies and Gentlemen of the House. I, unfortunately, also have to bring to the House attention, the loss of two United States soldiers from my district in just the last week. I attended the funeral mass for Staff Sergeant Christopher Michael Rudzinski of Rantoul last Monday, who was killed in action on October 16, 2009, near Kandahar, Afghanistan, of wounds suffered while conducting military operations in

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support of Operating Enduring Freedom. He was a Staff Sergeant in the United States Army Military Police Corps; he was born to a family of military people. He was born in Augsburg, Germany, on August 29, 1981, the son of Michael Charles Rudzinski and Bonita Kay (Jackson) Rudzinski; Christopher was a 1999 graduate of Rantoul Township High School, where he was very active in the marching band, the madrigal singers, and Help Peers. When he joined the Army, he was an M1 Abrams tank armor crewman and attended Basic Training and the Armor School at Fort Knox, Kentucky. He was subsequently assigned to Germany and deployed on his first tour to support the peacekeeping operations in Kosovo; he was later transferred to Fort Hood, Texas, and assigned to the 4th Infantry Division and subsequently deployed to Iraq for Operation Iraqi Freedom in 2003. That was toward the end of this deployment, his second, he became very ill and was medically evacuated to Walter Reed Army Hospital for treatment. He re-enlisted, as so many people do, and retrained as a military police officer and graduated from MP training at Fort Leonard Wood, Missouri. In 2004, he was again assigned to Germany where he met his future wife, Caroline, and was later deployed to Iraq for his third tour. This time he was training and mentoring Iraqi policemen. While home on leave during that tour, he married the love of his life, Caroline. And upon returning to Germany, he resumed his police duties and later became an investigator and a Military Police sergeant. In September of 2008, his wife, Caroline, gave birth to their son, Ryan, and Christopher added devoted dad to his

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responsibilities. His military awards included the Bronze Star Medal, the Purple Heart, four Army Commendation Medals, four Army Achievement Medals, three Army Good Conduct Medals, the National Defense Service Medal, the Kosovo Campaign Medal, the Iraqi Campaign Medal, the Afghanistan Campaign Medal, the Global War on Terrorism Expeditionary Medal, the Global War on Terrorism Service Medal, the Noncommissioned Officer Professional Development Ribbon, the Army Service Ribbon, and the Overseas Service Ribbon, the NATO Medal, the Combat Infantry Badge, the Driver's Badge, and the German Schutzenschnur Badge in Gold. Michael was preceded in death by his mother and his beloved sister, Jacqueline. He is survived, of course, by his wife, his father, and his young son, a sister, Annette; his brother, Private First Class Jordan Rudzinski, Christian, and Alexander Rudzinski; his nephew and Sean Dalton, his paternal grandfather. I... everything I heard about this young man at his funeral, he was just a phenomenal individual who loved to help people and was killed in the service of his country on his fourth overseas tour. I don't have much information on an Army Major from St. Joseph, Illinois, who was killed of noncombat wounds... or died of noncombat wounds, just a day or two ago. And the information will be prepared into a Death Resolution when the... when the House resumes. So, two more added to the ever-growing roll and as Representative Brosnahan said earlier, it's been a very, very, very difficult month for our young men and women in harm's way. And I would

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appreciate a moment of silence for these two outstanding servicemen. Thank you very much."

Speaker Lyons: "May they rest in peace. Thank you, Mr. Black. Ladies and Gentlemen, we will be starting with some Bills-- Second Readings that have Amendments to be adopted, then we will move them to Third and vote on them. So we'll start on page 3 of the Calendar. Representative Lou Lang, you have Senate Bill 744. What's the status of that Bill, Mr. Clerk?"

Clerk Mahoney: "Senate Bill 744 has been read a second time, previously. Amendment #1 was adopted in committee. Floor Amendment #2, offered by Representative Lang, has been approved for consideration."

Speaker Lyons: "Representative Lou Lang on Floor Amendment #2."

Lang: "Withdraw... withdraw Floor Amendment #2, Mr. Speaker."

Speaker Lyons: "The Gentleman withdraws Floor Amendment #2. Mr. Clerk, anything further on Senate Bill 744?"

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

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

Clerk Mahoney: "Senate Bill 744, a Bill for an Act concerning gaming. Third Reading of this Senate Bill."

Speaker Lyons: "Representative Lang."

Lang: "Thank you, Mr. Speaker, Ladies and Gentlemen. Senate Bill 744 as amended is a video gaming cleanup Bill. It does quite a few things; I'll go through them as quickly as I can. Most of these items were suggested by the Gaming Board and most people that I've spoken to consider this to be all cleanup language. And so here are the provisions of this Amendment in this Bill. It would allow a penny game,

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right now the lowest denomination game is a nickel. It would allow LLCs as an acceptable business structure. It would include truck stops as a place that could have video equipment. It would indicate that all software changes to video gaming terminals would be made by a central communications system; would prohibit terminal operators from having an undue economic concentration of terminals in the state. The current Act restricts this to people having no more than 5 percent of the total number of machines. However, one... once we start this Act, if somebody puts the first machine in, they have 100 percent. So, in order to clean this up we just let the Gaming Board determine if someone has an undue economic concentration. It allows for the combined interest of spouses, rather than the individual interests of spouses to be considered as whether or not someone has undue economic concentration, allows a manufacturer to sell the equipment to any entity holding a valid distributor's license. This is to resolve the situation for... in the current law it's conceivable a manufacturer might have to actually sell product to itself to comply with the Act. It clarifies the hours of video gaming. It requires terminal operators to carry insurance on the terminals, rather than the licensed establishment carrying the insurance. And it removes the requirement that the board must file emergency rules by September 13. The Board's rules are actually already filed. Also, finally it prevents the central communications system vendor from holding any other license under the Act, to make sure that that vendor doesn't have undue influence in

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the... in the process of programming the equipment. I would ask your support on the Bill."

Speaker Lyons: "Chair recognizes Gentleman from Cook, Representative DeLuca. Do you not seek recognition, Sir? Okay. Is there anyone seeking any questions? Representative Fritchey, the Gentleman from Cook."

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

Speaker Lyons: "Sponsor yields."

Fritchey: "Re...re... Representative, I... I... I think you would acknowledge, although I guess it's tangential to this, that this goes a lot further than being called simply cleanup language. This makes substantive changes to the Bill, many of which I think are laudable, I guess. I... I opposed the initial legislation, not because of an opposition to video gaming, but because of an opposition to video gaming as a means to pay for the operations of the state, even a capital Bill. But there's one provision in here that's troubling to me, and it's even more troubling in how it has been presented in our analysis and that is that it says that... the steps are being taken to prevent a terminal operator from having an undue economic concentration of video gaming terminals in this state. But in order to do that, what's it's doing is removing the 5 percent limitation which is the exact aspect that prevented a terminal operator from having undue economic influence in this state. Now I understand the logic, that the 5 percent number is a floating number because the way that they define market share in the law... in the Bill... in the law, is how many machines are actually out there, not what the

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potential market is, but that you could have how many machines... you have 5 percent of the machines that are actually out there at any given time and that would be a floating number and the Gaming Board said they'll be very difficult to monitor that floating number. But to try to address that situation by taking away any type of limitation really sets up a situation where you could have a handful of terminal operators controlling a market that could consist of upwards of 50 thousand video gaming terminals around this state. Literally, I... you... you... understand what I'm saying; it's not rocket science and I... I know you're not trying to mislead anybody and I... I... understand the Gaming's Board... the Gaming Board's concern. But I'd be curious to see you finesse the issue of how removing a 5 percent cap and allowing for somebody to become a dominant player in a region, if not the state, actually reduces undue economic influence."

Lang: "Thank you, Representative. Actually, it doesn't require much finesse, which admittedly I don't have much of anyway but this mirrors the language in the Riverboat Gaming Act. Currently, the Gaming Board has the opportunity to make sure that nobody has an undue economic influence over the process. It is not our desire to allow any 1 or 2 or 3 or 10 people to control the market. However, as time moves on in this process, imagine you go to a time 10 years from now or 20 years from now, many of the smaller players in video gaming are... are probably going to be gobbled up by others anyway and so, not only is the number of devices in our community going to float, but so will what undue economic

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interest is, as time goes on. So, you can imagine as time goes on that there will be those who stay in the business, those who get out of the business, and eventually it will probably settle down to a smaller number that will start out in the business. And so, to have an artificial number in the law didn't make sense, especially in light of the fact that the machines currently float. There was some discussion about using just a hard number. So, let's say take the maximum number that we expect to be out there, multiply that by 5 percent and put that hard number in the Bill, but that notion was rejected by those who were negotiating this."

Fritchey: "Well, my understanding is that.. that notion was rejected by those people that want to have more than that maximum number. If we take a 50 percent or a 5 percent number of, let's say, 50 thousand machines, that will be 2500 machines. One way to go at this would be to say if you wanted to have more than 2500 machines under your operation you'd have to get leave from the Gaming Board to show that you don't have an undue economic concentration. But this change in the law, not a technical change, not a trailer, not a cleanup, this change in the law takes the situation from somebody... where somebody could have potentially have 2500 machines in this state to one where they could have 25 thousand machines in this state and they could come into a community especially a smaller community, because of their economies of scale and really be able to dominate a market. And we can... you know, when you have an industry that is understandably under a critical lens to

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start with, we are really creating a situation that is not healthy economically, it's not healthy for the communities, it's not healthy for our revenues actually by having less competition. It is healthy for the very large operators, many of whom are from outside of Illinois that are clamoring at the opportunity to come in and become the dominant players in Illinois and let them take over.."

Speaker Lyons: "John, your five minutes are up. If you could conclude your remarks, we'd appreciate it."

Fritchey: "This provision is being pushed by some people that want to become the dominant players in the industry, to the detriment of, what I would consider to be the economic and social well-being of our state. That's it. Thank you."

Speaker Lyons: "Lou Lang."

Lang: "Thank you, Mr. Speaker. I would respond to Mr. Fritchey simply by saying, this wasn't pushed by anybody in the industry. This was our best idea for how to make this mirror the language in the Riverboat Gaming Act. You know, this is not a blanket authority to allow anybody to control the market. This is a language that allows the Gaming Board to do what they've been doing well since the late '80s, which is control gaming in Illinois. This is a Gaming Board that has done it well, it's a Gaming Board that will continue to do it well and it's a Gaming Board that's not going to let anybody corner the market."

Speaker Lyons: "Representative Fritchey."

Fritchey: "Thank you, Speaker. I appreciate the indulgence. Representative, let... let... let me ask a related question and I appreciate the indulgence of the Body and of... of

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yourself. Speaker Madigan has filed House Resolution 736 which asks the Auditor General to look at the economic impact of rather than privatizing, publicizing and making the state the sole terminal operator. How... how do you harmonize what we're doing here with the potential that we may, say, a few months down the road there's not going to be any private operator with 5 percent or 50 percent, we're taking private operators out of the system altogether and we are going to make the state the sole terminal operator. And that may well be the way to go, when it came to the lottery... lottery terminal machines that we see all over the place. There's been a good argument made even by the Gaming Board that this probably should've been within the hands of the lottery anyway and not the Gaming Board. But I guess in light of this Resolution that is out there and is not just window dressing, how... how do you reconcile or what are your thoughts on the thought of the state taking over ownership of terminal operations as opposed to the private sector?"

Lang: "I would argue that the Speaker's Resolution has less to do with this trailer Bill and more to do with the whole idea of video gaming. So, it doesn't really have to harmonize with this trailer Bill. I would suggest to you that there may be people out there in the world who see the Speaker's Resolution and will slow down their investment until they see how that resolves itself, but my guess is there'll be plenty of people who want to get into this business. I believe that we should take a look at the Speaker's proposal. I anxiously await the... assuming we

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pass the Resolution, I anxiously await the Auditor General's report. We'll all read it with great interest."

Fritchey: "Thank you, Lou, for your candid answers. Ladies and Gentlemen, all I would say is there's some good things in this Bill, there's some problematic things in this Bill, but you'd be making a mistake not to look at your analysis and understand what... the vote you're about to cast. Thank you."

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

Durkin: "Will the Sponsor yield?"

Speaker Lyons: "The Sponsor yields."

Durkin: "Representative, we spoke last... and a little bit... last night. What is the theory behind putting LLCs into this Amendment?"

Lang: "Thank you, Representative. We did speak about this. LLCs were inadvertently left out of the original Bill. We had all other kinds of ownership entities in the Bill... in the original Bill. We left this out. And then you would follow by suggesting to me what you suggested yesterday, which is, if you just say you're a LLC without suggesting the partnership percentages, who do we go after? Who do we investigate? And I... and I have an answer for you. And that is, we didn't require that of the corporations either."

Durkin: "Well, I think it's probably a good idea."

Lang: "So there could be any number..."

Speaker Lyons: "Representatives, if I could get your attention for... Ladies and Gentlemen, could we bring down the noise

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level, please, in the chamber. I've had several requests from Members. This is an important debate. People are trying to hear it. So let's just bring the noise level down a little bit. Thank you very much. Go ahead, Representative Durkin."

Lang: "Yeah. This... this has been thoroughly discussed with the Gaming Board, as I understand it, and they don't believe they need to get that information, otherwise they would've asked us for it. If, however, you were interested in a trailer Bill at some later time that required of corporations and partnerships and LLCs to provide documentation as to who owns what, I don't know that I'd object to it."

Durkin: "Well, I think that under this legislation, there is a certain threshold of percentage interest in the en... in the entity that must be disclosed. Isn't that correct?"

Lang: "Yes, that is correct."

Durkin: "Now... here's the thing. Under the Illinois Limited Liability Company Act, it's a two-page document, that's all it's going to be that the Gaming Board's going to be looking at and on the second page it lists two sections. All you do is list the managers and the members. The managers have the day-to-day interests. The members are the ones who have the financial interest, but it doesn't indicate what the percentage of interest they have in the LLC. So, we're... we're never going to know exactly... we'll know who the members are, but we will not have an idea of who has the..."

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Lang: "But... but Representative, it doesn't prohibit the Gaming Board from asking. It doesn't prohibit the Gaming Board from saying, well, why don't you tell us what the percentages are and we'll do the investigations we think are appropriate, otherwise you won't get your license. We... the State of Illinois, our Gaming Board over the 20 years of its life has... has kept gaming in Illinois the cleanest gaming in the United States of America. There has been no scandal, no problem, no issue and I'm perfectly willing to let the Gaming Board do what they need to do."

Durkin: "Well, I don't think that, you know, we're making a statement in this legislation of... of who we're going to allow to be participating in the... to apply for contracts and I don't know if the Gaming Board has an authority to do that, since we've already spelled out what exactly is necessary in this legislation. Now, the... the other issue I have is that, does this legislation require that the LLC file an operating agreement with the Gaming Board to accompany the articles of incorporation?"

Lang: "No, but the Bill reads... would require a LLC or a corporation for that matter, when they ask for a license, to disclose any person who has gotten 5 percent or greater interest in that company."

Durkin: "That's assuming that they are going to be truthful and I'm saying there's a better way of doing that is having the operating agreement. 'Cause right under... right now under Illinois law, an operating agreement is not required upon the filing of a LLC. The operating agreement spells out what the... the... the... the percentage interest of the

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individuals who are members and... and it discusses the... the liabilities of each and I think that that is a better way of going about it. I see that while..."

Lang: "Representative..."

Durkin: "...this was not intentional, but I see that there could be some problems with transparency by not having an operating agreement required to be filed with this for someone who's going to be made millionaire... a millionaire overnight when these contracts are..."

Lang: "Representative, the Gaming Board has all the rulemaking authority and all the regulatory authority they need to do any of these things. They've done it under the Riverboat Gaming Act and they have plenty authority to do it under this Act."

Durkin: "I understand that, but I don't like to leave things to rule when we've... are the ones who are making the... the statement. Now, the... there also are background rechecks that are going to be... that under the original legislation that are required, but it states that each person seeking or possessing a license is to subject themselves to a background check. An LLC is not a person and so I guess the issue is we're going to get into the issue of are the members and the managers of the LLCs going to be subject to a background check, even though they're not the ones who are holding the license, it is the LLC."

Lang: "I believe the answer to that question is, yes."

Durkin: "All right. Do you believe or are... are you sure? I... I look at it... 'cause I don't... the way I've read it, since last night and today, I think that there is a question of

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whether or not the people who have the ownership interest and also the management interest... to the managers, perhaps, you could make an argument that we're not a person that has been defined under here who is subject to a background check."

Lang: "Well, Representative, you're a lawyer and I'm a lawyer. We know that under these circumstances the word person means the... the... appropriate people in any corporation."

Durkin: "That's not the way it's defined, though. There are definitions in this Bill and it's not defined that way. Now, here's the other issue with the LLCs. If the LLC is awarded a contract, they are supposed to..."

Speaker Lyons: "Jim, your five minutes are up. We'll give you another minute to finish this question. Go ahead."

Durkin: "...that the LLC also has a... they'll be gaining revenues off this and a certain pro... percentage of it goes back to the state. If for some reason that they are not... they don't comply with the agreement or whatever contract they entered into with the state, they are not personally liable, the individual members nor the managers, because they are LLCs, because it is a limited liability corporation. So, I think maybe, again, if one of these LLCs goes belly up or they do not fulfill the obligations of the contract, the state's going to be on the hook. They're not going to be able to recover, because there are no personal liability is going to be attached to those individuals unless they sign personal guarantees. And the only way you can find out if a personal guarantee has been made on a LLC is by requiring an operating agreement to be

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attached to the... to the articles of incorporation. So, I'm not a corporate lawyer, but I see a million ways to get around some of the reporting requirements and also the transparency that we need in this legislation."

Lang: "Well, again, Representative, the Gaming Board has done very well with all kinds of different ownership entities as it's done... as it's administered the Riverboat Gaming Act. I don't see that that won't extrapolate well to this Act."

Durkin: "All right. Well, I... I appreciate your... your... your candor. I... I... but I do have concerns, again, about the transparency that is required under issues regarding gaming, 'cause we are going to make individuals multimillionaires overnight. And while I don't believe it was intentional, I can see many loopholes to get around getting to the truth and finding out who the true owners are in some of these companies, based on the fact that we've included LLCs who are a different creature under Illinois law. So, regrettably, I'm going to be voting against this Bill."

Speaker Lyons: "The Lady from Lake, Representative JoAnn Osmond."

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

Speaker Lyons: "The Sponsor yields."

Osmond: "Representative, I just need a few clarifications. When I read this it sounds to me like this is an expansion of gaming."

Lang: "Representative, there is no expansion of gaming in here except for one item. The issue of the truck stops. Now, in the original law as we passed it, there was truck stop

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language. This just simply clarifies that the intent of the original Bill was to allow video gaming at truck stops."

Osmond: "Under your original Bill, was it not that you had to hold a liquor license to be able to have the video poker in your establishment?"

Lang: "That is true. The Gaming Board felt the language was unclear. If you looked at the original Bill, there was truck stop language in various places. There are some truck stops that may pour liquor, others that do not. This is to actually clarify that. The intention of the Bill is to include all truck stops."

Osmond: "So, the running of the video gaming... the time element during the day was according to whatever the hours were for the liquor license. Is that correct?"

Lang: "Well, that's correct, because that... what the hours of operation of that particular business was. So, if you're a liquor-pouring establishment with a midnight license, you close at midnight, you stop pouring liquor at midnight and you couldn't use the machines past midnight."

Osmond: "Okay. So, now as I understand it, most truck stops are open 24 hours a day. So..."

Lang: "Again, it... again, it meshes with the other... with the law regarding the liquor-pouring establishment. When you are open, you can have these machines operating. So, that really isn't the huge expansion. The hours of operation are whatever your hours of operation are."

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Osmond: "Okay. So, in my mind, I need to understand. I know all the lawyers were talking before, but I need to understand. Is a tollway oasis considered a truck stop?"

Lang: "No."

Osmond: "Is it defined in here as not being a truck stop?"

Lang: "It doesn't have to be defined in there as not being a truck stop. There are very specific provisions in the Act... other laws of the State of Illinois that define what a truck stop is. It has to have a certain amount of acreage. It has to be a place where people can sleep. There's a... it has to have a diesel island and there's all kinds of provisions that would not include an oasis on the tollway."

Osmond: "All right. Thank you."

Speaker Lyons: "Recognize the Gentleman from Cook, Representative Will Burns."

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

Speaker Lyons: "The Sponsor yields."

Burns: "I'd like to ask a question for leg... purposes of legislative intent, Representative. My understanding is that the Gaming Board has the ability to waive a provision in the Bill that stipulates that a video gaming terminal cannot be within one thousand feet of a 0... off track betting, or a racetrack facility?"

Lang: "That is not in this Bill. We've made no changes relative to that provision of the law in this Bill. There are no waivers."

Burns: "So, the Gaming Board cannot waive that pro... that prohibition in this Bill?"

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Lang: "That is correct. They cannot waive that provision."

Burns: "Okay. Thank you very much."

Speaker Lyons: "Representative Lang to close."

Lang: "Thank you. We've had a thorough discussion. I just.. I would just like to say this. There are many of you that are opposed to gaming and you voted against the original Bill and that's fine, but don't automatically vote against this Bill because you're opposed to gaming. This is mostly cleanup. We can argue that one or two of these things may not be. There's no expansion of gaming here. Vote 'aye'."

Speaker Lyons: "The question is, all those in favor of passage of Senate Bill 744 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? Have all voted who wish? Mr. Clerk, take the record. On this Bill, there are 66 Members voting 'yes', 46 Members voting 'no', 0 voting 'present'. This Bill having received... Representative Lang, I was just informed by the parliamentarian that this Bill does need 71 votes. You have a Motion, Sir?"

Lang: "Yes, I would ask for Postponed Consideration."

Speaker Lyons: "The Gentleman's asked for a Postponed Consideration. We will put it on the Calendar under Postponed Consideration. Representative Fritchey."

Fritchey: "Okay. Speaker, a point of personal privilege."

Speaker Lyons: "Please proceed, John."

Fritchey: "I'd just like to take a quick opportunity. We've got a gentleman here that has always... helped provide a steady hand during somewhat contentious times. He is also our

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resident in-house author. And if we... he has a special day today. If we could just wish a happy birthday to our Parliamentarian David Ellis."

Speaker Lyons: "Happy birthday, Dave. Many healthy... happy, healthy more. Representative Currie, on page 3 of the Calendar, we have Senate Bill 1181. What's the status of that Bill, Mr. Clerk."

Clerk Mahoney: "Senate Bill 1181 has been read a second time, previously. Two Floor Amendments: Floor Amendment #1 and 2 have both been approved for consideration, offered by Representative Currie."

Speaker Lyons: "Representative Currie on Amendment #1."

Currie: "Thank you, Speaker. I'd appreciate it if we could adopt the Amendments and then discuss the Bill on the Third Reading. Amendments 1 and 2. I move adoption of Amendments 1 and 2."

Speaker Lyons: "The Lady moves for the adoption of Floor Amendment #1. 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 #1 is adopted. Mr. Clerk."

Clerk Mahoney: "Floor Amendment #2."

Speaker Lyons: "The Lady moves for the passage of Floor Amendment #2. 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 Mahoney: "No further Amendments. No Motions filed."

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Speaker Lyons: "Put that Bill on the Order of Third Reading and read the Bill."

Clerk Mahoney: "Senate Bill 1181, a Bill for an Act concerning appropriations. Third Reading of this Senate Bill."

Speaker Lyons: "Leader Barbara Flynn Currie on Senate Bill 1181."

Currie: "Thank you, Speaker. As amended, this becomes a supplemental appropriation Bill to get us through the remainder of the fiscal year. Most of the money in the Bill comes from new federal funds through the... the federal stimulus package and some of the other moneys reflect changes using other state funds, transferring from one project to another. The new revenue in the Bill is essentially all for the Court of Claims that we do traditionally crime victims' compensation, line of duty awards, new court of claim awards, and in addition there are some additional... additional items for capital development funds: emergency repairs on the outside of the James R. Thompson Center which the... the stones have been falling on people, safety and life improvements in the Department of Juvenile Justice facility at St. Charles, a nursing care facility at Stateville and some replacement for an emergency compressor. But I'd be happy to answer your questions. As I say, the new revenues, the new general revenues, primarily are about the Court of Claims and much of the rest of it either is federal funds or a shift of funding from one state fund to another."

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Speaker Lyons: "The Chair recognizes the Gentleman from Crawford, Representative Eddy. Leader Currie awaits your questions."

Eddy: "Thank you. Leader Currie, just a couple of quick questions. I understand that... well, our analysis indicates that there are some decreased appropriations in some areas that will help pay for some of the supplemental appropriations in other areas. Is that... is that accurate?"

Currie: "Yes."

Eddy: "So, if... if at the end of this, what's the total amount of the additional appropriation?"

Currie: "It... it's about 18 million in general revenue and again let me just reemphasize that that's all money from Court of Claims allotments. So, it's not new spending for the agencies in State Government. This is to pay moneys that the Court of Claims that deems is owed to Illinois citizens and others."

Eddy: "Okay. So, if... if we look in other areas outside of Court of Claims, for example, TRS, there's a... there's a supplemental appropriation of about \$120 thousand for employer contributions. But that's something that... that is somewhere else accounted for and nets out as the only real increase being in the money necessary for the Court of Claims. The money's coming from somewhere else within..."

Currie: "Right. And as you know we do this on a continuing appropriation basis."

Eddy: "Okay. All right. Well, and again my concern was where's the money coming from, but certainly on the Court

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of Claims, 18 million is something that people are owed and that has to be paid. We..."

Currie: "Right, we have to pay it."

Eddy: "...just have to make the appropriation. There... there's no additional spending sum total beyond that..."

Currie: "No, that's right."

Eddy: "...and that's the key. All right. Thank you."

Speaker Lyons: "The Chair recognizes the Lady from DuPage, Representative Patti Bellock."

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

Speaker Lyons: "The Sponsor yields."

Bellock: "Is there anything in this Bill regarding the Tinley Park Hospital and any funds being sold off or whatever is going on in there?"

Currie: "No."

Bellock: "No. Okay. Is there any accountability, and this is not just regarding this Bill, regarding the money of the stimulus funds, the federal funds? Because as of October 10, I think there was supposed to be a report by the State of Illinois as to how much money they had spent and what they had spent it on."

Currie: "I'm not aware of that of... of... that report, but we... we can search for it. But this... this appropriates..."

Bellock: "Right."

Currie: "...federal money that's come to Illinois, for example, for the Department of Ed... the State Board of Education, charter school money..."

Bellock: "Right."

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Currie: " ..other kinds of stimulus money."

Bellock: "I see that in here. I just think that it would be crucial for all of us to see the report as to all the rest of that money; where it has been spent, how it has been spent, and what the actual record of that money is, as of October 10."

Currie: "I'll be happy to search for it..."

Bellock: "Thank you."

Currie: "...with you, but that would not be in this Bill."

Bellock: "Thank you very much."

Speaker Lyons: "The Chair recognizes the Gentleman from Lake, Representative Ed Sullivan."

Sullivan: "Thank you, Mr. Speaker. Ladies and Gentlemen, one aspect of this Bill that is tremendously important for many counties is the Senior Circuit Breaker Deferral Program. Right now, we have senior citizens who have signed up for this program in good faith to have their taxes deferred, which they will pay back at the sale of their home at 6 percent. So, what is happening is we are paying the taxes for them. There is not enough money to fund this program. So, right now, you have senior citizens that are in the program that have the potential of losing their homes because we're a deadbeat state. That's what's in this program to fund that end of it, to save senior citizens from losing their homes. That is eminently important for us to go back to our seniors and say we will support you by coming through with the money to keep an ongoing program alive and well. So, I certainly urge an 'aye' vote for

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many reasons in this Bill, but specifically for that one.
Thank you."

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

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

Speaker Lyons: "The Sponsor yields."

Moffitt: "Representative, last spring when we were doing action
on the budget, of course there was legislation to sweep
funds and 10.4 million was swept from the Fire Prevention
Fund. At that time, I stood up and said it will have great
impact on your local fire departments: 10 million... 10.4
million could've been loaned for 40 fire trucks, could've
been a hundred ambulances, could've been 5 fire stations,
and provide training for our local fire departments,
reimbursements. It's my understanding that this does
restore one small portion of that, what's called
cornerstone to the amount of \$475 thousand, which would be
reimbursement for training for our local fire departments
around the state. Is that correct?"

Currie: "That is correct."

Moffitt: "I think that's a good first tiny step at... at
restoring those... those funds, which I think was, you know,
compromised public safety to sweep them, but at least this
is putting back in trying to help our local fire
departments. I commend you for putting that in. That was
needed and that has implications across the state for... for
training for our fire departments. So, I think that's
another reason to support this. Thank you."

Currie: "Thank you."

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

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

Speaker Lyons: "The Lady awaits your questions."

Reis: "Leader Currie, part of this is GRF, part of it is flow through, part of it is other state funds. How much of it is GRF?"

Currie: "We believe about 18 million and that's pretty much all allocated to Court of Claims expenditures."

Reis: "Okay. We were just in a meeting and I know your staff's been made aware of this as well, but the county circuit clerks are the only county officers that are not getting their stipends."

Currie: "I think there are others who are not getting their stipends, as well."

Reis: "Okay. We're... we're being told that they are the ones and I was just wondering if there was anywhere in here we could find 600 thousand?"

Currie: "I... I think that money would ordinarily come from the court system and I believe the courts decided not to allocate the stipends to the clerks."

Reis: "That's right. But some of the other ones have found money for theirs. The sherriff's are getting theirs, the circuit clerks. And I was just wondering if there was any way we could find in there... they have a December 31 deadline, to make decisions on their pensions if they choose to retire or freeze their salaries and if there's anyway we could find a way to pay for their stipends."

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Currie: "The... the... county... First of all, let me tell you that the... many of the other local officials are not getting the full amount of the stipend and the counties, of course, could make up the difference and I guess I would encourage the clerks to go back to the courts and remind the courts how important it is that they be treated fairly."

Reis: "Okay. And on the cemetery oversight licensing funds, is this as a result of yesterday's Bill creating that?"

Currie: "I believe it is."

Reis: "And is that two and a half million for a full fiscal year or for the remaining FY10 budget?"

Currie: "That would be the remaining part of this fiscal year."

Reis: "Okay. 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, let... let's take a look at the Capital Development Board language. All of that money that the... the Section I'm looking at is all from capital portion. Now, the only reason that confuses me is that I don't think we've sold any of the bonds. So, when we say, for example, we're going to appropriate \$5.3 million from the capital development fund for Corrections to fund all costs associated with constructing a centralized medical and long-term care facility. Is that just simply a reallocation of capital money..."

Currie: "No."

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Black: "...when the capital money's actually there?"

Currie: "No. Actually, this is a new request for capital funding. There's some of the items in the capital Section of the Bill is really just language changes staying within the amounts that were originally requested. But we had a request from the Governor's Office to do these emergency repairs at the James R. Thompson Center, to take care of some life, safety, health issues at the Juvenile Justice Center at St. Charles, to do several items at Stateville. So, these would be new calls on the capital construction program. You were right to point out that that capital construction program is not yet flowing."

Black: "I... I appreciate your answer. From what I gather, this long-term care facility and a... also for the Department of Corrections, 2 million to construct a new ex-house, a cell block, as I would call it. That's about seven and a half million dollars and it's my understanding that both of those facilities will be built at Stateville."

Currie: "That's right."

Black: "It wasn't that long ago Stateville was going to be closed. So I assume, and the department has not answered this question, I assume that means Stateville is not going to be closed. At one time it was, then maybe it was. If you're going to put seven and a half million into a Stateville new construction, then I assume Stateville is off the potential closure list."

Currie: "It may be that Stateville is morphing into another kind of correctional facility."

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Black: "All right. All right. In other words, some of the older portions may still be subject to review, let's say, but this would be part of a new construction. I'm fascinated by the long-term care, simply because I... I have a correctional center in my district and people who are not getting out are getting older and they need constant care. So, I don't have a particular problem with that. Let... let me ask you one question and you mentioned it and I appreciate your... your honesty in bringing this up because some of us, I think, and the public a little concerned about the James R. Thompson Center needs another two and a half million because the granite or whatever it is, façade is..."

Currie: "The façade is falling off and on..."

Black: "...it is falling off."

Currie: "...on to people's heads. It's not a safe situation."

Black: "Well, I never... I never thought that was very safe to begin with. I walked up the stairs one day and I have vertigo, so I had to almost be carried the last two or three staircases up there and the elevator isn't any better because it's glass. I assume we're going to go after the architect or construction firm for some of that cost, or has that..."

Currie: "I would... I would hope that they will look into that possibility. I have not heard whether they are planning to do that or not."

Black: "Well, I... I would think that would be either a design defect or a construction defect, and I... I would hope that we go after any money we could possibly recover. The only

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other question I have, Representative, and I think it puts all of us in this chamber when we go home at... at some risk. I have state employees who are being asked by doctors and dentists to pay up-front because we're not paying insurance claims in a timely fashion. I know I'm going to get this question and I don't have a real good answer right now. If we can juggle accounts and as you said earlier, about \$20 million in general revenue funds, if we can juggle and transfer that around, why aren't we juggling and transferring money into the employee insurance account so that the providers won't ask our employees, hey, pay up-front because the state isn't paying me. When the state pays me, I'll send you a check. Now how do we answer that? I think it's very legitimate criticism."

Currie: "Representative, if we had the opportunity to do that, you know we would. But another Bill that we will get to quite shortly is a Bill that we hope will capture significant new federal doll..."

Speaker Lyons: "Another minute to finish the conversation. Go ahead, Leader."

Currie: "...for the state's Medicaid program and if that should materialize, that will free up general revenue for other purposes including the important one you have just described."

Black: "All right. And... and I appreciate that. Just one last question. These new capital projects that we're seeing on this list, will that endanger any of the capital projects that most of us saw when we left here last July? Does that mean some of those won't be funded?"

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Currie: "I don't believe so. I believe what this would do would be to put these new projects at the back of the line.."

Black: "Okay. Fine."

Currie: "...and the line would.."

Black: "Thank you very much."

Speaker Lyons: "Leader Currie to close."

Currie: "Thank you. I'd appreciate your 'aye' votes."

Speaker Lyons: "The question is, 'Should Senate Bill 1181 pass?' All those in favor signify by voting 'yes'; those opposed vote 'no'. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Mr. Clerk, take the record. On this Bill, there's 112 Members voting 'yes', 1 Member voting 'no', 0 voting 'present'. This Bill, having received the Constitutional Majority, is hereby declared passed. Representative Currie on Senate Bill 1265. What's the status of that Bill, Mr. Clerk?"

Clerk Mahoney: "Senate Bill 1265 has been read a second time previously. Floor Amendment #2, offered by Representative Currie, has been approved for consideration."

Speaker Lyons: "Leader Currie on Amendment 2."

Currie: "Thank you. I'd appreciate it if we could adopt the Amendment and then discuss the Bill on Third Reading."

Speaker Lyons: "The Lady moves for the adoption of Amendment #2. 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?"

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Clerk Mahoney: "No further Amendments approved for consideration. No Motions filed."

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

Clerk Mahoney: "Senate Bill 1265, a Bill for an Act concerning government. Third Reading of this Senate Bill."

Speaker Lyons: "Leader Barbara Flynn Currie."

Currie: "Thank you, Speaker and Members of the House. This is a budget implementation Bill. The first item would allow the Department of Human Services to claim Medicaid funding for mental health services. We hope this will bring in new federal dollars to the State Treasury. Second item concerns the... the program of campus safety and security grants that we approved earlier. That grant program was left without a funding agency. This clarifies that it's the Emergency Management Agency that will operate those grants. Third, we're creating a Healthcare Provider Relief Fund using dollars that... that come in because of the FamilyCare spending the back billing that we approved in the spring. We hope again this will significantly improve our collection of federal dollars in the Medicaid program. And as you know, until December 31, 2010, those dollars are coming in to Illinois at a significantly higher rate than they have before. We're also permitting the Road Fund to pay debt service in a kind of back... backfill way so as to be able to begin some of those construction projects that currently can't be funded because the dollars to fund them are tied up in lawsuits or the slow rate of implementation of some of the other revenue sources for capital in the State of Illinois. The next item is the transfer that

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Representative Sullivan earlier mentioned, the transfer of that \$9.7 million to the Senior Citizen Real Estate Tax Deferral Program, so that people do not lose their homes through tax sales because nobody paid the bill. We're also transferring money to the Horse Racing Fund, which will avoid a tax increase at Fairmount. There is a school in Gillespie, Illinois, that fell apart through... through mine subsidence and we are transferring money into the temporary facilities... Relocation Expenses Fund so that we can find temporary shelter for those school children. We also allow about a 2 percent transferability among personal service lines across all agencies. Let me make it quite clear that this provision is not intended, will not be used, as a tool for the implementation of layoffs in government agencies. But as you remember, we gave the agencies lump sums for personal services, one lump for the unionized members of the work force and one lump for everybody else. This would mean that the agency would have the ability to do the 2 percent transfer. Some job classifications that were not union when we made this allocation in the spring have since elected to join a union. So, this will increase the flexibility of the management of our state agencies and code departments. We are also permitting a 4 percent transferability among Medicaid assistance lines in the Department of Healthcare and Family Services. Both of these provisions, the 2 percent and the 4 percent only... only cover the remainder of the year. And finally, when we created the park and recreational facility construction program we used the school construction program as a model.

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That doesn't work very well for parks and so this language would instead model the park capital construction program on the current Open Space Land Acquisition program. I'd be happy to answer your questions and I think this is a responsible response to opportunities to bring in new federal dollars to make sure that our managers are implementing government spending appropriately and to make sure that our senior citizens are not shifted out of their own homes because we failed to pay their tax bill."

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

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

Speaker Lyons: "The Sponsor yields."

Eddy: "Representative, I think we all understand the concerns related to the fact that the... the bond revenue is... is held up and... and the road fund money idea to jumpstart, so to speak, the... the process is supported by road builders and... and lots of folks who want to go to work, understandable. Here's my concern and... and I hope you can help alleviate that concern. Maybe I'm a little cynical, but how... how are the jumpstarted projects going to be determined and I think this... this... the answer is important to every Member in here, because we all have capital projects that are going to be funded by... by the revenue that eventually we hope will... will come from... from the... the lawsuits being taken care of. But for this \$100 million in... in road fund, I... it's more borrowed because there's a lock... lockbox, I understand, set up and the money... How do we know which projects are going to be funded?"

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Currie: "Yeah. Well, I'm not sure how many projects. I do know that it's a 100 million and you'd... you want to look at the... at the... the current plan from the Department of Transportation to see what's at the top of the list."

Eddy: "So... so and... and that's the point and... and I wanted to get it on the record. Are... are you telling us that we will follow the Department of Transportation plan..."

Currie: "Right."

Eddy: "...and as those programs... we're... we're going into an election year, and we may not have a lot of money to fund a whole bunch of capital programs and... and what we don't want to see happen and I don't think you do either, is... is to see this turn into something where we... we get to choose projects based on where there's tight races and... and that project is funded before something else. That's not going to happen; we're going to follow that plan to the tee."

Currie: "My understanding is that we're going to fund the FY10 projects already identified and described by the State Department of Transportation."

Eddy: "Okay. Well, I appreciate that and... and again, I... I just wanted to get that on the record. The other thing I have a question about is the 2 percent transferability on... on the personal services line items. This is a little more expansive than in past years and... and I'm kind of wondering what the rationale is there and what the expectation is?"

Currie: "Okay. I think the rationale is that, remember, we did lump sum personal service budgeting and we did it in two... two lumps. We said okay here's... here is the personal service funding for the work force that is... belongs to a

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union, labor union and here is the rest. Well, since we did that, some job classifications that were not union when we did our budget in the spring have since become members of unions. So we need to give the agencies some flexibility so they can shift from the nonunion fund to the union in order to meet their responsibilities. That's why it is somewhat more expansive than traditionally it has been, but this is not the first time we've done it and we're just doing it for the one year."

Eddy: "Okay."

Currie: "This is a..."

Eddy: "So, I suppose the fact is that if we were here more often and we were able to do some trans... this gives them the flexibility they need for those things that might happen while... for the next several months we're not here and we... we're not able to make those changes."

Currie: "Right and... and some of those things we already know about. For example, the change from the... of the job classification from a nonunion to a union status."

Eddy: "Okay. Well, I... I appreciate the explanations and I... I certainly am happy to hear the... the capital response 'cause that... that was our hope that there would be that guarantee. Thank you."

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

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

Speaker Lyons: "The Sponsor yields."

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Bellock: "I just have two questions. One is that creates the Healthcare Provider Relief Fund, provides for deposit of borrowed funds in FamilyCare. How much money are you talking about there and where did the borrowed funds come from?"

Currie: "What we're doing is short-term borrowing. What we're doing is putting money into this fund that will then be able to capture federal dollars under the Medicaid program at the enhanced match. So, it's our hope that we can actually collect from \$400 million, for example, well over a billion. Now, we don't know for sure that this will work but that would be the hope and that certainly is our plan."

Bellock: "Okay. So you're going to take 200... was it 250 million?"

Currie: "Yeah, FamilyCare could be as much as 400 million..."

Bellock: "Was... was the Family..."

Currie: "...and up 250 million in short-term borrowing."

Bellock: "Okay. Was the FamilyCare money from the lawsuit?"

Currie: "Well, it was... what it was, after the lawsuit, after it turned out that the Governor had not had the authority..."

Bellock: "Right."

Currie: "...to expand FamilyCare..."

Bellock: "Right."

Currie: "...we... we were faced with a dilemma. We had people out there, real people in the real world, who thought that they were entitled to health care paid for in part by us. And we as an Assembly said we're going to pay your old bills. We're not going to leave you high and dry. We're not going to strand you. And we also said that going forward people

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who had signed up for FamilyCare would continue to be eligible. So that money... that money... that... that we are... are... are paying and getting reimbursed by the Federal Government through the Medicaid program is coming back at an enhanced match. So, our hope is that we can use that enhanced match and the borrowing to bring in a good deal of federal dollars between now and January 1, 2011, when the enhanced match for Medicaid goes away."

Bellock: "All right. I just... this goes back to my previous question before is that a lot us would like to be updated on where we were on the Medicaid funding, you know, from the stimulus package also as to where it's gone into the state."

Currie: "Okay. I'll help you look for that report, too."

Bellock: "Thank you. I just had one other question on that was further down in the Bill it says allows 4 percent transferability among Medicaid assistance lines. I'm wondering 4 percent of what? Is that 4 percent of 9 billion, or what is the amount of money you're talking about there?"

Currie: "The entire... the entire Medicaid..."

Bellock: "Budget?"

Currie: "...number of lines. Which would include AADB, which would include TANF, which would include..."

Bellock: "Right."

Currie: "...FamilyCare, KidCare. So within those lines we're allowing a 4 percent transferability. Case loads vary..."

Bellock: "Yeah."

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Currie: "...sometimes you have a larger bump here and a smaller bump there..."

Bellock: "Okay."

Currie: "...so we're just giving them the tools to manage the financing."

Bellock: "Within the lines that are already there."

Currie: "Within the Medicaid lines."

Bellock: "Okay. Thank you very much."

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

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

Speaker Lyons: "The Sponsor yields."

Black: "Thank you. Representative... Majority Leader Currie, on page 13 of the... of the Amendment, I just want to make sure that I'm... I'm... I have the right information. Because we're allowing transfer from the Road Fund and I... I've always had a problem with that. It... it looks to me that we could transfer up to \$200 million from the Road Fund. What's the safeguard? Only if the balance in the capital project fund falls below... what... what's the trigger... falls below what?"

Currie: "Whatever is needed for debt service is the trigger. And... and if..."

Black: "Okay. And if we have to transfer money from the Road Fund, then the repayment schedule is fir... first day of the month. What... what's... it's got to be in here somewhere. What's the repayment language?"

Currie: "Well, when we... as the money comes in for the projects, the money will be repaid."

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Black: "But there's... there's no date certain by which the Road Fund would have to be reimbursed?"

Currie: "Because we don't know what that date will be, Representative. But the obligation's there. The obligation does not go away."

Black: "All right."

Currie: "Yeah. And... and we don't even know if we're going to have to use the backup. But there is a possibility that we would have to grind all projects to a halt if we don't provide this financing mechanism to the Department of Transportation, while some of the revenues that are supposed to support the pro... program are tied up in court. It's important to note that the money that we're giving them can only be used for debt service on transportation bonds."

Black: "All right. Thank you very much, Representative. The other question I had deals with page 45 of the Amendment Article 10, Park and Recreational Facility Construction. I... I looked at that with eyes wide because I thought it might be a way we could get into some capital funds to upgrade our state parks and recreational areas. I think I'm wrong."

Currie: "This is local money."

Black: "Yeah. Article 10 would be what we normally have done out of OSLAD, correct."

Currie: "That's right... that's right. But what we're trying to do is make the local park capital project workable..."

Black: "Okay."

Currie: "...by doing a... a... model..."

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Black: "Because the... the original language as..."

Currie: "... it models..."

Black: "...I recall was not workable at all."

Currie: "It... it modeled on the school construction program..."

Black: "All right."

Currie: "...parks are not quite..."

Black: "Okay."

Currie: "...like schools when it comes to construction."

Black: "So..."

Currie: "So we're using OSLAD language as the model..."

Black: "Okay."

Currie: "...but in fact this is for local parks and..."

Black: "So..."

Currie: "...recreation areas."

Black: "All right. So, Article 10 is just the old... for anybody that's been here more than a year, it's the OSLAD program where local governments get grants for greens, bays, parks et cetera. All right. Thank you very much, Representative. And, Mr. Speaker, to the... to the Bill as amended. I... I always appreciate the Majority Leader answering questions a... and her patience, but this is one reason why I will continue to pursue legislation. This is a very complicated Bill and it... it... it gives some of us pause because we don't know where these projects are going to go. We don't know exactly how the repayment mechanism will... will be made to the Road Fund. It gets a little hard in your district to explain. I know the road builders are for it. I know the operating engineers are for it, and I understand that. But if these projects get prioritized in

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such a way that all of the work is in somebody else's district, then those are the very people that'll come to us, I mean, the... our... our road builders, our... our operating engineers and say wait a minute, we're... we thought we were going to do this road, we thought we were going to do that road. I... I will continue to seek legislation. This is the last day of Veto Session, a relatively complicated Bill, most of us have not had a chance to read it. We need some kind of sunshine in appropriations law. At least put it on our desk for 24 hours. I would prefer 48. But... we... we... we... we have to come up with a system better than what we've done in the last few years. I'm not saying this was done in dark of night. I... I'm not suggesting that. I'm just suggesting that we have more time to let staff review it, Members review it, the press review it, then I think we're much more comfort... comfortable casting a vote. The more we know, the more we're able to cast an informed vote. I think I understand that..."

Speaker Lyons: "Continue, Mr. Black, go ahead, your point's well-taken."

Black: "Thank you, thank you very much for your indulgence, Mr. Speaker. I think I understand most of this Bill. But there are things I may be not sure of and there may be things I'm sure of that I'm probably going to find out I was wrong. So, we can do better. I'm not criticizing anybody. I'm not making this a political issue. I just think all of us would be better served if we could come up with a reasonable system to put these kinds of complicated appropriation, reappropriation, redirected Bills available

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to us at least 24 hours before we're asked to vote on it.
Thank you Mr. Speaker."

Speaker Lyons: "Representative Barbara Flynn Currie to li... to
close."

Currie: "Thank you, Speaker. For those of you who wonder which
transportation projects, I just refer you to FY10 projects
in the state's multiyear plan. They are out there, they're
transparent, they're visible, it's easy to find out what's
in and what's out. I don't think this is a complicated
Bill. It is important that we fund that \$9.7 million we
owe to seniors on the real estate tax deferral program, or
they're likely to find their homes sold at a tax sale. I
think it's really a good idea to find a way to encourage
more federal financial participation in our state Medicaid
program. And I think all of us want to make sure that the
park construction program that we approved last spring will
actually work to help our parks do better at the local
level. So, I think it's a pretty straightforward Bill.
There's not any money in this Bill. This is all
substantive language in order to meet important
responsibilities that are our state responsibilities and I
would certainly encourage your 'yes' vote."

Speaker Lyons: "The Lady moves for the passage of Senate Bill
1265. All those in favor signify by saying 'yes'; those
opposed say 'no'. The voting is open. Have all voted who
wish? Have all voted who wish? Have all voted who wish?
Mr. Clerk, take the record. On this Bill, there are 113
Members voting 'yes', 0 voting 'no', and 0 voting
'present'. This Bill, having received the Constitutional

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Majority, is hereby declared passed. The Chair recognizes the Gentleman from Fulton, for the point of personal privilege, Representative Mike Smith."

Smith: "Thank you, Mr. Speaker. Ladies and Gentlemen, I'd like to ask the Members of the Body to join me in giving a warm Springfield welcome to the mayor of the City of Farmington, the Honorable Cyril 'Bud' Stobaugh and his guest, Betty Dalton."

Speaker Lyons: "Welcome to Springfield, Mr. Mayor. Enjoy your day. Proud to have you here. Representative Chapin Rose, for what purpose do you seek recognition, Sir?"

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

Speaker Lyons: "Please proceed."

Rose: "Any of you who may have been... walked out on the third floor or... or down on the first floor may have heard the wonderful choral presentation that started at noon. That was the Singing Men of WGNN and you'll see them here in their tuxedos. The Singing Men were established in 1999 by Mark Burns the general manager of the radio station. There are approximately 50 men directed by Stephen McClarey. Where's Steve, there he is, the Director McClarey there. They've performed in over a 100 concert venues, including the University of Illinois Krannert Center, Assembly Hall, Memorial Stadium, Virginia Theater. They've performed from Chicago to Paris, Illinois. But we are very happy to have them here today. These 50 men and their spouses come from all over east central Illinois. Primarily myself, Representative Cultra, Representative Jakobsson, Representative Black's districts. Probably a few others

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maybe, I... I might've missed here and there. But on behalf of the four House Members here, Representative Black, Jakobsson, Cultra, myself, let's give them a big thank you for the wonderful musical pre... concert they provided for us today."

Speaker Lyons: "Thank you, gentlemen, for the gift of your voice. Have a great day here in Springfield. We're honored to have you. Representative Will Davis, for what purpose do you seek recognition, Sir?"

Davis, W.: "For... for a request, Mr. Speaker."

Speaker Lyons: "What is your question, Mr. Davis?"

Davis, W.: "Is it possible that the guys in the tuxedos before they leave can sing to us? Considering the way last night went we need some calming music in here. Can they sing before they leave?"

Speaker Lyons: "We'll see what arrangements we can possibly make Mr. Davis. Chapin Rose."

Rose: "Mr. Speaker, I know that it would be out of order, but perhaps if they could form there, they just finished the Battle Hymn of the Republic which was absolutely astonishing. And with the indulgence of the Speaker and the chamber and maybe another minute here for them to organize. They don't have... well, we don't have the... the piano, but..."

Speaker Lyons: "I think there'll be unanimous... unanimous agreement with you, Mr. Rose..."

Rose: "What's that?"

Speaker Lyons: "...that we can... we can allow a minute or two for the gift of their voices..."

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Rose: "Thank you, we're..."

Speaker Lyons: "...that would be... be a privilege for us. We'll stand at ease for a moment."

Rose: "They're going to do the Star Spangled Banner I guess here so..."

Singing Men of WGNN singing the Star Spangled Banner.

Speaker Lyons: "Bravo. Representative Rose, is there any way we can get them back here every day? Thank you, gentlemen, so much for the gift of your voice. Appreciate it very much. One more round of applause as they leave the chamber. Representative Jefferson, for what purpose do you seek recognition, Sir?"

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

Speaker Lyons: "Please proceed, Representative Jefferson."

Jefferson: "Thank you, Mr. Speaker. In lieu of leaving here today... in lieu of leaving here today, hopefully, we won't be back... be back until January. Between that time, Veteran's Day comes on November the 11 and I would ask each and every one of us to be cognizant of all the things that we've heard today, but all the things that this country goes through to keep this country free. We talk oftentimes about freedom and the fact that it's free, we know that our people oftentimes pay with their lives, their blood, their limbs and all the other things that come with it. So, I would just ask you that on November the 11 that you would show some compassion for all of our veterans. I stand before you today as a veteran of the U.S. Military along with all the other veterans here in the House of

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Representatives. Is proud to serve the country of the United States. But we know that freedom does not come free and for those young men and young women that go to the forefront to protect our freedom we will be cognizant of them on November the 11 and to be a little bit more compassionate to say a kind words to veterans, to give them a smile, all the other things that they deserve. I am extending an invitation on November the 18. I am having a veterans' stand down for all the veterans throughout the community from all over the State of Illinois. They're welcome to come. We're going to make that their day. Show them our appreciation. You are all welcome to come. We've asked the Governor to come. So, if you can be free that day to come and to show our appreciation to the veterans, I think it would be a great thing for them. We're going to make it their day and we just need to continue to be cognizant of the sacrifices that they made so this country can be free. Thank you very much."

Speaker Lyons: "Chuck, let's take that one step further. Would all our veterans please stand up and be recognized on the House Floor. Thank you, Gentlemen, Ladies and Gentlemen, and God bless you for your work. Representative Black."

Black: "Thank you very much, Mr. Speaker and thank you to Representative Jefferson for that very timely reminder. But I... I can't help this, with apologies to the Body after that stirring rendition of the Star Spangled Banner, the only thing I can think to say is go Illini beat MU."

Speaker Lyons: "All right, Bill. Back to the business at hand, Ladies and Gentlemen, we have a Calendar that we will be

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working through and we do have on page two of the Calendar, under Senate Bills-Third Reading, Representative Dan Burke you have Senate Bill 748. Mr. Clerk, what's the status of that Bill, Senate Bill 748?"

Clerk Mahoney: "Senate Bill 748, a Bill for an Act concerning liquor. Third Reading."

Speaker Lyons: "Representative Burke."

Burke: "Thank you, Mr. Speaker and Ladies and Gentlemen of the House. Senate Bill 748 very simply would permit the City of Chicago to issue a liquor license to a restaurant currently under construction that will be located within 100 feet of a school. The restaurant will be located in a residential/commercial building commonly referred to as the Logan View building at 3131 thru 3135 West Fullerton. The back door of the restaurant is located only 75 feet from the fence of the Darwin Elementary School. We do, as was asked just the other day, have sign-offs from the Chicago Public Schools, a adjacent church and the local grade school situated close to this property in question. I'd be happy to answer any questions."

Speaker Lyons: "Is there any discussion? Seeing none, the Gentleman moves for the passage of Senate Bill 748. All those in favor signify by voting 'yes'; those opposed vote 'no'. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Mr. Clerk, take the record. On this Bill, there are 75 Members voting 'yes', 37 Members voting 'no', 0 voting 'present'. This Bill, having received the Constitutional Majority, is hereby declared passed. Ladies and Gentlemen, on the Order

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of Concurrences, on the Calendar on page 6. On top of the page, Representative Acevedo has House Bill 4124. Representative Acevedo."

Acevedo: "Thank you, Mr. Speaker. I wish to concur with House... on House Bill 4124, Amendment #3."

Speaker Lyons: "The Gentleman makes a Motion to adopt Amendment #3... to concur with the Senate on Amendment #3. Is there any discussion? The question is, 'Shall the House concur in Senate Amendment #3 to House Bill 4124?' This is final action. All those in favor signify by voting 'yes'; those opposed vote 'no'. The voting is... Roger, with a late switch. Representative Eddy, a question."

Eddy: "Sorry about that, Mr. Speaker. Did... Did we not have... is this the same Bill we sent over to the Senate?"

Acevedo: "Yes, Representative, it was Senate Bill 1812 and now it's House Bill 4124. The only changes were... there were some problems that people wanted the clarification of a gang member and we did that. Also, they wanted to clarify a weapon; we did that as well."

Eddy: "Okay. Just... I... I... recognized it from last... two weeks ago. This is that same thing with those two clarifications."

Acevedo: "Yeah. This is just a technical change."

Eddy: "Thank you. Thank you."

Speaker Lyons: "Representative Reboletti, you're cool? Thank you, Sir. The question is, 'Shall the House concur with Senate Amendment #3 to House Bill 4124?' This is final action. All those in favor signify by voting 'yes'; those opposed 'no'. The voting is open. Have all voted who

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wish? Have all voted who wish? Have all voted who wish?
Mr. Clerk, take the record. On this question, there are
113 Members voting 'yes', 0 voting 'no', 0 voting
'present'. And the House does concur in Senate Amendment
#3 to House Bill 4124. This Bill, having received the
Constitutional Majority, is hereby declared passed.
Representative Rosemary Mulligan, on the Order of
Concurrences on page 5 of the Calendar, you have House Bill
342. Representative Mulligan."

Mulligan: "Thank you, Mr. Speaker, Ladies and Gentlemen of the
House. At the request of the Department of Public Health,
Senator Delgado shelled the Bill that I sent over there and
put in a Bill, within the last few days, that becomes the
Bill. It says the Department of Public Health may require
any facility that it licenses to implement a flu
vaccination program which ensures employees are offered the
opportunity to be vaccinated for seasonal flu, and any
novel or pandemic influenza viruses or vaccines when they
become available. The employees are not required to
receive the vaccinations, they are just encouraged to
receive them. So, this would allow different facilities
that take care of people that are not well or may become
not well or nursing home people, to have their employees
receive flu vaccines on-site. And they're not quite sure
whether they will get all the vaccines this year but they
want to also have it for future years and they intend to
come to JCAR at the beginning of the... in November at the
next JCAR meeting to implement the rules and move forward
with this."

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Speaker Lyons: "You've heard the Lady's explanation, questions?
The Chair recognizes the Gentleman for McHenry,
Representative Jack Franks."

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

Speaker Lyons: "The Lady awaits your questions."

Franks: "Thank you. Representative, why do we need this in
legislative form? Why can't the Governor just do this via
Executive Order or just call the Department of Public
Health and tell them to do this?"

Mulligan: "Well, he must've. I mean, don't ask me why they
took my perfectly good Bill..."

Franks: "Right."

Mulligan: "...and gutted it for this but..."

Franks: "I... I... that's my..."

Mulligan: "...the Department of Public Health felt it was
necessary to do this. And I think in order to do an
emergency rule they need legislation that would verify
their reason for doing it, as opposed to perhaps a previous
Governor that made egregious use of emergency rules and
Executive Orders."

Franks: "See, that's... But it really concerns me. I don't know
what they're basing... what their feelings are. The fact of
the matter is this is the Department of Public Health and
if they wish to offer vaccinations to their employees they
can do so without the Legislature specifically giving them
that authority. Are we going to start micromanaging every
agency now, letting them know what they can and cannot do?
I mean, is the Governor incapable of making those
decisions?"

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Mulligan: "This is not for the department's employees. This is for employees of health care facilities. In some instance hospitals are already doing this, but at nursing homes they're not allowed to do this on-site. So, what they're doing is, the facilities that the Department of Public Health are licensing, they want to have the right to license them in order to deliver the flu vaccine on-site to employees who are among the first providers who are authorized under the rules to get vaccines."

Franks: "And they can't do this via rule?"

Mulligan: "So why they're doing this..."

Franks: "Yeah."

Mulligan: "I mean... I... I just heard about this yesterday, so I'm trying to move forward to the best of my ability. I had to ask some questions, too."

Franks: "Yeah. Was there any testimony?"

Mulligan: "My understanding is they can't and I serve on JCAR. JCAR doesn't make rules up out of the air, I mean, the people that come... the agencies that come to us, their rules are supposed to be based on legislation that has been passed by the General Assembly and then the rules are created."

Franks: "Was there any testimony?"

Mulligan: "Yes. The department testified and a number of us, including myself, who had just gotten the Bill late in the day yesterday, asked questions. And I think people were... I think the only question was what happens with veterans' homes, which is not the same category."

Franks: "Okay."

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Mulligan: "So, this is strictly just for the facilities that the Department of Public Health licenses and they don't know if they're going to have the H1N1 flu vaccine for them this year either. So, they're just moving forward."

Franks: "I can tell you're very excited about this Bill."

Mulligan: "No. I think this is a perfectly wonderful thing to do. I was very excited about the underlying Bill which Senator Delgado has picked up twice and seen fit not to call, but other than that, this is a perfectly good use for my Bill that was sitting there obsolete in the Senate."

Franks: "Okay. I'm going to listen to more questions. I'm just concerned... because I saw... I had a Bill that the Governor proposed, Senate Bill 150, that was to be heard in our committee this week, which would allow the Governor to put it like a special advocate for health under the Department of Public Health. I'm thinking, wait a second, you're the Governor you can do that now. I just don't want to continue to erode the Governor's powers and if there is real emergency things that need to be implemented we should be able to do that without having the Legislature... when we're not going to be in Session for the next two to three months, having to sign-off on these type of things."

Mulligan: "Well... Is this... If you don't want to erode the Governor's powers, is this anticipation for maybe five years down the line? Because who cares at this point, I guess. And obviously, if you care so much there's got to be reasons for it."

Franks: "Well, I just think const... we ought to defend our Constitution when we have the opportunity. So, thank you."

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Mulligan: "All right."

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."

Osmond: "Representative, in testi... in testimony today did they
not say that they had to order their vaccines in January
and February and this was something that they needed to get
going on?"

Mulligan: "Right. They said what they would need to anticipate
for each coming year was to have flu vaccine, which would
probably be the seasonal flu that they could order for each
facility and in order to do so they would have to do it at...
in January or February. So they need to get a number and
they need to have this going and then they need to be able
to do the emergency rule when the next JCAR meeting which
would be November."

Osmond: "And also, did they not say and testify that if an
employee decided that they did not want to receive the
vaccine that they could opt out?"

Mulligan: "Yes. They said that there was no obligation that
they could turn it down if they wanted."

Osmond: "Thank you. I... I... would urge the support of this
legislation."

Speaker Lyons: "The Chair recognizes the Lady from Cook,
Representative Beth Coulson."

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

Speaker Lyons: "She awaits your questions."

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Coulson: "My... my only question is obviously an employee can opt out. What happens in the case of a shortage of vaccines as there is this year? Do these facilities move up to the front of the list or how... Right now we're having a difficult time of getting vaccines where they need to be. Does this Bill in any way jeopardize the ability to make changes in where the vaccines need to be based on who the most likely person to have a problem with that type of vaccine or influenza is going to be? And let me... let me just explain. This year we need it at the schools more than we need it at these licensed facilities, the Department of Public Health. And I'm just concerned the way this reads is that they may actually get the vaccines first. And that worries me in this... in the H1N1 season."

Mulligan: "They did not indicate that in the discussion. In fact, I think there was some concern that they would even have the H1N1 vaccine in time for this group. Although having participated in the Department of Public Health's conference calls on how they were going to handle this in Illinois, people that provide services or take care of other people, health care providers, were encouraged to be among the original group that should be getting these shots. I think in... in conjunction with young people and pregnant women, they were right at the top of the list."

Coulson: "Well, I... I just want to make sure that we're not going to be micromanaging what should be a decision each time the different flu seasons occur. If this requires a facility, could you... requires a facility that's licensed by the Department of Public Health to get their vaccines first

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before whomever is the most likely to need it first, I'm very concerned about that and I just need to register that concern. Thank you."

Speaker Lyons: "Representative Mulligan to close."

Mulligan: "I think that over the years with this last administration there have been a number of agencies that I've not always agreed with the way they've been run, but I would say that one of the ones that I've usually been fairly pleased with how they move forward and how they handle things are the Illinois Department of Public Health. I think their request is a good request and I urge you to support the Bill."

Speaker Lyons: "The question is, 'Shall the House concur in Senate Amendment #1 to House Bill 342?' This is final action. All those in favor signify by voting 'yes'; all those opposed vote 'no'. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Representative Dugan, Feigenholtz. Mr. Clerk, take the record. On this Bill, there are 109 Members voting 'yes', 4 Members voting 'no'. This Bill, having received... this Bill having received... this... the... the... the Senate... the House does concur in Senate Amendment #1 to House Bill 342. And this Bill, having received the Constitutional Majority, is hereby declared passed. Representative Lang, on the Order of Concurrences, you have House Bill 607. Representative Lou Lang."

Lang: "Thank you, Mr. Speaker. I move to concur in Senate Amendment #1 to House Bill 607. This is a proposal that is cleanup language for the lottery Bill that we passed

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earlier in the year. It discusses the compensation of the lottery manager, the relationship between this program and the United States Department of Justice, ensures the pay-to-play ban applies to the selection of the manager, requires the lottery manager to use an appropriate procurement process. And.. and this is pretty much of a no-brainer and I would ask your support."

Speaker Lyons: "Is there any discussion? Seeing none, the question is, 'Shall the House concur in Senate Amendment #1 to House Bill 607?' This is final action. 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. Franks, Mike Connelly, Ed Sullivan, Representative Brady. Mr. Clerk, take the record. On this question, there are 84 Members voting 'yes', 28 Members voting 'no', 0 voting 'present'. And the House does concur in the Senate Amendment #1 to House Bill 607. This Bill, having received the Constitutional Majority, is hereby declared passed. Representative Joyce, on the bottom of page 5, you have House Bill 2652. The Chair recognizes the Gentleman from Cook, Representative Kevin Joyce."

Joyce: "Thank you, Mr. Speaker, Ladies and Gentlemen of the House. I move to concur on House Amendments or Senate Amendments #1 and 4 to House Bill 2652. Senate Amendment #1 should've not... should've been withdrawn in the Senate, but because they did not do that it passed over here. Senate Amendment #4 became the Bill. You may recall this from the spring. We passed this Bill over. We indicated a

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desire to continue talking but made no commitment to make everyone happy on it. But we did get a final agreement with the insurance industry and per... if this Bill were to become law, prosthetic and custom orthotic care would come under the terms and conditions that are no less favorable than any other medical or surgical benefits provided by any respected major medical or health plan. Again, the opposition has been removed from the insurance industry. I'm happy to answer questions and I move that the House concur with Senate Amendments #1 and 4."

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."

Osmond: "Representative, I know that this was in our committee this morning and it was in the Insurance Committee prior. Does this mandate any expansion coverage for..."

Joyce: "If... if a policy does not include coverage for prosthetic or custom orthotic care in their existing policy, it does not mandate a new policy for that coverage. If it does include coverage, then it simply states that it will be no less favorable than any other medical or surgical benefits provided by that coverage."

Osmond: "I know that Blue Cross Blue Shield and several other insurance companies have agreed. Could you tell me, and I forgot to ask this this morning, why is IRMA against this?"

Joyce: "IRMA registered a record of appearance only in the committees, both in the Senate and the House, based on they oppose all mandates."

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Osmond: "Well, in some ways you're telling me that this is not a mandate. How... how is this different?"

Joyce: "Well, it's not a mandate for every insurance company to have this coverage. If your coverage includes this type of service, then this does not... this removes the caps that might've been in place for a person that have a prosthetic limb. And it will maybe cost \$7 thousand if the child grows and maybe the insurance company was giving them \$500 or a thousand dollars. This just says that it will provide coverage that is no less favorable. So, it removes..."

Osmond: "As medically necessary."

Joyce: "Correct."

Osmond: "Is that correct?"

Joyce: "Correct."

Osmond: "There is... the... the limits then are under what is called medically necessary. That sets the policy as to what it provides."

Joyce: "That's correct. I don't think anybody would want to ask for this service if they don't need it, you know."

Osmond: "Well, I mean, some people and... and I know this was in the original Insurance Committee when it came forth, that there were some concerns about the fact of somebody who has lost an arm may want to go on and... and go into some type of experimental program and this would not cover that. This does not provide coverage for an experimental type situation."

Joyce: "Right. This is out of medical necessity."

Osmond: "Thank you very much and I do support this Bill."

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Speaker Lyons: "The Chair recognizes the Lady from Cook, Representative Mary Flowers."

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

Speaker Lyons: "He awaits your questions."

Flowers: "Representative Joyce, you know, I'm really confused by the answer you just gave Representative Osmond, as to what set the standards of the policy, and you said what is medically necessary. But early on, it was said that it would not be covered, not unless it is covered in the policy. But when and how does one know? Because as I stated earlier, I've had insurance for years and I've never had the opportunity of checking off I want my head covered, I want my knee, my left arm, and you know, because I always thought that paying insurance and the purpose of us paying insurance was for a risk in case something were to happen, not something in particular, but if something were to happen, we would be covered. But now this, you know, the war is going on and so many other incidents and accidents and farmers, you know, they're always having accidents because of whatever and... and to know that you're playing Russian roulette, you don't know until you're actually in the hospital and the doctor is saying that in order for you to have a quality of life you would need some type of prosthesis or whatever. And the insurance company is going to deny you because they said that you're not covered. But how did you know that you were supposed to check it off and how do you know that you are covered or not covered?"

Joyce: "So, thank you, Representative. So, let me answer your question like this. The major carriers, Blue Cross Blue

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Shield, Well-Point, the Illinois Life Insurance Council, Humana, they all cover these prosthetic and orthotic care in their existing policies. I think some... maybe some people go out and get smaller policies for specific needs or desires that may not include some of the smaller carriers, may not be... have this offered in... in... in their coverage, but I know that we in the State of Illinois have the coverage. State of Illinois employees, Members of the General Assembly, coverage is in there and most of the major carriers cover this. This was something that the Senate Sponsor agreed to in working with the industry and my understanding is that the clients that are being served are... feel pretty comfortable that most of all their insurance companies currently cover them and so they would be covered under this new Bill."

Flowers: "So, it's not... Okay. So, the only reason why there... there will be coverage now is because of your legislation. If it were not because of your legislation, chances are these people would not have been covered. Am I correct?"

Joyce: "Many of them would be covered, but they would be limited and capped at a dollar amount on... on a... on a lifetime or an annual basis. This removes that cap and of the cov... amount of coverage. Some of them get up to \$2 thousand, some of them get up to \$1 thousand. There were numbers that were thrown out and throughout the negotiations that you know the insurance industry said they would cover up to \$10 thousand or you know all different numbers all over the map and the..."

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Flowers: "Well, I... I guess that brings back to the original question that concerns me, because the doctor said that this was medically necessary and I thought the insurance was supposed to pay for what the doctor said was medically necessary. And so, as it stands today, if the doctor said that this was medically necessary and if you've reached your lifetime cap, you're just out of luck. But as a result of your legislation, you've lifted the cap and so therefore anyone would be able to apply if... if the doctor deemed it medically necessary."

Joyce: "I believe that to be true."

Flowers: "Thank you very much, Representative, I appreciate your answers."

Joyce: "Thank you."

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

Durkin: "To the Bill. Representative Joyce has worked diligently over the past year on this and I've been down here about... about 14 years and rarely do you get a situation where there is something that does deal with insurance and coverage where there's an agreement between not only the proponents but also the major players within the insurance industry. So, this is something that's very unique, but I think it... it works well. This is the way the process should work, but for those who are concerned about coverage, remember last night we passed a Bill that's going to provide all sorts of consumer protections and also adding as for individuals to now appeal situations where they have been denied coverage so this complements the Bill

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that was passed last night. So, I would recommend that everybody vote 'yes' on this Bill. It's a good Bill and it is not as... as Representative Joyce stated earlier, this is not universally applied across the board. It's only for those carriers who do have that certain type of coverage available. So, I appreciate the work that Representative Joyce has done and I encourage an 'aye' vote."

Speaker Lyons: "Representative Joyce to close."

Joyce: "Thank you, Mr. Speaker, Ladies and Gentlemen of the House. I simply ask for an 'aye' vote."

Speaker Lyons: "The question is, 'Shall the House concur in Senate Amendments 1 and 4 to House Bill 2652?' This is final action. All those in favor signify by voting 'yes'; those opposed vote 'no'. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Mr. Clerk, take the record. On this Bill, there are 113 Members voting 'yes', 0 voting 'no', and 0 voting 'present'. And the House does concur in Senate Amendments 1 and 4 to House Bill 2652. This Bill, having received the Constitutional Majority, is hereby declared passed. Representative David Leitch, for what purpose do you seek recognition, Sir?"

Leitch: "Thank you, Mr. Speaker. I'd like the Journal to reflect that I intended to vote 'no' on House Bill 607."

Speaker Lyons: "Representative, the Journal will reflect your request. Representative Collins, for what purpose do you seek recognition?"

Collins: "Thank you, Mr. Speaker. I would like the record to reflect that on Senate Bill 4124 where I was voted 'no'. I

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want the record to reflect that I'm voting... no refecord... record reflect that I voted 'yes', but I want it to reflect that I voted 'no'."

Speaker Lyons: "The Journal will... will honor your request. Representative Bill Black, on page 6 of the Calendar under Concurrences, you have House Bill 4628. Representative Bill Black. Mr. Clerk, what's the status of that Bill? Thank you for your patience, Mr. Black, we had a little technical difficulty here, but we have... you have an Amendment #1 come over from the Senate on your House Bill 4628."

Black: "Thank you very much, Mr. Speaker and Ladies and Gentlemen of the House. I move to concur with Senate Amendment #1 to House Bill 4628, which basically gives some rights to automobile dealers who had their franchise revoked by General Motors and Chrysler as they approached bankruptcy. Senator Clayborne made some Amendments. He reduced the number of years that this would be in agreement from four to three. It gives the successor manufacturer some additional rights and clarified what Representative Lang said some time ago on the original sheet that... about who had the right of first refusal. There is no opposition to the Bill. Senator Clayborne's Amendment removed all the opposition from the Automobile Manufacturer's Alliance. I would ask your concurrence."

Speaker Lyons: "Is there any discussion? Seeing none, the question is, 'Shall the House concur in Senate Amendment #1 to House Bill 4628?' This is final action. So all those in favor please signify by voting 'yes'; those opposed vote

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'no'. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Mr. Clerk, take the record. On this Bill, there are 113 Members voting 'yes', 0 voting 'no', 0 voting 'present'. And the House does concur in Senate Amendment #1 to House Bill 4628. This Bill, having received the Constitutional Majority, is hereby declared passed. Representative Will Burns, on page 5 of the Calendar under Concurrences, you have House Bill 2414. House Bill 2414. The Chair recognizes the Gentleman from Cook, Representative Will Burns."

Burns: "Thank you very much, Mr. Speaker. I move to concur with the Senate in Amendment #2 to House Bill 2414. This is making a change to the aid... EDGE tax credit. Currently, EDGE tax credit passes through to partnerships, but because of the way that we define the EDGE tax credit other states are able to tax it, which is not our intent. The intent is to create opportunity here in Illinois and not to give money to other states. So, for the purpose of legislative intent I'd like to read this into the record. Senate Amendment 2 to House Bill 2414 amends the Economic Development for Growing Economy Act and the Illinois Income Tax Act to provide that for pass-through entities the EDGE credit is treated as a payment of the income tax rather than as a reduction of the liability. The purpose of this Amendment is to fix a situation where the benefit of the credits earned by a partnership may end up being paid as additional taxes to the states in which the out-of-state partners reside. The Department of Revenue does not oppose

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this Bill, but wanted to make sure that the language of the Bill could not be misinterpreted by a taxpayer to mean that they could double or triple the amount of the credit. That is clearly not the intent of this Bill and any such interpretation would be contrary to the intent of the Legislature. This Bill is revenue neutral. Thank you very much, Mr. Speaker."

Speaker Lyons: "Is there any discussion? Seeing none, the question is, 'Shall the House concur in Senate Amendment #2 to... to House Bill 2414?' This is final action. All those in favor signify by voting 'yes'; those opposed vote 'no'. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Representative Dugan, Collins? Mr. Clerk, take the record. On this Bill, there are 113 Members voting 'yes', 0 voting 'no', 0 voting 'present'. And the House does concur in Senate Amendment #2 to House Bill 2414. This Bill, having received the Constitutional Majority, is hereby declared passed. Representative Cavaletto, for what purpose do you seek recognition, Sir?"

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

Speaker Lyons: "Please proceed, Representative."

Cavaletto: "Thank you. I'd like to welcome friends from my district here today who are visiting the Capitol. Mr. Stu Freeman, a country lawyer, and his wife Gina, Matty, and Jake. Thank you."

Speaker Lyons: "Welcome to Springfield, folks. Enjoy your day. Representative Lou Lang, I believe you are running a concurrence on House Bill 1306 on page 5 of the Calendar.

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The Chair recognizes the Gentleman from Cook, Leader Lou Lang."

Lang: "Thank you, Mr. Speaker. I move to concur in Senate Amendments 1 and 4 to House Bill 1306. This concerns video gaming, but one narrow piece. So, as we know, the law we passed allows communities to opt out. This would say that if a community opts out after an establishment puts the machines in, that the operators of those machines... or the owner of those machines would be able to continue to operate them for two years so they could get their investment back and then the machines would be pulled. That's all the Bill does. It's reasonable to help and protect small business. I ask your support."

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

Eddy: "Would the Sponsor yield?"

Speaker Lyons: "The Sponsor awaits your questions, Representative."

Eddy: "Good morning. Representative, could you kind of describe the how... what... the... the time limits for the municipalities to... to determine whether they're going to opt out? How..."

Lang: "Well, there are no time limits in the law. In fact, I proposed that we put one in, but we couldn't come to agreement on that. So, it was my original thought that we'd have an opt-out date and then you'd be in or you'd be out. And we'd all know what was going on. But that didn't happen. And so to... this is to protect your local bar owner, your local businessman who puts a few of these

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machines in and then the next day the local municipality, because there's been an election or someone changes their mind, decides they don't want to do this."

Eddy: "So part of the reason perhaps there wasn't the ability to set a date certain, could it... could it have to do with the referendum process and dates related to a referendum process in case it was going to be opted out on a petition based on a referendum rather than a local council action? Is that..."

Lang: "Well, that... there were two parts to the opt out as you know. One could be a local municipality voting it out, another would be by referendum. It was my original proposal that in either event there should be some kind of a deadline date. But that pro... that view did not prevail in discussions we were having. And so I settled on something that might not protect us in our ability to know how much we're getting for the capital Bill but at least we could protect the small bar owner in your community, Representative."

Eddy: "Well, if a municipality or a county has opted out, what's the grandfather provision in this as to... is it... is it the two-year clock, is that the..."

Lang: "Two years from the... from the date that the municipality would opt out, the people would continue to be able to recoup their investment and then the machine would have to go."

Eddy: "Okay. So... so, that is the protection."

Lang: "That's correct, Sir. Let's remember that while some may say you know you make an investment you take your chance."

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Remember that the whole underpinning of the Video Gaming Act was to fund our capital Bill."

Eddy: "Give me just a second, Representative. The.. the question is whether.. are we starting the clock once the Video Gaming Act is functional based on action by the Gaming Board?"

Lang: "No. The two-year clock starts from the moment in time that the opt out occurs."

Eddy: "So those.. those.. those municipalities would not have known the final determinations of the Gaming Board from the time the.. the.. the clock starts. They.. they would not have the final action of the Gaming Board. The clock.. the clock would start when they opt out. If the Gaming Board came up with their final action related to the regulations around the video gam.. there.. that wouldn't start then, it's already started."

Lang: "Ex.. except that the machine wouldn't be in that bar in your community before the Gaming Board had their rules. So, the Gaming Board's going to have their rules. Someone's going to get a license. The machines are going to be placed in your local bar. And then at some later point, your community may opt out. We just want to protect the owners of these bars on these major investments they're making."

Eddy: "So.. so if tomorrow the City of Springfield were to enact an ordinance prohibiting video gaming, would.. would that then disallow any business that.. that's.. from.. from obtaining.."

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Lang: "There would be nothing to grandfather because they will have just opted out before the machines were installed."

Eddy: "Okay. Thank you, Representative. I think that's the point I was trying to get to. It took me a while, but I do appreciate the clarification."

Lang: "Thank you, Sir."

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

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

Speaker Lyons: "The Sponsor yields."

Franks: "Well, I... I appreciate your... your bringing this forward. I... I laughed when I first read it, quite frankly. And... and the reason I did, I want to ask you before I get to that. So, you're telling me right now, if a municipality or a county opts out before the rules have been done and before they've been able to put this forward, that there's no penalty, no problem, no... there's not... there's not an issue, correct?"

Lang: "If they opt out before any machines are installed, there's nothing to grandfather."

Franks: "So they have an incentive if they're going to do that to do it quick. To opt out quick, correct?"

Lang: "Well, actually the incentive is not to opt out at all, 'cause they get 5 percent of all the money that goes into those machines."

Franks: "No, but if they were going to, they're much better off opting out now."

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Lang: "Well, if there... well, better off how? If they make a public policy determination that they don't want any machines, they would be better off opting out now."

Franks: "That... that's my point. Is there any other businesses that you're aware of that the state provides insurance for? That if the law somehow changes that they would get an extra two years freebie?"

Lang: "The answer is no, but let me add, Representative, that the underpinnings of this whole Video Gaming law is to fund our capital Bill. And so these folks that are buying and installing these machines have become our partners. And we should not have a law that disadvantages our partners."

Franks: "Well, the capital Bill is a totally separate issue as to the video gambling."

Lang: "Well, no, not at all, because the video gaming it pays for about 40 present of the capital Bill."

Franks: "It pays I think... it pays for part of it, there's no doubt. I... I'm going to go to the Bill. The problem with this, as I understand it, the Sponsor is well-intentioned, but the fact is if we were to change the law like Representative Bradley tried to do two years ago, and many of us voted for, getting rid of casinos in the State of Illinois, There was no protection for those casinos if we would've opted out. Now, if someone wanted to pass a Bill to get rid of horseracing for instance, there wouldn't be other protections. What this is, is making the State of Illinois an insurer and guaranteeing profits for a company, that were not in that business of being insurers for private business. Well, there was... yesterday in front of

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the Speaker's Office, there was a gentleman who brought forward a juice machine. And that looked like a really expensive machine, and it was really good for those of you that had a chance to try it. Now, let's assume that that individual wanted to spend some money and put a juice machine out here on the third floor. And let's say he wanted to spend \$10 thousand for that juice machine, but if we would then change the law and say, oh, I'm sorry you can't sell fresh fruit on the third floor it has to be down in the basement and people that aren't going to go use it, that guy could... could've spent ten grand and then get nothing. I don't know why we are choosing which businesses that we would want to insure. This is horrible public policy. I think anyone who wants to get into this business is taking a risk, like any other businessman. If I want to spend money on capital projects in whatever business I have, I'm taking that risk. That's part of business. They get the upside we should not insure the downside. This is bad public policy and I'd ask people to vote 'no'."

Speaker Lyons: "Representative Lang to close."

Lang: "Well, I recognize that Representative Franks is passionate and that's good, Sir, I appreciate that, but the fact is that we've asked people to install these machines for us. Yes, they're making money, yes, the bar owner's making money, everyone's making money. But we asked them to do this for us and they should not be disadvantaged by the action of another local government after they do what we've asked them to do to help us build \$31 billion in our capital program. Please vote 'aye'."

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Speaker Lyons: "The question is, 'Shall the House concur in Senate Amendments #1 and #4 to House Bill 1306?' This is final action. 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? Have all voted who wish? Representative Reis, Nekritz, Hannig, Boland. Mr. Clerk. Take the record, Mr. Clerk. Mr. Lang?"

Lang: "Postponed Consideration, Sir."

Speaker Lyons: "The Gentleman wishes to put this Bill on the Order of Postponed Consideration."

Speaker Mautino: "Mautino in the Chair. Mr. Clerk, Agreed Resolutions."

Clerk Bolin: "Agreed Resolutions. House Resolution 681, offered by Representative Osterman. House Resolution 728, offered by Representative Cross. House Resolution 729, offered by Representative Cole. House Resolution 730, offered by Representative Farnham. House Resolution 731, offered by Representative Osterman. House Resolution 732, offered by Representative Tryon. House Resolution 733, offered by Representative Reboletti. House Resolution 734, offered by Representative Pihos. House Resolution 735, offered by Representative Fortner. House Resolution 737, offered by Representative May. House Resolution 738, offered by Representative Coladipietro. House Resolution 739, offered by Representative Nekritz. House Resolution 741, offered by Representative Ford."

Speaker Mautino: "Mr. Clerk, the Adjournment Resolution. Excuse me. Representative Currie moves the House adopt the

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Agreed Resolutions. All in favor say 'yes'; opposed 'no'. The 'yesses' have it and the Agreed Resolutions are adopted. Mr. Clerk, the Adjournment Resolution."

Clerk Bolin: "House Joint Resolution 79, offered by Representative Currie.

Resolved by the House of Representatives that the 96th General Assembly of the State of Illinois the Senate concurring herein that when the two houses adjourn on Friday, October 30, 2009, the House of Representatives stands adjourned until Monday, January 4, 2010, in Perfunctory Session. And when it adjourns on that day it stands adjourned until Tuesday, January 12, 2010, at 1:00 p.m. or until the call of the Speaker. And the Senate stands adjourned until Tuesday January 12, 2010, at 1:00 p.m. or until the call of the President."

Speaker Mautino: "To the Members of the House, we are not prepared to adjourn at this point. We still have more business to do, just for the record. Mr. Clerk, would you place House Resolution 727 on the board. On the Resolution, Majority Leader Currie."

Currie: "Thank you, Speaker and Members of the House. I'm really sorry about this but Kurt DeWeese has decided to retire, 38 years in Illinois State Government seems to have been enough. But I have to tell you for me it isn't enough. Kurt DeWeese has been our expert on everything health and everything human services, certainly as long as I have been here. Any issue we've tackled, whether it's trying to fashion our welfare program to meet the federal requirements, whether it's how we create FamilyCare,

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whether it's the state Circuit Breaker Program, Kurt knows the ins, he knows the outs and he always gives us the best advice about how we can do good to the extent that we're able politically to make it happen. I was talking at his retirement party the other evening with a health care advocate, an external person and one of my colleagues from the Minority Party and what we all said about Kurt is that he's a one-stop shop. You go to Kurt on anything health, anything human services, and you don't need to go any further. He's the beginning, he's the end of research and he has... always has good ideas and he cares deeply, passionately, about helping people who need help. He understands that that is what State Government is all about. He's been not only a great resource and a great help, but he's a pleasure to work with. I didn't know 'til I saw the invitation to the party that his favorite brew, Old Style, is the same as my brother's, my whole family. He's been just an easy person with a wonderful temperament, a patience for detail and a patience for dealing with all of us as we struggle our way through the intricacies of the Medicaid program, the foster care program, the adoption subsidy program. Kurt you have been a joy; you have been a wonderful resource. We wish you, Diana, Kyle and Marissa the happiest of retirement years and I certainly hope you'll take advantage as some other retired employees have of that little loophole that means you can come back for 75 days every year and give us a helping hand once more in the Spring Session. We wish you well and I hope that we can

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add all the Members of the House to House Resolution 727 and I move for its adoption."

Speaker Mautino: "Congratulations, Mr. DeWeese, on a... on a wonderful service to all the people of the State of Illinois. And on that... the Resolution was adopted yesterday. On that... on the Resolution, Representative Black."

Black: "Thank you very much, Mr. Speaker and Ladies and Gentlemen of the House. Kurt, I think, exemplifies what all staffers on either side of the aisle are all about. They're knowledgeable, they work very hard. They will share information with both sides of the aisle. Every once in a while we tend to forget that that is just an aisle; it's not a fence, it's not a barrier. But I know in my years of service here when I had a question or something I didn't understand Kurt was always very kind, very patient, very willing to work through some very complicated legislation. Was always generous with his time. He's a gentleman. He served the Democrat Caucus well. But he was always a fair and... and compassionate man to the Minority side, the Republican side. It has been a privilege and pleasure to work with you, Sir. I wish you the very best. And just as I've gotten used to Mark O'Brien and that 75-day contract, I know we'll see you back here again before I leave. So, best wishes, God speed and thank you for all of the great work you've done."

Speaker Mautino: "Further discussion on the Resolution. The Lady from Cook, Representative Flowers."

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Flowers: "Thank you, Mr. Speaker. Kurt, I just want to say to you that the people of the State of Illinois is better because you sacrificed your time of yourself as well as your family to make this place a better place for all of us. And it has been my... my privilege and a pleasure to serve with you. And I am grateful to say that I'm glad that I'm not saying good-bye. Thank you very much."

Speaker Mautino: "Further discussion, the Lady from Cook, Representative Feigenholtz."

Feigenholtz: "Thank you, Mr. Speaker. I, too, would like to, although not, I just asked Kurt DeWeese how long he's been here and was 38 years was when we still had three-Member districts in the State of Illinois and this place is a lot more crowded, a lot more rowdy, probably a lot more independent. But I just want to say that Kurt, when I came here very interested in health care and human service issues, you were... you were the go-to guy. I had you on speed dial and I... I think when we all walk out of here today I'm pretty convinced that the dome is just going to implode when Kurt leaves. But I just want to say how much I appreciate that Zen calm of yours, even during the most stressful times and your incredibly encyclopedic knowledge of... of everything health care. Also, I have a special memory of you handing me a piece of legislation you and Currie and I standing around and you had a piece of legislation about stem-cell research. And it was you who I believe shepherded that through to the Governor's Office and for that many of us will be very, very grateful for a long time. Godspeed."

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Speaker Mautino: "The Lady from DuPage, Representative Bellock."

Bellock: "Thank you very much, Mr. Speaker. I just wanted to say that Kurt DeWeese was one of the first people I met when I came here 11 years ago. Walked into the Human Service Committee which I've been there every since. Minority Spokesperson. I want to say thank you for all the time and effort that you have been with us. We always haven't agreed on all the issues. There have been a lot of lively discussions in there with Sara, Mary Flowers, myself and several others and you've always been patient and waited for us to come to our conclusions. But you know more about Human Service than anybody else in the State of Illinois and we thank you for all your dedication and service that you've given to us on both sides of the aisle. So, we wish you all the luck in the world. Thank you."

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

Dugan: "Thank you. And... and I just want to say to Kurt, I had talked to him the other night at the reception that maybe to Frank... Jack Franks's pleasure I had said to Kurt that I may never run another piece of health care legislation since I won't have Kurt there with me, because he certainly has worked very closely with me on a... a huge issue in the state that we were able to get a solution to. So, Kurt, I certainly wish you well and... and... and keep your phone close because I'm sure I will have to do some kind of health care legislation and I'll just call you direct and you can help me through it. So, thank you for all your help."

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Speaker Mautino: "The Lady from Champaign, Representative Jakobsson."

Jakobsson: "Thank you, Mr. Speaker. I've been chair of Human Services for the last few years and Kurt really has been at my right hand and I appreciate that. In the meetings he's been at my right hand and anytime that I called during the week he was just a wealth of information, just like everybody else in here has been saying. I'm certainly going to miss having him, but I've already told him when Human Services meetings are convening that we expect to be able to put our phones on speaker phone. So, I'm sure we're going to call on him even when he isn't anticipating it. We'll... we'll try to, you know, leave him a little time so that he can tend to his family, but we're going to be counting on him a lot just as we have. Thank you, Kurt."

Speaker Mautino: "The Lady from Cook, Representative Mendoza."

Mendoza: "Thank you, Mr. Speaker. I just wanted to add my voice to that of... to the chorus of others who have been thanking Kurt DeWeese for his years of service. You know I'm 37 years old, so when they said that he's been working here for 38 years, it's amazing to me that my entire lifetime Kurt has been dedicated to servicing others here in this great state. Kurt, I want to just say thank you on behalf of the millions of people whose lives you have made better through your sacrifice and your public service. Thank you. You will genuinely be missed. Your institutional knowledge will not be easily replaced, if ever replaced. And I don't know what else to say other

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than thank you and God bless you and best of luck to you as you move on to a better day, I'm sure."

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

Graham: "Thank you, Mr. Speaker. I just want to join all of our other Members in congratulating Kurt and thanking him. I remember talking to him on an issue. Sometimes when you're learning something you can run a whole bunch of stuff together and not know that you're like talking about separate issues. And I remember Kurt being so gentle to tell me, and not really say I wasn't saying the right thing, but he's like, well, look at it this way, it's like this, it's like that. He never said I was wrong. So he said could you say like look at this way. This is the way that you need to look at it. And I want to thank him for just being so gentle with sharing his knowledge and not, you know, not being as hard as he could have been and saying no, it's really going this way. So thanks, Kurt, and I'm going to miss you as well."

Speaker Mautino: "The House has adopted this Resolution yesterday under the Agreed Resolutions. Thank you you're your service to all the people of the State of Illinois, Kurt. Just a notice to the Members, we're waiting for items from the Senate. And so we'll be at ease for a few moments, but we still have plenty of work to do for the day. The Adjournment Resolution has been read. Majority Leader Currie moves adoption of the Adjournment Resolution. All in favor say 'yes'; opposed say 'no'. The 'yesses' have it. The Adjournment Resolution is adopted. The Gentleman from DeKalb."

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Pritchard: "Thank you, Mr. Speaker. Ladies and Gentlemen, we have special guests up in the balcony this afternoon. I have two dozen seventh and eighth graders from the Eswood Elementary School which is up in Ogle County. They came down to see how busy this chamber works and I'm glad to see that they're seeing us at the peak performance. But Eswood School is a elementary feeder school into the Rochelle Community High School. They have done very innovative things in terms of recycling. They also have some solar collectors that help heat their water and they're working on a wind generator to promote electricity. So they're a very green school. They have helped other school districts in the area understand the importance of conservation and I would ask the Body to welcome the Eswood School to the chambers."

Speaker Mautino: "Welcome to the House of Representatives. It's a message to the Members, the House will be at ease 'til the call of the Chair... in recess 'til the call of the Chair. The House will be in order. Majority Leader Currie."

Currie: "Thank you, Speaker. I... I move that we suspend posting requirements so that we could have a subject matter hearing in the Executive Committee on bonding issues that would be contained in House Bill 1188 as amended in the Senate by Senate Amendment 1 and in the Revenue Committee issues of job creation and retention and that would mean the subject matter that's involved in Senate Amendment 3 to House Bill 1526."

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Speaker Mautino: "The Lady is... the Lady has moved to suspend posting requirements. All in favor say 'aye'; opposed 'no'. The 'ayes' have it. Without objection, the posting requirements are suspended. The House will recess 'til the call of the Chair."

Clerk Mahoney: "Attention for an announcement. Human Services Committee will meet at 3:30 in Room 114. Human Services is meeting in Room 114. The Revenue Committee meeting at 3:30 in Room 122B, Revenue in Room 122B. The Executive Committee has been canceled, Executive has been canceled. Again at 3:30, Human Services in Room 114, Revenue in Room 122B. An announcement for the Members. Please, all House Members be advised to return to the House Floor as soon as possible. All House Members please be advised to return to the House Floor."

Speaker Mautino: "The House will come to order. Mr. Clerk."

Clerk Mahoney: "Rules Report. Representative Barbara Flynn Currie, Chairperson from the Committee on Rules, to which the following legislative measures and/or Joint Action Motions were referred, action taken on October 30, 2009, reported the same back with the following recommendations: 'approved for floor consideration' is a Motion to Concur in Senate Amendment #3 to House Bill 1526."

Speaker Mautino: "Representative Bost."

Bost: "Thank you, Mr. Speaker. We need to let the record reflect that Representative Brady, Sacia, Schmitz, Poe and Pritchard are excused for the rest of the day."

Speaker Mautino: "The record will so reflect. The Gentleman from Jackson, Representative Bost."

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Bost: "We also need to add Representative Durkin and I guess, we shou... the Sponsor of the Bill should probably come quickly or you know, we're... we're... losing them fast."

Speaker Mautino: "The record will reflect. On Supplemental Calendar #1 appears House Bill 1526 on a Motion to Concur. Representative Currie."

Currie: "Thank you, Speaker. I... could... could first the record reflect that Representative Ford is excused for the rest of the day. But I'm here to ask support for concurrence in Senate Amendment 3 to House Bill 1526. The... there are two automobile companies in the State of Illinois with active factories, both Ford and Chrysler. Both have agreements with the Department of eco... Commerce and Economic Opportunity to be part of the EDGE tax credit program. The problem for both of these companies is they are not earning enough income to make those credits valuable. What this measure would do would be to say that they could keep, in terms of payment for the tax credit, they could keep the tax withholding of their employees to the level of the tax credit they would be entitled to were they actually earning income. This measure would apply for the remaining years of the terms of their agreement with the Department of Commerce and Economic Opportunity. They would continue to have to meet the job retention goals that were part of the reason they got the EDGE credit in the first place. So, I would be happy to have your support for the adoption of this concurrence Motion."

Speaker Mautino: "The Lady moves that the House do concur in Senate Amendment #3 to House Bill 1526. No one seeking...

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Representative Reis, the Gentleman from Jasper is seeking recognition."

Reis: "Thank you, Mr. Speaker. A real quick question of the Sponsor."

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

Reis: "Leader Currie, now normally on these EDGE tax credits they get those deductions at the end of the fiscal year and this would just speed that along?"

Currie: "This would be done along the course of the year and what would happen was that they would be able to take the withholding tax that they collect for the State Department of Revenue from their employees and they would be able to keep that in lieu of the tax credit they can't take advantage of because they don't have enough income."

Reis: "Okay. Well, I think I've talked to you about a similar Bill like this for all companies. And I'd love to work with you on making that available for all companies, because it is a very valuable tool especially for first year start-ups. So, thank you."

Speaker Mautino: "The question is, 'Shall the House concur in Senate Amendment #3 to House Bill 1526?' This is final action. All those in favor signify by voting 'aye'; opposed vote 'no'. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Representative Boland, Osterman, Sente, do you wish to be recorded? Mr. Clerk. Mr. Clerk, take the record. 105 voting 'yes', 0 voting 'no', 0 voting 'present', the House does concur in Senate Amendment 3 to House Bill 1526. And this Bill, having received the Constitutional Majority, is

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hereby declared passed. On Supplemental Calendar #1 appears House Bill 542 on a Motion to Concur with Senate Amendment 3. Representative Reitz."

Reitz: "Thank you, Mr. Speaker. I would ask the Body to concur with Senate Amendment #3. This amends the Public Aid Code and the Excellent in Academic Medicine Act in relation to the hospital assessment program. It permits accelerated quarterly hospital payments on a schedule that'll qualify..

Speaker Mautino: "Representative Reitz..."

Reitz: "... any medi... Oh, I'm sorry."

Speaker Mautino: "...could you hold for a moment, Sir? Clerk."

Clerk Mahoney: "The Committee Report. Representative Jakobsson, the Chairperson on Human Services, reports a Motion to Concur in Senate Amendment #3 to House Bill 542, 'recommends be adopted'."

Speaker Mautino: "Representative Reitz on House Bill 542."

Reitz: "They say it's a good Bill, do pass. Could I get a do pass Motion? This will set up the accelerated progr... quarterly hospital payments on a schedule for Medicaid payments, to be enhanced at 62 percent rather than the 50 percent rate. It also requires a payment of approximately \$155 million for a one-time supplemental hospital Medicaid stimulus payment under the new Healthcare Provider Relief Fund that was passed earlier by Leader Curly... Currie in Senate Bill 1265. These payments are distributed under current formulas and it will benefit all hospitals so they accept Medicaid payments. It will also help every Medicaid provider. The intent is to bring additional dollars in through Medicaid and access the stimulus dollars that we

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can. It should help reduce the payment cycle for all providers and allows us to capture... with the stimulus rules it allows us to capture additional federal Medicaid dollars. And I appreciate your support to bring hopefully hundreds of millions of dollars into the State of Illinois through this program."

Speaker Mautino: "The Gentleman moves that the House shall concur in Senate Amendment 3 to House Bill 542. And on that question, the Gentleman from Crawford, Representative Eddy."

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

Speaker Mautino: "He indicates that he will."

Eddy: "Representative, I think... I just want to make sure. Our analysis basically says that we're going to accelerate payments that were due... that would be due in the second half of FY11 into the first half. Is that right?"

Reitz: "I did. Well, you... I thought you... I'm sorry. Excuse me?"

Eddy: "Yeah. So, basically we're going to accelerate payments that would be due in the second half of FY11 into the first half of FY11 in order to earn a federal match at 62 percent instead of the traditional 50 percent match?"

Reitz: "Correct. That's correct."

Eddy: "Okay. Which results in additional money, the 12 percent acceleration. Would... would... would this not be eligible for 62 percent funding if we received it in the second half of FY11?"

Reitz: "Yeah. It depends on the timing of... of when those claims are submitted, when they're made and... and what is

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eligible for that, what period they're made in. And... and the intent of this is to try and go back and actually capture some of them, some of the programs for past payments and then accelerate with the quarterly payments some of the hospital assessment programs we could capture more federal dollars under the 62 percent instead of the 50."

Eddy: "Well, yeah, I... I think it probably will net an additional \$90 million and everybody knows we could use an additional \$90 million. So, the second part of the question has to do with the second half of FY11. What happens with the funding that has been accelerated? Is that how... how's that replaced? We... we're moving it into the first half of FY11. Are... are we... What replaces that since... since..."

Reitz: "The advanced match will go away at the end of this year and... and we're... this program will be in place and if they... it's up to Congress if they extend the program, then we'll continue to receive that at that rate."

Eddy: "Okay. If they... I know we want to take advantage of the 62 percent rate. It may not be there the second half of the year, but what about the payments themselves that we're accelerating into the first half of the year? Are those replaced by another set of payments or is that just a hole, a cliff?"

Reitz: "It's... it's, oh... it will be a one-time payment. So, it'll essentially will pay down the old bills that we... we have. So, the intent is to try and capture as many and pay

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down as many of those bills as we can before the end of the year."

Eddy: "Okay. So, basically, the money will all come, but it's up front."

Reitz: "Yes."

Eddy: "The money will all come up front."

Reitz: "Correct."

Eddy: "Instead of... Okay. It's acceleration..."

Reitz: "Correct."

Eddy: "...so that... so that... that's just in the same fiscal year, all coming up front to take advantage."

Reitz: "Yes."

Eddy: "Thank you. I appreciate that."

Speaker Mautino: "Further discussion, the Lady from DuPage, Representative Bellock."

Bellock: "Thank you very much, Mr. Speaker. Will the Sponsor yield? I just wanted to clarify it so that everybody understood with that FamilyCare that that was the money that came from the lawsuit. But during that time period we were not allowed to get the federal match on that money. That's correct, right?"

Reitz: "That... that's the money that was included in the... the 'bimp' Bill that was there."

Bellock: "Right."

Reitz: "This is a separate... yeah, separate dollars."

Bellock: "Right. But that's where we're getting that money from, so that everybody understands. Part of it anyways."

Reitz: "Some of it, correct."

Bellock: "Right."

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Reitz: "Correct."

Bellock: "So in total, then by going forward in 2011 and getting the FMAP enhanced that will also go into it."

Reitz: "Yes."

Bellock: "Correct? So, to the Bill. I think this is one of the best things that we've seen all year here, regarding getting money to pay down our Medicaid bills and bringing in maybe close to a billion dollars worth of money. Thank you."

Speaker Mautino: "The Lady from Cook, Representative Mulligan is our final speaker."

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

Speaker Mautino: "He indicates he will."

Mulligan: "I think most the questions have been answered. My understanding was that they could pay... this will end up in two different budget years, money in two different budget years. Some money this year and some money for FY11 that would be included in the budget and that the hospital payments for the second half of FY11 would be made in the half so that we could collect the money before the end of the stimulus program in case it's not continued."

Reitz: "In this Bill, the stimulus payments that are in here will all be made this year. And the rest of it could be..."

Mulligan: "Will be passed next year?"

Reitz: "...other... well, other money that's come in would be in next year's budget."

Mulligan: "Okay. So, and that money's going to go into a special fund that can't be swept."

Reitz: "Sure."

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Mulligan: "Right and the... good coaching, sure and..."

Reitz: "I won't sweep any I'll gua..."

Mulligan: "All right. You won't sweep it, I know. And then the fline... they want to get on the plane. I would pass this Bill."

Speaker Mautino: "The question is, 'Shall the House concur in Senate Amendment 3 to House Bill 542?' This is final action. All those in favor signify by voting 'aye'; opposed vote 'nay'. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Representative Froehlich, Representative Yarbrough, do you wish to be recorded on this Bill? Mr. Clerk. Mr. Clerk, take the record. On this question, there are 106 voting 'yes', 0 voting 'no' and 0 voting 'present'. The House does concur in Senate Amendment 3 to House Bill 542. This Bill, having received the Constitutional Majority, is hereby declared passed. The Clerk."

Clerk Mahoney: "Attention Members. The House Calendar for the spring Session is being distributed to your desk. But the House Calendar is being distributed at your desk. Another announcement for the Members. The laptop computers will be... please leave your laptop computers at your desk. There are additional copies up here. They will be collected by Legislative Information Systems at the end of Session today. Thank you."

Speaker Mautino: "Mr. Clerk, what is the status of House Bill 1306?"

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Clerk Mahoney: "House Bill 1306 was on the Order of Concurrences, is now on the Order of Postponed Consideration."

Speaker Mautino: "And now the House parliamentary for a clarification of the record."

Parliamentarian Ellis: "Thank you, Mr. Speaker. On behalf of the Speaker, House Bill 1306 failed to receive the requisite number of votes for passage on the Order of Concurrence. At the request of the Sponsor, the Bill was placed on Postponed Consideration. However, consideration cannot be postponed for a concurrence Motion; therefore, the Motion should be declared failed. Those Motions are renewable and House Bill 1306 should be returned to the Order of Concurrence."

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

Franks: "Thank you, Mr. Speaker. I just wanted to thank everyone for their hard work this week. I know we're about ready to leave and people are anxious to go, as we all are. But I just want to remind folks that our work is far from finished and that just this week, the Governor talked about borrowing another \$900 million in proposed borrowing. We have over \$3 billion of bills that are unpaid. We just learned this week that the state is going to stop reimbursing for veterans for schools. He's going to tell the universities they're going to have to fend for themselves. We are... we have real problems that were not addressed during this two-week Veto Session. The 800 pound gorilla in this chamber is the budget, which has not been

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addressed. The problems... folks, the day of reckoning is very near. We really are on the brink of a man-made fiscal disaster. We need to be prepared when we come back here in January to tackle these problems immediately. That's what's expected of us, that's what we should've been doing these last two weeks. I know we did important things, recently, but we haven't gone nearly far enough. I don't want anyone to think that our work is done. And understand, when we come back here, it's going to be a very difficult time. We're going to all need to work together to come up with the solutions. Because if we don't work together, I tell you, we're going to have real problems."

Speaker Mautino: "The Gentleman from Knox, Representative Moffitt is seeking recognition."

Moffitt: "If we're fini... between Bills then, an inquiry of the Chair, if that'd be in order."

Speaker Mautino: "Certainly."

Moffitt: "On this Calendar that was handed out, just a question. For... for May, on May 7, it says adjournment. Session and then deadline for Third Reading and adjournment. And yet, there are Session days on... beyond that. What is the targeted adjournment? I assume it's nearer the end and not May 7."

Speaker Mautino: "The targeted adjournment date is May 7."

Moffitt: "And what are the other Session days mean, then?"

Speaker Mautino: "The targeted date is May 7. However, Members should be available for further dates if necessary, but our targeted date is the 7."

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Moffitt: "Same date as the deadline for Third Reading of Senate Bills is the..."

Speaker Mautino: "That is correct."

Moffitt: "Thank you for that illumination."

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

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

Speaker Mautino: "Yes, Sir."

Black: "Ladies and Gentlemen of the House, we have taken no action on Senate Bill 2090, 2090. My inquiry of the Chair is if we do not take final action on Senate Bill 2090 it's my understanding then that the FY10 cost of living increase to Legislators and other elected officials takes effect. Now, I don't want to go home and explain that. What... what's... what's the Chair's intent? Are we going to deal with Senate Bill 2090 or are we just going to pretend that it went away? It would also mean the Compensation Review Board stays in effect. I mean, some of you have already sent out your press releases. Now, if you want to be consistent fine, if you don't that's fine, too. But I just want a ruling from the Chair as to what the intent of this Body is on Senate Bill 2090 that many of you have already sent out press releases saying we stopped the raise, it was the least we could do. We did away with the Compensation Review Board dada, dada, dada, da. In fact, it doesn't look like we've done anything."

Speaker Mautino: "Mr. Black, it's the Chair's intent to recognize Representative Lang on a Motion."

Black: "Oh, is he the... is he new..."

Speaker Mautino: "On Senate Bill 2090."

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Black: "Yes. Is... so, he's the new Sponsor? He's here isn't he?"

Speaker Mautino: "Yes, he is. There he is right there."

Black: "Oh, I see him. Okay. Fine. Outstanding, I'm... I'm glad I could help."

Speaker Mautino: "On page 6 of the Calendar appears Senate Bill 2090. Representative Lang with a Motion."

Lang: "Thank you, Mr. Speaker, Ladies and Gentlemen. And thank you, Representative Black, for bringing this to our attention. I move to override the Governor's Amendatory Veto to Senate Bill 2090 and ask your support."

Speaker Mautino: "Mr. Black."

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

Speaker Mautino: "Yes, Sir."

Black: "What... what action did the Senate take on this Bill?"

Speaker Mautino: "Mr. Clerk."

Clerk Mahoney: "The Senate overrode the Amendatory Veto of the Governor on October 15, 2009."

Black: "Well, I tell you the Senate does things a lot faster than they used to. So, the Motion before us is to... I'm sorry, Mr. Clerk, tell me again what the Senate did? I apologize."

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

Clerk Mahoney: "The Senate overrode the Amendatory Veto of the Governor."

Black: "Overrode. Okay. I... I... I'm sorry. I thought you said accepted. All right. So then, the... the House would have to follow suit. Okay. I'll how do you want me to proceed? Ask a question or... All right."

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Speaker Mautino: "The Gentleman from Vermilion, you're free to ask questions of the Sponsor."

Black: "Thank you very much. Representative Lang, it appears to me we have two choices. We can accept the Governor's Amendatory Veto, which you have already moved. Which as I..."

Lang: "Excuse me, Mr. Black..."

Black: "Yes."

Lang: "...I moved to override the Amendatory Veto."

Black: "I'm sorry."

Lang: "We can no longer accept the Amendatory Veto."

Black: "That's right. So you're overriding the gubernatorial Amendatory Veto, which simply denies the COLA for FY10. It does not eliminate the COLA in perpetuity, as I understand it."

Lang: "Well, I think you have it in reverse. The Governor... the Governor eliminated it in perpetuity. The Bill would eliminate it for FY10."

Black: "So, what we're doing then is to eliminate FY010... FY10."

Lang: "On... on the COLA, that's correct, Sir."

Black: "All right. And... and the Amendatory Veto would then let the Compensation Review Board still remain constituted after fiscal '10?"

Lang: "No. The Bill as originally drafted would eliminate the Compensation Review board, Sir. And all future raises by the... that the General Assembly would receive would have to be by an 'affirmative' vote of the General Assembly."

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Black: "Well, I know some of us that was our intent, but I think our intent has been thwarted by the clever use of an Amendatory Veto."

Lang: "Well, except that's why... that's what this Motion's all about, Sir. So, if we... if we pass this Motion, we'll be back to our original Bill that I think we all voted for."

Black: "It was unanimous. Thank you very much, Representative Lang, and thank you, Mr. Speaker. To my colleagues who were upset with me, I apologize. But you... you... we can't do this. The... the process to me is extremely important. You can't get out of here and let a Bill like this not be acted on. I know some of you want the raise. I know some of you need the raise. And... and heaven forbid, there are some who may even deserve the raise. But as a Body we don't deserve a raise. Vote 'aye'."

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

Eddy: "Thank you. Would the Sponsor yield? He said no, I guess that's it. No I... Repre... Representative, I think the Governor's Veto message on this was that he felt that the COLA should be eliminated... that the automatic COLA should be eliminated forever. Correct?"

Lang: "That's what I said, Sir."

Eddy: "Okay. So, if we vote to override his Veto, we're saying we don't think it should be vote... eliminated forever we... we think it should just be done for the fiscal year that the original Bill eliminated that... that COLA for."

Lang: "That was the Bill we passed, Sir."

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Eddy: "Okay. But his suggestion that this should... this process which provides for automatic cost-of-living increases should... if it's good to... to do away with it now, let's just do away with it."

Lang: "Well, that's what he proposed, but Sir, just as the Bill that we passed would say that we should act on our salary increases in... by an 'affirmative' vote, we should also determine our COLAs moving forward."

Eddy: "But the... the process that's in place that allows for cost-of-living increases would have to be annually then acted upon to eliminate those. Where the Governor's Amendatory Veto would make that process automatic and we would have to come back and affirmatively act on any increase. So... so, his point was, and I think a lot of folks agreed with it, if it's... it's... if it's good to do in FY10, then it's good public policy, let's require affirmative action on that. That..."

Lang: "Rep... Representative, whether you're right or wrong, it's no longer an option. The Senate overrode the Amendatory Veto. We can no longer accept the Amendatory Veto. So we can either override it, or leave here and do nothing. In which case, we'll get all our raises, we won't have to take furlough days, we'll get our nice COLAs and we can go home. So, we can... so, we're either going to override the Veto or we're going to leave here having made a little more money than we anticipated making. I, for one, think we ought to vote 'yes'."

Eddy: "Representative, I... I think the furloughs were the subject of a different Bill. I... I'm not sure the furlough

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days are germane to this Bill. I... I understand what you're saying. Part of our options are limited because of the action in the Senate. And... and... and I understand that part of this. So, what you're saying is the action on this, if we do not override that Veto then we'll have done nothing because of the action of the Senate and the..."

Lang: "That's correct, Sir. The only options now are to override the Veto or to do nothing."

Eddy: "Thank you. I appreciate that. I... I don't like and I... I echo Representative Black's comments when... when we're talking about a state that... that has an unemployment rate of over 10 percent, that we are not able to pay providers for health care, that school districts have not received mandated categorical payments to last... to... for... for this to be something we're taking up at this point seems to be, I think, insulting to the people of the state who expected something like this to... to have been discussed long before other issues that probably aren't as important to them. They're... they're watching this of type of stuff. I understand where we are with it. The Senate left us very few choices. But I... but I... I think this is a... the process itself is messed up, if we're dealing with this right now. Thank you."

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

Dunkin: "Thank you, Mr. Speaker. To the Bill. You know, I think this issue... we talk about money issues, yes, we have problems here at the state. One of my colleagues suggested that this is a soft issue for us. This issue is easy

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because, you know, it sells well back at home, as well. But the real issue in this state other than just making politicians, even if you reflect back on the Bill yesterday with the ethics reform, it's almost becoming a sin or just a self indictment to be a politician today. We're constantly making ourselves out, I guess, because the media says it, that we're almost the bad guys. That us politicians are down here somehow gouging the public for the simple cost-of-living adu... of... adjustment. It's to my recollection that if we don't want ev... to even take any of our... a penny of our salary, that we don't even have to take any of our salary. I wonder how many Members here in this chamber would do that. I wonder how many Members here in this chamber would turn down their per diem. We have the option to do that. Let's take advantage of that and the other advantage that we have is every year we can vote down our pay raise. So, I'm going to ask for a verification on this vote. I'm also going to find out exact, Mr. Speaker, I'm also going to ask or encourage us to not take, not just a cost-of-living adjustment, but for a lot of us, I think some of us that we have is if we are really concerned about some of the issues that were pointed out here to not take a salary or to maybe take a dollar a year. So, let's stop condemning elected officials who work hard, whose... in some cases some of the things that we do here is more expensive than the average worker. A lot of sacrifice, et cetera."

Speaker Mautino: "Representative Lang moves that House Bill, excuse me. Representative Lang now moves that Senate Bill 2090 do pass, notwithstanding the Veto of the Governor.

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Motion to override the Amendatory Veto. Representative Lang now moves that House Bill... Senate Bill 2090 do pass, notwithstanding the Amendatory Veto of the Governor. 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. 87 voting 'yes', 0 voting 'no', 3 voting 'present'. The Gentleman has requested a verification. Representative Dunkin, do you persist in your verification? The Gentleman has withdrawn his request for a verification. The Motion having received Supermajority, Senate Bill 2090 is hereby declared passed, notwithstanding the Amendatory Veto of the Governor. The Gentleman from Lake, Representative Sullivan is seeking recognition. Out of the record. Leader Lang moves that the House stand adjourned in accordance with the Adjournment Resolution previously adopted. All in favor say 'aye'; opposed 'no'. The 'ayes' have it. And the House of Representatives stands adjourned until Tuesday, January 12, 2010, at 10:00 p.m. or, excuse me, at 1:00 p.m. or until the call of the Speaker."