

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

93rd Legislative Day

2/4/2010

Speaker Mautino: "The hour of 12:00 having arrived, Members and guests are asked to refrain from starting their laptops, turn off all cell phones and pagers and rise for the invocation and the Pledge of Allegiance. We shall be led in prayer today by Reverend Vivian Clarington, who is with St. Peter's AME in Decatur, Illinois. Reverend Clarington is the guest of Representative Flider."

Reverend Clarington: "Let us bow our heads. Eternal and everlasting God, it's on this set aside day that we've come together that we might bind our hearts and minds in union for the good of the people. Father God, we come that we might give You thanks for this august Body. We're praise, You, for those that are serving under Your hand. We thank You, Father God, for the legislation that has come out of this group and we pray, God, that everything has been through Your divine guidance. Now, God, we ask that Your spirit will continue to encompass each of us. Help those that are in Leadership to remain steadfast and unmovable. And we pray, God, that when the day's work is done, that You will get all praise, that You, God, will get all glory and honor. We love You, Lord. This is our prayer in Jesus' name and for His sake, Amen."

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

Farnham - 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."

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

93rd Legislative Day

2/4/2010

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

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

Speaker Mautino: "Majority Leader Currie."

Currie: "Thank you, Speaker. Let the... Please let the record reflect the excused absences of Representatives Acevedo, Berrios, Brosnahan, Burke, Burns, Dugan, Golar, Graham, Joyce, Osterman, Soto, and Yarbrough."

Speaker Mautino: "Mr. Clerk, take the record. 103 Members answering 'present', a quorum is present and the House is prepared to do its... do its business. Mr. Clerk."

Clerk Mahoney: "Committee Reports. Representative Colvin, Chairperson from the Committee on Consumer Protection reports the following committee action taken on February 04, 2010: 'do pass Short Debate' is House Bill 4698 and House Bill 4722. Representative Froehlich, Chairperson from the Committee on Cities & Villages reports the following committee action taken on February 04, 2010: 'do pass Short Debate' is Senate Bill 2190. Representative Rita, Chairperson from the Committee on Business & Occupational Licenses reports the following committee action taken on February 04, 2010: 'do pass as amended Short Debate' is House Bill 4854. Representative D'Amico, Chairperson from the Committee on Vehicles & Safety reports the following committee action taken on February 04, 2010: 'do pass as amended Short Debate' is House Bill 4673. Resolutions referred to the House Committee on Rules is House Resolution 876, offered by Representative Bellock."

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

93rd Legislative Day

2/4/2010

Speaker Mautino: "Mr. Clerk, read the Adjournment Resolution."

Clerk Mahoney: "HR... HJR91, offered by Representative Currie.

RESOLVED, BY THE HOUSE OF REPRESENTATIVES OF THE NINETY-SIXTH GENERAL ASSEMBLY OF THE STATE OF ILLINOIS, THE SENATE CONCURRING HEREIN, that when the House of Representatives adjourns on Thursday, February 04, 2010, it stands adjourned until Friday, February 05, 2010, in perfunctory session; and when it adjourns on that day, it stands adjourned until Tuesday, February 09, 2010, at 12:00 noon, or until the call of the Speaker."

Speaker Mautino: "Representative Currie moves adoption of the Adjournment Resolution. All in favor say 'yes'; opposed 'no'. The 'yesses' have it. And the Resolution is adopted. Mr. Clerk, please read the Agreed Resolutions."

Clerk Mahoney: "On the Order of Agreed Resolutions is House Resolution 875, offered by Representative Reboletti. And House Resolution 877, offered by Representative Bellock."

Speaker Mautino: "Representative Currie moves adoption of the Agreed Resolutions. All in favor say 'yes'; opposed 'no'. The 'yesses' have it. Agreed Resolutions are adopted. It's the intention of the Chair to go to Second Readings. And for those... so, for those Members who have Bills on Second Reading, we'll be on that Order. And beginning on page 2, Mr. Clerk, House Bill 2516. Representative Franks."

Clerk Mahoney: "House Bill 2516, a Bill for an Act concerning counties has been read a second time, previously. Amendment #1 was adopted in committee. Floor Amendment #2, offered by Representative Franks, has been approved for consideration."

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

93rd Legislative Day

2/4/2010

Speaker Mautino: "Representative Franks on Floor Amendment #2 to House Bill 2516."

Franks: "I believe this was a minor technical matter that was popped right to the floor. I'd be happy to answer the questions, but I don't... I think it was just technical."

Speaker Mautino: "The Gentleman has moved adoption of Floor Amendment #2 to House Bill 2516. And on that, the Gentleman from Vermilion, Representative Black."

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

Speaker Mautino: "Indicates that he will."

Black: "Representative, I didn't hear you. I thought you said this was a technical Amendment and in fact, Floor Amendment #2 is a rewrite."

Franks: "Yeah. I just found..."

Black: "It becomes the Bill, correct?"

Franks: "Correct. I think what we did we just changed one thing. Even though it's a gut and replace, it was a minor technical change on what we were doing. It was clarifying some language."

Black: "What... How is this Bill limited? Is it any county or specified counties be able to opt out of a mass transit district?"

Franks: "Well, it's not opting out of the mass transit district. What this would do is a county may opt out only of the portion of the RTA. So, it'd just be those counties that deal with RTA. Just the additional tax increase that we did last year that's for projects specifically within the county. And the genesis is oftentimes we don't have mechanisms for government to stop levying when they no

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

93rd Legislative Day

2/4/2010

longer need the funds or don't want the funds. And one example we could use would be like if we had a TB sanitarium that wouldn't be necessary to continue to tax for that. So, if a county ever, in its wisdom, wants to stop levying additional taxes on its citizens, it would have a mechanism to do so. It just... and then it would... would only be for things within the county what that tax was used for. I just wanted to... We always seem here in Springfield to find ways to tax counties, but we never give them an opportunity to stop if they so choose."

Black: "All right. I assume if they were able to... Well, I know, I'm not going to assume anything. How do you... how do they opt out of... of the..."

Franks: "Well, this..."

Black: "...from the portion of the tax?"

Franks: "Well, this one was..."

Black: "By resolution of the county board or by referenda. How... how... who makes that decision?"

Franks: "It would be... it would be by the county board. And this... and the reason this Bill came... And this is the first time that I know and maybe you have more institutional memory on this, but this is the first time that I'm aware that a county ever had a tax imposed on them without any say. This is one where additional sales tax are done with the county and at least, my county never even asked for it. So, I presume they want those funds because I think they're using them, but that may change sometime and that's why I just want them to have that ability, if they ever choose to in..."

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

93rd Legislative Day

2/4/2010

Black: "Okay."

Franks: "...in the future to get out and they would be able to do so by a resolution of the county board."

Black: "Then I would assume that if you opt out of a portion of a tax for mass transit, you could not reasonably then expect to get enhanced service, could you?"

Franks: "No. This would just be for additional projects, because what we did I think when we raised the taxes... we raised the sales tax... and they were able to use..."

Black: "Additional projects, for example, if it's rail..."

Franks: "No..."

Black: "...the rail line wouldn't go through or..."

Franks: "No, not at all. We're talking about additional projects, 'cause they'd have extra money. So, let's, for instance, they bought, I don't know, some piece of equipment or something. It would only be for things within the county that would be at their discretion. It would not be part of the RTA."

Black: "Okay."

Franks: "It would be additional things they may wish to purchase."

Black: "It's... it's my understanding from staff, correct me if I'm wrong, that you had an agreement with the City of Chicago to further amend the Bill."

Franks: "I'm sorry."

Black: "It should be Floor Amendment #3. I think the city wanted you to clarify that the Bill will not apply to any other tax than the mass transit portion."

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

93rd Legislative Day

2/4/2010

Franks: "I think that's clear in this Amendment. That's why we had to do the gut and replace. That's what I was talk..."

Black: "Okay. All right."

Franks: "That was certainly the intent, but I think they had a question and that's why we... we had to draft it that way."

Black: "All right. Thank you very much."

Speaker Mautino: "No Members seeking further recognition, the... shall we adopt... the House shall adopt Floor Amendment #2. All in favor say 'yes'; opposed 'no'. In the opinion of the Chair, the 'yesses' have it. And the Amendment is adopted. Third Reading. Representative Verschoore. On page 2 of the Calendar appears House Bill 3659. Read the Bill."

Clerk Mahoney: "House Bill 3659, a Bill for an Act concerning revenue has been read a second time, previously. No Amendments. No Motions filed."

Speaker Mautino: "Third Reading. On page 2 of the Calendar appears House Bill 3762, Representative Walker. This Bill has been read a second time. Mr. Clerk, read the Bill."

Clerk Mahoney: "House Bill 3762, a Bill for an Act concerning civil law has been read a second time, previously. No Amendments. No Motions filed."

Speaker Mautino: "Third Reading. Okay. Representative Riley. Calendar page 2... Out of the record. The Gentleman from Bond, Representative Stephens is seeking recognition."

Stephens: "Thank you, Mr. Speaker. If I could have the Body's attention. I have a very important announcement to make and I would... Thank you, thank you, Mr. Representative Black."

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

93rd Legislative Day

2/4/2010

Speaker Mautino: "Please give the Gentleman your attention."

Stephens: "It recently came to my attention that one of our colleagues has become a newly published author and when I saw the title of the book, I was just... I was so excited because just on Tuesday one of his constituents was nominated to become the Lieutenant Governor of the state and I thought when I read the title of the book, Hope From the Heartland, I thought surely this is about Jason Plummer, the next Lieutenant Governor of the State of Illinois. But Jay Hoffman, whose constituent I'm referring to, has written and been published, Hope From the Heartland, jobs, clean air, energy security and I wanted to rise and congratulate him on his book. I read it last evening and I was... I was pleased to see that he's contacted many local experts: Georgia Costello from Southwestern Illinois College. He also... he, you know, seeking her input on how we can retrain people and such as that to... for these new green jobs that are coming. He also contacted Skip Saviano on how to... a smoke-free workplace. He... and I understand, Representative, I'll stand corrected, but I know that you called Speaker Madigan in his Chicago office and asked for his input and after asking him several questions, is it true or not, that his response was, do I know you? But seriously, Jay is now a published author. I would ask everyone to get a copy. The proceeds from this book will go to... to support one of our local area colleges of South... not Southwestern but the other one in our area. And... and obviously, Jay's commitment to education, his commitment to jobs, clean air and energy security are

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

93rd Legislative Day

2/4/2010

really nothing to joke about. Representative, congratulations."

Speaker Mautino: "Congratulations, Jay. Mr. Clerk, House.. place House Bill 3762 on the board. Return that Bill to Second Reading. The Lady from Lake, Representative May is seeking recognition."

May: "Yes. Thank you, Speaker. I, too, wanted to add my congratulations to Representative Hoffman and I was so surprised and shocked and pleased that we're going to give him an honorary membership in the Green Caucus now. It was really quite a book. I have my autographed copy. Chapter six was really amazing, Jay. You've just done an excellent job and everyone in the Green Caucus welcomes you and in case people don't know, Representative Hoffman and I were born at the same hospital. I think they dropped one of us on our head, but we won't say which one. But I'm pleased that we were born at St. Joseph's in Highland, Illinois. Yeah. Okay. No. I think that I was the one who was dropped at birth. Jay, you've done a fabulous job here on this book. We're all proud of you."

Speaker Mautino: "Page 2 of the Calendar appears House Bill 4738, Representative Sente. Mr... Mr. Clerk... Representative Sente. Read the Bill."

Clerk Mahoney: "House Bill 4738, a Bill for an Act concerning criminal law. Second Reading of this House Bill. Amendment #1 was adopted in committee. No Floor Amendments. No Motions filed."

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

93rd Legislative Day

2/4/2010

Speaker Mautino: "Third Reading. House Bill 4765, Representative Franks. Out of the record. Representative Lang on 4776. Read the Bill."

Clerk Mahoney: "House Bill 4776, a Bill for an Act concerning criminal law. Second Reading of this House Bill. No Amendments. No Motions filed."

Speaker Mautino: "Third Reading. Representative Will Davis for an announcement."

Davis, W.: "Thank you very much, Mr. Speaker. As many of you know, I am the joint chairman of the Illinois Legislative Black Caucus and as... what we do every year beginning February 1, we begin the celebration of Black History Month. And so, I'd like to encourage you to continue the celebration along with the Legislative Black Caucus this month and to let you know that beginning on our next Session day next week, one Member of the Black Caucus will stand up and acknowledge a person in Black History whom they admire or someone that has done something significant as it relates to the advancement of African Americans here in the State of Illinois. So, be looking out for that, every day that we're in Session throughout the month of February. And then just to give you a heads up so you can put it on your schedule, every year the Legislative Black Caucus sponsors its annual soiree soul food dinner. Of course, we invite all of you to attend. That dinner will be on February 16, at the Governor's Mansion. We encourage you to put that on your calendars and we will send out additional information for you, as well. And we certainly hope that you can join us, not only on February 16, but

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

93rd Legislative Day

2/4/2010

throughout the entire month of February as we stand together and celebrate Black History Month. Thank you very much."

Speaker Mautino: "Representative Osmond."

Osmond: "Thank you, Mr. Speaker. The Republicans will caucus immediately upon adjournment in Room 118."

Speaker Mautino: "Members are encouraged to file their Bills, keep an eye on our deadlines and forward your requests to Tim Mapes. And now, allowing perfunctory time for the Clerk, the House will stand adjourned until Tuesday, February 9 at 12 noon. All in favor say 'yes'; opposed 'no'. The 'yesses' have it. And the House does stand adjourned."