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Speaker Madigan: "The House shall come to order. The Members shall be in their chairs. We ask the Members and the guests in the gallery to turn off laptop computers, cell phones and pagers, and we ask the guests in the gallery to rise and join us for the invocation and the Pledge of Allegiance. We shall be led in prayer today by Lee Crawford, pastor of the Cathedral of Praise Christian Center in Springfield."

Pastor Crawford: "Let us pray. Almighty and most gracious God, our heavenly creator, who has dominion over life and death, I pray this day, God, Your blessings up over this august assembly over their deliberations this day. I pray, God, that as they hear the cry of so many voices, I pray today that they would only hear Your voice and hear Your voice clear. I pray, Father, that You would grant them the grace to go forth in peace, grant them to go forth in courage, grant them to hold fast of that which is good, rendering to no one evil for evil. I pray that You would help them to be of a great strength to those who are faint in heart, help them to be of great strength to those who are weakened. I pray that You would help them to help those who are the afflicted. I pray that You would give them the grace and the strength to honor all people in love and in serving them in the same love, compassion, and spirit in which You have so loved us. This we pray in Your Son's name, Amen."

Speaker Madigan: "We shall be led in the Pledge of Allegiance by Representative Monique Davis."

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

Speaker Madigan: "Roll Call for Attendance. Mr. Mautino."

Mautino: "The excused absences on the Democratic side: Representative Feigenholtz, Graham, Hamos, Turner, and Washington."

Speaker Madigan: "Mr. Bost."

Bost: "Thank you, Mr. Speaker. Let the record reflect that Representatives Coladipietro, Fortner, Pritchard, Ramey, Schmitz, and Mulligan are excused on the Republican side of the aisle today."

Speaker Madigan: "Mr. Mautino."

Mautino: "Mr. Speaker, please add Representative Mell to the list of excused on the Democratic side."

Speaker Madigan: "The clerk shall take the record. There being 103 Members present... there being 103 people responding to the Attendance Roll Call, there is a quorum present. Mr. Clerk."

Clerk Mahoney: "Rules Report. Representative Currie, Chairperson from the Committee on Rules reports the following legislative action taken on May (sic-March) 22, 2010 reports out of committee: approved for floor consideration, recommends be adopted is Amendment #3 to House Bill 2490, Amendment #1 to House Bill 4663, Amendment #2 to House Bill 4674, Amendment #1 to House Bill 5044, Amendment #2 to House Bill 5053, Amendment #2 to House Bill 5147, Amendment #2 to House Bill 5180, Amendment #1 to

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House Bill 5197, Amendment #2 to House Bill 5289, Amendment #1 to House Bill 5381, Amendment #1 to House Bill 5402, Amendment #1 to House Bill 5407, Amendment #2 to House Bill 5430, Amendment #2 to House Bill 5448, Amendment #1 to House Bill 5515, Amendment #2 to House Bill 5527, Amendment #2 to House Bill 5772, Amendment #2 to House Bill 5838, Amendment #2 to House Bill 5951, Amendment #1 to House Bill 5966, Amendment #2 to House Bill 6041, Amendment #1 to House Bill 6061, Amendment #2 to House Bill 6080, Amendment #2 to House Bill 6092, Amendment #2 to House Bill 6088, Amendment #2 to House Bill 6315, and Amendment #1 to House Joint Resolution 97. Referred to the House Committee on Rules is House Resolution 1037, offered by Representative Mathias."

Speaker Madigan: "Mr. Burke, did you wish to call House Bill 5838? 5838. Mr. Clerk, put this Bill on the Order of Second Reading. Mr. Clerk, are there any Amendments?"

Clerk Mahoney: "House Bill 5838, a Bill for an Act concerning regulation. Floor Amendment #2 on that Bill, offered by Representative Burke, has been approved for consideration."

Speaker Madigan: "Mr. Burke on the Amendment."

Burke: "Thank you, Mr. Speaker, Ladies and Gentlemen of the House. This matter having to do with the placement of AEDs in public places... this would amend the Physical Fitness Medical Emergency Preparedness Act. Provides that a public entity owning or operating more than four outdoor physical fitness facilities must have 10 percent of those in compliance by July 1 of 2012; 20 percent in compliance by July 1, 2013; 30 percent by July 1, 2014; 40 percent by

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July 1, 2015; 50 by the July 1, 2019; and 90 percent by July 1, 2020; and 100 percent by July 1, 2021. And would eliminate language, 'providing that a public entity owning or operating more than four outdoor facilities must have 25 percent of those facilities in compliance by July 1, 2009; 50 percent of those facilities in compliance by July 1, 2010; 75 by July 1, 2011, and 100 percent in compliance by July 1, 2012.' Be happy to answer any questions."

Speaker Madigan: "The Gentleman moves for the adoption of the Amendment. Is there any discussion? There being no discussion, the question is, 'Shall the Amendment be adopted?' Those in favor say 'aye'; those opposed say 'no'. The 'ayes' have it. The Amendment is adopted. Are there any further Amendments?"

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

Speaker Madigan: "Put the Bill on the Order of Third Reading. Mr. Connelly, did you wish to call House Bill 5147? The Amendment has been reported favorably by the Rules Committee. Mr. Connelly. Mr. Clerk, are there any Amendments?"

Clerk Mahoney: "House Bill 5147, a Bill for an Act concerning energy facility. Second Reading of this House Bill. Amendment #1 was adopted in committee. Floor Amendment #2, offered by Representative Connelly, has been approved for consideration."

Speaker Madigan: "Mr. Connelly."

Connelly: "Mr. Speaker, House Bill 5147 is a... it's a project out of the City of Naperville with Packer Engineering. It is limited to... it's site specific. It allows for a certain

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type of alternative energy. The EPA has worked exclusively with the city and with all interested parties. There's no objection; I move for adoption of the Amendment."

Speaker Madigan: "The Gentleman moves for the adoption of the Amendment. Is there any discussion? There being no discussion, the question is, 'Shall the Amendment be adopted?' Those in favor say 'aye'; those opposed say 'no'. The 'ayes' have it. The Amendment is adopted. Mr. Clerk, are there any further Amendments?"

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

Speaker Madigan: "Put the Bill on the Order of Third Reading. Mr. Eddy, do you wish to call House Bill 6041? 6041, the Amendment has been approved by the Rules Committee. Mr. Clerk, what is the status of 6041?"

Clerk Mahoney: "House Bill 6041, a Bill for an Act concerning education. Second Reading. Amendment #1 was adopted in committee. Floor Amendment #2 has been approved for consideration."

Speaker Madigan: "Mr. Eddy on the Amendment."

Eddy: "Thank you. Thank you, Mr. Speaker. This Amendment simply adds back a reporting requirement that allows the notice to be put in a newspaper, was inadvertently taken out in the original Bill, and we're putting the requirement back in."

Speaker Madigan: "The Gentleman moves for the adoption of the Amendment. There being no discussion, the question is, 'Shall the Amendment be adopted?' Those in favor say 'aye'; those opposed say 'no'. The 'ayes' have it. The Amendment is adopted. Are there any further Amendments?"

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

Speaker Madigan: "Put the Bill on the Order of Third Reading.

Mr. Hoffman, do you wish to call House Bill 5515? 5515,
Mr. Hoffman? Mr. Hoffman, 5515, do you wish to call that
Bill? Mr. Hoffman."

Hoffman: "Did the Clerk read the Bill, Mr. Speaker?"

Speaker Madigan: "Thank you, Mr. Hoffman."

Hoffman: "Would you like me to come up there?"

Speaker Madigan: "Mr. Clerk, would you read the Bill for Mr.
Hoffman."

Clerk Mahoney: "House Bill 5515, a Bill for an Act concerning
education. Second Reading. Floor Amendment #1, offered by
Representative Hoffman, has been approved for
consideration."

Speaker Madigan: "Mr. Hoffman."

Hoffman: "Thank... thank you, Mr. Speaker. This is an initiative
of the State Board of Education that since... simply puts the
changes that we were making to the... allowing for the
transfer of some money from the health, life, and safety
funds into the general fund... puts it in the correct
section. So, this simply is a technical change."

Speaker Madigan: "The Gentleman moves for the adoption of the
Amendment. Those in favor say 'aye'; those opposed say
'no'. The 'ayes' have it. The Amendment is adopted. Are
there any further Amendments?"

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

Speaker Madigan: "Put the Bill on the Order of Third Reading.
Mr. Will Davis, do you wish to call House Bill 5407? Mr.
Clerk, what is the status of the Bill?"

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Clerk Mahoney: "House Bill 5407 has been read a second time, previously. Floor Amendment #1 has been approved for consideration."

Speaker Madigan: "Mr. Davis on the Amendment."

Davis, W.: "Thank you very much, Mr. Speaker. Amendment #1 to House Bill 5407 just tries to clarify some of the questions that were brought up in committee with regard to the Bill to... as Representative Coulson asked to try to make the language a little bit broader than more specific as was originally drafted. I ask for the adoption of the Amendment."

Speaker Madigan: "Question is, 'Shall the Amendment be adopted?' Those in favor say 'aye'; those opposed say 'no'. The 'ayes' have it. The Amendment is adopted. Are there any further Amendments?"

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

Speaker Madigan: "Put the Bill on the Order of Third Reading. Mr. Davis, House Bill 5289, do you wish to call that Bill? Mr. Clerk, put the Bill on the Order of Second Reading. Mr. Clerk, has the Bill been read a second time?"

Clerk Mahoney: "House Bill 5289 has been read a second time, previously. Floor Amendment #2, offered by Representative Davis, has been approved for consideration."

Speaker Madigan: "Mr. Davis."

Davis, W.: "Thank you, Mr. Speaker. There was some confusion in committee with this Bill as to whether or not it would be subject to appropriation. This second Amendment clarifies all the changes that we made to the original Bill in terms of the percentage threshold, in terms of the

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poverty rate as well as the amount of money that could be allocated to the any of the library districts affected. And it does make it subject to appropriation. I ask for the adoption of the Amendment."

Speaker Madigan: "Those in favor of the Amendment say 'aye'; those opposed say 'no'. The 'ayes' have it. The Amendment is adopted. Are there any further Amendments?"

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

Speaker Madigan: "Put the Bill on the Order of Third Reading. Is Mr. Burns in the chamber? Mr. Burns, did you wish to call House Bill 5951? 5951? Mr. Clerk, put the Bill on the Order of Second Reading. Are there any Amendments?"

Clerk Mahoney: "On House Bill 5951, Floor Amendment #2 has been approved for consideration."

Speaker Madigan: "Mr. Burns."

Burns: "Thank you very much, Mr. Speaker. Amendment #2 is a technical Amendment that was requested by industry. I know of no opposition; I move to adopt the Amendment."

Speaker Madigan: "Those in favor of the Amendment say 'aye'; those opposed say 'no'. The 'ayes' have it. The Amendment is adopted. Are there any further Amendments?"

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

Speaker Madigan: "Put the Bill on the Order of Third Reading. Mr. Holbrook, do you wish to call House Bill 4674? Mr. Holbrook. And Mr. Clerk, has this Bill been read a second time?"

Clerk Mahoney: "House Bill 4674, a Bill for an Act concerning education. Second Reading of this House Bill. Floor

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Amendment #2, offered by Representative Holbrook, has been approved for consideration."

Speaker Madigan: "Mr. Holbrook on the Amendment."

Holbrook: "Thank you, Speaker. House Bill 4674 on House Amendment #2 becomes the Bill, and it's the Military Compact Bill. I'd like to adopt the Amendment, debate it if needed on Third."

Speaker Madigan: "Those in favor of the Amendment say 'aye'; those opposed say 'no'. The 'ayes' have it. The Amendment is adopted. Are there any further Amendments?"

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

Speaker Madigan: "Put the Bill on the Order of Third Reading. Mr. Rose, did you wish to call House Bill 5966? Mr. Clerk, read the Bill."

Clerk Mahoney: "House Bill 5966 has been read a second time, previously. Floor Amendment #1 has been approved for consideration."

Speaker Madigan: "Mr. Rose."

Rose: "Thank you, Mr. Speaker. This Amendment was suggested by Representative Hamos on the floor last week when it came up. It strikes the sentence with respect to allowing courts to determine the matter and form that someone... the victim would address the court. It was a suggestion of Representative Hamos last week. And I'd ask for its adoption and go Illini."

Speaker Madigan: "Those in favor of the Amendment say 'aye'; those opposed say 'no'. The 'ayes' have it. The Amendment is adopted. Are there any further Amendments?"

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

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Speaker Madigan: "Put the Bill on the Order of Third Reading.
Mr. Saviano, did you wish to call House Bill 5527? Mr.
Clerk, read the Bill."

Clerk Mahoney: "House Bill 5527, a Bill for an Act concerning
insurance. Second Reading of this House Bill. Floor
Amendment #2, offered by Representative Saviano, has been
approved for consideration."

Speaker Madigan: "Mr. Saviano."

Saviano: "Thank you, Mr. Speaker. I just had inquiry of the
Chair. Is there a Floor Amendment #3 that's been filed or
is this the last one that was filed?"

Speaker Madigan: "Mr. Clerk, did you hear that question?"

Clerk Mahoney: "Floor Amendment #2 is the last Amendment filed
to this Bill."

Saviano: "Okay. Thank you. That's the proper one. Floor
Amendment #2 to House Bill 5527 addresses all the concerns
of the parties who had some interest in the Bill. This
makes the Bill an agreed Bill, and I ask that it be
adopted."

Speaker Madigan: "Those in favor of the Amendment say 'aye';
those opposed say 'no'. The 'ayes' have it. The Amendment
is adopted. Are there any further Amendments?"

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

Speaker Madigan: "Put the Bill on the Order of Third Reading.
Mr. McCarthy, did you wish to call House Bill 6092, 6092?
The Amendment has been approved by the Rules Committee.
Mr. Clerk, read the Bill."

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Clerk Mahoney: "House Bill 6092, a Bill for an Act concerning education. Second Reading of this House Bill. Floor Amendment #2 has been approved for consideration."

Speaker Madigan: "Mr. McCarthy."

McCarthy: "Thank you, Mr. Speaker, Ladies and Gentlemen of the House. Floor Amendment #2 to House Bill 6092 was a technical Amendment to clean up some language that the board asked in committee. So, I'd ask for acceptance of the Amendment."

Speaker Madigan: "Those in favor of the Amendment say 'aye'; those opposed say 'no'. The 'ayes' have it. The Amendment is adopted. Are there any further Amendments?"

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

Speaker Madigan: "Put the Bill on the Order of Third Reading. Mr. Riley. Is Mr. Riley in the chamber? Mr. Riley, did you wish to call House Bill 5448? Mr. Clerk, read the Bill."

Clerk Mahoney: "House Bill 5448 has been read a second time, previously. Floor Amendment #2 has been approved for consideration."

Speaker Madigan: "Mr. Riley."

Riley: "Yes, Mr. Speaker, Members of House. Floor Amendment 2 essentially is sort of cleanup language. It... it sort of goes along with the convention of not being specific in terms of the agency that's going to provide the pamphlets talking about the dangers of drinking while pregnant."

Speaker Madigan: "Those in favor of the Amendment say 'aye'; those opposed say 'no'. The 'ayes' have it. The Amendment is adopted. Are there any further Amendments?"

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

Speaker Madigan: "Put the Bill on the Order of Third Reading. Representative Nekritz, did you wish to call House Bill 6088, 6088? The Amendment has been approved by the Rules Committee. Mr. Clerk, read the Bill."

Clerk Mahoney: "House Bill 6088, a Bill for an Act concerning safety. Second Reading. Floor Amendment #2 has been approved for consideration."

Speaker Madigan: "Representative Nekritz."

Nekritz: "Thank you, Mr. Speaker. This is the... the underlying legislation is a bisphenol-A ban for children's... for products targeted at children. The Amendment does two things. It removes a labeling requirement that would've affected all products that had bisphenol-A in them, regardless of whether or not they were targeted to children. And for the portion of the Bill that would ban bisphenol-A in infant formula and baby food, it changes the effective date back to 2015."

Speaker Madigan: "Those in favor of the Amendment say 'aye'; those opposed say 'no'. The 'ayes' have it. The Amendment is adopted. Are there any further Amendments?"

Clerk Mahoney: "No further Amendments. All Motions have been filed."

Speaker Madigan: "Put the Bill on the Order of Third Reading. Representative Soto, House Bill 5044. Mr. Clerk, on House Bill 6088, put that Bill on the Order of Second Reading. Mr. Clerk, on House Bill 5044, read the Bill."

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Clerk Mahoney: "House Bill 5044 has been read a second time, previously. Floor Amendment #1 has been approved for consideration."

Speaker Madigan: "Representative Soto."

Soto: "Yes, Speaker, I move... Thank you, Speaker and Members of the House. I have an Amendment for House Bill 5044, which amends the Financial Institution Code, provides that the department shall create a version of its Web site that is Spanish for pages that contain information about predatory lending. This is a gut and replace."

Speaker Madigan: "Those in favor of the Amendment say 'aye'; those opposed say 'no'. The 'ayes' have it. The Amendment is adopted. Are there any further Amendments?"

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

Speaker Madigan: "Put the Bill on the Order of Third Reading. Mr. Bradley. Mr. Bradley, did you wish to call House Bill 5053? The Amendment has been approved by the Rules Committee. Mr. Clerk, put this Bill on the Order of Second Reading. Mr. Clerk, are there any Amendments?"

Clerk Mahoney: "On House Bill 5053, Floor Amendment #2 has been approved for consideration."

Speaker Madigan: "Mr. Bradley."

Bradley: "This is an Amendment was suggested by Public Health; I believe it's a technical Amendment. Ask for an 'aye' vote."

Speaker Madigan: "Those in favor of the Amendment say 'aye'; those opposed say 'no'. The 'ayes' have it. The Amendment is adopted. Are there any further Amendments?"

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

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Speaker Madigan: "Put the Bill on the Order of Third Reading.

Mr. Brady. Mr. Brady, did you wish to call House Bill 5197? Mr. Clerk, has the Bill been read a second time?"

Clerk Mahoney: "House Bill 5197 has been read a second time, previously. Floor Amendment #1, offered by Representative Brady, has been approved for consideration."

Speaker Madigan: "Mr. Brady on the Amendment."

Brady: "Thank you very much, Mr. Speaker, Ladies and Gentlemen of the House. House Bill 5197, Floor Amendment #1 provides that the court may sentence the defendant to a term of natural life imprisonment for first-degree murder, finding the first-degree murder and the murder was accompanied by exceptionally brutal or heinous behavior indicative of wanton cruelty. Thank you."

Speaker Madigan: "Those in favor of the Amendment say 'aye'; those opposed say 'no'. The 'ayes' have it. The Amendment is adopted. Are there any further Amendments?"

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

Speaker Madigan: "Put the Bill on the Order of Third Reading. Representative Mendoza, do you wish to call House Bill 5772? The Amendment has been approved by the Rules Committee. Mr. Clerk, has the Bill been read a second time?"

Clerk Mahoney: "...5772 has been read a second time, previously. Floor Amendment #2 has been approved for consideration."

Speaker Madigan: "Floor Amendment #2."

Mendoza: "Okay. Thank you, Mr. Speaker. Ladies and Gentlemen of the House, House Amendment #2 basically becomes the Bill. What this does is it adds certain criteria to the

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need to disclose before a... before a person purchases a dog or a cat, certain information has to be placed on the cage of the animal. This is for disclosure so that the consumer when they are making a purchase that is both a pretty large financial investment, but more importantly, a long-term emotional investment, will be able to do that with the best knowledge before they make their purchase. I have sat down with the different parties involved, both Members of the committee, but also the opposition. And while we have not come to a full agreement, I have certainly done my best to make the Bill as best as possible, and I believe it is more than ready to go. Will we be asking to be placed as information before the consumer and before they make the purchase is the breed, the age, the date of birth, and the sex, and color of the dog or cat, if known, as well as whether this is at a pet store or at an animal shelter or animal control facility. Also, the details of any inoculations and medical treatments that the dog or cat has received while under the possession of the animal shelter or pet store, the adoption fee, any additional fees or charges, if the dog or cat was returned by an adopter or purchaser why... the reason of the return, any known citations or fines issued to the animal shelter or animal control facility within the last five years. Also, the name and address of the breeder, and let me see what else here, and the license number of the animal shelter, animal control facility as issued by the Illinois Department of Agriculture. This Bill is very simple in that it provides information and the best available information to consumers

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before they make a very long-term financial, but most importantly, emotional investment in a pet that we hope they will love and they will take care of. And I would ask for your consideration."

Speaker Madigan: "Mr. Reis."

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

Speaker Madigan: "Sponsor yields."

Reis: "Representative, I think everybody..."

Speaker Madigan: "Mr. Reis."

Reis: "Representative."

Mendoza: "I'm sorry, Representative."

Reis: "I think everybody involved is under the understanding that you were going to bring this Amendment back to the Ag Committee."

Mendoza: "I was under the impression that it was going to go back to the Ag Committee. So, it literally just came out here... it's in the... it's on the floor, so that's why I'm calling it on the floor."

Reis: "And I've had that happen before, too, and I've just withdrawn the Amendment and took it to committee. So..."

Mendoza: "Mr. Speaker, I would honor that request to pull the Bill out of the committee... and I'll call it in committee."

Speaker Madigan: "Mr. Clerk, take this Bill out of the record. Representative Mendoza, House Bill 2490. 2490. Mr. Clerk, read the Bill."

Clerk Mahoney: "House Bill 2490 has been read a second time, previously. Amendment #1 was adopted in committee. Floor Amendments 2 and 3 have both been approved for consideration."

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Speaker Madigan: "Representative Mendoza."

Mendoza: "Mr. Speaker, I'd like to withdraw Amendment #2 and work on Amendment #3."

Speaker Madigan: "Mr. Clerk, withdraw Amendment #2. Are there any further Amendments?"

Clerk Mahoney: "Floor Amendment #3."

Speaker Madigan: "Representative Mendoza."

Mendoza: "Thank you, Mr. Speaker. Ladies and Gentlemen of the House, House Amendment #3 becomes the language of the Bill and it says that when a person is caught and convicted of a second DUI violation, while driving on a suspended or revoked license and under the influence, they would have to wear a continuous alcohol monitoring device, which is a SCRAM bracelet, for 90 days after imprisonment. It also adds that when convicted of a third violation, while driving under a suspended or revoked license and for the issuance of a DUI, the person would have to wear a continuous alcohol monitoring device for 180 days after imprisonment. The genesis of this Bill, obviously being that when an individual, first of all, should not be driving because their license has already been suspended or revoked because of a DUI and then is caught driving while under the influence, the need for the bracelet has a direct nexus to the offense and I believe it'll be a good way to make sure that people who are driving under the influence will recognize that they cannot any longer be doing that under the laws of this state. I would certainly be happy to answer any questions and would ask for your favorable support."

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Speaker Madigan: "On the Amendment, Representative Chapa LaVia."

Chapa LaVia: "Will the Sponsor yield?"

Speaker Madigan: "Sponsor yields."

Chapa LaVia: "Representative Mendoza, how does... exactly does it work, the wrist... the wristband?"

Mendoza: "So the... it's not a wristband, thanks for the question. It is an ankle bracelet. And you would have to check in every day with a monitoring device that would then be able to test based on sweat, whether or not you have alcohol in your system at any point during the day."

Chapa LaVia: "Okay."

Mendoza: "So, this is a really great way to ensure that an individual is keeping sober, that they are not actually consuming the alcohol which is the underlying basis of their disease. And so, they... if they get in a vehicle, we would now be able to hope as best as we can that they are doing so without being under the influence."

Chapa LaVia: "Is it required through the court that that person wearing it sustain from alcohol altogether?"

Mendoza: "No, but the whole point is that we would know if they did not sustain from alcohol because they're wearing the device."

Chapa LaVia: "Okay. Okay. Thank you."

Speaker Madigan: "Mr. Rose."

Rose: "Thank you. Would the Lady yield for a moment?"

Speaker Madigan: "Sponsor yields."

Rose: "Thank you. Representative, it's been some time since I prosecuted DUI cases. I was under the impression that for

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your third offense, you could already charge this as a felony. Are you..."

Mendoza: "There is a felony provision already in this. The only thing this does is add the additional penalty of having to wear the device once you are no longer in prison."

Rose: "Okay. 'Cause our analysis is indicating that this is a penalty enhancement that would go to a Class IV felony. So, what you're saying is that this Bill as... well, your Amendment would restrict this only to the wearing of the alcohol monitoring devices?"

Mendoza: "No, the... Let me just pull the language up. One second, please. Just a second here, Representative. So, it says, any person convicted of a second violation shall be guilty of a Class IV felony and would serve a minimum prison term of 30 days or 300 hours of community service. And then additionally, shall abstain from consuming alcohol while wearing a continuous alcohol monitoring device to verify that compliance for 90 days after their term of imprisonment. Currently, any person convicted of a second violation is guilty of a Class IV felony and the 300 hours of service. So, that's not changing. What we're changing is the additional need to abstain from consuming alcohol while wearing a continuous alcohol monitoring device for 30... for 90 days."

Rose: "Representative, this..."

Mendoza: "And then they go up depending on what the... if it's your second, third, fourth, fifth, sixth, seventh, eighth, ninth. So for..."

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Rose: "I'm just taking a look at... I'm just taking a look at this."

Mendoza: "Yeah."

Rose: "'Cause you have in here it's going to a Class IV felony. Here's my concern, Representative"

Mendoza: "Representative, it's currently a Class IV felony under the Code."

Rose: "Well, in some cases it can be as high as a Class II felony on a sec... on a third offense if certain criteria were met. And my concern here... like, for example in the current law under... let's see here an aggravated DUI statute, a third violation becomes a Class II... is a Class II felony. If, however, at the time of the third violation you're more than .16 or et cetera, et cetera then there are additional penalties. My concern, Representative, here is we're setting up a two-tiered sentencing structure and you're going to have to err on the side, because the burden's on the state, you're going to have to err on the side of the lesser penalty. And the way I read that, your Class... you just basically turned your Class II for a third violation into a Class IV, because you didn't touch that Section or refer to it."

Mendoza: "So... and my reading under (d-2) says, any person convicted of a third violation of this section is guilty of a Class IV felony and must serve the minimum imprisonment, 30 days, for the revocation or the violation of this section."

Rose: "Right. And I'm saying the current law..."

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Mendoza: "All right. So, I haven't touched that; that's the current law. Then the next Section which we added, so that would be the new language says any person convicted.. we haven't changed that part before that. It says any person convicted of a third violation, when in violation of this Section and each prior violation of this Section for what would've been a DUI, is guilty of a Class IV felony, must serve a minimum term of imprisonment of 30 days, which is the same thing that the previous paragraph said, and must abstain from consuming alcohol while wearing a continuous alcohol monitoring device for a larger period. Instead of 90 days, a third violation would be 180 days after imprisonment. So, we're not looking to weaken, by any means, the DUI statute, on the contrary. We are additionally to what the current law says adding the.."

Rose: "I understand that, Representative. What I'm confused by is when you go the actual DUI statute, which is 625ILCS5/11-501. In there is where the penalties for DUIs are, subpart b, you're third offense can be a Class II and now, in your Bill, it's going to a Class IV because you're amending 6-303, not the DUI statute which is 11-501. That's the rub, Representative. And I think that if you go look at the sentencing structure in 11-501, a lot of these penalties are going to be in conflict with your new law."

Mendoza: "Representative, that.."

Rose: "In fact, you're going to be weakening.."

Mendoza: "Yeah, that is.. that is certainly not the intent and.."

Rose: "I mean, you're.."

Mendoza: "...I don't believe we're doing that, but.."

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Rose: "...you're in the driving while revoked section, not the
DUI section."

Mendoza: "Excuse me."

Rose: "6-303 is the driving while suspended or revoked."

Mendoza: "That's correct."

Rose: "Not the DUI section."

Mendoza: "That is correct."

Rose: "Okay. So, you've been saying a second or third DUI."

Mendoza: "6-303."

Rose: "So, what you're saying, Representative, this isn't
increasing penalties for DUIs, you're increasing penalties
for driving while suspended or driving while revoked."

Mendoza: "If... if you are under the influence when you get
pulled over. So, in other words... Hold on, just a second.
Sorry."

Rose: "Representative, if I may... Representative...
Representative, if I may, we've been friends for a while,
if you could take this out of the record..."

Mendoza: "Yes, I'd be..."

Rose: "...we can work together to figure it out."

Mendoza: "Let's take it out of the record."

Rose: "Thank you."

Mendoza: "Yeah, let's sit down and talk about it. Thanks."

Speaker Madigan: "Mr. Clerk, take this Bill out of the record.
Mr. Bill Mitchell, did you wish to call House Bill 4663?
The Amendment's been approved by the Rules Committee. The
Gentleman indicates he does not wish to call the Bill. Mr.
Jefferson. Charles Jefferson. Is Mr... Mr. Jefferson. Did
you wish to call House Bill 6315? Mr. Jefferson, did you

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wish to call House Bill 6315? Now, Mr. Jefferson, the Amendment has been approved by the Rules Committee. So, Mr. Clerk, read the Bill."

Clerk Mahoney: "House Bill 6315, a Bill for an Act concerning State Government. Second Reading. Two Floor Amendments have been approved for consideration: Floor Amendments 1 and 2."

Speaker Madigan: "Mr. Jefferson on Amendment #1."

Jefferson: "I move to adopt Amendment #1."

Speaker Madigan: "Those in favor of the Amendment say 'aye'; those opposed say 'no'. The 'ayes' have it. The Amendment is adopted. Are there any further Amendments?"

Clerk Mahoney: "Floor Amendment #2."

Speaker Madigan: "Mr. Jefferson on Amendment #2."

Jefferson: "Move to adopt Amendment #2."

Speaker Madigan: "Those in favor say 'aye'; those opposed say 'no'. The 'ayes' have it. Representative Bellock."

Bellock: "Thank you very much, Mr. Speaker. A point of personal privilege."

Speaker Madigan: "Could you let me finish this Bill?"

Bellock: "Pardon me?"

Speaker Madigan: "Let me finish this Bill."

Bellock: "Oh, I'm sorry."

Speaker Madigan: "So, we're on House Bill 6315. Mr. Clerk, what is the number of the Amendment?"

Clerk Mahoney: "Amendment #2."

Speaker Madigan: "All right. Mr. Jefferson moves for the adoption of Amendment #2. Those in favor say 'aye'; those

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opposed say 'no'. The 'ayes' have it. The Amendment is adopted. Are there any further Amendments?"

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

Speaker Madigan: "Put the Bill on the Order of Third Reading.

The Chair recognizes Representative Bellock for a point of personal privilege and Mr. Lang is in the Chair."

Speaker Lang: "Representative Bellock."

Bellock: "Thank you very much, Mr. Speaker. Regarding the health care reform from last night, on January 14 our caucus sent a letter to the Governor regarding the fiscal impact that the health care reform Bill would have on Illinois. We've been working a lot as you know with the Medicaid reform trying to figure out how much that will cost Illinois. Some people are saying that the cost could be as much as 1.6 billion if we add 650 thousand people on. The Governor was nice enough to reply to us, I think it was around February 1, that he would keep monitoring the Bill and that he would ask his staff at a certain time to have a meeting that all of us could be briefed on what would the cost be of the health care reform Bill be if that Bill was to pass. Well, as we all know last night, the Bill did pass and now there are a lot of questions all around the state. A lot of us our phones have been ringing off the hook, especially by employers of Illinois. Caterpillar, for one, has said that they think that this Bill could cost them \$100 million. We really don't know what the cost will be. As Nancy Pelosi said the Bill will have to pass before we know what's in it. So, now the Bill has passed and we're all asking what's in it, and the Governor was nice

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enough to get back to us before and say he would have some type of forum or some type of hearing so that all of us, both Democrats and Republicans as a whole, could answer questions about how this Bill will affect the State of Illinois. With our budget coming up in May, I think it's imperative that we know what this fiscal impact is going to be with our deficit being \$13 billion now already; we need to know what this impact will be in the next 6 or 8 months ahead if some of these reforms are to go through right away. So, today I'm asking that we ask... if we ask that the Speaker if we... if he would be nice enough to convene a meeting of the whole in the chamber this week to discuss the financial impact of the health care reform Bill on Illinois. Similar to what... since the Governor has put out about the one-third income tax, taking away that revenue from the municipalities, I think all of us have heard the cost of how that will affect the municipalities. I've heard from everyone of them. I think in this respect we need to know going forward in our budget what we think the impact is going to be on the different parts of the health care reform on our budget for the State of Illinois. So, I'm asking the Speaker if he would nice enough this week, before we go home on break, to let us have, and I think the Governor in his letter of February 1 said he was interested in telling us what these impacts would be. Now, we know which Bill has passed and I would ask that... I think that is extremely important to the fiscal impact in the State of Illinois."

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Speaker Lang: "Thank you for your comments and they'll be taken under advisement. The Chair recognizes Representative Ford."

Ford: "Mr. Speaker, as a Democrat I agree with the Republican that we should have exactly what she said and I'd appreciate that. Thank you very much."

Speaker Lang: "Representative Black."

Black: "Thank you very much, Mr. Speaker. I simply rise to support not only Representative Bellock but Representative Ford. Many states have already told their Attorneys General to file a lawsuit about mandate that might be put on the states to accept more people in Medicaid. Now, I'm not advocating that and I don't think that Representative Bellock is either or Representative Ford, but you can get on the Internet for what that's worth and you can read anything from 25 thousand people will be mandatedly... mandated to be on the Illinois Medicaid rolls to 50 thousand that will be on... added to the Medicaid rolls at a cost of \$500 million or \$1 billion. I don't think this is intended to be critical of what transpired in Washington. I think it's simply critical for us to know what mandates and what cost we may have to consider for the coming fiscal year. And a Committee of the Whole would take less than an hour to get some kind of reasonable handle on what might be expected of Illinois in the next fiscal year, how much it might cost because we certainly have a fiscal crisis and if we're going to absorb another 250, 500, \$750 million, the quicker we can get a handle on that I would think the better off all of us would be and I certainly trust you to

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take it under advisement, but I think it's something that you really... we can't do it. The Majority side of the aisle has to do it. And I think it would be of critical importance for all of us to try and get a handle on what this might mean for the next fiscal year or maybe it won't be until the next... the fiscal year after this one that comes up, but we need information, and we need information quickly, and we need it accurately."

Speaker Lang: "Mr. Clerk, what is the status of House Bill 6241?"

Clerk Mahoney: "House Bill 6241, a Bill for an Act concerning revenue. Third Reading."

Speaker Lang: "Please put that on the Order of Second Reading at the request of the Sponsor. House Bill 5381, Representative Reboletti. Mr. Reboletti, you wish to move this Bill? Mr. Clerk, please read the Bill."

Clerk Mahoney: "House Bill 5381, a Bill for an Act concerning courts. Second Reading of this House Bill. Floor Amendment #1 has been approved for consideration."

Reboletti: "Mr. Speaker, if we..."

Speaker Lang: "Mr. Reboletti."

Reboletti: "...if we take this Bill out of... the Amendment out of the record just briefly, I want to make sure that I didn't make a commitment to you and to Representative Hamos that were in the committee to bring the Amendment back to the committee itself, instead of bringing it to the floor."

Speaker Lang: "Out of the record. House Bill 5180, Representative Winters. Please proceed to read the Bill, Mr. Clerk."

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Clerk Mahoney: "House Bill 5180, a Bill for an Act concerning State Government. Second Reading. Amendment #1 was adopted in committee. Floor Amendment #2 has been approved for consideration."

Speaker Lang: "Mr. Winters."

Winters: "Thank you, Mr. Speaker. Amendment 2 simply adds the word 'primarily' to the language of the Bill. It further defines it. And I'd be happy to answer any in questions."

Speaker Lang: "There being no debate, those in favor say 'aye'; those opposed 'no'. In the opinion of the Chair, the 'ayes' have it. And the Amendment is adopted. Mr. Clerk."

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

Speaker Lang: "Third Reading. House Bill 5783, this is a Third Reading. Mr. Burns, wish to... Out of the record. House Bill 5012, Representative Collins. Out of the record. House Bill 6018, Representative Colvin. Out of the record. House Bill 3814, Representative Monique Davis. Representative Monique Davis, do you wish to move your Bill? Please read the Bill."

Clerk Mahoney: "House Bill 3814, a Bill for an Act concerning public health. Third Reading."

Speaker Lang: "Representative Davis."

Davis, M.: "Mr. Speaker, House Bill 3814 is a Bill that is codifying what the Governor is actually doing by Executive Order. He appointed Mr. Quentin Young to head an agency that is to be similar to the CUB organization in reference to health agencies. Hopefully, I can answer questions."

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Speaker Lang: "Lady moves for the passage of the Bill. There being no... Chair apologizes. Chair recognizes Representative Watson."

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

Speaker Lang: "Please proceed."

Watson: "Representative, is... does the department have anything like this currently?"

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

Watson: "Does the department have anything like this already?"

Davis, M.: "Yeah, we're codifying what they're already doing. Yes."

Watson: "Okay. Have you talked to any of the other industry... anyone in the industry? Are they for this or against it?"

Davis, M.: "No. No opposition, because they're doing it. I mean, it's, being done."

Watson: "Okay. 'Cause we... I was approached just today saying that there's pretty significant opposition. They're concerned about the duplication, that almost everything in here is duplicative, especially given yesterday's outcome."

Davis, M.: "Well, they would call it duplicative because, as I stated, we're codifying what currently is happening. It is being done by Executive Order and this Bill merely puts into law what's being done."

Watson: "Okay. I've got... the following people have come on as opponents just for the record, just so you know."

Davis, M.: "Sure."

Watson: "Aetna, Humana, Illinois Life Insurance Council, Illinois Chamber of Commerce, Illinois Association of Health Underwriters, Illinois Manufacturers Association,

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Independent Insurance Agents of Illinois, National Association of Insurance and Financial Advisors, and the Med Society, and the Hospital Association."

Davis, M.: "And the proponents list is the Illinois Nurses Association, AARP, Health and Medicine Policy Research Group, and a number of other community organizations that are supporting what is being done. And I agree with you, Representative Watson, you know, in light of what is occurring nationally, but this is what is happening in the State of Illinois by Executive Order and we are merely codifying that Act."

Watson: "Thank you, Representative. And just to the Bill, Mr. Speaker. I guess I just would urge or caution at this point, giving the opponents who have come forth and then also yesterday's action in Washington D.C. Perhaps, maybe, if we slowed this down that... that might be the more prudent gesture at this point. Thank you."

Speaker Lang: "Thank you. Just as a reminder to Members, this Bill is on Short Debate and I'm going to be using the timer. The Chair recognizes Representative Osmond."

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

Speaker Lang: "Lady yields."

Osmond: "What... what do you feel that this is going to do to work with the insurance industry? How is this going to help the insurance industry?"

Davis, M.: "Well, I would think, Representative Osmond, that any public health advocate Act would be in support of what an insurance company is supposed to offer."

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Osmond: "Well, don't they have the Department of Insurance to regulate it right now?"

Davis, M.: "This does not regulate. This legislation does not regulate."

Osmond: "Right. But it oversees, right?"

Davis, M.: "It doesn't oversee. It... Well, let me tell you what it says. It sets forth requirements for the board of... board of directors of a cooperation including qualified candidates that set up elections, appointment of officers, and meetings to prepare and furnish enclosures to state agencies to be included in state mailings about... information regarding insurance Acts. Let me give you an example. Suppose this Body says all women can get mammograms. Those agencies that are sending out a mailing already, not a new mailing but they're sending out a mailing, would merely include that information in their mailing. That's what this kind of thing does."

Osmond: "But don't you feel that that adds more cost?"

Davis, M.: "It won't add more cost because, my understanding is, this takes no money from the State of Illinois."

Osmond: "So how are they going to be funded?"

Davis, M.: "I think it's with donations, \$5 per person who joins will pay. For example, just like with CUB, if I pay \$5, I'm a member and that will take care of the cost."

Speaker Lang: "Representative Osmond, your time has expired. Can you bring your remarks to a close, please."

Osmond: "Thank you, Mr. Speaker. I rise in opposition to this. I think that at the point of what happened yesterday in Washington and this just seems to be an added layer and I

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do not feel that at this time we should move this forward.

Thank you."

Speaker Lang: "Mr. Stephens."

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

Speaker Lang: "Lady will yield."

Stephens: "Representative, we're advised that you told the committee that you were going to hold this on Second Reading."

Davis, M.: "No. There... no reason at all to hold it, absolutely, no reason. The only thing was holding it..."

Stephens: "No. Well, there... there..."

Davis, M.: "...was a request for a fiscal note. The fiscal note came back stating there was some large amount to be paid, when actually, the members of the group paid the \$5. For example: if I join, I pay \$5; if you join, you pay \$5. That's the cost. And any increase in your mailing, where the increase is over what you'd already mailed, would come from that \$5."

Stephens: "Did you tell the committee that you were going to hold this on Second Reading or not?"

Davis, M.: "Absolutely not, Representative."

Stephens: "Well, we have indications otherwise. Mr. Speaker..."

Davis, M.: "I spoke to your chairperson. I spoke to her; she and I talked. I told her there's no reason I would have said to hold it."

Stephens: "Mr... Well, you know, you can't say one thing... Mr. Speaker, could we have this taken off of Short Debate? Mr. Speaker, we have considerable concern about this piece of

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legislation. I would request that it be taken off of Short Debate."

Speaker Lang: "The Bill is taken off of Short Debate."

Stephens: "Thank you very much. To the Bill and to the process. You can't say one thing in committee and then come up here and say, well, never mind, I have... there's no reason to question whether I should have an Amendment or not. We have a fiscal note that says that the fiscal impact is approximately \$315 thousand. Now, that's a long way from zero, even with the kind of numbers that Obama's throwing around in Washington, we should still be cognizant of a possible effect... a fiscal effect of \$315 thousand. So, whether you want to talk about that and whether there's membership and \$5 dues or whatever, if we have a fiscal note that says that then it should be brought up before this Body. It shouldn't be ignored, and it shouldn't be glazed over because the Sponsor thinks it's no longer a problem."

Speaker Lang: "Representative Davis to close."

Davis, M.: "Thank you very much, Mr. Speaker. First of all, there is absolutely no \$315 thousand mailing amount that would be due because the Bill states that any amount of mail above what is currently being sent out will be paid for by the members who join. In other words, that's the purpose of their \$5. There's no administrative fee. This is all because a person joined this little group, similar to CUB. It is currently in operation. The Governor has... by Executive Order created this group. Doctor Quentin Young is the chair. And I at no time said I'd hold it

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because there's absolutely no reason to. I've been here 22 years; I have never been charged with any such thing. I'm very careful with my behavior, in the committee and on the highway."

Speaker Lang: "Those in favor should vote 'yes'; those opposed 'no'. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Representative Joyce, McCarthy, and McGuire. Please take the record. On this question, 44 'yes', 59 'no', and the Bill fails. The Chair moves on to House Bill 4886, Representative Black. Please read the Bill."

Clerk Mahoney: "House Bill 4886, a Bill for an Act concerning education. Third Reading."

Speaker Lang: "Mr. Black."

Black: "Thank you very much, Mr. Speaker and Ladies and Gentlemen of the House. This Bill was brought to me by a school superintendent in my legislative district. The Bill has been amended by the Illinois State Board of Education to make certain that all student contact hours will be met, that all collective bargaining agreements will be enforced. And that the Illinois State Board of Education is now, I think, convinced that this cannot be used... such a Bill cannot be used to circumvent instructional standards, student contact hours, or violate collective bargaining agreements. As Superintendent Janesky testified in committee, he has a rural school district where school bus routes may require a bus to be on the road an hour and 15 minutes in the morning and an hour and 15 minutes in the afternoon. All students in his K12 building are bussed.

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None of them walk, and a few may own cars if they're seniors in high school, but all of them are bussed. Since we aren't paying him or any other school district for transportation costs, he simply is worried about this relatively small district not being able to pay for diesel fuel if he doesn't get some kind of relief. So as he testified, the Bill is completely permissive; it is not a mandate. The school board in any effected district, and I can't imagine more than six or seven districts would even consider this, it would be a temporary measure. He is simply trying to get through the school year as best he can and hopefully have enough money to open school in September or August of 2010. By parking his busses one day a week and by being able to cut down the lights, the heat, and the other utilities in his building that he could save a \$100 thousand in operating costs per year. Again, let me... let me make sure that you understand, this is completely permissive legislation. It is sought by a school district in my legislative district. It would only take place after a public hearing. Issues that are very important, like day care, the locally elected school board would have to address that. And I... I have confidence in any locally elected school board that if the parents show at a public hearing that childcare would in fact be a problem then the school board probably would not proceed with the implementation of a four-day school week. I'll be more than happy to answer any questions that you have."

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Speaker Lang: "The Gentleman moves for the passage of the Bill.
The Bill is on Short Debate. The timer will be in use.
Chair recognizes Representative Monique Davis."

Davis, M.: "Always use the timer with me, Sir. I have a
question for the Sponsor."

Speaker Lang: "Sponsor yields."

Davis, M.: "Representative, are you saying this will be for one
school district..."

Black: "No."

Davis, M.: "...or for any school district that chooses?"

Black: "This is permissive legislation that would let any
school district that wants to go through the public hearing
process and see what their parents, the staff, the
students, and the school district would want to do. I
can't imagine... there are about 19 states that already do
this. I can't imagine that there would be more than a half
a dozen school districts in the State of Illinois that
would get to the point of having a public hearing on such a
move. This would..."

Davis, M.: "I heard... I heard some of the people testify in
Elementary Secondary Committee and I heard some of them
state they were concerned with what would happen to their
children on that fourth day."

Black: "I didn't..."

Davis, M.: "Children... can get a babysitter, grandma, grandpa,
when it's a holiday occasionally, but every Friday or every
fourth day or fifth day. Those parents said they were very
concerned about what their children would be doing, who
would be supervising them, and especially, for the little

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ones when there was no day care, so forth, facilities available. A lot... the parents spoke against it, teachers spoke against it. How do you address their concerns?"

Black: "Representative, first of all, no parents testified... nobody testified on this Bill in committee."

Davis, M.: "They talked to me and they talk... I think they did testify, but they did talk to us at committee."

Black: "Representative, I was there both times this Bill was presented. There were no parents; there were no students. Nobody testified nor signed in to testify other than the school superintendent. The teachers... the teacher..."

Davis, M.: "No. No, no. No, there were people there concerned about what they would do with their children. I remember specifically."

Black: "Well, Representative... Representative, if they talked to you privately, I can't address that. All I can tell you is that the only person who testified was the school superintendent of the Jamaica Community Consolidated School District. Nobody else testified."

Davis, M.: "You don't remember two teachers and a couple of parents sitting there stating that they were very much concerned with this kind of an issue. That it would leave people... and you stated... Let me tell you what they said. You said, they have grandparents who will keep them. You said, they have a relative who will keep them."

Black: "Representative, if you don't like the Bill, that's fine; you can vote 'no'. But please don't tell the Body that there were parents there who testified when you know that's not true. There were no parents there. There were

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no staff members there. The teachers union signed in in opposition, but they didn't..."

Davis, M.: "Well, those... those are parents, Representative."

Black: "...but they didn't... they didn't testify."

Davis, M.: "Those are parents."

Black: "What?"

Davis, M.: "Those are parents."

Black: "Who's... who are parents?"

Davis, M.: "Teacher representatives who come to our committee, some of them are parents."

Black: "But they didn't testify, Representative. They signed in..."

Davis, M.: "To the Bill, Mr. Speaker."

Speaker Lang: "To the Bill."

Davis, M.: "I know that we are going through some very difficult economic times in the State of Illinois as other states are. I think that we are considering many, many pieces of legislation to decrease the cost, but to deny children an entire day of education for a whole semester is a bit beyond what I think our cutting measures should be. I don't believe that children should be told, you can now stay home alone, you're parents are at work, you can stay home alone for a full day and take of yourselves, take care of your little brothers, take care of your little sisters because the state can no longer afford to educate you. We can no longer afford to give you all of those kinds of things that educators and researchers have proven are needed for children to develop as whole, intelligent, educated human beings. I think it is tragic when we try to

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balance the budget of the State of Illinois on the backs of our babies. Of all the things we do, we could take away health care. We can take away a lot of initiatives, but let's not take away what the state should be providing for our children. What could be more important to us? Any dollar we save on the backs of our babies just isn't worth it. Five days of school is what the students in Illinois should get just like the students in many other states. When we look for cost-cutting measures, let's look for measures that don't affect the children and their future. This is just not for today, this is the child's future, and I believe we should look for other methods to reduce the cost in the State of Illinois and not to balance the budget of the State of Illinois on the backs of babies. I urge a 'no' vote."

Speaker Lang: "There being eight or nine people still wishing to speak, the Chair will remove this from the Order of Short Debate. The Chair recognizes Representative Fritchey."

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

Speaker Lang: "Gentleman yields."

Fritchey: "Representative, I don't question your intentions here and as I read this the modification you made to the Bill would ensure that the same amount of hours of instruction are still being provided in a four-day week than a five-day week. Is that correct?"

Black: "Absolutely. The State Board of Education would have it no other way, I would have it no other way, and Superintendent Janesky would have it no other way."

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Fritchey: "And that's what I presumed. Sir, I want to take away... or dispel the notion that the kids would be getting less education. That being said, I have... I still have concerns with the legislation then..."

Black: "Yeah, I do too."

Fritchey: "I really don't know whether I'm for it or against it, but it's a substantive enough diversion from the state practice that we should at least pay attention to what we're doing. As I understand it, it would be through a public review process for then the State Board of Education would have the ability to say 'yes' or 'no'. Would it not make more sense if you're going to let the local community decide to do this... I... I guess I'm just worried that the State Board of Education for whatever reasons it may have or political considerations which have been known to creep in there at times, say 'yes' to one application to do this and 'no' to another. Are you... I mean, did you give thought about maybe making, you know, not giving the discussion to the State Board of Education once the local control has been exercised?"

Black: "Are you asking if the state board wanted the decision making authority?"

Fritchey: "I'm asking if you think that it should almost be that if the school comes and says this is what we want to do and they've gone through the public hurdles, that the state board not have discretion to do this so that any school districts are treated the same way. If the state board has discretion, you can have two school districts

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both doing what their communities want to do in good faith, one getting approved to do and one not."

Black: "I agree. And I don't think the Amendment that the state board drafted gives them that authority. As best I recall, they specifically did not want to be put in a position where a small rural school district that's 237 square miles and doesn't have the money to buy fuel for its school busses could go to a four-day week. They don't want to be the ultimate authority and say, well, you can because you have 237 square miles to cover, you can't because you only have 100 square miles to cover."

Fritchey: "Now, regardless of whether or not any body testified in committee, one of the things that came to my mind was the fact that most parents... and I don't know by this school district, but most parents by me, you know, most of them work these days and most of them work five-day weeks. So, what happens to those families where the parents are working five-day weeks and the child is now on a four-day school schedule?"

Black: "I... as Superintendent Janesky testified and as I've talked to some of his parents and board members, if in the public hearing people raise the issue that they simply don't have adequate childcare then the board would most likely, I can't give you an iron-clad guarantee, but these locally elected board members run for reelection just as you and I do. And if they cannot work out some kind of childcare arrangements that they feel keep their children safe, I can't imagine that any school board would want to

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proceed with a four-day week if they couldn't answer that question to the satisfaction of their constituency."

Fritchey: "Well, and I guess the concern is, you know, that democracy can be somewhat messy at times. You may have 75 percent of a community that supports this, but you may have 25 percent that have no way to care for their children on that fifth day and those 25 percent of people are going to be out of luck. I'm not saying this is a fatal flaw..."

Black: "Yeah."

Fritchey: "...but it... it's a problem that we face here. The last thing is something I would just be remiss in not mentioning. It really doesn't go to the Bill per se as some of your comments because you were very passionate about this being a local concern, being purely permissive. A number of us here have struggled for years, several times on the 7 percent cap... on the property tax Bill, a Bill that required no county to follow the process, a Bill that gave every county the opportunity to opt in if they felt that it was important to their constituents and it was a problem in their county and that it could be done in a way that wouldn't impact any other county. Bill, it's not my intention to admonish you, but I think everybody who would be well served to understand it. Bills come along that are a particular import to your constituents and if those bills can be drafted in a way that don't impact other people's constituents and don't offend your public policy views or your moral views on anything, we should... we should keep that in mind sometimes, because what is of utmost importance to one Legislator may not be the same for

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another on another day. Again, that is not directed at you, but as I listened to the comments, I just couldn't help having the flashbacks of, you know, when we try to help our folks out. I think this is interesting. I hope that there's people that are better versed in the educational process here. I think you've crafted this Bill as well as it can be crafted for what you're trying to do. I just think it's a very significant departure from how we've educated kids in Illinois and maybe around the country, but that doesn't mean that it may not be time for a change. Thank you."

Speaker Lang: "Representative Eddy."

Black: "I appreciate your comments. And I've been a friend of Mr. Houlihan's for some time and believe that within any reasonable constraint, I thought he was on the right track. I don't know why it became so political and I talked to him shortly thereafter and would do whatever I could to help Mr. Houlihan with his situation in the County of Cook."

Fritchey: "Well, and again... and again, Representative, in no way directed at you personally."

Black: "No, I know. I... I..."

Fritchey: "And I mean that sincerely. You know that."

Black: "I understand that."

Fritchey: "All right. Thank you. Thank you, Speaker, for your indulgence."

Speaker Lang: "Mr. Eddy."

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

Speaker Lang: "...yields."

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Eddy: "Representative, a couple of things. First of all, does your legislation require any school district to go to a four-day week?"

Black: "No. Absolutely not, no requirement whatsoever."

Eddy: "So, this is totally up to the school districts' desire to provide what they believe to be in the best interest of the children, but also looking at financial situations that may be unique to their district. And in a case, for example, where there are a number, and a significant number, of people in the school that have trouble with the four-day week, you built into this a provision that a public hearing will be held?"

Black: "Yes."

Eddy: "And the board would have to by an affirmative vote take this action and then the state board, basically, would review this to make sure that the number of minutes in the calendar that was submitted was based on not shorting children any time for education purposes."

Black: "I think the state board made it perfectly clear that they would not be neutral or agree to this in any way shape or form unless all classroom contact hours remained the same, whether it was a five-day week or a four-day week."

Eddy: "And Representative, I think another important part of this has to do with the fact that once the State Board of Education has approved this or looked at the... they're not really the ones making the decision, the local board of education is having the authority just kind of with oversight not necessarily approval oversight."

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Black: "That's very, very, very true. This... this is only... this can only be initiated and taken care of by a locally elected school district. And to correct a previous speaker, they don't want to shortchange their children any more than any of us do, but what they try... what they're trying to do is to maintain classroom contact hours and have enough money to get through the school year. This particular district hasn't been paid any transportation expenses since August. And at some point, this is... these are... this school is in a town of less than 1200 people. They don't have a school bus diesel provider that can carry past-due bills. It's there local fuel oil or fuel distributor who is saying, look, we can't carry a 15 or 20 thousand dollar unpaid account for six or seven or eight months. So the school superintendent, in talking with his board, said, we're going to have to be extremely creative in order just to get through the school year. If the school were to close, now, you know better than I you being the school superintendent, there are extraordinary measures that the state could take to try and keep this school district operating, but some rural school districts are at the point where they will not be able to operate their school bus system unless they're granted some relief by the state. And they've been told by the state board; don't expect any transportation reimbursement until August or September."

Eddy: "Well, Representative, to the Bill, very briefly. The earlier... the previous speaker brought up some very good points regarding the inconvenience that might be caused on

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that four-day week. It does happen now on snow days, on the number of holidays, Christmas break; parents have to make those arrangements. I think the key would be to know ahead of time what the calendar is. And in your Bill, they are required to publish the calendar so the parents would know those days. They would just simply have to make the same kind of arrangements that they have to make now if there is some other thing that interrupts school, summer vacation, or during the school year, we have a number of... a number of different types of things that come up that they have to find day care for. I think... I think this allows school districts the flexibility they need at this time, and I can't imagine this not gaining a lot of public scrutiny in every single district where they might attempt this. And I think it's a good Bill. I think it's time that we recognize the fact by the way that next year the State Board of Education, and surprisingly enough the Governor's Office predicts 20 percent less money for transportation on a reimbursement schedule. This actually is one-fifth of the days and for some school districts that may match very well with the amount of money that's being cut. I think this deserves an 'aye' vote."

Speaker Lang: "Representative Jerry Mitchell."

Mitchell, J.: "Thank you, Mr. Speaker. To the Bill. Ladies and Gentleman of the House, we have to think outside the box sometimes. We had this same kind of concern when some school districts wanted to go to year-round school. Schools didn't have air conditioning; kids would be uncomfortable. It will change the entire work week. What

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are we going to do? Well, year-round school has worked out quite well for many districts. But again, it was an elective; it was a choice that an individual district made. I think the Gentleman has a good Bill. I think its time has come. We're faced with one of the worst budget years that any of us can remember, but sometimes out of crisis good things come. Some things might be better for kids just if we simply allow local districts to take a look at this, to talk to their community, to talk to their teachers and see if they can't work out the details. We have summertime; the kids have to be taken care of. They're not home alone all that time. It could even sprout new industries, such as more babysitting, more dollars to be made. So, I think before we dismiss this out of hand, we should give local districts the opportunity to try on their own. We can always come back and revisit this if it doesn't work out. I'm sure Representative Black would be the first one to say, hey, if it's being abused, if things aren't working out then we'll take another look at it. But right now, I think this is an excellent Bill. I think the state board will monitor it and we will as well. Please vote 'aye'. Thank you."

Speaker Lang: "Representative Bassi."

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

Speaker Lang: "Gentleman will yield."

Bassi: "Ladies and Gentleman, I rise in strong support for what happens to be a creative alternative for local districts to be able to address both an economic situation and what actually can turn out to be a very strong incentive for

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young people to have a longer day and do a better job in a shorter amount of time with a nice long weekend. I would strongly recommend an 'aye' vote. Thank you."

Speaker Lang: "Mr. Moffitt."

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

Speaker Lang: "Yes, he will."

Moffitt: "Representative, just a question or two. The way you described this it seems to be like it's really the ultimate in local control. Is that a correct description?"

Black: "That's certainly the way I look at it."

Moffitt: "And this could not supersede or overturn any collective bargaining agreements in place?"

Black: "No. Absolutely not."

Moffitt: "But in other words, it's going to be... and will remain in place."

Black: "No. The State Board of Education made certain that all rules, regulation, and items in the School Code, such as collective bargaining agreements, must be adhered to. They cannot use this as an excuse to lay off three bus drivers, four teachers, the band teacher. That may take part as part of their budget or negotiation, but they can't use a four-day week to escape the collective bargaining requirements that they must follow."

Moffitt: "Well, now you did mention some specific savings and you said diesel fuel. If you're going to run busses four days instead of five, that's 20 percent savings. Is that correct?"

Black: "That's what the superintendent estimated, and he also worked in the fact that he can turn the lights off, the

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heat down to a very low level and save on some utility costs. All this... the rural farmland school district is trying to do is to survive. That's all they're trying to do."

Moffitt: "And in the process it's really making it a greener district using less fuel, using less energy."

Black: "They have even talked about installing a wind turbine if times get better, but right now they can't afford that."

Moffitt: "Okay. The... If you have savings... our number one concern is the kids and the instruction. You're really talking survival and potentially having more money for instruction, aren't you?"

Black: "According to Superintendent Janesky, that is where the money savings would go. It would be to continue the instruction in a condensed manner in a four-day week, and he thinks he can save enough money to get through... and he can't use it... there's no way you could do the hearing at this time of the year. Depending on what he finds out when we complete the budget and whether or not he will receive some of his past due payments, they might want to consider it for the fall of 2010, and if things get better, it may never be considered at all."

Moffitt: "Do you know if any other states have tried something like this?"

Black: "Yes, there are 19 states that allow this at a local option. I believe it started in North and South Dakota. I believe then Montana got into it. But you can imagine now the states that do this: Wyoming, where a school bus routes

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could be perhaps two and a half hours each way, morning and evening."

Moffitt: "So, they're saving more money for instruction, reduced... really better for the environment. A similar Bill... I believe four years ago... three or four years ago, Representative Mathias had a very similar Bill. Our analysis initially said it didn't get out of the House; it did, we have the Roll Call here. Over a hundred people voted for that in the House the last... when Representative Mathias presented it. I think this is a creative way to increase local control, to provide more money for instruction, and that's what it's all about. Good Bill. Hope it passes."

Black: "Thank you."

Speaker Lang: "Representative Flowers."

Flowers: "Mr. Speaker, will the Gentleman yield?"

Speaker Lang: "Gentleman yields."

Flowers: "Representative Black, Arnie Duncan just mentioned about the race to the top. And he talked about Hawaii may lose its federal funds or may not receive it because they are on a four-day schedule. Now how would that affect our state if we allow this to happen?"

Black: "I don't think it would affect the state in any way shape or form. I think you'll find that this district is already above the state average, and if one or two districts in the State of Illinois decided for purposes of trying to maintain their instructional capability wanted to go to a four-day week, I don't think it would have any impact whatsoever on race-to-the-top competition."

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Flowers: "Representative, when we had gym in the schools, did it not start off with one or two schools coming back before this Body asking to be excused and not to be able to provide gym for the sake of saving dollars?"

Black: "You mean physical education?"

Flowers: "Yes."

Black: "Yeah..."

Flowers: "Well, see my point... my point to you, Sir, is it always start off with one or two and then it end up being many. Now, just take a look at what's going on as a result of there not being physical education, look at the obesity rate of the children. Now, let's take into consideration the four-day school... the four-day school week. I think our educational system, our children, will suffer while we are trying to save money off the backs of our children. We are also placing them in jeopardy because a lot of people would know that this particular school districts are on a four-day week... a lot of people will know that these children are home alone, we are jeopardizing these families' lives. I think what we should do is maybe ask that local school superintendent to take a pay cut. Maybe what we should do is ask those teachers to take a few furlough days, but I don't think that we should be in the business of balancing the budget off our children's back. And if the adults cannot negotiate their paperwork and their moneys once again, because the purpose of them being there is to educate the children and if they can't educate the children maybe they shouldn't be there. But the children should be in school for the appropriate amount of hours because after

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a while if you have a very long school day for the children they're subject to get tired and be turned off and not listen. We are jeopardizing our children; we are jeopardizing our future. And I think this is a very, very bad Bill and we should continue to have standards all across the state, high standards. There should be the continuity for education for all the children and every last one of them should have an opportunity. Thank you very much."

Speaker Lang: "Representative Verschoore."

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

Speaker Lang: "Gentleman yields."

Verschoore: "Mr. Black, I congratulate you. I had this Bill last year and it's the same situation that you have. I... this Bill is a not... one-size-fits-all, it's for large districts that have numerous... I mean dozens, maybe 50, 60 busses that travel long distances and diesel fuel prices are eating them alive. So I understand why you're doing this. And I just wanted to stand up in support of this and let you know that I congratulate you again for getting this out. I think it's a good Bill and I'll be voting 'aye'."

Speaker Lang: "Representative Will Davis."

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

Speaker Lang: "Gentleman yields."

Davis, W.: "Representative, I have a question. According to our analysis, it says that this can be done by a resolution of the board. Is that correct?"

Black: "That's correct."

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Davis, W.: "Considering the gravity of something like this, why not take this to the voters and let the voters in that area in that school district decide whether or not they want their children to be part of a four-day week or not versus leaving it up to the board in and of itself."

Black: "I believe the local school districts if they wanted to could do so. I would point out to you that elections in the State of Illinois have to follow the consolidated election law; they aren't cheap. The old days when you could have a school referenda in April, it could be a stand-alone referenda, are gone. So, you... the board would have to put it on whatever the next consolidated election date would be, and they certainly could do that. You'll get some push back from county clerks because they say, well, there's only four precincts in this school district and we have to print up a separate ballot and we have to have all the precincts staffed. I don't have any problem with that and I think some school districts would want to do that, but again, any time you have an election you get a little push back from county clerks because of what it costs. And if we could go back several years when I was a school teacher and we could put a school referenda on an April ballot and that would be the only issue on the ballot, but unfortunately those days are gone."

Davis, W.: "But Representative, wouldn't you agree that this is important enough to be able to take it to that level. Because I mean, I guess the way I'm looking at this is you want to reduce... and reduce the instruction time of schools..."

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Black: "No. No."

Davis, W.: "... and it's amazing whenever we talk..."

Black: "No. Let me just correct you. There could be no reduction of instruction time. Whatever the state board requires you to be in math or science or history or physical education, you must still meet those contact hours on this four-day week as you do a five-day week. No reduction whatsoever can occur. That was the Amendment that the state board insisted on."

Davis, W.: "So is that... is that part of this then?"

Black: "Yes, it is."

Davis, W.: "It has to be a part of this."

Black: "Yes."

Davis, W.: "Still having, unfortunately, just a little trouble with this. I just think that the fact that you've reduced time that children are in a classroom, I've got some... got some challenges with that. Despite... I understand, Representative. What she's making... what I think is a valid point. When we talked about, you know, asking kids just to be silent for a little bit of time during a classroom that was a problem. That was a problem, they said we're reducing the amount of class time, but longer school days is going to equate to children learning more by keeping them in school longer. I'm... I'm..."

Black: "I don't know that there's been any study on that. I mean, I don't know that there's any data available that would say that a condensed instruction day is less effective than a normal five-day week. I just don't believe any studies have been made on that issue."

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Davis, W.: "Okay. Well, obviously, you have superintendents on your side of the aisle that have spoken to this that seem to be in favor of it. I just have... I think are just from my own personal perspective some philosophical issues with it. And certainly would think that an issue of this magnitude should be left up to the voters in that district no matter how many precincts it is. Something of that magnitude should be left up to the voters to make that kind of decision versus just an elected board that may be influenced by a number of different things as we talk about down here, but I think that's something that should certainly be left up to the voters in that district."

Black: "And the locally elected school board is certainly free to do that. There's no prohibition on taking this to a referenda whatsoever. And a local board could certainly do that."

Davis, W.: "But... but that's what you're saying, though, that this is one way it can be done is by way of a referendum. So why not then say that in order for the school district to have a four-day week that why not put it in the... in your Bill that it has to be voted on by the people in that district?"

Black: "Well..."

Davis, W.: "Why did you make that choice versus referenda versus voting?"

Black: "The sup... as the superintendent pointed out, the first time he could get this on the ballot would be April of 2011. And by that time, his district could be broke or his school busses, I don't know if they could be repossessed,

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but his fuel supplier has said, look, if I don't get some money, I'm not going to keep selling you fuel on credit. So, with the consolidated election law, by the time it could get on the ballot, the damage may be irreversible."

Davis, W.: "Well, then to that, Representative, I will say then, then I think you bring up an excellent reason why we should debate House Bill 174, which is a comprehensive school reform measure that's been posted as Legislature. Now, while I know it's tough because we're talking about the issue of raising finance and raising taxes in order to get the revenue that school districts need in order to operate, but that's why we need to do that versus saying that we're going to reduce the number of days that children are in school. Then why don't we bring that issue forward and have a substantive debate on that issue? It's very clear that Members on your side of the aisle have said vehemently that we're not going to support a tax increase to do anything here in the State of Illinois, but you just picked up... you just posed a reason why we need to debate the issue because you're talking about your school district needing resources, and there are a number of school districts in the State of Illinois that need resources in order to operate more efficiently versus switching to a four-day school week. So, that might be a reason why we need to debate House Bill 174 versus reducing the number of school days. Thank you very much, Representative."

Speaker Lang: "Representative Kosel."

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

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Speaker Lang: "First, Mr. Black, you wanted to get my attention, Sir?"

Black: "Yes. Yes. Let me just say, I understand Mr. Davis's concerns. I don't have any problem with 174. If it is called on the Calendar tomorrow, I assume we'll caucus and I will make up my mind. You've never heard me say that I won't vote for a tax increase. I voted for the tax increase in 1992. I voted for the tax increase for education in 1997. I don't know what I'll do in 2010, but you've never heard me say, unequivocally, I will not under any circumstances vote for a tax increase. I've never said that."

Speaker Lang: "Representative Kosel."

Kosel: "Thank you. Will the Sponsor yield, please?"

Speaker Lang: "Gentleman yields."

Kosel: "Representative Black, I understand the concerns for downstate and the transportation issues, but is this Bill specifically worded so that it can only be taken advantage for transportation issues or could it be used also for overcrowded schools?"

Black: "I haven't heard from any superintendents.. well, in my area, obviously, we don't have overcrowded schools. But I suppose a superintendent and a school board could take this to their public for any reason they want to. And I'm glad you brought that up and I hope people on both sides of the aisle listen. I'm old enough to remember when most Chicago schools went half days because of overcrowding. Some students went to school from 7:30 to noon and other students went to school from 12:30 to 4:30. And it's not

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been that many years ago, so this isn't revolutionary; it isn't precedent setting. There were many, many schools throughout Illinois who were on half-day sessions because of overcrowding. As I say, some students went in the morning; some students went to school in the afternoon. It seemed to work out."

Kosel: "I actually have a school district that's doing that now and one of the complications of that is getting in lab time with the shortened periods. So, I'm looking at this as another tool to actually improve the quality of their education by being able to have some longer lab periods and so forth and intend to support it because I think it's not only good for transportation issues but overcrowded conditions also. And I think it's another option for school districts to improve the education quality. Thank you very much for bringing it forward."

Speaker Lang: "And the last speaker, Representative Cultra."

Cultra: "Thank you. To the Bill. You know, every year we ask our school superintendents to make a budget and they do that. And they do it predicated on getting money from the state in a timely manner. Now, this particular school district is expected to get quite a substantial amount in transportation money that it's not getting. All this Bill does is allow them the flexibility for that school board to make the decision on how to best manage their finances that they're not getting from the state. This is all because of money we're not giving them. So, and... and to bring up the question about what do the parents do when the kids aren't in school for five days. Well, what do they do in the

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summertime when they're not in school at all for three months? You know, they make some adjustments. It's really, really not a big deal. So, all this is.. is a local control issue. We make a lot of unfunded mandates on schools. We force them to do stuff without giving them money. Let's let them have some flexibility to manage that money. I stand in strong support of the Bill. Thank you."

Speaker Lang: "Mr. Black to close."

Black: "Thank you very much, Mr. Speaker. And thank you, Ladies and Gentlemen of the House. I think all of the questions were very good. Let me just make sure you understand one thing. This is not my Bill. It is not my idea. It was brought to me by a school superintendent who is literally pulling out his hair trying to figure out how to keep this small rural K-12 school in one building, how to keep it open. Now, there's nothing particularly revolutionary about this. Any of you my age will remember when most Chicago schools were on half-day sessions because of overcrowding. As I said earlier, some students went in the morning; some students went in the afternoon. I've taught school for 20 years. My wife is a retired school teacher. It bothers me when somebody gets up and says, I'm trying to balance the state budget on the backs of babies. That has.. this has nothing to do with that. This Bill isn't going to balance the state budget, that would take a miracle. All we're.. all this school superintendent is saying is I'm running out of money to keep my school busses on the road. All of my students are bussed to this school. I have to be able to do something to keep my school open.

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Nineteen states have allowed this. I'm not aware of any major problems. There is one thing I wish I would have done in the Bill and I didn't ask the school superintendent, Mr. Janesky, and I would if it passes I'll be glad to ask the Senate Sponsor, assuming I can find one, I think it ought to have a sunset clause. That dawned on me when Representative Davis was talking. I think this Bill should only be valid for a very short period of time. Let's say, three years. I don't think it should be something put in the statute books and left there forever. I will make that commitment to you if it passes the House. I will ask the Senate to put a sunset clause on it, not to exceed three years and send it back to the House. But I... again, this came from a school district superintendent who is trying to keep his school open. These are strange and difficult times that many of us are going through. But when I taught school and a referenda failed in Danville for about the seventeenth consecutive time, every school in the City of Danville, and we had 23 elementary schools at the time, 3 junior highs, and 1 high school, every school went a half a day in order to save money. Now, you and I know why the school board did that it was to put pressure on downtown merchants and the parents that if you don't like this half-day session, you better pass a referendum, and they did at the very next scheduled election. I taught from 7 a.m. until 12:30 in the afternoon. I volunteered to run clubs or to stay for tutoring or have students in my classroom after the school was over. I taught eighth and ninth grade. And the school board refused. I understand

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the problems with childcare. My wife and I had to deal with that when we were both working. I can't imagine any school board who would not take everything into consideration before they took this dramatic step. And they may very well, as Representative Davis said, they may very well decide, look, we better get a referendum. There's nothing that prohibits that. I will make one commitment to you. It should've had a sunset clause in it. And I will ask, if the Bill passes, for the Senate to do that. But again, I hope it isn't anything personal against the job that I have. This is a Bill brought to me by a superintendent. He knows his district better than I. This is a very small district in a very small community. All they want to do is try and keep their school district operating until the State of Illinois can get it turned around and we can reimburse school districts and maybe even pass some kind of fair tax increase that would help these schools continue to operate. I hope you'll understand the situation that brought this about and I hope you can vote 'aye'."

Speaker Lang: "Those in favor of the Bill shall vote 'yes'; those opposed shall vote 'no'. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Representative Beiser. Representative Soto. Representative Soto, do you wish to vote? Please take the record. This question, 81 voting 'yes', 21 voting 'no', and 2 voting 'present'. This Bill, having received the Constitutional Majority, is hereby declared passed. Mr. Clerk, committee announcements."

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Clerk Mahoney: "The following committees will meet immediately following Session: Judiciary-Criminal Law will meet in Room... Jud II in room D-1, Revenue & Finance in Room 122B, State Government Administration in Room 114, the Labor Committee in Room 118, Elections & Campaign in Room C-1, Cities & Villages in Room 115, Juvenile Justice Reform in Room 413 in the Stratton. Those committees will all meet immediately following Session. There's one committee canceled in the 5:30 committee slot. The Insurance Committee has been canceled for today. Insurance that was to meet at 5:30 has been canceled."

Speaker Lang: "The Chair recognizes Representative Riley."

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

Speaker Lang: "State your point, Sir."

Riley: "With all due respect to Representatives Leitch and Gordon, I'd like to congratulate the members of the Hillcrest High School basketball team for winning the class 3A championship this last weekend. And it seems like excellence in sports goes through Country Club Hills, Illinois because the girls team won second place and they are also the current track champions for the State of Illinois. So, I'd like to congratulate them. They plan on being down here in a few weeks, but hopefully, we can all work together to be sure that the educational concerns of both Hillcrest and all the schools in the state are adequately addressed. Thank you."

Speaker Lang: "Mr. Clerk, Agreed Resolutions."

Clerk Mahoney: "On the Order of Agreed Resolutions is House Resolution 1034, House Resolution 1035, House Resolution

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1036, House Resolution 1038, House Resolution 1039, House Resolution 1040, House Resolution 1042, and House Resolution 1043."

Speaker Lang: "Representative Lyons moves the passage of the Agreed Resolutions. Those in favor say 'yes'; those opposed say 'no'. In the opinion of the Chair, the 'ayes' have it. And the Agreed Resolutions are adopted. The Chair recognizes Representative McAuliffe."

McAuliffe: "Thank you, Mr. Speaker. An announcement: on Wednesday, March 25, at 8 a.m., the veterans' caucus is going to meet in Room 118. This Wednesday, March 24, 8 a.m., veterans' caucus Room 118. All Members are invited also. And the director will be there to answer any questions that the Members have. Thank you."

Speaker Lang: "Thank you. Representative May."

May: "Yes, thank you. I have an announcement also. I would really like the Members to be aware that there are going to be 20-plus children here. These are survivors of pediatric cancer. They will be wearing blue sweatshirts. They're young teens and all of them have very compelling stories, whether it be leukemia. These brave children have faced airlifts and chemotherapy and radiation treatments and great... great bravery as they fight their pediatric cancer. They're going to have stickers that they will give to you, and they're going to be asking you to help sponsor House Resolution 858, which I have drafted in honor of Pediatric Cancer Awareness Week, which we hope to call on Thursday. But if you would talk to them and learn the conditions that they've had to fight and how they're concerned about their

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health care throughout the rest of their life, they would much appreciate it. Thank you very much."

Speaker Lang: "Mr. Clerk, what is the status of House Joint Resolution Constitutional Amendment 57."

Clerk Mahoney: "House Joint Resolution Constitutional Amendment 57 is on the Order of Second Readings."

Speaker Lang: "Place that Bill on the Order... the Constitutional Amendment on the Order of Third Reading and please read it for a third time."

Clerk Mahoney: "House Joint Resolution Constitutional Amendment 57."

RESOLVED, BY THE HOUSE OF REPRESENTATIVES OF THE NINETY-SIXTH GENERAL ASSEMBLY OF THE STATE OF ILLINOIS, THE SENATE CONCURRING HEREIN, that there shall be submitted to the electors of the State for adoption or rejection at the general election next occurring at least 6 months after the adoption of this resolution a proposition to amend Article VI of the Illinois Constitution by changing Section 11 as follows:

ARTICLE VI

THE JUDICIARY

SECTION 11. ELIGIBILITY FOR OFFICE

No person shall be eligible to be a Judge or Associate Judge unless that person is a United States citizen, a licensed attorney-at-law of this State, and a resident of the unit which selects him or her. A person must have been a licensed attorney-at-law for a minimum of ten years to be eligible to serve as a Circuit Judge, a minimum of twelve years to be eligible to serve as an Appellate Judge, and a

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minimum of fifteen years to be eligible to serve as a Supreme Court Judge, except that this requirement does not disqualify a person serving as a Judge on December 31, 2010 from completing the current term of office or seeking an additional term for that office. No change in the boundaries of a unit shall affect the tenure in office of a Judge or Associate Judge incumbent at the time of such change.

SCHEDULE

This Constitutional Amendment takes effect upon being declared adopted in accordance with Section 7 of the Illinois Constitutional Amendment Act."

Speaker Lang: "Chair recognizes Representative Osmond for an announcement."

Osmond: "Thank you, Mr. Speaker. The Republicans will caucus at 11 a.m. tomorrow morning in Room 118."

Speaker Lang: "And the Chair recognizes Representative Soto."

Soto: "Thank you, Speaker. Can I be recorded 'no' on House Bill 4886?"

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

Soto: "Thank you."

Speaker Lang: "And now Representative Lyons moves that House do stand adjourned allowing for perfunctory time for the Clerk to Tuesday, March 23, 12 noon. Those in favor say 'yes'; those opposed 'no'. In the opinion of the Chair, the 'ayes' have it. And the House does stand adjourned."

Clerk Mahoney: "House Perfunctory Session will come to order. Committee Reports. Representative Howard, Chairperson from the Committee on Judiciary II-Criminal Law reports the

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following committee action taken on March 22, 2010: recommends be adopted is Floor Amendment #2 to House Bill 5394, Floor Amendment #1 to House Bill 5401, Floor Amendment #1 to House Bill 5640, Floor Amendment #1 to House Bill 5745, Floor Amendment #1 and Floor Amendment #2 to House Bill 5932, Floor Amendment #2 to House Bill 5947, Floor Amendment #1 to House Bill 6460, Floor Amendment #1 to House Bill 6462, Floor Amendment #1 to House Bill 6463, Floor Amendment #1 to House Bill 6464; do pass as amended Short Debate is House Bill 6195. Representative Dunkin, Chairperson from the Committee on Juvenile Justice Reform reports the following committee action taken on March 22, 2010: recommends be adopted Floor Amendment #2 to House Bill 5914. Representative Jackson, Chairperson from the Committee on Consumer Protection reports the following committee action taken on March 22, 2010: recommends be adopted is Floor Amendment #3 to House Bill 4781. Representative Nekritz, Chairperson from the Committee on Elections & Campaign Reform reports the following committee action taken on March 22, 2010: recommends be adopted is Floor Amendment #4 to House Bill 4037. Representative Flowers, Chairperson from the Committee on Health Care Availability & Access reports the following committee action taken on March 22, 2010: recommends be adopted is Floor Amendments 1 and 2 to House Bill 4924. Representative Bradley, Chairperson from the Committee on Revenue & Finance reports the following committee action taken on March 22, 2010: recommends be adopted is Floor Amendment #1 to House Bill 5603; do pass short debate is

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Senate Bill 642. Representative Reitz, Chairperson from the Committee on Healthcare License reports the following committee action taken on March 22, 2010: recommends be adopted is Floor Amendment #1 to House Bill 5183, Floor Amendment #2 to House Bill 5783, Floor Amendment #1 to House Bill 5917. Representative Burke, Chairperson from the Committee on Executive reports the following committee action taken on March 22, 2010: recommends be adopted is Floor Amendment #2 to House Bill 6030. Representative Froehlich, Chairperson from the Committee on Cities & Villages reports the following committee action taken on March 22, 2010: recommends be adopted is Floor Amendment 1 to House Bill 4837 and Floor Amendment #1 to House Bill 5787. Representative Soto, Chairperson from the Committee on Labor reports the following committee action taken on March 22, 2010: recommends be adopted is Floor Amendment #2 to House Bill 3631 and Floor Amendment #1 to House Bill 6349. Representative Franks, Chairperson from the Committee on State Government Administration reports the following committee action taken on March 22, 2010: do pass as amended short debate is House Bill 5424; recommends be adopted is Floor Amendment #2 to House Bill 5301, Floor Amendment #1 to House Bill 5571, and Floor Amendment #2 to House Bill 6317; and House Resolution 954 is recommends be adopted. On the Order of Senate Bills-First Reading. Senate Bill 550, offered by Representative McCarthy, a Bill for an Act concerning public employee benefits. Senate Bill 2499, offered by Representative Farnham, a Bill for an Act concerning education. Senate Bill 2802, offered by

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Representative Jefferson, a Bill for an Act concerning finance. Senate Bill 3742, offered by Representative Rita, a Bill for an Act concerning elections. And Senate Bill 3816, offered by Representative Jefferson, a Bill for an Act concerning revenue. On the Order of Senate Bills-Second Reading is Senate Bill 1578. Senate Bill 1578, a Bill for an Act concerning business. Second Reading of this Senate Bill. There being no further business, the House Perfunctory Session will stand adjourned."