

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

119th Legislative Day

3/24/2010

Speaker Mautino: "The hour being 11:40 the House shall be in order. Members and guests are asked to refrain from starting their laptops, turn off all cell phones and rise for the invocation and the Pledge of Allegiance. We shall be led in prayer today by Reverend Rob Dyer who is with First Presbyterian Church in Mt. Vernon, Illinois. Reverend Dyer is a guest of Representative Cavaletto. Reverend Dyer."

Reverend Dyer: "I'd like to invite all who are gathered here this day to do the good work that's been laid before them, to serve the strong and resilient people of the State of Illinois, to join me in a time of prayer as we seek power and guidance far beyond what any of us could hope to do on our own. Whatever your faith tradition is, I invite you to use your personal faith to empower through prayer all who seek to do goodness, justice and righteousness. Let us pray. To the Great Divine that surpasses our understanding and rises above our collective wills to the heights of a perfect will of wisdom, to You we raise this collective prayer, each praying out of our own personal faith and pouring that individual faith into this collective prayer so that goodness, justice and righteousness might reign within this Assembly. Grant all who serve within these walls, we pray, the wisdom and clarity of thought that are necessary to address the needs and concerns of the State of Illinois and its people. We are surrounded with such a poverty of hope. Help us all to see beyond that poverty of hope into a light of eternal possibilities that only the divine spark can ignite within us. Help us all to see

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beyond the burdens of today into the solutions of tomorrow. But we also pray to You, our Divine Inspiration and Holy one, for the strength and the courage to never forget those who are suffering right now. Help us never to forget those who are hungry today. Help us never to forget those who are without shelter today. Help us never to forget those who are imprisoned today. Help us never to forget those who are huddled in the darkness of their own despair, unable to perceive that there is an opportunity for hope. And in the shadows of our state's challenges, we especially want to remember the over 20 thousand teachers, and aides, staff and administrators who are facing the darkness of unemployment this year. We lift each of them and their families up to You, oh great divine spirit of recreation and we pray not only for a clear path of hope for them, but we pray for guidance and wisdom for all who gather here to find solutions so that no school is left behind. So, that no teacher is held back from their calling. And so, that no child is denied the kind of quality education that will propel them into the clear skies of their divinely ordained destiny. With remembrance for those who are suffering, with a yearning for strength and courage, with a hunger to move beyond the poverty of hope, with a desire to see the light of eternal possibilities, and with the pouring of our individual faiths into this collective prayer, we stand before You and the people of the great State of Illinois eager to serve with all our heart, with all our soul, with all our might. Grant us this we pray, Amen."

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

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

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

Lang: "Thank you, Mr. Speaker. There are no excused Democrats today."

Speaker Mautino: "Representative Bost."

Bost: "Thank you, Mr. Speaker. Let the record reflect that all Republicans are here and ready to do the work of the people."

Speaker Mautino: "Mr. Clerk, take the record. 117 answering the Roll, a quorum is present and the House is prepared to do its work. Mr. Clerk."

Clerk Mahoney: "Committee Reports. Representative McCarthy, Chairperson from the Committee on Personnel & Pensions reports the following committee action taken on March 24, 2010: recommends be adopted is Floor Amendment #2 to Senate Bill 1946. Representative Phelps, Chairperson from the Committee on Agriculture & Conservation reports the following committee action taken on March 24, 2010: recommends be adopted is Floor Amendment #3 to House Bill 5772. Representative... Representative Turner, Chairperson from the Committee on Rules reports the following action taken on March 24, 2010: approved for floor consideration is... and referred to the order of Second Reading is Senate

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Bill 1182; approved for floor consideration, also, recommends be adopted is Amendment #3 to House Bill 4220, Amendment #2 to House Bill 4779, Amendment #2 to House Bill 5107, Amendment #1 to House Bill 5126, Amendment #2 to House Bill 5152, Amendment #2 to House Bill 5191, Amendment #1 to House Bill 5241, Amendment #2 to House Bill 5424, Amendment #3 to House Bill 5483, Amendment #2 to House Bill 5517, Amendment #1 to House Bill 5688, Amendment #1 to House Bill 5859, Amendment #2 to House Bill 5918, Amendment #4 to House Bill 6080, Amendment #1 to House Bill 6113, Amendment #1 to House Bill 6129, Amendment #2 to House Bill 6140, Amendment #2 to House Bill 6202, Amendment #2 to House Bill 6391 and Amendment #2 to House Bill 6462. Referred to the House Committee on Rules is House Resolution 1056, offered by Representative Franks."

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

Representative Eddy: "Thank you, Mr. Speaker. I'd like to call House Resolution 1041."

Speaker Mautino: "Mr. Clerk."

Clerk Bolin: "House Resolution 1041, offered by Representatives Eddy and Reitz:

Be it resolved by the House of Representatives of the 96th General Assembly of the State Of Illinois that we congratulate and applaud the 2009-2010 Robinson High School Maroons boys varsity basketball team for their accomplishments throughout the season; for their talent and class displayed on and off the court, and for the excellent

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coaching staff that led the team to the 2A State Championship."

Speaker Mautino: "Representative Eddy."

Representative Eddy: "Thank you very much, Mr. Speaker. Ladies and Gentleman of the House, in the Speaker's Gallery are a group of fine young men, among the finest you'll find anywhere. They are not only the State Champions in Class 2A basketball, but they... They are a group of young men who have handled themselves with dignity and class throughout the year. Ending their year with a 15-game winning streak and ultimately defeating Peoria Manual for the State Championship. More importantly though, or as important, they were able to help me win a wager that I had with Representative Bob Flider regarding the Decatur St. Teresa Super Sectional game. And I've got to say, Representative Flider is a man of his word. I have in my possession, the popcorn that he lost in that wager. Ladies and Gentlemen of the House, I just want to take a moment and recognize Bob Coffman, Coach Coffman, the Robinson Maroons, the Class 2A Boys State Basketball Champion in 2010. Please help me welcome them to the General Assembly."

Speaker Mautino: "Congratulations and welcome to the House of Representatives. Representative Soto."

Representative Soto: "Thank you, Speaker. I'd like to give a warm welcome to Erie Charter School. They're right here to my right. A big applause for them. Thank you for being here. Thanks for visiting Springfield."

Speaker Mautino: "Welcome to the House of Representatives. Representative Eddy now moves for the adoption of House

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Resolution 1041. All in favor say 'yes'; opposed 'no'. The 'yeses' have it. And the Resolution is adopted. Ladies and Gentlemen of the House, we'll be dealing with Amendments that came out of committees yesterday or have been approved for consideration. And as I go through these, I'll call on you. Be prepared to explain your Amendments. Our first one is House Bill 5191, Representative Fortner. Read the Bill."

Clerk Mahoney: "House Bill 5191, a Bill for an Act concerning government. Second Reading of this House Bill. Amendment #1 was adopted in committee. Floor Amendment #2, offered by Representative Fortner, has been approved for consideration."

Speaker Mautino: "Representative Fortner on Floor Amendment #2 to House Bill 5191."

Fortner: "Thank you, Mr. Speaker, Members of the House. Floor Amendment 2 makes a number of changes to the Bill, as it originally came out of committee, dealing with concerns from some of the agencies, particularly the IEPA, to make sure that past and federal rules were handled correctly and providing for the specifics of the role of DCEO as an assistant, if requested by a specific agency."

Speaker Mautino: "The Gentleman has moved adoption of Floor Amendment #2. No one's seeking recognition, all in favor say 'yes'; opposed 'no'. Amendment 2 is adopted. Mr. Clerk, further Amendments?"

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

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Speaker Mautino: "Third Reading. Representative Brauer, you have House Bill 5688 on Second Reading. Mr. Clerk, read the Bill."

Clerk Mahoney: "House Bill 5688 has been read a second time, previously. Floor Amendment #1, offered by Representative Brauer, has been approved for consideration."

Speaker Mautino: "Representative Brauer..."

Brauer: "Thank you..."

Speaker Mautino: "...on Floor Amendment #1."

Brauer: "...Mr. Speaker. Ladies and Gentlemen of the House, this Amendment came out of a... talks between the... the different agencies that were interested in this Bill. And this has taken away all opposition. I move for a 'yes' vote."

Speaker Mautino: "Gentleman has moved adoption of Floor Amendment #1. No one seeking recognition, all in favor say 'yes'; opposed 'no'. The 'yesses' have it. The Amendment is adopted. Mr Clerk, further Amendments?"

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

Speaker Mautino: "Third Reading. Representative Harris, on the Calendar appears House Bill 5107. Out of the record. Mr. Harris, you also have, on page 5 of the Calendar, 5085. Read the Bill."

Clerk Mahoney: "House Bill 50... House Bill 5085, a Bill for an Act concerning insurance. Second Reading of this House Bill. Floor Amendments 1 and 2 have been..."

Speaker Mautino: "Representative Harris... Third Reading. Representative Nekritz, House Bill 6208. Representative Ne... Nekritz, on page 14 of the Calendar. Elaine, 6208. Read the Bill."

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Clerk Mahoney: "House Bill 6208, a Bill for an Act concerning utilities. Second Reading. Amendments 1 and 2 were adopted in committee. Floor Amendment #3, offered by Representative Nekritz, has been approved for consideration."

Speaker Mautino: "The Lady from Cook on Floor Amendment #3."

Nekritz: "Thank you, Mr. Speaker. Floor Amendment #3 on House Bill 6208 reflects the comments of the Public Utilities Committee with regard to some disclosures by agents, brokers and commissions that are selling electricity in the competitive market."

Speaker Mautino: "Lady's moved adoption of Floor Amendment #3. No one seeking recognition, all in favor say 'yes'; opposed 'no'. The 'yeses' have it. The Amend... Amendment is adopted. Mr. Clerk, any further Amendments?"

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

Speaker Mautino: "Third Reading. Representative Nekritz, House Bill 5152. Read the Bill."

Clerk Mahoney: "House Bill 5152, a Bill for an Act concerning State Government. Second Reading of this House Bill. Amendment #1 was adopted in committee. Floor Amendment #2 has been approved for consideration."

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

Nekritz: "Thank you, Mr. Speaker. Floor Amendment #2... Well, the background of the Bill is there's been some unfortunate deaths at both state facilities and in some community living arrangements for... of those who are take... being taken care of by the state developmentally disabled and men..."

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mentally ill. And this creates some... some volunteer panels to review those deaths and make recommendations to the state as to how those can be avoided."

Speaker Mautino: "The Lady's moved adoption of Amendment #2. No one seeking recognition, all in favor say 'yes'; opposed 'no'. The 'yeeses' have it. And the Amendment is adopted. Further Amendments?"

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

Speaker Mautino: "Third Reading. Representative Tracy is seeking recognition."

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

Speaker Mautino: "State your point."

Tracy: "Today I would like to recognize a very special group of school children. They are from Trinity Lutheran School in Arenzville, Illinois, sitting up here. They represent the second through the sixth grade and Mrs. Miller is their teacher, as well as Mrs. Bishop. And Reese Dunkel is in the third grade and his mother, Gail Farris, is one of the House Representative mail room supervisors. So, please give them a warm Springfield welcome."

Speaker Mautino: "Welcome to the House of Representatives. Page 5 of the Calendar appears House Bill 4990, Representative Bost. Read the Bill."

Clerk Mahoney: "House Bill 4990, a Bill for an Act concerning utilities has been read a second time, previously. Amendment #1 was adopted in committee. Floor Amendments 2 and 3 have both been approved for consideration."

Speaker Mautino: "Representative Bost on Amendment #2."

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Bost: "Thank you, Mr. Speaker. Floor Amendment #3 basically becomes the Bill. It does replace everything that was in 1 and 2 and it simply adds a date... or an update a... updates a date on a 9-1-1 system.

Speaker Mautino: "The Gentleman moves adoption of Floor Amendment 2. Representative Bost, do you want to move Amendment 2 or Amendment 3?"

Bost: "3. I'm sorry. We need to withdraw 2 and... and we need to move 3."

Speaker Mautino: "Mr. Clerk, withdraw 2 and place Amendment #3 on the board. The Gentleman has explained the Amendment. No one seeking recognition, all in favor say 'yes'; opposed 'no'. The 'yeses' have it. And the Amendment is adopted. Mr. Clerk, further Amendments?"

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

Speaker Mautino: "Third Reading. Representative Kosel, on page 8 of the Calendar is House Bill 5483. Read the Bill."

Clerk Mahoney: "House Bill 5483 has been read a second time, previously. Amendment #1 was adopted in committee. Floor Amendment #2 has been adopted to the Bill. Floor Amendment #3, offered by Representative Kosel, has been approved for consideration."

Speaker Mautino: "Representative Kosel."

Kosel: "Thank you very much, Mr. Speaker. I would ask for the adoption of Floor Amendment #3. This is a Open Meetings Act Bill and some of the local mayors came to me and said that they needed more than one meeting to approve minutes. And so, we are accommodating them by saying two meetings. And I would ask for its adoption."

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Speaker Mautino: "Lady's moved the adoption of Floor Amendment #3. No one's seeking recognition, all in favor say 'yes'; opposed 'no'. The 'yesses' have it. The Amendment is adopted. Mr. Clerk, any further Amendments?"

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

Speaker Mautino: "Third Reading. House Bill 6391, Representative McAsey. Read the Bill."

Clerk Mahoney: "House Bill 6391, a Bill for an Act concerning education. Second Reading of this House Bill. Floor Amendment #2, offered by Representative McAsey, has been approved for consideration."

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

McAsey: "Thank you... thank you. Floor Amendment 2, this is actually an initiative of the Attorney General's Office. And what Floor Amendment 2 does is adds to the existing curriculum required in schools related to Internet safety education, adding to the Internet safety education curriculum that's currently implemented into schools by adding language that electronic communication devices, including cell phones, harassment and exploitation by minors and peers, to address issues of sexting and sexual exploitation of children that these are parts of what is taught dur... in that curriculum. And I would ask for adoption of the Floor Amendment. Thank you."

Speaker Mautino: "Lady moves adoption of Floor Amendment #2. No one seeking recognition, all in favor 'yes'; opposed 'no'. The 'yesses' have it. Amendment #2 is adopted. Mr. Clerk, further Amendments?"

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

Speaker Mautino: "Third Reading. Representative Cultra, House Bill 5699. Out of the record. Representative Jakobsson, House Bill 5859. Read the Bill."

Clerk Mahoney: "House Bill 5859, a Bill for an Act concerning public aid is on Third Reading."

Speaker Mautino: "Mr. Clerk, would you return this Bill to Second Reading. Are there any Amendment's pending?"

Clerk Mahoney: "Floor Amendment #1, offered by Representative Jakobsson, has been approved for consideration."

Speaker Mautino: "Representative Jakobsson on Floor Amendment #1."

Jakobsson: "Thank you, Mr. Speaker, Ladies and Gentlemen of the House. Floor Amendment #1 is a result of an agreement with meeting with the department. Notwithstanding any other provision of the code, subject to federal approval, the department may adopt rules to allow a dentist who is volunteering his or her service at no cost to render dental services through an enrolled not-for-profit health clinic without the dentist being personally enrolling as a participating provider in the medical assistance program. This is something that... the dentists provide their services. They'd like to do it for not-for-profits and this will help them do that."

Speaker Mautino: "The Lady's moved adoption of Floor Amendment #1. All in favor say 'yes'; opposed 'no'. The 'yesses' have it. And the Amendment is adopted. Mr. Clerk, any further Amendments?"

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

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Speaker Mautino: "Third Reading. Representative Brauer is seeking recognition."

Brauer: "Thank you, Mr. Speaker. Ladies and Gentlemen of the House, if you could help give me a Springfield welcome to the Lincoln College students in... They're here in the gallery. Please give them a welcome."

Speaker Mautino: "Welcome to the House of Representatives. Representative Dunkin on the Calendar appears House Bill 6379. Read the Bill."

Clerk Mahoney: "House Bill 6379, a Bill for an Act concerning local government. Second Reading of this House Bill. Floor Amendment #1, offered by Representative Durkin (sic-Dunkin), has recommends not be adopted."

Speaker Mautino: "Representative Dunkin on Floor Amendment #1. Out of the record. Representative Burns, you have House Bill 6202. Read the Bill."

Clerk Mahoney: "House Bill 6002, a Bill for an Act concerning regulations. Second Reading of this..."

Speaker Mautino: "Mr. Clerk, 6202."

Clerk Mahoney: "House Bill 6202, a Bill for an Act concerning utilities. Second Reading of this House Bill. Amendment #1 was adopted in committee. Floor Amendment #2... Burns, has been approved for consideration."

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

Burns: "Thank you very much, Mr. Speaker and Members of the House. Floor Amendment #2 reflects an agreement between ComEd, Ameren, and other utility interests, and the environmental community. What the Bill does is delete the underlying Bill and creates, a Net Metering Task Force to

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report back to the General Assembly in March of 2011. I know of no opposition and would like to move to adopt the Amendment."

Speaker Mautino: "Gentleman moves adoption of Floor Amendment 2 to House Bill 6202. All in favor say 'yes'; opposed 'no'. The 'yesses' have it. The Amendment is adopted. Mr. Clerk, further Amendments?"

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

Speaker Mautino: "Third Reading. Mr. Burns, House Bill 6462 is on Third Reading. Mr. Clerk, place that on the board and return that Bill to Second Reading. Are there any Amendments pending?"

Clerk Mahoney: "Floor Amendment #2 offered by Representative Burns."

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

Burns: "Thank you very much, Mr. Speaker, Members of the House. Floor Amendment #2 increases criminal penalties for those who are engaged in juvenile pimping and other exploitation of children in regards to pimping and prostitution. It... this is an amendatory... This Amendment does not change the underlying Bill. It's a line and replace Amendment. And I would like to move to adopt the Amendment."

Speaker Mautino: "Gentleman moves adoption of Floor Amendment #2. No one seeking recognition, all in favor say 'yes'; opposed 'no'. The 'yesses' have it. The Amendment is adopted. Mr. Clerk, further Amendments?"

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

Speaker Mautino: "Third Reading. Mr. Burns, House Bill 6129. Read the Bill."

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Clerk Mahoney: "House Bill 61... House Bill 6129, a Bill for an Act concerning courts. Second Reading of this House Bill. Amendment #1, offered by Representative Burns, has been approved for consideration."

Speaker Mautino: "Representative Burns on Floor Amendment #1."

Burns: "Thank you very much, Mr. Speaker and Members of the House. Floor Amendment #1 is an agreement between the Juvenile Justice Initiative and the Cook County State's Attorneys Office regarding the comments made by juveniles during a screening for mental health issues. It's an agreed Amendment. And I move to adopt the Amendment."

Speaker Mautino: "Gentleman moves adoption of Floor Amendment #1 to House Bill 6129. No one seeking recognition, all in favor say 'yes'; opposed 'no'. The 'yesses' have it. The Amendment is adopted. Mr. Clerk, any further Amendments?"

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

Speaker Mautino: "Third Reading. Representative Feigenholtz, House Bill 6080. Read the Bill."

Clerk Mahoney: "House Bill 6080, a Bill for an Act concerning civil law has been read a second time, previously. Floor Amendment #2 and 4 have both been approved for consideration."

Speaker Mautino: "Lady from Cook, Representative Feigenholtz."

Feigenholtz: "Thank you, Mr. Speaker. Floor Amendment numbers 2 and 4 are a clarification of the intent of this measure that has been brought forth by the Chicago Bar Association. I'd be glad to answer any questions."

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Speaker Mautino: "The Lady moves adoption of Floor Amendment #2. And on this question, the Gentleman from Tazewell, Representative Sommer."

Sommer: "Thank you, Mr. Speaker. I'd just like to comment that the committee and all involved with adoption, all those groups, have worked on this together. And this is... this has my support. Thank you."

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

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

Speaker Mautino: "She indicates she will."

Flowers: "Representative, is this Bill applicable to wards of the state as well?"

Feigenholtz: "It act... this... actually this law..."

Speaker Mautino: "I would ask that the noise lever... level in the chamber be brought down."

Feigenholtz: "This law already exists in the child welfare portion of statute for DCFS wards. What we're doing is, we're putting it in the Adoption Act, so that it also applies to other nonward adoptions in Illinois."

Flowers: "Thank you."

Speaker Mautino: "The Lady's moved adoption of Floor Amendment #2. No one else seeking recognition, all those in favor say 'yes'; opposed 'no'. The 'yesses' have it. And the Amendment is adopted. Mr. Clerk, any further Amendments?"

Clerk Mahoney: "We have Amendment #4."

Speaker Mautino: "Representative Feigenholtz."

Feigenholtz: "Thank you. This is also an agreement. And my colleague, Representative Sommers and the Chicago Bar

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Association worked on agreed language. I'd be glad to answer any questions."

Speaker Mautino: "The Lady moves adoption of Floor Amendment #4. No one seeking recognition, all in favor say 'yes'; opposed 'no'. The 'yeses' have it. And the Amendment is adopted. Mr. Clerk, any further Amendments?"

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

Speaker Mautino: "Third Reading. Representative Bellock, House Bill 5241. Patti. Representative Bellock, House Bill 5241. Read the Bill."

Clerk Mahoney: "House Bill 5241 has been read a second time, previously. Floor Amendment #1 has been approved for consideration."

Speaker Mautino: "Floor Amendment #1. Representative Bellock."

Bellock: "Thank you very much. Floor Amendment 1 was to address the issues in committee of the privacy issues with this medical... Medicaid transparency program. We've addressed that issue in putting the figures into more of an aggregate form."

Speaker Mautino: "The Lady has moved adoption of Floor Amendment #1. No one's seeking recognition, all in favor say 'yes'; opposed 'no'. The 'yeses' have it. And the Amendment is adopted. Mr. Clerk, any further Amendments?"

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

Speaker Mautino: "Third Reading. Representative Pihos, House Bill 5126. Representative Pihos on 5126. Read the Bill"

Clerk Mahoney: "House Bill 5126, a Bill for an Act concerning education. Second Reading of this House Bill. Floor

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Amendment #1, offered by Representative Pihos, has been approved for consideration."

Speaker Mautino: "Lady from DuPage, Representative Pihos on Floor Amendment #1."

Pihos: "Thank you, Mr. Speaker and Ladies and Gentlemen of the House. This Bill as amended will clarify the intent of the legislation concerning student confidentiality. We feel that it is important that the School Code clearly states that there is confidentiality in plain language. This legislation will provide blanket confidentiality to all aspects of school counselors, school social workers and school psychologist interaction with students. We've worked on this Bill. We had similar legislation that passed in the House last year, passed in the Senate and became law, but apparently we still needed some extended clarifying language. I'd be happy to answer any questions."

Speaker Mautino: "The Lady moves adoption of Floor Amendment #1 to House Bill 5126. No one's seeking recognition, all in favor say 'yes'; opposed 'no'. The 'yesses' have it. And the Amendment is adopted. Mr. Clerk, any further Amendments?"

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

Speaker Mautino: "Third Reading. Representative Tracy, on the Calendar appears House Bill 6140. Mr. Clerk, place this on the board and return the Bill to Second Reading. Are there any Amendments pending?"

Clerk Mahoney: "Floor Amendment #2, offered by Representative Tracy, has been approved for consideration."

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

Tracy: "Thank you, Mr. Speaker. Floor Amendment #2 becomes the Bill. Provides that the Secretary of State shall suspend the license of an individual with an outstanding felony warrant upon receipt of a properly completed and sworn affidavit."

Speaker Mautino: "The Lady's moved adoption of Floor Amendment #2. No one's seeking recognition, all in favor say 'yes'; opposed 'no'. The 'yesses' have it. And the Amendment is adopted. Mr. Clerk, any further Amendments?"

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

Speaker Mautino: "Third Reading. Representative Colvin. Representative Colvin, House Bill 47... 81. ...the Bill."

Clerk Mahoney: "House Bill 4781, a Bill for an Act concerning debt settlement. Second Reading of this House Bill. Amendment #1 was adopted in committee. Floor Amendment #3 has been approved for consideration."

Speaker Mautino: "Representative Colvin on Floor Amendment #3."

Colvin: "Thank you, Mr. Speaker. I move for the adoption of House Amendment #3. It's a gut and replace Amendment which retains the language of House Amendment #1 with the additional changes. It provides that the secretary of IDFPR will set the application fees for debt settlement are providers by rule as opposed to mandating it in the Bill. It also leaves the application for licensure fees for a debt management providers at the current levels under the current law. So, in other words, those fees that would have been doubled in House Amendment #1 are moved back to the current levels in House Amendment #3. It also includes

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a couple Amendments from... a pending Amendment on #2 which allows debt settlement providers to charge a one-time enrollment fee of \$50. The current Bill does not provide that fee. And limits the maximum amount of a debt settlement provider may charge for a settlement fee to 15 percent which is above the 10 percent that was in the original Bill... in the current Bill, excuse me, in House Amendment #1. In the original Bill was 5 percent, so it moves it a total of 10 extra percentage points from the original Bill to the current Amendment. I'll be happy to answer any questions on the Amendment."

Speaker Mautino: "The Gentleman has moved adoption of Floor Amendment #3. No one's seeking recognition, all in favor say 'yes'; opposed 'no'. The 'yesses' have it. The Amendment is adopted. Mr. Clerk, any further Amendments?"

Clerk Mahoney: "No further Amendments. However, notes have been requested and not yet received."

Speaker Mautino: "Leave this Bill on Second Reading. Representative Riley, House Bill 4220. Read the Bill. Out of the record. Representative Jefferson, on the Calendar is 5424. Read the Bill."

Clerk Mahoney: "House Bill 5424 has been read a second time, previously. Amendment #1 was adopted in committee. Floor Amendment #2 has been approved for consideration."

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

Jefferson: "Thank you, Mr. Speaker, Members of the House. I move that Floor Amendment #2, which is a technical Amendment, be adopted."

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Speaker Mautino: "The Gentleman has moved adoption of Floor Amendment #2. No one's seeking recognition, all in favor say 'yes'; opposed 'no'. The 'yesses' have it. The Amendment is adopted. Mr. Clerk, further Amendments?"

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

Speaker Mautino: "Third Reading. Representative Reboletti, House Bill 5381 is on Second Reading. Read the Bill."

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

Speaker Mautino: "Representative Reboletti on Floor Amendment #1."

Reboletti: "I... I thought we took care of this Amendment yesterday, Speaker, but I'll speak to it again. This was just clarifying some of the concerns from the committee regarding case participants receiving notice from the court via e-mail instead of regular U.S. mail. I'll take any questions."

Speaker Mautino: "The Gentleman moves adoption of Floor Amendment #1 to House Bill 5381. No one seeking recognition, all in favor say 'yes'; opposed 'no'. The 'yes' have it. The Amendment is adopted. Any further Amendments?"

Clerk Mahoney: "No further Amendments."

Speaker Mautino: "Third Reading. Representative Mulligan, House Bill 5517. Representative Mulligan, House Bill 5517. Read the Bill. Mr. Clerk, on House Bill 5381, what's the status on that Bill?"

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Clerk Mahoney: "It's on the order of Third Reading."

Speaker Mautino: "Have there been notes requested?"

Clerk Mahoney: "Notes have been requested and not yet received."

Speaker Mautino: "Place that Bill on Second Reading. Representative Mulligan, House Bill 5517. Mr. Clerk, read the Bill."

Clerk Mahoney: "House Bill 5517, a Bill for an Act concerning professional regulation. Second Reading of this House Bill. Amendment #1 was adopted in committee. Floor Amendment #2, offered by Representative Mulligan, has been approved for consideration."

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

Mulligan: "Thank you, Mr. Speaker. Floor Amendment 2 is an agreement between the doctors, IRMA, PHAR... and PHARMA and a variety of people that represent pharmacies. It concerns basically that if you've been prescribed one generic drug and you've been taking it for a while the pharmacy cannot substitute another generic drug without informing you that they're doing so ahead of time before filling the prescription."

Speaker Mautino: "The Lady's moved adoption of Floor Amendment #2. No one's seeking recognition, all in favor say 'yes'; opposed 'no'. The 'yeses' have it. The Amendment is adopted. Mr. Clerk, further Amendments?"

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

Speaker Mautino: "Third Reading. Representative Golar, House Bill 5918. Read the Bill."

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Clerk Mahoney: "House Bill 5918 has been read a second time, previously. Amendment #1 was adopted in committee. Floor Amendment #2, offered by Representative Golar, has been approved for consideration."

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

Golar: Thank you, Mr. Chairman. Due to a... Amendment that I'm waiting on, it's still pending, would you please place it... keep it on Second."

Speaker Mautino: "Your Amendment is... is awaiting... It just came out of Rules today. Would you like to put that on the Bill?"

Golar: "I don't have the Amendment in front of me right now."

Speaker Mautino: "Out of the record. Representative Bill Mitchell, House Bill 4663. Read the Bill."

Clerk Mahoney: "House Bill 4663 has been read a second time, previously. Floor Amendment #1 has been approved for consideration."

Speaker Mautino: "Representative Mitchell on Floor Amendment 1."

Mitchell, B.: "Thank you, Mr. Speaker. Amendment #1 is a technical change. It's says... goes from municipalities 'may' and municipalities 'shall'."

Speaker Mautino: "The Gentleman has moved adoption of Floor Amendment #1 to House Bill 4663. All in favor say 'yes'; opposed 'no'. The 'yeses' have it. And the Amendment is adopted. Mr. Clerk, any further Amendments?"

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

Speaker Mautino: "Third Reading. Representative Lyons, on the Calendar is House Bill 6113. Representative Lyons. Out of

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the record. Intent of the Chair to go to Bills on Third Reading. Representative Nekritz on page 17 of the Calendar... Representative Nekritz on page 17 of the Calendar appears House Bill 4964. Would you like to call this Bill on Third Reading? Representative Nekritz."

Nekritz: "Mr. Speaker, I believe the Governor has already signed the Senate Bill that we did that. So, if we can table that or something with it. We..."

Speaker Mautino: "Take this Bill out of the record. Representative Riley, House Bill 5448 appears on Third Reading. Read the Bill."

Clerk Mahoney: "House Bill 5448, a Bill for an Act concerning child support. Third Reading."

Speaker Mautino: "Gentleman from Cook, Representative Riley."

Riley: "Thank you, Mr. Speaker. One second, please. Okay. Thank you. 5448 is essentially a Bill which will help an existing statute. Right now when a... a couple gets a marriage license they are supposed to be... they are supposed to be provided with a pamphlet telling them about the dangers of drinking while pregnant. And so, what 5448 does is causes an audit by county clerk... by county board of county clerks to be sure that these pamphlets get out and get out on a timely basis. Often there's been a situation where county clerks cannot afford the pamphlet or there were other reasons why this pamphlet did not get out. And so, there's a not-for-profit agency who is going to pay for the production of the pamphlets and also ensure that they are distributed across the state to all county clerks. And

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essentially that's what this Bill does. I'd be more than happy to ask... answer any questions you may have."

Speaker Mautino: "Gentleman has moved passage of House Bill 5448. And on that, Representative Fritchey."

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

Speaker Mautino: "He indicates he will."

Fritchey: "Representative, best I can tell from our analysis the underlying requirements are already a part of the law, but what's the rationale for distributing a Fetal Alcohol Syndrome pamphlet upon application for a marriage license. I mean, I would understand, I guess, if it was a woman going in for a pregnancy test, or something along those lines. But I just don't see the nexus necessarily towards giving that but this..."

Riley: "But that's part... that's part of statute right now."

Fritchey: "Well, I... I understand. I just didn't know if, as part of your work on this legislation, you have any insight as to..."

Riley: "Mr. Speaker, it's very difficult to hear."

Speaker Mautino: "I'd ask the Members of the House to bring the noise level down and pay attention to those who are in the course of debate on this Third Reading Bill."

Riley: "All right, Representative."

Fritchey: "You know, and I... I just didn't know if that during your work on this piece of legislation you had any insight as to why this literature would be given concurrently to the... To the application for a marriage license. Why a Fetal Alcohol Syndrome pamphlet would be given when your

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getting a marriage certificate. It's not as if you're going in for a pregnancy test, per se."

Riley: "Well, what... actually there's an agency that I deal with called Trinity Services. And I've been working with them in terms of providing education about the dangers of drinking while pregnancy and the whole issue of Fetal Alcohol Syndrome Disorders. Again, it's already part of state statute. Trinity had done an audit and they found out that many clerks were not providing this information. And so they took it upon themselves to produce and be able to provide this information to people on... on... you know, as they were getting their marriage license. This is something that was ev... evidently, you know, determined a long time ago that people who were getting married, especially, you know..."

Speaker Mautino: "Please grant another minute."

Riley: "That this is a good time to reach them and that was why that statute was... was passed."

Fritchey: "All right. Thank you."

Speaker Mautino: "Further discussion? Representative Pritchard."

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

Speaker Mautino: "He indicates that he will."

Pritchard: "Representative, I applaud you for drawing this issue to the attention of everyone in our state, but I'm curious, we have a law that requires county clerks to distribute these pamphlets now. According to the survey that you alluded to, they don't have copies of them to

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distribute. How is your Bill going to help the... the problem that you're trying to solve?"

Riley: "Well, Representative Pritchard, to the extent that some of the clerks or some of the counties have a problem with distribution of the pamphlets based on cost. This not-for-profit agency took it upon themselves, since that is one of their charges, treating people with Fetal Alcohol Syndrome and basically educating the public about it, they've taken on the cost of production and distribution. And they just want to be part of ensuring that at least that's not the reason why the clerks were not distributing this literature."

Pritchard: "So, didn't that survey already prove that that's the problem, they don't have copies?"

Riley: "Yes. Yes."

Pritchard: "So, shouldn't you really be dealing with some strategy for getting pamphlets to the county clerk?"

Riley: "I'm sorry. I... I can't hear you. Could you repeat that?"

Pritchard: "I... I said, shouldn't your solution be some strategy for getting these pamphlets to all county clerks?"

Riley: "Well, that's part of what Trinity wants to do. Trinity has also gotten in... involved and gotten in touch with the state association of county clerks and they've actually worked out what would be the... the distribution model for this. So, they're not doing it, you know, sort of in a vacuum. They've been working with the association of... of Illinois county clerks that... you know, try to find out the best way of distributing these materials."

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Pritchard: "Ladies and Gentlemen, to the Bill. I... I think the Representative has identified a real problem and we should do more in this state to try to make those that are expecting to have children aware of the dangers that can be caused to that child through consumption of alcohol during pregnancy. I... I think the problem is very severe, but I'm not sure that this is the right solution. We ought to be looking at ways to encourage the production of these pamphlets and distribution so that county clerks can do it. I'm just afraid to add another burden on to county boards that really doesn't address the... the issue. So, I would encourage the Sponsor to reconsider what he's doing here and not force another mandate upon county government, but really try to solve the issue. Thank you."

Speaker Mautino: "Representative Riley to close."

Riley: "Thank you and thank you for all the comments. I do think that this is exactly what this Bill endeavors to do. First of all, there is no cost. There were no fiscal notes on this Bill. It was a... a very good advocacy group that decided that they would do this. And so, again, it will be provided to the counties free of charge... free of charge. This is a 100 percent preventable syndrome. And I think that this is an extremely good piece of legislation. It's not too many times that organizations are willing to spend money to ameliorate something that we definitely need to put in check. So, I think this is a good piece of legislation. And I ask for an 'aye' vote."

Speaker Mautino: "The Gentleman's moved passage of House Bill 5448. All in favor vote 'yes'; opposed vote 'no'. The

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voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Representative Hannig, Dugan, do you wish to be recorded? Representative Hannig. Mr. Clerk, take the record. 113 voting 'yes', 3 voting 'no', 0 voting 'present', House Bill 5448 is declared passed. Representative Saviano, on the Calendar is House Bill 5026. Mr. Clerk, read the Bill."

Clerk Mahoney: "House Bill 5026, a Bill for an Act concerning insurance. Third Reading of this House Bill."

Speaker Mautino: "Representative Saviano."

Saviano: "Thank you, Mr. Speaker. House Bill 5026 is an initiative of the Department of Insurance to clean up some language regarding group worker compensation pools. It's just a trailer Bill, something they did last year. And there's no opposition. I would ask for its passage. Thank you."

Speaker Mautino: "Gentleman has moved passage of House Bill 5026. No one seeking recognition, question is, 'Shall this Bill pass?' All in favor vote 'yes'; opposed vote 'no'. Voting's open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Mr. Beiser, Dunkin, Representative Jakobsson, do you wish to be recorded? Mr. Clerk, take the record. 115 voting 'yes', 0 voting 'no', 0 voting 'present', this Bill is declared passed. Representative Saviano, House Bill 5527. Would you like to call that Bill? Read the Bill."

Clerk Mahoney: "House Bill 5527, a Bill for an Act concerning insurance. Third Reading."

Speaker Mautino: "Representative Saviano."

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Saviano: "Thank you, Mr. Speaker, Members of the House. House Bill 5527, as amended, cleans up some problems that we had with prescription cards. And what... what it did was clarify what networks were to be in the card, what services they provide, and amongst a whole lot of other things. It was a very consumer friendly effort. We worked with all the groups. And the last Amendment we attached made it an agreed Bill. And I would ask for its passage."

Speaker Mautino: "Gentleman moves passage of House Bill 5527. No one's seeking recognition, all in favor vote 'yes'; opposed vote 'no'. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Mr. Clerk, take the record. 115 voting 'yes, 0 voting 'no', 0 voting 'present', House Bill 5527 is declared passed. Representative Osterman, House Bill 5849. Out of the record. Mr. Osterman, you also have House Bill 5480. Out of the record. Mr. Osterman, you have House Bill 354. Read the Bill."

Clerk Mahoney: "House Bill 354, a Bill for an Act concerning revenue. Third Reading."

Speaker Mautino: "Representative Osterman."

Osterman: "Speaker and Ladies and Gentlemen of the House. House Bill 3054... 354 deals with overpayment of property taxes or erroneous property taxes paid in Cook County. We want to bring the Cook County similar to other counties in the state when there is a overpayment of property taxes and those property taxes are automatically repaid. And I'd ask for an 'aye' vote."

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Speaker Mautino: "The Gentleman has moved passage of House Bill 354. No one seeking recognition, all in favor vote 'yes'... Excuse me. Representative Franks, the Gentleman from McHenry."

Franks: "I apologize, Mr. Speaker. Will the Sponsor yield?"

Speaker Mautino: "He indicates that he will."

Franks: "Representative, what's the genesis of this Bill?"

Osterman: "The genesis of the Bill was... some people... my constituents pointed out that in Cook County you have to seek out a private entity to help recoup over paid property taxes. And in researching this, it was found that all the other counties of the state automatically repay property taxes. So, the goal was that we would bring Cook County in line with the other counties of our state. Good property taxpayer Bill"

Franks: "Let me ask you. If they... how do we determine whether there's an overpayment? Would it be the landowner? Would that person claim if there was an overpayment? And... But what happens if the claim is erroneous? That they didn't over pay. And then would this Bill re... still require the county then to give back the difference and then, perhaps in the future then have to go after that same taxpayer again?"

Osterman: "To go after the same taxpayer again, to what, recoup the cost?"

Franks: "Not just the cost, but the actual tax. Let's assume... I'm not sure how this works and I've never seen this before. So, let's assume I had property taxes of \$5

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thousand and I paid \$5300. That would be a pretty clear indication that I over paid \$300.

Osterman: "Yes."

Franks: "But what would happen if you were in appeal on... let's say you purchased a property, and then you were, in appeal and you thought the property was worth \$4 thousand instead of \$5 thousand, but you paid \$5 thousand just so you'd have it cleared off the books. But then you say, you know what, I over paid you by a grand. I want that money. Is that when this would kick in?"

Osterman: "If... if there was a clear overpayment, it would automatically kick in. On those erroneous ones, we would hope that the county would make that differential and figure out how that was done erroneously and then provide the repayment of the property taxes. It's my hope that the county would be able to facilitate that to make sure that they're not giving out dollars that ultimately they may have to go back and get."

Franks: "That... that's my only concern with this."

Osterman: "And I'll also say that that's something that we can look at with the Treasurer to make sure that that's done before final passage in the Senate."

Franks: "That's what I'd like. That... that was my only concern because I don't want the... the..."

Osterman: "I don't want to exacerbate a problem, but I also know that there's got to be a way to do this if all the other counties of our state are doing this. And I think it's a good taxpayer Bill. You know that there are a lot of senior citizens that for no fault of their own may make

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a payment that's in error. And we want to make sure that they're able to get their tax... tax money that's theirs back."

Franks: "Okay. I... I think it's a good... I think it's great idea. I just want to make sure it works as we want. Thank you."

Speaker Mautino: "Further discussion? Representative Rita."

Rita: "Will the Sponsor yield?"

Speaker Mautino: "He indicates that he will."

Rita: "Is there a process in place now, currently, if someone had over paid their taxes that they could receive the... the overpayment back?"

Osterman: "There is."

Rita: "And what would happen... and this Bill takes effect of the people that have over paid, prior to this taking effect, to receiving them taxes, there's some sort..."

Osterman: "This would be perspective (sic-prospective). So, it... it'd be my goal that this would be done moving forward on new taxpayers. Moving forward is the way I would describe it. So, as you know, Representative Rita, I think the county has five years now to people that can try to recoup their... recoup their... their tax dollars through finding a for-profit entity to do that. So, I think that this... we'd be trying to have this be done moving forward on future tax Bills."

Rita: "And that... that was something that I was working on because apparently there's approximately 900 to a 1000 people that have been... sort of kind of, I guess is the proper words, to say locked out in receiving their refunds

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right before that statute took place. Is that something that possibly we could put on to this Bill to extend that statute of limitations so that that thousand or so people will have an opportunity to receive their overpayments?"

Osterman: "Well, I think, two things. One is that you know that I spoke to the Majority Leader in an effort to try to help those taxpayers recoup their money. And that's something that I will continue to talk to my seatmate about. And I think that's a conversation that you and I can have as we move forward in the Senate."

Rita: "And then... another issue that we worked on that which... which we just talked about is the effective date of this. When is the effective date?"

Osterman: "My assumption is that it's the... I believe it's effective when the Governor signs the Bill. But again, the implementation we'd like to work with the county so that this is not an undue burden on them. And knowing that Maria Pappas is a... a fine con... you know, constituent service person. You know, she put on all of our property tax bills that came out information about the... our assessments. So, I think that she'd be willing to work with us to make sure that this works smoothly."

Rita: "And so... so you're... you're willing to, if this passes, to go over to work with the Senate Sponsor to possibly make the... the later effective date and possibly looking at them thousand or so, or extending that statute of limitations to, and I believe the Bill I had was 10 years, or 10 or 20 years to go back."

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Osterman: "I... I open to working in the Senate not to be a burden, but the reality is, as you know, is that there are people that... that pay property taxes and we want to make sure that they're able to recoup money that's their... their money. And I think. In a tough economy, we want to make sure that happens. But as you know, I'm always willing to work with you on this."

Rita: "All right. Thank you."

Speaker Mautino: "The Gentleman has moved passage of House Bill 354. And on this question, vote 'yes' or vote 'no'. Voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Mr. Crespo, do you wish to be recorded? Mr. Clerk, take the record. 114 voting 'yes', 0 voting 'no', 1 voting 'present', House Bill 354 is declared passed. Representative Sacia, House Bill 4812. Read the Bill."

Clerk Mahoney: "Hou..."

Speaker Mautino: "Out of the record. Representative Sullivan, House Bill 5923. Read the Bill."

Clerk Mahoney: "House Bill 5923, a Bill for an Act concerning local government. Third Reading."

Speaker Mautino: "Representative Sullivan."

Sullivan: "Thank you, Mr. Speaker. This Bill simply allows the community of Forest Lake to incorporate into a municipality by front door referendum. I'd be happy to take any questions."

Speaker Mautino: "Gentleman has moved passage of House Bill 5923. No one seeking recognition, the question is, 'Shall this Bill pass?' All in favor vote 'yes'; opposed vote

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'no'. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Representative Franks, Representative May, do you wish to be recorded? Mr. Clerk, take the record. 115 voting 'yes', 0 voting 'no', 0 voting 'present', House Bill 5923 is declared passed. Representative Phelps, House Bill 4990. Out of the record. Representative Phelps, House Bill 5329. Read the Bill."

Clerk Mahoney: "House Bill 5329, a Bill for an Act concerning government. Third Reading."

Speaker Mautino: "Representative Phelps."

Phelps: "Thank you, Mr. Speaker. House Bill 53... 5239 is an initiative of Rides Mass Transit District. It amends the Open Meetings Act to allow the use of video conferencing to improve the effectiveness to its public meetings. And I ask for its passage."

Speaker Mautino: "The Gentleman moves passage of House Bill 5329. No one seeking recognition, the question is, 'Shall this Bill pass?' All in favor vote 'yes'; opposed vote 'no'. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Representative Bost, Brady, Winters, do you wish to be recorded? Mr. Clerk, take the record. 96 voting 'yes', 19 voting 'no', 0 voting 'present', House Bill 5329 is declared passed. Representative Phelps, House... Representative Black, on page 14 of the Calendar is House Bill 6241. Representative Black. Read the Bill."

Clerk Mahoney: "House Bill 6241 has been read a second time, previously. Amendment #1 was adopted in committee. Floor

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Amendment #2 has been referred to the Rules Committee and not yet reported."

Speaker Mautino: "Representative Black."

Black: "If I heard the Clerk correctly, I believe Floor Amendment #2 is still in the Rules Committee; hopefully, that will come out today."

Speaker Mautino: "Take that out of the record."

Black: "Oh, is it... Did it get assigned to Revenue Committee? All right. Thank you very much."

Speaker Mautino: "Take the Bill out of the record. That Bill has been... Amendment's assigned to the Revenue Committee. Representative Brauer. Representative Riley. Out of the record. Representative Rita, you have House Bill 5513. Read the Bill."

Clerk Mahoney: "House Bill 5513, a Bill for an Act concerning professional regulation. Third Reading."

Speaker Mautino: "Representative Rita."

Rita: "Thank you, Mr. Speaker, Ladies and Gentlemen of the House. House Bill 5513 is some cleanup language for the Fire Sprinkler Contractor Licensing Act. I'd be happy to answer any questions."

Speaker Mautino: "Gentleman has moved passage of House Bill 5513. No one is seeking recognition, the question is, 'Shall this Bill pass?' All in favor vote 'yes'; opposed vote 'no'. Voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Representative Berrios, Davis, Mell, do you wish to be recorded? Mr. Clerk, take the record. 115 voting 'yes', 0 voting 'no', 0 voting 'present', the House Bill 5513 is declared passed.

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The Gentleman from DuPage, Representative Pritchard is seeking recognition."

Pritchard: "DeKalb. On 5329 I'd like the record to show that I voted 'no'."

Speaker Mautino: "The record will so reflect. The Cook... from Cook, Representative is seeking recognition."

Mell: "Thank you, Mr. Speaker. In my district I have a grade school called Chicago... International Charter School Irving Park Campus. I have two students here, Jerman Douglas and Michael Diaz. And it's a great school, and these are great students and they're right up there."

Speaker Mautino: "Welcome to the House of Representatives. Representative Yarbrough, on the Calendar up here is House Bill 5791. Read the Bill."

Clerk Mahoney: "House Bill 5791, a Bill for an Act concerning criminal law. Third Reading."

Speaker Mautino: "Representative Yarbrough."

Yarbrough: "Thank you, Mr. Speaker and Members of the House. House Bill 5791 allows the Attorney General to establish a crime victim and witness notification system under the Sex Offender Community Notification Law. This is necessary to assist public officials in carrying out their duties to notify and inform crime victims and witnesses. There's no known opposition to this Bill. I'd ask for an 'aye' vote."

Speaker Mautino: "The Lady's moved passage of House Bill 5791. No one's seeking recognition, question is, 'Shall this Bill pass?' All in favor vote 'yes'; opposed vote 'no'. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Representative Acevedo,

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Representative Hernandez, do you wish to be recorded? Mr. Clerk, take the record. 115 voting 'yes', 0 voting 'no', 0 voting 'present'. House Bill 5791 is declared passed. Representative Yarbrough, House Bill 5525. Mr. Clerk, read the Bill."

Clerk Mahoney: "House Bill 5525, a Bill for an Act concerning criminal law. Third Reading."

Speaker Mautino: "Representative Yarbrough."

Yarbrough: "Thank you, Mr. Speaker. Under House Bill 5525, it amends the Criminal Code and corrects a drafting error which left the statute silent as to criminal penalties for employees of penal institutions who bring certain types of contraband. This statute covers three different acts by an employee. One, bringing contraband in, possessing contraband in, and delivering contraband to an inmate or other person. In reference to penalty, there's no listed penalty if an employee brings or possesses tools or cutting instrument, but if that employee delivers or tries to deliver, there is no penalty for that. House Bill 5525 clarifies this situation by creating consistent statutory language and sentences for similar offenses. I'd be happy to answer any questions."

Speaker Mautino: "Lady moves passage of House Bill 5525. No one is seeking recognition, the question is, 'Shall this Bill pass?' All in favor vote 'yes'; opposed vote 'no'. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Representative Colvin, do you wish to be recorded? Mr. Clerk, take the record. 114 voting 'yes', 1 voting 'no', 0 voting

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'present', House Bill 5525 is declared passed. On the Calendar appears House Bill 5918, Representative Golar. Read the Bill."

Clerk Mahoney: "House Bill 5918 has been read a second time, previously. Amendment #1 was adopted in committee. Floor Amendment #2 has been approved for consideration."

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

Golar: "Thank you, Mr. Speaker. I recommend do adopt House Amendment #2 to House Bill 5918. It is a gut and replacement Amendment which provides immunity from civil liability to any person who, in good faith, provides emergency care to any person at the scene of an emergency that necessitates the evacuation of a building without receiving a fee or compensation. However, there will be no immunity for the person's willful and wanton misconduct in providing care or assistance."

Speaker Mautino: "The Lady's moved adoption of Floor Amendment #2. No one seeking recognition, all in favor say 'yes'; opposed 'no'. The 'yeses' have it. The Amendment is adopted. Mr. Clerk, any further Amendments?"

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

Speaker Mautino: "Third Reading. Representative Wait. Out of the record. Representative Osmond, House Bill 5571. Read the Bill."

Clerk Mahoney: "House Bill 5571, a Bill for an Act concerning finance. Third Reading."

Speaker Mautino: "Representative Osmond."

Osmond: "Thank you, Mr. Speaker. This deals with the discussion we had yesterday with the fact of the agencies printing

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materials that we feel that there should be a two-year moratorium on, printing nonessential advertisement pieces. And we feel strongly that this is a good government issue. And I'd be happy to answer any questions."

Speaker Mautino: "Representative Rose is seeking recognition."

Rose: "Thank you, Mr. Speaker. To the Bill. This is a... a great Bill. It will save the taxpayers money and for those of you, when we had this debate yesterday, we all get these calendars and yesterday we talked about the 2010 IDOT Work Zone Safety Calendar that we all got. And in case you didn't need that, you got the pocket version as well. It cost the taxpayers a buck-ninety to mail this, that's on top of the printing costs. In case you needed still more calendars, for \$2.40, we all got mailed from the Division of Insurance the 2010 Ship calendar. Right here, in just calendars, is probably close to 9, 10 dollars to just one member of the General Assembly. Who knows where else these went. Who knows who else got them, 179 Members times everyone else. Look at all these things. Illinois Assisted Technology Program, that's a nice one. The Serve Illinois Commission, that's a nice one. Inspiring Minds to Grow, that's a nice one. Laying off people at the U of I, but here's the NCSA calendar, that's a nice one. All we're saying... all we're saying is, there's got to be a better use for these funds. Let's suspend, for two years, the nonessential advertising costs and printing costs. Certainly paying teachers, paying medical providers, paying our university faculty should have far more importance than

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getting 50 different calendars a year. Thank you, Mr. Speaker."

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

May: "Yes. Thank you. I rise in support of this and salute the Sponsor of the Amendment and the Sponsor of the Bill. I've been talking to different state departments about this also. We need to tighten our belts, we need to show our citizens that we are watching tax money, and that we want it to go to good purposes, not nonessential brochures and calendars and bumper stickers, book marks, whatever we're sending. Let's stop it. Thank you."

Speaker Mautino: "Representative Reis."

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

Speaker Mautino: "She indicates that she will."

Reis: "Representative, would this be app... applicable to universities as well?"

Osmond: "Yes."

Reis: "Okay. To the Bill. A couple more examples here, Ladies and Gentlemen. I... I love my alma mater, but here's the energy related research from the University of Illinois. We all know how much these slick things cost. Nice letter and... and postage to send those out to everybody. This one came out from the Illinois Department of Public Health. Big envelope, \$1.05 postage, two pieces of paper, a letter, and a brochure that could have been put on the same piece of paper sent to every CPA in the State of Illinois. This is the stuff that exactly needs to be cut out. A two-year moratorium on this is not going to cause any undo. We have

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the Internet. We have a... many ways, e-newsletters, of getting this information out. I think this is a very timely Bill and I rise in support."

Speaker Mautino: "Further discussion? Representative Davis, Will."

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

Speaker Mautino: "She indicates she will."

Davis, W.: "Representative, I noticed this says... I'm looking for you. Where are you? Wave your hand."

Osmond: "I'm sorry. I can't hear you."

Davis, W.: "There you are, over there. Okay. Our analysis says that you... that you hope to suspend these types of mailings for two years, correct?"

Osmond: "Yes."

Davis, W.: "Why two years?"

Osmond: "Well, I think right now we're in such a budget crisis that, you know, two years, they would know at that point if it's necessary to do it any further after that. I mean, if you want to do a Bill and extend the time to a longer period of time, I'd be happy to support it."

Davis, W.: "Well, I mean... I... I appreciate that and... and maybe that's something I will consider, but I just figured since, you know, folks here are talking about what a fiscal crisis we're in as a state. The need to save money. The need not to do frivolous things. I'm just wondering why how come you just didn't outline... outlaw it, period."

Osmond: "Well, I feel that it was a small step to make sure that... that they understood what to do and... and you're

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right, it probably should be longer, but at this time just two years."

Davis, W.: "So, you feel that, if times get better here in the state, that it'd be okay for these things to start flying out of their offices again, correct?"

Osmond: "Well, I was just told that this was Mr. Lowder's suggestion that we do two years and... as a trial to see if these would make a difference in... in the budgets. And I know, anybody that sits on Approp you always see that line that says printing and maybe that will go down and pay some other bills."

Davis, W.: "How would something like this effect the State Lottery?"

Osmond: "I'm sorry. The state..."

Davis, W.: "Lottery."

Osmond: "Well, that in itself brings money into, you know, into our state and... and therefore there might be an exemption to that. If their director feels that this... if they have a portion that's nonessential... Another example is the State Fair. We need to publicize the State Fair. We need to make sure that people know how to get there and what time of the year it is. So, that would be an exception to it also."

Davis, W.: "Well, then..."

Osmond: "But I think lottery definitely needs to advertise and I don't know that they would fall under this."

Davis, W.: "Well..."

Osmond: "But it would be up to their director to make that determination."

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Davis, W.: "So, it's left up to the agencies to decide?"

Osmond: "Yeah. Each director... in the Bill it says each director has to determine what is nonessential."

Davis, W.: "Well, but the way you define it though, at least according to our analysis, said that if it's not critical to health, welfare and safety to citizens. Correct? So, would your interpretation of that be that if something went out advertising a scratch off ticket, where proceeds would go into a fund to help fight breast cancer, is that considered nonessential to you?"

Osmond: "No."

Davis, W.: "But... but if you're leaving it up to the directors, particularly under these circumstances, the last thing a director wants is to get pulled in front of a committee and to get raked over coals because he did something like this. I'm just trying to be clear on exactly what you're trying to accomplish."

Osmond: "Well, that's... that's the safety and health extemp... exemption of it."

Davis, W.: "So, but are there any... is there anything that's already exempt in your Bill or you're solely leaving it up to the directors to make that decision?"

Osmond: "I think that... the health... health safety is exempted."

Davis, W.: "It is exempt?"

Osmond: "It is."

Davis, W.: "But who's making the determination, what is health? Your Bill doesn't go into specifics that way, does it?"

Osmond: "No, the director has that ability to do that."

Davis, W.: "The director has the ability to do it."

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Osmond: "Right. And... and you know, that is his job. He has to oversee it and, you know, I think that some of these, I don't want to call them mandates, but some of the requirements that they have as to promoting their department can just be put on the side for now and try to focus on getting the payments paid. And we used the example of the IDOT calendar; that's very expensive piece of... of printing. That... that money saved there could go to help pay a purveyor, you know, a vendor somewhere along the line."

Davis, W.: "Do you know if printing of calendars like this is done in-house or is it outsourced somewhere?"

Osmond: "I... it's a mixture."

Davis, W.: "It's a mixture."

Osmond: "Some are and some are outsourced."

Davis, W.: "So, if for those things that are outsourced, do you have any idea how much in terms of minority business is going to be reduced as a result?"

Osmond: "No, I'm sorry. We don't know that."

Davis, W.: "Okay. Well, obvi... obviously."

Osmond: "If... if it's nonessential, I don't know that it crosses any lines. It's just nonessential."

Davis, W.: "I'm not... we've already gone down that path. I... I was just curious about if it's in... in-house or outsourced and if it's outsourced, then that's potentially a business that's going to be lost somewhere because obviously, that not... that's money that's not going to be expended. Correct?"

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Osmond: "But our... our main problem right now is that we're not paying the teachers and we're not paying the people that... that work for us right today. And we need to make sure that we get those payments done first before we go anywhere else."

Davis, W.: "How much do you expect to save doing this, Representative?"

Osmond: "No, it's not known at this time."

Davis, W.: "I mean, is it going to be enough to pay the teachers that you're talking about?"

Osmond: "Well, I'm sure it will pay some of them."

Davis, W.: "It will pay some? I'm not necessarily disagreeing with you."

Osmond: "No, no, no, I understand. I... I don't have an amount for you. I just... all I'm trying to do is trying to find different ways that we can cut and make our payments on our bills."

Davis, W.: "I... I appreciate that. To the Bill, very quickly. I appreciate the... the Lady's gesture and I'm going to support her Bill. But if folks want to engage in a real conversation about the need for revenue here in the state and being able to pay bills, then I invite you to... to engage with me in a discussion on House Bill 174, which is a comprehensive reform measure to provide resources to the schools and pay the teachers that you're talking about, as well as to help the state to pay many of its other bills that exist as well. So, I am going to support... support the Bill, but if we really want to have a real dialogue about some of the things that we need here, then I invite you to

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become a Sponsor of House Bill 174 and let's engage in a real discussion about comprehensive reform here in the State of Illinois. Thank you very much."

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

Black: "Thank you very much, Mr. Speaker and Ladies and Gentlemen of the House. I rise in strong support of the Bill. As the esteemed Majority Leader said last week when we were asked to vote on a sham General Assembly tuition waiver reform Bill, you have to start with little baby steps. The Bill does nothing that's on the Governor's desk. We should abolish that program and save the universities approximately \$15 million. And just as an added bonus, I don't know how much... I don't know how many maps we print. Between IDOT and the Secretary of the State, we must print a million highway maps a year. Now, at onetime, that... that was important, but with GPS, Garmin, Magellan, Tom Tom, turn by turn navigation. I don't know how many maps we still print, but we probably don't need as many as we used to. Let me just say this, we can argue over a few dollars. I had a Bill assigned to the Revenue Committee that would sell the taxpayer financed airplane fleet that they refuse to call. That's \$30 million worth of airplanes purchased by the taxpayer. About \$40 million a year to operate, and all that... all that fleet does is to fly around bureaucrats and certain Legislative Leaders from Chicago to Springfield. That's \$30 million worth of airplane, \$40 million worth of operating costs, we couldn't even discuss that Bill. So, as the Majority Leader said,

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we have to start with baby steps. So, if we can save a few thousand dollars on unnecessary... whatever you want to call it, paraphernalia, fine, but at what point, when we're \$14 billion in the hole, are we going to start talking about ways to save millions of dollars and there are plenty of things we could do. But your side of the aisle isn't willing to let any of those be discussed in committee. I don't know how much longer my good friends on the other side will be in denial, but in good times, the air fleet was hard to justify. In bad times, I don't know how anybody can look anybody in the face in the State of Illinois and say, we need to spend \$70 million a year so I can fly back and forth from Chicago to O'Hare. That is ridiculous. And we couldn't even hear the Bill in Executive Committee."

Speaker Mautino: "The Lady moves passage of House Bill 5571. No one seeking recognition, all in favor vote 'yes'; opposed vote 'no'. And the voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Representative Poe, Representative Collins, do you wish to be recorded? Representative Collins. Mr. Clerk, take the record. 116 voting 'yes', 0 voting 'no', 0 voting 'present', House Bill 5571 is declared passed. Representative Winters, on the Calendar is House Bill 5180. Read the Bill."

Clerk Mahoney: "House Bill 5180, a Bill for an Act concerning State Government. Third Reading."

Speaker Mautino: "Representative Winters."

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Winters: "Thank... thank you Mr. Speaker. House Bill 5180, give me one second... House Bill 5180 is for... is asking that when we give out financial incentives for global warming projects that would reduce energy that we compare them on a carbon equivalent scale. It would allow us to... to compare what is effective and what is not effective. And I would move for this adoption. Be happy to answer any questions."

Speaker Mautino: "The Gentleman moves passage of House Bill 5180. On that question, the Gentleman from McHenry, Representative Franks."

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

Speaker Mautino: "He indicates he will."

Franks: "What's the genesis of this Bill, Representative?"

Winters: "This... was a... a model Bill that came from the American Legislative Exchange Council, known as ALEC and we have modified it significantly to fit this state, but again, it's a way to try to put a common ground. As we look at the potential of global warming and whether state policies and state projects can be used to help mitigate the global warming, what we're trying to do is put everything on an equivalent basis, so that we can have some way of telling whether investment into solar energy or into wind energy, into house rehabilitation, which of these are actually the most effective. The way to do that and... and because methane is also a global greenhouse gas we need to put them all in a carbon dioxide equivalent. I believe methane is about 14 times per ton, as it creates a lot more warming. So, put them all in the same basis and then we can see

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which is actually the most effective use of state resources."

Franks: "What kind of scientific analysis are we going to be using?"

Winters: "Well, as EPA and DCEO give out grants, they are already trying to make the estimates, but we're... there's no common mechanism to compare one project against another. So, they are already making an estimate... estimations as they go forward based on the proposals that they see. In other words, if home weatherization, they know... they have a good idea of how much energy savings they'll see in that. This would allow us a way to kind of look back in retrospect as those grants and loans are properly finished out as we end the end of the program. Then they can say, okay, is what we're actually getting what we estimated it is. And that way if we have made mistakes we would know not to repeat them."

Franks: "I'm concerned on how this is written though. First of all, you've moved this from DCEO to CMS."

Winter: "Yeah. It turns out that the programs were not in DCEO. I thought they would be, but it was CMS."

Franks: "I don't think CMS has any expertise at all in this, number one, which concerns me. Number two..."

Winters: "Well, that's... that's where the Governor chose to place all these programs though."

Franks: "Yeah. I'm... I'm not sure the Governor's right on that, number one. Number two, I know you're not a believer in global warming, correct?"

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Winters: "I have... I have suspected whether man is the ultimate cause of most of global warming or whether there are other factors. I'm not... this does not say that global warming is not happening. What it's saying is we are already passing state policies to try to hold down on carbon dioxide emissions; let's, at least, if we're doing that, find the most effective use of our dollars."

Franks: "And what I'm concerned about, and I appreciate your honest and forthright answers, and I understand what you're trying to do. But what I'm concerned with this Bill, the way it's drafted, as it could be utilized at a way to stop..."

Speaker Mautino: "Grant the Gentleman another minute. This Bill is on Short Debate."

Franks: "It could be utilized in a way to stop state funding to slow down global warming and to provide us... and reduce greenhouse gas emissions. Because what we hear, because some people may not believe in global warming, and I... I certainly do, and I think most of my colleagues do, but this could be utilized in a way so as to cut state funding to reduce greenhouse gas emissions because there is no scientific standards, plus it's placed in a bureaucratic black hole with an organization, CMS, that has absolutely no expertise. Frankly, I think they ought to be broken up. They've become a monolithic agency that's gotten way too big and they are inefficient and don't know what the heck they're doing. This is the wrong place for this to be. This is the wrong Bill at the wrong time. It could... it

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could set back our ecological policies decades. I encourage a 'no' vote."

Speaker Mautino: "Further discussion? Representative Zalewski."

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

Speaker Mautino: "He indicates he will."

Zalewski: "Representative, our analysis isn't clear. Did DCEO or CMS slip in... in support or opposition of this Bill in committee?"

Winters: "I believe they are all... they are both neutral. They were initially opposed. DCEO, in the fact that the programs were not their responsibility. So, we had... LRB drafted it with the wrong agency. DCEO did initially express opposition, but they're neutral now."

Zalewski: "And CMS is comfortable taking on this responsibility?"

Winters: "CMS hasn't... Yeah. They haven't said anything."

Zalewski: "Thank you, Representative."

Speaker Mautino: "Further discussion? Representative Nekritz."

Nekritz: "Thank you, Mr. Speaker. I'm glad to hear that the Sponsor has moved from just... stop believing in global warming to thinking it's not man-made, but I have some questions. Will the Sponsor yield?"

Speaker Mautino: "He indicates he will."

Nekritz: "Representative, can you tell me what are some of the climate programs that we... climate disruption programs that we offer where we're give... giving these grants and so forth?"

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Winters: "Well, we certainly have tax credits for wind energy farms. We have ethanol credits that the state is involved with. We certainly are involved in... if we end up with the... the new carbon sequestration project that the Federal Government is doing, there will be state money involved in that. We also do home weatherization. We have programs for low-income families to weatherize their houses, to replace furnaces, to replace windows. There are quite a few that we do have money for."

Nekritz: "So, Representative, let's just start with the home weatherization program. If... if there are other policy goals to be achieved with the home weatherization programs, such as saving people money and... and reducing the amount of electricity we use because we... we, you know, at some point we're going to have to may... maybe build some more plants to meet the needs so energy efficiency is a good thing. Are you saying that if they're not meeting their CO2... whatever CO2 goals we set, 'cause I'm not sure we set any CO2 goals in any of that, that we would eliminate these programs or... or what would we do with them?"

Winters: "It... it would be used as a tool for the Legislature to come back or to... for the agency to say, this program does not save as much carbon as we thought it initially would, and here is another program that is a better expenditure of public money that is saving more carbon dioxide. And it would... it would serve us as a tool to analyze the programs and decide which are the best use of public resources."

Nekritz: "And do we do this for any other programs or would we say to the weatheriza..., you know, could we... would we say to

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the ethanol folks, well, you know, we're going to check to make sure that it's actually reducing the importation of foreign oil as much as we claimed it was going to be. Do we do that for other programs?"

Winters: Yeah. We... we do go back. Ethanol has received subsidies for many years and as there have been new scientific questioning..."

Nekritz: "But do we have... do we have a state agency that's in charge of reviewing that on whatever periodic basis this Bill requires in order to... in order to inform the General Assembly or do we... do we review that as necessary... not setting it up for... for that kind of thing?"

Winters: "Where we review this is if we have a sunset, a sunset clause in the programs as..."

Speaker Mautino: "Give the Lady another minute to bring her remarks to a close."

Nekritz: "Thank you, Mr. Speaker. To the Bill. I couldn't agree more than with my colleague from McHenry that this is... this is a set up to require CMS, which is an agency probably uniquely unqualified to do this, to... to give reports and to force the... force an issue that has nothing to do with the duties of CMS and is really targeted at the... the ability of the General Assembly to make decisions not only on the reduction of CO2, but on the other policy... policy goals that... that can be achieved by this myriad of programs that we have. And I think to target only CO2 when there are other... other goals that... that these, all... all these things that we do can achieve is just really wrong. And I urge a 'no' vote."

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

May: "Yes, Representative. Will the Sponsor yield?"

Speaker Mautino: "Indicates that he will."

May: "I... I have a question because you brought this through my committee and you promised to hold... you were going to have an Amendment that didn't go back. Didn't you promise to hold it on Second until the Amendment came back to the committee?"

Winters: "I think the only... the only Amendment that we had was to add the word 'primarily'. There was a question that CMS had as to whether all programs that they dealt with or were... were under this."

May: "But..."

Winters: "What we did is we restricted it with the single word 'primarily'."

May: "But you said you were going to bring it back to committee, that you had Amendments. You had a unanimous vote."

Winters: "I believe it... I believe it that during the committee we... we did not have the Amendment drafted and I... I remember saying that was what an Amendment would do, would be to add 'primarily'."

May: "Well, that's not exactly how I remembered and I really wish you would pull this out of the record because the representation was made in committee."

Winters: "Speaker, we can... we can pull this out of the record and we can verify whether or not I actually made that pledge. I don't remember it, if I did, and my apologies,

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but I do remember discussing the word 'primarily' and that's the only Amendment that we brought. So, if you want to pull it from the record, Mr. Speaker."

May: "I... I do have a... I do have a question too, and I guess..."

Speaker Mautino: "Take this Bill from the record at the request of the Sponsor."

May: "Okay. Thank you."

Speaker Mautino: "Gentleman from Vermilion, Representative Black is seeking recognition. Representative Wait, on the Calendar is House Bill 5675. Would you like to call this Bill on Third Reading? Representative Ron Wait. Read the Bill."

Clerk Mahoney: "House Bill 5675, a Bill for an Act concerning transportation, which may be referred to as Bachman's Law. Third Reading."

Speaker Mautino: "Out of the record. Representative Wait is... House Bill 5972 appears on the Calendar. Would you like to call this Bill? Mr. Clerk, read the Bill."

Clerk Mahoney: "House Bill 5972, a Bill for an Act concerning local government. Third Reading of this House Bill."

Speaker Mautino: "Representative Wait. Representative Wait on House Bill 5972."

Wait: "Thank you, Ladies and Gentleman of the House. Yeah. 5972 would simply allow the counties instead of a person have to go and fight like a zoning ordinance violation. If they just wanted to plead guilty and send it in, then... and then they wouldn't have to go to court or to a hearing officer. So, I'd be happy to answer any questions."

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Speaker Mautino: "Gentleman has moved passage of House Bill 5972. No one seeking recognition. Representative Black, the Gentleman from Vermilion is seeking recognition."

Black: "I'm sorry for the late hit on the speak button. Will the Gentleman yield?"

Speaker Mautino: "He indicates he will."

Black: "Representative, I don't see any notations on the analysis. My only concern would be, does this constitute adequate due process?"

Wait: "Well, certainly. Yeah, because they're... they're doing this voluntarily. They can... you know, it's like you get a ticket you can, instead of going to court and fighting it, you can say, okay, I plead guilty, here's my money. And just send it in, so you don't have to take off work. That's really the purpose for it."

Black: "Okay. But... but the county, I assume the county would have someplace in the violation notice, or someplace in writing, where you do have the right..."

Wait: "Oh, yeah."

Black: "...if you wish to... to engage legal counsel and go to court."

Wait: "Right. Yeah. Certainly it says right on there if you wish to challenge this, go to court, you know, contact this number. But if you don't and you just want to plead guilty..."

Black: "Okay."

Wait: "...then you send your 50 bucks in."

Black: "Yeah, I... I just wanted to make sure they had constructive notice and that's taken care of. Thank you."

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Wait: "Thank you."

Speaker Mautino: "Further discussion? Seeing none, the question is, 'Shall this Bill pass?' All in favor vote 'yes'; opposed vote 'no'. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Representative Fritchey, do you wish to be recorded? Mr. Clerk, take the record. 117 voting 'yes', 0 voting 'no', 0 voting 'present', House Bill 5972 is declared passed. Representative Osterman is seeking recognition. Page 24 of the Calendar, under Senate Bills-Second Reading, appears Senate Bill 1578. Mr. Clerk, read the Bill."

Clerk Mahoney: "Senate Bill 1578, a Bill for an Act concerning business, has been read a second time, previously. Amendment #1 was adopted in committee. No Floor Amendments. No Motions filed."

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

Clerk Mahoney: "Senate Bill 1578, a Bill for an Act concerning business. Third Reading."

Speaker Mautino: "Speaker Madigan on Senate Bill 1578."

Madigan: "Mr. Speaker, Senate Bill 1578 is the Governor's Jobs Tax Credit Bill. The Bill would propose creating a \$2500 tax credit for employers with 50 or fewer total employees who hire new full-time Illinois employees during the 12-month period beginning July 1, 2010. The determination of whether an employer has 50 or fewer employees includes both in state and out of state employment totals. The tax credit is claimed against withholding tax liability. It is not refundable, but it may be carried forward for up to

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five years. Credits are rewarded based on an application process administered by DCEO and there is a \$50 million cap on the total amount of credits that may be awarded. This could equate to 20 thousand jobs. I request a 'yes' vote."

Speaker Mautino: "The Gentleman has moved passage of Senate Bill 1578. No Members seeking recognition, the question is, 'Shall this Bill pass?' All in favor vote 'yes'; opposed vote 'no'. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Mr. Clerk, take the record. 117 voting 'yes', 0 voting 'no', 0 voting 'present', Senate Bill 1578 is declared passed. Page 21 of the Calendar appears House Bill 6210, Representative Rose. Out of the record. Representative Fortner, House Bill 5555. Read the Bill."

Clerk Mahoney: "House Bill 5555, a Bill for an Act concerning local government. Third Reading of this House Bill."

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

Fortner: "Thank you, Mr. Speaker. House Bill 5555 creates a special case for the annexation of small parcels in DuPage County only. This will deal with a situation where a parcel is completely surrounded by a municipality except for state highway. Other state land already would act as a boundary. This just permits the state highway to act in the same boundary in that case. Happy to answer any questions and ask for your support."

Speaker Mautino: "The Gentleman has moved passage of House Bill 5555. No one seeking recognition, the question is, 'Shall

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this Bill pass?' Excuse me. The Gentleman for McHenry is seeking recognition, Representative Franks."

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

Speaker Mautino: "He indicates that he will."

Franks: "Representative, why do we need this Bill?"

Fortner: "There's a situation in DuPage County, Village of Wood Dale, where they have a completely surrounded parcel that abuts against State, Highway 83. They cannot surround it and it just sits there. They have otherwise, all the other property in that area has been annexed. Normally under other circumstances they would be able, because it's a small parcel, to have an annexation. We provide for things such as railroads, rivers, other state parcels that would present a natural barrier to otherwise surrounding, and in this case, Illinois 83 is providing that same natural barrier."

Franks: "And... and this is owned right now by the State of Illinois? It's a right-of-way?"

Fortner: "Yes. The right-of-way is owned by the State of Illinois."

Franks: "Is the property itself owned by the State of Illinois or is there an easement for a right-of-way?"

Fortner: "This is a... a privately owned parcel."

Franks: "Well, that... that's my question then. Okay. So, this is not a fee simple purchase or for that, what you're saying is a private party owns this and the state has an easement on this property, correct?"

Fortner: "The parcel fronts on Illinois 83. So, along one front... along one side of the parcel is the state highway."

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Franks: "So, I presume the county of DuPage has offered this home... this landowner some money and they've refused to sell the land."

Fortner: "This is not about a purchase."

Franks: "What is it then?"

Fortner: "This is about annexation to the Village of Wood Dale. This is not about purchasing the property. This is about the Village of Wood Dale seeking to have uniform zoning across that stretch on the state highway. This one parcel is the one parcel that is not currently in the village."

Franks: "Well, why would we do this? Why would... if someone doesn't want to be part of the village, why would we require them to be a part of it?"

Fortner: "I think the state recognizes that when there are small parcels, less than 60 acres, there is a desirable state purpose to say that the municipality can complete the annexation, where you just have these small lots that otherwise are nonannexed. This is very similar to, if a railroad were fronting that parcel, where under current law if that were a railroad rather than a state highway, the municipality would be able to annex that one additional parcel."

Franks: "Okay. Thank you for your... thank you for your explanation."

Speaker Mautino: "The Gentleman has moved passage of House Bill 5555. No one seeking recognition. Excuse me. The Gentleman... Representative Jefferson, the Gentleman from Winnebago."

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

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Speaker Mautino: "He indicates that he will."

Jefferson: "What's the genesis of the Bill?"

Fortner: "The genesis of the Bill was a request from the Village of Wood Dale. Because, as I stated the previous questioner, the village has annexed land along Illinois 83. There's one small parcel that is not in the village and otherwise would allow them to provide for uniform zoning along that stretch."

Jefferson: "So, this is someone in your district... part of your district?"

Fortner: "This is actually not in my district."

Jefferson: "Okay. You're just doing this as part of... just doing this as a favor to the people in the area."

Fortner: "That's right. I had a Bill that we approved in a... in the previous General Assembly, the 95th General Assembly, had to do with railroads as a boundary. Because I had had that Bill, they asked me because of my familiarity with that part of the annexation law to consider carrying their Bill, and I agreed to do so."

Jefferson: "This is exclusive to the area that you're referring to?"

Fortner: "That's right. It's narrowly drawn just for DuPage County."

Jefferson: "Does it affect any other municipalities?"

Fortner: "I'm not aware of what else... it certainly does not affect anything outside of DuPage."

Jefferson: "Representative, I think that you are doing what you're supposed to do in representing your area. I'm going to support this because I've got the same situation, but I

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just want to know, that I think Representatives that represent in certain areas should do what they're asked to do to support the areas that surround them or they're responsible for. So, I will be supporting your legislation."

Fortner: "Thank you very much."

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

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

Speaker Mautino: "He indicates he will."

McCarthy: "Representative, is there any other municipality that's interested in this land other than the... the municipality that you are proposing the legislation for?"

Fortner: "The Village of Wood Dale has a boundary agreement with Bensenville, so the land on the east side of 83 would eventually annex to Bensenville. This is on the west side, and by agreement, it would be Wood Dale. No other municipalities would border that area because of the boundary agreements."

McCarthy: "So, Bensenville has no interest in annexing this property as well?"

Fortner: "They have a boundary agreement..."

McCarthy: "Okay".

Fortner: "...indicating their lack of interest."

McCarthy: "Okay. And you said that the... you limited this to just DuPage County. And looking at the Amendment, I... I think Will County would be... also be included... because of the... is there anything else in it other than the population? I believe Will County is now... I could probably

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ask Representative Kosel, would know more accurately, but I believe they're over a million now. And your... your population guidelines are 800 thousand to 2 million, I believe."

Fortner: "I understand your question. I think you'll find there are a lot of... this was placed in the Section that was designed, as I say, in the 95th General Assembly dealing with DuPage County. I think when we see the 2010 census numbers released next year, there may well be a need to revisit some of the population numbers. And at this point, since we don't have that 2010 population number, it would certainly not be applicable to Will today, but next year in 2011..."

McCarthy: "Oh."

Fortner: "...we'll have to see what that number is."

McCarthy: "Okay. Thank you."

Speaker Mautino: "The Gentleman has moved passage of House Bill 5555. No one else seeking recognition, the question is, 'Shall this Bill pass?' All in favor vote 'yes'; opposed vote 'no'. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Representative Boland, Brady. Representative Walker. Do you wish to be recorded? Mr. Clerk, take the record. 90 voting 'yes', 27 voting 'no', 0 voting 'present, House Bill 5555 is declared passed. Mr. Clerk, place House Bill 6113 on the board and read the Bill, Representative Lyons."

Clerk Bolin: "House Bill 6113, a Bill for an Act concerning professional regulation. Second Reading of this House Bill. No Committee Amendments. Floor Amendment #1,

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offered by Representative Lyons, has been approved for consideration."

Speaker Mautino: "Floor Amendment #1, Representative Lyons."

Lyons: Thank you, Mr. Speaker, Ladies and Gentlemen of the House. The Amendment was an attempt to try to clean up some of the issues that were concerns to the financial industry. There was four or five things that were actually done here to try to fix this Bill. I'm not sure if the language in the... in the Amendment is... is quite adequate for what the industry is still looking for. There were some positive things done on this thing. There's four or five things in the Amendment that do clear up part of the problem. Some of the problems still exist. My hope is we can get some negotiations between the banking community, you know, community banks, credit unions and the state banks before we send this thing over to the Senate. But I would ask for the adoption of the Amendment #1. Hope we can get something done before we send it over to the Senate."

Speaker Mautino: "The Gentleman moves adoption of Floor Amendment #1. No one seeking recognition, all in favor say 'yes'; opposed 'no'. The 'yases' have it. The Amendment is adopted. Further Amendments?"

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

Speaker Mautino: "Place this Bill on Third Reading. Mr. Lyons, House Bill 6412. Read the Bill."

Clerk Bolin: "House Bill 6412, a Bill for an Act concerning regulation. Second Reading of this House Bill. No

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Committee Amendments. Floor Amendment #1, offered by Representative Lyons, has been approved for consideration."

Speaker Mautino: "Representative Lyons on Floor Amendment #1."

Lyons: "Thank you, Mr. Speaker. The short definition of this is bringing Illinois in line with the Truth in Lending Act and the Regulation Z specifications. We adopted, we took a shell Bill put the... plugged the language into House Bill 6412. And I'd ask for your 'aye' vote on the Amendment. Then move it to Third and we'll call the Bill."

Speaker Mautino: "The Gentleman moves adoption of Floor Amendment #1. No one seeking recognition, all in favor say 'yes'; opposed 'no'. The 'yesses' have it. And the Amendment is adopted. Third Reading. Representative DeLuca is seeking recognition."

DeLuca: "Point of personal privilege."

Speaker Mautino: "State your point."

DeLuca: "If I can have everyone's attention for a moment. If you could please welcome a special guest. Someone that you all know well. A friend of mine, my predecessor, Judge Stewart Scully."

Speaker Mautino: "Welcome back, George. Representative Winters."

Winters: "A point of inquiry. Does the right Honorable Judge have 10 years of experience as a lawyer before he was appointed to the bench?"

Speaker Mautino: "I think he has suits with as least that much. Welcome back, George. Representative Schmitz, House Bill 5671. Read the Bill."

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Clerk Bolin: "House Bill 5671, a Bill for an Act concerning local government. Third Read... Reading of this House Bill."

Speaker Mautino: "Representative Schmitz."

Schmitz: "Thank you, Speaker. House Bill 5671 deals with, right now when a local municipality, annexes some territories, they notify the local township governments, et cetera, around them. This Bill would simply add that the county governments would get notified as well. Be happy to answer any questions."

Speaker Mautino: "Gentleman moves passage of House Bill 5671. And on this question, no one's seeking recognition. The question is, 'Shall this Bill pass?' All in favor vote 'yes'; opposed vote 'no'. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Representative Lang. Mr. Clerk, take the record. 117 voting 'yes', 0 voting 'no', 0 voting 'present', House Bill 5671 is declared passed. Representative Verschoore, House Bill 6464. Read the Bill."

Clerk Bolin: "House Bill 6464, a Bill for an Act concerning criminal law. Third Reading of this House Bill."

Speaker Mautino: "Representative Verschoore."

Verschoore: "Thank you, Mr. Speaker. What this Bill does is it amends the Criminal Code of 1961 and provides that it is a Class A misdemeanor for a parent or a guardian of a minor to knowingly leave that minor in the custody or control of a child... a child sex offender, or allows the child sex offender unsupervised access to the minor. Establishes exceptions. Amends the Sex Offender Registration Act and

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provides that if the sex offender is a child sex offender, the sex offender shall within three days after beginning and to reside in the household, he must report to the proper authorities and register. Be happy to answer any question."

Speaker Mautino: "Gentleman has moved passage of House Bill 6464. On that question, the Gentleman from Jackson, Representative Bost."

Bost: "Thank you, Mr. Speaker. Will the Sponsor yield? Representative, I... I'm just... I'm very interested in the Bill because we've had an incident that occurred in my district just recently, where a... a woman who has custody of two children, ages 12 and 15 is dating a known sex offender and she's brought that sex offender to the home. Now, she's not left them with that sex offender, but the... the father of the children is... has been questioning this and it's the first time that I've ever realized that... that there's no law... "

Verschoore: "Right."

Bost: "...that says that we can't... that... that they can't do that. Does this do anything with that at all?"

Verschoore: "It... it does. That's... that's... a DARE officer brought this to me and said that Iowa, a couple years ago, passed this law where they can require them to register. There's... like you just said earlier, there is no law that... that they can go in and... and enforce this. But with this Bill they would be able to."

Bost: "Representative, I... and just so you know, I was in shock because I thought that automatic..."

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Verschoore: "Yeah."

Bost: "...you know, there would be something to... to try to stop that and in some way, shape or form. I support the Bill tremendously. It... it just... this just seems like common sense to me. Thank You."

Verschoore: "Thank you very much."

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

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

Speaker Mautino: "He indicates he will."

Black: "Representative, I haven't seen anything in the Bill and I've just given it a quick glance, perhaps you could ask the technical review, legal expert standing next to you, is it... would it have to be 'knowingly' left in custody?"

Verschoore: "Yes. Yeah."

Black: "All right. So, you have an affirmative defense."

Verschoore: "Right."

Black: "If you... So, I didn't have any idea. I didn't know that. I mean, I... I'm not sure that that would be a truthful statement, but it was something that they would try. So, it 'knowingly' leave the child in the custody of... the child sex offender."

Verschoore: "That's correct."

Black: "Okay. Fine. Thank you."

Verschoore: "Thank you."

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

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

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Speaker Mautino: "He indicates he will."

Franks: "Representative, I appreciate you bringing this Bill. I'm shocked at... that... that we need this type of legislation."

Verschoore: "Yeah."

Franks: "I'm... I'm wondering, let's assume, for the... and I want to follow up on Mr. Black's prior comments. You know, I've... you know, my... let's assume my son wants to go over and play at a... at his buddy's house and spend the night on, you know, Friday night after school. Is there any affirmative obligation for a parent to do some kind of background check on the other parent to determine whether or not they are a child sex offender?"

Verschoore: "I don't think so, Representative."

Franks: "So, just you have to 'knowingly'."

Verschoore: "'Knowingly', yeah... "

Franks: "Okay."

Verschoore: "...put the child in that position."

Franks: "I just wanted to make that clear for legislative intent."

Verschoore: "Thank you."

Franks: "My other issue is I see the fine that we have, should someone 'knowingly' do this, it would be up to a \$2,500 fine and possible prison time, correct?"

Verschoore: "Right. Correct."

Franks: "I'm wondering if... if it would be better to have a, and maybe we could look at this at the Senate, and I plan on supporting this Bill. Instead of having a monetary fine and time in jail, perhaps we should have mandatory... a

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mandatory referral to the Department of Child Services, DCFS, because it would really make me question the ability of a parent to parent if they 'knowingly' sent their child into the care of a child sex offender. So, would you be willing to possibly amend this in the Senate..."

Verschoore: "Absolutely. If you have something you'd like, jot it down and I'll give it to the Sponsor."

Franks: "I'll talk to the staff afterwards."

Verschoore: "Okay."

Franks: "But thank you."

Verschoore: "Thank you."

Speaker Mautino: "The Gentleman has moved passage of House Bill 6464. The question is, 'Shall this Bill pass?' All in favor vote 'yes'; opposed vote 'no'. Voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Representatives Gordon, Phelps, Reitz, do you wish to be recorded? Mr. Clerk, take the record. 117 voting 'yes', 0 voting 'no', 0 voting 'present', House Bill 6464 is declared passed. Representative Leitch, on the Calendar is House Bill 5304. Mr. Clerk, read the Bill."

Clerk Bolin: "House Bill 5304, a Bill for an Act concerning State Government. Third Reading of this House Bill."

Speaker Mautino: "The Gentleman from Peoria, Representative Leitch."

Leitch: "Thank you very much, Mr. Speaker and Ladies and Gentlemen of the House. This is a very important Bill that comes to me from the community based providers with whom I work virtually every Monday morning in Peoria. I asked them to come up with some suggestions that would, in

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effect, clean up some of the licensure, some of the oversight, just a series of modest reforms that would help those agencies work more effectively and so there are a series of elements within this. Yesterday, the department showed up and said they had concerns. So, even though that Bill was first in committee on February 17, but never the less, I agreed to talk to them if this Bill gets to the Senate. So, I would commend this Bill to you. It's a very important step to some reforms that make a good deal of sense, especially in this environment."

Speaker Mautino: "The Gentleman has moved passage of House Bill 5304. The question is, 'Shall this Bill pass?' All in favor vote 'yes'; opposed vote 'no'. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Representative Phelps, Reitz, Farnham, do you wish to be recorded? Mr. Clerk... Representative Farnham, do you wish to be recorded? Mr. Clerk, take the record. 117 voting 'yes', 0 voting 'no', 0 voting 'present', House Bill 5304 is declared passed. Representative Moffitt, House Bill 4779 appears of the Calendar. Would you like to call this Bill? House Bill 5183. Mr. Clerk, read the Bill."

Clerk Bolin: "House Bill 5183, a Bill for an Act concerning regulation. Third Reading of this House Bill."

Speaker Mautino: "Representative Moffitt."

Moffitt: "Thank you, Mr. Speaker. House Bill 5183 is a legislation that was brought forth by the Department of Public Health and the... the Emergency Services Advisory Task Force. They had been studying what we needed to do in

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terms of licensure for critical care. This is a... we've met with all the stake holders for several weeks. We're basically have an agreed Bill. We've identified the Senate Sponsor to be Senator Koehler. The Chicago Firefighters have one item that they want cleared up, but I have... they've indicated we should go ahead and pass this. The reason, if the Department of Public Health does not have enough funds to continue to do the test for EMTs, everyone would have to take the national registry test. It's a set criteria for critical care transport. I'd be happy to entertain any questions."

Speaker Mautino: "No one's seeking recognition. The Gentleman has moved passage of House Bill 5183. All in favor vote 'yes'; opposed vote 'no'. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Mr. Clerk... Representative Colvin, do you wish to be recorded? Mr. Clerk, take the record. 86 voting 'yes', 31 voting 'no', 0 voting 'present', House Bill 5183 is declared passed. Representative Myers."

Myers: "Point of personal privilege Mr. Speaker."

Speaker Mautino: "State your point, Sir."

Myers: "I would like the chamber to recognize 17 students and 2 faculty advisors from Western Illinois University. They are in the gallery above me. They are students in a class called Inside State Government. They're down here today to experience State Government as it works. Please help me recognize and welcome the students from Western Illinois University."

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Speaker Mautino: "Welcome to the House of Representatives and it's a great day to be a leatherneck. Mr. Clerk, Rules Report."

Clerk Bolin: "Representative Turner, Chairperson from the Committee on Rules reports the following committee action taken of March 24, 2010: recommends be adopted Floor Amendment #4 for House Bill... or for Senate Bill 1946."

Speaker Mautino: "Mr. Clerk, read Senate Bill 1946."

Clerk Bolin: "Senate Bill 1946, a Bill for an Act concerning public employee benefits. The Bill was read a second time on a previous day. Amendment #1 was adopted in committee. Floor Amendment #2, offered by Speaker Madigan, has been approved for consideration."

Speaker Mautino: "The Lady from Lake, Representative Osmond is seeking recognition."

Osmond: "The Republicans wish to caucus in Room 118 immediately."

Speaker Mautino: "The Republicans will caucus for one hour in 118 and the Democrats will be at ease. And the House stands in recess to the call of the Chair."

Speaker Lang: "House will be in order. Representative Lang in the Chair. The Chair recognizes Representative McAuliffe."

McAuliffe: "Yes, Mr. Speaker. Honor of privilege. I'd like to welcome all the students... student nurses. They've been down in Springfield the last couple of days learning about legislation and talking to Legislators day and night. And one of them happens to be my God niece, Jennifer Alvarez... or Kristin Alvarez and all her friends. They all go to

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Harper Junior College and want to be nurses some day.
Let's have a big round of applause to them."

Speaker Lang: "Thank you. Welcome to the House of
Representatives. Chair recognizes Representative Burns."

Burns: "Thank you very much, Mr. Speaker. In the gallery behind
me are a group of hair braiders from the City of Chicago.
I'd like them to stand and be recognized by the House
chamber."

Lang: "And welcome to Springfield. Mr. Clerk, Senate Bill
1946, on the Order of Second Reading. Has that Bill been
read already?"

Clerk Mahoney: "Senate Bill 1946 has been read a second time,
previously. Floor Amendment #2 has been approved for
consideration."

Speaker Lang: "Speaker Madigan."

Madigan: "Mr. Speaker, could we take #3 out of the record and
go to #4? I'll take this one out of the record and go to
#4."

Speaker Lang: "Withdraw 2, withdraw 3, and Mr. Madigan... Speaker
Madigan on Amendment 4."

Madigan: "And Mr. Speaker, I would move to adopt the Amendment
and consider the matter on Third Reading."

Speaker Lang: "Those in favor shall say 'yes'; 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. Please read the Bill for the
third time."

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Clerk Mahoney: "Senate Bill 1946, a Bill for an Act concerning public employee benefits. Third Reading."

Speaker Lang: "Speaker Madigan."

Madigan: "Mr. Speaker, the Bill, as amended, is concerned with..."

Speaker Lang: "Please proceed, Mr. Speaker."

Madigan: "The Bill, as amended, is concerned with reform of multiple pension systems in the State of Illinois. We would begin with the five state pension systems, then proceed to multiple local government systems. I would begin by making two points. Number one, the Bill does not apply to any current employee of any government in Illinois. The Bill only applies to people not yet hired to work on government jobs in the State of Illinois. So again, number one, the Bill does not apply to any current employee of a government or a school district. Number two, police and fire, both in Chicago and outside of Chicago, plus those in the SLEP program at IMRF, have been removed from the Bill. Let me say it again. Police and fire in Chicago, outside of Chicago, and those enrolled in SLEP at IMRF have been removed from the Bill. The Bill provides for several items. Number one, the normal retirement age would be raised to 67 with 10 years of service. There would be reduced benefits at age 62 with 10 years of service. The reduction would be at one half of one percent per month, which equates to six percent a year. Next, concerning pensionable salary, the maximum pensionable salary shall be \$106,800. Then that would grow in one half of the CPI-U, which is the current Social Security wage

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base. Next, the final average salary would be changed from the highest consecutive four years of the last 10 years of service to the highest consecutive 8 years of the last 10 years of service. Next, on the alternative formula. The alternative formula going forward would be limited to correctional officers, State Police, state firefighters; they could retire at age 60 with 20 years of service. Next, the COLA, today it's based on compounded interest, going forward it would be simple interest in the lesser of one half of the CPI-U or three percent. Next, concerning survivor annuities, the survivor annuity will be set for all systems at 66.7 percent. Next, no new pension plan enrollees... Again, going forward, no new pension plan enrollees may receive a pension from one system and a salary from another system. If this occurs, the pension will be suspended; however, when the individual earns his or her employment retirement, then the pension shall be reinstated. There will be a restructuring of the funding schedule for the Chicago Public Schools. The Bill would allow the Chicago Public Schools to pay normal costs for the next 3 years and extend its funding schedule by 15 years. Please understand, that in the case of the pension system for Chicago teachers, very little state money is provided to support that system. It's probably about 95 percent of money supporting that system comes from the local real estate tax in Chicago. And so, when this provision would provide for the payment of normal cost for 3 years and restructure the payment schedule, you're working with the local real estate taxes in Chicago. Next,

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concerning participants in SURS. A SURS participant would have the option to participate in a self managed plan with a fine contribution plan, which is now available to current SURS participants. So said differently, there's no change at SURS in terms of their offering of a defined contribution plan. And lastly, the Bill contains the elements of House Bill 6368, sponsored by Representative McCarthy, and passed last Friday which would make later changes at the General Assembly Retirement System and the Judges Retirement System. Mr. Speaker, I would move for passage of the Bill."

Speaker Lang: "The Gentleman moves for the passage of Senate Bill 1946. And on this Bill, the Chair recognizes Representative Tryon."

Tryon: "Thank you... thank you, Mr. Speaker. I actually rise to a point of order. And I'd like to know what the status of Amendment 3 is, which I filed to this Bill and Speaker Madigan withdrew."

Speaker Lang: "Mr. Clerk, the status of Amendment 3."

Clerk Mahoney: "Floor Amendment #3 was referred to the House Rules Committee."

Speaker Lang: "Mr. Tryon."

Tryon: "Mr. Speaker I... I believe this is probably the most significant piece of legislation that we're going to actually see in this chamber this week, if not this year. And while I agree with a lot of the work that Speaker Madigan has done here, there's a potentially dangerous financial part of this... this Bill that I certainly am opposed to and I have filed an Amendment to address that."

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And that Amendment is to address withdrawing the pension holiday that is in there for the Chicago Teachers' Pension Fund. I think that's financially irresponsible for us to be reforming the pension system in the State of Illinois for the 13 pensions systems that we provide assistance to, or that we control, and we're going to actually give a holiday to the Chicago Pension System. That's exactly the same kind of financial irresponsibility that we got ourselves into that bankrupted the State Of Illinois with a \$82 billion pension liability that we face today, that our grandkids face. And when we look at taking this pension holiday and you can call it a correction, you can call it a bail out, you can call it a recalculation of liability until 2060, which is what it does, you're going to make your grandkids pay for this liability, you're going to create a liability to this chamber when we have to come back and fund the one and a half percent of the payroll that we're required to fund. And there is a way for Chicago to actually fund its pension liability. And when you look at the property tax rates in the City of Chicago at \$2.58 per hundred dollars of assessed valuation, a school district in southern Illinois is paying more in property taxes than the average homeowner in the City of Chicago's going to pay. In my district, I'm paying almost \$5 per hundred dollars of assessed evaluation. And you know how we did it? We did it by having a school referendum. In the City of Chicago they haven't even asked for a school referendum since 1980. Didn't even have a question on the ballot. It's time that the City of Chicago

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has to stand up and ask its own taxpayers to take a part of this liability. And... and I think that's an important thing. And that... that is what this Bill does. It removes the pension holiday for the City of Chicago. Tremendous, tremendous burden, I think, on that pension system. It needs to be funded, it needs to be funded just like... like the pension systems of IRF and our own municipalities need to be funded. So, Mr. Speaker, with that, and I hope that you all understand exactly what's happening with the pension liability, exactly what's happening with the Chicago School Systems pension, when you take this holiday. I... I would like to ask under House Rule 18(g) to move for the discharge of Floor Amendment 3 to Senate Bill 1946 from the House Rules Committee. And under House Rule 54(a)(2) all Motions are assigned Standard Debate status and I wish to debate this Motion. And upon conclusion of this debate, I ask for a recorded vote to my Motion to Discharge. And under Rule 49, Article IV, Section 8(c) of the Illinois Constitution, any vote shall be a recorded vote whenever 5 Representatives request, and I believe on my side of the aisle there are 5 Representatives that request to debate this Motion. And... and therefore, I would like to have a recorded vote on the Motion to Discharge Floor Amendment 3 to Senate Bill 1946."

Speaker Lang: "Mr. Tryon, the Chair rules your Motion out of order. The... we're on Third Reading Roll Call. The Amendment you talk about is in the Rules Committee. We're already past Second Reading on Third Reading Roll Call. Your Motion is out of order, Sir."

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Tryon: "Mr. Speaker, under House Rule 57(a), then I move to repeal the ruling of the Chair, and that there be a recorded vote to discharge. And I can't believe that we will not get an opportunity to vote on a pension reform Bill that has the components of a pension reform without, without an irresponsible financial decision of creating a pension holiday for the City of Chicago schools. How do you do that? How do you take a pension reform Bill, call it reform and then grant a holiday for three years. That's going to be a \$1.4 billion liability. And I hope that you'll join with me to override the ruling of the Chair."

Speaker Lang: "Speaker Madigan."

Madigan: "Mr. Speaker and Ladies and Gentlemen of the House, I rise in opposition to the Gentleman's Motion to overrule the Chair. And I want to thank the Gentleman for raising the issue, because there's a little history that everybody's entitled to know on the question of funding for the Chicago Teachers' Retirement System. Very recently, March 18 of this year, Representative Monique Davis offered House Bill 4582. 4582. It's a simple Bill. Simply says that the Chicago school system is part of the State of Illinois and that those that use the system are part of the State Of Illinois. And the people that work there are Illinoisans, like everybody else, and therefore the Bill would say that the Legislature ought to appropriate to that pension system 20 percent of what's appropriated to the Teachers' Retirement System. So again, going back to my earlier remarks, a very small amount of money comes from the state to the Chicago Teachers' Retirement System. At

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the same time, school districts outside the City of Chicago contribute very, very little to the Teachers' Retirement System. A very small fraction, over 95 percent of the money paid into TRS for school teachers outside of Chicago, comes right from here from the Legislature. At the same time in Chicago, probably about 95 percent comes from the local real estate tax. And so Representative Davis offered this Bill. What could be more fair? Give us 20 percent. Give us 20 percent. Representative Davis got 42 'yes' votes, 71 'no' votes. And as you know, Mr. Tryon, you were one of the 'noes'. Okay. I offer this because it speaks to what is, obviously, an inequitable situation. It's inequitable that every system outside of Chicago gets treated so dramatically different than what happens in Chicago. And so, what I'm saying here, and the reason that this item is in the Bill is, okay, it is what it is. The count was 42 to 71. Let us deal with this at the local level. Let us deal with this at the local level. The Chicago School System today has a severe budget problem. There's a very serious question as to whether they'll be able to open schools in September. This item in the Bill is designed to help that situation, designed to help the school superintendent work with the union, narrow the gap on the budget deficit, open the schools in September. And that's the reason why the item is in the Bill, and that's why I would support that item in the Bill, and that's why I would stand in opposition to the Gentleman's Motion to overrule the Chair and recommend that everyone sustain the Chair."

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Speaker Lang: "Mr. Eddy, do you wish to speak on the Motion or the Bill?"

Eddy: "Motion."

Speaker Lang: "Please proceed."

Eddy: "Thank you Mr. Chair. Ladies and Gentlemen of the House, I think what I just heard from Speaker Madigan was a Bill couldn't pass on its own merit, so instead of taking the 'no' vote, you attach it to the reform Bill that a lot of people want to vote for and try to tie the two together. So, people who want to do pension reform also have to vote for a system, that they wouldn't have otherwise voted for, that only got 42 votes. So, what I'm seeing is an absolute answer that... that would support Representative Tryon's point to separate the two issues. You stated a minute ago that a separate Bill to do exactly what your proposing here, to try and provide that relief in a different way, was voted down. That's absolutely true. It was voted down and it was... it was voted down badly. So, instead of allowing that to be a separate issue, for those of us who've worked on reforms related to the pension system, what you've done is you've taken a failed Bill and you've put it along with a Bill that a lot of people would like to support in order to garner votes for something that failed. And I... I think that's a perfect reason for us to override the Chair, get Representative Tryon's Amendment out here, so we can vote on these issues separately as everyone intended their vote to count the first time."

Speaker Lang: "Speaker Madigan."

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Speaker Madigan: "Mr. Eddy, I beg to disagree with your statement. I would suggest there's two different issues here. So, in the Monique Davis Bill, 4582, the Bill was concerned with the General Revenue Fund of the State of Illinois, the expenditure of state money, and how much of that money would go to TRS and how much would go to the Chicago school system. On the other hand, the item in the Bill which is before us now and the subject of this Motion, is only concerned with the local real estate tax and how that money will be spent. I... I just simply suggested two different issues. And as I said in my opening remarks, okay, we'll accept the result on 4582, 42 to 71. Let us work on our local problem with local money."

Speaker Lang: "Mr. Eddy, for one quick follow up."

Eddy: "Thank you, Mr. Speaker. Speaker Madigan, I wasn't the one that brought up the nexus between the Monique Davis Bill and this Bill. I think you were the one that brought that up. I was just simply pointing out that that failed attempt lead to I... I think in you statement, lead to the necessity of having this attached to that Bill. Just pointing that out, based on your comments, I just think that people who want to vote for reforms related to the ILPER system should have the opportunity to vote for those reforms free of the type of connection that you're trying to make based on the fact, in your own words, that a different Bill failed. I... I just don't think that's proper. I would like to have a separate vote on those issues. Therefore, I think anybody who'd like to be able to state the fact that they're for modernization of the

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pension systems, but they're not in favor of... of attempting this type of a... of a shortage, have the opportunity to vote on that. And... and that's why I would request people override the Chair and allow us to make that vote separately."

Speaker Lang: "Chair recognizes Mr. Reis. Are you... Out... out of the record. Mr. Stephens, are you rising on the Motion or on the Bill, Sir?"

Stephens: "On a point of order, Mr. Speaker. We shouldn't even be here. We should be back on Second Reading. You had a rush to judgment. You just couldn't wait for the... our Leader to get to the floor, for our Members to come out from our caucus. We were not officially even back when you moved this Bill to Third Reading. That was inappropriate on your part. I would ask that you be replaced in the Chair by Representative Lyons, who is a Leader on your side of the isle that has backbone."

Speaker Lang: "Mr... Mr. Tryon to close."

Tryon: "Thank you, Mr. Speaker. And I... I truly wish that Speaker Madigan could have... could have been here for the debate that Monique Davis had on... on her Bill. And... and while I understand there's an educational issue with funding education in the City of Chicago. And I'm... I'm curious, you said you... you think we should have 20 percent. You get 60 percent of all the educational dollars that are raised through income taxes get distributed through formula to the City of Chicago now. And when you look at the fact that there was the tax cap placed on the City of Chicago, which affected the school rate in 1994, in four years

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during that time period, and last year in '08 was one of those years, the City of Chicago didn't even collect the entire amount it was entitled to under the tax cap. While it did not allow its other levies to grow up... go up, it also did not collect the entire amount it was due under the law. And the tax cap wasn't a road block, it was a stop sign, simply to say when you run out of money you have to come and ask us for more. And that's what I'm suggesting is that you solve some of this problem on the local property taxes, the same way we are in the suburbs, the same way we are downstate. I have one of my school districts, Sir, in Cary, Illinois, that's faced with laying off a third, a third of its school teachers this year. And... I can't imagine creating another \$1.4 billion in liability for property taxpayers in the City of Chicago or \$1.4 billion for the State of Illinois by creating a pension holiday for the City of Chicago schools. This bill needs to be paid, and it needs to be paid by Chicago taxpayers like it has in the past. And this is the part that I object to. I commend you on working on pension reform. I was hopeful as everybody in this chamber was that this summer we would have substantial agreement on what we should do in reforming Illinois's pension systems, but we didn't get it. I know that we have to move forward. I know that we need pension reform. I would just hope that we wouldn't combine it with an act of financial irresponsibility by robbing the... and furloughing the Chicago teacher's pension money. Please, please, vote with me to override the Speaker on his decision."

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Speaker Lang: "The Gentleman has moved for the discharge of the Bill from committee. The Chair has ruled him out of order. The Gentleman moves to overrule the Chair. The question is, 'Shall the Chair be sustained?' All... all in favor shall vote 'yes'; those opposed shall vote 'no'. The voting is open. Have all voted who wish? Have all voted who wish? Representative Crespo. Please take the record. On this question, there are 70 voting 'yes' and 47 voting 'no'. And the Chair is sustained. You heard the Speaker make a Motion for the passage of Senate Bill 1946. We will go back to debate on this Bill. And the Chair recognizes Representative Reis."

Reis: "Thank you, Mr. Speaker. To the Bill. I don't normally get up too many times when we have Speaker in the floor presenting his Bill, but a lot of people are going to get wrapped up today about technical questions and what's in and what's out. I just want to make a comment about the process. We have blown the process up many times, but not on a big Bill like this. This looks like Washington D.C. Throw out a Bill, take it or leave it, no time to go back home and talk to your constituents, no time to go home and talk about the school districts and the teachers and the state workers that this going to... is going to effect. This Bill was dumped out today as an Amendment. We barely had time to look at it in committee. Teachers are in school all day. What a perfect way to do this. I think it's shameful. And I don't know how anybody can go home and face their voters. We're... we're for reform, you're for reform, but how you can go home and face your voters and

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not even had time to discuss this with them, had a town hall meeting, had time to e-mail them, is beyond my comprehension. There's some good things in here. There's a lot of things in here we don't even know what's... what's in here. Groups were trying to negotiate a good... a deal. Gone. At a min... at a minimum, Mr. Speaker, I think we should postpone this vote until after we've had time to know what's in the Bill, go home and have some town hall meetings, some sit-down with our constituents over break, so that they can find out what's in it. And quite frankly, so that everybody in this floor actually knows what they're voting on. This is... this is terrible. We owe that to them to make these sweeping changes on something that's not only going to effect the finances of the State Of Illinois, but a lot of people in a lot of school districts. I think that's the least we can do to our voters."

Speaker Lang: "Mr. Eddy."

Eddy: "Thank you, Mr. Speaker. Will... Speaker yield for some questions?"

Speaker Lang: "Speaker Madigan will yield."

Eddy: "Speaker Madigan, just a couple of questions now regarding the Bill itself. I... I'm a little bit concerned about some of the reforms. Although, I've got to tell you, a lot of them are reforms that we've supported from our side of the aisle. In fact, some of them we worked with the... the pension task force and we think that they need to be implemented. The age increase is something I think everyone has some agreement on. The cap, tied to Social Security, I think people have agreement on. I do have some

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concerns about some unintended consequences though and... and I want to bring those up. One, for example, has to do with... let's say a retired teacher who now substitutes. The way... the way I read this, that individual could no longer, after the effective date of this Bill, continue to substitute. I think our staff has a confirmation of that from TRS."

Madigan: "Mr. Eddy, going forward, going forward you are correct. Going forward you are correct."

Eddy: "So, and I'm just bringing this up because I, while we do reforms, I don't think we want to handcuff school districts who count on retired substitutes to come into their district and... and perform substitution because you may not be able to find subs. So, I... I think, I bring it up only because I think there are some issues related to the actual reforms that... that we need to work on and... and that is one of several. Let's go to the age because in a normal course of a... of a career of a teacher. If they're out of school at age 22 or 23, they... they work 35, 38 years and by the way, what does the Bill do to the... the maximum years for the full 75 percent for a teacher? Is it 35 years still?"

Madigan: "The Bill does not change the multiplier."

Eddy: "Okay. So, they work for 35 years. They're 57 years old. They're not going to be able to draw a pension until they're age 62 and then that pension is reduced 30 percent because they only get the full amount at age 67. Do... do you think that might need a little work or massaging some way for... for teachers who have worked the maximum number of years to..."

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Madigan: "Mr. Eddy, without commenting on your immediate question, I'm more than interested in working with you on changes that might be done to the Bill. The word I use in talking to other members of the General Assembly, if there's some egregious item in this Bill that needs to be changed, why I'm open to discussion."

Eddy: "Yeah. And I'm... I'm not sure I'd use the word egregious. I might characterize it as unintended. I... I think there are some people who are going to be caught in this in some of the consequences, the way it's written and I... I appreciate the fact that you'll continue to work on that. And very briefly, to the Bill. I made a lot of the comments that I wanted to make when the Bill was on Second and we... we talked about Representative Tryon's Amendment. I... I worked on this issue for a long time and I'm one of those who believe we need to make reforms to this system. The problem I have, specifically, is that these two issues are tied together. And it... I don't think that you fix the pension system unless you also fund the pension system. In fact, all the data I've seen and all... and all the facts point to benefits not being the main culprit in the unfunded liability in our pension system today. The culprit to the unfunded liability is the fact that both parties have not made the full calculated actuarial payment. I have concerns that the part that's tied to this Bill, that allows for, I think about \$1.2 or \$1.3 billion over three years to the Chicago public system to be shorted, based on their actuarial calculations, doesn't do what we need to do when we call something pension reform.

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I think, as important as the benefit modernizations is the payment to the systems. And I simply cannot support a... a piece of legislation that on the one hand makes some improvements, but on the other hand, the actual cost in unfunded liability, based on the payments being shorted, costs more than the savings from the modernizations. It doesn't seem like the best public policy. I think the best public policy would be to continue to work on this, make these separate issues. And Mr. Speaker, just very... I... I know next year the Chicago Teachers Union, with their step, have negotiated a salary increase that's probably over 5 percent. And... and I think that's one of the issues that they're facing and trying to fund that collective bargaining agreement. I'm not sure what this does to the reality, the funding issue in Chicago, by supplying that system with \$400 million at a time when they may be wanting to talk about negotiating that increase. So, I have concerns. I appreciate the work that's been done on this. I know Representative McCarthy's done a lot of work on it. But based on the actual tying of modernizations, to what I believe is... is a more... a more poisonous Bill. I... I just can't support it. I... I would urge people to... to vote 'present' on this Bill. You know, I think if you're going to bother wetting the soap and messing up the towel, you might as well go ahead and wash your hands."

Speaker Lang: "The Chair notices that this Bill is on Short Debate. The Chair will take the Bill off of Short Debate, but will use the five minute timer. And the next speaker is Mr. Winters."

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

Speaker Lang: "The... Speaker Madigan yields."

Winters: "My first question is about the Chicago Public Schools funding for the pensions. Are they in a... a ramp period right now that they're annually adding more dollars into their pension funds?"

Speaker Madigan: "Yes."

Winters: "And as I understand the Bill, the payments that they're making is about 400 million a year that would go towards fully funding that at the end of a 45-year period. And the... what the Bill does is basically not make them make those payments for the next three years and push the ramp back and really start a new clock so they still are still 45 years away from being fully funded. Is the clock..."

Madigan: "Mr. Winters, the item in the Bill would provide that whereas in 2010 the payment to the pension system would be \$307 million. In 2011 the payment will be 187 million, in 2012, 192 million, 2013, 196 million. And in the first year the difference is about \$400 million."

Winters: "Right. Our analysis shows 400, then 411, then 424. My question to you is, are we creating another cliff that will drive the Chicago Public Schools over that cliff because in the fourth year they will be expected to suddenly jump up over \$400 million and continue increasing then for the next 45 years? Are we creating a cliff by allowing them 3 years where they don't have to pay anything in towards above normal costs?"

Madigan: "Mr. Winters, I'm sure that you plan to disagree with what I'm going to say. My answer would be I hope not."

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Winters: "Well, is there any plan of what to do in the fourth year because there will be under... under their funding, they have to come up with almost \$600 million in the fourth year. They've been coming up with about 200 million and then suddenly jumping to 600. I want to highlight for the public that we are creating a cliff for the Chicago Public Schools where we may buy peace today, tomorrow we'll have a disaster. I'd like to move on to another... another question. What are the total savings, first-year savings, if this Bill comes... come to fruition? We were told under the GARS and judges that it was about 22 million."

Madigan: "Mr. Winters, we don't have actuarial numbers relative to this Amendment. We would... we would say that we would expect that the savings would be over a hundred billion dollars."

Winters: "Something over a hundred million, but no... no..."

Madigan: "Billion..."

Winters: "... a hundred million. Okay."

Madigan: "...over the life."

Winter: "Well, that might be a point that we should wait a couple of weeks until we can actually get some actuarial numbers back on what we're saving. We might be able to offer Amendments that would save us even more. Along that line of questioning, does this deal with any current employee of any of the pension systems that you mention to start the Bill?"

Madigan: "No."

Winters: "Would that not also be an area that we ought to, as far as public policy, question whether or not the people

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that are grandfathered in are grandfathered in forever. The Civic Committee of the Commercial Club has said, and there seems to be Appellate and Supreme Court decisions, that current employees could have their benefits schedule changed in the future. They certainly could not change it up to the current date, but if we're looking for real savings in this state, should we not ask the current Members sitting on this floor and the current employees of the state of the university of the public schools across the state, shouldn't we ask them to also join and find a way to save money through changes in the current pension systems that we have?"

Madigan: "Mr. Winters, I'm familiar with the legal opinion that the Civic Committee of the Commercial Club has submitted. I would respond that there's a significant body of legal thinking which would oppose that opinion."

Winters: "And I'm not a lawyer, so I will have to accept your position is probably much more relevant legally than mine. But it did, to my mind, raise the question of whether or not we could. The... the last question I had, and this may be a very technical one, is somebody currently working for one of the systems..."

Speaker Lang: "Mr. Winters, please bring your remarks to a close. There are several other speakers."

Winters: "Yes, last question. If they are no longer in employment for, say, two years, they drop out of the General Assembly, but then run again. Do they then come under the new employee benefits on accruing or because they are already a member of the system, would the current

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benefit systems that they have carry forward, even if there's a lag in employment?"

Madigan: "Mr. Winters, this is not official dogma, but we feel that they would be under the old system."

Winters: "Okay. Thank you very much."

Speaker Lang: "Mr. McCarthy."

McCarthy: "Thank you, Mr. Speaker, Ladies and Gentlemen of the House. The... to the Bill. This has been a long process, but for people to say that we haven't had a chance to negotiate, I find great fault with that. Our Pension Committee has waited and has made it public that any Member could bring a Bill forward and we'd be more than happy to have a hearing on it and discuss it. We've talked about the Pension Modernization Task Force. It became very clear in that task force that there was two sides and they weren't going to budge. We could have stayed there for another nine months and they weren't going to budge until something like a Bill came forward that... then we'd have to make the decision to go forward on it. And basically, the side that opposed modernization, took the... took the side that they would work to stop us from getting 60 votes. Those of us who were in support of it said our job was to work to get the 60 votes for it. But even with the fact that there weren't face to face negotiation, because when they did come and talk to us, they took so many things off the table that I thought that was the end of negotiations. When they came to me and said, have you touched the formula at all? Everything... everything stops. If you go anything at the COLA, everything stops. I told them that was

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unacceptable to me, so any future negotiations were going to be fruitless. But we still stayed and did many things that they asked for. When we first brought out the first pension Bills last year, they were going to be changing us over to a defined contribution plan. The workers of our state came to us strongly and not only those of us... in the House, but the Governor's Office and I think the Members of the Senate said, no, we will work to make sure you have a defined benefit plan at the end of the day. This is still a defined benefit plan. So, I would say that that... that works for them. When we talk about... the Representative over here talking about this lag, when a person reaches their maximum at 57, but they can't collect until they're 62, I told them, in my case... in their case, I'd like them to take on the IMRF formula. Forty years will be your career instead of 35 or 30 and then you won't have that lag. If you stay on the state for 40 years to get to the max, you'd be at a position where, nine times out of ten, you'd be able to collect some pension immediately. We also stayed with the same formulas. As you saw last week, what we did to the General Assembly and to the judges, we reduced their total benefit from 85 percent down to 60 percent. This here acknowledges and keeps the same formulas that they have had over the years. That is something that they said was sacred, so they're still getting it here in this... in this Bill. Another thing they talked to us about was that it was important that this would not affect current employees. Now, while we said, you know, we will honor that request in the modernization

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Bills, we don't know what's going to come forward. There's 118 of us here, there's 59 Members over in the Senate, they can come forward with some kind of funding Bill that could change that. I think it'll be an... an uphill battle, but in these modernizations we said we'd take that off the table. So, they have gotten some of the things they wanted. I'm not going to tell you that they're going to support it, but I don't think any true reform was ever going to be supported. And I don't find fault with them. That is their job. They have to stick up for their members. They have to do what they think is in the best interest of their members. I happen to think that putting modernization forward, putting pension reform forward, is in the best interest of their members. And when you sit and talk with them one on one and explain to them that this is going to increase the solvency of your pension system going into the future, I think most of those members who take the time to really look it over realize that the current employees are getting a great benefit and they're getting a system that's much more solvent today, with these reforms, than it would have been had we just blindly gone along and pretended like nothing was ever going to happen, but that house of cards was going to collapse. As far as the money that's going to the Chicago pension fund, the Governor... or the Speaker could not be more correct. The amount of money that we send to the City of Chicago, when it comes to funding the pensions, is miniscule when it comes to the Chicago Teachers Pensions Fund. They... those people in Chicago have to do it off of their property tax. It's very unfair when

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you look at the per capita money we send to TRS versus the per capita money we send to the Chicago Teachers Pension Fund. When Mr. Tryon said something about they get 60 percent of their... 60 percent of the state money goes to the City of Chicago, that is nowhere near the truth. I have more respect for Representative Tryon than just about any of the other Member that's here... of this...of this Body, but they get less than 20 percent of the total money. When we have a construction Bill, they get 20 percent. They don't get 60 percent of that money from the state. So, I think that those things that we gave to them during this Bill on the future employees, it's something that we... we held fast to. As I said before, they're not going to be supportive, but they can't say they didn't get anything out of it. The money for Chicago, too, let's remember, these are... I mean, I don't like that either, but this is a system that's been ready for collapse. When you talk to the head of that system, when they looked over their financials, I mean, they're talking about class sizes that we haven't heard since I was in grammar school. I mean, it just doesn't suit... it just doesn't suit..."

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

McCarthy: "As I say, while that is something that a lot of us find fault with, we acknowledge that for every dollar we don't give them today it's probably going to cost us three or four dollars down the road, but this is an emergency situation. This is a system that can't take the changes that would be necessary if we'd force them to make these payments. They'll get... with the \$400 million in relief

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that they're approximately going to get this year, hopefully they can keep the education process moving forward. They know the cliff is going to be there in 3 years, as Representative Winters said, but in 3 years preparation they know its coming. Hopefully wise people on that board will be ready for it. Hopefully they won't give away the farm when they have contract negotiations with employees. They're going to understand there's not going to be a white horse coming in from the state with a bush.. a bushel of money. So, hopefully with 3 years planning they can do the right thing and put money aside so that they'll be able to make that pension payment at that time. And they'll be able to stick to the new 40-year formula, so that they'll reach 90 percent in the year 2050. The last thing I said, last week, the only thing we really did as far as the... the hole we got ourselves into, with going after those two small systems, is that we stopped digging last week. I truthfully feel that even with the money that we are allowing for the system not to pay in, today, if we pass this Bill, we can not only say we stopped digging, but I think we're starting to throw some dirt in that gigantic hole that we all know we have to fill at some point in the next Session or hopefully, when we get new revenue in the state, a lot of that money will go toward that hole. And... so, I would ask you to support the... the Gentleman's Bill. I think it is true reform and it's so over needed. And as far as deliberations continuing, as I said earlier, we can deliberate and negotiate for the rest of our lives with some of these groups and they're never going to come off

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it. I don't find fault with them; that's their position and our... or my position, at least, is that this thing should move forward. So, I would appreciate a 'yes' vote on Senate Bill 1946."

Speaker Lang: "Mr. Fortner."

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

Speaker Lang: "Mr. Madigan yields."

Fortner: "Speaker Madigan, first of all, I... I really appreciate the use of the Social Security maximum as a cap. As you know, I had House Bill 5872 which proposed a very similar mechanism. I do have some questions about the internals of this Bill as it relates to the cap that hopefully you can clarify. For those employees who earn above that maximum, would they be expected to still be paying in the percentage to the system?"

Madigan: "The answer is 'no'."

Fortner: "And if they chose to, do you anticipate that the plans will enable them to set up a 403(b) or some other similar, appropriately... appropriate plan under IRS Code, so that they can make contributions with that excess income should they wish to be able to save additional for their retirement?"

Madigan: "Representative, I'm advised that that's already permitted at SERS and we clearly would be open to... but do we have another systems."

Fortner: "Right. I just wondered in the... in the other systems since it was not in the other systems as it stands at present."

Madigan: "Right."

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Fortner: "So, you anticipate that that would be available in the other systems as well?"

Madigan: "That's the type of an issue that we have a completely open mind on."

Fortner: "And... and then my last question has to do with the caps themselves. It looks to me that in the General Assembly and the Judges Retirement Systems, it is based solely on the Social Security maximum and it moves with the Social Security maximum. It appears to me that for the other systems, it is instead uses a different formula based of what looks to be half that amount to move. Rather than just tie it uniformly to a system that everyone can kind of track externally. Could you go into the rationale why there would be a different formula used for those other systems. For the... this is just for the... as it respects to the cap."

Madigan: "Representative, could I ask Representative McCarthy to answer that question?"

Fortner: "I... I'd be happy..."

Speaker Lang: "Mr. McCarthy."

McCarthy: "Could you repeat it quickly? I was talking to Representative Crespo here so. But this has to do with the cap and how it's going to grow? Is that it..."

Fortner: "As long as the Speaker will allow me the extra time to repeat that question."

Speaker Lang: "You'll get your extra time, Sir."

McCarthy: "We'll give it to you, Mike. Go ahead."

Fortner: "Thank... thank you. When I look at the General Assembly and Judges Retirement Systems cap, they're based

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solely on the Social Security maximum as it appears. But for the other systems it looks like the cap is based on a different formula calculation which seems to move at a rate less than the Social Security maximum in general. In most cases it would move at a lesser rate..."

McCarthy: "Okay."

Fortner: "...and I just want to understand why we didn't use a common formula for using that cap across the board that would be clear and simple for everyone to understand."

McCarthy: "We did not use the... we started with what is the current Social Security maximum pension... maximum salary benefits taken. That's \$106,800. Okay. Now, we did not stay with that because we didn't want to be at the whim of the Federal Government. They could come in and change that at any time. So, for example, they might say next year instead of only charging you Social Security benefits up to that point like they... a couple years ago they did with Medicare. Now, they tax Medicare all the way to every dollar you make. So, if you're like a... a famous ball player, you pay your Medicare percentage all the way up to your 2 or 3 million dollars a year. You only pay the Social Security percentage up to 1068. So, both... most all the systems now will start with that 1068 in fiscal year 2011. GARS and JRS will then increase that every year by the CPI Urban, Consumer Price Index Urban. All other systems will increase it by one half of CPI Urban. Now, the... the justification for why those two got a... a little better deal in the... that COLA than the other systems is that these systems are all maintaining their current

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percentage. If they had 75 percent benefit before, they all have 75 percent benefit going forward. In those two systems, where they had 85 percent benefit, they now go down to 60 percent, which is why when we wrote the Bill, I kept the full CPI for those two systems who had lost 25 percent of their total salary as opposed to the other systems which are maintaining their current percentage."

Fortner: "So, you're saying the justification is because those are the two systems where the benefit for the new hires, when they would get to retirement or reduced, that that would be the reason then for increasing the amount by which that would increase..."

Speaker Lang: "Mr. Fortner, I'm giving you two minutes back. Please proceed."

Fortner: "Thank you very much, Speaker. So, that would give them the chance then to move that number up more rapidly, perhaps, to compensate for that. Is that the correct interpretation of that?"

McCarthy: "That's correct. While I... while I think that their system is still going to be a fair... a fair pension system, a system that'll be able to attract, you know, new employees, new judges and new Members of the General Assembly, I did think because we reduced them that 25 percent, it justified keeping the... all of the CPI Urban in there, as opposed to half, which the other systems are going to get. And in... plus another point, especially with the judges, their average salaries are over a hundred... I mean, their average salary's going to be, you know, brought down right away. A lot of our state employees will never,

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unfortunately, will never even have that cap ever, you know, bother them in any way, but the judges immediately are going to have about \$64 thousand that is currently pensionable, you know, under our system that it won't be under the new system. So, I... I think it is justifiable because of the reduction in benefit to those two systems that we didn't do that to any other system."

Fortner: "Thank you very much for the answer. I also want to thank the Speaker for acknowledging some openness to consider what I think are some consequences. I think we... we may have to come back with a trailer at some point to fix those. Maybe also have to take action to make sure something like the 403(b), that I mentioned, if we need to, take specific legislative steps to make sure that those types of options are available as well. Thank you very much."

Speaker Lang: "Representative Nekritz."

Nekritz: "Thank you, Mr. Speaker. There is nothing new under the sun. We've known for a very long time that the... that...what the...what the reform options have been and the modernization options have been for pension reform. Blue ribbon task force after blue ribbon task force has looked at this. Last year when the Governor made his state of the... his... his budget address, he introduced these very same concepts that are in this Bill today. The Pension Modernization Task Force that met, I believe it was 13 times over the course of the summer in... and a lot of hours and that doesn't even count the subcommittees that met, all discussed these very same concepts that are in the same

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Bill today. And it's those... the... the big cost drivers for our current pension systems, the... the CPI, the retirement age, the final average salary and the wage cap, are all the things that are so important to bringing those costs under control, so that we do have a sustainable pension system moving forward. The one thing I know that... that I was not familiar with was the, up until very recently, was the... the part of the Bill that... that the Speaker's introduced, that would say if you're drawing a pension you can't go to work for another pen... another system and continue to draw your pension while you're drawing a salary. You know, I think that has, as I understand it, has come from Leader Radogno in the Senate side and I think that that's a good addition to the Bill. So again, there's nothing new under the sun in this Bill. It is the things that we've known have... that... that are... are needed to bring our pension system to modernize it so that it is sustainable for the future. And I urge an 'aye' vote."

Speaker Lang: "Mr. Black."

Black: "Thank you very much, Mr. Speaker. I'm confused. Are we addressing questions to Representative McCarthy or Speaker Madigan?"

Speaker Lang: "Speaker Madigan's Bill, Sir."

Black: "Speaker Madigan. Will the Gentleman yield?"

Speaker Lang: "Gentleman yields."

Black: "Thank you. Mr. Speaker, perhaps you could clarify something for me. I've been trying to listen as best I can and there's one thing I don't fully understand. If the Chicago Teachers Pension System is not treated fairly, or

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doesn't receive the same level of support of ITRS, then why was it created as a stand-alone system?"

Madigan: "Mr. Black, I don't have the answer to that question.

I know many people have said to me, because they know that

I was here when Abe Lincoln set the place up.."

Black: "And he spoke very highly of you."

Madigan: "...why did this happen? I don't know. I simply don't know."

Black: "Did they, in fact, not have their own levy at onetime?"

Madigan: "In Chicago?"

Black: "Yes."

Madigan: "In Chicago, they had a separate levy for the pension system. Now that was changed in 1995 under the enlightened leadership of Speaker Daniels."

Black: "And, as my memory serves me correctly, because they had their own levy and because they were run separately, they were generally, if... if memory serves me right, the most adequately funded pension system in the state."

Madigan: "The answer is yes."

Black: "Okay. Thank you for your indulgence, Mr. Speaker and Ladies and Gentlemen of the House. To the Bill. Nobody.. I don't know that anybody in this chamber, with a few exceptions, is... is opposed to pension reform. We know the system we have today is unsustainable. I... I would really like to vote for this Bill. But there's one thing that the pension task force made very clear, that the most important thing you can do in pension reform is you have to make the payments. You can't skip payments. That's what got ITRS and all of our public pension systems in this mess, \$62

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billion underfunded, because too often in the history of this chamber and the other chamber, well, we'll make the payment next year. We'll only make a partial payment this year. Well, the stock market will be better and it will make up what we don't make up. What concerns me about this Bill, and... and I understand that you can spin a vote down here so many different ways it'll make you dizzy. But most everybody I know is in favor of pension reform. Obviously people in the system are concerned with what's going to happen to their pension. And I've tried to explain to them, it is only dealing with new people to come into the system; we're not impacting your pension. They don't always believe that and I can understand it. But what this Bill does, that I think sets up a Armageddon type situation, that we should have learned by now, this allows the Chicago Teachers Union, excuse me, the Chicago Teachers Pension System to take a pension holiday, to not make payments to the system, and in lieu of the payments to the pension system, the money will be freed up and used somewhere else. I'm not saying that the somewhere else isn't... isn't a valid expenditure or a critical issue, but surely we've learned from our... from the mess that we have now, that you can't take pension holidays. You just can't make it up. If you skip next year and you skip the year after that, the money becomes so huge to make up, that contribution and that lost interest, that you just simply start to fall further, and further, and further behind which puts an additional strain, because of the way this Bill is crafted, puts an additional strain on the General

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Revenue Fund of the State of Illinois. So, while nothing would give me a... I had great pleasure in voting for the GARS and judicial pension reform. I'd like to vote for this one, but I can't in my own mind, as weak as that may be, justify calling something pension reform when you allow a pension holiday. That's what has put us in this god awful mess that we're in and now we're going to turn around and do the same thing to a pension system, that at onetime, was funded at 90 percent of liabilities. I just think it's wrong. And as... as what Representative Eddy said, in a question, Mr. Speaker, I think there are some unintended consequences in here. I wish you would take the Bill out of the record. Let's fix some of those things. We have tomorrow, we have Friday. If a retired teacher on an annuity cannot substitute next year, you're going to have on any given day, 30 percent of the classrooms in the State of Illinois without a teacher. Now I don't think you intend to do that, but that's what TRS told us the Bill does. We need to fix that now, not in the Senate, we have time. I do appreciate your indulgence. Thank you very much, Mr. Speaker and thank you, Speaker Lang."

Speaker Lang: "Mr. Ramey."

Ramey: "Thank you, Mr. Speaker. To the Bill."

Speaker Lang: "To the Bill."

Ramey: "I just wanted to... to make this clear that this Bill allows Chicago Public Schools to underfund their pension fund by \$400 million. This Bill was created this way so that Chicago Public Schools could fill some of its budgetary shortfalls by using money that would have been

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spent, or would've been sent to the pension fund for operations. This sounds familiar and is why the state systems are so woefully underfunded. This will put the state on the hook to assist the Chicago Teacher Pension Fund in the future. For downstaters and suburban Legislators, this Bill amounts to nothing more than a job protection Bill for Chicago Public Schools. Downstate suburban schools are facing draconian cuts and uncertainty. Whereas this Bill, if this Bill passes, one area of the state will have their uncertainty regarding their budget issues put to rest. Many teachers in my district are on the chopping block because the state has not paid.. education funding properly. So, I find that at odd that we would be helping just Chicago and not the whole state. Thank you, Mr. Speaker."

Speaker Lang: "Chair recognizes Representative Poe."

Poe: "Yeah. Mr. Speaker, will the Sponsor yield?"

Speaker Lang: "Speaker Madigan yields."

Poe: "Yeah. This clarification of some of the things we were talking about earlier this morning. Can you tell me the people that were taken out of the alternative formula, alternative formula. Who was taken out of that?"

Madigan: "I would answer the question by saying that the only ones retained in the alternative formula would be the State of Illinois police officers, State of Illinois firefighters, and State of Illinois correctional officers in the Department of Corrections. Those are the ones that remain. Everybody else would be out."

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Poe: "I'd just like to point out to the Body that the Teamsters and the highway maintainers that stand on the roads and work in them work zones every day, many of those... more of those have been killed in the last 40 years than there has been state policemen. And those... that's a group that we worked very hard to get in there. You know, our pilots, the special investigators. And then, I guess, the question I'd have is that we do run education programs in the prisons and if... if you were a teacher and teaching in the prison system, they also would be out at this point."

Madigan: "I believe the answer is yes."

Poe: "Okay. And then I'd also like to point out, you got your psychologists and those people that work in the offices and go out and work with prisoners. I think this is probably something else that we look at down the road when we're... we're talking about Amendments and those kind of things. I guess another thing I'd like to ask, is there any way right now that we're exempting all the policemen, firemen and those, is that to say that there probably won't be any changes in their pension systems yet this Session?"

Madigan: "Representative, I... I would answer your question by saying that today there are discussions and negotiations underway in the Senate relative to police and fire outside the City of Chicago. And I would presume that those discussions would continue and, I, like you, would have an open mind on what might come out of those negotiations."

Poe: "Well, I... I guess and I'd also like to point out to the Body that a lot of the call... calls that we receive in our... from our mayors and from larger metropolitan areas is the

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policemen and firemen. They're trying to figure out how they can cash flow that in their pension payments. Last question. We talked a little bit about it this morning and I've asked enough questions, maybe I'll get a little clarity, but... let's say a teacher starts at 22 years old, or a state employee starts at 20 years old. They're maxed out before their 60, 62. Now, I know the answer is they can go ahead and retire with penalties. Well, I don't think they want to give up half their retirement to draw early. My question is, if they're maxed out, are we going to continue to subtract that percentage out of their salary into the retirement or are we going to... is there going to be a way that we can go ahead and put that in a defined contribution, or some way that they could go ahead and build that?"

Madigan: "Yeah, Representative, we're wide open on the idea of letting them go to a defined contribution."

Poe: "And... and as far as state employees is, along with that way, I've also heard... just through conversations today... that very possibly a local school board could make that decision if their teachers are maxed out and then we're going to keep... they're going to teach that other 5 years. That's something that they may work out locally. Is... is that lead way in this Bill, you think?"

Madigan: "No, this is the first time I've heard that, but like everything, I'll take it under review."

Poe: "Okay. I just... I just want to thank you, you know, some of these things are long overdue and some of them are... are a problem and I think as far as myself, I'm real concerned

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about that age of 67 years old. But... I'd like to just thank you for bringing this to the floor."

Madigan: "Representative, don't you think we ought to give credit to Speaker Daniels again about putting the highway maintainers into the program?"

Poe: "Well, you can if you want. That happened to be my Bill. But, I also think..."

Madigan: "But he was the engine that got it through here."

Poe: "Absolutely, and... and also I just want to tell you, those guys running jack hammers with ear... ear things on their ears so they can't hear. When a car gets wild out there on an interstate their lives are in jeopardy and I think that they... they do deserve to be in an alternative formula."

Speaker Lang: "Mr. Tryon."

Tryon: "Thank you, Mr. Speaker and I... I rise to ask Speaker Madigan a question, if he would yield?"

Speaker Lang: "Gentleman yields."

Tryon: "First, I would also like to clarify my... my statement about 60 percent of all of the state money going to the City of Chicago. What I meant was, 60 percent of their budget, 50 to 60 percent of their budget is funded with state funds. So, let me get that clarified first and I apologize for that. But my question specifically to this piece of legislation is, I know we've... you've gone to great length to make sure that, you know, somebody doesn't leave one pension system and enter into another pension system and, you know, collect a benefit, especially a reciprocal benefit. So, that... what... my question is, how's that apply... apply to somebody that's currently... was a superintendent of

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schools and they left, and now they're director of transportation at another school district. And they're... and they're collecting their pension, but they're... they're working in an IMRF system at the school district. Would he now lose his pension dollars at this Bill becomes law?"

Speaker Madigan: "I believe the answer is yes."

Tryon: "So this would affect people currently..."

Speaker Madigan: "Oh, no."

Tryon: "That's what I mean."

Speaker Madigan: "Again, no current..."

Tryon: "Okay."

Speaker Madigan: "...no... no one current."

Tryon: "So, somebody currently employed, drawing a pension benefit and working at another pension system's going to be able to keep that. Okay."

Speaker Madigan: "The answer's yes."

Tryon: "All right. So, if... if somebody currently participating in a pension benefit and next... two years from now retires, and then goes to work for IMRF, from let's say SERS or something else, they can't draw their pension then?"

Speaker Madigan: "Representative, it's a gray area. We think yes."

Tryon: "Okay."

Speaker Madigan: "But it's a gray area."

Tryon: "All right. That... that was what I was wanting to... to kind of get a handle on 'cause I... there are a lot of people that are currently employed in totally different pension systems and probably saving some money by being employed at a lesser amount. But also, I, you know, I mean, I think

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that the pension... the time is now. I mean, I don't think we can... can go further the time for a pension modernization and a second tier pension. I... I think it's valuable. Look at the Federal Government, they have it. You look at our own General Assembly, I mean, we're a three-tier pension system right now. So, I certainly support the concept of what you're doing. I argued, I thought, as hard as I could to make a change in the Bill that I thought needed to be changed, which was to remove from this the pension holiday for the Chicago School System. I still think that is... is financially wrong and we shouldn't be doing that and I should receive a full debate. But in absence of that Motion not passing, I'm... I'm going to support this the way it is. So, thank you."

Speaker Lang: "Speaker Madigan to close."

Speaker Madigan: "Mr. Speaker, Ladies and Gentlemen, I think we've had a very full debate and I think we're all prepared to cast an educated vote. I would request an 'aye' vote, please."

Speaker Lang: "You heard the Gentleman's Motion. Those in favor of the passage 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? Graham, Reis. Mr. Clerk, please take the record. On this question, there are 92 voting 'yes', 17 voting 'no' and 7 voting 'present'. And this Bill, having received the Constitutional Majority, is hereby declared passed. All right, Members, we're going to try to move some Bills from Second to Third, so we're ready for the next two days

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before the deadline. The first Bill on the list is House Bill 6749, Representative Smith. Please read the Bill."

Clerk Mahoney: "House Bill 6749 has been read a second time, previously. No Amendments. No Motions filed."

Speaker Lang: "Third Reading. House Bill 5756, Representative Fortner. Please read the Bill."

Clerk Mahoney: "House Bill 5756, a Bill for an Act concerning utilities. Second Reading of this House Bill. No Amendments. No Motions filed."

Speaker Lang: "Third Reading. House Bill 6748, Representative Farnham. Mr. Farnham. Do you wish to move your Bill, Sir? Please read the Bill."

Clerk Mahoney: "House Bill 6748 has been read a second time, previously. No Amendments. No Motions filed."

Speaker Lang: "Third Reading. House Bill 5366, Representative Burke. Out of the record. House Bill 4837, Representative Reis. Mr. Reis. Is Mr. Reis in the chamber? Out of the record. House Bill 5242, Representative Bellock. You want to move the Bill? Please read the Bill."

Clerk Mahoney: "House Bill 5242, a Bill for an Act concerning public aid. Second Reading of this House Bill. No Committee Amendments. A Floor Amendment has been referred to the Rules Committee, but not yet reported. No Motions filed."

Speaker Lang: "Third Reading. House Bill 5905, Representative Jehan Gordon. Please read the Bill."

Clerk Mahoney: "House Bill 5905, a Bill for an Act concerning State Government. Second Reading of this House Bill. Amendment #1 was adopted in committee. Floor Amendment #2,

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offered by Representative Gordon, has been approved for consideration."

Speaker Lang: "Representative Gordon."

Gordon, J.: "Thank you, Mr. Speaker and Ladies and Gentlemen of the House. House Amendment 2 is a technical change. There are no... there's no opposition to this Bill. And I'd like to ask for an 'aye' vote."

Speaker Lang: "Seeing no debate. Those in favor shall say 'yes'; 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 5900, Representative Jehan Gordon. Read the Bill."

Clerk Mahoney: "House Bill 5900, a Bill for an Act concerning criminal law. Second Reading of this House Bill. No Amendments. No Motions filed."

Speaker Lang: "Third Reading. House Bill 5894, Representative Jehan Gordon. Out of the record. House Bill 6034, Representative Pihos. Out of the record. House Bill 5124, Representative Rose. Mr. Rose."

Rose: "It should go to committee, Mr. Speaker."

Speaker Lang: "I... I didn't hear you, Sir."

Rose: "Mr. Speaker, there's an Amendment that should go to committee, and in fact, it's posted to committee, so..."

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

Clerk Mahoney: "On House Bill 5124, on Second Reading, Floor Amendment #1 has been referred to committee."

Speaker Lang: "For the record. Thank you, Mr. Rose. House Bill 5399, Representative Howard. Do you wish to move your

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Bill? 5399, do you wish to move your Bill? Please read the Bill."

Clerk Mahoney: "House Bill 5399, a Bill for an Act concerning criminal law. Second Reading of this House Bill. Amendment #1 was adopted in committee. No Motions filed."

Speaker Lang: "Third Reading. House Bill 5158, Representative Mautino. Mr. Mautino, 5158. Please read the Bill."

Clerk Mahoney: "House Bill 5158, a Bill for an Act concerning revenue. Second Reading. No Amendments. No Motions filed."

Speaker Lang: "Third Reading. House Bill 5802, Representative Senger. Please read the Bill."

Clerk Mahoney: "House Bill 5802 has been read a second time, previously. No Amendments. No Motions filed."

Speaker Lang: "Third Reading. House Bill 5656, Representative Senger. Please read the Bill."

Clerk Mahoney: "House Bill 5656, a Bill for an Act concerning education. No Committee Amendments. Floor Amendment #1 was referred to the Rules Committee. No Motions filed."

Speaker Lang: "Do you wish to move your Bill to Third Reading? Out of the record. House Bill 5623, Representative Watson. Out of the record. House Bill 5742, Representative Carberry. Please read the Bill. 5742, Mr. Clerk. Mr. Clerk, that is 5762. Please read the Bill."

Clerk Mahoney: "House Bill 5762, a Bill for an Act concerning criminal law. Second Reading of this House Bill. Amendment #1 was adopted in committee. No Floor Amendments. No Motions filed."

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Speaker Lang: "Third Reading. House Bill 4781, Representative Colvin. Out of the record. Mr. Colvin, do you wish to move 4781, Sir? Mr. Clerk, please read that Bill."

Clerk Mahoney: "House Bill 4781, a Bill for an Act concerning debt settlement. Second Reading. Amendment #1 was adopted in committee. Floor Amendment #3 was adopted to the Bill today. No Motions filed."

Speaker Lang: "Third Reading. Representative Yarbrough, for what reason do you rise?"

Yarbrough: "Point of personal privilege..."

Speaker Lang: "Please state your point."

Yarbrough: "...Mr. Speaker. Actually two points. One..."

Speaker Lang: "Two points."

Yarbrough: "...we have the American Institute of Architects, Michael Rogers, the President and all his members. Would you please stand and give them a great Springfield welcome. And my second point is from the Village of Maywood and from West Central and Forest Park and in my district, all those folks I... I don't know where all they are, but they're here. And my husband, the mayor of Maywood, Henderson Yarbrough. Give him a welcome."

Speaker Lang: "Mr. Clerk, committee announcements."

Clerk Mahoney: "Committee announcements. At 5 pm, immediately following Session, Agriculture & Conservation is in 122B. Computer Technology is meeting immediately in Room D-1. Counties & Townships in Room 115. The Executive Committee will meet in Room 118. Human Services will meet in Room C-1. All... immediately after Session."

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Speaker Lang: "You heard the committee announcements. Members we're going to committee and returning to the floor at 5:30. The House will stand in recess to the call of the Chair. Actually, the House will stand in recess 'til 5:30 pm"

Speaker Lang: "The House will be in order. Representative Lang in the Chair. Mr. Clerk, committee announcements."

Clerk Mahoney: "Committee Reports. Representative Lang, Chairperson from the Committee on Rules reports the following committee action taken on March 24, 2010: approved for floor consideration, recommends be adopted is Amendment #2 to Senate Bill 1182. Repre... Representative Jakobsson, Chairperson from the Committee on Human Services reports the following committee action taken on March 24, 2010: recommends be adopted is Floor Amendment #1 to House Bill 5124. Representative Verschoore, Chairperson from the Committee on Counties & Townships reports the following committee action taken on March 24, 2010: recommends be adopted is Floor Amendment #2 to House Bill 5552. Representative Phelps, Chairperson from the Committee on Agriculture & Conservation reports the following committee action taken on March 24, 2010: recommends be adopted is Floor Amendment #1 to House Bill 5611 and Floor Amendment #2 to House Bill 6099. Representative Burke, Chairperson from the Committee on Executive reports the following committee action take on March 24, 2010: recommends be adopted is Floor Amendment #1 to House Bill 5732 and Floor Amendment #1 to Senate Bill 1182."

Speaker Lang: "Representative Mautino."

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Mautino: "Yes, Mr. Speaker, I'd ask that Representative Joe Lyons be marked as excused for the rest of the day."

Speaker Lang: "The Journal will so reflect. Representative Reis, earlier you... I took a couple of your Bills out of the record. Are you ready to move on House Bill 4837, Sir? Mr. Clerk, please read House Bill 4837."

Clerk Mahoney: House Bill 4837 has been read a second time, previously. Amendment #1 was adopted to the Bill. All notes have been filed."

Speaker Lang: "Third Reading. And Mr. Reis on House Bill 5301. Please read the Bill."

Clerk Mahoney: "House Bill 5301 has been read a second time, previously. Amendment #1 was adopted in committee and Amendment #2 was adopted by the Body. All Notes have been filed."

Speaker Lang: "Third Reading. House Bill 4871, Representative Poe. Please read the Bill."

Clerk Mahoney: "House Bill 4871 has been read a second time, previously. Amendment #1 was adopted in committee. Floor Amendment #2, offered by Representative Poe, has been approved for consideration."

Speaker Lang: "Mr. Poe on your Amendment, Sir. Mr. Poe."

Poe: "Yeah, Mr. Speaker, we ran this through the State Government Committee yesterday. And this... what it does it make a technical change to make sure that the funds are divided up. And it... what this is... is from the sales of the hotels in Collinsville and Springfield. That money will be deposited into state funds and this is to clear up how we were going to do that."

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Speaker Lang: "Gentleman... Gentleman moves for the adoption of Floor Amendment #2. There being no discussion, those in favor say 'yes'; those opposed say '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. Representative Burns on House Bill 5783. Are you ready to proceed, Sir? Please read the Bill, Mr. Clerk."

Clerk Mahoney: "House Bill 5783, a Bill for an Act concerning professional regulation. Third Reading of this Bill."

Speaker Lang: "Mr. Burns."

Burns: "Thank you... thank you very much, Mr. Speaker and Members of the House. I am moving House Bill 5783. We had a conversation about this Bill last week and what I want to make clear to everyone, that this Bill is about creating jobs. It's about creating opportunity. It's about giving people the opportunity to start businesses that will pay taxes, that'll put people to work, and will add to our communities. What this Bill does is create a pathway for people to become licensed as hair braiders because, right now under current law, if you wish to braid hair legally, you must be licensed as a cosmetologist. That requires 1500 hours of training and anywhere between 10 thousand to 15 thousand dollars a year. For the last year, I've worked with the schools of cosmetology, the cosmetologists, and hair braiders to come up with a licensing program that does the following things: one, it grandfathered in hair braiders who've been braiding hair for the last two years. They

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will sign an affidavit and they'll have the opportunity to get their license from the Department of... of Financial and Professional Regulations. Two, it creates a training program for new hair braiders to ensure that consumers are protected. And the last thing is that it creates a continuing education program for hair braiders when they get their licenses renewed two years after getting their license originally. I ask for an 'aye' vote and ask for your support."

Speaker Lang: "Mr. Clerk, Supplemental Calendar announcement."

Clerk Mahoney: "Supplemental Calendars are being distributed to the Members desk."

Speaker Lang: "Thank you. Gentleman moves for the passage of the Bill. On that question, the Chair recognizes Representative Flowers."

Flowers: "Mr. Speaker, to the Bill. I want to first thank Representative Burns for his hard work and his dedication and... on this issue and I want to also thank him for giving me this fantastic reading on The Braiding Case Culture Deference and the Inadequate Protection of Black Women Consumers. There was a lot of good information here and it talked about the indiscriminate application of cosmetology licensing requirements to braiders. And it says, basically, that the cosmetologists, the cosmetologist believes that it is unfair that they must go through this long expensive process while the braiders just braid. But there's a big difference, Ladies and Gentlemen, in braiding hair and being a cosmetologist. So, that's the reason why it's a very long and expensive process. And if a hair

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braider wanted to be a cosmetologist, she needs to do the things to become a cosmetologist as far as knowing how to color hair and cut and dye and the other treatments that's involved. But hair braiding is something totally different and I would just like to bring to you... the Members attention that... I have a letter from the director, the Secretary of Department of Financial Professions and he really suggested that hair braiding should be taken out of cosmetology. It is not a place for cosmetology... for hair braiding, but for some reason the cosmetologists and others don't think so. The hair braiders want to be licensed, they want to be professional they are professional quite frankly, and they have no problem with paying their taxes and paying their dues. This is what they've been doing all the time. So, once again I would like to..."

Speaker Lang: "We'll give you another minute Representative. The Bill's on Short Debate."

Flowers: "Once again, Mr. Speaker, I want to thank the Gentleman for his hard work and hopefully one day these women will be looked at, or their profession will be looked upon, as is looked upon in 11 other states, where they are not regulated under cosmetologists, but they are their own professional people as hair braiders. So, thank you very much, Sir."

Speaker Lang: "Representative Washington."

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

Speaker Lang: "Gentleman yields."

Washington: "Representative, you know, when we first talked about this particular legislation, you know, I know there

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was some people who were, kind of, mixed bags, for some reason. Did you straighten that out by chance?"

Burns: "Thank you, Representative. We have.. the department is neutral on the Bill. We've adopted some of the language that they asked for. There was some confusion about that, but we've taken care of that. I know of no opposition to the Bill."

Washington: "Representative, can you tell me how you've come about this particular legislation, because naturally, you know in our community this is a well respected craft and, you know, it seemed to be like things were going pretty good for the longest. Any reason why we have to go to this level?"

Burns: "Well, thank you, Representative. The biggest issue is that we think of hair braiding as a, you know, an individual doing it on their own or in some person's house taking over some hair and adding in braids, but what's happened is the industry has become an industry. And, there's big money to be made and because of our current licensing structure, folks who were borrowing money to open a store and open up a storefront and sign leases, you know, do all the things you want to have a business, were at risk for being shut down by the Department of Financial and Professional Regulations because they were not legally licensed to perform the act of cosmetology, which is what hair braiding, under current law, is. In order to braid hair legally, in the State of Illinois, and hold yourself out to be a hair braider, you have to be licensed as a cosmetologist. So, these folks were looking for a way to

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start businesses and to make sure that those businesses could stay open. And... they wanted to become legal and the way to do that was to create this specific license for hair braiders."

Washington: "Representative, I want to thank you for representing individuals who really need the help. To the Bill. I just want to make these comments. I think that the individuals who have an interest in this particular legislation, I don't..."

Speaker Lang: "Representative, we'll give you one more minute to complete your remarks."

Washington: "Thank you. I don't think you should stop here. I think since the Legislator, Representative, has gotten you this far, I think you would be wise to form an organization that ties all of you together statewide and mobilize your voices to help Legislators, like this Legislator, who has taken it upon himself to do this. I hope that this is an 'aye' vote Bill. There's a lot of need out there and I intend to support the legislation. Thank you."

Speaker Lang: "Representative Monique Davis."

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

Speaker Lang: "Mr. Burns yields."

Davis, M.: "Okay. The first question I have, Representative, is who will teach hair braiding?"

Burns: "Under the Bill, we create a provision for a licensed hair braiding instructor. And as with the original... the two-year grandfather provision, the department can provide the Hair Braiding Instructor License to qualified

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individuals without having to go through extensive training. And the I..."

Davis, M.: "Who... who will these people be?"

Burns: "The intent is for the very people who are doing hair braiding right now to go through..."

Davis, M.: "Okay, now hold it. Stop."

Burns: "Wait, wait. I'm answering your question, Representative."

Davis, M.: "Stop, stop, please stop."

Burns: "...may I answer your question? May I answer your question? What the Bill does, is it permits those persons who have a hair braiding license to sign an affidavit, get proved up to the department to be given a hair brai..."

Davis, M.: "Who has a hair braiding license today? Who has one today?"

Burns: "After persons receive their hair braiding license, the department may give them a license to be hair braiding instructors. And what's very important is that 230 hours of the 300-hour training requirement will be under the supervision of a licensed hair braiding instructor in a hair salon. So, it's very important to make sure that the folks in the community who know how to braid hair, who have a track record of doing it, who have gotten the hair braiding license, have gone through the process are still involved in transmitting this important skill down to those persons who wish to braid hair in the future."

Davis M.: "To the Bill, Mr. Speaker. To the Bill. First of all, during vacation I plan to go to one of those hot warm places where there will be some hair braiders. I'm going

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to ask them if they have any Illinois hair braiding licenses to braid my hair. Which of course, they won't. Now your statement, Sir, that this will allow people to go into business, it just is false because they're already in business. All they have to do is..."

Speaker Lang: "Representative Davis, we'll give you an additional minute to finish your remarks."

Davis, M.: "All they have to do is get a license from the city to open a business and pay the fee, whatever the fee is, but you cannot, you cannot license Chinese people to make Chinese food. They have a license to have a restaurant. You cannot license Latino people to make tacos. You can license them to have a restaurant. And you should not, and you should not, and you should not have to license African-American women to braid someone's hair. It is a deterrent to business, it is not a... an acceptance to business, it's a deterrent. It's a deterrent and just because you worked with these people for a year does not mean that you should continue to do something to hurt a business community in Chicago."

Speaker Lang: "Representative Collins."

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

Speaker Lang: "Gentleman yields."

Collins: "Representative, did we ever find out the cost? How much it would cost for them to take those 270... 30 hours."

Burns: "Yes, Representative. There was an e-mail that was sent to you and me, we were both copied on it, from the United African organization and the Illinois Coalition for Immigrant and Refuge Rights. There's a range of somewhere

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between \$400 to \$700 for the 75-hour classroom requirement. They're varying costs in terms of per hour charges for cosmetology schools."

Collins: "All right, thank you. 'Cause I didn't receive the e-mail. All right, thank you."

Speaker Lang: "This Bill is on Short Debate. We will hear from those whose lights are on. Representative Yarbrough, Sullivan, Stephens and Tracy. The Chair recognizes Representative Yarbrough."

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

Speaker Lang: "Gentleman yields."

Yarbrough: "Representative, I know you've worked on this piece of legislation for some time. Just a couple of items. One, how old will the person... if a person wants to become licensed, what's the minimum age?"

Burns: "16."

Yarbrough: "16. So, have you heard from any braiders yourself? I mean, people who are actually braiding now?"

Burns: "Yes, I have."

Yarbrough: "Okay. And what's their thoughts on this Bill?"

Burns: "They love this Bill. They're excited about the fact that they can finally become licensed to conduct their craft and that the risk that their investment in capital, their investment in opening a store and signing lease, that their investments will not be taken away by the State Of Illinois."

Yarbrough: "To the Bill, Mr. Speaker. I have four braiders that braid my hair. Some of them twist the hair, others braid the hair and I took this Bill, the way it was

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written, to them to share... share the fact that, you know, they may have an opportunity to be licensed. And I've got to tell you, in two cases, two of the braiders told me they absolutely were thrilled with the fact that they're going to be able to be legitimate. There's something about being legitimate, being able to have the license on the wall, now that's what they've said to me. Representative, I appreciate you bringing this Bill. Now, there was also something about hygiene and while the... the braiders that I work with, they have very clean places and all of that, but they really don't know what kind... what things they should do. And so, the 300 hours, I think, is certainly appropriate. I intend to support your Bill. Of course, I'm a cosponsor of your Bill, and I appreciate the information that you've brought forward as well as enlightened us on any number of things. So, thank you so much and I..."

Speaker Lang: "Representative Sullivan."

Sullivan: "Will the Sponsor yield?"

Speaker Lang: "He will yield."

Burns: "Yes."

Sullivan: "Representative, one of the previous speakers said that they should just be able to set up shop and start right now. If that happened in... anywhere in the State of Illinois, would there be penalties or would they face some type of criminal procedure?"

Burns: "They certainly would... thank you, Representative... they would certainly face penalties from the Department of Financial and Professional Regulations. The department

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could fine them. They could be sued civilly. And so, you know, it's a tremendous risk."

Sullivan: "Thank you. To the Bill."

Burns: "And forced to shutdown."

Sullivan: "Ladies and Gentlemen, let's... let's get back to the topic at hand here. Right now they will get into trouble if they do not have a cosmetology license. What the Representative is doing is making it easier for people to set up businesses in the State of Illinois, to get employed in the State of Illinois. We've talked about jobs, jobs, jobs. Let's get back to the discussion at hand. Please vote 'aye'."

Speaker Lang: "Representative Stephens."

Stephens: "The previous Representative is right. This is a jobs Bill. This is about putting people to work and on behalf of the Southern Illinois Caucus, our girls can braid hair too. We need jobs in Southern Illinois. This will bring jobs to my district and I stand in support of the Gentleman's Motion."

Speaker Lang: "Representative Rose, your light was not on before, but if you insist, you may speak for two minutes."

Rose: "I would just... Could we take this back to Second and make it zero hours? I agree, this is silly. You don't need a license to do this. I... I know, Representative Burns, I said this last week. You're taking it down from what it was to less hours, that's great. Let's make it zero hours. And I... I would like to see that... I mean, I don't know why you have to have a license at all. Why do we license lemonade stands? That's silly too."

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Burns: "I... I appreciate your comments, Representative. Here's one of the reasons why you do want to have a licensure program. Very quickly, there are certain risks that are associated with hair braiding. There's a law review article that describes the health risks as non negligible. For example, if the braids are put in too tightly you can cause alopecia, which is baldness. There is the risk of certain scalp diseases as well and the other option is that if a hair braider is not providing good customer service and they're not protecting consumers, there are few recourses against them, unless they are licensed."

Rose: "I... I don't know what alopecia is, but it's... Look, I'm with you, Representative Burns. I just wish you'd take it to zero because, I still, despite what you just said, think it's silly that we're involved in this at all. Representative Yarbrough ought to be able to let who ever wants to braid her hair, braid her hair. I mean, this is jobs. We need more money in this state; we need jobs in this state. I know what you're trying to do, Representative Burns, but I think Representative Davis is also right. Let's not be involved in this at all."

Speaker Lang: "Representative Tracy, the last speaker on this Bill."

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

Speaker Lang: "The Gentleman yields."

Tracy: "How do we define what is a hair braider and what would be an amateur hair braider?"

Burns: "The distinction is, if you hold yourself out to commercially provide the service. That's... that's what

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makes you hair braider. So, now look, there's going to... there's an underground economy with hair braiding. That will still exist. There are women who go to peoples' houses with a bag of hair and they sit and they braid hair. That will still exist. The idea is to help those people who are going to have storefront businesses, who are going to have salons, that are going to sign leases, that are going to borrow money from banks and their friends to know that they'll have the security that they're going to be run out... out of business and forced to shut down because they don't have a license."

Tracy: "But is there... do you envision that those underground braiders are going to be fined \$5 thousand civilly."

Burns: "Most underground braiders are, you know, but they're... they're underneath the radar. I mean, they don't have cards, they don't have stores, they don't put out flyers, it's word of mouth. I know so and so at the church she knows how to braid hair, I know so and so on the block she knows how to braid hair and that's how... it's not their primary profession most of the time. They have another job, they do this on the side. When I was in college, there was a guy who cut my hair down the hallway from me. He didn't have a barbers license..."

Tracy: "Right, right."

Burns: "...he just knew how to cut hair."

Tracy: "Right. And I... I just... do you anticipate though that the amateur braiders are going to be civilly fined?"

Burns: "No. They're... they're not..."

Tracy: "But... because of the Department of Regulation."

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Burns: "It would be very difficult and time consuming for the department to identify these folks and spend the resources to go after them. Where the department's going to go after people, are the folks who open up a store and have, you know, Burns's Hair Braiding and you know, are braiding lots of peoples' hair. That's an easy target and a mark for the department. And that's where the... that's where this issue... that's what we're trying to deal with here."

Tracy: "Okay. And do you think this applies to French braiding?"

Burns: "French braid... French braiding would be included in the definition of hair braiding. It involves twisting and locking; it's part of the definition of hair braiding."

Speaker Lang: "Representative Tracy, have you completed your remarks? You seem amused by them. Representative Monique Davis, you spoke in debate. For what reason do rise?"

Davis, M.: "My name was used in debate, Mr. Speaker. So, I want to take the opportunity to use my... first of all, I think... I thi..."

Speaker Lang: "Representative Davis, Representative Davis. Please proceed for one minute."

Davis, M.: "I think it's extremely important to realize, Mr. Mitchell, Representative Mitchell, just informed me there are braiders that braid the horses who are going into shows. His question is, do they also have to be licensed? And I want to share with you what the director wrote to Representative Flowers. Since the definition of cosmetology includes braiding, a cosmetologist's license is required. In order to accommodate the concerns of your constituents,

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either braiding needs to be removed from the definition above, thereby creating an exemption of braiders. Braiders need not be licensed as proposed by Representative Will Burns."

Speaker Lang: "Representative Burns to close."

Burns: "Thank you very much, Mr. Speaker and Members of the House. I appreciate the debate, the questions, the indiscernible of this particular Bill. But at the end of the... but at the end of the day this Bill is about creating opportunities for people who want to scale up businesses, who want to create jobs, who want to pay taxes. And I want to commend the hair braiders for working so hard on this with me. To the schools of cosmetology and the cosmetologists, we've come up with a Bill that balances the need to protect consumers and allow people to start their businesses. I would appreciate an 'aye' vote. Thank you very much."

Speaker Lang: "Gentleman moves for the passage of the Bill. Those in favor vote 'yes'; those opposed vote 'no'. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Black, Cole, Mautino, Tracy. Mr. Clerk, please take the record. On this question, there are 95 voting 'yes', 20 voting 'no', 1 voting 'present'. And this Bill, having received the Constitutional Majority, is hereby declared passed. Chair recognizes Representative Acevedo."

Acevedo: "Mr. Speaker, Ladies and Gentlemen of the House. I usually don't get up and speak on statements that are made on the House Floor, but when somebody makes fun of our... my

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ethnicity, I'm going to stand up and say something. First of all, Mexicans are not the only ones that make tacos. That's not the only kind of food we make; we make other foods just as much. Secondly, some good... very good friends who are African American own taco stands. Taco Bell is probably open... most of the majority is by white men or white females. So, for anyone... anyone to come to this floor and make fun of my ethnicity, I can... I'm so appalled at what the statement that was made on the House Floor. I ask my colleagues, it should never be used and make fun of another person's culture."

Speaker Lang: "Representative Mendoza. Representative Mendoza."

Mendoza: "I want to echo my colleague's comments and I would request that an apology be made on the record because the insult was placed on the record. And lastly, just to finish by saying that anyone who does these activities and sells tacos for a living has to do so under a license. Thank you."

Speaker Lang: "The Chair recognizes Representative Mautino. On Supplemental Calendar #1, on Senate Bills-Second Reading, there appears Senate Bill 1182. Mr. Clerk, please read the Bill."

Clerk Mahoney: "Senate Bill 1182 has been read a second time, previously. Floor Amendments 1 and 2 have both been approved for consideration."

Speaker Lang: "Representative Mautino. Withdraw #1, Sir?"

Mautino: "Please withdraw Amendment #1 and place Amendment #2 on the board."

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Speaker Lang: "Amendment#1 is withdrawn. Mr. Clerk, further Amendments?"

Clerk Mahoney: "Floor Amendment #2."

Speaker Lang: "Mr. Mautino."

Mautino: "This is the supplemental appropriation request and I would ask that the House adopt Amendment 2 and then we debate the Bill on Third Reading."

Speaker Lang: "Gentleman moves for the adoption of the Amendment. Those in favor say 'aye'; 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. Please read the Bill for the third time."

Clerk Mahoney: "Senate Bill 1182, a Bill for an Act concerning appropriations. Third Reading."

Speaker Lang: "Mr. Mautino."

Mautino: "Thank you, Mr. Speaker."

Speaker Lang: "Mr. Mautino. Mr. Mautino."

Mautino: "Ladies and Gentlemen of the House, Senate Bill 1182 contains the supplemental appropriation request for fiscal year 2010. It appropriates an additional 31, 340, excuse me, \$34,837 from the General Revenue Fund. It also appropriates... Excuse me. All right. Under other state funds, it would be \$1,162,538,908 and from the federal funds \$3,116,196,800. The Amendment that we placed on the Bill, that became the Bill, took out the federal stimulus two funds. The original Bill had those in, those have passed the United States House of Representatives, but have

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not yet passed the Senate. So, those were taken out. So... and can be put back in on another Bill once the U.S. Senate passes that. These will... these funds will be used for, in the area of operations, to cover the foster care shortfall there's \$3.6 million, to cover the adoption and guardianships shortfall is \$1.6 million. The pay increases and legal bills associated with the DePuy settlement and the CSFR penalties for the Department of Children and Family Services is 5.7 million. The bargaining unit and personnel services lump sum and this is the additional head count to offset the overtime pressures at DOC. There are unfunded operational expenditures at DOC as well in the amount of another \$9 million, predominately, this is because the budget that we had passed assumed that there would be layoffs, no layoffs occurred and so this is needed from the GRF side to cover the salaries of the correctional officers and those expenses. Underfunded operational expenses in... in DOC, as I said, were listed. The operational line item increases for IDES and this is the federal money and it's available for the increased federal formula for the unemployment insurance due to high workloads there, that's \$25 million. We have ARRA funds, many of these are federal dollars that I'll go through. The employment security has announced the potential availability for supplemental federal funding of unemployment insurance automation. And DHS has additional TANF funding that was... has been available from the stimulus contingency funds. We also have the lottery prize appropriation, which is \$40 million, and that's an increase

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in appropriation authority. It's necessary to ensure that the department has the ability to satisfy the winning ticket claims. Under the area of... of executive ethics, there's a million dollars for costs with implementing Senate Bill 51, that's the Ethics Bill, which we all passed. There's new legislation resp... increasing the responsibilities of the ICC and that's \$480 thousand. In addition to the operational lines, we have transfers. And transfers, these items are a wash that will allow flexibility within the State Board of Higher Education's budget. As you can take a look and see, we are going to be making the mandated categorical payments from the Education Assistance Fund and these are straight dollar for dollar swaps. We have... the ICCB has GRF dollars for the base operating grants and these are for the ARRA general services. There are also three items in, which are purely technical, they affect the CDB and I... the Conservation Reserve Enhancement Program and it just takes out some inconsistent language, federal joint use agreements or just regular cleanup language. These are the items that are in the supplemental appropriation. Be happy to answer any questions. I would appreciate your support. The other item that I want to bring in, and it should be important to all Members, is under the area of capital. The construction funds that are within the book, that IDOT puts out every year, this will give them the ability to speed up those projects. Many of your projects within your districts were going to start in either August or September. This allows those projects that are ready to go

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to be proceeded and start construction in the beginning of the construction season. Be happy to answer any questions."

Speaker Lang: "Gentleman moves for the passage of the Bill. The Chair recognizes Representative Eddy. Representative Eddy."

Eddy: "Excuse me, Mr. Speaker. I was clarifying something and a... if the Sponsor would yield?"

Speaker Lang: "Gentleman yields."

Eddy: "Representative, could you kind of... you talked about mandated categoricals and... and I understand there's about \$327 million in here. Is that... is that accurate?"

Mautino: "Those are the transfers and you'll see... would you like me to go through those lines, specifically?"

Eddy: "Yes, if you would."

Mautino: "Oh, sure. Let's see, and the I.S... the State Board of Education needs these transfers so that they can make the MCAT payments, which we're all concerned about. You'll see a reduction of 91... for disabled student personnel reimbursement, it's 91,445,000. For disabled student transportation, would be 72,603,000. For disabled student tuition, these are the reductions, would be 23,447,000. For the funding for children requiring special education is 59,160,000. For the transportation regular vocational in common school would be 81,090,000. And each of those has a corresponding line at the same amount which would go from the Educational Assistance Fund. So, it's in straight GRF. This will come from the Educational Assistance Fund and

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that's where the stimulus money is to actually pay for these and make that payment."

Eddy: "Okay. So, based on the fact that we're taking money that came and... I think what you're saying, in the form of the federal stimulus dollars and were placed in the Educational Assistance Fund, you're... you're increasing the approp..."

Speaker Lang: "Mr. Eddy, we'll give you one more minute, Sir."

Eddy: "Well... I..."

Mautino: "There's addition... Roger..."

Eddy: "A minute, we're not going to be able to do this in a minute. If we're not willing to take enough time to go through the line items when were supplementing several hundred million dollars, forget it. We can't do this in a minute."

Speaker Lang: "Sir... sir, if you're requesting to remove it from Short Debate, simply ask."

Eddy: "Mr. Speaker, could we remove this from Short Debate?"

Speaker Lang: "Of course we can."

Eddy: "Thank you. Appreciate that."

Mautino: "And actually there... there is no increase in it, Roger, it's simply a swap."

Eddy: "Okay. I guess... I'll get to the bottom line with this. Does this ensure any additional payments will be made in mandated categorical this fiscal year?"

Mautino: "According to the department, this... by making this change, this will allow them to make the final MCAT payment. So, it'd be yes."

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Eddy: "So, they'll be able to voucher the payment or, because this is... this is money that is going to be placed in there from the Education Assistance Fund, school districts can count on receiving all four mandated categorical payments this school year?"

Mautino: "Out of... that's a great question. Out of the Education Assistance Fund, the school districts can count on that. That will be specifically dedicated for them. If they remain in regular GRF, then they were going to have to stand in line. That's the reason we need to do this."

Eddy: "Okay. So, school districts that received one mandated categorical payment, the second one was vouchered in December. The third one will be vouchered, I think, shortly. And then the fourth one toward the end of the year. This appropriation will ensure that the second one, the third one and the fourth one or just the second one?"

Mautino: "This guarantees just the last one. I'm not sure on the structure of the third payment, but this guarantees that the final payments will go to them because it's in the Educational Assistance Fund. Had it remained in regular GRF, then that guarantee would not be as solid."

Eddy: "Okay. Well, of the four payments then, how many would school districts expect to receive this fiscal year before June 30th?"

Mautino: "That would depend on... that would depend on cash flow into GRF."

Eddy: "Okay."

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Mautino: "But without this... this makes it easy or possible, possible according to the department, to make that fourth payment."

Eddy: "So, this... does this then increase the appropriation line item? It just transfers it from..."

Mautino: "It decreases the GRF and it increase the Educational Assistance Fund, the EAF. So, you're..."

Eddy: "Which came from the federal stimulus money?"

Mautino: "Right."

Eddy: "Okay. Representative, I... I don't think that the net result of this is going to be an improvement in cash flow to the point that we could expect all four payments. I think the bottom line is that... that it may help with funds by using stimulus money to make some payments, but there's no way to know that you're going to make all four. And districts will get what they get, but it's appropriated and eventually, hopefully, if it's vouchered, even if it's late, they'll get the full amount."

Mautino: "That would be our hope. Without making this transfer, it is much more difficult for the situation that you described to happen."

Eddy: "Okay. Quickly, the capital portion is being amended. It looks like... are these projects that are from the capital Bill, from stimulus money, from a combination?"

Mautino: "Yeah. These would be the projects that you've received in the road program book. So, you have actually the line item distribution how this money is intended to be spent out. But by making this change in the appropriation line item, moving it forward here instead of letting those

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projects in August or September, we'll be able to move those forward and let them out now so that people don't miss the beginning of the construction season."

Eddy: "Okay. So, the increase in the federal funds for high speed rail. What's the increase for high speed rail that's in this appropriation?"

Mautino: "Between the... between the two items on the list before you, I believe it's a billion dollars."

Eddy: "So, this appropriation includes a billion dollars for high speed rail."

Mautino: "There's... there's two hundred..."

Eddy: "Where's that money? Is that from the capital Bill or is that federal?"

Mautino: "That's all federal."

Eddy: "That's all federal money for the high speed rail."

Mautino: "Correct."

Eddy: "Okay. Representative, thank you for the answers. I... I certainly hope this does improve the potential for school districts to get those mandated categorical payments. And Mr. Speaker, I appreciate the time extension."

Speaker Lang: "Mr. Black."

Black: "Thank you, Mr. Speaker. We appreciate your kindness. Will the Sponsor yield?"

Speaker Lang: "Gentleman yields."

Black: "Representative, the \$718,000 increase in federal funds for the Department of Military Affairs, our staff tells us that is to meet an agreement for both the United States Marine Corp and the Army Reserve to be the host and guest at various facilities around the state. What would cost

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\$718,000 to host various military personnel at facilities around the state?"

Mautino: "The item... the federal dollars that we're using on this, your... your description is correct. From the Department of Military Affairs is going to be used in conjunction with the U.S. Marine Corp and Army Reserve for an arrangement they'll be using at various facilities, which I believe is two, around the state."

Black: "What does that cover?"

Mautino: "It now... Excuse me. Now, it was two, but it will be at all of the facilities throughout the state. I don't have a... I don't have a line item of how they intend to spend that out. It would be appropriation authority and they could use it."

Black: "Well, does it... does it cover coffee..."

Mautino: "And it's spending authority."

Black: "...donuts or... or utilities at training centers. I mean, \$718,000 is a lot of money. Federal funds and state funds, it's all tax money. What in the world are they going to spend \$718,000 on to host and guest at various facilities around the state. That must be a heck of a party or I don't... I don't have a clue what that is."

Mautino: "And in the... in the Bill it's spending authority, so it'd be up to that amount that's allocated from the Federal Government. I don't have an answer specifically on what type events they are."

Black: "Okay. And... and I understand. I don't think we have the answer either and that's unfortunate. Let me ask you a question."

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Mautino: "Excuse me. It would also be for operations and maintenance..."

Black: "Well, that... that's..."

Mautino: "...is allowable underneath there."

Black: "...if it's for operations and maintenance..."

Mautino: "And as I look at the actual language..."

Black: "Yeah. That I can understand."

Mautino: "...that makes a little more sense."

Black: "Let me ask you, and maybe your staff knows, has any decision been made by the Department of Military Affairs as to whether they're going to continue to operate Lincoln's Challenge or they're going to eliminate Lincoln's Challenge because of budget cuts?"

Mautino: "I will get you that answer."

Black: "All right. And okay, then, 'cause I appreciate that. Yeah, I mean, if they close Lincoln's Challenge, I believe 70 percent of that comes from federal tax dollars. So, I hope that the rumor I'm hearing isn't true that, once again, Lincoln's Challenge may be on the chopping block because we could use this \$718,000, if nothing else. You've got a \$40 million increase to satisfy all winning lottery claims. We must have had some big winners. But as I understand it, now, that's all from the lottery fund, is it not? The lottery should be self-sufficient. We're not putting any GRF into lottery jackpots."

Mautino: "No, we're not. These are... this is appropriation authority and it's a new game. They've gone... that they've entered... entered into."

Black: "Okay."

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Mautino: "I believe it's Power Ball, is it? It's a multistate game. And this would be authority to pay out those winners."

Black: "All right. But... but this is all money generated by the lottery, not GRF."

Mautino: "Correct."

Black: "Okay."

Mautino: "It's under other state funds; you'll find it."

Black: "All right. I appreciate that. I think you went over this a little bit with Representative Eddy, but I want to make sure I understand this. The Department of Corrections is getting a \$25 million increase in General Revenue Funds for personal service lines. Is that because last year's budget assumed we were going to lay off a thousand corrections officers..."

Mautino: "That's exactly..."

Black: "...and now they have to have..."

Mautino: "...that's a big portion of that. There are some other operational expenses that are in there, but most of that is because..."

Black: "Okay."

Mautino: "...is overtime and is... is actually to allow us to pay the correctional officers in June."

Black: "That's the very point I made last year during the budget presentation. We were spending that much money in overtime. And for somebody to get up last July, August, October, whenever we finally put together a budget, tell me we were going to cut a thousand corrections officers when we were already paying \$20 million a year or more than that"

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in overtime, it just shows how the budget gets a little confused at some point. Under the Illinois Power Agency, how many employees are in the Illinois Power Agency?"

Mautino: "That would be one."

Black: "That's what I thought. One employee and that agency..."

Mautino: "That'd be Mark Pruitt, the director."

Black: "...and that one employee gets a \$1,250,000 increase in other state funds. What, pray tell, is that money for?"

Mautino: "Now, it... a lot of this also came through the audit commission, as well, where the audit came out on the power agency. And he has a tremendous function within the State of Illinois, that's procuring all of the power. And in creation of that position, the director was there and he's been working through other agencies, but this structures actually an operating... his operating office."

Black: "Well, this isn't any kind of personal remuneration?"

Mautino: "No, no."

Black: "Okay. You know..."

Mautino: "No, of course not. As a matter..."

Black: "...for a \$1,250,000, I imagine there's some coal fired power plants that he could buy. That's a lot of money for an agency with one employee. Let me go back, very briefly and very quickly to something that... Well, let..."

Mautino: "Representative Black, I wanted to get you..."

Black: "I would appreciate that."

Mautino: "...an answer..."

Black: "Okay."

Mautino: "...because I know how... how you've worked on Lincoln's Challenge and... and guarded it throughout these years. In

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this budget, this supplemental, that's not impacted, but in the budget as introduced, the program has been cut."

Black: "Yeah. The second year in a row and that's... the bulk of that comes from our federal tax dollars. Well, we'll visit that sometime in the future. I heard you say 'pay increases' when you were going through your explanation. You said to cover 'pay increases'. Who's getting the 'pay increase' or increases?"

Mautino: "To cover pay for the correctional officers on there."

Black: "All right. To cover an existing line item, not a pay increase."

Mautino: "If I said 'pay increases', I, misspoke."

Black: "Okay."

Mautino: "We have overtime costs."

Black: "All right."

Mautino: "We have personnel costs because our budget had included in layoffs or had not figured for them."

Black: "All right."

Mautino: "And since that was negotiated away, this is what... this is where we're at."

Black: "Well, as always, Representative, you do a very good job of explaining a very complicated issue and I understand the transfers that have to be made from federal funds, but there's still \$31 million in here from general revenue funds and I don't have any idea where we can find \$31 million in General Revenue Funds in the Illinois State Comptroller, Treasure's Office or hidden away somewhere in a vault that we've forgotten about. I don't think we have \$31 million."

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Mautino: "In the course of the... and this has been one of the most difficult budget years that any of us have seen, in this state or any other. As far as this, we're talking about the spending authority and the GRF changes from day to day in the course or... but when we come to June, it may require managing those budgets. Which means, and that's not a code word, that means you may have to cut somewhere else to pay your people, keep the lights on and then there are very, very difficult, uncomfortable situations that we all have to face with this year. But we do have to pay these guys."

Black: "Kind of... kind of like with PAYGO. Oh, that's right. We couldn't get that out of Rules. I'm sorry. My last issue deals with the mandated categorical payments. I still think there's some confusion on that. School districts are telling me that people in ISBE, who are sworn to secrecy, tell them they can only expect two of the four payments. Now our appropriations director says he thinks they will get three of the four payments, but probably not all four, which is going to put an awful lot of school districts in big, big hurt. So, is it your understanding that with these transfers we'll be able to make at least half of the payments and maybe an additional third, but it appears to me that nobody knows whether they're going to get the fourth payment. They may get three of the four, but not all four."

Mautino: "And you may be correct. You know, the... that's reliant on general revenue fund. That's what makes this transfer so important. Without it there is such pressure

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on GRF that we need to put those funds in the educational assistance fund as opposed to GRF. It's my hope that they would make all four; I don't know that they will."

Black: "Okay. All right. As always, Representative, you do an excellent job. Your answers are truthful and I appreciate that. Mr. Speaker and Ladies and Gentlemen of the House, to the Bill. I realize that we cannot take the one billion dollars for high speed rail, which I think is one of the biggest scams ever perpetrated. Do you really think a train is really going to go 140 miles an hour through Springfield? There's no way. We have too many at grade crossings to have a bullet train. Somebody on the radio the other day said, why, these trains will go 250 miles an hour. You can get from Chicago to St. Louis before you even know you left. That's bologna and we're going to spend a billion dollars on studies and engineering and everything else and we may get a train that can go, an average, 90 to 105 miles an hour. So, we'll use a billion of our federal tax dollars for high speed rail and school districts could end up hundreds of millions of dollars short from what they were promised. Our priorities are just a little skewed, just a little bit. And I know we can't get use federal funds for operating expenses and GRF and this is one of those Bills that we need to put the capital money in, we need to... we need to transfer the Recovery Act Funds, but I'm really wrestling with the 31 million in GRF. And I'm really having a difficult time understanding how I can go back and tell my school board members, school staff and students that I don't know if

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you're going to get all your money. You may get... you may not get the final payment. I have schools in my district that I don't know if they're even going to be able to open their doors next week. And yet here we are spending money, once again, that we don't really have."

Speaker Lang: "Mr. Franks."

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

Speaker Lang: "Gentleman yields."

Franks: "Representative, I'm looking at our analysis here. Are we... which Amendment did we adopt? Was it..."

Mautino: "Amendment 2."

Franks: "Okay. Now the Amendment #2, there is a total appropriation increase of \$4,309,000,000 and change as opposed to Amendment #1, which was over 6 billion, correct?"

Mautino: "Correct. That's... we took out the federal stimulus two money that was anticipated because it hasn't passed the U.S. Senate yet."

Franks: "Okay. So, we reduced the supplemental appropriation by about \$1.8 billion?"

Mautino: "Correct."

Franks: "Okay. Now, this... we're looking for spending authority on this and I see we're using a number of different funds. It appears that from GRF we're... you're asking us to appropriate an additional \$31 million, correct?"

Mautino: "That's correct."

Franks: "Okay. Now, do we have that money or is this an appropriation to spend?"

Mautino: "This is a spending authority."

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Franks: "Okay."

Mautino: "Because without this increased authority we will not be able to make the payments to the people, who in last year's budget, were structured or set up to be laid off. That didn't occur. We now have to authorize their pay."

Franks: "But what happens if we don't have the money?"

Mautino: "With the... with the GRF fund, it's going to go up or down on there, but when we come to that point, then the Governor's Office, the Department of Correction in this instance, will have to manage that budget. It means they will have to pick and choose what items they are going to pay. This allows them to make payments to personnel, to utilities, which they ran out."

Franks: "It doesn't mandate the payment, it just gives the government, the Governor..."

Mautino: "It give them spending authority."

Franks: "Okay. But it does not mandate that these actually be paid. We're not giving..."

Mautino: "No."

Franks: "...these... these individuals or entities super priority over anyone else, are we?"

Mautino: "No. That is correct."

Franks: "Okay. Now, additionally we have over a billion one hundred million dollars from other state funds. Now, are those simply transfers from other line items that have already been appropriated or are they... or is this new money from other state funds? And if so, what would be the source of those funds? Would that be a sweep?"

Mautino: "Most... most of it is Transportation A, IDOT."

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Franks: "Now... well, let's... let's follow up on that. So, if we're using other state funds, are those moneys already in their budget, but they're asking you to move it between line items? Or are we... or are we actually looking for new money?"

Mautino: "Actually, this is the IDOT Transportation A bonds. It's \$1.1 billion and we are accelerating them forward. They would not be able to spend them out until August or September. This allows their construction programs to go ahead on this construction season."

Franks: "Have these bonds already been sold?"

Mautino: "Many of them have. We've done a... we've done a transportation bond issue, I think, in the amount of about a billion dollars and there's another issue, which is set to go. So, many of the transportation side bonds are... have been sold."

Franks: "All right. So, we only have... we have about 90 percent of the bonds sold and we're looking to spend another 10 percent?"

Mautino: "We can get a better number. I don't have it on the top of my head, but yes."

Franks: "Okay. And then the final figure we're looking at, which is the bulk of these funds, is the \$3.1 billion from the feds, correct?"

Mautino: "Correct."

Franks: "Okay. And those would be spent where? This would... would this be for the high speed rail projects?"

Mautino: "We have high speed rail projects which is 800... it's got two separate lines in there, 800 million and 200

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million. That's a billion dollars of that. And we actually won that, that was competitive federal program. So, we won those. In addition, we have the federal joint use agreements, which would be the Department of Military Affairs, the employment security for their automation. The federal dollars for operational line increases, and that's basically because the availability of increased federal formula for the unemployment insurance and that's been due to the high workloads."

Franks: "Okay."

Mautino: "Additional use of federal dollars are... we mentioned the IDOT already. That's pretty much the bulk of the federal dollars that are in this Bill."

Franks: "Okay. Well I... I appreciate you answering those questions. I think it's important for the Body to know that with this appropriation, even though we may have the authority, it does not require that these... these instances be paid first, correct?"

Mautino: "That is correct. And it gives the authority up to whatever levels you see listed on each individual line."

Franks: "And it could be proportional, depending on what other pressures that our... our budget will have."

Mautino: "Correct. It also gives some flexibility between line items for the... for the agencies in the transfer section."

Franks: "Okay. Thank you very much."

Speaker Lang: "Representative Mulligan."

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

Speaker Lang: "He yields."

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Mulligan: "Representative, I know the previous speaker asked you about the IDOT money. Can you just, once more, go over which is a pass-through. Is it the 50 million for ARRA projects and... another 50 million federal funds for airport?"

Mautino: "Yeah."

Mulligan: "And then 520 Million for Mass Transit..."

Mautino: "Rosemary, the numbers you're sighting are the... are the federal stimulus dollars..."

Mulligan: "Right."

Mautino: "...that we took out. They were in Amendment 1 not Amendment 2."

Mulligan: "So they're gone."

Mautino: "We removed them just for the reason that they've passed the United States House of Representatives, but have yet to pass the Senate. So, we pulled them from the Bill since they haven't passed those."

Mulligan: "Do you anticipate them passing before we adjourn here?"

Mautino: "We would really hope to. If the federal... if the U.S. Senate passes it, that means the projects which are shovel ready within your areas, we would have 90 days from that point to get those projects together, get them to IDOT and get them in place."

Mulligan: "So, even if they haven't passed, but you anticipate them, would you pass them so that we would be able to do... some kind of... of acceptance and a pass-through even if we're adjourned?"

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Mautino: "Rosemary, I'm so... I apologize. I couldn't hear the... the question."

Mulligan: "My concern is, if they should not pass the Senate before we adjourn, that we have the authority to accept that money without calling a Special Session and coming back. So, I don't know what the anticipation is for that."

Mautino: "There's... by the time we leave in... in May, hopefully, we will have... we may go ahead and grant the authority, but there's no need to do it right now and those numbers may change. They may... we may know for certain by the time we get out in May. We can pass a Bill or else we can use these numbers, which are approximations."

Mulligan: "All right. And the DHS money is a pass through?"

Mautino: "DHS, hold on, let me get to the right page."

Mulligan: "It's 263 million for TANF."

Mautino: "Yes. That's federal money and that is the additional TANF funding which was made available by the stimulus contingency funds. So out of the ARRA money."

Mulligan: "And the 30 million for employment security is not for benefits. It's for salaries for employees because of overtime, or what is the reason for that?"

Mautino: "The 25 million is due to the high workloads. At IDES, the federal..."

Mulligan: "No, I'm looking at..."

Mautino: "It... it works by a formula that's put together by the Federal Government. So, by virtue of that formula that's the amount of money that we are allocated."

Mulligan: "Now, I was looking at employment security. It's 30,478,000 which is an increase in federal funds for

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personal services due to a high workloads. What I'm trying to determine is that is not money that's coming in in benefits to unemployed in Illinois. That's money for salaries at the department?"

Mautino: "Rosemary, we get to use that money, actually, for operations. It's done... it's structured by a federal formula because of the higher workloads, we're allowed to use those moneys. That's our federal allocation towards mail, printing, regular operations, brochures, job search. Because of the higher unemployment, there is more for them to do, so the feds have allocated us more money."

Mulligan: "All right. And then there's 1 million increase in GRF for costs associated with implementing Senate Bill 51, which is Executive Ethics Commission and procurement reform?"

Mautino: "Yes, that's... all the procurement officers under the structure of that Bill, we have to put our ethics, our procurement structure, their staffs in place, and that is what that's for."

Mulligan: "How did we put together the almost 11 million that went to DCFS that says increase in other state funds to cover shortfalls?"

Mautino: "It's coming out of their Children Services Fund."

Mulligan: "Is... is that all GRF or is part of that federal money?"

Mautino: "It's mostly federal. There is a portion GRF."

Mulligan: "Can you break that down?"

Mautino: "There's a... there's a small match."

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Mulligan: "Is that going to cover the shortfall for the rest of FY10?"

Mautino: "This has been their request, I would hope it would."

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

Mautino: "Thank you."

Speaker Lang: "Representative Eddy, you spoke in debate, for what reason do you rise, Sir."

Eddy: "Mr. Speaker, my name was used in debate."

Speaker Lang: "And?"

Eddy: "I'd like a little time, if I could, please."

Speaker Lang: "Go ahead, Sir."

Eddy: "Thank you. Representative. I got a call from somebody at the State Board of Education regarding the questions I was asking. And I just want to clarify what I was told related to fourth quarter. This... this payment is going to be made out of the Education Assistance Fund so that guarantees it because there's money in there from income tax receipts, the 7 percent of the 3 percent, and that's what accumulates that money. And the reason they're using that, according to them, is because that money's available where the voucher payments for #2 and #3 may or may not be available. Is that correct? So..."

Mautino: "That's correct."

Eddy: "...schools ...schools may get two payments. They may get their first payment and their fourth payment. They may get their second payment 'cause it was vouchered in December, but they could end up getting their first, second and fourth payment and not their third payment this... this fiscal year."

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Mautino: "That is possible."

Eddy: "Okay. But... but that's why I think the fourth payment might be made before two of the others. And it might be a little bit confusing, but it's because that money came from a certain fund. Is that..."

Mautino: "That is correct."

Eddy: "Okay."

Mautino: "They will get the fourth payment from this and that, as the state board had told you, that's kind of how I was trying to explain it, as well. I think you did it better than I did..."

Eddy: "Okay. I..."

Mautino: "...but that guarantees that there's money available in the Education Assistance Fund to make that payment."

Eddy: "Okay. Thank you. I appreciate the opportunity to... I don't want the schools thinking they're getting four payments. They're getting the fourth payment, that they'll get all four. Likely, they'll get first and fourth, maybe not second and third, but they could get the second and the third may come sometime next year. Thank you."

Mautino: "That's a fair statement."

Speaker Lang: "Representative Will Davis."

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

Speaker Lang: "Gentleman yields."

Davis, W.: "Representative, just a couple of questions. In the analysis that we have, for the dollars that are associated with DHS, that's for additional TANF funding. Are these dollars to be used as a match to draw down emergency TANF funds?"

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Mautino: "There is a match. And we're matching that out of an existing MOE."

Davis, W.: "MOE?"

Mautino: "Maintenance of Effort, out of our system."

Davis, W.: "Oh, okay. So... so, there is money already set aside. So, it's not included in this."

Mautino: "Yes."

Davis, W.: "Okay. Second question. And... I don't know, I'm not asking you to supply it right now, so I'll ask the question and... and hopefully I'll expect to receive the information. Although, the IDOT lines refer to projects, and I'd like to know, is there a list of those projects that exist that I could see?"

Mautino: "Yes, there is, actually."

Davis, W.: "There is?"

Mautino: "The IDOT Road Plan. This is... this is the Bill that we put through earlier on, that we had passed. So they put out their five-year road program and the city gets their own separate program. So, you can get ahold of IDOT. They can go right to your district and show you what projects are in there. And they have them actually broken out by fiscal year. What this is going to do is allow them to take the things that were going to be let later and push them forward. So, you can contact IDOT and find out exactly what those are."

Davis, W.: "So, you're saying, the five-year plan is what is listed as Transportation A Construction, Federal Congressional Earmark Projects, Local Match of Projects,

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potential stimulus two items. That's the five-year plan?
I'm... I'm looking at this."

Mautino: "Stimulus two is out. That's... that's what we're waiting on, that hasn't passed the U.S. Senate yet. Those two items, your road program on the Transportation A; you should have received it. Those are... you've got federal earmarks that are in there and then you have our regular road program. And you've got a book and a disc which was brought to each Member's office. They deliver those and that shows you exactly these projects. There's no new projects. All this does is speed up the ones and bring them forward that are currently in your book."

Davis, W.: "So, Transportation A Project... Transportation A Construction and Local Match of Projects is referring to the five-year plan and disc that we already have?"

Mautino: "Yes. Everything would be on that disc."

Davis, W.: "Everything will be on that disc."

Mautino: "There are no new projects."

Davis, W.: "So... so this... these dollars are used to accelerate those projects?"

Mautino: "Yes."

Davis, W.: "So, that's the entire... it's obviously not the entire five-year plan. So, what projects in the five-year plan will these dollars use to accelerate?"

Mautino: "The... the projects they were going to let and allow to be constructed in the fall, this lets them be constructed in the spring, now."

Davis, W.: "In the spring? Okay. Thank you."

Mautino: "Yeah, it's not the whole..."

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Speaker Lang: "Those in favor of the Bill shall vote 'yes'; those opposed 'no'. The voting is open. Have all voted who wish? Have all voted who wish? Collins, Tryon. Mr. Clerk, please take the record. On this question, 115 voting 'yes', 1 voting 'no'. And this Bill, having received the Constitutional Majority, is hereby declared passed. Mr. Clerk, Agreed Resolutions."

Clerk Bolin: "Agreed Resolutions. House Resolution 1050, offered by Representative Eddy. House Resolution 1051, offered by Representative Will Davis. House Resolution 1052, offered by Representative Acevedo. House Resolution 1053, offered by Representative Chapa LaVia. House Resolution 1054, offered by Representative Hamos. And House Resolution 1055, offered by Representative Hamos."

Speaker Lang: "Representative Mautino moves for the adoption of the Agreed Resolutions. All in favor say 'yes'; all opposed 'no'. In the opinion of the Chair, the 'ayes' have it. And the Agreed Resolutions are adopted. Chair recognizes Representative Monique Davis on a point of personal privilege."

Davis, M.: "Thank you, Mr. Speaker, for my point of personal privilege. During the debate on hair braiding, I made a statement that some of my colleagues found offensive. I apologize to them. And I want them to know, and the Body to know, that I have the most respect from the bottom of my heart for the multicultural diversity of our Body. And I do apologize. Thank you."

Speaker Lang: "Representative Acevedo."

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

Speaker Lang: "State your point."

Acevedo: "Monique, me and you have been friends for too far long for this to come between us. I just thought the statement was inappropriate. But you know what, put it behind us, we move forward and continue doing the work of the people. And thank you for your apology. I appreciate it."

Speaker Lang: "Representative Mendoza."

Mendoza: "I also wanted to thank Representative Monique Davis for her gracious apology and it's well accepted and appreciated. Thank you."

Speaker Lang: "Mr. Clerk, committee announcements."

Clerk Bolin: "The following committees will meet... immediately upon adjournment. Aging Committee will meet in Room C-1, Elementary & Secondary Education will meet in Room 114, Labor Committee will meet in Room 118, Consumer Protection Committee will meet in Room 122B, Electric Generation & Commerce will meet in Room 115, Judiciary I-Civil Law Committee will meet in Room D-1 and the Environmental Health Committee will meet in Room 413."

Speaker Lang: "And now allowing perfunctory time for the Clerk, Representative Acevedo moves that the House do stand adjourned 'til Thursday, March 25 at 10 a.m. Those in favor say 'aye'; those opposed say 'no'. In the opinion of the Chair, the 'ayes' have it. And the House does stand adjourned."

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Clerk Bolin: "House Perfunctory Session will come to order. Committee Reports. Representative Smith, Chairperson from the Committee on Elementary & Secondary Education reports the following committee action taken on March 24, 2010: recommends be adopted Floor Amendment #1 to House Bill 6065 and Floor Amendment #2 to House Bill 6419. Representative Fritchey, Chairperson from the Committee on Judiciary I-Civil Law reports the following committee action taken on March 24, 2010: recommends be adopted Floor Amendment #1 to House Bill 5409 and Floor Amendment #2 to House Bill 5735. Representative Colvin, Chairperson from the Committee on Consumer Protection reports the following committee action taken on March 24, 2010: recommends be adopted Floor Amendment #2 to House Bill 6252. Representative Washington, Chairperson from the Committee on Aging reports the following committee action taken on March 24, 2010: recommends be adopted Floor Amendment #2 to House Bill 5869. Representative May, Chairperson from the committee on Environmental Health reports the following committee action taken on March 24, 2010: recommends be adopted Floor Amendments 2 and 3 to House Bill 5040 and Floor Amendment #1 to House Bill 5224. Representative Flider, Chairperson from the Committee on Electric Generation & Commerce reports the following committee action taken on March 24, 2010: recommends be adopted Floor Amendment #3 to House Bill 5147. Representative Gordon, Chairperson from the Committee on Computer Technology reports the following committee action taken on March 24, 2010: recommends be adopted Floor Amendment #1 to House Bill 6441.

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Introduction of Resolutions. Senate Joint Resolution 105, offered by Representative Moffitt and Senate Joint Resolution 107, offered by Representative Rose. First Reading of Senate Bills. Senate Bill 3616, offered by Representative Mathias, a Bill for an Act concerning transportation. First Reading of this Senate Bill. There being no further business, the House Perfunctory Session will stand adjourned."