

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

137th Legislative Day

5/5/2010

Speaker Lyons: "Good morning, Illinois. Your House of Representatives will come to order. Members are asked to please be at your chairs. We shall be led today in prayer by Reverend David Upchurch who is with the Rochester Christian Church in Rochester, Illinois. Reverend Upchurch is the guest of Representative Brauer. Members and guests are asked to please refrain from starting their laptops, turn off all cell phones and pagers and rise for the invocation and our Pledge of Allegiance. Reverend Upchurch."

Reverend Upchurch: "Would you pray with me. Our Heavenly Father, we thank You for this time that we have to pause and just come before You in prayer. And God, I want to thank You for the men and women who serve in this chamber and for their willingness to serve and to lead the people of our state. And I want to pray for their families as many of them are away from them and that You would take care of and protect them. And Father, our state is facing many challenges and I want to ask that You bless these men and women today, and in the days to come, with wisdom as they deal with so many complicated issues that they would recognize and know what the best decisions are and I pray that You'd bless them with courage that they would be able to stand up for what is right. And I pray, Father, that You'd bless them with unity that these elected leaders would set a much needed example for the rest of our country in showing what can happen when they come together and do what is best for the people. So, Father, grant them wisdom, and courage and unity today and in the days to

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come. And I pray that Your hand of blessing would be upon them. For it's in Jesus' name that we pray, Amen."

Speaker Lyons: "Representative Annazette Collins, will you lead us in the Pledge."

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

Currie: "Thank you, Speaker. Please let the record reflect the excused absence of not a single House Democrat today."

Speaker Lyons: "Representative Mike Bost, how we doing on the Republican side?"

Bost: "Thank you, Mr. Speaker. Let the record reflect that all Republicans are here, present, and ready to jump forward and move forward and take this state where it needs to go. And take care of all of our budget problems and all of our needs and that's why we're here."

Speaker Lyons: "Thank you, Representative Bost. Mr. Clerk take the record. There are 118 Members responding to the Roll Call, we have a quorum and prepared to do the business of the State of Illinois. Representative Cross on House Resolution 1203. Mr. Clerk."

Clerk Bolin: "House Resolution 1203 offered by Representative Cross.

WHEREAS, The members of the Illinois House of Representatives are pleased to congratulate Lisa Chesson of Plainfield for her contributions to the United States

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Olympic women's hockey team that won the silver medal at the 2010 Olympic Games in Vancouver, Canada; and

WHEREAS, Lisa Chesson was a key contributor to the United States Olympic women's hockey team, tallying 5 points during the tournament and ranking 4th among all female defensemen; she was a mainstay on the ice for the American team, totaling 104:08 minutes and ranking 3rd on the team; she had a plus/minus of +12, ranking 2nd on the team; and

WHEREAS, Lisa Chesson was a member of the U.S. Women's National Team for the 2009 International Ice Hockey Federation World Women's Championship, which brought home the gold; she was a member of the 2nd place U.S. Women's Select Team for the 2007 Four Nations Cup; she was a member of the U.S. Women's Select Team in 2008-2009; she was also a member of the U.S. Women's Under-22 Select Team for the 2007 Under-22 Series with Canada; and

WHEREAS, Lisa Chesson was a 4-time participant in the U.S.A. Hockey Women's National Festival and a 2-time U.S.A. Hockey Player Development Camp attendee; she played for 4 years at Ohio State University in the Western Collegiate Hockey Association and had outstanding seasons during her college career; she completed her career with 89 points (27 goals - 62 assists) to stand 9th in the school's all-time record book and 4th among defensemen; and

WHEREAS, During her high school and middle school career, Lisa Chesson had several career-defining moments, including being named the 2000 Female Athlete of the Year at Heritage Grove Middle School and winning the 2002 Sportsmanship Award and the 2003 Best Defenseman Award at the Chicago

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Showcase; she was a 2-year letter winner in track and field; she was the only female to compete in the boys' varsity all-star game in 2004; she competed for the Plainfield Central High School hockey team for 2 years; she also played for the Chicago Mission U19 team and Team Illinois; and

WHEREAS, Lisa Chesson is the daughter of Jeff and MaryAnn Chesson; she has one brother, Phillip; therefore, be it

RESOLVED, BY THE HOUSE OF REPRESENTATIVES OF THE NINETY-SIXTH GENERAL ASSEMBLY OF THE STATE OF ILLINOIS, that we congratulate Lisa Chesson for her contributions to the 2010 United States Olympic women's hockey team and wish her continued success in the future; and be it further

RESOLVED, That a suitable copy of this resolution be presented to Lisa Chesson as a symbol of our respect and esteem."

Speaker Lyons: "Ladies and Gentlemen of the chamber, can we bring the noise level down, please. Ladies and Gentlemen in the chamber, can we please bring the noise level down. Thank you. Leader Tom Cross."

Cross: "Mr. Speaker, thank you very much. And if you could look up in the gallery, Lisa can you stand up? Lisa Chesson this is a pretty impressive feat. We don't get the opportunity to do this often. It was a little noisy and hectic while we were having the Resolution read. But Lisa has done many, many great things in her young life on the ice rink. But to be able to be a member of the United States Olympic Hockey team and here from our great state of Illinois and she was kind enough to let me hold her medal.

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And I'm going to hold this up 'cause there aren't many people in this country that have Olympic Medals. And Lisa Chesson, on behalf of our country, represented this state and Plainfield, Illinois, very well, but this is her Olympic Medal. And I think it is an incredible, incredible feat. So, she will... thank you for acknowledging Lisa, her mom and dad are here, Jeff and MaryAnn. She is going to be, I think, around a little bit. She'd love to get her picture with you if you'd like it and with her medal. I promised her we would not keep it; we will give it back to her. But Lisa, thank you for what you've done for... for your... your state and for your country and for the U.S. Hockey team. We're very proud of you. Thank you very much."

Speaker Lyons: "Leader Cross moves for the adoption of the Resolution. All those in favor say 'yes'; those opposed say 'no'. By the unan... unanimously adopted House Resolution 1203. Lisa, God love you, congratulations and thanks for honoring us by being here in Springfield. Representative Jim Sacia, for what purpose do you seek recognition, Sir?"

Sacia: "Mr. Speaker, a point of personal privilege."

Speaker Lyons: "Please proceed."

Sacia: "Ladies and Gentlemen of the House, there's a gentleman in here today who 47 years ago next month took a child bride. That child bride is our own Connie Howard and Phillip Howard is celebrating his 70th birthday today. I think we should acknowledge him."

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Speaker Lyons: "Happy Birthday. Have a great, healthy, happy year. Representative Pritchard, for what purpose do you seek recognition, Sir?"

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

Speaker Lyons: "Please proceed."

Pritchard: "I thought maybe when Leader Cross introduced Lisa and had the gold medal that perhaps that was going to be a way we could balance the budget, but we appreciate her being here and to show her prowess. I also have in the Speaker's Gallery up in front if the ladies could stand. The Hinckley-Big Rock state champions 1-A girl's basketball team that has won back-to-back championships. That feat... that feat has only been accomplished four other times in the history of the girl's basketball tournaments. Quincy Notre Dame won it back in the early 1980s, back-to-back championships. Teutopolis won it in the late '80s in the early to mid '90s was Carlyle, and then Carrolton won just at the end of the century into 2002. The Lady Royals had an exceptional run. The seniors, four seniors, on this team of eight girls helped over their course of their four years in high school a record of 119 wins and 12 losses. It's a pleasure to recognize, and we did this in House Resolution 998, Jessica Leifeit, Jessica Meyer, Max Rossler, Jenna Thorp, Alyssa Baunach, Tess Godhart, Kaitlin Phillips, Katie Hollis, assistant coach Don Rasich, Greg... also the... assistant student managers, Mike Kula and Tyler Tosh, the assistant superintendent Tim Furnas, we just promoted you. And also the person that has transported

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these ladies thousands of miles over their years, Irene Kline is also with them today. So, let us congratulate back-to-back champions."

Speaker Lyons: "Congratulations, Hinckley-Big Rock, proud to have you here. Representative Patti Bellock, point of personal privilege."

Bellock: "Thank you, Mr. Speaker. A point of personal privilege. Representative Ramey and all of the Representatives from DuPage County are proud to announce our County Auditor Bob Grogan is here today with county officials visiting the State of Illinois. Thank you."

Speaker Lyons: "Welcome to the Capitol, glad to have you. Representative Tom Holbrook, you have been patiently waiting on a point of personal privilege."

Holbrook: "Thank you, Speaker. Point of personal privilege. I'd like to introduce to the House today and let's give us a warm welcome, to the Village Trustee Brian Wells and his wife, Jamie have joined us today in the... chamber up... behind me here. Welcome to Springfield."

Speaker Lyons: "Welcome to the Capitol, glad to have you. Mr. Clerk."

Clerk Bolin: "Committee Reports. Representative Smith, Chairperson from the Committee on Elementary & Secondary Education reports the following committee action taken on May 05, 2010: do pass as amended Short Debate for Senate Bill 2647, and Senate Bill 3460. Representative Burke, Chairperson from the Committee on Executive reports the following committee action taken on May 05, 2010: do pass as amended Short Debate for Senate Bill 49, Senate Bill

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377, Senate Bill 2660, Senate Bill 3514, Senate Bill 3638, Senate Bill 3655, Senate Bill 3658, Senate Bill 3659, Senate Bill 3683, and Senate Bill 3702; and recommends be adopted Senate Joint Resolution 110. Representative Mendoza, Chairperson from the Committee on International Trade & Commerce reports the following committee action taken on May 05, 2010: recommends be adopted House Resolution 888. Introduction of Resolutions. House Resolution 1218, offered by Representative Leitch. House Resolution 1219, offered by Representative Lyons. And House Joint Resolution 119, offered by Representative Acevedo."

Speaker Lyons: "Representative Mike Bost, for what purpose do you seek recognition, Sir?"

Bost: "Point... point of personal privilege."

Speaker Lyons: "Please proceed."

Bost: "Thank you, Mr. Speaker. Over in the Stratton Building today... there's a person who has worked on our staff, originally in policy and now as a secretary, and it's her birthday. And her name has never been mentioned on the House Floor, so it would be Michelle Babington, and we want to wish her a happy birthday. And anybody that goes by over at the office just say hello to her and wish her a happy birthday."

Speaker Lyons: "Thank you, Representative. Happy birthday. Ladies and Gentlemen, we're going to move some Bills that are on the Supplemental Calendar #1 that was handed out to everyone. So, we'll be running down the Supplemental Calendar for the most part, not necessarily in perfect



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order, but we will be moving things. So, if you have a Bill on the Supplemental Calendar, heads up. I'll be asking you what your preference is on the moving of the Bill. Representative Lang, you have Senate Bill 377. Read the Bill, Mr. Clerk."

Clerk Bolin: "Senate Bill 377, a Bill for an Act concerning State Government. Second Reading of this Senate Bill. Amendment #1 was adopted in committee. No Floor Amendments. No Motions are filed."

Speaker Lyons: "Hold that Bill on the Order of Second Reading. Representative Jehan Gordon, you have Senate Bill 2647. Read the Bill, Mr. Clerk."

Clerk Bolin: "Senate Bill 2647, a Bill for an Act concerning education. Second Reading of this Senate Bill. Amendment #1 was adopted in committee. No Floor Amendments. No Motions are filed."

Speaker Lyons: "Put that Bill on the Order of Third Reading. Representative Reitz, you have Senate Bill 2660. Read the Bill, Mr. Clerk."

Clerk Bolin: "Senate Bill 2660, a Bill for an Act concerning utilities. Second Reading of this Senate Bill. Amendment #1 was adopted in committee. No Floor Amendments. No Motions are filed."

Speaker Lyons: "Third Reading. Looks like we have Senate Bill 3460, Representative Hernandez, Senate Bill 3460. Read the Bill, Mr. Clerk."

Clerk Bolin: "Senate Bill 3460, a Bill for an Act concerning education. Second Reading of this Senate Bill. Amendment

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#1 was adopted in committee. No Floor Amendments. No Motions are filed."

Speaker Lyons: "Third Reading. Representative Currie, you have Senate Bill 3638. Read the Bill, Mr. Clerk."

Clerk Bolin: "Senate Bill 3638, a Bill for an Act concerning State Government. Second Reading of this Senate Bill. Amendment #1 was adopted in committee. No Floor Amendments. No Motions are filed."

Speaker Lyons: "Third Reading. Representative Currie, you have Senate Bill 3655. Read the Bill, Mr. Clerk."

Clerk Bolin: "Senate Bill 3655, a Bill for an Act concerning finance. Second Reading of this Senate Bill. Amendment #1 was adopted in committee. No Floor Amendments. No Motions are filed."

Speaker Lyons: "Third Reading. Mr. Clerk what's the status of Representative Currie's Bill, 3658? 3658."

Clerk Bolin: "Senate Bill 3658 is on... on the Order of Senate Bills-Second Reading."

Speaker Lyons: "Leave that Bill on the Order of Second Reading. Representative Currie has Senate Bill 3659. Read the Bill, Mr. Clerk."

Clerk Bolin: "Senate Bill 3659, a Bill for an Act concerning State Government. Second Reading of this Senate Bill. Amendment #1 was adopted in committee. No Floor Amendments. No Motions are filed."

Speaker Lyons: "Third Reading. Representative Chapa LaVia has Senate Bill 3683. Read the Bill, Mr. Clerk."

Clerk Bolin: "Senate Bill 3683, a Bill for an Act concerning local government. Second Reading of this Senate Bill.

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Amendment #1 was adopted in committee. No Floor Amendments. No Motions are filed."

Speaker Lyons: "Third Reading. Representative Currie has Senate Bill 3702. Read the Bill, Mr. Clerk."

Clerk Bolin: "Senate Bill 3702, a Bill for an Act concerning State Government. Second Reading of this Senate Bill. Amendment #1 was adopted in committee. No Floor Amendments. No Motions are filed."

Speaker Lyons: "Third Reading. On the Order of Resolutions, Will Davis. Representative Davis, on the Order of Resolutions on the Supplemental Calendar, you have House Resolution 888? The Chair recognizes the Gentleman from Cook on the Order of House Resolution 888."

Davis, W.: "Thank you very much, Mr. Speaker, Ladies and Gentlemen of the House. House Resolution 888 affirms the Illinois House of Representatives support for participation of the... of Taiwan in the Nat... in the United Nations framework convention on climate change, and the International Civil Aviation Organization to increase their contribution to the global community. We had this in committee earlier today and one of the questions that was asked by Representatives was this in any way a slight, or a way to try to offend our countries and our state's relationship with the Republic of China? And the answer to that question is no. What I sense is that Taiwan is a country, it's a growing, emerging country, is always trying to figure out ways in which it can increase its participation in international endeavors and the global economy. So, that's the purpose of this Resolution. I'll

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be more than happy to answer any questions. And I ask for the adoption of this Resolution."

Speaker Lyons: "You've heard the Gentleman's explanation. Is there any discussions? Seeing none, the question is, 'Should House Resolution 888 be adopted?' All those in favor signify by saying 'yes'; those opposed say 'no'. In the opinion of the Chair, the 'ayes' have it. And House Resolution 888 is adopted. Representative Danny Reitz you have Senate Joint Resolution 110."

Reitz: "Thank you, Mr. Speaker. Senate Joint Resolution 110 creates a host committee for the National Conference of State Legislature... Legislative Summit to be held in Chicago in 2012. And I'd appreciate an 'aye' vote."

Speaker Lyons: "You've heard the Gentleman's explanation of the Resolution. All those in favor should signify by voting 'yes'; those opposed vote 'no'. The voting is open. Have all voted who wish? Have all voted wish? Have all voted who wish? Representative Burns, Osterman, Leader Currie. Harry Osterman, Will Burns, would you like to be recorded? Mr. Clerk, take the record. On this, there's 118 Members voting 'yes'; 0 voting 'no'. And House Resolution... Senate Joint Resolution 110 is adopted. Mr. Clerk, read Senate Bill 3658."

Clerk Bolin: "Senate Bill 3658, a Bill for an Act concerning revenue. Second Reading of this Senate Bill. Amendment #1 was adopted in committee. No Floor Amendments. No Motions are filed."

Speaker Lyons: "Hold that Bill on the Order of Second Reading. Ladies and Gentlemen, I'm starting on the bottom of Page 3

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under Senate Bills-Third Reading, Representative Franco Coladipietro, you have Senate Bill 1332. Read the Bill, Mr. Clerk."

Clerk Bolin: "Senate Bill 1332, a Bill for an Act concerning financial regulation. Third Reading of this Senate Bill."

Speaker Lyons: "The Gentleman from DuPage, Representative Franco Coladipietro."

Coladipietro: "Thank you, Mr. Speaker, Ladies and Gentlemen of the House. Our universities currently utilize third party service providers to assist them with issuing refunds to students when they have credit balances in their accounts. This practice is done as a cost saving measures for the university and as a convenience for the students. One of the refund options involves a student receiving a refund on a debit card and there's concern that this practice may run afoul to the Credit Card Marketing Act, even though the service providers do not offer loans or credit services. Senate Bill 1332 will clarify when these entities provide electronic disbursement of these refunds on behalf of our universities and community colleges that they are exempt from the restrictions of the Credit Card Marketing Act. I know of no opposition to this Bill. And I ask for your 'aye' vote."

Speaker Lyons: "You've heard the Gentleman's explanation. Is there any discussion? Seeing none, the question is, 'Should Senate Bill 1332 pass?' All those in favor signify by voting 'yes'; those opposed vote 'no'. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Representative Chapa LaVia.

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Representative Chapa LaVia, would you like to be recorded?  
Mr. Clerk, take the record. On this Bill, there's 117  
Members voting 'yes', 0 voting 'no', 0 voting 'present'.  
This Bill, having received the Constitutional Majority, is  
hereby declared passed. Representative Will Davis, on page  
4 of the Calendar, under Senate Bills-Third Reading, you  
have Senate Bill 2538. Read the Bill, Mr. Clerk."

Clerk Bolin: "Senate Bill 2538, a Bill for an Act concerning  
education. Third Reading of this Senate Bill."

Speaker Lyons: "The Gentleman from Cook, Representative Will  
Davis."

Davis, W.: "Thank you very much, Mr. Speaker, Ladies and  
Gentlemen of the House. Senate Bill 2538, as amended, is  
an initiative of the Illinois Community College Board, and  
what it does is that it changes the tuition fee criterion  
for those colleges that qualify for equalization... those  
community colleges that qualify for equalization grants.  
This Bill removes the requirement that colleges receiving  
equalization grants be within 85 percent of the statewide  
average for tuition and universal fees. The Bill, as  
amended, requires that those colleges eligible to receive  
equalization grants under the formula meet the requirement  
that the revenue received from student tuition is 30  
percent or more of the total revenue for the college. I'd  
be more than happy to answer any questions."

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

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

Speaker Lyons: "Sponsor yields."

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Eddy: "Representative, just one thing, very briefly. There's nothing in this that would change or allow for additional competition for existing funds. Is that."

Davis, W.: "That is correct, Sir. This does not change the formula for equalization grants. It doesn't reduce or increase any college's portion of the equalization grant that it will receive under the current statutory formula. And nor does it change the number of colleges that may be eligible to receive equalization grants currently under the statutory formula."

Eddy: "So, I... I guess then the real intent, because no one gets into the pool that's not in the pool so there's not going to be any diminishment whatsoever of funding that's available. The intent is to... to take some of the pressure off of the colleges that receive the equalization grants so that the... the increased tuition could be met for current students. I mean, that's really the only intent that makes any sense. It's for the students so that that criteria can be met?"

Davis, W.: "Well, I believe so, relative to the... to the college itself by shifting the criteria. Because I think one of the things that they faced was, as the colleges were increasing tuition to try to meet that... to meet that threshold, it was having a broader impact on other community colleges. So, this just changes the threshold to make it a little easier for other community colleges who are receiving those grants."

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Eddy: "Okay. And then the 85 percent of the state average combined rate has a term that the ICCB, who supports this, can be met more easily based on this change."

Davis, W.: "Correct."

Eddy: "Thank you."

Davis, W.: "Thank you."

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

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

Speaker Lyons: "Sponsor yields."

Franks: "Representative, I've been reading the analysis and I'm not sure I understand exactly what this Bill does, because our analysis indicates that it removes the requirement for a community college to maintain a minimum required combined in-district tuition and universal fee rate per semester credit hour. Why... don't... Is that correct?"

Davis, W.: "I heard a little bit of your question."

Franks: "I'm sorry. I couldn't hear very well either, what's going on."

Davis, W.: "So, could you..."

Speaker Lyons: "Ladies and Gentlemen... hold on, Jack... could we please keep the noise level down. We have a debate on a Third Reading Senate Bill. Thank you very much. Representative Franks."

Franks: "Thank you. Our analysis indicates that this Amendment removes the requirement for a community college to maintain a minimum required combined in-district tuition and universal fee rate per semester credit hour. Is that accurate?"



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Davis, W.: "I believe so."

Franks: "Okay. Why... First of all, why would we do that? And how will it benefit?"

Davis, W.: "Well, if I can just read a little bit of what I have in front of me here. It says, in the past year... past few years... five years, tuition increases at community colleges have risen at... risen at a much faster rate than at any time in the history of the Illinois Community College system. The reduction in state funding has necessitated much of these increases. Those colleges who qualify for the equalization grant, mostly districts, without a strong local tax base under the statutory formula must also meet a nonformula requirement, i.e., their tuition and standard fees must be within 85 percent of the statewide average of community college tuition and standard fees. This 85 percent caveat has forced an additional increase of tuition at some schools that qualify for their equalization grants. The ICCB Finance Authority Committee agreed that it wanted to continue with a tuition requirement but determined that the 85 percent of the statewide average was ultimately too high..."

Speaker Lyons: "We'll give you another minute to continue the discussion."

Franks: "Thank you. I appreciate that 'cause now it makes much more sense to me. Because this will actually keep the tuition rates down if we do this. So, thank you for bringing this forward and thank you for explaining it. I was just confused and I was reading the analysis, but this Bill makes perfect sense and I intend to support it."

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Davis, W.: "Thank you very much, Representative."

Franks: "Thank you."

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

Black: "Thank you very much, Mr. Speaker and Ladies and Gentlemen of the House. I rise in support of the Bill. I spent 10 years as an employee of the Danville Area Community College. I appreciate Representative Franks honing in on a statement that might confuse people. The problem and the reason that that Amendment is in there community colleges in Illinois now enrolls 64 percent of the students enrolled in higher education. They get 13 percent of the state resources allocated to higher education. If you didn't have that Amendment in here, that combination would make tuition go so high, because of the lack of state support, that it would be almost impossible for some students to meet that... that extremely high rate of tuition. This is an important Bill for those community colleges that are not property rich. I wish I could say we were paying our equalization grants in a timely basis and we are not. And I know there's been a lot of talk about tuition increases and oh my goodness, what are we going to do. All we really have to do is get up in the morning and look in the mirror. If we can get together, both sides of the aisle, and agree on whatever is necessary or reprioritize our expenditures to make the appropriations that are required to maintain a healthy higher educational system in Illinois, then tuition increases would be very, very moderate. The reason they've gone up is that we

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haven't met our obligations as to state appropriations. This is a good Bill, well drafted, good Sponsor, vote 'aye'."

Speaker Lyons: "Representative Will Davis to close."

Davis, W.: "Thank you very much, Mr. Speaker. I appreciate the comments of the other Representatives and simply ask for an 'aye' vote. Thank you."

Speaker Lyons: "The question is, 'Should Senate Bill 2538 pass?' All those in favor signify by voting 'yes'; those opposed vote 'no', the voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Representative Brauer and Poe? Mr. Clerk, take the record. On this Bill, there's 117 Members voting 'yes', 0 voting 'no', 0 voting 'present'. This Bill, having received the Constitutional Majority, is hereby declared passed. Representative Frank Mautino, do you seek recognition? Playing with his button back there, okay. Representative Tryon. Mr. Clerk, Representative Tryon has Senate Bill 2795. Read the Bill, Mr. Clerk."

Clerk Bolin: "Senate Bill 2795, a Bill for an Act concerning revenue. Third Reading of this Senate Bill."

Speaker Lyons: "Representative Mike Tryon."

Tryon: "Senate Bill 2795 makes a change to the statutes that apply to the approval of an SSA, which is a special service area, and in Illinois when a city or a village grants approval for a special service area and an improvement is made in a subdivision and there are vacant lots there, the actual ad valorem tax doesn't go on the vacant lot until the house is built. We've had subdivisions built in my

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district and I'm sure in all over the state where SSAs have been approved, and what happens is, they get four or five homes built and those... this development isn't, because of the real estate market, ever able to finish out a developing and those four or five homes end up paying the assessment for all of the vacant lots until the other lots get developed. So, clearly, in that subdivision in my district, you have four homes they each have 30 to 40 thousand dollars of additional tax on their tax bill to pay for these lots. The developer is paying for them, but if the developer were to ever go out of business they would never be able to sell their houses. They would be paying the improvement prices for all of the subdivision. So, what this does, it just says that when an SSA is approved that the road improvements or any of the improvements that are financed during... in the development will be on each lot and not just on improved lots. So, this way the developer... it'd be set up like a condo association where the condo... the developer pays his share of each unit he has. This way the developer will pay his share on each lot and not just the lots that have the improvement. So, with that, I would answer any questions or urge an 'aye' vote."

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

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

Speaker Lyons: "Sponsor yields."

Black: "Mike, in a case... I'm sorry. Representative, in a case like this, who owns the vacant lots?"

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Tryon: "The... builder owns the vacant lots."

Black: "Okay. So, they... the tax then... What if you and I bought a lot in this unfinished subdivision? Would we then assume the property tax bill at a higher rate than vacant property?"

Tryon: "No, not until you've built the house."

Black: "Okay. So, I guess it's... it's my family business background coming to the surface. If you're developing a... or trying to develop in these difficult times, a subdivision, I don't understand why Ryland Homes is willing to pay a higher assessment on lots they haven't sold."

Tryon: "Because it's part of the platting and approval process, they agreed to pay for that. I mean, I don't think... I don't think a city would give a developer an SSA unless there was some kind of agreement to pay for it."

Black: "Okay. All right."

Tryon: "So, right now what Ryland is doing is they are paying each of those tax bills for those four property owners. But should anything ever happen to Ryland Homes, those four property tax owners will be picking up the road improvements for the entire subdivision."

Black: "Okay. Is this language statewide or in just this particular case?"

Tryon: "It should be statewide."

Black: "Okay. Thank you very much."

Speaker Lyons: "Seeing no further questions, the question is, 'Should Senate Bill 2795 pass?' All those in favor signify by voting 'yes'; those opposed vote 'no'. The voting is open. Have all voted who wish? Have all voted who wish?"

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Have all voted who wish? Representative Eddy, Representative Hatcher, Representative Rose, like to be recorded? Mr. Clerk, take the record. On this Bill, there are 88 Members voting 'yes', 25 Members voting 'no', 3 Members voting 'present'. This Bill, having received the Constitutional Majority, is hereby declared passed. Representative Patti Bellock, you have Senate Bill... Out of the record. Representative Mell, you have Senate Bill 3084. Read the Bill, Mr. Clerk."

Clerk Bolin: "Senate Bill 3084, a Bill for an Act concerning sex offenders. Third Reading."

Speaker Lyons: "The Chair recognizes the Lady from Cook, Representative Debbie Mell."

Mell: "Thank you, Mr. Speaker, Ladies and Gentlemen of the House. This Bill closes a loophole where the most dangerous child sex offenders didn't have to... be put on the registry. And this now says that they do."

Speaker Lyons: "The Chair recognizes the Gentleman from Cook, Representative John Fritchey."

Fritchey: "Thank you, Speaker. Ladies and Gentlemen, to get your attention for a second and this is... the Sponsor was very gracious... Speaker. This..."

Speaker Lyons: "Ladies and Gentlemen, can we get your attention on the floor, again, please. Can we bring the noise level down. Representative Fritchey."

Fritchey: "Thank you. I... I want to preface my comments with the fact that the Sponsor and staff were very forthcoming in discussing this Bill with me. And there's what I consider to be a fatal flaw in this Bill. And I... you know,

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I don't want to attempt to kill the Bill, because I think it can be fixed, but there's a significant problem here and I want to make sure that people know what they're voting on when they do this. One of the aspects in this Bill would provide, and so the Body understands what this does, it retroactively goes back and requires sex offenders to be put on the registry. But what it also does is requires any individual that's at least 17 years of age who commits first degree murder of a child, of somebody under 18 years of age, to be registered as a sex offender. Several years ago I passed legislation, supported I think unanimously by this Body, that created the Violent Offenders Against Youth Act and the registry. What this recognized was that as a state we had a number of crimes that had no sexual component to them that required individuals to become registered as sex offenders. Now, we've seen time and time again the additional restrictions that we put on sex offenders in this state and if that's the policy that we want to have, sobeit, but these individuals are not sex offenders. This is a situation where you may have had a 17-year-old shoot and kill a 16-year-old. A heinous crime, of course it is, but not a sex offense. What we would allow people to do at the time was to go off the sex offender registry and go on to the Violent Offenders Against..."

Speaker Lyons: "Representative, we'll give you another minute."

Fritchey: "Thank you, Speaker, I appreciate that. What this Bill would now do is take somebody that is not a registered sex offender that committed no sex offense and require them

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to be registered as a sex offender. They could then go and petition to prove that they weren't a sex offender and go on to the Violent Offender Registry. It's bad policy; there's no reason to do this. The Sponsor recognizes it; she didn't intend to do this. This was a drafting error that occurred. She had said that it will try to get... be fixed as a trailer Bill, maybe in the fall, maybe next year, I don't know that. I take her at her word, but we've all seen how things happen in this system. But please understand that supporting this legislation right now you'll be knowingly taking violent offenders and registering them as sex offenders and all the stigmas and restrictions that go along with them. We are going to take young offenders and potentially box them out of society for life by doing this. Again, I cannot be more clear. Representative Mell was very forthcoming with me. She did not know this was in there; she wishes it wasn't. The time is late in Session. I'm happy I'm not going to have to speak on these types of Bills anymore. But there's a significant problem with this Bill, Ladies and Gentlemen and it's one that deserves to be fixed. Thank you very much. Representative Mell, thank you for trying to work with me on this. I have a hunch I'm not going to be able to stop this Bill from becoming law, but please, if it does become law, try to work with the Governor's Office maybe through an Amendatory Veto even to make sure that this tragedy doesn't happen. Thank you."

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



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Black: "Thank you very much, Mr. Speaker. In the interest... it's hard to hear in here, but I believe Representative Fritchey addressed the very concerns that I have about this Bill and I think he addressed them more eloquently than I could. And if, with the permission of the Speaker, if we could have some order, I would like to give my time to Representative Fritchey so that he could concentrate on whether this Bill does what some of us thinks it does, which is not good, or whether it has been changed to eliminate the fear that some of us have."

Speaker Lyons: "Thank you, Mr. Black. We'll yield your time to Representative Fritchey. And I've asked several times this morning, Mr. Black, it's just one of those days when there's a... loud noise level. Ladies and Gentlemen, please can we get some quiet on the chamber floor. Bring the conversations down. Two minutes, Representative Fritchey."

Fritchey: "Thank you, Speaker. And let me run through this again. This is a very awkward situation procedurally. Ninety-five percent of this Bill is very good, but just very succinctly, we created a Violent Offender Against Youth Registry because we had a number of offenses that required you to register as a sex offender even though there was no sexual component to the crime. So, now an 18-year-old that kills a 16-year-old becomes a violent offender against youth and he has to register. And there's restrictions on that, but he is not, or she is not, a sex offender. What this Bill does by retroactively taking sex offenders and requiring them to register it also took this category of violent offenders and it would require them to

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register as sex offenders. They could then go through the system to petition to say I'm not a sex offender, I never was, I committed a bad crime. Please take me off of one registry and put me on to the other. What this Bill should do is say we are going to retroactively take sex offenders and put them on the registry, on the sex offender registry. We are going to retroactively take violent offenders against youth and put them on the violent offender registry, but it's not what it does. A drafting error was made, I don't believe it was intentional on anybody's part. The Sponsor recognizes it. She's the one and staff is the one that brought it to my attention, but this is not what it does. I'd like to see this thing be amended before Session ends. The Sponsor feels it's too late, it may well be. If we have faith in the system that we can fix this through an Amendatory Veto or through a tailor Bill sobeit, but I've fought against too many of these Bills for too long to a good conscious to not bring this up and not urge a 'no' vote on the Bill as long as it contains this provision. I hope that clarifies this somewhat, Representative."

Speaker Lyons: "The Chair recognizes the Gentleman from DuPage, Representative Dennis Reboletti."

Reboletti: "Will the Sponsor yield?"

Speaker Lyons: "Sponsor yields."

Reboletti: "Representative, we've heard Representative Fritchey talk about this Bill. What Section is he referring to? Because I'm looking through the Bill text to take a look at his concerns, or maybe even Representative Fritchey can

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answer that if he has the Section of the Bill that would enable the violent offenders to have to register as sex offenders."

Mell: "It... well, it... it does say that on the lifetime registration it would include the first degree murder of a child under 18. And I completely understand the Representative's frustrations since he... it was his Bill that did create the Violent Offenders Registry and... I'm more than willing to... to work with this and to take this off. I think it's also important to note that... that when they do get on the sex offender registry they get... to immediately petition to get off and to get on the Violent Offenders Registry."

Reboletti: "What was the genesis of the Bill?"

Mell: "The genesis was a... there was a... there was this woman who came to my Senator and to me and... she also was on the news in Chicago, and her name was Mindy. And... she was abducted when she was seven years old; it was pretty horrific, her story. And then a few years later in... now she has a seven-year-old child and she just learned that the man who did this lives in her neighborhood and he isn't on any kind of a list or anything. So, that's kind of been the... the genesis of this. Yeah. She was it was... pretty horrific. She was raped, gagged, tied up."

Reboletti: "And... are you con... are you concerned that we couldn't do a Floor Amendment and get something out of... maybe draft an Amendment today and get it out tomorrow and do this tomorrow that we could allay the concerns of the Members that have those issues. I think we have a good

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Bill. I know that I filed this Bill back in 2007. Representative Poe, I think had it last year. And I think we all want to see the registry move forward, but I'd like to see it move forward if we can. Representative, if you would consider doing that and try to fix it. I think we can still get it out of here by Friday or Saturday depending on what our schedule is."

Mell: "You know, I... you know, I understand the position. I... I would like to move the Bill and I... do a trailer Bill. I'm at full commitment with that. I... You know, this is also going to take..."

Speaker Lyons: "We'll give you another minute, Representative Reboletti."

Reboletti: "I... I think we have at least a few days left. I mean, we're scheduled to be here on Saturday. I mean, if we just drafted a quick Amendment and took that out, I'm sure you... we could get that kicked out of Rules probably tomorrow. And we could probably hear the Bill tomorrow. And that way we... we can put a clean Bill to the... to the Governor's Office. I mean, obviously, I'm supportive of the Bill, I'm a chief cosponsor. And we've worked on this for years, so. And we would prefer, Representative Mell, that a clean Bill go to the Governor's desk, so."

Mell: "Okay. Okay, okay, Representative."

Reboletti: "Thank you."

Mell: "Okay."

Speaker Lyons: "Mell, you wish to take the Bill out of the record? On the request of the Sponsor, Mr. Clerk, take that Bill out of the record. Representative Kevin

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McCarthy, on Page 4 of the Calendar, you have Senate Bill 3281. Out of the record. Kev, you got another one, Senate Bill 3404. Out of the record. Representative Moffitt, on page 3 of the Calendar, you have Senate Bill 459. Read the Bill, Mr. Clerk."

Clerk Mahoney: "Senate Bill 459, a Bill for an Act concerning revenue. Third Reading."

Speaker Lyons: "Representative Moffitt."

Moffitt: "Thank you, Mr. Speaker, Ladies and Gentlemen of the House. Senate Bill 459 is a small tax amnesty Bill. And it would provide that the Department of Revenue is to print on their standard individual tax form indicating if a taxpayer wishes to pay his or her use tax liability and they can check a box there on their return. It would provide an amnesty period to be in effect from January 1, 2011 through October 15, 2011 and would apply to taxes that were due for any taxable period ending after June 30, 2004 and prior to January 1, 2011. Other states have done tax amnesty, we have done some. We've... and there's a Bill going through, I think got out of committee today, that's a larger one, but it does not duplicate this. This still requires this to be put on the form and the intent is that... it's the use taxes for purchases made out of state. The taxpayer's obligated for them, but this would be a reminder. We think this could help with the collection. There... be happy to entertain any questions. I'm not aware of any opponents at this... well, I don't know if Taxpayers' Federation has changed their position, but the Department of Revenue, I believe, is neutral."

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Speaker Lyons: "Representative Rose, your light is on. Is that from the previous discussion? Okay. Representative Franks, you seek recognition? Representative Jack Franks."

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

Speaker Lyons: "Sponsor yields."

Franks: "Representative, why is this limited to tax liability less than \$600?"

Moffitt: "'Cause it's a Senate Bill and that was a decision made there. I personally would be in favor of even larger, but I think this is a first step. And the key is to getting this on the form, so that we make it easier for the taxpayer who wants to take advantage of this window. We could always go back in the future and expand it. I would personally be in favor of expanding it, but I thought to get this out at this time would be helpful and a good first step."

Franks: "Now, this only applies to state use taxes. Could you please describe what state use taxes are?"

Moffitt: "State use tax is one that for purchases where the actual purchase was from out of state. It was in-state that... that business person would be collecting the tax and getting it to the state. These are for purchases... They're out of state, the person owes them. We're not changing any policy there, but it's just that the collection is not..."

Franks: "When... when you say out of state, is that an Illinoisan purchasing. Let's say I buy some furniture in Iowa and I have it delivered here in Illinois and I didn't pay sales tax in Iowa. Or is it the other way, an Iowan buying

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something here, made in Illinois and not paying the state tax and then we're asking the Iowan to pay our state tax?"

Moffitt: "No. This is an Illinois... a purchase by the Illinois resident that purchased the product, the item, out of state."

Franks: "Okay."

Moffitt: "And of course, that out of state business is not going to collect tax for our state. They... we're not changing anything as in terms of what somebody owes. We're just trying to make it more convenient for them to know that this exists, that they can take advantage of this window. Hopefully, it'll generate several million dollars of tax."

Franks: "That... that was my next question. So, the enforcement issue here is let's assume I want to buy something on eBay and I buy it from a... a seller in another state and I'm not paying sales tax on that. But if I were to buy it from someone in Illinois, I would be required to pay that sales tax. Is that the situation we're discussing here?"

Moffitt: "Correct."

Franks: "Okay. And what is the amount that we are projected that you believe that we will gain for the state on this amnesty program?"

Moffitt: "Representative, I've asked several sources to try to come up with an estimate. I don't want to overstate it. I think it could easily... it would be, I think, several million. It's not going to be a hundred million; it's not probably even... I thought maybe..."

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Speaker Lyons: "Gentlemen, the time has expired. We'll give you another minute, Jack to finish your question."

Franks: "Thank... thank you."

Moffitt: "I think it will be and I've... and the Department of Revenue is, you know, trying to come up with an estimate. Back in 2003, I believe it was, when we had a tax amnesty that was across the board, it was... all taxes owed and that generated \$279 million. Only a small percentage of that, 12 percent of that, was use tax. But... so, if you do the math on this, that would project probably around \$12 million. But that was more than just on individuals, that was business and individuals. So, I think probably the estimate is below 12 million."

Franks: "Okay, okay. Well, I like how you're thinking. I think there's ways to bring more revenue into the state and give people incentive to pay that. So, I intend to support your Bill and I appreciate the way you've described it."

Moffitt: "Thank you, Representative."

Franks: "Thank you."

Speaker Lyons: "Representative Moffitt to close."

Moffitt: "Thank you, Mr. Speaker. I think this is one of the things we can do. This is money that's owed to Illinois. It'll be a reminder to the taxpayer. It puts on their form that they're paying, that they would have this window to pay this tax. It's something they owe. It's going to be there very visible. And we hope they'll pay it and be more money for the state. And that's... obviously, that we need that. So, I'd appreciate an 'aye' vote. Thank you."



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Speaker Lyons: "The question is, 'Should Senate Bill 459 pass?' All those in favor signify by voting 'yes'; those opposed vote 'no'. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Representative Connie Howard. Betsy Hannig. Deborah Mell. Mr. Clerk, take the record. On this Bill, there's 117 Members voting 'yes', 0 voting 'no'. This Bill, having received the Constitutional Majority, is hereby declared passed. Representative Dan Brady on a point of personal privilege."

Brady: "Thank you very much, Mr. Speaker. Ladies and Gentlemen of the House, would you join me in giving a warm Illinois House of Representatives welcome to Jill Doran and the legislative interns from the LIFE Center in my district, Bloomington, who are located up here in the gallery behind me. How about a nice round of applause for the interns from LIFE Center in Bloomington."

Speaker Lyons: "Welcome to the Capitol, glad to have you. Representative Ford, you have, on the Order of Senate Bills-Third Reading on the top of page 5 of the Calendar, Senate Bill 3531. Read the Bill, Mr. Clerk."

Clerk Mahoney: "Senate Bill 3531, a Bill for an Act concerning State Government. Third Reading."

Speaker Lyons: "Gentleman from Cook, Representative LaShawn Ford."

Ford: "Thank you, Mr. Speaker and Members of the House. Senate Bill 3531 is a gut and replace. This is the Bill that we called earlier this year and... we had concerns because it created a position. The position has been removed and the

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Bill is agreed. I look for the movement of this legislation at this time and I ask for favorable votes."

Speaker Lyons: "You've heard the Gentleman's explanation. Is there any discussion? The Chair recognizes the Gentleman from Crawford, Representative Roger Eddy."

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

Speaker Lyons: "Sponsor yields."

Eddy: "Representative, you mentioned that this was almost identical to an earlier Bill, and I guess I'm trying to... can you articulate again the specific difference?"

Ford: "The difference in this Bill, now, there's no position. Nothing in the Act mandates the department to hire an additional staff member. And that's exactly what... people on this side and people on that side recommended in order to support the legislation. And now I bring it back looking forward to your support."

Eddy: "Okay. So, this would... this would provide that there would be some type of agency still set up within the Department of Employment Security?"

Ford: "Not so much an agency, but there should be a..."

Eddy: "Position?"

Ford: "Not a position. You don't need a position. CMS will monitor it."

Eddy: "So, let me... is there a fiscal impact to this?"

Ford: "No."

Eddy: "Is there still a cost involved to..."

Ford: "No costs. I took care of all that for us."

Eddy: "You took care of it, personally?"

Ford: "Yeah."

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Eddy: "What is the cost that you took care of? How much did you..."

Ford: "It was... at first there was like \$80 thousand cost."

Eddy: "I think the cost was 96."

Ford: "Well, 96, you know."

Eddy: "Ninety six, yeah. A few thousand here and there, pretty soon were talking about billions and we're... we're worried about how to get out of these messes, a little here, a little there."

Ford: "Well, that's gone now, Representative Eddy."

Eddy: "Pardon me?"

Ford: "That price is gone now. No cost to it at this time."

Eddy: "How can you implement a new program and require CMS or any department of State Government to implement a new program or new requirement and claim there isn't a cost?"

Ford: "Let me ask you. Are you asking me this because you want to support this, or are you asking me 'cause you're not going to support this?"

Eddy: "I'm asking you... I'm... I'm asking you the question to try to and get an answer. How..."

Ford: "Is this to support it? Am I going to be able to convince you to vote for it?"

Eddy: "Representative, I'm asking you the question to get an answer..."

Speaker Lyons: "I'll give you another minute on this discussion. Another minute, Roger... Representative Eddy."

Eddy: "Thank you. I... I want to know how you would think that a new program with new requirements for any department of the state could be without any costs?"

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Ford: "And I'm asking you, if I answer your question, will you vote for it?"

Eddy: "Representative, we're not here to negotiate votes based on whether you answer questions."

Ford: "Well, I'm not going to answer your question."

Eddy: "It depends on what the question... the answer is."

Ford: "There's no fiscal impact."

Eddy: "If you answer it with something that I... I would agree with, maybe I will if... if..."

Ford: "That's what I want to hear. Now, I spoke with CMS and they told me that there will be no impact. And they can do this with the existing staff."

Eddy: "Okay. Representative, I'll close, but originally there was a note on this that showed a \$96 thousand cost. I don't see that the Amendment eliminated the fact that there's going to be a cost. We are in no position to add new programs with any cost whatsoever. I don't think this is something we should support at this time, when we're looking at the hole we're looking at."

Speaker Lyons: "No one seeking further recognition, Representative Ford to close."

Ford: "I expect an 'aye' vote for this legislation. I mean, I worked hard. I did everything that the Republican Party asked for. And I guess we can always look for fault in legislation. And so, I mean, I could go on and on about why this is necessary, but I refuse to go on and on because we pass Bills all of the time in this chamber and we understand why this legislation is necessary. So, I look forward to everyone supporting this."

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Speaker Lyons: "The question is, 'Should Senate Bill 3531 pass?' All those in favor signify by voting 'yes'; those opposed vote 'no'. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Mr. Clerk... Have all voted who wish? Mr. Clerk, take the record. On this Bill, there are 76 Members voting 'yes', 37 Members voting 'no', 1 Member voting 'present'. This Bill, having received the Constitutional Majority, is hereby declared passed. Representative McCarthy, you have Senate Bill 3537. Out of the record. Representative Ford, you have, on Senate Bill-Third Reading, Senate Bill 3547. Read the Bill, Mr. Clerk."

Clerk Mahoney: "Senate Bill 3547, a Bill for an Act concerning education. Third Reading."

Speaker Lyons: "The Gentleman from Cook, Representative LaShawn Ford."

Ford: "Thank you, Mr. Speaker and Members of the House. On a much easier note, this Bill is a Bill that's agreed also and it simply adds electronic text books to the technology grant."

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

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

Speaker Lyons: "Sponsor yields."

Eddy: "I stand in strong support of the Gentleman's Bill. He worked hard on it. He made adjustments to it. It is a Bill that originally had some flaws related to how the money could be spent, but this is, after negotiations, a good piece of legislation. I urge an 'aye' vote."

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Speaker Lyons: "The question is, 'should Senate Bill 3547 pass?' All those in favor signify by voting 'yes'; those opposed vote 'no'. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Representative Brady, Chapa LaVia. Representative Chapa LaVia, would you like to be recorded? Mr. Clerk, take the record. On this Bill, there are 116 Members voting 'yes', 0 voting 'no', 1 Member voting 'present'. This Bill, having received the Constitutional Majority, is hereby declared passed. Representative Dave Winters, on the Order of Third Reading-Senate Bills, you have 3619. Read the Bill, Mr. Clerk."

Clerk Mahoney: "Senate Bill 3619, a Bill for an Act concerning local government. Third Reading."

Speaker Lyons: "The Gentleman from Winnebago, Representative Dave Winters."

Winters: "Thank you, Mr. Speaker. This Bill will extend the industrial TIF Act by one year. This is a very important area in that Illinois lacks some of the tools that we need to compete with out-of-state locations. We have a job... or a potential of a company moving in with up to 500 jobs in the Rockford area, the highest unemployment in the state. We lack the tool that Wisconsin has, and 10 miles away from the Illinois location, Wisconsin is offering free land. We need this tool and I urge the adoption of this extension of the Act."

Speaker Lyons: "You heard the Gentleman's explanation. The Chair recognizes the Gentleman from Winnebago, Representative Chuck Jefferson."

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Jefferson: "Thank you, Mr. Speaker, Members of the House. I stand in support of this Bill. This Bill is going to actually create a lot of jobs and open up that part of the industry so that we can... we can continue to grow that area and make sure we are putting people back to work. So, I stand in support of this legislation."

Speaker Lyons: "No one seeking further discussion, the question is, 'Should Senate Bill 3619 pass?' All those in favor signify by voting 'yes'; those opposed vote 'no'. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Representative Monique Davis. Mr. Clerk, take the record. On this Bill, there's 117 Members voting 'yes', 0 voting 'no', 0 voting 'present'. This Bill, having received the Constitutional Majority, is hereby declared passed. Representative Dave Winters, Senate Bill 3712. Out of the record. Representative Mike Smith, you have Senate Bill 3722. Out of the record. Representative McAsey, on the Calendar page 6, on the Order of Second Reading-Senate Bills, you have Senate Bill 1369. Out of the record. Representative Brauer, for what purpose do you seek recognition, Sir?"

Brauer: "Thank you, Mr. Speaker. I rise for a personal privilege."

Speaker Lyons: "Please proceed."

Brauer: "Ladies and Gentlemen of the House, today is the community college lobby day and we have two trustees from Lincoln Land Community College, and if you'd give them a Springfield welcome. It's Jerry Wesley and Wayne Rosenthal up here on the Democrat side of the House."

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Speaker Lyons: "Welcome to Springfield. Representative Acevedo, on the Order of Second Reading-Senate Bills, you have Senate Bill 3136. Read the Bill, Mr. Clerk."

Clerk Mahoney: "Senate Bill 3136, a Bill for an Act concerning liquor. Second Reading. No Amendments. No Motions filed."

Speaker Lyons: "Third Reading. Representative Randy Ramey, you have Senate Bill 3176. Read the Bill, Mr. Clerk."

Clerk Mahoney: "Senate Bill 3176, has been read a second time, previously. A Motion to Table Amendment #1 has been approved for consideration."

Speaker Lyons: "Representative Ramey, you have a Motion pending to table."

Ramey: "Yes. During debate last week over this Amendment, some questions to the Amendment were not answered. I went to the Sponsor and he was prepared to work on a new Bill next year and said it was all right to remove the Amendment. So, I request that."

Speaker Lyons: "The Gentleman moves for the Motion to Table Committee Amendment #1. All those in favor signify by saying 'yes'; those opposed say 'no'. In the opinion of the Chair, the 'ayes' have it. And Amendment #1 is on the table. Anything further, Mr. Clerk?"

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

Speaker Lyons: "Third Reading. Representative Sandy Pihos, on the Order of Second Readings-Senate Bills, on page 8 of the Calendar, Senate Bill 3180. Out of the record. Representative Frank Mautino, on Second Bill Order of Second Readings... Second Readings of Senate Bill, you have



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Senate Bill 3215. On Second Reading, you want to move that Bill to Third? Out of the record. Representative Osterman, you have, on the Order of Second Readings-Senate Bills, Senate Bill 3401. Read the Bill, Mr. Clerk."

Clerk Mahoney: "Senate Bill 3401 has been a second time, previously. Amendment #1 was approved in committee. No Floor Amendments. No Motions filed."

Speaker Lyons: "Third Reading. Representative Rita, we have Senate Bill 3464 on the Order of Second Reading. Read the Bill, Mr. Clerk."

Clerk Mahoney: "Senate Bill 3464, has been read a second time, previously. Floor Amendment #3, offered by Representative Rita, has been approved for consideration."

Speaker Lyons: "Representative Rita on Floor Amendment #3."

Rita: "I'd like to adopt Floor Amendment #3. Number 1 and 2 we'll withdraw, or just leave it the way it is."

Speaker Lyons: "Mr. Clerk."

Clerk Mahoney: "Floor Amendments 1 and 2 remain in committee, one is in committee, one's in the Rules Committee."

Speaker Lyons: "So, the enacted..."

Rita: "Adopt 3, yes."

Speaker Lyons: "The Motion is to adopt Floor Amendment #3."

Rita: "Thank you, Mr. Speaker. This... this has the underlying Bill with this and we put two Amendments to make three parts with this. One of it dealing with cell phone towers and the notification in unincorporated areas to notify the county board and the Representative and the Senator in that district. And the other deals with the pay phone industry to put in a subsidy to help some of these pay phones stay

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in existence especially in some of them high crime areas.  
I'd be happy to answer any questions."

Speaker Lyons: "You've heard the Gentleman's explanation, no one seeking recognition, all those in favor of the adoption of Amendment #3 signify by saying 'yes'; those opposed say 'no'. In the opinion of the Chair, the 'ayes' have it. And the Amendment is adopted. Anything further, Mr. Clerk?"

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

Speaker Lyons: "Third Reading. Representative Brady, on the Order of Second Reading, you have Senate Bill 3010. Read the Bill, Mr. Clerk."

Clerk Mahoney: "Senate Bill 3010 has been read a second time, previously. No Amendments. No Motions filed."

Speaker Lyons: "Third Reading. Representative Elaine Nekritz, you have Senate Bill 2168. Representative Nekritz, 2168. Elaine, you want to move that Bill to the Order of Third Reading? Out of the record. Representative Dan Reitz, on the Order of Second Reading, you have Senate Bill 2525. Danny Reitz. Read the Bill, Mr. Clerk."

Clerk Mahoney: "Senate Bill 2525, a Bill for an Act concerning public employee benefits. Second Reading. No Amendments. No Motions filed."

Speaker Lyons: "Third Reading. Order of Concurrences... Representative Jerry Mitchell, on the Order of Concurrences, on page 11 of the Calendar, you have House Bill 5633, 5633. Read the Bill, Mr. Clerk. Clerk doesn't have to read it. We'll just go right to you, Representative Mitchell on the Concurrence Motion."

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Mitchell, J.: "Thank you, Mr. Speaker, Ladies and Gentlemen of the House. I move to concur with Senate Amendment #1. Basically this is just a technical change that the State Board of Education needed. Does not change the Bill at all, still does what it should do. I recommend an 'aye' vote."

Speaker Lyons: "You heard the Gentleman's explanation. Is there any questions? Seeing none, the question is, 'Should the House concur in Senate Amendment #1 to House Bill 5633?' This is final action. All those in favor signify by voting 'yes'; those opposed vote 'no'. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Mr. Clerk, take the record. On this Bill, there are 118 Members voting 'yes', 0 voting 'no'. And the vote... And the House does concur with Senate Amendment #1 to House Bill 5633. This Bill, having received the Constitutional Majority, is hereby declared passed. Representative Brandon Phelps, on page 12 on the Order of Concurrences on the Calendar, you have House Bill 6099. On the Motion, Representative Phelps."

Phelps: "Thank you, Mr. Speaker, Ladies and Gentlemen of the House. House Bill 6099 is an agreed Bill and I'd like the Body to concur with Senate Amendment #1. Makes three changes, includes pavement into the definition of 'impervious service... surface' and an applicator for hire if a fertilizer contains vegetables. It doesn't have to be tested and if a local government passes an ordinance and it's more restricted before this law goes into effect,

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local ordinance supersedes law. So, I just ask for its passage."

Speaker Lyons: "Is there any discussion? Seeing none, the question is, 'Should the House concur in Senate Amendment #1 to House Bill 6099?' This is final action. All those in favor signify by voting 'yes'; those opposed vote 'no'. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Representative Bill Black. Mr. Clerk, take the record. On this Bill, there are 118 Members voting 'yes', 0 voting 'no'. The House does concur with Senate Amendment #1, this House Bill 6099. This Bill, having received the Constitutional Majority, is hereby declared passed. Mr. Clerk, on the Order of Third Readings, Representative John Fritchey has Senate Bill 3584. Read the Bill, Mr. Clerk."

Clerk Mahoney: "Senate Bill 3584, a Bill for an Act concerning business. Third Reading."

Speaker Lyons: "The Gentleman from Cook, Representative John Fritchey."

Fritchey: "Thank you, Speaker. I simply request an 'aye' vote."

Speaker Lyons: "You've heard the Gentleman's detailed explanation of Senate Bill 3584. Is there any discussion? Seeing none the question is, 'Should Senate Bill 3584 pass?' All those in favor signify by voting 'yes'; those opposed vote 'no'. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Representative Zalewski. Mr. Clerk, take the record. On this Bill, there's 118 Members voting 'yes', 0 voting 'no',

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0 voting 'present'. This Bill, having received the Constitutional Majority, is hereby declared passed. Representative Mautino, on page 5 of the Calendar, you have Senate Bill 3762. Out of the record. On the Order of Resolutions, Representative Crespo, you have Senate Joint Resolution 88. Representative Crespo."

Crespo: "Thank you, Speaker, Members of the House. Senate Joint Resolution 88 directs the Board of Higher Education to establish a Higher Education Finance Study Commission. The commission study is to include, but not limited, to an examination of the history and means of higher education funding in the State of Illinois, a comparison of the productivity of Illinois higher education systems to other state systems and analysis of those practices."

Speaker Lyons: "You've heard the Gentleman's explanation on Senate Joint Resolution 88. Is there any discussion? The Chair recognizes the Gentleman from Crawford, Representative Roger Eddy."

Eddy: "Thank you. Will the Sponsor of the Resolution yield for just a second?"

Speaker Lyons: "Sponsor yields."

Eddy: "Thank you. Representative, what brought about the need for this type of a commission or a study?"

Crespo: "My understanding, Representative, this is a recommendation of the Illinois Public Agenda for College and Career Success."

Eddy: "And... and the purpose would be to ascertain figures or... or finance information related to the equity in funding or..."

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exactly what... what would the purpose be? What's the study for?"

Crespo: "They're... they're looking at the adequacy and the equity of funding, compare similar institutions to make sure the funding processing system is equitable in a certain way. They're also looking at how we fund higher education in the state, look at other states like Ohio and Indiana that have actually done some work in that performance based funding, one of the issues, for example."

Eddy: "When does the... when does the commission provide its information to the General Assembly?"

Crespo: "The... it is due on December... December 1 of this year."

Eddy: "Representative, thank you. I stand in support of this. I think the more we know and the more information we have the better discussions we can make going forward related to funding issues. And I strongly support the Resolution."

Crespo: "Thank you very much."

Speaker Lyons: "The question is... All those in favor of the adoption of Senate Joint Resolution 88 signify by voting 'yes'; those opposed vote 'no'. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Representative Sente, would you like to recorded? Mr. Clerk, take the record. On this Senate Joint Resolution 88, there are 118 Members voting 'yes', 0 voting 'no', 0 voting 'present'. And Senate Joint Resolution 88 is adopted. Representative Don Moffitt, you have Senate Joint Resolution 105. Representative Don Moffitt."

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Moffitt: "Thank you, Mr. Speaker, Ladies and Gentlemen of the House. Senate Joint Resolution 105 is a effort in the Ag community. Those of you that are familiar with farming, there's more and more aerial spraying all the time, conserving conventional agriculture, and yet we have people growing specialty crops that are crops that are spray sensitive. This would ask the Department of Agriculture, urge them to set up a Internet-based geographic information system that would identify sensitive crops so that, when the aerial sprayer comes in, they'll know where these sensitive crop areas are. This is an attempt to make it more convenient for traditional farming as well as specialty crops, organic crops, to live together and work more closely together. There is no opposition to this Resolution, and it is supported by the Illinois Fertilizer and Chemical Association. Would be happy to entertain any question."

Speaker Lyons: "Is there any discussion? Seeing none, all those in favor of the adoption Senate Joint Resolution 105 should 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? Representative Feigenholtz and Verschoore. Mr. Clerk, take the record. On the Amendment, there are 105 Members voting 'yes', 0 voting 'no', 0 voting 'present'. And Senate Joint Resolution is ad... 118 Members voting 'yes'... Thank you, Mr. Clerk. 118 Members voting 'yes', 0 voting 'no'. Senate Joint Resolution is adopted. Representative Pritchard, you have, on the Order of Concurrences, House Bill 156. Representative Bob Pritchard

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on House Bill 156, on the Order of Concurrences, on page 9 of the Calendar. Representative Pritchard."

Pritchard: "Thank you, Mr. Speaker. This is a Bill that we passed out of the House and was amended in the Senate to take care of a problem in the Fox Waterway Agency territory. It modifies the Fox Waterway Agency Act to allow the agency to do dredging in their waterways so that they may continue to be navigable waterways and then to sell that as reclaimed top soil. It passed the Senate and I would ask for the House concurrence."

Speaker Lyons: "Representative, we're going to have to take that out of the record momentarily. Check something with the Clerk. Representative Jehan Gordon, on the Order of Resolutions... Representative Gordon, you have Senate Joint Resolution 117. Out of the record. Representative Jil Tracy, you have Senate Joint Resolution 118. Would you like to... Out of the record. Ladies and Gentlemen of the House, on the Order of Senate Bill-Third Readings, on page 5 of the Calendar, Senato... Representative Mautino, you have Senate Bill 3762. Read the Bill, Mr. Clerk."

Clerk Mahoney: "Senate Bill 3762, a Bill for an Act concerning regulation. Third Reading."

Speaker Lyons: "The Gentleman from Bureau, Representative Frank Mautino."

Mautino: "Thank you, Mr. Speaker, Ladies and Gentlemen of the House. Mr. Clerk, on the... on that Bill, what's... what Amendments are on the Bill?"

Speaker Lyons: "Mr. Clerk."



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Clerk Mahoney: "Amendment #1 was adopted in committee. Amendment #2 was adopted on the floor. Floor Amendment #3 was referred to the Rules Committee, where it remains."

Mautino: "Thank you and that's the form I'd like the Bill in. Thank you, Ladies and Gentlemen of the House, Senate Bill 3762 is... with the Amendments is a gut and replace and it makes changes, but the idea behind this Bill is we are moving forward the payment of Medicaid claims to take advantage of the federal stimulus, the ARRA money. And the Bill has a number of factors in it. One being acceleration of payments. It will make the changes in the community mental health billing formula. It maximizes our federal revenue. We're looking at about a \$1.2 billion across all of these increased and expedited payments from the Federal Government. We changed the date in the Bill which will allow that, should the Federal Government go ahead and extend the period, we can receive these matches... enhanced matches for... We don't need additional legislation. And I do... for that purpose of legislative intent in here, would like to ask Representative Feigenholtz if she could state for the record the intent on Senate Bill 3762."

Speaker Lyons: "Representative Sara Feigenholtz."

Feigenholtz: "Thank you... Representative Mautino, this legislation moves billing for Medicaid reimbursable community based mental health services to HFS effective July 1, 2011. During the 2009 Fall Veto Session, the General Assembly unanimously approved House Bill 1802, now Public Act 96-0868, which would ensure that effective July

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1, 2012, 100 percent of all deposits into the community mental health Medicaid trust fund, the 718 Fund, including FMAP would be used for the purchase of mental health services. This legislation represented an agreement between the Governor's Office, DHS, and community mental health providers. Would anything in Senate Bill 3762 change or disrupt deposits into and payments out of the 718 Fund as it currently operates and will operate effective July 1, 2012?"

Mautino: "Representative Feigenholtz... and thank you for that question... it is not the intent of this legislation to disrupt how the 718 currently operates or will operate. And in discussions, I have asked the DHS Secretary Saddler and D... and HFS Secretary Hamos to confirm this in a letter with the community health providers, this has been done. We've had a meeting, all parties are in agreement, and I thank you for your assistance and actually for the law that created the 718 Fund. With that, I ask for an 'aye' vote."

Speaker Lyons: "Is there any discussion? Seeing none, the question is, 'Should Senate Bill 3762 pass?' All those in favor signify by voting 'yes'; those opposed vote 'no'. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Representative Lou Lang. Representative Lang, be recorded? Mr. Clerk, take the record. On this Bill, there's 118 Members voting 'yes', 0 voting 'no'. This Bill, having received the Constitutional Majority, is hereby declared passed. Representative Tracy on Senate Joint Resolution 118. Representative Tracy."

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Tracy: "Thank you, Mr. Speaker. Did.. is there an Amendment filed? I thought I just checked and there wasn't, but I thought maybe it magically just got here. No. Thank you. I have to wait for the Amendment."

Speaker Lyons: "Out of the record. Mr. Clerk, what's the status of Senate Bill 49? The Supplemental Calendar #1."

Clerk Mahoney: "Senate Bill 49, a Bill for an Act concerning finance. Second Reading of this Senate Bill. Amendment #1 was adopted in committee. No Floor Amendments. No Motions filed."

Speaker Lyons: "Hold that Bill on the Order of Second Reading. Mr. Clerk."

Clerk Mahoney: "Rules Report. Representative Barbara Flynn Currie, Chairperson from the Committee on Rules reports the following committee action taken on May 05, 2010: approved for floor consideration, recommends be adopted is Amendment #5 to Senate Bill 107, Amendments 2 and 3 to Senate Bill 3514; approved for consideration, referred to the Order of Second Reading-Senate Bills is Senate Bill 82."

Speaker Lyons: "Representative JoAnn Osmond."

Osmond: "Thank you, Mr. Speaker. The Republicans would like to caucus for at least one hour."

Speaker Lyons: "Ladies and Gentlemen, the Republicans have requested a caucus 'til the hour of 2:30. Democrats have a nice lunch. Stand to the call of the Chair. House will come to order. Mr. Clerk, on the Order of Concurrences, Representative Bradley has House Bill 4846. Representative John Bradley on House Bill 4846 on the Order of Concurrences."

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Bradley: "Thank you, Mr. Speaker. This is a Bill that we passed out of here, I believe it was unanimous. It would allow fire protection district to... to change its membership from five to three. They have some problems with getting members in some of these districts. And there was a Senate Amendment that would let it go from seven to five or to three. So, that was the change that took place over there. The concept is the same. I'd ask for an 'aye' vote. Thank you."

Speaker Lyons: "You've heard the Gentleman's explanation, is there any discussion? Seeing none, the questions is, 'Should the House concur with Amendment #1... Senate Amendment #1 to House Bill 4846?' This is final action. All those in favor signify by voting 'yes'; those opposed vote 'no'. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Mr. Clerk, take the record. On this question, there are 118 Members voting 'yes', no one voting 'no'. And the House does concur with Senate Amendment #1 to House Bill 4846. This Bill, having received the Constitutional Majority, is hereby declared passed. Representative Bob Pritchard, you have, on the Order of Concurrences, House Bill 156. The Gentleman from DeKalb, Representative Pritchard."

Pritchard: "This is concurrence, Mr. Speaker?"

Speaker Lyons: "For concurrence, Representative."

Pritchard: "So, as I indicated a little bit earlier..."

Speaker Lyons: "Representative..."

Pritchard: "I... I know, my fault."

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Speaker Lyons: "Again, we still have a little technical difficulty to be worked out on that, Representative Pritchard. We'll get back to you. The Chair recognizes Representative Bob Biggins for the point of personal privilege. Representative Biggins."

Biggins: "Thank you, Mr. Speaker. I'd like you... you to join on a point of personal privilege of Representative Karen Yarbrough and myself on welcoming the Westchester Chamber of Commerce in the gallery on both sides, left and right."

Speaker Lyons: "Welcome to the Capitol, enjoy your day. We're glad to have you. Mr. Clerk, on page 4 of the Calendar, Kevin Joyce has Senate Bill 2494. Read the Bill, Mr. Clerk."

Clerk Bolin: "Senate Bill 2494, a Bill for an Act concerning education. Third Reading of this Senate Bill."

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

Joyce: "Thank you, Mr. Speaker, Ladies and Gentlemen of the House. Senate Bill 2494 will create the school choice program for the Chicago Public School district, for grades kindergarten through seven. The program is to be administered... administered by the State Board of Education, beginning the year of 2011-2012 school year. It'll allow parents, or legal guardians, who reside in the City of Chicago to transfer students to state recognized nonpublic schools within the city that the students attend schools that are deemed to be one... in one of the following two categories. Number one, the lowest 10 percent of schools in the district in terms of students meeting or exceeding

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state standards; and number two, the most severely overcrowded five percent of schools in the district with at least a 70 percent of those students in those schools being at or below the poverty level. The way this would work is a school choice voucher would be created and redeemable by a student's parent or guardian at the chosen state recognized nonpublic school. The voucher would be calculated... I'm sorry... by deducting the amount of the general state aid and poverty grant for CPS, which is based on today's numbers, would equate to \$3,717. As far as implementation goes, in January of each year the principals of the lowest performing or overcrowded schools would have to notify the custodians of students that vouchers for nonpublic schools would be available in the next school year. The application process would be between March 1 and May 1, prior to the school year in which the voucher is to be used. The State Board of Education would issue the voucher no later than September 15. The custodian has until October 1 to present the voucher to the nonpublic school, and the State Board would be required to honor that voucher and pay the nonpublic school by December 31. Students participating in the voucher program would also be required to take the State ISAT test. Students will also be tracked in the State Board of Education's Longitudinal Data System. Students who participate in the voucher program would have to do this on a voluntary basis placed in a private setting by their parents or guardians. I'm sure there are a number of questions. I'd be happy to entertain them."

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Speaker Lyons: "You've heard the Gentleman's explanation. Questions? Representative Burke."

Burke: "Thank you, Mr. Speaker, Ladies and Gentlemen of the House. I rise to support this initiative, and we suggest that our former colleague, Mary Lou Cowlshaw, would often refer to the Chicago Public School system as the black hole. Let me provide you with the encyclopedia definition of a black hole. According to the general theory of relativity, a black hole is a region of space from which nothing, including light, can escape. It's called a black... it's called black because it absorbs all the light that hits it, and it reflects nothing. Maybe Representative Cowlshaw's description of the Chicago Public Schools was appropriate when considering the unfortunate, underperforming schools that this legislation would address. How can we continue to allow these so-called learning institutions to ruin generations of our constituents? This Bill would afford our young people a chance to succeed in life, to prepare for a future, to have the ammunition necessary to survive in what sometimes could be described as a brutally challenging society. Will we continue to fund these underperforming schools without check? Will we deny families the opportunity to decide what school would provide a chance at success? Just yesterday, I asked a colleague of ours her opinion of this Bill, and if she could support it. The response was a flat out no. And on further inquiry I asked if there was anything that could convince her that this was a good proposal. The answer was, when Jesus comes. I might

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suggest to her and to you, Ladies and Gentlemen of this Body, that Jesus doesn't have to come for us to do the decent thing. And to support this opportunity to save lives and provide a very basic right to get a decent educa..."

Speaker Lyons: "Representative Burke, your two minutes are up. We'll give you another minute to finish your remarks."

Burke: "Thank you, Mr. Speaker. I'm reminded as we consider this legislation, Ladies and Gentlemen, a school in my district, that I visit very often, has converted a boy's toilet to act as a classroom. They had to cover the urinals with plastic bags in order to conduct class in that facility. Is that not a disgrace in the year 2010 that we should have to subject our young people to this type of environment? Give us a break, please, Ladies and Gentlemen. Do the right thing. Give us a... a break. Vote for this piece of legislation. It's good and it's decent. Thank you."

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

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

Speaker Lyons: "Sponsor yields."

Eddy: "Representative, just a couple of questions about the process an... and I... I understand that this way, that next year between March and May, individuals will be able to apply or to qualify for the voucher. They'll have to be in a bottom... a low performing school, as defined in the Bill, or an overcrowded Bill... or excuse me, an overcrowded



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school, as defined by the City of Chicago School Board.  
So, if those two conditions are met, they can apply?"

Joyce: "The... there's one other parameter with the overcrowded school. It has to be at least... an overcrowded school that has at least 70 percent of the students that go there fall at poverty rate or below."

Eddy: "Okay. Okay."

Joyce: "So, that's..."

Eddy: "So, they have to be low-income students of 70 percent in the..."

Joyce: "In the 5 percent most overcrowded."

Eddy: "Now... so, then they... they qualify for the voucher, the calculation is made and I do want to make the point that... that you have listened and... and done your very best and I'm not sure you're ever going to get a hundred percent of a... of a Bill to be totally cost neutral, but... but listened to that concern, and that's appreciated because that was a concern by a lot of people, and at least this is as cost neutral as I think you can... you can get that. Now, the voucher that is calculated and the student is paid... or excuse me the parents are paid by... Well, first, let me back up a little bit. Who decides which students get the voucher?"

Joyce: "Well, all students would be eligible..."

Eddy: "Right."

Joyce: "...for that voucher."

Eddy: "How many vouchers are we talking about?"

Joyce: "If every single student that would be eligible for that voucher elected... their families elected or their guardian

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elected to participate, the best round about estimate would be 30 thousand students."

Eddy: "Okay. So, if there are 40 thousand students that want the voucher..."

Joyce: "Thirty."

Eddy: "...but if there are 40 thousand that want the 30 thousand spots, who decides..."

Speaker Lyons: "Representative, your two minutes are up. We'll give you another minute to finish your questions."

Eddy: "Thank..."

Joyce: "Representative Eddy, the most that would be eligible would be 30 thousand students. There's, I think, plenty of classroom space in the nonpublic schools. The 30 thousand students would be the max... we think is the max that would actually be eligible."

Eddy: "So, you're saying anyone who qualifies will get a voucher."

Joyce: "That's correct."

Eddy: "So, there's not going to be any decision made about who doesn't get something. Any student up to the dollar limit will get the voucher?"

Joyce: "That is correct."

Eddy: "Mr. Speaker, an... and I should have made this request earlier. I don't know what kind of interest there is, but I would ask that this be taken off of Short and be put on Extended debate, so that we can discuss some of the... unlimited debate."

Speaker Lyons: "We're going to... we're going to let it go, Representative, but we're still going to hold time limits

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for the individual speakers. You can imagine, I've got about 8 people waiting to speak, Representative. So, I'm giving you two minutes and an extra minute."

Eddy: "Thank you, I appreciate that. And if this Bill is complicated and there are a lot of parts to it, and I... I just want to make sure some of the stuff gets on the record especially as it pertains to the payment because I think that a lot of people are concerned in these economic times..."

Speaker Lyons: "If you'd conclude your remarks, Representative, we'd appreciate it."

Eddy: "...about the payments. So... so, they get paid by December 31, the payment goes to the parent?"

Joyce: "There is vouch... there is a vouch... voucher that would be issued to the parent by September 1."

Eddy: "Right."

Joyce: "And the voucher would be turned in into the school."

Eddy: "And then the payment, the actual money comes by December 31?"

Joyce: "Then the voucher would be paid by December 31, from the state board."

Eddy: "Thank you, Representative. Respectful of the rules, I'll... I'll close for now. Thank you."

Speaker Lyons: "I'm sure we'll be hearing from you, again, when some of your colleagues give you their time Representative. Representative Fritchey, two minutes."

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

Speaker Lyons: "Sponsor yields."

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Fritchey: "Representative Joyce, you and I have had discussions on this issue and I've heard from countless amounts of my constituents. One of the items that keeps getting raised time and time again is that the implementation of any program like this will take resources out of the Chicago Public School system, but as I understand it, based on my conversations with you, essentially to simplify a complicated process, if a family opts to take the voucher and leave the system, what would essentially happen is the state aid portion of that educational cost, approximately \$6100 or so, follows that student. However, what... what's the total cost in Chicago of educating a student right now?"

Joyce: "Currently, today, it is estimated that per pupil's funding in the Chicago Public School system is around \$11,500."

Fritchey: "And so the portion that's not state aid comes from basically local funding through CPS. Correct?"

Joyce: "That's correct."

Fritchey: "So, you would approximately have, let's say roughly, \$4900 that would stay within CPS that doesn't leave with that student, but remains in the system to be used for students that are still within the Chicago Public School system. Correct?"

Joyce: "At a minimum. I would argue it would be much more."

Fritchey: "All right. So, what you would essentially have is more money serving a potentially smaller pool of students and that money could then be allocated to an additional

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resources for those students that are within the Chicago Public School system?

Joyce: "Correct."

Fritchey: "So, we now have a situation where those students opting to take the voucher, to go and see their parochial, another school, have the benefit of the state money following them, and those students who are in the Chicago Public School actually have additional resources, over and above what they would have today."

Joyce: "That's correct. If you take what's left over and multiply it by the number of kids that take the voucher, and then divide it by their number of kids remaining in the school district, that's how much you're adding per pupil spending."

Fritchey: "So, overall, and I don't want to beat this down, but... so, we have... we have more money per student remaining in the system."

Joyce: "That's correct."

Fritchey: "Thank you. To the Bill, Speaker. Ladies and Gentlemen, in... in the time that I've been here we've seen a number of arguments for and against a voucher system, and what it would do to the Chicago..."

Speaker Lyons: "We'll give you one more minute, Representative."

Fritchey: "Thank... thank you, Speaker. And what it would do to the Chicago Public School system. I think that the reality tends to be far different than the rhetoric. I have been a strong supporter of improving our educational resources and the funding for education this... this system... this issue,

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obviously, doesn't get to the overall issue of how we fund our schools and to what level we fund our schools, but it does get to the issue of taking those children that are in the underperforming and overcrowded schools and giving them a chance that they would not have otherwise. It also focuses on taking no resources away from those children that remain in the Chicago Public School, and arguably we have the additional resources available to those kids that remain. I think that it's interesting that to the extent that there is some opposition or reluctance to this from Members, predominantly on the other side of the aisle but on both sides of the aisle, the same opposition has come from people that have wanted a voucher system in the past, and they've wanted a voucher system for kids who are with... within Illinois, within Illinois school system, but now that we have a voucher program specifically targeted at those children that need it the most, there seems to be an opposition. All I ask is that we give those kids the same chance that we want for all of our kids. Thank you."

Speaker Lyons: "Representative Monique Davis, two minutes."

Davis, M.: "First, Mr. Speaker, I'd like to know why we have only two minutes?"

Speaker Lyons: "Those are the rules of the House that we've been using throughout the Session, Representative. We give you two minutes and an extra minute. We got a lot of people that want to speak to the Bill. So, I'll give you two minutes. If you need a third..."

Davis, M.: "Okay. Well, it's the first time I've known that we had a Bill and you had two minutes. That's all."

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Speaker Lyons: "If somebody wants to yield your time afterwards, they can yield you their time, Representative."

Davis, M.: "Let me state that I believe my colleagues who are supporting this Bill are well-intentioned. I think they want to provide an alternative to children who attend underperforming and overcrowded Chicago Public Schools. The rhetoric about your program is attractive. Vouchers purport to offer long-suffering public school children with the possibility of attending better schools, but there's nothing in this Bill that tells us anything about the so-called better schools. I think it is extremely unfair to take a group of children, who are mostly living in poverty, and say to them you're only worth... you're only worth half of what the other children in Chicago are being educated with. Thirty-seven hundred dollars, is it half or less? Most of the Catholic schools that are in existence today, their tuition is 6 thousand, 7 thousand, 5 thousand. We have seen documents today. Now, it amazes me that the press in Chicago, that the people in this Body, all admit there's a problem with Chicago Public Schools. And our only solution is to give a few of them, from the lowest performing schools a little voucher for three thousand and some hundred dollars. What about the special ed resources that should be available to them? We know we're talking about little black children. We're talking about little brown children. Those are the children who we are saying are not as worthy as other kids who will get..."

Speaker Lyons: "Representative, we'll give you one more minute."

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Davis, M.: "...as other children who will get 6 thousand and 7 thousand dollars for their education. What kind of education will these children get? And when you say they'll be dollars left for the system of those who remain to be spread around, you don't say how it's going to be used. Will it stay in the schools where you took the children out, where you said those schools were failing? We are doing a terrible injustice. The Constitution of the State of Illinois, Section 10, I believe its Article.. Article 10 or Section 10, we are supposed to educate our children with a free public education. We are attempting to destroy public education for some children and when we do that, when we do that, we deny all of them an opportunity to be of the best that they can be. It is so unfair. And I know many of you don't think it's unfair, but you're not doing it to your children, you're doing it to mine."

Speaker Lyons: "Representative Yarbrough, two minutes."

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

Speaker Lyons: "Sponsor yields."

Yarbrough: "Representative, is this still a pilot program?"

Joyce: "Well, it depends how you define 'pilot'. It's a pilot program in the sense that it's focused on a certain group of individuals within one certain school district who have been... the great majority of these schools have been on the state and federal watch list for the last 9 years in a row. So, yes, it's focused on a pilot. Is there a sunset? No there is not a sunset. All right."



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Yarbrough: "Tell me, is there anything in this Bill that mandates anybody doing anything? Do these parents have to do this?"

Joyce: "Absolutely not."

Yarbrough: "And I think I heard you talk to someone else about who would administer the program. To the Bill, Mr. Speaker. You know, when I came down here, I read something that Hubert Humphrey said and he talked about the moral test of government. He said the moral test of government is how we treat those who are in the dawn of life, those who are in the shadows of life, and those who are in the twilight of life. We've got an option here to take care of two groups of those people, and while some of my colleagues say this Bill doesn't take care of everybody, it certainly is addressing somebody. Now, the only boar... the only Bill I see on this board right now that will help these children in these low performing schools is this Bill that's in front of us now. I'm really disappointed that more of my colleagues that have brown and black children in their districts aren't... don't have their names on this... on this Bill. I've never supported vouchers. I've been leery of charter schools, but people, we've got to do something different from what we've always done. If we continue to do what we've always done, we'll get the same results. Please vote for this Bill. Thank you."

Speaker Lyons: "The Chair recognizes the Gentleman from McLean, Representative Brady for two minutes."

Brady: "Will the Sponsor yield?"

Speaker Lyons: "Sponsor yields."

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Brady: "Representative, I... I just wanted... first off, to commend you. I know how hard you've worked on this with many, many others, and the respect and friendship that I have for you and with you. One of the... one of the areas I've gotten a little lost on was that when we started with this Bill in committee there was a sunset, or it was a trial period of 3 years."

Joyce: "That... that wasn't the case. Actually, the original Bill that came over from the Senate had a reporting requirement but not a sunset according... that... and that's still in the Bill, by December 31... December of 2015. That reporting requirement is still mandatory back to the General Assembly, back to the Governor."

Brady: "So... so, it's a reporting period. It's not a sunset of the legislation for sure."

Joyce: "No, it's not a sunset, and I... Representative, I... first of all, I want to say thanks because in your first comment there are a lot people that work very hard including members of our staff, members of your staff, members of the Illinois State Board of Education, Chicago Public Schools, and really I was open to a sunset. I could not figure out how we could put a sunset by making it available to kids to go to one school and saying here we're going to try to help you, take you out of this failing school, and then if it sunsetted in 4 or 5 years, bringing them out of that school and bringing them back to the school that they were trying to get away from. So, I didn't think it was fair to do that. And you know, I'd love to come with some way to try to make this, you know, where you could actually 10 years

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from now just come back... or 5 years from now and look at the studies and say, yes, it worked or didn't work. If it didn't work, if it didn't make a difference, if... if it didn't impact anybody's life, then I'd be the first person to say let's repeal this. And I..."

Speaker Lyons: "Two minutes have expired. We'll give you another minute to continue the conversation."

Brady: "Thank you. Thank you."

Joyce: "I took your time, I'm sorry."

Brady: "No, thank... thank you, Representative. To the Bill.

First off, you know, there may be a time for vouchers, but I'm... I just can't get passed that the time we're looking at right now, and the financial crisis that we're in to the state, do we have an obligation in public education, and that is to pay the schools what we owe them. The time for something new, to try something new, to look at something through different payment programs, if we had some stellar performance of our track record and payments to our public schools, which I believe is the priority for State Government, then that might be one thing, but that's not the case. It's a complete mess financially. I would be very wary if I was a private school entering into something like this with the payment track record of the State of Illinois in public education. I also have concerns of the special ed portion of the legislation, and what it may or may not do. But I... I just want to close by saying that to me our priority has to be the payment of our funds of our..."

Speaker Lyons: "Your time has expired. Representative Nekritz, two minutes."

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

Speaker Lyons: "Sponsor yields."

Nekritz: "Representative, does... does the legislation contain any requirement for the... the nonpublic schools to take all students?"

Joyce: "No. Wh... what the legislation requires is that if a school would like to sign up as a nonpublic school serving these children that have vouchers that they want to turn into the school they will be accepting..."

Nekritz: "Okay."

Joyce: "...all those that they have room for."

Nekritz: "So, disabled students, students with limited English proficiency, students of maybe various religions, students with parents of... who are... the children of same sex couples, and students with behavioral issues, all... none... those are not protected under this... under this legislation."

Joyce: "None of them are discriminated against in this legislation, nor would they be..."

Nekritz: "But they're not protected under the legislation. And there are... I mean, there are some protections for race, color, and national origin, but not other... but not other categories, is the way I read it. So..."

Joyce: "Well..."

Nekritz: "And the amount of the voucher is how much, right now?"

Joyce: "Well, it's... it's a calculation as we all know, the state funding formula is very complicated, but it was done by this year's numbers. It would be a total of \$3,717..."

Nekritz: "Okay."

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Joyce: "...approximately, but the voucher, if the tuition was cheaper, which is the case in many schools, unlike a previous speaker had stated, like my own kids, their tuition is \$3,150..."

Nekritz: "Would that..."

Joyce: "...at their private school."

Nekritz: "...would that be sufficient for any... any of the secular private schools in Chicago?"

Joyce: "Well, I think they're some that are... that are all over... are on different patterns, but I have kids at Montessori, I have kids at a private Catholic school, and those are still covered underneath the... they're both underneath \$3,700. So, that's... that's my... what I can speak to. And I know on your question of will they accept everyone, I think, Sister... you know, that most of the schools that have said... have put out letters saying we will accept all..."

Speaker Lyons: "Representative Nekritz, your two minutes expired. We'll give you one more minute."

Nekritz: "Thank you, Mr. Speaker. To the Bill. Ar... Article 10 in Section 3 of our Constitution does require that... that public money be used for public purposes, and it specifically mentions anything that... we're... that no level of government is to provide aid of any church or sectarian purpose, or to help or sustain any school, academy, seminary, college, blah, blah, blah... that has a sectarian dominat... denomination, whatsoever. I do have concerns about the constitutionality of this Bill, and... and whether or not we... we are using public money to promote sectarian purposes. So, I'd... I'd urge a 'no' vote."

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Speaker Lyons: "The Chair recognizes the Lady from Cook, Representative Suzie Bassi. Two minutes, Representative."

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

Speaker Lyons: "Sponsor yields."

Joyce: "Yes, Ma'am."

Bassi: "To the Bill. I've been involved in education almost my entire life. You guys have worked with me for many, many years. I've been 10 years as a public school teacher, 8 years as a public school board member, chairman of ED-RED, many years on the K-12 Education Committees down here. I have always been opposed to vouchers. I think the Archdiocese has done a terrible job of taking care of their young people. CPS is looking for 5 percent raises for their teachers, and they have a billion dollar hole in their budget, but they can give Ron Huberman a tremendous raise, although he's not accepting it because he's going to take a furlough. We have failed these kids in the inner-city schools for as long as I've been down here. This Bill is about kids; kids who can't read, and who cannot do basic math, kids who don't have a decent school environment. They need to have a chance to be productive members of society and history has shown that these kids will fail if they stay in these schools. All the studies have shown that kids who have been in voucher schools did better, or did at least did not do worse, many of the public school kids do better, even those left behind. The teachers can focus on the kids and not some of the violence that they're dealing with there. This is not about political shenanigans. Maybe the Speaker wants to split the Republican Party,

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maybe he wants to target IEA members, maybe he wants to make the Archdiocese whole, or maybe it's a Republican plot to dismantle the public schools, or any of the other arm-twisting that we've all seen going on around here. This is about kids, and kids who in 9 years of schools that have been at the absolute bottom of the list.."

Speaker Lyons: "Representative, we'll give you another minute."

Bassi: "Thank you. ...have not had a chance to read and do basic math, and if they make it to adulthood, they may end up being gangbangers. They could move to Palatine, Quincy, Peoria, even Springfield, and they wouldn't know how to read, they wouldn't know how to do basic math. We've already failed a full generation of kids while we've been down here, while I've been down here. These schools have been in failing for 9 years. And even if a tax increase occurs later this year, there's no guarantee that the 22-30 thousand kids in those overcrowded and failing schools will get help. Our debt is \$13 billion. I'm in a unique position, I'm not running for reelection. I could truly vote my conscious, but didn't we all come down here to do that? I'm voting 'yes' for this Bill. I ask you to search your souls and do the same thing and give these kids a chance to read and to do basic math. Thank you."

Speaker Lyons: "The Chair recognizes the Gentleman from Cook, Representative Fred Crespo. Two minutes, Representative Crespo."

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

Speaker Lyons: "Sponsor yields."

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Crespo: "Representative, congratulations. I know this is not an easy Bill to work on, and I think you've done a commendable job, but I just heard you say a little while ago, in answering one of the other questions, that schools who like to sign up. So, do you know how many schools are going to be available parochial or private schools for these children to go to?"

Joyce: "Well, base... based on my conversations with the various groups that have private schools, well more... there's plenty of capacity within the private schools that are out there in the City of Chicago, that are willing to participate in it, from Lutheran schools to Jewish schools, to Catholic schools to Montessori schools, there are... there is more than enough classroom capacity and willingness on the private school, nonpublic school part... to accept these children."

Crespo: "But it hasn't been mapped out, where you look at a particular public school and see how many options you're going to have within let's say a one-, two-, or three-mile radius. Some schools might have more choices than other schools."

Joyce: "I have a map that, you know, you're more than welcome to look at."

Crespo: "But we haven't done that, yeah."

Joyce: "I have..."

Crespo: "Let me ask you, Representative, what's the average tuition rate for these private parochial schools, do we know?"

Joyce: "It's... it's averaged to be about \$3200 a year."



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Crespo: "Okay. So... how much?"

Joyce: "Thirty-two hundred dollars a year."

Crespo: "And what's the range, minimum?"

Joyce: "That's the average."

Crespo: "I know, but what's the range, do we know?"

Joyce: "I'm told it's up to 4500."

Crespo: "Okay. So... so, let's say for the sake of discussion here, that there is a school that's \$4100, the student comes in with a voucher of \$3700. What happens with the \$400? Will the school forget that, or will the parents be responsible to come up with the \$400?"

Joyce: "Well, in most cases, in all private schools, there is financial aid available to all these families and I would say that in more than 90 percent of the cases here, they would more than ex..."

Speaker Lyons: "Representative Crespo, we'll give you one more minute."

Crespo: "To the Bill. I think there are a lot of questions and we unfortunately only have time to ask some of the questions and concerns that we have. There will be cases where the voucher will not meet the needs to pay for the tuition, uniform, and books. So, you're going to have folks who are going to benefit, who might be able to make... pay the difference, and others won't. We will be discriminating against the poorest of the poor. I think we all care about our kids, some would favor the voucher, some would say we need to look at a comprehensive approach. I would suggest that if we're going to do something, let's do what's right, or let's make sure we do it the right way. I

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would hope that they had spent more time in working on this Bill, unfortunately they won't and I suggest that we either vote 'present' or 'no' until we... we work on this and find a better solution for our schools. Thank you."

Speaker Lyons: "**The** Chair recognizes the Gentleman from DeKalb, Representative Bob Pritchard."

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

Speaker Lyons: "Sponsor yields."

Pritchard: "Representative, don't we have a provision that if a school is failing for so many years, parents can take their child and put it in another school within the district?"

Joyce: "Certainly do. Unfortunately, they get to put them in another school within that district and under NCLB those... those provisions, unfortunately, has left some children behind. And unfortunately, those good schools had filled up very quickly for those students and for those parents of those students. And there is not the room within the Chicago Public School system, in those quality schools as witnessed by many of the high competition to get into those schools and the reports of... of complaints from parents of not having the ability to get into those schools."

Pritchard: "So, can you say categorically though that parents don't have that option?"

Joyce: "In... in this particular case, yes."

Pritchard: "Is there any assurance that parents will take advantage of the vouchers and move their children?"

Joyce: "Absolutely not. There's no in... assurance. We can't... I'm not trying to regulate parenthood here."

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Pritchard: "But isn't that part of the problem? Isn't it part of the problem that children are failing because parents aren't engaged in their child's education?"

Joyce: "That... that could be one problem. I can't... I don't think it's fair to put that blanket analysis on every single parent of every single kid that's in this situation. But I'll tell you what, if we pass this Bill we'll find out."

Pritchard: "Thank you, Representative."

Speaker Lyons: "The Chair recognizes the Gentleman from Cook, Representative Ken Dunkin. Two minutes, Representative."

Dunkin: "Thank you Mr. Speaker. You know, out of all of these schools that's on this list... Ladies and Gentlemen, can I have your attention? Four of these schools are in my district and many of you are familiar with my district. I go from roughly Old Town, Cabrini Green, the rough street area of Chinatown, south loop, downtown, but I also go to sixty-third and Cottage Grove, sixty-fourth and King Drive. I go a little bit west of the Dan Ryan. So, I literally go from the Gold coast to the soul coast in my district. And on the soul coast of my district, I have four of these schools. Four schools that are at the bottom 10 percent in the City of Chicago. They're at the bottom, the lowest. All this Bill simply attempts to do is give parents an option. There's no mandate. There's no requirement. There is no new funds to be extracted, really, from Chicago Public Schools systems, but a small percentage. And do you know what happens when those kids don't graduate, or when... excuse me... when they graduate and they are not able to

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read, write, or think critically. In 2 to 5 years, they end up coming to Pontiac, to Menard, to Vandalia, to Statesville Penitentiary. That's where they go, if they don't know how to read or write. Well, they become a part of the permanent underclass. All this Bill does, merely, is give kids' parents an option. Now, I'm like most of you here. I want the Educational Foundation ra..."

Speaker Lyons: "Representative Dunkin, we'll give you one more minute."

Dunkin: "...just to all of us is, 'What's the worst that could happen here?' The worst that could happen here is that a kid will get educated, irrespective of what school they go to, if they take advantage of that option. I'm asking you, especially my downstaters, who this won't affect at all, my suburbanites who this won't affect at all, to help me and my other colleagues, and our respective district give families an option, a mere choice so they can have a brighter future, until we get our act together to deal with the real question, in this state, and that is raising the educational foundation level, and coming up with a serious and comprehensive education reform package that all of us can live with, and so it won't be this great dichotomy in this state when it comes to education. But for right now, I'm pleading with you, I'm begging you, help me help kids in my district become educated like many of you and your kids."

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

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Sullivan: "Thank you, Mr. Speaker. To the Bill. We've heard a lot of discussion about what this... what this Bill really is about, and I want to clarify a little... a little something here that was said in Executive Committee by an IEA representative, one... a person that I have tremendous respect for. But he was asked by the chairman, he was asked could these bottom performing schools get any worse. A direct question to an IEA representative, and he answered probably not, they are the worst of the worst. Ladies and Gentlemen, this is the point of the legislation. These are the worst of the worst schools that we're trying to raise up their standards, and in turn raise up all the kids' standards. That's why we're here. You know, this is an opportunity. We talk about vouchers, I want to change the name. I want to change it to opportunity scholarships. It's an opportunity for these kids to... to succeed in life. We hope it'll give these kids an opportunity to break away from underperforming schools. We want to give these kids an opportunity to in succeed grade school, so that they can go on and succeed in high school or college. We want them to succeed in high school and college, so they can go on and get a good paying job. We want them to have a good paying job, so they can start a family and help end the cycle of violence that has pervaded our cities up and down the state, but sp... specifically in the City of Chicago. Ladies and Gentlemen, this is a once in a lifetime opportunity. Something has to give. Something has to change. We can start today by voting this Bill 'aye' and sending it to the Governor and... and having... having him sign

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this because we're going to lose out here, and we're going to lose out on a generation of inner-city kids that need a break like all the other kids in the State of Illinois. Please vote 'aye'."

Speaker Lyons: "Representative Jim Sacia. Two minutes, Representative."

Sacia: "I'd like to yield my time to Representative Eddy."

Speaker Lyons: "Two minutes yielded to Representative Roger Eddy."

Eddy: "Thank you, Speaker. Just a couple of additional questions, and I appreciate the yield of the time. I want to point out, first of all, that I respect very much what Representative Joyce is trying to do, and any disagreement I have doesn't at all question his intent. I understand he thinks this is something that's improving things and I respect that very much. I just want to know how this helps... I think this might reach what, 5 percent, if it tops out of the students who are in these poor performing schools. I... I guess in the time I've been in education, and I'm not saying you're not, but it's really hard for me to walk away from improvements for the rest. I get your point about this, eventually, and the choice may provide competition that could maybe, somehow, someday, perhaps make it better for all, but it concerns me what we're doing for the other 95 percent. And Representative Joyce, you and I have had a discussion regarding how we can help those other schools. One of the things I think we should do is allow the Chicago Public School system to hire the best possible people available. There's a Bill that could do

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that, that would allow Chicago to hire outside the city limits. We're not acting on that, that might help 100 percent of the kids in these poor performing schools. Those are the kinds of things I think we should be talking about. I have one question though, that's interesting to me. The students that get to leave the lowest 5 percent performing school will be able to go to schools where the same restriction doesn't exist. Isn't that correct? The private schools that these students can take their vouchers to don't have the same restriction related to hiring the best possible teachers available."

Joyce: "That's correct."

Eddy: "Isn't that correct?"

Joyce: "That's correct."

Eddy: "So, let's work on things together in the future, even though we might disagree on this, that helps every single children, including opening up for the City of Chicago the capability to hire the very best..."

Speaker Lyons: "Roger, I'll give you another minute."

Eddy: "...the very best and brightest students. I supported Race to the Top because I think that could help restructure and re... reconstitute those schools in a way where we can provide every single student in the City of Chicago a better learning environment, and I know you'll help me on that. And let's work on that in the future. I just hate to see the kids we're leaving behind."

Speaker Lyons: "The Chair recognizes the Lady from Cook, Suzanna Mendoza. Two minutes."

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Mendoza: "Thank you, Mr. Speaker. To the Bill. Ladies and Gentlemen of the House, I rise in strong support of this legislation. We have failed generations of children because for decades Illinois has failed to reform education in this state. Parents in these poor, overcrowded, and failing schools only have one choice, and that's the choice to send their child to a poor, overcrowded, and failing school. What kind of a choice is that? How many parents in this chamber would or have sent their kids to one of these schools, not a single one of us. Why, because we'd never do that. And no parent should ever have to. We'll deal with these failures one way or another, we already do. When we fail them in their younger years, we fail them through the... we deal with them, I should say, through the criminal courts for decades on end. The evidence for school vouchers is there. Out of 19 studies conducted in cities and states where school voucher programs have been created, 18 of them find significant improvement in public school performance, suggesting that this competition works. Giving parents a choice means giving schools a new incentive to improve, namely the fact that these parents can take their students and the dollars to support their education elsewhere. Some say that we're giving up on public schools if we support vouchers. I'd counter that nothing could be further from the truth. As a matter of fact, the opposite is true. Florida has a similar voucher program to what this Bill would create, and in the 10 studies that have been conducted on the impact of the voucher policy on public school performance, all 10 studies



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have found that providing school vouchers has helped improve Florida's worst public schools. Let me repeat that, folks. All 10 studies have found that providing school vouchers has helped improve Florida's worst public schools. Rarely, in social science..."

Speaker Lyons: "Representative Mendoza, we'll give you one more minute."

Mendoza: "Thank you. Rarely, in social science are the findings so consistent. Students benefit merely from having the option to use a voucher, even if they choose to remain in a public school because the competition for students has forced those schools to improve. Give these kids a chance to learn. Most will fail if we do not intervene now. We will have made a choice to give up on another generation because our intervention without it, nothing will change for them. Nothing and let's not pretend otherwise. My district, folks, it has parochial schools that are struggling to stay open because of low enrollment and yet my neighborhood CPS schools are busting at the seams. Some schools hold classes in reconverted bathroom or janitorial closets. It's absurd. Kids are being bused out of their neighborhoods, having to deal with gang boundary issues and safety concerns all the time. How is this a better option for them than being able to walk a few blocks to a parochial school in their own neighborhood. I say, let parents decide what's best for their child. Give them an option. Give them a choice. Parents whose kids go to private school pay taxes. So..."

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

Flowers: "Thank you, Mr. Speaker and Ladies and Gentlemen of the House. I have a Sun-Times article here dated May 2, it says the kids deserve a better education. The research on vouchers is inconclusive. Some kids do better, but many see no changes. A study released last month on Milwaukee's large voucher program found that voucher kids do no better, according to the Sun-Times. It says voucher kids do no better. Ladies and Gentlemen, my question is, who hired these teachers to teach our students? Were they qualified? When you walk into the bathroom and the urinal doesn't work, who was supposed to fix it? Where is the money going to go to when these children are forced to go to a private school and the tuition is \$6 thousand? The fees for the schools is \$400 and there's no transportation to get the children back and forth. And when the students fail, who's going to be there to lift up that parent, who must work three part-time jobs to make end meets? Who's going to be there, Ladies and Gentlemen? I agree with you, Representative Bassi, we failed the children because we knew that the State Board of Education was not doing its job. We knew that the Chicago Public Schools was not doing their job. When they had inadequate teachers, not all teachers, because we've had teachers to come down here and testify that they went into their pockets to spend their money to educate their children. They bought coats. They bought clothes. They bought food. Only to note..."

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Speaker Lyons: "Representative Flowers, we'll give you one more minute."

Flowers: "Every time I tried to pass legislation to deal with the inadequacies of what was going on in the school, Representatives, I was pushed back. My child went to the Chicago Public Schools. I know exactly what was going on. And every time I came before this Body, asking for help, it fell on deaf ears. So, if you think this is going to be the answer, you are sadly mistaken."

Speaker Lyons: "Representative Lang. Two minutes for Leader Lou Lang."

Lang: "Thank you, Mr. Speaker and Ladies and Gentlemen. First let me say that I applaud the efforts of Senator Meeks and Representative Joyce, and all the Sponsors. Their motives are pure. Their desire is the desire of all of us, to improve education for kids in Illinois, and we know that our education system isn't what it ought to be. I read with great interest one of the major Chicago newspapers, a couple of days ago, that pretty much said if you oppose this Bill it must mean you're in the pockets of the teachers' unions. I didn't hear any comment about teachers here today. This has been a good and rational debate about kids. You can disagree with this Bill and not have it have anything to do with teachers' unions. You could just believe in a strong public education system. Ladies and Gentlemen, we have a sacred responsibility to educate kids and we haven't done it well. We have a sacred responsibility that we have failed, but it is our responsibility. Shirking it off to others is not our

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responsibility. We have... our job is to uplift public education. If there... if there are bad schools in the city and other places in the state, instead of taking the best and brightest out of those schools and moving them to other schools, making those schools even less good than they were before, so that those who can't escape those schools have a worse school to stay in, let's find the money to send an army of teachers to those schools and improve them. Let's not let people escape those schools; let's improve those schools. And so, we have a responsibility that we're... we've failed; we all acknowledge that. Maybe instead of a voucher Bill for some kids, we ought to dismantle the entire public school system and find a way together to revisit it, and to find a way together to improve public schools all across the State of Illinois so that those kids in Mr. Dunkin's district don't have to suffer the way they are today. Our res..."

Speaker Lyons: "Lou, we'll give you another minute."

Lang: "Thank you. Our responsibility is to uplift. Ours is not to do anything else. If we want to work together and improve and create a revolution in public education, we can do that together even with the scant resources we have. We can bring people to the table and do that. This... this, while well-intentioned and certainly will improve the education for the few, will hurt the education for the many. We have a responsibility under our Constitution to educate public school kids. To educate public school kids, our first and most sacred responsibility and to take public dollars, no matter how well-intentioned, to send them off

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to private schools, when there are other students that need our help that would remain in those public schools is, in my view, a dereliction of our duty and voiding of our responsibility. Let's not give up on the kids that are in our public school system; let's make it better for them. And I don't believe this Bill does it. I would urge 'no' votes."

Speaker Lyons: "The Gentleman from Cook, Representative Art Turner. Two minutes, Representative Turner."

Turner: "Thank you, Mr. Speaker and Ladies and Gentlemen of the Assembly. I couldn't have said it better than Representative Lang, but let me just give a little history. And first of all, Representative... Mr. Speaker, can I ask, what is the status of this Bill?"

Speaker Lyons: "Mr. Clerk. Status on the Bill."

Clerk Mahoney: "On this Bill, Amendments 1 and Amendment 3 were adopted. Amendment #2 was withdrawn."

Turner: "I guess the question that I'm asking, is this Bill on Extended Debate or is it on Short Debate? It's on Extended Debate? Mr. Parliamentarian? No, he took it off. Eddy... Representative Eddy asked to have the Bill taken off of Short Debate."

Speaker Lyons: "Well, we... Representative Turner, we're letting this thing go. I'm giving everybody two minutes and an extra minute if needed."

Turner: "Representative, I need more than two minutes to talk about this and I respect everybody else saying that two minutes, but I'm the guy that has the 10 worst schools in the State of Illinois in my district. So, it's my district

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you're talking about bussing these kids to wherever they're going to go with their vouchers and if I... could... if you would just bear with me. I know it... I need more than two minutes just to say what I want to say."

Speaker Lyons: "I'll give you two minutes, Representative and an extra minute. How can I go back to everybody? There's 17 other speakers."

Turner: "I don't expect you to go back, Representative."

Speaker Lyons: "Okay."

Turner: "I'm just saying..."

Speaker Lyons: "We'll give you two minutes, Representative."

Turner: "Okay. Let me first of all give you just a little history, that years ago there was a guy, the late Joe Kellman. Joe was the founder of Better Boys Foundation. The Better Boys Foundation was where I first started working when I was a teenager. Joe was the guy that founded Corporate School of America. His thing... because public schools were so bad and he used to meet with me on a regular basis saying, you got to do something about public schools, businesses ought to be running it. And so, this... the public school system created or allowed there to be called the Corporate School of America. The Corporate School of America was a school that was run by corporations, all the business executives and they came in... and the school's located on Sacramento Boulevard... it stayed open for about four years. And the whole intent was not to spend anymore money than was currently being spent on schools and kids in the Chicago... Chicago Public School system. Five years later, it was... the school failed... I

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won't say failed... for whatever reason they shut down. The public schools of Chicago could not take those kids back because they did not meet the standard qualifications of all the other kids in the school. In fact, the founders of the Corporate School of America had to pay for these kids to get remediation to be sent back into the Chicago Public Schools. This was the corporate school; these are business guys that say that they know how to run schools. A few years later we created local school councils. And I had a big debate in this chamber about local school councils and we said... and in fact, I always looked at it as the Chicago Board's way of abrogating its duties in terms of not educating our kids. So, we created these local school councils and said if the parents are involved, they can run the schools. And I said, that does not work in poor communities where the mothers of the children of the schools that I represent start... those mothers are... in many cases, not all of them, some of them are high school dropouts, have three and four kids by the time they're age 20 and now, we have these parents deciding who the principal of the school's going to be. These six parents, many of whom do not have a college..."

Speaker Lyons: "Representative Turner, continue."

Turner: "Many of whom do not have a college degree and then say we're going to let them choose the principal. They're going to be the ones that are going to run the school. They're going to figure out budgeting. And so, for those proponents of local school councils, they came in and said, well, guess what, Art, we're going to train them. So, we

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gave them all ki... I can't tell you the millions of dollars that we spent trying to train these parents. And the dichotomy of it was, is that once your kid graduated from that school, you could no longer serve on that council. So, we trained somebody after six or seven years where they have some understanding of budgets and maybe understand education, not a college degree, but now they can no longer serve on that council and we start all over again. And you wonder why the schools are not performing where they should be performing. So, along comes charter schools and I sit up on this floor and said I support charter schools. I think it's a good idea. And I know, one of my colleagues, we had a big debate here and everybody loved it. Everybody thought it was great, but those charters, and let me say this, I have more charters in my district than anywhere else in the state. And right now, those charters are saying... and most of them it is true... you can count, maybe one have failed..."

Speaker Lyons: "The Chair recognizes the Gentlemen from Fulton, Representative Mike Smith for two minutes."

Smith: "Thank you. Mr. Speaker, I yield my time to Leader Turner."

Speaker Lyons: "Leader Turner."

Turner: "Those charter schools, many of whom have a 100 percent graduation rate right now, have kids that are going on to college and I've visited a few. I was just at one the other day. I visit all of them. I also visit those underperforming schools, and let me say that... say this. I have an organization in my community that's working with



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four of the ones right near my home and we have volunteered. We go in, we have a tech center and those kids come over because we're working with the teachers and we're starting to see some improvement in those bad schools. Whether I'm saying this about charter schools, they are working. The jury is still out, but there's parental participation, kids are graduating. You can go in there. Kids are sitting and they want to learn. And I've often said that, well, let's see what they're doing in charters and put it in the Chicago Public Schools. This... you don't have to be a math science to do it. And I know that the unions didn't support it and in fact, now there's unions in the charter schools and all of that's good. I didn't argue whether a teacher was unionized or not, but I said let's see what works. And let me go further by saying I had two kids... I have two kids who went to public schools. My wife and I had this debate when the kids were firstborn. As an elected official I said I'm sending them to the neighborhood school right down the street, one of the 10 worst performing. My kids went to preschool edu... they went to preschool. At age three they were in preschool. We owned a children's clothing store and I used to stand in the store and watch the mothers that came in with their three-year-old, their four-year-old, their five-year-old who was not in preschool and often scratched my head and said, my son could wind up marrying that kid down the street. There's a big disadvantage in terms of this kid, my kid having preschool and that kid did not. If we want to do something, let's mandate preschool education for all

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kids. Let's put the money in preschool and move from there. But the point I'm making is they didn't go to that school. My wife won out. They got in a magnet school, magnet school. They got on the bus. The bus picks them up at a quarter to eight, school starts at 9. I live..."

Speaker Lyons: "I'll give you another minute, Representative."

Turner: "Yeah. I got a few people that said they're giving me their time. I'll share their names with you. But I would get on that... I would put my kids on the bus at a quarter to eight, school starts at 9. I could drive to the school in 10 minutes. So, when I wasn't in the Legislature, they got to ride with dad. And the education they got in that 10 minute ride with dad was a much more informative education than that one hour bus ride, riding around the city. If we're talking about giving kids vouchers, let me add this, too, because in this same area where you want to help these kids, there's only one Catholic school still there. One Archdiocese school and I've talked to Father John, and he says, yeah, he's got a hundred spots. There's 500 kids, but he's got a hundred spots. So, that means the others are going to have to ride the bus. Are you going to provide these kids with a breakfast roll to eat while they're trying to take this bus ride to get to that school which is an hour or two hours away? No, we're not talking about doing that. We just want to give them the voucher which will pay for their tuition. It's the wrong thing to do. And instead of putting my kids on the bus, I drove them there because that 10 minutes education with their dad was much better than what they were learning on the bus..."

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Speaker Lyons: "The Chair recognizes Representative Chuck Jefferson for two minutes."

Jefferson: "Thank you, Mr. Speaker. I'd like to yield my time to Art Turner."

Speaker Lyons: "Two minutes, Art Turner."

Turner: "These kids riding that bus for an hour, hour and a half, it makes a big difference in their life. You should be able to walk to your neighborhood schools. When we created these magnet schools, I said then that it makes no sense we keep skimming the best off, sending them elsewhere and everybody else... the kids who may want to do better, they don't have anybody, they don't have a peer to look at to say I want to do better, I want to be little Art. I want to be as smart, too, you know, I want to try to do better. That... that was taken away because little Art wasn't there, he was down at the magnet school. No complaints. He loved the magnet school. He did very well there. Got accepted into Magnet High School, Whitney Young. The other one was set for Lane Tech. This was when Michael Jordan was coming out with a pair of shoes every month. You know, a State Reps kid can't afford a pair of Michael Jordan shoes every year and I told my wife, we're not sending him to Whitney Young. One of the top 10 schools in the city. We're going to send him to Providence St. Mel, private school, they wore a uniform, khaki pants, white shirts and leather shoes and that's what charters are doing in terms of uniforms. It's already been said that uniforms do make a difference, but no, we didn't send him there, we sent him to a private school that, by the way,

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costs \$6,500 if you want to send your kid to that private school. I don't believe the voucher is going to cover that to send that kid to Providence St. Mel. The issue is, deal with the schools that are there. We've got some models right now that are working. This voucher is a... sounds like a great idea, but let me tell you, for the kids who you're talking about bussing out and I have to say this because I also have an educator in the family, my late sister-in-law was a principal at a school who moved to the suburbs, took her kids out of the public schools in the city and who moved to the suburbs. Let me tell you the battle she had with those suburban school teachers who this was a new anomaly to them. They hadn't seen these two little kids from Inglewood and thought that there was, you know, these kids are hyper, something's wrong with them. Want to put them in a special class and set them to the side 'cause they just didn't seem like normal kids. Those kids now both have college degrees because their mother insisted that there was nothing wrong with them and she.."

Speaker Lyons: "Representative, I'll give you one more minute."

Turner: "Okay. She knew what to do. I can go on and on and share with you these examples. There are a number of people that are opposed to it. Our schools need improving. I'm not here saying that I don't want my schools to do better. I still live in my community. I live in the district. The law says we have to live there, but I did that by choice. I didn't... and I'm not leaving. I'm going back to that district now, but if you want to help those kids in my community, you're not going to help them by

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giving them vouchers and telling them you can get on the bus and ride two hours away and some of you hear about the violence in the city and what goes on there. It's a challenge even for the kids that are bused in that ride... on charter... at charter schools. Giving the kid the vouchers is only going to help a small few, but that is not the solution. I'm here to tell you today that if we're going to do something, let's mandate early childhood education, let's mandate adult education. I think the schools should be open where when the parent drops that kid off, especially, these mothers that are not working, there ought to be a door where they bringing their kid in, there ought to be another door for that parent, where she or he goes and sits down and we can teach them about family values; we could teach them about home economics, how to raise a kid, how to take a \$5 and make it a meal for a week. These are..."

Speaker Lyons: "The Chair recognizes Representative Golar for two minutes. Representative Golar, two minutes."

Golar: "Thank you, Mr. Speaker. I'm referring... giving my minutes to Representative Turner."

Speaker Lyons: "Representative Turner."

Turner: "These are the things that are going to make a difference in our community. Let's provide breakfasts for these kids. Don't put them on a bus. A two-hour bus ride, they're not going to do their homework. Two hours to go, two hours at the end of the day. Why... That's a disadvantage to these kids. If you want to help them, help them at home. Help them in their communities, improve the

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schools in their area. Chicago Board, get busy. Do what you're supposed to do to make education available and equal for all kids. Let's not take the cream of the crop, skim it off. Let's not take the worst of the worst and send them away. Yeah. Many of our kids, they say, are considered just... you've got the special ed component... Let me put my glasses on here. Yeah. There are... the answer as I said is that let's address the need for the majority. Let's not keep skimming them off. Let's not skim off the best and let's not skim off the worst. Keep them all together. When I went to school, that's where we went. You had college kid, you had the broke kid, and you had the regular, all in the same building and believe it or not, over a four-year period of time there were kids who changed because... just because of who their seatmate was, who their colleague was. This is the wrong thing to do. It's a simple solution. And to the Archdiocese, I want to tell them, maybe if we sell a few of those gold chalices, we could have kept some of those schools open in our community. I think those buildings should have been available, but it... they're not there now and I don't want to send my two hours away to talk about getting a better education. Let's educate them at home. Let's vote 'no' on this Bill. And at the proper time, Mr. Speaker, I call for a verification of this Bill."

Speaker Lyons: "So noted, Representative. The Chair recognizes the Lady from DuPage, Representative Senger. Two minutes, Representative."

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Senger: "Thank you, Mr. Speaker. I was going to ask Representative Turner if he needed more time, but I got in just in time. Listening to what's being said here, particularly by Representative Turner, two simple truths. Number one, we still have issues and we're looking at the schools that are the lowest performing schools. That's a simple truth. Number two, we've looked at some things and came up with some ideas. Charter schools were debated as much as what we're debating vouchers now. And we're looking at that as seeing it... seeing that as a solution. The simple truth is we have an issue still in your schools and we're going to send kids there next year no differently than what we're doing now. And I hear what you're talking about and I feel your pain. The other piece is that these schools can't go any lower. That's been said by many others. They can't get any worse. The reality of this, the model that this has been basically formed from is the form... the model that's being used in Florida. And a Representative talked already about how this form... the schools in Flor... in Florida were the worst performing schools. They were the failing schools. Not only did the kids with vouchers do better, but the failing public schools improved in the 10 studies. So, this is doing nothing different from what we debated before to improve our schools. This is a good design. This is a good method. This is what we want to do for our kids, particularly our failing kids."

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

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Bellock: "Thank you very much Mr. Speaker. To the Bill. I respect all the opinions of everybody that's spoken today, especially Representative Turner, Representative Flowers, Representative Davis, Representative Dunkin, and all the people on our side of the aisle. I guess the last thoughts are, yes, we want to improve all the schools for the children in the inner city in Chicago. We want to vote for a lot of the Bills that you have mentioned today. We even voted for the Bill that Representative Flowers had on the hand washing, because we thought that would help some of the schools. We... this year, when Representative Eddy said Race to the Top would help the children, that 50 percent would not graduate from high school. That was not something that affected all of our areas, but we knew that it was something that we helped would help the solution to help children in schools. I know there's a lot of other pieces of legislation that can help these children. We want to improve public education in Illinois, but at this time, at this day, we all have the opportunity here right before us to do something for those 30 thousand children that could be given an opportunity. Maybe it won't succeed, maybe we'll have people in Florida talking about what happened in Chicago, or what happened in Illinois, but don't those 30 thousand children deserve a chance that we could give them today? Thank you."

Speaker Lyons: "The Chair recognizes the Gentleman from DuPage, Representative Randy Ramey. Two minutes."

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

Speaker Lyons: "Sponsor yields."



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Ramey: "Excellent. How are you doing Representative? A couple question for you, Sir. Are there any benchmarks in the Bill?"

Joyce: "Just a reporting requirement back to the Legislature."

Ramey: "I'm sorry, what's that?"

Joyce: "A reporting requirement back to the Legislature in 2015. There's also a requirement for all of the students that elect to go to a nonpublic school to take the same test, the ISAT test that they were required to take in the public school."

Ramey: "So, that's how we're going to measure success with this Bill?"

Joyce: "There's, you know... Representative Ramey, there's been multiple studies. You've heard commented by from all of the different Representatives about what one study may say, what another study may say, you know, I think you measure the Bill on a long-term pro... a long-term basis to see how kids have gotten educated and where they've gone from there."

Ramey: "Well, because we no longer have that sunset date, right? So, you're looking at a long-term..."

Joyce: "The sunset date was never in there in the first place."

Ramey: "Oh, it was just a suggestion?"

Joyce: "It was a suggestion."

Ramey: "Okay. Then... and I've heard this mentioned a couple times in our... is it true, then, are we taking the best of the best out of these poor performing schools?"

Joyce: "No, that's not true at all."

Ramey: "Okay. But that had been said on the floor today."

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Joyce: "Yeah, but it's... it's totally untrue."

Ramey: "So, it could be a..."

Joyce: "This is actually, according to the Illinois Education Association, the worst of the worst schools, the schools that can't... that couldn't get any worse."

Ramey: "Okay. So, when these kids go to these new schools and they don't perform to those standards are... what happens? Are they kicked out? Do they continue to stay? Are they put back in their old schools?"

Joyce: "If the kids, you know, our end of it is if the kids are for a reason... they would be treated like every other kid in that school, and if they were not... if they were failing they'd probably be held back, if they were..."

Speaker Lyons: "Time has expired. One more minute, Representative Ramey."

Ramey: "You got to let... finish your..."

Joyce: "If there were disciplinary action... disciplin... disciplinary actions needed, then those would be applied the same way they'd be applied to any other student in that school."

Ramey: "Okay. One last question for you, Representative. A friend of mine is a single mother, works two jobs, sends her child, only child, to a private school. Will she be able to access a voucher?"

Joyce: "Are they currently enrolled in a private school?"

Ramey: "Yes, Sir."

Joyce: "No, they will not."

Ramey: "Okay. Thank you."

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Speaker Lyons: "The Gentleman from Cook, Representative Jim Durkin. Two minutes."

Durkin: "Thank you, Mr. Speaker. I'll be very brief. You know, we talk about public moneys and... being used in perhaps private institutions. We've talked about whether or not this is constitutional or not. I just want to just, you know, some people may be thinking is this a good vote, is this going to be something that'll be challenged down the road which may get thrown out. And I also want to at least provide a little basis for the record, but this is something that this chamber has done in the past. In 1999, Representative McCarthy passed the tuition tax credit Bill. That legislation was challenged. It was challenged under the Establishment Clause. Are our highest courts felt that... they held it was constitutional. They took the analysis that legislation of this type... it does not violate that First Amendment of the Establishment Clause. If it has a secular purpose, it has a primary affect that neither advances and does not produce excessive government entanglement with religion, that is the law in Illinois. This is a similar type of program. But more importantly, in 2002 the United States Supreme Court ruled on the Ohio voucher program. They held that it was constitutional. They held that the voucher program did not offend the Establishment Clause because the program was enacted for valid secular purpose of providing educational assistance to children in a demonstrably failing public school system. The court held that the government aid reaches religious institutions only by way of deliberate choices of numerous

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individual recipients. The program was found to be one of true private choice and is neutral in all respects toward religion. The incidental... the advancement of religious mission or perceived endorsement of a religious message is reasonably attributable to the in... excuse me, the individual aid recipients, not the government whose roles and with the disbursement of benefits. I live in the suburbs and I had some reservations at first 'cause it doesn't help anybody in the suburbs, no one in the collars, and also downstate. I would prefer that the Bill would have a more expansive, you know, application, but it was very difficult for me to say that when we do have schools that are failing, particularly in the City of Chicago, that I'm not willing to take a chance or take a risk on these kids that give them a better life. That's why I'm supporting this Bill."

Speaker Lyons: "The Chair recognizes the Gentleman from Cook, Representative Will Burns for two minutes."

Burns: "Thank you... thank you very much, Mr. Speaker. To the Bill. With all due respect to the Senate Sponsor and House Sponsor of this Bill, I understand that they support this initiative. I believe they are good people; they're trying to do the right thing, but the Bill that we should be debating right now is House Bill 174. I supported House Bill 174 last year in committee, and the reason I did that is that because I believe that the words of our Constitution are plain. The state has the primary responsibility for financing the system of public education. This state has the responsibility of creating

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an efficient system of high quality public education institutions and services. And the reason why the schools are failing throughout our state and the City of Chicago 'cause I want to point out they're not just failing schools in Chicago, they're failing all over the state. The reason why they're failing is because we have failed them. We have consistently failed to live up to our responsibilities under our Constitution. We're supposed to have the primary responsibility for financing public education, yet in the last 20 years, the high-water mark for state financing of public schools was only 39 percent of the total cost of education. The State Board of Education estimates that our foundation level should be set at \$7,992 per pupil. It is currently in the last fiscal year, \$6,119 per pupil, off by nearly 25 percent. The Governor's introduced budget set that level at \$5,711 per pupil. A tremendous reduction in what we know we should be doing to support public education. So, we fail the public schools, we fail the children in those public schools, and then we say take \$3 thousand and go some place else. We need to live up to our responsibilities, Ladies and Gentlemen. For that reason, I'll be voting 'no'."

Speaker Lyons: "The Gentleman from Cook, Representative Ford."

Ford: "Thank you, Mr. Speaker and Members of the House. I rise in support of the legislation because I know for a fact that in our society about 10 percent of the people make \$250 thousand a year. And because of the social injustice.. the social injustice has divided our state and our society for too long. The social injustice provide options for

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some people that others just don't have the options, like to go to private schools because they can afford it, like to go to Harvard, Yale, or... or like my daughter does to St. Giles. But she has friends that their parents wish that they could go and send their kids to Catholic schools, but they just can't afford it. Even if we pass House Bill or Senate Bill 174, our kids will still suffer. I could care less about House Bill 174 until it proves that it's going to improve schools. So, House Bill or Senate Bill 174 does not guarantee anything for these kids, and every day we come up with new Bills. That's why the Consti... Illinois Handbook gets bigger and bigger all the time because we're trying to improve it. So, I'm telling you today that this may not be the perfect Bill, but it is a step in the right direction. And every kid deserves a break. Every kid is looking to get out of the ghetto by any means necessary. So, I... I have no faith in the Chicago Public School and I'm very proud to say that. And everyone here continues to talk about all the problems that our school systems are facing but yet we don't want to give some kids an opportunity. I say vote for this Bill because every kid deserves a break and that's what this Bill will provide. Thank you."

Speaker Lyons: "The Chair recognizes the Lady from Cook, Representative Berrios. Two minutes, Representative."

Berrios: "I'd like to yield my time to Representative Mendoza."

Speaker Lyons: "Two minutes yielded to Representative Mendoza."

Mendoza: "Thank you, Representative, for the yield. I just want to go back to what I was saying earlier and address

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some of the.. the previous speakers, who I have the highest respect for. With the issue of private schools and the funding going to private schools, I mean, let's be honest here. Parents whose kids go to private schools pay taxes. So, fairness predicted that they should also see some benefit from their taxes. If their local CPS school provided a quality learning environment, then great; they'd be seeing some of that benefit, but in these cases, that this Bill is looking to target, CPS has failed these taxpayers and their children miserably. And so I see no harm in giving parents a choice. Folks, this is one of the most important Bills that we will ever vote for in terms of education. And going back to what some of the previous speakers have talked about with House Bill 174, let me remind you, I voted for House Bill 174. I have been a consistent supporter of House Bill 174, but I also support this because I can chew gum and walk at the same time. We can deal with two very important issues and support them both. When we talk, and we've heard some comments about having to bus children far away from home and people don't want to do that. You know what, that's what this is all about. This Bill is about giving people school choice. If you don't want your kids to leave the school that they're currently at, guess what, nobody says you have to. Keep them where they're at. But if you would like a choice for a better educational choice for them, great, we're going to give it to you. Move them to an area where they can be. The parents are willing to transport the kids, more power to them. The children in my district right now, and

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Representative, you should know, these schools, some of them are in my district. They're incredibly overpopulated, the kids get bused out, they should be able to stay at home, go to a good school down the street for them and be able to learn. Let's not fail them. Please, I urge you, and I implore you, give these kids a chance."

Speaker Lyons: "The Chair recognizes the Gentleman from Lake, Representative Eddie Washington. Two minutes, Representative."

Washington: "Thank you, Mr. Chairman. To the Bill. You know, I'm glad that we're having this debate, and then I... I'm sitting here wondering what comes after... what comes after this? I always believed that it was better to have something and not need it than need it and not have it. And I always believe in competition. And I think that if some of us think that other schools can do better than public schools, then that's... that can be, you know, an iffy kind of a situation we really don't know. And I don't know how many children will be helped. I think the Sponsor said we were talking about some 30 thousand children. You know, I'm wondering how many of those 30 thousand can actually even take advantage of this because the number of schools that Mr. Turner has said were closed and other things, transportation challenges, the lack of food. This is not a one size fit all, and it's definitely not a perfect initiative. That is not. But I... I thank the Senate Sponsor, because what he did is bring together, how long do we continue to wait on us to do better? I mean, how long do we sentence people to be chronic failures in schools



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that have never gotten to the test scores and the things that they should. And it makes us look at the teachers and how they're protected when they're bad teachers, and how many hoops and loops you have got to go through to extract them out of the district of teaching our children. I know I have a position on this Bill and I'm going to wait for the final comments of it, but I... I thank the Senate Sponsor. I thank him for his con... continuity in caring about the children of the State of Illinois. And I thank you all for this spirited debate."

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

Mulligan: "Thank you, Mr. Speaker. To the Bill. I think there's some misconception here that parents will have a choice of where their child will go. I don't think they have that choice. I think the school has the choice, the private school. And I think there is a premise in this country that all children deserve a public education. I think that this does not fulfill that. The decision on a voucher being used at a private school is not ultimately up to that parent, and it's going to be such a small percentage of kids that will be helped by this. You also cannot legislate that parents care about their children, and I think that's one of the really big issues here. I think the difference in when you send your ki... kid... child to a public or parochial school or a private school is that the parent has something invested in the child and they care and they pay more attention. I don't think that necessarily happens because the people that worked on this

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Bill care about children or think it's a good idea. Personally, I think there's no real information how current lawsuits, such as Corey H., will be dealt with. I think there will be problems with other lawsuits that the state will be forced to defend and spend money on. I think the real issue here is, are we going to leave here and take money out of domestic violence, which certainly is a problem for small children. Are we going to not fund day care and early childhood education, and early intervention? Those are the things that make a difference in a child's education before they start school. If you don't intend to work on a budget and do a line item and pay attention to those, this vote will not make a bit of difference in anything that you do. Public education is started and the foundation of any education long before school starts. I urge you to pay attention to the overall budget, not this Bill."

Speaker Lyons: "Our last two speakers will be two persons whose name were used in debate, Representative Dunkin, Davis, and then Joyce to close. Representative Dunkin, your name was used in debate."

Dunkin: "Thank you, Mr... thank you, Mr. Speaker. I sincerely appreciate that the leadership that's gone into just bringing this issue up. I was really never a proponent of vouchers, and I actually look at this Bill as an opportunity for... simply for a parent to help educate her... his or her child. With so many of those schools being in my district, you know, it's embarrassing and it's sad to see exactly... well, actually... most of us in my class, class

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of '03 Representative Joyce, Representative Eddy, and a number of other classes, we had one of the largest classes in this 2000, the first 10 years. We've been here about eight and a half years. The kids who started in kindergarten and first grade in these worse schools in Art Turner's district, Representative Collins' district, my district, and others, they are graduating from eight grade, into what? Within two to five years, maybe six, they are going to the penitentiary. That's what happens when you come... when you come from... from nothing almost. This is the bottom 10 percent of the entire City of Chicago. If there... if a building is on fire, you don't run back in the building, do you? This is an opportunity for us to do the right thing. It merely gives parents an option. Recently, there was a study done on this Bill, on this very Bill, and in some of our districts you'd be very surprised what the results were. In Representative Esther Golar's district, it said do you support school choice for those Chicago's... for those in Chicago's worst schools, 91 percent said yes. In Representative Sente's district, would you support school choice for..."

Speaker Lyons: "One more minute, Mr. Dunkin."

Dunkin: "...would you support school choice for those in Chicago's worst schools, 86 percent. I can go on and on about a number of our colleagues here; 90 percent in Chapa LaVia's district, 91 percent in Mitchell's district, 91.3 percent in Representative Burns' district. Ladies and Gentlemen, this is not the answer in totality, but this is the Bill that's before us right now, and it all... all it

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does is it gives some of the poorest kids an opportunity to do, maybe, to do a little bit better. Until we can get our act together, and come from number 48 to number 1 or number 2 in America, in how we fund public education. So, vote 'yes', vote 'aye', just to get this... these kids and these babies an opportunity to succeed. I would encourage an 'aye' vote for now, and let's vote for House Bill 174 the next time."

Speaker Lyons: "Representative Monique Davis and then Representative Joyce to close."

Davis, M.: "Thank you, Mr. Chairman. And with all do respect to Representative Joyce, first, I'd like to say that the current trend in Chicago is closing schools under the renaissance 2010 plan. The voucher program will decrease Chicago Public Schools enrollment. Vouchers will accelerate the school closure process in the City of Chicago. I think it's only important that I share with you who the proponents are: Catholic Conference, Agudif, Israel, concerned Christian Americans, Archdiocese of Chicago, Freedom of Religion. The opponents are: Chicago Teachers Union, Illinois Federation of Teachers, Illinois Education Association, School Management Alliance, Illinois State Board of Education, LUDA, Large Unit District Association, Illinois High School District Organization, American Association of University Women, ED-RED, LIND, SCOPE, Chicago Principals and Administrators Association, Citizen's Action, American Civil Liberties Union, the Laborers Midwest Legion (sic-Region), AFL-CIO, and AFSCME. I'm really proud to be supported by and in agreement with

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the group of opponents who support public education in the State of Illinois. How much longer... how much longer can we forget about our responsibility of providing a public education for all children and stop nibbling around the bits with charter schools here, vouchers there, magnet schools here, and ignoring the majority of our children? The majority of our children need our support, and this Bill does not answer that. Thank you, Mr. Speaker."

Speaker Lyons: "...Joyce to close."

Joyce: "Thank you, Mr. Speaker, Ladies and Gentlemen of the House. You know, I've been coming to Springfield either to watch the Legislature or as a Member for the last 31 years. As a child, I would travel down here and my father would go to work, I'd work as a Page in the months of May and June, but for the past 8 years, I've had the great honor of representing the people of the 35th District. Together all of us here have witnessed many legislative battles, as Members of the Illinois House of Representatives, and we've been entrusted with an awesome responsibility, and I know this is a tough issue for all Members here. And I want to thank all of you for giving me your time and your ear. You've been willing to listen, and you've allowed me to state my case for the legislation that is before us at this moment. This Bill is simply an attempt to help the children of the poorest performing and most overcrowded poverty stricken schools in the City of Chicago. It simply would create an opportunity for a child to attain an education that his or her parents or guardians choose for that child. This is not an attempt to bust the Teachers

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Unions, and it doesn't cost the state any more money, or take money from any other school district. Before I close, I'd like to take all of you on a journey. I'd like you to go back in your mind, go back in time to when you first decided to pursue a career in public service. For some of you, it's over 30 years ago, for others it's less than a year, but whatever the case, think back to the way... to why you ran for office. Was it for a pension, I doubt it. Was it to protect the leadership of a union, I doubt that. Actually, in all cases, I believe each and every one of us here got involved and try to make a difference in the lives of our fellow man. For me, and my journey, I watched many Members of the Illinois General Assembly over the years work tirelessly to help others. As a matter of fact, I believe that applies to most, if not all, in this room. I watched... speaking of House Bill 174 and House Bill 750... I watched Dawn Clark Netsch, in the State Senate and later as a candidate for Governor, put her career on the line for kids and for education. She wanted to change the funding formula in the State of Illinois. She wanted to make sure that every kid could get the same education regardless of where they live. You know, and then I watched in 1997, Jim Edgar on this very floor, the Governor of the State of Illinois, passed the very Bill out of this House that Dawn Clark Netch ran for Governor on, and that he beat her on. He changed his mind. He helped pass it. Unfortunately, it didn't become law. Today, I watched our Leaders, Tom Cross, Mike Madigan, get involved in an issue to try to help kids in the State of Illinois, in particular, the City

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of Chicago. I've watched Reverend Senator Jim Meeks put his name and reputation and leadership forward on this Bill, and it's brought us together to this place. We're on the same journey. Imagine we're on a bus and we're driving along, and we're on this highway trying to find some solutions for the kids in our state, kids in the City of Chicago. And we look out the window and we see these kids drowning. Do we stop the bus? Do we get out and try to save as many as we can, or do we keep going on the promises of what may come tomorrow? I thank all of you very much, and I'd appreciate an 'aye' vote."

Speaker Lyons: "I want to thank all 117 of you for your very spirited and respectful debate. Representative Turner has asked for... Art. Turner's asked for a verification. So, Members push your own switches, please. The question is, 'Should Senate Bill 2494 pass?' All those in favor signify by voting 'yes'; those opposed vote 'no'. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Have all voted who wish? Gordon, Hernandez, Watson. Have all voted who wish? Mr. Clerk, take the record. On this Bill, there are 48 'yes', 66 'no', and 2 'present'. Mr. Joyce. Mr. Joyce."

Joyce: "Postpone, please."

Speaker Lyons: "Mr. Clerk, put this issue on Postponed Consideration. Representative Frank Mautino in the Chair."

Speaker Mautino: "On Supplemental Calendar #1 appears Senate Bill 3514. Read the Bill."

Clerk Bolin: "Senate Bill 3514, a Bill for an Act concerning finance. Second Reading of this Senate Bill. Amendment #1

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was adopted in committee. No Floor Amendments. No Motions are filed."

Speaker Mautino: "Third Reading. Place that Bill on Second Reading. Take the Bill out of the record. Mr. Clerk."

Clerk Bolin: "Committee Reports. Representative Currie, Chairperson from the Committee on Rules reports the following committee action taken on May 5, 2010: direct floor consideration for Amendment #2 for Senate Bill 3658 and Amendments 2 and 3 for Senate Bill 3514."

Speaker Mautino: "On Supplemental Calendar #1 appears Senate Bill 3514. Mr. Clerk, and read the Bill."

Clerk Bolin: "Senate Bill 3514, a Bill for an Act concerning finance. The Bill is read for a second time today. Amendment #1 was adopted in committee. Floor Amendments 2 and 3 have been... Floor Amendments 2 and 3 have been approved for consideration. Floor Amendment #2 is offered by Representative Currie."

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

Currie: "Thank you very much, Speaker and Members of the House. This Amendment would borrow \$4 million to make our currently required pension payment... pension payment in the coming fiscal year. Nobody likes the idea of borrowing at this level..."

Speaker Mautino: "I would ask that the House bring the noise level down, give proper attention to the debate before you. Staff, please take your discussions to the back of the room. Majority Leader Currie."

Currie: "Thank you... thank you, Speaker. Borrowing is nobody's first choice. Borrowing is not a great idea, but I think



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it's better than any other alternative. An alternative would make... be to make \$4 billion worth of cuts in budget for the coming year and I don't think there's a Member on this floor who is prepared to jump off the plank and do that. So, I propose with this Amendment to do something very similar to what we did a year ago, and that is borrow the resources that we need in order to meet our commitment to the pension systems. This particular proposal comes from the Governor's Office and what it would propose is that we do two kinds of... of general obligation borrowing. One would be regular, go to the market, get the cash and give that money to the systems. The second would be to go to market with general obligation bonds, and give the bonds to the systems. In order for that to work, we would have to have clearance from the Internal Revenue Service, and this Amendment proposes that we would not do it unless the Internal Revenue Service said that it was okay from a tax perspective. So, here's the offer. Let's find a way to borrow the money we need to make the pension payments. I'd be happy to answer your questions, but I think that this is really a... a responsible alternative given other bad choices."

Speaker Mautino: "The Lady moves adoption of Floor Amendment #2 to Senate Bill 3514. On that question, the Gentleman from Vermilion, Representative Black."

Black: "Thank you very much, Mr. Speaker. I know we just went through a rather long and difficult debate, and the volume is back up. Can we have just a little order, please."

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Speaker Mautino: "Yes. With you in a moment. I would ask the Members of the House and the members of staff that are in the aisles bring your conversations down or move them to the back of the room. Mr. Black."

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

Speaker Mautino: "Indicates that she will."

Black: "Thank you very much. Majority Leader Currie, I'm trying to follow along here as best I can. Floor Amendment #2 authorizes, is it actual bonding borrowing, or is it some kind of debt instrument that's relatively new to us?"

Currie: "It would be... it would be bonding. And the bonds would be registered, they would be rated, they would be ready to go to market, but... and they would go to market, but instead of just going to the market with half of the bonds, they would go to the pension systems directly. So, the pension systems would get half of the proceeds in cash from the sale of the bonds, and they would get the other half in the form of bonds themselves."

Black: "On half of the financial instrument to be used, would there be any... statement isn't the right word... would there be any codicil on half of that that we don't want you to cash this. Don't cash it right now. Maybe cash it at a future date."

Currie: "They would have total flexibility to do as they wish. So, if they thought it was in their interest to sell it tomorrow, they could do that. If they felt it was in the pension system's best interest to hold on to it, they could do that."

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Black: "So, it wouldn't be... it... is it accurate or inaccurate to call this Amendment the private placement scenario?"

Currie: "It is not a private placement. Everything would go to market; registered, rated, but then the bonds themselves would go to the pension systems, half of them. The other half would be turned over in cash to the systems."

Black: "I'm sorry. Be turned over to the system in cash, did you say?"

Currie: "The bonds that were sold in the general market, the money that it would... that sale brought in would be turned over as a cash transaction to the systems."

Black: "Okay. Would there..."

Currie: "The other half, the systems would then hold the bonds, and then they could choose..."

Black: "Okay."

Currie: "...to do with them as they wish."

Black: "Last year, when we did this, one of the things, and I don't know all the ins and outs of the financial markets, who does, other than Goldman Sachs..."

Currie: "Oh, oh."

Black: "Do we... we didn't... I don't think the bonds were sold last year until January, were they, on the borrowing we did?"

Currie: "That is correct. That is correct."

Black: "I won't ask you to explain why, because I'm not sure anybody knows why. All right. Thank you very much, Representative, as always, I appreciate your answers."

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

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Eddy: "Thank you. Would the Majority Leader yield for a couple questions?"

Speaker Mautino: "She will. And again, I would ask the Members of the House to please bring the conversations down, and Representative Boland, Mr. Shaw, would you please move from the front aisle. Mr. Eddy."

Eddy: "Representative Currie, I have a question related to procedure here. Amendment 3, which we're not debating right now, and I... I would say... that becomes the Bill. Do you plan to call that?"

Currie: "I'm going to see what happens with Amendment 2 before I make any decisions. We're addressing Amendment 2 now."

Eddy: "Well, I appreciate that. I... I just wonder about this if Amendment 3 becomes the Bill. But let me ask you a couple questions about this Amendment. The debt service structure under this plan is kind of interesting, in that, I believe that in year one and two there... there's no payment on the principal. Is that accurate?"

Currie: "It is... it is back loaded, but that's because the pension obligation notes we did in January are not back loaded, and if we were to adopt this methodology, we would, in fact, have pretty much even payments during the entire 8 years counting the payments that we are required to make in the next fiscal year and the one after."

Eddy: "Okay. I see that part of it because it almost dovetails into something else, but my question is..."

Currie: "That's... that's exact... exactly the reason, Representative."

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Eddy: "Okay. But my question becomes... doesn't that, in effect, increase the overall cost of the bonds by back loading it that way, by no principal in those first couple years?"

Currie: "But if... it is fair that we would pay somewhat higher interest over a longer period, but because we are required to pay off the pension obligation notes that we let in January in this coming fiscal year and the year after, and given that we are not in rosy fiscal health this..."

Eddy: "Okay."

Currie: "...seems to be a more sensible way to go."

Eddy: "Okay. I want to get back to the issue, if I could very quickly, related to the... the half, the 1.9 of this being the... the I... I call them IOUs."

Currie: "Well, actually, it's... it... it's actual bonds. They've got the bonds; it's not IOUs. They can sell the bonds tomorrow, they can hold on to them. They're regular, registered, rated bonds. They're real. They're earnest."

Eddy: "Okay. Well, I mean, what... how is this split then? What is the difference between the 1.9 billion that... I guess, I'm calling IOUs and the 1.9 that we're kind of referring to as bonds? Are they the same thing?"

Currie: "They're the same instrument but one has been turned into cash and the other is held as bonds with the pension systems having the opportunity to sell... to do with them what they will. But the value to the systems..."

Eddy: "Okay."

Currie: "...is as a good. It's great."

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Eddy: "But if they tried to sell the 1.9 that I wouldn't characterize as... as liquid, would they get full value for those? Isn't there..."

Currie: "Sure."

Eddy: "...some difference?"

Currie: "I assume they would only sell them if they got good value."

Eddy: "Well, I guess I'm not sure why we're differentiating if they're the same. If we're calling them the same, I'm not sure why we're not differentiating between the two, half of the 1.9 that we call bonds and the other."

Currie: "Well, the rationale is to go to market with a stronger... from a stronger position because... because bonds that are used to pay pension debt are not considered quite as strong as those that might be sold in order to provide jobs or improvements in the infrastructure. So, this..."

Eddy: "Representative..."

Currie: "...is a way of getting really good value for the... for the bonding that we intend to do."

Eddy: "Okay. So, that portion, the 1.9 that I guess I'm going to call something other than regular type bonding, is..."

Currie: "They are regular bonds. It's just that the one group has been sold and the cash goes to the system..."

Eddy: "Let's say the one's they're holding."

Currie: "...the other have not been sold..."

Eddy: "Okay."

Currie: "...and the system has them..."

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Eddy: "Let me refer to those as the ones they're holding then for the right market conditions. Is... is there an issue related to federal..."

Speaker Lyons: "The Gentleman will be granted additional time."

Eddy: "Thank you. Is there an issue related to Federal Law on the tax-exempt status?"

Currie: "In my opening, I addressed that issue. The issue is that the Internal Revenue Service may not give us clearance for our tax status to do it this way. This Amendment is contingent upon approval from the Internal Revenue Service."

Eddy: "How long... how long do you think it will take for the Internal Revenue Service to provide us with guidance on that?"

Currie: "It could take a while, but on the other hand, they can also ask... act quite quickly when they... when they choose to, but it could take a while."

Eddy: "So, you think it's fair to say it would be difficult for them to turn that around in the amount of time that we're going to be here, at least scheduled this week. And I know it could go longer, but I... I guess it's going to take at least reasonably longer than..."

Currie: "We could sell the first half tomorrow because nothing... nothing in that one half group is contingent upon anything the Internal Revenue Service might say to us."

Eddy: "Okay. Representative, as always, I do appreciate your explanations. We will certainly thoroughly debate this, I'm sure, as it moves along, but again I appreciate your expertise and the... the explanations you're giving."

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

Franks: "Thank you, Mr. Speaker. I'd like to speak to the Amendment, and I'd also ask for a Roll Call vote on the Amendment."

Speaker Mautino: "Your request has been acknowledged and will be granted. There will be a Roll Call vote."

Franks: "I rise in opposition, a strong opposition. I'm very concerned about what I'm seeing happening here in Springfield. This is part of a plan, basically, to strip the Legislature of its power. What this will do is, I think it's an attack on our constitutional responsibilities as Legislators, because this is part of a plan to give the Governor the ability to do what the... with the budget as he sees fit. This plan would basically give the Governor a blank check to be able to move moneys around. No, I understand what that is. But what this is, is a big portion of that to allow him to become a benevolent dictator and for us to give up all of our responsibilities that we were elected to do. Now, this is a bad reason for this... for this. This portion of it. Now, last year, when we borrowed for the pension bonds, we were told it was an emergency and we had to do it. Well, last year was an emergency, but now this year it looks to me that it's a habit. Now, what other reasons... well, we've got into the horrible position that we are in, the break of the fiscal man-made disaster that every one of us is responsible for, is because we continue to borrow and continue to spend. When did we change our policy in this state? That we would



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borrow for operations, that we would basically mortgage our future to pay for today's grocery bills. Everyone knows that this is a bad idea. I'm looking at the budget ideas that we've been given, and what I see, after getting an op... some information today from Ec and Fisc, showing that our revenues have plunged, staggering declines in state revenues, and what's our solution? Well, heck, we're just going to spend more money. We're just going to borrow more money. There is absolutely not one centile of responsibility demonstrated at all. If we allowed families to do this, they would go straight to bankruptcy. We are spending ourselves into oblivion. Now, we're seeing... we're talking about handing out pork money from last year, where people are asked to say what million dollars do you want released this year from the pork moneys from last year, instead of cutting those pork moneys and putting that money toward the pensions or toward education. We haven't spoke... spoken about the budget, we haven't talked about cutting the excesses, we haven't talked about changing the system. What we want... what you're telling us to do is to continue to borrow and spend and descend this state into a fiscal oblivion. You have to vote 'no' on this. We need to spend time in Springfield..."

Speaker Mautino: "Turn the Gentleman's mic back on, be granted an extra additional minute."

Franks: "Thank you. Forget the... the arbitrary date of May 7, of this absurd date, to try to get out of Dodge so we don't do our job. Let's stay here and do the people's business. Let's spend the next month, whatever it is, going line by

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line on the budget. Vote 'no'. Let's do our jobs. Let's stand up for the citizens of the State of Illinois. And I did ask for a Roll Call vote."

Speaker Mautino: "Representative Currie to close."

Currie: "Thank you, Speaker and Members of the House. It certainly is fair what the previous speaker said, that state revenues have fallen precipitously, and they have fallen precipitously primarily because we are in a great recession. We are in the worst economic times since the Great Depression, and yes, borrowing is not a great thing to do, but I would argue that it is the only thing for us to do unless the people in this chamber are prepared to raise taxes, and so far, you have not been, or make significant cuts in state spending, \$4 billion of cuts in state spending. I don't believe there's a person on this floor, a person in this chamber who's prepared to go that route of a \$28 billion general funds budget, you're going to cut 4 billion? Show me your list. You've had all Session, and you haven't. You haven't said here's where to make the cuts, so I would argue... I would argue that our responsibility to the pension system is such that this is the only way to go. I urge your 'yes' vote on Amendment 2 to Senate Bill 3514."

Speaker Mautino: "The Lady has moved adoption of Floor Amendment #2 to Senate Bill 3514. There has been a request for a Roll Call. So, 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 Carberry, Feigenholtz, Fritchey, Joyce, do

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you wish to be recorded? Mr. Clerk, take the record. 43 voting 'yes', 73 voting 'no', 0 voting 'present', Floor Amendment #2 is declared lost. Mr. Clerk, further Amendments?"

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

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

Currie: "Thank you very much, Speaker and Members of the House. This is a similar proposal, but not identical. This would borrow a similar amount of money to pay our pension obligations, but it would do so just by going to market, just as we did last year. So, the methodology is different from what you saw in Amendment 2. It is what you approved last year. It just says let us borrow what we need to make our pension payments this year. This makes our pension systems whole. The issue is the same as it was in Amendment 2, in that the state is broke. We need \$4 billion and I would argue that this is the better methodology to get us there. I urge your 'aye' vote."

Speaker Mautino: "The Lady moves adoption of Floor Amendment #3 to Senate Bill 3514. On that question, the Gentleman from Crawford, Representative Eddy."

Eddy: "Thank you. Would the Majority Leader yield?"

Speaker Mautino: "She indicates that she will."

Eddy: "Thank you. Leader Currie, could you kind of explain to me what the difference is between this Amendment and the previous Amendment, as it relates to the total amount of borrowing?"

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Currie: "The amount's likely to be the same. Whatever is certified by the pension systems, as the required contribution, will be the cap on the amount of bonds that are left, but the difference is that in the earlier Amendment, we gave the pension systems half in cash, half in bonds, this would give the pension systems the entire amount in cash."

Eddy: "Okay. So, we would bond the entire amount immediately, rather than having that instrument that they could use later?"

Currie: "That's right."

Eddy: "That's really kind of the difference between the two."

Currie: "And this is what we did last year. This is the more traditional way of doing bonding for pension purposes."

Eddy: "Okay. Now, last year when we approved this type of borrowing, I... I think the bonds weren't sold until..."

Currie: "January."

Eddy: "...January. Have you had any indication as to whether or not the same... the same type of timetable is involved with this? Has the Governor's Office mentioned the... 'cause we were kind of surprised January was the date. I don't know if..."

Currie: "Well, my understanding is that under this measure they would have to be sold by October and financial experts advised me that this is probably a pretty good time to go to market with short-term borrowing, as this is. This is 8-year borrowing, not a day longer, and we think that this can be a pretty good sale."

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Eddy: "Now, the debt service estimates for this version, as opposed to Amendment 2, are a little bit higher."

Currie: "No, they're identical."

Eddy: "I thought they might be affected by the fact that the pension system would be holding perhaps the 1.8."

Currie: "Yeah. As I said... I said earlier that... that we will only bond the amount that the pension systems certify as what is required under the law for our contribution this year. We use a higher possible amount because they haven't yet certified, so we don't know."

Eddy: "Okay."

Currie: "Earlier certification was 4 billion. We anticipate it will be a lower number and this Amendment is premised on the notion that we only sell up to that number, but we don't have that number yet."

Eddy: "Okay. I appreciate that. One final question. The... you mentioned the methodology was the same. I think, one significant part of that to point out is the first 2 years in this, as well, you're using the dovetail idea, and there's no principal the first 2 years it's back loaded."

Currie: "And... and that's in order... exactly as in Amendment 2 to smooth out payments because of our responsibilities from the January pension obligation sale."

Eddy: "Thank you, Representative."

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

Franks: "Thank you, Mr. Speaker. I'd like to request a Roll Call vote on Amendment #3, and I'd like to speak to the Amendment."

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Speaker Mautino: "Proceed. And your request has been acknowledged and will be granted."

Franks: "Thank you. This Amendment is just as bad. If we really believe that we need to work on our budget and to get spending under control, we cannot continue to ignore the reduction in revenues, the real staggering amount of reductions in revenues and then continue to spend at last year's levels. We must be willing to cut. We must be willing to cut. We have to do our job. By continuing to borrow, all we're doing is perpetuating a broken system that will soon implode and bankrupt this state. Also, be aware that the assumptions used are highly unlikely ever to occur. Last year, when we were... when we did the short-term borrowing, there was an actuarial numbers used assuming eight and a half percent return. Those returns have... will not materialize, they have not materialized. If we saw what happened a few years ago, when the stock market tanked, and which really caused a lot of our pensions to become further underfunded, the reason that it... it stayed so low is because of what they're trying to do here. These pension holidays, this is what this is. There is no principal payment for 2 years. We cannot continue to underfund the pensions. We need to acknowledge our obligation and pay as you go. Further more, borrowing here will hurt the retirement systems because they will have a lower return on their investments because there will be no principal paid in. This is a death spiral, folks. You must vote 'no' on this Amendment. If we continue to borrow

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this, you will regret it, your children will regret it, and your grandchildren will regret it. Please vote 'no'."

Speaker Mautino: "The Gentleman from White, Representative Phelps."

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

Speaker Lyons: "She indicates that she will."

Phelps: "Leader Currie, just for clarification. Where do the unions and the retirement systems fall in on this?"

Currie: "They testified in committee in favor of this approach as against the approach that was in Amendment 2."

Phelps: "Thank you very much, Leader."

Speaker Mautino: "No one seeking further recognition, Majority Leader Currie to close."

Currie: "Thank you, Speaker. Just three points. First, that 8 percent return is over time, an 8 percent return, not the return you anticipated in the middle of a great recession. Second, I've said it before and I'll said... say it again, we've been here in Session since January, today is May 5. You... no one has come to me with a list of \$4 billion in cuts that the Members of this chamber agree to. No one has come forward; no one has brought me a proposal to raise revenue sufficient to avoid those cuts that everyone or at least 60 people can agree to. There is no appetite for a tax increase. There is no appetite thoroughly to destroy the social safety net that keeps the vulnerable and fragile citizens of our state together. I think we don't have an alternative that is better. I think we would be wise to support Amendment #3, so that we can maintain our

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obligations to our retirees to the pension systems in the only way apparently we know how. I urge your 'yes' vote."

Speaker Mautino: "The Lady has moved adoption of Floor Amendment #3 to Senate Bill 3514. There is a request for a Roll Call. So, 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 Berrios, Fritchey. Mr. Clerk, take the record. 61 voting 'yes', 56 voting 'no', 0 voting 'present'. Floor Amendment #3 to Senate Bill 3514 is adopted. Representative Currie for a Motion. Clerk, would you take this Bill out of the record. Representative Currie for a Motion."

Currie: "But... why don't we just... why are we not sending the Bill to Third Reading? Thank you, Speaker. I have a Motion. I move to suspend the posting requirements so that Senate Bill 3721 may be heard in Energy & Environment, House Resolution 1166 in Environmental Health, and Senate Joint Resolution 72 in Human Services."

Speaker Mautino: "Seeing no objections, all in favor vote 'yes'; opposed 'no'. 'Yeses' have it. And the Motion is adopted. Mr. Clerk, place Senate Bill 3514 on the board. What's the status of that Bill?"

Clerk Bolin: "Senate Bill 3514 was read for a second time today. Amendments 1 and 2 have been adopted. There are no further Amendments. No Motions are filed."

Speaker Mautino: "Third Reading."

Clerk Bolin: "Correction. Amendments 1 and 3 were adopted. Floor Amendment 2 lost."



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Speaker Mautino: "Out of the record. On page 3 of the Calendar, under Senate Bills-Third Reading, appears Senate Bill 107. Mr. Clerk, place that Bill on the board and at the... at the request of the Sponsor, please move that Bill back to Second. What's the status of the Bill?"

Clerk Bolin: "Senate Bill 107, a Bill for an Act concerning regulation. The Bill was read for a second time on a previous day. Amendments 1, 3, and 4 have been adopted. Floor Amendment #5, offered by Representative McCarthy, has been approved for consideration."

Speaker Mautino: "Representative McCarthy on Floor Amendment #5."

McCarthy: "Thank you, Mr. Speaker and Ladies and Gentlemen of the House. Amendment #5 is a very technical Amendment. It goes into page 62 of the Bill, and it adds the words 'on this Amendatory Act of the 96th General Assembly' on to the line that has already talked about the regulations of the FCC. This Article, Article 21, 22 of this Act, it'll also add this Amendatory Act. So, I would ask for the Amendment to be adopted and then moved to Third Reading."

Speaker Mautino: "The Gentleman moves adoption of Floor Amendment #5. All in favor say 'yes'; opposed 'no'. The 'yesses' have it. The Amendment is adopted. Mr. Clerk, any further Amendments?"

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

Speaker Mautino: "Third Reading. And read the Bill."

Clerk Bolin: "Senate Bill 107, a Bill for an Act concerning regulation. Third Reading of this Senate Bill."

Speaker Mautino: "Representative McCarthy."

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McCarthy: "Thank you, Mr. Speaker and Ladies and Gentlemen of the House. I'm very, very happy and proud to bring Senate Bill 107 before the Body today. I'd like to first of all just start off by mentioning some thank yous. First of all, to all the Members, especially the Members of my Telecommunications Committee. I think they all came to this argument with a good spirit and brought many, many issues forward, many of which are in this final product. There are a few that are not, but the vast majority are in the final product. I'd also like to specify and thank the Illinois Commerce Commission for their help in developing the language so that they can implement the changes that we want to make under Senate Bill 107. Also, the Attorney General's Office who's been helpful since the start of the process about three months ago. The IBEW Local 21 especially who has worked with people on both side of the aisle so we could come to a conclusion that they were going to be supportive and they have been and I want to thank them for that. The Governor's Office as well. And all of the different phone companies that have weighed in on different issues that have affected this telecommunications rewrite. We have small companies, we have middle-sized companies and we have large companies and, as I said in committee yesterday, we have many more phone companies in this state that I ever imagined when I first started this process. Yesterday we had a very long comprehensive hearing on the... on the Bill in our... in our committee and it was a very reaffirming experience. The testimony and the witness slips showed that it was almost universally

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supported. We do have two people who still register as an opponent even though some of their suggestions had... that came out during the process we have added to the Bill. And they basically got down to just one... one exception and we will explain that later on as we go through the Bill. The... I certainly... if you listened to any of the testimony yesterday by many of the business groups across our state, they talked about how this is such a step in the right direction for Illinois. We are kind of known across the country as a very overregulated state and now we are making a big step forward. We will still have more regulation, I'll be up front with you, we'll have more regulation than a lot of states. Some of the Members, myself included, would've liked to see us even go further, but every group that testified there spoke of the fact that, while we could've gone a little bit farther, the progress we made through this Bill will change the sign on Illinois. Instead of saying, do not invest here, if you are a telecommunications business, or even other large manufacturing businesses and retail businesses. They came forward during the testimony and they said because of the lack of broadband investment in our state and the lack of serious interest in putting more broadband investment in the state, the... they were holding back on some development there. So, we're going to see people from all across different industries step up and I think help us address the unemployment status in our state. Many of the witnesses yesterday, the Illinois Manufacturers Association, the Illinois Retail Merchants, they said

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changes are... changes like these are the changes that let them go forward and let them create jobs for the people of our state. And I think there was a very strong consensus in the room that if we're going to get out of this, especially our terrible unemployment problem in the State of Illinois, the private businesses of our state are the ones that are going to lead us back. And with this... with this Motion today, Senate Bill 107, I think we're giving a signal to those businesses that we are serious about this. We want businesses to invest here. We want to provide good jobs for the people of our state. We don't want to accept anymore that we're close to last in unemployment and just say, well, that's just the way Illinois is. Illinois is that way for very specific reasons. Some of the reasons are like the overregulation of our telecommunications industry. With this Bill, we're going to move away from that and I think we'll see a lot of new investment and new jobs the result from this process. While I'd tell you about we took a lot of regulation away, we made sure that things that were necessary for the Illinois Commerce Commission and through their input and through the work of the Attorney General's Office, I want to tell you that it is still, the ICC will still... will maintain the regulations for the just and reasonable standard, when they're talking about noncompetitive business opportunities. They will still be in charge of the Universal Service Fund. That's a fund that helps us bring telephone service to our rural and underserved areas. They're also... they worked on us as far as improving the abandonment of services with input from

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the AG and other groups. Instead of having a basically a 60-day process, we will now have a 90-day process. And whether you are a competitive electing provider or a standard provider, you still have to go to the ICC when you want to take service away from an area and have to be approved in order to do that. We also talked about notification for rate changes. One of the victories that I think the AG's people think they achieved is that now it has to be set on a prior bill. There's all kinds of different qualifications before, but now it clearly says that a prior bill before the change is made so that the citizens of our state will be able to see this and they will, you know, be able to know that their rates are changing if they want to opt into a different service. The... they also made sure that it was secure that the Commission still has authority over the... ITech and the 9-1-1 funds. And the ITech is for hearing impaired people that they will be under that fund. The... we also, in the electing provider statutes, said that both of those funds would be paid by VoIP providers, that's the Voice over Internet Protocol. So many of our people... over 600 thousand people have their home service through VoIP through Comcast alone. So, this is a very much a growing... a growing population, and I do want to compliment Comcast. They actually pay these fees today voluntarily, both the 9-1-1, the USF, and the ITech fund. In our Bill, we mandate that the ITech fund and the 9-1-1 fund is paid by VoIP providers, actually by the people that use that service. The annual report that was removed under prior versions of the Bill was put back in

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and they also added on the fact that the... some of the groups wanted to have the problems per 100 lines. They thought that was a very good statistic that you could look at quickly and kind of get a judge of how a company is doing in a certain area. The... I talked about VoIP service. We've had... we said from day, one those of us that were at the lead of the discussion, that we did not want to regulate VoIP services and I know that Section 804... it makes it very clear that that's our intent not only today, but going into the future. We spoke about the fact in Section 804 that we, of course, can't say that a future General Assembly can't do anything, but we made it clear that if we wanted to move down that line, and I hope we never do that, but if we did want to move down that line it would come back through the General Assembly. We, of course, did not give away the General Assembly's right today or in the future to come back and look at that issue if we wanted to. The rules for registration on VoIP, if anybody is concerned that we're going back to overregulation, they only have to do four things. They have to give you the name of their company that they're registering with our Secretary of State. They have to give you the address of the company. They have to give you a phone number that you can reach for their resolution process. They already have to have the resolution of... so if they have problems, they already have to have that in statute this resolution process, they have to give us an 800 number for that. And they have to tell us what area that it... their company is serving through their VoIP

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process. That's important for the ICC to know when they're looking to see how well an area's served they want to get these reports back from the VoIP providers and the VoIP providers have not only promised that, but there's a new not-for-profit out there called Connect Illinois that was authorized by our Federal Government and that information cannot be accessed by the ICC today. They have to apply to Connect Illinois to get it. The cable companies came up, signed a letter to myself and Senator Bond and I believe Representative Bost saying that they would not only not object to that information being shared, but if there was a problem getting it from Connect Illinois because of federal statutes, they would give that information directly to the ICC. So, I think that they did step up when we asked them. The only other thing for VoIP registration is that they do have the right to ask for it to become confidential and proprietary and that's... they're running a business and I think that just makes common sense that they'd be able to do that. One of the problems that I learned about during this process was pumping. Pumping is where smaller comp... well, not necessarily smaller companies, but phone companies sign on with like 900 numbers, chat line things, and direct their phones through a certain local exchange carrier that has very high intrastate rates. By the end of this Bill, except for the very small incumbent local exchange carriers, there's about 20 of them in the state who have less than 35 thousand lines, they are the only ones that are exempted from this and they're exempted from this basically because they've never had a problem with it

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that we can see. The ICC has no dockets out against them. They do have dockets out against some other phone companies here. So, what this is, is when you make a phone call and it goes into..."

Speaker Mautino: "Go ahead and..."

McCarthy: "I'm... almost done here."

Speaker Mautino: "The Gentleman be granted..."

McCarthy: "I've taken a lot of abuse here, Mr. Speaker, I wish that... Is there a Sergeant of Arms somewhere in the building?"

Speaker Mautino: "Sorry about that. I didn't see that the clock was running. Go ahead and bring your remarks to a close and we'll go on to your legislative intent."

McCarthy: "I'll try. But... but these access charges they are very, very important because some of these... your call going out, and the way it works like, not in Illinois because both Veri... or not in the Chicago area because both Verizon and AT&T years ago changed their intrastate rate so it would mirror their interstate rate. The interstate rate is controlled by the FCC so we know it's a legitimate rate, but we do have some of these companies that we looked at that their interstate rate is about half to three-fourth cents per minute, but their intrastate rate is as much as five or six cents. So, they're definitely taking advantage of people who are calling from within our boundaries. So, the same call from Nashville, Tennessee, would have less than a penny per minute while if they called from Moline down to Mt. Vernon it could be as much as five or six cents a minute. So, by putting in the Bill that all of these



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rates will be mirrored I think we will solve that pumping problem just like that. The electing providers, very quickly, and I think that any of you that are going to be walking door to door in this upcoming fall would want to point out that we still, in Illinois, are going to have what we call the safe harbors. These are for people who want to stay in the main lines that, you know, the old land-line business. These are three programs that we're not only extending for the three years of the Bill, but we're also guaranteeing the price from January 1, 2010 will stay the same price for the next three years. There's a basic plan which basically has your line and 30 calls a month. There's an extra plan, has your line and unlimited calls and then there's a plus plan that has your line, unlimited calls, and two vertical services. Vertical service is the most... the most popular one is voice mail, but you might have caller ID, you might have call forwarding. You get to pick the two out and that's for less than \$20 a month, excluding federal taxes. The basic plan is less than \$10 a month. So, if you're looking to tell your community members something that may be able to help them, I know CUB does a good job of getting this out on the street, getting information out about the plan, but I think we, as State Representatives, can also do our part when we're in community meetings to talk about these plans. And all of them are under \$20 at a very good, a very good plan. Hey, I, at last want to say, I have had... I have had the utmost... the guy who moves the previous question is talking so be quiet. But I've had the utmost in

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cooperation with my Minority spokesperson, Representative Bost, and I want to thank him publicly for that. And Representative Bost is giving me the signal to wrap this up, so I know you guys are all interested. You can read your analysis, but... So, I will slow down now and let Representative Bost make a statement."

Speaker Mautino: "The Gentleman has moved passage of Senate Bill 107. For the purposes of legislative intent, Representative Reitz."

Reitz: "I had several questions for the purpose of legislative intent, but I think you covered them all. But first, what is the purpose of this Bill? You get to talk some more."

Speaker Mautino: "You know you don't have to answer that."

McCarthy: "Thank you, Representative Reitz. Senate Bill 107 updates Illinois's telecommunications policies. The fundamental purpose of the Bill is to eliminate outdated regulation to level the playing field and provide regulatory certainty for private sector telecommunications technologies, including broadband and wireless services. With these changes, the state will have a better chance of retaining jobs and creating new jobs by attracting more private sector investments in broadband."

Reitz: "You stated the fundamental... a fundamental of this Bill is to create certainty for the private sector. How does this Bill accomplish that purpose?"

McCarthy: "Thank you. As I mentioned Section 804 before, but first and most importantly, the Bill creates a new Section that establishes the parameters of state regulation of broadband services. This new Section, 13-804, provides

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that the ICC has no authority to regulate the rates, terms, availability, or any other aspect of broadband services, interconnected VoIP services or wireless services, except to the extent that state regulation is expressly permitted and consistent with Federal Law, FCC regulations or our video law. This is a key component of job retention and creation because IP based broadband technologies and services are the fastest growing segment of the communications industry and one of vital importance to Illinois consumers and businesses. All right, second, the Bill abates a recent ICC regulatory order mandating certain levels of DSL broadband as a condition in a recent competitive classification case involving AT&T. Because the ICC's recent regulatory order is inconsistent with the policy we are adopting in Section 13-804, the Bill provides that this requirement shall no longer be continued, conducted, or maintained. I understand that some might disagree with abating an order of the ICC; however, the ICC order contradicts current law. The Cable and Video Competition Law of 2007 required AT&T to provide wireland broadband to 90 percent of the households in the telecom service territory by December 31, 2008, on a statewide basis. AT&T has done that; they're over 90 percent. The ICC order required AT&T to provide 90 for their houses in each service area rather than statewide. So, we believe that was in conflict with the public law."

Reitz: "Some have suggested if AT&T is not required to comply with the ICC mandatory broadband build out requirement that customers outside of the Chicago metro area will be left

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without access to broadband service from AT&T and other providers. Is that one of your concerns?"

McCarthy: "Thank you, Representative Reitz. I understand that's your last question. No. According to the facts developed during the review of this legislation, I can tell you that there is no broadband coverage gap in AT&T's service territory. First, Wireline is not the only Internet broadband technology. Broadband wireless like 3G and 4G and fixed wireless are here to stay and getting faster every day. Second, the local phone company, like AT&T, is not the only provider of Internet broadband service. Many providers and many technologies compete and provide consumers and businesses with a wide variety of choices and alternatives."

Reitz: "Thank you."

McCarthy: "Thank you."

Speaker Mautino: "Further discussion? The Gentleman from Jackson, Representative Bost."

Bost: "Thank you, Mr. Speaker. Ladies and Gentlemen of the House, unemployment here in the State of Illinois is up over 11 percent; it's above the national average. I think it's clear to everyone in Illinois that we're struggling to keep jobs. The state has lost hundreds of jobs over the last several years in this recession. Not normally can we, as the General Assembly, do something that will actually create jobs, and I said this in committee, because we don't create. We either stop jobs from being created or we allow the opportunity for companies throughout this state to provide jobs to work... to put people to work. This Bill

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actually does that. Ladies and Gentlemen, I've been waiting many, many years for this Bill, been involved with this particular issue since first coming into the General Assembly. We did a rewrite in 2001, we... I felt at that time we should've moved more in this direction. I would love for this Bill to go a little bit further, but let me tell you that Representative McCarthy has done a great job of bringing the parties together. But with that, and while bringing those parties together, the Attorney General's Office has come in and wanted to have certain guidelines put in place and those have been put in place. There's consumer protection in this Bill. There is the opportunity or the... the fact is, is that for three years the lower rates on the... the packages that are provided for the consumer are going to be held. Matter of fact, one of them is actually going to be cheaper."

Speaker Mautino: "Give the Gentleman additional time."

Bost: "Ladies and Gentlemen, I know this is on limited debate and I'd love to explain in this late hour what all it does do, but obviously the Sponsor of the Bill has pretty well done that. Let me tell you though, it is supported by the AFL-CIO, the Illinois Chamber of Commerce, the IBEW Local 21, the Chicagoland Chamber of Commerce, the Communication Workers of America, the Illinois Manufacturers Association, the Illinois Retail Merchants. It is supported by the Chambers of Commerce all throughout this state. Now these are the people who do create jobs, real jobs. Ladies and Gentlemen, this has been a long time coming. I will be so happy to put my 'yes' vote on this Bill and make it the law

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of the State of Illinois. Now, I would love to come back here in three years, because that's when it sunsets and actually free this up more because I think what you're going to see is a tremendous amount of growth from this Bill. I want to thank everybody that has worked hard on this, especially Kevin; he... you just don't know how much hard work he's put in on this. I would encourage everyone in this chamber to vote 'aye'. Thank you, Mr. Speaker."

Speaker Mautino: "Further discussion? The Chair is going to use the... will be using the timer at two minutes. The Bill is on Short Debate. Our order will be Representative Colvin, Beiser, Crespo, Eddy, Mulligan, Harris, Soto, Black, Nekritz, and Davis. Representative Colvin."

Colvin: "Thank you, Mr. Speaker, and briefly and to the Bill. Several months ago when, and it may have been in January, when I heard that we may have a telecommunications rewrite Bill, and being a Member of that committee I couldn't immediately help but to think about my own mother who like many in my district have other communication options. She has a cell phone and she has Internet service, but 95 percent of her communication is on her landline phone. And she uses it to communicate with her friends, her family, she uses it talk to her doctor, to order goods over the phone, she absolutely depends on it. And through all of the discussion over the last several months I never let loose of the idea of my mother going without that phone service and the thousands of others who depend on landlines throughout the State of Illinois. I want to thank Representative McCarthy for his hard work on this Bill.

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And I also want to thank the Attorney General of the State of Illinois who sat at the table in these negotiations and made sure that we had very strong consumer protections in this Bill to deal with those who still absolutely depend to rely on landlines. These safe harbor packages that were built into this legislation are critical for this Bill moving forward. Yes, Representative Bost is correct that this is a jobs Bill. Every Chamber of Commerce in the State of Illinois slipped and testified in support of this Bill. Big labor, big business did the same thing and that's a good thing moving our Bill forward, but creating that critical balance between business and those folks who absolutely depend on those other services is absolutely critical to the success of moving forward. So, I simply want to rise in strong support of the work of the Telecommunications Committee, the Sponsor of the Bill, Kevin McCarthy who did a tremendous job and I urge everyone to..."

Speaker Mautino: "Representative Beiser."

Beiser: "Thank you, Mr. Speaker, Members of the House. I rise in strong support of this Bill because it does two things. It promotes investment, private sector investment in broadband and it also helps to keep and create jobs. The previous speaker mentioned jobs and the unemployment rate in the State of Illinois. We're almost 4 percent above the national average so jobs are key. Two studies, one by the Communication Workers of America and another one by a group called Connect... Connect the Nation, shows that when you invest in broadband it creates anywhere from 95 thousand to

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a 105 thousand jobs, significant amount of jobs. One thing is certain and that is that the states have done this type of telecom laws attract more private investment in broadband and it helps create jobs. It's shown that time and time again. We're trailing other states in this race to attract the broadband investment, and it's because they have adopted modern telecom laws a few years ago and we have not. This Bill brings us in line with what other states are doing. This Bill sends a clear message to the telecom industry that the State of Illinois is serious and is open for business in creating jobs. Competition will flourish with this Bill. Competition means investment and investment means jobs. This is good public policy. It's a smart Bill. It has support from business and labor across Illinois. Let's send a message to the people of... that... let's send a message that Illinois is interested in economic investment in jobs. I strongly urge an 'aye' vote."

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

Crespo: "Thank you, Speaker. I just want to take a moment to congratulate the Sponsor. I know this wasn't an easy Bill. Representative McCarthy, you take on these tough Bills all the time and from now on I guess I'll call you the great facilitator. This is really good. I also want to give a thanks to some of the providers: Comcast, AT&T from Hoffman Estates for being receptive and working with this group. This is a really good Bill for our state's broadband infrastructure. Not only will it create new



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jobs, but it will make sure we retain the jobs that we currently have. But the most important thing I think is that it enables us to move from the Fred Flintstone era to the Jetson era. So, I think it's a good Bill. I ask for your support of this Bill. Thank you."

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

Eddy: "Thank you. Will the Sponsor yield? Representative, I had one question for you and we've discussed this a little bit. I've had some concerns from my district related to internet access, high speed access in rural areas. And I understand there's been a pretty good commitment made to this process to continue to build for that ubiquitous access in those areas to high speed. Is that... is that correct?"

McCarthy: "Well, the commitments are under the 2007 Video... Video Law and the commitment was that 90 percent of their, in the AT&T case, 90 percent of their service area. Now Verizon just sold out... I know a lot of your areas are more Verizon areas... they sold out to a Frontier Company. In part of the approval process and we do have a Section in the Bill that I didn't get to, but we have a saying that nothing in this legislation can change any of the agreements that were made when that sale was approved by the ICC. Okay. But in that Verizon area, through CUB's intervention and I think the AG's intervention, they have a commitment that it has to be 85 percent of their area. So, between the 90 percent and the AT&T footprint, and 85 percent in the Verizon, now Frontier footprint, I think we

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are getting, you know, close to that point where we will have, you know, coverage, hard-line coverage. We actually have coverage today as far as when you would include wireless and things of that nature. Now, there will be some areas that just don't make sense businesswise to run landlines to it, but as I said earlier these wireless technologies that are a little bit slow today compared to hard-line technologies are getting better all of the time, we all know that from our iPhones or Smartphones or whatever they call them, and so I think we do have that to look forward to. And every one of the business groups that testified talked about the fact that with less regulation it gives companies more incentive that they can... would be able to recoup their investment. So, I think those areas that aren't served with a landline or a hard-line to their area have a better chance after this Bill. There's not a guarantee because we don't want to go in and tell companies that we know better about their business than they do. That's how we got Illinois in trouble in the past, but... but I think they have a chance..."

Eddy: "But the goal is and what I'm hearing, and time's almost up and I don't want to go over time."

McCarthy: "I'm sorry."

Eddy: "The goal is that for those areas they continue the commitment to provide for high speed access. And the Verizon sale, there's something in the Bill that kind of continues whatever commitment there was. And they're going to try to do that."

Speaker Mautino: "Grant the Gentleman an extra minute."

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McCarthy: "The answer is yes under the Verizon order; you're correct."

Eddy: "Okay. That's what I needed to get on the record. Thank you for your hard work on this. I appreciate the answer."

McCarthy: "Thank you, Representative."

Speaker Mautino: "Further discussion? Representative Mulligan."

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

Speaker Mautino: "Indicates that he will."

Mulligan: "Representative, I find the placement of this Bill on the agenda strange after a very difficult vote and although you spoke at breakneck speed the majority of us that weren't on that committee and have no idea what you talked about and since this is a committee process really could not quite understand what you were talking about and I certainly wouldn't suffer the Body to go through it again. I do find that it's a very unusual Bill that the people that were on the committee spoke about it. We haven't had that much, but this is one of the Bills that will cost consumers in Illinois quite a bit of money. Quite frankly, I would like to know what concessions any of these companies, particularly companies like AT&T, said that they would keep jobs in Illinois, because over the past years where we've helped AT&T, all they have done is removed jobs from Illinois and moved them to other states. And when the President was asked, at a Chamber of Commerce meeting, he told us we should have written him a better Bill when we made the deal with Comcast a few years ago. I don't find them particularly moving in keeping jobs. So, of all these

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companies that are for this Bill, which ones told you they were going to keep jobs in Illinois?"

McCarthy: "Well, that was, you know, part of our legislative intent. So, I do... I'm happy to put that on the record, but I'm always concerned about the possibility of reducing or eliminating jobs. I can assure you that this Bill does not have that affect. Representatives from the IBEW initially expressed some concerns that the Bill could see job cuts and after several meetings between the unions, Senator Bond, and myself, Senator Bond being the Senate Sponsor, the IBEW is satisfied that changes to the Bill will not impact the IBEW Local 21 core, installation, and maintenance jobs. In fact, I have a letter from AT&T dated May 5, 2010, addressed to Mr. Castor."

Mulligan: "That's the union; that's not the company. The union is at the mercy of the company and the jobs. So, quite frankly, I don't find the fact that they're moving their call centers, their things overseas..."

Speaker Mautino: "Grant the Lady an extra minute."

Mulligan: "I'd like to take this... I'd like to remove the Bill off limited debate, maybe that'll get silence in the room."

Speaker Mautino: "The Lady has asked to remove the Bill from Short Debate and the request will be granted."

Mulligan: "Maybe everyone would just listen for two minutes because this does impact the consumers of Illinois and quite frankly, I find we cut these deals, the people that are on the committee go in and they listen and then they come out. Representative, you did... didn't take a breath for most of it and it went on and on and on. And I could

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not tell you at this point without going through my own analysis, quite frankly, what was here, but I've known in the past several years that those companies have removed jobs from Illinois. So, we cut them a deal, we give them a sweetheart Bill, we tell the consumers it's going to be all right. Are you and Senator Bond putting your reputations on the line that this is a good Bill and that it's going to keep jobs in Illinois?"

McCarthy: "I... I join with Representative Bost saying he looks forward to putting a real solid 'yes' on this. We went into this process and we made it very clear to everyone involved you can not guarantee the unguaranteeable. I think my committee members are, you know, they don't want to hear that expression 'cause I've used it so many times, but we can guarantee the way we've been going up 'til now has been nothing but losing jobs. And when these... these... the national corporations are looking for places to put call centers and everything, they don't look at Illinois. After this Bill they will start looking in Illinois. So, we have a chance to improve these things. We can't tell you exactly, I can't tell you what the Dow Jones is going to be the next 100 days so we can't guarantee it and we can't demand that's what we tried to do in the past, try to tell companies how to run their job... run their company and it... and it's..."

Mulligan: "We're not pre..."

McCarthy: "...turned out that Illinois is the highest unemployment in the state. So, we do know this. This is the... AT&T that you're talking about; they're the largest

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union employer in the state. While they've lost close to 50 percent of their landlines, that core business, those employees are only down 30 percent, so I think that's a pretty good statement that they've made."

Mulligan: "They're making a pretty good buck..."

McCarthy: "They've also transferred a lot of their employees to other things."

Mulligan: "...on cell phone which we don't regulate. The Federal Government is holding out for cell phone which we don't regulate. The Federal Government is holding out for cell phone. I imagine you did a lot of hard work and I'm not maligning the work that you did. But my feeling is and I'd like it on the record that I'd like to see those companies who we're doing deals for keep the jobs in Illinois..."

McCarthy: "We all want that."

Mulligan: "...is a job friendly state so no matter what the Bill is we're not a job friendly state. I think that's a problem to begin with. But the fact that we stand up after everybody's emotionally involved in a voucher Bill and then we talk about this Bill by just the people on the committee and that you described the Bill in a whirlwind fashion does not seem to me to be appropriate for the scope of the Bill and how much it's going to cost the consumers of Illinois."

Speaker Mautino: "Further discussion? Representative Harris."

Harris: "Thank you, Mr. Speaker. Will the Sponsor yield? Representative, since I was not able to be on that committee and to hear the debate, I just had two questions I'd like to clarify for my constituents."

McCarthy: "Please."

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Harris: "The first has to deal with the change in the time frame in which repair requests have to be made. Could you explain why that was lengthened from 24 hours to..."

McCarthy: "The 30... the 30 hours."

Harris: "...the 30 or 40?"

McCarthy: "They just thought that was a more reasonable amount of time. Say something happened, the... you report it at 9:30 in the morning. That gives them into the next day, about half of the workday on the next day and they... people thought that was reasonable. So, we went forward with that change. And the union was also concerned with the mandatory overtime that was an issue in their contract negotiations and we were told that this extension by six hours would reduce some of that."

Harris: "And are the penalties similar to what they are now or have those changed, if they don't meet those obligations soon?"

McCarthy: "The penalties are very, very, very similar. They're... I can tell you exactly where they are in the Bill if that will help you, but there are credits due for missing appointments. It goes up by the amount of time you miss the appointment. If it's within the day, then it's just a percentage of what your monthly bill is. If it's between two days and three days, it's actually a third of the month that you would get the credit back for not showing service."

Harris: "Thank you. Thank you, Representative. And another question to follow up. I wasn't quite sure of the answer that one of my colleagues on the other side of the aisle

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had regarding the commitment to extend broadband service to 90 percent of the state. Is there a separate commit..."

McCarthy: "Ninety percent of the AT&T service area. That was negotiated under the Video Law of 2007. The 85 percent was the recent purchase just approved like a week and a half ago. At the ICC, they made a restriction on... it was Verizon now it's called Frontier... that they have to meet an 85 percent in their area down there And it's funny because..."

Harris: "Is there a time frame that they must complete that within?"

Speaker Mautino: "Time is expired. The Gentleman will be allowed to answer."

McCarthy: "I don't know the time frame. On the ICC order I don't have the time frame in front of me, but I'll definitely get it to you."

Speaker Mautino: "Further discussion? Representative Soto."

Soto: "Will the Sponsor yield? Thank you, Speaker. Yeah. My only question is, Representative, seniors have asked me about a... their simple landlines; that's all they want. Are they protected in this area? Will they continue to have a simple landline?"

McCarthy: "The basic plans are guaranteed for the full three years of the Bill, plus a late change at the request of CUB and the AG, if... sometimes in the past how we have extended the deadline on some of these rewrites that we don't want to handle it like it... say for one reason or the other when 2013 comes we don't feel that we are ready to do it again."



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If it's extended, it's very clearly stated in the Bill, that those price freezes continue as well."

Soto: "Okay."

McCarthy: "And that was something AT&T didn't want to give, but we forced that on them."

Soto: "Okay. So, again, and my question is, will they be able to have their plain landline? So, you said it's yes?"

McCarthy: "Yes. They can get a landline with unlimited calls for around \$15 a month. Then there's... I looked at my daughter's bill yesterday, 'cause I don't have a landline anymore, but on her \$9 bill there's 4.50 in taxes, so I figure the \$15 one would probably have five or six dollars in taxes, federal taxes, not ours."

Soto: "Okay. Okay. 'Cause they were a little nervous about that so... so, I just want..."

McCarthy: "It is guaranteed."

Soto: "Okay. Thank you, thank you. You've answered a lot of the questions that I had, so you've already satisfied my concerns. I just want to commend you and everyone who has worked with you on this wonderful piece of legislation that I will be supporting and I also urge this General Assembly to support. Thank you."

McCarthy: "Thank you very much."

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

Black: "Thank you very much, Mr. Speaker and Ladies and Gentlemen of the House. I wanted to speak sometime ago, but I turned on my light and all I got was a busy signal. I think it was because Representative McCarthy gave the

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longest introductory remarks I've ever heard, but he... but well worth it. Ladies and Gentlemen of the House, the old days are gone forever. When I was in high school, we didn't even have rotary dial in Danville. You picked up the phone, an operator said number please and you gave them the number and they completed the call. I remember my mother and father's phone number at home; it was 6379J. And I've seen a world of change. And I've... I came back from Louisville Sunday and I drove up I-65 from Louisville, to Indianapolis and I saw in Columbus, and Seymour, and Edinburgh, Indiana, plant after plant after plant, job after job after job. I think that's because Indiana revised its Telecommunications Law in 2006. We haven't done it since 1985. Today, Ladies and Gentlemen, the whole business has changed. It's iPhones, it's iPads, it's Twitter, it's Facebook, it's cell phones, it's PDAs, it's streaming video. One of the thing that scares me is the proceedings of this House, our streaming worldwide on the Internet. Boy, that ought to excite people. It wasn't that way when I came down here. We didn't have laptops. We had huge books behind our desks that would stand four feet tall. Every Bill and every Amendment was a paper copy. We either keep up with technology or we'll fall further and further behind. Is this a jobs Bill? Absolutely. Is it different than what we're used to? There is no more Illinois Bell; there is no Ma Bell anymore. It's a competitive world and we will keep up with it or we'll be left behind. This is a good Bill, vote 'aye'."

Speaker Mautino: "Further discussion? Representative Nekritz."

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

Speaker Mautino: "Indicates that he will."

Nekritz: "Representative, I understand that... that one of the other carriers in the state... with regard to the broadband issue... one of the other carriers has an agreement that's in place with the state to provide DSL service in 85 percent of their service territory besides AT&T. That Frontier, with an agreement from the state based on, you know, some prior work that was done, they have to provide 85 percent coverage in their service territory for DSL?"

McCarthy: "And I apologize to Mr. Harris that I don't know the time frame, but I will get that very quickly. But that was one of the things that the ICC came to us and said make sure you put a Section in there so that any of the agreements we have with them would not be affected by anything in this Bill. So, it's Section 90, if you want to look in the Bill."

Nekritz: "Okay. So... but... so, we've done that for one... one of the carriers has agreed to do that, but there is no other requirements in this Bill for other carriers to do that?"

McCarthy: "Correct."

Nekritz: "Okay."

McCarthy: "No, that's not in the Bill. That's an agreement between the ICC and the company."

Nekritz: "No, no, I understand, but I mean, I guess... I guess what I'm... what I'm thinking is that it's possible to get this done and we haven't done that in this Bill. And it's my understanding that in Indiana where... which... you know, according in the jobs committee or the Jobs Task Force

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we've heard time and time again what a Mecca Indiana is for broadband technology and yet it's, I understand that... that they don't... they have no requirement for DSL coverage in their state and they really don't have very good coverage at all. So, I'm just concerned and I think that we, as a Body, need to keep an eye on that as we move forward to make sure that when we're told trust us there will be build out that we... that that actually happens because I... I don't think it's happening in other states, it's my understanding and I... and I, you know, we... I think it's something that we need to watch for."

McCarthy: "You know, part of the National Broadband initiative that came out of Washington and what established that non-profit that I talked about earlier, Connect Illinois, was to look at that in all 50 states. You know, I think that they've made a very serious commitment to say this is a very important issue and we want to have, you know, broadband to a hundred percent of our areas of our state and we do have it at some point now. Now, it's wireless; it's not the best in the world, but..."

Nekritz: "But it's also... it's also like 50 percent..."

McCarthy: "It's also what?"

Speaker Mautino: "Turn the Lady's mic back on, be granted an extra minute."

Nekritz: "Thank you, Mr. Speaker. It's also my understanding that wireless is signif... is quite a bit more expensive than the DSL coverage. So, I... you know, again, I applaud the work that you've done. I think this is good, but if this is just something that we're really going to have to keep

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an eye on and be diligent about in making sure that... that the state is being covered with an affordable broadband and not just relying on the more expensive wireless."

McCarthy: "I agree, and that's why we made a point at making sure that that Connect Illinois information is available to the ICC so that they can report to us in their annual report to the real depth of broadband investment that's going on in our state."

Nekritz: "And then... and then we would have the ability then to come back and modify the legislation, if we feel like it..."

McCarthy: "We always have the ability."

Nekritz: "...if it's not working."

McCarthy: "You know, I would hope that the market regulation, I would hope that the fair market encourages these companies to do that and I have faith in the market. I think it's going to move forward like that and, but we do have a chance to come back."

Nekritz: "Yeah."

McCarthy: "We don't take any of our rights away to come back."

Nekritz: "Well, I mean, there's a reason we have a Commerce Commission, because the market doesn't always work well in these utilities. And so, again, I just would... it's something we have to watch for. Thank you."

McCarthy: "Thank you."

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

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

Speaker Mautino: "Indicates that he will."

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Davis, W.: "Representative, first of all, I want to let you know that I'm in support of the legislation. We have worked with companies like AT&T for years, since I've been down here and their efforts to try to improve communities in a number of different ways. One of the questions that I have for you and we talked a little bit about this is that my ongoing concern is making sure that, as measures like this come into play, that when you think about communities like the ones that I represent which are generally not the wealthiest communities, I want to make sure that they.. that they have access, that they are in line to receive equal access to these services that will come as a result of this rewrite. Is there anything that you can say to speak to how they plan to roll these things out to make sure that it's spread evenly across the state?"

McCarthy: "Well, as I mentioned when we just talked quickly the.. it's not in this Bill, it was in the Video Bill of 2007 as far as the mandate for the area that you and I represent, the south suburbs. That's part of the AT&T footprint so that they have a 90 percent build out throughout their footprint, so and they're ahead of that right now. So, as we talked about with U-verse, unfortunately there's sometimes it's parts of communities and not the full community, but they have assured me that as they go forward and as they go back to corporate to get these investment dollars to expand broadband in these communities, Illinois is going to be in a much better shape after this Bill to attract that investment as opposed to it is today."

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Davis, W.: "Okay."

McCarthy: "Today they invest what they have to put in here in order to justify the services that, you know, the customers they have, but they don't do the extra stuff. After this Bill, we hope that the economy continues to improve and they will be inclined to do the extra stuff here in Illinois."

Davis, W.: "Great. And as was mentioned by one of the previous speakers, that this was a jobs Bill. So, is there anything that you can say to speak to what we may anticipate relative to jobs or job..."

Speaker Mautino: "The Gentleman will be granted an additional minute."

Davis, W.: "Thank you."

McCarthy: "You know, all we can do is rely on the history of what's happened in the other states. And in the other states, they've seen it not only grow jobs in the telecommunications industry but also affiliated industries because it... the broadband deployment has a greater concentration there and they've been able to see job growth. If you talk to Indiana, you talk to Texas, Florida and Michigan are two other states that did... modernization legislation in the last five years and they've all seen job growths in that industry."

Davis, W.: "Ladies and Gentlemen, briefly, to the Bill. I think what's important here is that as companies like AT&T come to us asking for our vote on measures to help them to be able to do business better, particularly here in the State of Illinois, one of the things that we must demand,

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that we must ask from them is to make sure that job opportunities become available. While I understand that they work with unions and that under some circumstances current employees will be retrained to do other types of work, but we also..."

Speaker Mautino: "You may finish your statement."

Davis, W.: "Thank you, Mr. Speaker. We recognize that there will be some job opportunities that will be created by this and we must make sure, particularly in our low-income areas, areas where... that have the highest unemployment rates, we have to make sure that job opportunities are created and made available to people that live in communities like this. So, I stand in support of the Gentleman's measure and making sure, and I encourage all of you to stand with me to make sure that AT&T does the right thing by making sure that it creates that type of investment in our communities. Thank you."

Speaker Mautino: "Further discussion? Representative Jakobsson."

Jakobsson: "Thank you, Mr. Speaker. A lot of my questions have already been asked, so I'm not going to repeat them and I won't ask the Sponsor of the Bill to have to repeat his answers because I think we heard so many of the good things that are happening with this Bill. And has been said more than once, several times here this evening, it's going to create jobs and we certainly know that jobs are needed in this economy, they're needed for our state. And in addition to the jobs, I think we need to recognize the expansion of broadband and the... not just for personal



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communications and personal use, but the importance that it plays, the important role that it plays in health care, industry, in education all the way from K-12 through higher education and well, probably even works in pre-K. So, I want to thank the Sponsor for all the hard work that he's put on this and urge an 'aye' vote. Thank you."

Speaker Mautino: "Further discussion? Representative Froehlich."

Froehlich: "Thank you, Mr. Speaker. Would the Sponsor yield?"

Speaker Mautino: "Indicates he will."

Froehlich: "Representative, now I understood you to say there's no specific job creation requirement in the Bill. Is that also true there's nothing specific about the amount of investment in broadband that would be required?"

McCarthy: "The amount is not in this Bill. It was in the Video Bill of 2007 as far as that 90 percent commitment we were talking about."

Froehlich: "Yeah."

McCarthy: "And then the 85 percent commitment is an agreement between the ICC and that Frontier Company."

Froehlich: "Do you know why CUB and AARP are opposed? Did they give you any indicator?"

McCarthy: "Part of it is that they did not agree with the AG's decision to go along with the abatement of that court proceeding. The... I think the AG is in the best position and the AG's Office agreed with it, the company, of course, agree with it because they want to get out from under it, but when the AG agreed with it, that was certainly good enough for me. I know that she's, you know, she's been a

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very fine consumer advocate and would not have said that this was the right thing to do at this time if it wasn't. So, they... they chose to differ with her on that."

Froehlich: "My last question. Why did the AG stay neutral on the Bill? Is she still neutral?"

McCarthy: "I think that's their traditional..."

Froehlich: "Okay."

McCarthy: "That's the best you could hope for..."

Froehlich: "All right."

McCarthy: "...and so, I feel that I'm very happy with them being neutral."

Froehlich: "Thanks for your clarification."

McCarthy: "Thank you, Paul."

Speaker Mautino: "Our final speaker is the Lady from Cook, Representative Flowers."

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

Speaker Mautino: "Indicates that he will."

Flowers: "Representative, you may have discussed this and it was noisy and I couldn't hear. Can you please tell me what is the consumer protection that's in this legislation?"

McCarthy: "Well, for those... for those who still choose either stand-alone lines or if they choose one of those safe harbor packages that I said all of us should probably tell to our constituentences, they could have..."

Flowers: "Tell... tell me about the safe harbor packages 'cause that's the part."

McCarthy: "I mean with safe harbor, there's three different packages. One is for very low level, you know, people who have very low need; that's a line and 30 calls. That's

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called the basic plan, 30 calls a month, all right. That's less than \$10 a month. Then the next is extra plan. The extra plan is a line with unlimited calls and that's in the 15, 16 dollars a month plus federal taxes, as I said earlier. Then there's a plus plan and the plus plan is a line with unlimited calls and two vertical services. Now, vertical services are your choice of like call forwarding, call waiting, caller ID, voice mail... voice mail, in fact, is the most popular. But you get to pick two of those and that's less than \$20 a month guaranteed not only for the three years of the Bill because a big area of Chicago, which I know you represent, was going to lose that... those packages in approximately October of next year. Now, they will have them for the entire three years of the Bill and if we continue this Bill, we changed some wording right at the... like the last hour that said if we extend this Bill like we have in the past, we've, you know, pushed it down the road we say, if we do that, these price guarantees will stay for the consumers of our state."

Flowers: "And what about the bundling? What about the Internet, the telephone, and the cable service?"

McCarthy: "That... that's under the market regulation part so that, that's up to the individuals that they can, you know, find a contract for that."

Flowers: "Will those prices... will the prices for the cable and the Internet also go down?"

McCarthy: "Well, we hope because there'll be more competition. There's nothing... there's nothing guaranteeing it going down

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or going up, but we're hoping by the increase in competition through market regulation and through these..."

Speaker Mautino: "Grant the Lady an additional minute."

McCarthy: "I have faith in competition that competition will bring down the price."

Flowers: "Well, it appears to me that competition has been raising the prices, so I'm just wondering if there's anything in this that will bring those prices down and..."

McCarthy: "Well, I think it's going to have to be actions by... if you get into one of those bundled packages, then you're going into the unregulated atmosphere. Okay. More and more of our... our citizens are doing that. They're doing that before this Bill, you know, was ever even brought forward. They're leading, you know, if we think that... that, you know, the penalties and the regulation is so important, that's not what the people on the street tell us because they're all leaving going to these other bundles. Most of those bundles are pretty attractively priced. Now, when you get to the end of it, I mean, it's up to your responsibility as a consumer. If you have a year guarantee and it comes to the end of the year, I would suggest you call those companies, threaten to leave, and you'll probably get an extension of that price."

Flowers: "Thank you, Representative."

McCarthy: "Thank you."

Speaker Mautino: "Representative McCarthy, would you like 30 seconds to close?"

McCarthy: "I don't want to... I don't want to push my luck, but... I just want to say that those of you who thought the

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opening was long today, Representative Bost will tell you it was much longer yesterday when I went over every single thing in the Bill. But I do want to thank the 14 Members of our committee who studied this stuff very well, who listened to the business groups who told us this is a good Bill that will bring jobs, will bring investments to the state. And I appreciate your support. And I would ask for an 'aye' vote on Senate Bill 107."

Speaker Mautino: "The Gentleman moves passage of Senate Bill 107. 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 Chapa LaVia, Gordon, do you wish to be recorded? 117... Mr. Clerk, take the record. 118 voting 'yes', 0 voting 'no', 0 voting 'present', Senate Bill 107 is declared passed. Mr. Clerk, committee announcements."

Clerk Bolin: "The following committees will meet immediately upon adjournment. Revenue & Finance will meet in Room 122B, Executive will meet in Room 118, Insurance will meet in Room 114, Environment & Energy will meet in Room C-1, Environmental Health will meet in Room D-1. Tomorrow morning at 9:00 the Tourism Committee will meet. That's a time change for Tourism tomorrow. It was scheduled for 8:30, now it's scheduled for 9 a.m. tomorrow. Also, at 9:30 tomorrow Human Services Committee will meet."

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

Clerk Bolin: "Agreed Resolutions. House Resolution 1209, offered by Representative Dugan. House Resolution 1210, offered by Representative Holbrook. House Resolution 1211,

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offered by Representative Flowers. House Resolution 1212, offered by Representative Riley. House Resolution 1213, offered by Representative Jakobsson. House Resolution 1214, offered by Representative Black. House Resolution 1215, offered by Representative Bost. House Resolution 1216, offered by Representative Miller. House Resolution 1217, offered by Representative Lyons. And House Resolution 1220, offered by Representative Dugan."

Speaker Mautino: "Representative Lang moves adoption of the Agreed Resolutions. All in favor say 'yes'; opposed 'no'. The 'yesses' have it. And the Resolutions are adopted. And now, allowing perfunctory time for the Clerk, Representative Currie moves the House stand adjourned until Thursday, May 6 at the hour of 10:30 a.m. All in favor say 'yes'; opposed 'no'. The 'yesses' have it. And the House does stand adjourned. Representative Mendoza."

Mendoza: "Thank you, Mr. Speaker. Before we head out, if everybody... I could just get your attention for one minute. We forgot to talk about Cinco de Mayo and today is Cinco de Mayo which is a very important Mexican holiday, but it is not Mexican Independence Day. I know people think it is; it's not. That would be September 16. Cinco de Mayo celebrates a victory over the French in 1862 in the Battle of Puebla. For those who don't know, the French invaded Mexico under Napoleon's rule during the United States Civil War. The French were defeated. They were crippled to the point where Napoleon was unable to supply assistance to the confederate rebels allowing the U.S. to build one of the greatest armies the world has ever seen. This grand army

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smashed the Confederates of... at Gettysburg just 14 months after the Battle of Puebla, essentially ending the Civil War. The Americans, in turn, assisted Mexico in driving out the remaining French. The American Legion of Honor marched in the Victory Parade in Mexico City. And that's why we celebrate Cinco de Mayo because we beat... the Mexican's beat the French. And so, we celebrate this night... we celebrate tonight. Please come out to the party. The Illinois Legislative Latino Caucus will be hosting tonight from 5:30 to 8:30 at 701 West Washington, 701 West Washington, 5:30 to 8:30. We'll see you there."

Clerk Mahoney: "House Perfunctory Session will come to order. Committee Reports. Representative Holbrook, Chairperson from the Committee on Environment & Energy reports the following committee action taken on May 5, 2010: recommends be adopted, Motion to Concur in Senate Amendment #1 to House Bill 156; do pass as amended Short Debate is Senate Bill 3721. Representative Bradley, Chairperson from the Committee on Revenue & Finance reports the following committee action taken on May 5, 2010: do pass as amended Short Debate is Senate Bill 3089; do pass as amended Standard Debate is Senate Bill 240 and Senate Bill 2487. Representative May, Chairperson from the Committee on Environmental Health reports the following committee action taken on May 5, 2010: recommends be adopted is House Resolution 1166. Representative Burke, Chairperson from the Committee on Executive reports the following committee action taken on May 5, 2010: do pass as amended Short Debate is Senate Bill 28, Senate Bill 3268, Senate Bill

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3660, and Senate Bill 3662; recommends be adopted is Floor Amendment #3 to Senate Bill 1526. Representative Monique Davis, Chairperson from the Committee on Insurance reports the following committee action taken on May 05, 2010: recommends be adopted is House Resolution 1171. Introduction and reading of House Bills-First Reading. House Bill 6867, offered by Representative Ford, a Bill for an Act concerning revenue. House Bill 6868, offered by Representative Flowers, a Bill for an Act concerning appropriations. House Bill 6869, offered by Representative Ford, a Bill for an Act concerning State Government. The following Bills will be read on the Order of Second Reading and held. House Bills-Second Reading. House Bill 6425, a Bill for an Act concerning regulation. Second Reading of this House Bill. House Bill 6836, a Bill for an Act concerning health care. Second Reading of this House Bill. On the Order of Senate Bills-Second Reading. Senate Bill 2863, a Bill for an Act concerning regulation. Second Reading. Senate Bill 2969, a Bill for an Act concerning transportation. Second Reading. Senate Bill 3044, a Bill for an Act concerning liquor. Second Reading. Senate Bill 3093, a Bill for an Act concerning criminal law. Second Reading. Senate Bill 3180, a Bill for an Act concerning civil law. Second Reading. Senate Bill 3344, a Bill for an Act concerning safety. Second Reading. Senate Bill 3610, a Bill for an Act concerning education. Second Reading. Senate Bill 28, a Bill for an Act concerning civil law. Second Reading. Senate Bill 3268, a Bill for an Act concerning cemeteries. Second Reading. Senate Bill



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3660, a Bill for an Act concerning State Government. Second Reading. Senate Bill 3662, a Bill for an Act concerning revenue. Second Reading. Senate Bill 3089, a Bill for an Act concerning revenue. Second Reading. Senate Bill 240, a Bill for an Act concerning insurance. Second Reading. Senate Bill 2487, a Bill for an Act concerning State Government. Second Reading. And Senate Bill 3721, a Bill for an Act concerning safety. Second Reading. There being no further business, the House Perfunctory Session will stand adjourned."