

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

165th Legislative Day

1/11/2011

Speaker Lyons: "Good morning, Illinois. Your Illinois House of Representatives will come to order on this, the last day of the 96th General Assembly. We will be led in prayer today by our very own, Pastor Shaun Lewis, who is the Illinois State Director of Capitol Commissions, serving the political leaders of Illinois. Members and guest are asked to please refrain from starting their laptops, turn off all cell phones and pagers and rise for the invocation and the Pledge of Allegiance. Pastor Shaun Lewis."

Pastor Lewis: "Thank you. Let us pray. Father in Heaven, in the pages of scripture you are called the all-wise God and out of Your wisdom You established the institution of government with a noble purpose and have given each of these Representatives a noble duty. Grant wisdom and humility to each one indiscriminate of Party. But our state will chart a new course and you would receive glory, for in the end this is all that really matters. This the last day of the 96th General Assembly and many here are worn out. So, many here today are exhausted physically, mentally and emotionally. They would like to go home and they would like to have a sense of accomplishment that their time in Springfield was meaningful and worth the sacrifice. I pray You would give them these blessings today. Uphold and comfort this Body of lawmakers keep them... keep they and their family safe this hour and may they look to Your Son for mercy and grace. In the name of Jesus we pray, Amen."

Speaker Lyons: "Representative Beth Coulson and Representative Mark Walker will you join in leading us in the Pledge of Allegiance."

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Coulson and Walker - 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. Representative Michael Bost, what's the status of the GOP today?"

Bost: "Thank you, Mr. Speaker. If the record would reflect that Representative Mulligan, Brady and Mitchell are excused at this time. Bill Mitchell, I'm sorry."

Speaker Lyons: "Thank you, Representative. Barbara Flynn Currie how's the Democrats doing today?"

Currie: "Thank you, Speaker. Please let the record reflect that there are no excused absences among House Democrats today."

Speaker Lyons: "Mr. Clerk, we have 114 Members responding. Take the record, a quorum is present. We're prepared to do the well of the people of the State of Illinois in the House of Representatives. Mr. Clerk. Mr. Clerk, on page 7 of the Calendar, under Senate Bills-Second Reading, we have Senate Bill 336. What's the status on that Bill, Mr. Clerk? 3-3-3-6, 3336."

Clerk Mahoney: "Senate Bill 3336 has been read a second time, previously. Amendment #1 was adopted in House Executive Committee. Floor Amendments 2 and 3 offered by Representative Lang, have both been approved for consideration."

Speaker Lyons: "Representative Lang, you have Amendments #2 and #3. Want to do them separately or..."

Lang: "Thank you, Mr. Speaker, I'd like to with... withdraw Amendment #2."

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Speaker Lyons: "The Gentleman withdraw... withdraws Amendment #2.
Mr. Clerk?"

Clerk Mahoney: "Floor Amendment #3 has been approved for
consideration."

Speaker Lyons: "Mr. Lang on Floor Amendment #3."

Lang: "Thank you, Mr. Speaker. I'm wondering if we can just
simply adopt the Amendment and do this on Third Reading."

Speaker Lyons: "Judge Reis, do you wish to speak on the
Amendment or you want to wait 'til we move it to Third?
Representative David Reis."

Reis: "Will the Sponsor yield?"

Lang: "Sponsor yields."

Reis: "Representative, in the past couple of days we've
withdrawn Motions and adopted Motions when the Motions
really changed or the Amendments really changed things.
What did House Amendment 2 do and why was it withdrawn?"

Speaker Lyons: "Thank you. Representative, Amendment 2 gave
Metra 120 days to do the Wi-Fi that's in the Bill. This
Bill would give them a year. This Amendment gives them a
year. Amendment 3 gives them a year."

Reis: "Very good, thank you."

Speaker Lyons: "Representative Bassi, you seek recognition on
Amendment #3?"

Bassi: "On Amendment #3, is this the Amendment that would cost
the RTA substantial amounts of money or the Metra? Is this
the one requiring... is this the one that requires
defibrillators and wireless on Metra?"

Lang: "Yes, within one year."

Bassi: "Is this the Governor's Amendment, Representative?"

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Lang: "Yes. The Amendment... this is an initiative of the Governor that we're trying to accommodate him, Representative."

Bassi: "I thought there was a fiscal note on this particular Amendment. Is... has the fiscal note been addressed as yet?"

Lang: "I don't know, Representative."

Bassi: "Would the Clerk check, please? I believe there was a fiscal note put on this."

Speaker Lyons: "Mr. Clerk. Mr. Clerk."

Clerk Mahoney: "A fiscal note has been requested on House Amendment #3 as well as other notes."

Bassi: "So, if the fiscal note has been requested and not responded to, is that... is it possible then to put the Amendment on the Bill?"

Lang: "The answer is yes, Representative. It can't go to Third Reading 'til the... 'til the notes are resolved, but we can certainly debate the Amendment and put it on the Bill."

Bassi: "The underlying Bill, Representative, is what?"

Lang: "I don't remember, but this strikes everything. This is the Bill."

Bassi: "So the Bill is to get... is to cost Metra substantial money when, as a fiscally responsible Body, we just passed an Amendment to eliminate the free rides program so that we could protect the funding source for the RTA system. And now we're going to put additional costs on the system. Is that what we're doing, Representative?"

Lang: "Certainly the Amendment will have some costs to the RTA, that's correct."

Bassi: "And... but it is the total RTA or is it Metra alone?"

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Lang: "Metra, sorry."

Bassi: "So, suburban Representatives ought to be very, very cautious of wanting to add additional costs to the Metra system and not just suburban Representatives but those who live in the Chicago metro area might be very cautious about adding additional costs when we're dealing with a \$15 billion hole in our budget. We have no extra money to give to the RTA system. And we're about to add additional cost on to the Metra system because we're printing dollars. Is that what we're doing, Representative?"

Lang: "Representative, this chamber and this General Assembly passed a law not too long ago to require defibrillators at health clubs."

Bassi: "Right."

Lang: "This would provide there be defibrillators on Metra trains. I think saving lives is a valuable thing to do."

Bassi: "Saving lives is an excellent thing to do, Representative and when we have money, I think we should all be 100 percent for it. At the moment, we're dealing with a \$15 billion hole in our budget and we have no money. There's a fiscal note on the Bill and we don't know what it going to cost. And I think this is a really, really bad idea right now, Representative."

Lang: "Representative, did you say that saving lives was a good idea when we can afford it?"

Bassi: "When we can afford it but where are we getting the money? Are we manufacturing dollars again like we did in the Blagojevich Era?"

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Lang: "Representative, I think you should simply vote 'no' on the Bill; you don't seem to like it."

Bassi: "You're right. I would encourage a 'no' vote on this. Thank you."

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

Eddy: "Thank you. Would the Sponsor yield for a question or two?"

Speaker Lyons: "The Sponsor yields."

Eddy: "Thank you. Representative, does this contain any language related to a change in the leadership of the RTA board?"

Lang: "Yes."

Eddy: "So, beyond the enhancements to the environment where apparently we're going to continue to, at least for a period of time, allow wealthy individuals now not just to ride free but they can also receive free Internet we're restructuring the board. What restructure takes place based on the language in the Amendment?"

Lang: "It would give the Governor the authority to appoint, with the advising consent of the Senate, the chairman of the RTA. The current chairman's role would expire on the effective date of the Act."

Eddy: "And what's the effective date of the Act?"

Lang: "Whenever the Governor would sign the Bill, Sir."

Eddy: "Immediate, upon his signature. So, the individual basically, for whatever reason and I think there's a lot of people who could speculate accurately. It appears as if the

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Governor doesn't want an individual who is currently the leader of this organization to continue to be the leader."

Lang: "I believe the Governor thinks he's had some concerns about the governance at the RTA and I believe that he would like the opportunity to... use his authority to straighten that out."

Eddy: "Representative, I think that... I think we have to proceed very, very cautiously when we begin to allow, through legislation, the possibility... even the remote possibility that this chamber can be used for political retaliation against individuals who might be supportive of anyone here or anyone in any Party. I just think it's a very, very dangerous thing to do. The General Assembly, the House, this Body, should not be part of any type of an attack on an individual simply because that individual doesn't agree with the political leadings or persuasions of those in power. This is dangerous... this is something that we shouldn't be taking up at this hour. We should not... we should not support this Amendment for the cost alone but when you add to that this very, very transparent attempt to go after someone who... who's simply a political enemy, th... this is absolutely an awful thing for us to consider. Thank you."

Speaker Lyons: "The Chair recognizes the Gentleman from Cook, Representative Harry Osterman."

Osterman: "Will the Sponsor yield?"

Speaker Lyons: "Sponsor yields."

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Osterman: "Representative Lang, did Metra initiate the provisions in this dealing with the free... the free Wi-Fi and the defibrillators?"

Lang: "They did not initiate this, but I... in the negotiations with them, they had said that they didn't really have that much of a problem with the Internet provisions or the defibrillator provisions but they needed a year to implement them. And so, we put that in the Amendment."

Osterman: "And... I don't... I didn't hear the answer that... earlier that Representative Bassi asked about costs. Do you know what the cost will be?"

Lang: "We don't have the fiscal note."

Osterman: "Okay. I would ask you a question an... and that would be the on... we have the Red Line north the CTA through my community so how come the CTA's not involved in trying to make sure we have defibrillators on the CTA Red Line?"

Lang: "Well, I'm not sure I can answer your question, Sir. This is initiative of the Governor; he came to us with this. We're trying to accommodate him with the Bill. This would be a case where we should not let the perfect be the enemy of the good, right? So you and I might agree that we should have defibrillators on all public transportation and that's a Bill I would join you with but you won't be here in a few months. But you can do that at the city council when you get there."

Osterman: "The perfect and the good, I don't know that we're going to see either today, but let me say that, in all honesty, I think we should have defibrillators. I think we should have Wi-Fi. I think that we should look for private-

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public partnerships as a way to do that. But rolling all this together at this late hour for a purpose that... I don't think has been clearly identified to this Body is something I don't think we should be doing. I think when we talk about keeping people safe I want to make sure that people are safe with defibrillators, but I've got people getting stabbed and shot near the Red Line. And I want to make sure there's money for security cameras and things like that and I would think that the people in the suburban areas would feel the same way. I think this is a... something we should not be entertaining now, but as you stated, I will look to work with you in the future, but today I'll be voting 'no'."

Speaker Lyons: "The Chair recognizes the Gentleman from McHenry, Representative Mike Tryon."

Tryon: "Thank you, Mr. Speaker. Will a Sponsor yield?"

Speaker Lyons: "Sponsor yields."

Tryon: "Representative Lang, in this legislation does this change any appointing powers to the RTA board or make any changes that give the Governor further oversight of the board?"

Lang: "Other than the chairman?"

Tryon: "Other than the chairman."

Lang: "No."

Tryon: "Okay. Maybe you addressed this; I don't remember it being addressed. But what's the need for the Governor to have an appointment power for, let's say, the RTA board. What... what's the impetus here?"

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Lang: "This Bill, as written, would give the General Assembly, through the Senate, an opportunity to weigh in on the governance of the RTA. Today the chairman is chosen by the 15 members that are on the RTA board, and these members have nothing, no relationship to the General Assembly whatsoever. The thought process would be the Governor could, along with the Senate's confirmation, have a procedure where we are involved as a General Assembly in the governance of the RTA."

Tryon: "Well, in the past that hasn't always worked so well either. Some people got appointed that probably shouldn't be appointed and we had to purge them some years later. But let me tell you something that I find very troubling in this piece of legislation. For 28 years a governance structure was put in place for the RTA and it has been honored by every single Governor and it has produced, I believe, a very workable result when it came to the selection of capital and when it came to the funding of the actual operations of the transit systems. And what it does is it forces tie votes to occur. A tie vote is a good thing, so that the suburban areas that are mainly the collar counties have an equal footing with suburban Cook and the City of Chicago. And when it comes to the chairman, the mayor of the City of Chicago gets to weigh in to it. So I don't see the need to change something that's worked very well for 28 years, has provided, at least I think confidence in how the funds are being divided and acceptance by everybody, all the other appointing powers that have to work within the RTA. And I certainly hope that

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we vote this Amendment down. I would like to request a Roll Call on the Amendment and a verification, should it require the necessary votes to be... amend the Bill."

Speaker Lyons: "Your request is so noted, Representative Tryon. The Chair recognizes the Gentleman from Cook, Representative Louis Arroyo."

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

Speaker Lyons: "Sponsor yields."

Arroyo: "Lou, we just passed a Bill for 'senior's free ride' to be able to sel... save mass transit some money until funding. Why are we going to take more money out and spend it in defibrillators and Wi-Fi and all that. Wouldn't that be defeating the purpose of what we just did yesterday in the General Assembly?"

Lang: "Well, again, Representative, this is an initiative of the Governor, but let me go on. Relative to the Wi-Fi, there's nothing that says that Metra cannot charge a fee for the use of the Wi-Fi. It doesn't say that it has to be free. It just simply says they have to provide it. As for the defibrillators, this is a gen... I'm going to repeat that this a General Assembly who recently required defibrillators be in all health clubs. If we require defibrillators to be in health clubs because they're interested in saving the lives of people, then why not try doing it in public transportation."

Arroyo: "Lou, so you're saying if this passes though, Metra's going to raise the fares then?"

Lang: "That's not what I said I said they could charge a fee to those who want to use the Wi-Fi."

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Arroyo: "Lou, I don't think that these Bills should be all in one category. The category one, when the Governor appoints the chairman, I don't have a problem with that, but I have a problem when you... you're putting more costs into the mass transit agency when they don't have enough money now. I think these are stand alone Bills where they should come into the General Assembly one at a time, diff... differently, individual, rather than put all three of these Bills together. So, Lou, I'm going to have to be a 'no' vote on this and I urge my colleagues to be able to be a 'no' also because this is going to cost the Mass Transit agencies more money, and now you're talking about charging a fee. When you came to Executive, you never said... about charging a fee... in Mass Transit Committee."

Speaker Lyons: "Representative Arroyo, do you have further questions?"

Arroyo: "Lou, can you explain... would this bring more money to Metra or is... they're going to lose money? And can you tell me what the price is to fix the defibrillators. Tell me what the cost is going to be if this Bill passed, Lou?"

Lang: "Well, I haven't seen anything in writing, but I believe that... One second. As for the defibrillator portion of this, the RTA told me that they thought it would cost them about \$500 thousand on a onetime basis. And they asked for a year to do it, which I put in the Bill. I don't know that they're still opposed to the Bill. At least, I don't think they're all that opposed to this section. They told me it'll cost them about \$500 thousand. I gave them, in the Bill, the additional time to do what they needed to do.

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Relative to the Internet portion of the Bill, they're going to find a provider who's going to charge Metra a flat fee but they can pass that fee on to anyone who wants to use the service. And in fact, Metra may make money on that proposition."

Arroyo: "How much money you talking about, Lou?"

Lang: "I have no idea."

Arroyo: "Lou, thank you very much."

Lang: "You're welcome, Sir."

Arroyo: "I'm still going to be a 'no' on this Bill and I urge my colleagues to be a 'no', also."

Lang: "You already did that."

Arroyo: "Thank you. I'm going to do it again just to remind everybody."

Lang: "Very good, very good."

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

Franks: "Thank you, Mr. Speaker. I rise reluctantly in opposition of the Bill. Initially, I thought I was going to vote for it and then I thought more about it, and... and I'll tell you why I was conflicted. Last year, I brought to the House, a Bill to require defibrillators on Metra trains not each car, but on the train. And I think the arguments that we've heard, quite frankly, about the cost aren't that persuasive because the amount that it would cost is pretty small and we were hoping to get corporate sponsors to pay for them and more importantly, I think we would avoid a lot of liability. Because we've seen... in Boston, for instance, when they did not have the AED's and they were subject to

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massive liability on certain occasions when, unfortunately, people had died of heart attacks. So, I certainly thinks it's proper public policy to have the defibrillators and I encourage Metra, regardless of whether we pass this Bill or not, to put defibrillators on each train and I think they can get corporate sponsors to do that. I don't necessarily believe that we need to do this via legislation. And I also hope that they do put on wireless as well. I think that's what people do in the 21st century and there's ways to get this done without necessarily having to have legislation. While I was reading the Bill, it occurred to me, that trying to remove the chairman simply so we can have someone else running the RTA is not the right thing to do. I don't think that anyone in their right mind would ever design a transportation system like we've designed in Illinois. It's inefficient... it's competitive with each other. They don't work together. Until recently you couldn't even use the same fare cards to be able to go between the different... Metra or Pace. Whatever you had you couldn't use it. It makes no sense. Instead of nibbling around the edges, which this Bill would do, what I suggest is wholesale change and get rid of the four transit agencies and have one agency that works together. And instead of competing for federal funds and state funds, actually works together in a symbiotic relationship. This will not serve that purpose. What I'd like to see is a Bill, and I plan on filing it for the 97th General Assembly is to dismantle all of these boards and start again. As we've seen from these boards, they're nothing more than repository of patronage for those

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who know people. Not that they know transportation, it's people who are politically connected, who get large pay checks for little or no work, who get pension benefits to attend a few meetings a year, who also get health care benefits. Instead of replacing merely the chairman, we should dismantle the entire system and start over. Let's have real change... this doesn't do it."

Speaker Lyons: "The Chair recognizes a Gentleman from Lake, Representative Sid Mathias."

Mathias: "Will the Sponsor yield?"

Speaker Lyons: "Sponsor yields."

Mathias: "Representative, my understanding, again, I think we might've touched on this before. Is this Bill only applies to Metra?"

Lang: "Yes, Sir."

Mathias: "As far as the defibrillators and the wireless, obviously the RTA provisions affect all of the service boards."

Lang: "That's correct, Sir."

Mathias: "And is there a reason why you decided to require Metra... I appreciate the safety and I think we certainly should have AEDs if it was possible on... everywhere we can have them but why is it that we're discriminating and forcing Metra to do it and not asking the CTA or Pace to do the same thing? Obviously, CTA has a bigger ridership. If the goal is to try to save lives you would think by putting AED's in CTA trains you would have a... the risk is probably higher and you'd probably have a better return on your money to actually save lives."

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Lang: "Well, firstly, Representative, again, this is an initiative of the Governor. And secondly, I can't imagine that you would say 'well 'cause we're not going to save those lives, we shouldn't save these lives. I don't think that would be good logic."

Mathias: "No, I think we should save... if you're going to save lives, let's save everyone's life."

Lang: "So you would vote for this Bill if I added everyone in?"

Mathias: "No. And let's..."

Lang: "So let's move on then."

Mathias: "Then let's move on to the real issue."

Lang: "Okay."

Mathias: "Several years ago, as you know, we passed the RTA Reform Act and in that Act, which barely passed this chamber, barely passed the Senate, had to be amended or at least in order to get it signed into law our Governor then, Governor Blagojevich, added the free rides for seniors which we're now trying to eliminate because it certainly was not a good idea and is costing the system millions of dollars each year. But in order to pass that Bill, as we do a lot of times, we had to negotiate various parts of the Bill and part of the Bill was the governance of the RTA. And that Bill basically stated that five members of the RTA board would be appointed by the Governor, five by the mayor of the City of Chicago and five by the outside collar counties... Cook and the other counties. Is that correct?"

Lang: "Yes."

Mathias: "And then all of those 15 together, in order to build consensus, and I'm sure you're for consensus, also in order

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to build consensus we allowed those 15 to decide who would be the chairman. And we didn't just say, okay, a majority should do it. We said 11 members of the RTA board must pick their chairman. And the reason was so that the City of Chicago alone or the Governor alone or even the Governor and the City of Chicago alone or the counties couldn't together pick somebody unless there was a consensus throughout the region. Now, what you're doing is, by giving the Governor an extra vote, is you're breaking that consensus which we've tried to reach on many occasions on a lot of legislation and now you're trying to change consensus to a power grab. And I don't think that's right and I urge everyone in this chamber to vote against this Amendment. Thank you."

Speaker Lyons: "The Gentleman from Cook, Representative Marlow Colvin.

Colvin: "Thank you, Mr. Speaker, to the Bill. I briefly rise in support of this Sponsor's Bill. I think in many respects our world is changing, and it's changing every day. And I want to commend the Sponsor of this Bill with respect to the Wi-Fi service on Metra. Well actually, Mr. Speaker, if the Sponsor would yield, I do have one question."

Speaker Lyons: "Sponsor will answer your question, Marlow."

Colvin: "Representative Lang... Leader Lang, when it comes to the Wi-Fi service, is it my understanding that a consumer would have to pay for that service. So, it is optional in that case."

Lang: "That would be up to Metra. They could charge for it or not."

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Colvin: "Okay. So, it wouldn't be... so, I guess what... so, my question is... Let me rephrase it. Is it under this Bill, in the way it's written, could Metra install Wi-Fi service and then raise the price to cover the cost of providing that service?"

Lang: "Well, they could, but they're more likely to create a user fee for those that want the service."

Colvin: "The same way many hotels and restaurants would do if you want to use their Wi-Fi service. You would pay the 5 or 10 dollars a day at the Hyatt hotel and be able to access their Wi-Fi service."

Lang: "That's exactly correct. There's no reason to assume that the regular ordinary rider, who doesn't want the service, will have their cost impacted at all."

Colvin: "And I would suspect that if most riders are given the choice; those who no longer buy newspapers would love the opportunity to use their iPADS to read the Wall Street Journal, or the Sun Times, and the Tribune or whatever your local paper is, would probably do so and those who would not simply... would opt not to pay the fee. As it relates to the defibrillators, it is becoming more and more common to walk into a health club, a supermarket, a school, your doctor's office and to see one located. Clearly, I think, in the next decade we'll probably see defibrillators in every public space in the country. An... and just like the ADA Act, and I remember when they were arguing about it in Congress back in the early '90s, many people thought that this would be too cost prohibitive to do, that it would be many places that wouldn't be able to adhere to this, but if

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you walk on any street in Chicago, on any curb you now see it accessible for wheelchairs. So clearly society will change to create a greater benefit for everyone and I see that the same way with respect to defibrillators. As it comes to the appointment of the Metra chairman, I certainly take no issue with the Governor being able to appoint that individual and with the Senate having the ability to confirm the consent of such chairmen, I think is about as democratic, with a small 'd', as you can get. When you look at decision makers in State Government, in some of the most critical and the most sensitive departments, it is the same process. Certainly the persons who runs one of the largest major transportation agencies in northeast Illinois would fit into that venue. In terms of importance and sensitivity, well, I don't know, but certainly I think this is a very smart way to go. I also want to comment on one of the comments that Representative Franks made earlier with respect to the transportation boards. Even before you file such a Bill. I am in strong support of what you said with regard to dismantling all of these boards and working in one symbiotic relationship. I, too, have contemplated such legislation and have been talking to some of the transportation people about it. I'll be certainly happy to support your effort. I think it's high time that we bring into... some congruency with respect to all the transportation agencies who do so many duplicative services with duplicative salaries and benefits and all those other assets, when we see year after year after year the transportation board struggle to meet their budgets, to

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keep fares in-line with... so that riders can actually afford to use it to get to work, to get to school, or just go downtown to watch a movie. So, we'll save that argument for the 97th General Assembly, but with respect to Senate Bill 3336, the provisions in this Bill, it's high time that they come forward. And I would urge everyone to support.. this Bill. Thank you."

Speaker Lyons: "The Gentleman from Cook, Representative Greg Harris."

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

Speaker Lyons: "Sponsor yields."

Harris: "Representative Lang, I'm very concerned about this Bill because my neighborhood is very dependant on both Metra and the CTA for transit for my folks to get to work, to doctor's appointments, to school, and to travel around the city and the area. Has this Bill... as this Bill that's before us, this Amendment, being crafted, was it discussed with the President of the CTA at all, to your knowledge?"

Lang: "I really don't know, Representative. But it doesn't affect the CTA except as to the governance portion of the Bill."

Harris: "And for the reference to the governance portion of the Bill, were the other people who have recurrently have appointing power on the board, particularly the mayor of the City of Chicago, consulted about this change in the leadership on the RTA board?"

Lang: "I'm not certain if they were consulted or not."

Harris: "Okay. Yeah. This is, with all deference to the Sponsor, you know this is one of those very concerning

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issues where I think all of us looking at our regions, whether it's Representative Tryon who's looking out for the suburbs or myself looking after the City of Chicago, have to be very wary about making changes in long standing tradition that have given some kind of political balance to decision making that will, you know, heavily influence resource decision making for years to come. So, you know, I'm very concerned about you know, why this decision is being made now, you know, what the motive behind it is, and being sure that the represen... that the interest of the constituents that I represent, as other speakers have talked about their constituents, being sure that those ideas and those needs are well taken care of. And I would just urge that my colleagues consider a 'no' vote on this Amendment. Thank you."

Speaker Lyons: "The Lady from Cook, Representative Toni Berrios."

Berrios: "Thank you, Mr. Speaker. I'd like to yield my time to Representative Arroyo."

Speaker Lyons: "Representative Arroyo."

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

Speaker Lyons: "Sponsor yields."

Arroyo: "Lou, I forgot one question. You have this defibrillator Bill that would sound like if there's a lot of people getting heart attacks at Metra. Why are you calling this Bill and why now do you want these defibrillators in Metra? Is there a certain amount of numbers, a lot of people having heart attacks? Are a lot of people having problems on Metra?"

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Lang: "I assume the same percentage in the rest of the population. So, if we thought enough of people in health clubs to put these in, why not in public transportation."

Arroyo: "Do you have any numbers, Lou?"

Lang: "I do not."

Arroyo: "Thank you."

Speaker Lyons: "Seeing no further discussion, Representative do you want to close on your Amendment."

Lang: "Thank you, Mr. Speaker. This is a more simple Bill than those of you who have been opposed to it have been stating. Let's just talk about the mandated provisions. The Wi-Fi is a pretty good idea. A lot of people take their laptops and their computers along with them when they go to work and they move around. Why not give them an opportunity to use them in a cost-effective way? Secondly, the defibrillator speaks for itself. We want people to be healthy; we want them to have the opportunity to survive a heart attack if they have one while they're going to and from work or travelling about their business. As to the governance portion of this, I have to correct a comment one person made. This is not a power grab by the Governor. The Governor has no votes on the RTA today. He has no votes on the RTA today. So, this is an opportunity for Springfield to have something to say about what goes on at the RTA. The Governor would appoint the new chairman, the Senate would have to provide advice and consent, and thereby the Illinois General Assembly and Illinois State Government had something to say about the governance of the RTA. I think

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that's a good idea, I would request your 'aye' votes on the Amendment."

Speaker Lyons: "All right. Ladies and Gentlemen, as we know Repre... Representative Tryon has asked for a Roll Call vote on the Amendment as well as a verification. So, Members please vote your own switches. And the question is, 'Should Floor Amendment #3 be adopted to Senate Bill 3336?' All those in favor of the adoption of the Amendment signify by saying 'yes'; those opposed signify by voting 'no'. Have all voted a wish? Have all voted a wish? Have all voted a wish? Have all voted who wish? Representative Dunkin. Mr. Clerk. Mr. Clerk, take... take the record. Mr. Clerk, take the record. There are 57 'yeses', 55 'noes', 2 voting 'present'. Mr. Clerk."

Clerk Mahoney: "Voting in the affirmative, Representatives Acevedo; Beiser; Berrios; John Bradley; Burke; Burns; Carberry; Collins; Colvin; Crespo; Currie; Monique Davis; Will Davis; Dugan; Farnham; Flider; Flowers; Ford; Froehlich; Gabel; Careen Gordon; Jehan Gordon; Hannig; Hernandez; Hoffman; Holbrook; Howard; Jackson; Jacobson; Jefferson; Lang; Lilly; Lyons; Mautino; Mayfield; May; McAsey; McCarthy; McGuire; Mell; Mendoza; Miller; Nekritz; O'Sullivan; Phelps; Reitz; Riley; Rita; Smith; Soto; Thapedi; Turner; Verschoore; Walker; Yarbrough; Zalewski and Mr. Speaker."

Speaker Lyons: "All right. Staff... Members, please be in your chairs, and staff please go to the back of the room. There is a verification process is going on. Representative Tryon. Representative Lang, did you want to be represent...

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you've got your light on for a purpose? No. Okay.
Representative Tryon, the floor is yours."

Tryon: "Representative Dunkin, is he in the chamber?"

Speaker Lyons: "I don't know if he's in the Chamber or not,
Sir, but he did not vote on this Bill. So, he's not an
issue so."

Tryon: "That would be correct. Representative Acevedo."

Speaker Lyons: "You got him Mike, but he's not here. So he
didn't vote. Representative Acevedo. Is Representative
Acevedo on the floor? He was here, but he's not here now.
Remove Representative Acevedo, Mr. Clerk."

Tryon: "Representative Hoffman."

Speaker Lyons: "Representative Jay Hoffman. Representative
Hoffman."

Tryon: "Representative Collins."

Speaker Lyons: "Hoffman is here; he was in conference.
Representative Collins. Representative Tryon, Annazette is
in the back of the chamber. She was in the lounge area."

Tryon: "That's all we have."

Speaker Lyons: "Well, a simple Majority rules on this. By a
vote of 56 'ayes', 55 'noes' and 2 'presents' the Amendment
is adopted. Leader Lang. The Amendment is adopted and we'll
take the... leave the Bill on the Second Reading and take the
Bill out of the record. Mr. Clerk."

Clerk Mahoney: "Rules Report. Representative Barbara Flynn
Currie, Chairperson from the Committee on the Rules reports
of the following committee action: approved for floor
consideration is Amendment #3 to Senate Bill 2797;

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recommends be adopted is a Motion to Concur in Senate Amendment #1 to House Bill 1606."

Speaker Lyons: "Mr. Clerk, on page 6 of the Calendar under Senate Bills-Second Reading, Leader Barbara Flynn Currie has Senate Bill 2797. What's the status on that Bill, Mr. Clerk?"

Clerk Mahoney: "Senate Bill 2797 has been read a second time previously. Amendment #1 was adopted in committee. Floor Amendments 2 and 3, both offered by Representative Currie, have both been approved for consideration."

Speaker Lyons: "Representative Currie, you have Floor Amendment 2 to Senate Bill 2797."

Currie: "Thank you, Speaker and Members of the House. This is a measure that deals with the problem of when an assessor fails to include property in establishing the assessment. So, for example, someone may have done an addition to a house or a factory, or property may, for whatever reason, had just not been apparent to the assessor at the time of assessing. So, I would ask that we... This is kind of a technical Bill. I would ask that we adopt Amendments 2 and 3 and then I can describe the Bill on Third Reading."

Speaker Lyons: "You've heard the Lady's request the move for the adoption of Floor Amendment #2 to Senate Bill 2797. All those in favor signify by saying 'yes'; those opposed say 'no'. In the opinion of the Chair, the 'ayes' it. And Floor Amendment #2 is adopted. Mr. Clerk, anything further?"

Clerk Mahoney: "Floor Amendment #3."

Speaker Lyons: "Leader Currie on Floor Amendment #3 to Senate Bill 2797."

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Currie "Again, I'd ask that leave that we adopt the Amendment and will describe the Bill on Third Reading."

Speaker Lyons: "Heard the Lady's Motion. The Chair recognized... on the Amendment, the Chair recognized the Gentleman from Crawford, Representative Roger Eddy."

Eddy: "Just a quick question on Amendment #3. Does this become the Bill?"

Speaker Lyons: "Leader Currie?"

Currie: "No, it does not become the Bill. The Bill is basically Amendment 2. It's a technical correction in Amendment 2."

Eddy: "Okay. So the substantive part we just did in 2 and this just tweaks it a little bit."

Currie: "You got it."

Eddy: "This is a Bill that went through Revenue Committee yesterday?"

Currie: "Right."

Eddy: "Okay. Thank you."

Speaker Lyons: "Seeing no further questions, would all in favor of the adoption of the Amendment #3 signify by saying 'yes'; those opposed say 'no'. In the opinion of the Chair, the 'ayes' have it. And Floor Amendment #3 is adopted. Mr. Clerk, anything further?"

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

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

Clerk Mahoney: "Senate Bill 2797, a Bill for an act concerning local government. Third Reading."

Speaker Lyons: "Leader Barbara Flynn Currie."

Currie: "Thank you, Speaker and Members of the House. Today in Cook County, while an assessor can begin providing back tax

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requirements on people who own properties that the assessor omitted from an assessment, there is no limit to how far back the assessor can hit those properties and there is no appeal right for the taxpayer who may want to dispute the accuracy of the assessor's information or who may feel that the assessor should have already included that property and therefore the taxpayer should not be held liable. What this measure does is to say that the assessor essentially can go back this year and three more years essentially, four years is it and the measure provides the taxpayer with a series of defenses and it provides that the taxpayer can go to the board of review to file an appeal if the taxpayer believes that the assessor was making a mistake or should not be permitted to tax the payer 'cause the fault lay with the assessor rather than with the owner. I'd be happy to answer your questions and I'd appreciate your support for the Bill."

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, do you have any idea as to how many parcels this has been an issue about?"

Currie: "You know, I don't know, but I know that it happens frequently. We had lots of discussions about this issue, I think two years ago. And at that time the measure similar to this was opposed by the then Cook County assessor. The new Cook County assessor, I think, thinks this becomes a kind of fair play proposition so that omitted properties

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can be restored to the rolls but if the fault lay with the assessor, the taxpayer shouldn't have to be stuck with the tab."

Pritchard: "So, current statutes require that there be a penalty if this property has not paid taxes in the recent past?"

Currie: "If it turns out there's a piece of property the assessor didn't assess, the assessor's supposed to assess it and that means that taxes would be due and owing. Under current law there is apparently no limit to how far back the assessor can send the tax bill. And what this does is it provides, I think, a reasonable balance between saying never and forever. It says essentially this year and the three preceding years, so it's basically a four-year window. But it does provide not only appeal rights for the taxpayer but also a series of defenses. If, for example, the assessor's office had the information over in this clerk's station, that information should have been available to the clerk station over there. It's not my fault if I gave them the information and they failed to acknowledge it. On the other hand..."

Pritchard: "So that's the source of the error?"

Currie: "Pardon me?"

Pritchard: "That's the source of the error..."

Currie: "If that's the..."

Pritchard: "...it's not that the assessor failed to assess, it's that the notice wasn't given."

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Currie: "Yes. So, if I gave the information to the assessor's office but they didn't act on it, I should not be held liable for that.

Pritchard: "So is this a..."

Currie: "On the other hand if I did do an addition to my house and didn't tell them, then I should be liable for some back taxes."

Pritchard: "Is this an issue around the state or just in Cook County?"

Currie: "My understanding is a downstate there is an appeal right to the board of review. That's already law."

Pritchard: "But that doesn't apply to Cook County."

Currie: "That's right."

Pritchard: "Thank you."

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

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

Speaker Lyons: "Sponsor yields."

Sullivan: "Representative, I'm trying to get a handle on this Bill. Generally, I believe that this is a protaxpayer Bill. There's no doubt about that."

Currie: "It is. It is because right now there's no limit how far back the assessor can go and there is no right of appeal.

Sullivan: "Right."

Currie: "If I believe I've already given the assessor the information, and the assessor didn't avail himself or

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herself of that information, I still get stuck with the back tax bill."

Sullivan: "Right. In that aspect of the Bill, I personally like. As an assessor, if I made a mistake, you know, I shouldn't force the taxpayers to go back in time. I do have a point that I want a little bit more clarification. And I'm going to point you to a direct point in the Bill on page 3 the Section 5 where it says the assessor received a plat map, plat of survey, ALTA survey, mortgage survey, or similar document committing the omitted property but failed to list the improvement on the tax roll. So, as the assessor in Lake, and I know this only applies to Cook, I get plat maps every year. I get new plat maps 'cause they make corrections and changes and splits and so forth. This is not going to list property, only the pin numbers, so because I received that plat of survey does that now mean, that because I didn't necessarily go out and look at the property, that this applies, that they don't have to pay the taxes on it 'cause it's considered omitted?"

Currie: "No. What this says is if one of those surveys or maps showed the omitted property and the assessor didn't pick it up.

Sullivan: "Okay."

Currie: "Then the taxpayer is not responsible."

Sullivan: "So, my metes and Bounds block surveys that just show lines and things of that nature wouldn't apply, but if I got an aerial map, that would?"

Currie: "Well, only... only if the assessor... and I'm not sure aerial maps are needed. There is no specific mention of

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aerial surveys, but I think the relevant issue is did the assessor have the information and just failed to act upon it. Similar to if I tell the assessor I put an addition on my home and the assessor's office doesn't include that expanded property in the assessment."

Sullivan: "And I agree with you, if someone says, hey I did this, and you do get people that will come in and say, hey, I have this new addition make sure it's on there, for whatever reason they do it, but in the end, we also get notices from the village and the county of permits. That's obviously something, that's notice that we should be out looking at and I agree on all aspects of that. I just wanted to make sure that one point... 'cause that would be almost impossible for an assessor to do.

Currie: "Yeah. Well... and..."

Sullivan: "So, it's your understanding that it's not the plat maps that are the issue that you're talking about then I certainly would be supportive."

Currie: "And I think the language is pretty clear that there has to be something in one of those surveys or in one of those maps that specifically identifies the property that the assessor then left out."

Pritchard: "Okay. Thank you very much."

Speaker Lyons: "No one seeking further discussion, Representative Currie to close."

Currie: "Thank you, Speaker and Members of the House. This is a taxpayer friendly Bill for property owners in Cook County. I would appreciate your support for an appropriate balance between the assessing activity and the right of the

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taxpayer not to find him or herself stuck with the bill they should not, in fact, have to pay."

Speaker Lyons: "The question is, 'Should Senate Bill 2797 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? Bob Biggins. Mr. Clerk, take the record. On this Bill, there are a 113... 114 Members voting 'yes', 0 voting 'no', 2 Members voting 'present'. This Bill, having received the Constitutional Majority, is hereby declared passed."

Speaker Lyons: "Mr. Clerk, on page 7 of the Calendar under Senate Bill-Second Reading, we have Senate Bill 3461. What's the status of the Bill, Mr. Clerk?"

Clerk Mahoney: "Senate Bill 3461, has been read a second time, previously. Amendment #1 was adopted in the House Executive Committee. No Floor Amendments. No Motions filed."

Speaker Lyons: "Mr. Clerk, move the Bill to the Order of Third Reading and read the Bill."

Clerk Mahoney: "Senate Bill 3461, a Bill for the United States Government, Third Reading."

Speaker Lyons: "Leader, Barbara Flynn Currie on Senate Bill 3461."

Currie: "Thank you, Speaker, Members of the House. You'll remember that when we left Spring Session we authorized the Governor to engage in certain kinds of spending but only until I believe it was today that would be January 11, 2011. And of course that means that unless we change the law, the Governor can't do this kind of spending between now and the end of the fiscal year. So this Bill is

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identical to the one that we passed in the spring except it changes the dates. It says now the Governor can spend money from today until the end of the fiscal year. There is one technical difference and that is that the tobacco settlement issue is already resolved so we take out any reference to spending tobacco settlement money. I will be happy to answer your questions. I don't think we want the ship of state to find itself rudderless during the next six months, so I'd certainly appreciate your support for this measure."

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

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

Speaker Lyons: "Sponsor yields."

Eddy: "Leader Currie, it's been awhile since we voted on the emergency budget authorization to the Governor and you..."

Currie: "It's been six months, yes."

Eddy: "And you mention that this is different in that the tobacco securitization fund authority that was in that has taken place, so that's taken out."

Currie: "That's right."

Eddy: "Can you refresh, for the Members of the Body, refresh us on some of the more significant parts of this that the Governor has authority over?"

Currie: "So, it enables the Governor to initiate reserves if there is a cash flow problem. It gives him the authority to go ahead and spend the appropriations that we gave him in May. It's just general spending authority. It was called the Emergency Budget Act, when first we passed it. And

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we're calling it the Emergency Budget Act in the second round of the state's fiscal year as well."

Eddy: "So, the emergency rule making authority that was given to the Governor during that six-month period would continue for an additional six months. Is that one of the considerations?"

Currie: "Only if there is an emergency. This does not grant broader authority for emergency rulemaking than we had during the first six months of the fiscal year."

Eddy: "Representative Currie, why would this be necessary at this time, when we're here today to apparently look at possibilities or alternatives related to the fiscal situation that faces us? Why is it necessary before there's any attempt to resolve those fiscal issues to provide these authorities?"

Currie: "Well, Representative, we are certainly are in dire financial circumstances, but the reality is that we are not penniless. We do have programs that continue during the second half of the fiscal year, and all this measure does is to give the Governor the authority to continue spending for programs and dollars that have already been authorized by the General Assembly. So..."

Eddy: "Well, for example, if there is some type, and things are floating all over here, and there are Bills filed. But one of the theories is that there... there's going to be some type of Bill to allow borrowing substantial amounts of money to pay bills, yes, but I guess until we know what types of measures that this General Assembly will provide in any type of a... budget deals or additional fiscal revenue

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today, why would we need to do this at this time? It seems to me that this is authority that may or may not be necessary based on other things that might happen."

Currie: "I would say that this authority is necessary, never mind what other things happen or do not happen. The Governor required this authority during the first half of the fiscal year, and he will require it during the second half, if we're going to be able to spend money that we have appropriated and continue programs that we have supported."

Eddy: "Well, then why didn't last fall... or last spring, why didn't we just do for an entire year? Did we want to wait and see what happened in an election to decide whether or not the authority would be extended?"

Currie: "You know, my sense is without knowing... without knowing what the Governor wanted, it was hard to make a decision for the full year, and I believe that the opportunity to reserve to do interfund borrowing if necessary. Those are things that... 'cause we don't know if other solutions will be upon us. This is something that I believe the Governor very much needs."

Eddy: "Thank you. To the Bill. Ladies and Gentlemen of the House, I got to tell you, I don't like to be overly skeptical, but there's no way had the election turned out a little bit differently that this authority would be extended to the new Governor. Otherwise, we would have done this and allowed that authority to extend to a point that would have covered this six months. This is the wrong time to even begin to think about extending extraordinary authority to the Governor when we haven't even talked about

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the possible solutions to the fiscal crisis that we face. I urge Members of this Body to vote 'no', at least until we know what's going on with other possible solutions."

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

Franks: "Thank you, Mr. Speaker. I would like to talk to this.. about this Bill. I think voting for this Bill is an explicit admission that we can't do our jobs because what we would be doing essentially is giving up our constitutional authority. What we'd be doing is saying, do our jobs for us, oh benevolent dictator, Governor because we are not up for the job. We are going to act like lemmings, and we're going to follow you right off that cliff. You know, at least when Jesse James would hold somebody up, he'd use a gun. But now all we're doing is saying, take it from us because we're not worthy. We're not smart enough. We don't have the political will. We are just a bunch of idiots, and we can't make the tough choices. Because if you vote 'yes', that's what you're saying. Mr. Eddy, you're 100 percent right. This is a 100 percent politically motivated because if we had a different Governor at this time, we would not be talking about this Bill. I voted against this before for those reasons; I hope you follow me now. We made a grievous error by passing this Bill before. And what they're asking today, remember folks, that later they're going to ask us to raise taxes 66 percent on individuals, 50 percent on corporations. They're going to ask for more and more and less and less accountability. That's what this is. It's no accountability

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here, folks. It's a blank check. Take all our money, spend it any way you want. Whatever you do, though, let's make sure we preserve the status quo because that's what you'd be saying. You'd be saying, let's make sure that we keep paying those transit board guys who shows up six times a year, \$25 thousand in salaries. Let's make sure we're paying them pensions. Let's make sure we're paying their health care. Let's make sure that we don't curtail the 526 people that are earning over \$100 thousand a year in pensions that are costing us \$68 million a year. Let's make sure that we continue business as usual. Now think about this. When they're asking for these big tax increases on businesses, do you think we're really going to need the Department of Commerce and Economic Opportunity? Do you think they could do anything to bring any businesses to this state, once we increase their taxes by 50 percent? So we should 'x' out the Department of Commerce and Economic Opportunity right now and save a billion dollars, but we can't do that if we give the Governor the ability to do anything he wants with this budget. You know, why hasn't the Governor 'x' out our Member initiative funds and saved the bonding of over a billion dollars for those? That would save us over a hundred million dollars a year. We wouldn't have to pay those bonds. Why have we not consolidated the Department of Transportation with the Toll Highway Authority? Why have we not even talked about combining the Treasurer's Office and Comptroller's Office which both successful candidates wish to do? Why have we not eliminated the Lieutenant Governor's Office? Why have we

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not eliminated the East St. Louis Advisory Commission? What a joke. Why haven't we required consolidations of school districts, saving hundreds of millions of dollars? Why and why would we ever turn over the lottery to a private firm, so they could make all the profits? If we ran it as well as the other states do, we would return an extra \$650 million a year. Let's not give up our authority. Let's reform government. Let's change government. Let's do our job. Vote 'no' on this horrible Bill."

Speaker Lyons: "The Chair recognizes the Gentleman from Cook, Representative Harry Osterman"

Osterman: "Thank you, Mr. Speaker. And will the Sponsor yield?"

Speaker Lyons: "Sponsor yields."

Osterman: "Representative Currie, I just have really one question and when we voted on this in the spring, I recall that part of that legislation required the Governor and his staff to report to the General Assembly on how the money was managed over the last six months and what those fund transfers were and how the money was used. We gave him a incredible amount of authority to direct our state during the last six months, but part of that, as I recall, was that he was going to report back to the General Assembly on those actions and how the money was spent. So, one is... is my memory correct? And also is..."

Currie: "You're correct. You're absolutely correct. Not only to us, not only to the General Assembly, but also to COGFA and the Speaker of the House, House Minority Leader, and so forth. Every quarter in the information would include the date of the transfers, the amount of the transfers, and the

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amount of interest to be paid to the fund of origin. And the answer is that that information both the two quarterly reports are available on the Government Office of Management and Budget Web site. So, anybody in this chamber is welcomed to go look and see exactly what happened, when and what funds were engaged."

Osterman: "I will do that."

Currie: "And if you want that information for the second half of the year, then we had better pass Senate Bill 3461."

Speaker Lyons: "Representative Currie to close."

Currie: "Thank you, Speaker. Yeah, there's all kinds of things we can do in separate Bills and I look forward to examining the legislation that a prior speaker on this Bill is recommending when we join in the new General Assembly tomorrow. But in the meantime, there's only one way to make sure that we're able to manage our resources, resources that were appropriately authorized by action of this General Assembly and making sure that the Governor has the flexibility and the authority to meet responsibilities that are already part of the state's statutes. I don't know how the Governor can do it without this authority, and I would urge a 'yes' vote. The reporting requirement that Representative Osterman referenced will be in this measure as it was in the last, so we can check and see what the Governor did or didn't do. And all I can tell you is without this authority, this ship of state is likely to run aground. Please vote 'yes'."

Speaker Lyons: "The question is, 'Should Senate Bill 3461 pass?' All those in favor signify by voting 'yes'; those

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opposed vote 'no'. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Have all voted who wish? Mr. Clerk, take the record. On this bill there are 63 Members voting 'yes', 51 Members voting 'no', 1 voting 'present'. This Bill, having received the Constitutional Majority, is hereby declared passed. Mr. Clerk, on the Order of Concurrences on page 9 of the Calendar Representative Dugan has House Bill 1606. Representative Dugan. The Chair recognizes the Lady from Kankakee, Representative Dugan on Senate... House Bill 1606, Amendment #1 on the Order of Concurrence."

Dugan: "Thank you, Speaker. I would just like to concur with Senate Amendment #1. House Bill 1606 addressed an issue about just making sure that people are aware of the fact when there is asbestos involved in a demolition or remodeling there are EPA standards. House Bill 1606 just wants to make sure and instruct municipalities and/or counties to make sure that people are notified. There was opposition, which now has been removed with the Amendment from Senate Amendment #1. And I do... would like a vote to concur."

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

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

Speaker Lyons: "Sponsor yields."

Eddy: "Representative, you mentioned it, and I appreciate that, but the Bill had considerable opposition when it passed. There were over 30 'no' votes. Now, are you saying that

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based on that Amendment that there is no longer any opposition?"

Dugan: "That's what I'm saying. The Municipal League and the Illinois Council of Code Administrators were the ones that were opposed to this original Bill, but with Senate Amendment #1, they removed their opposition. I met with both The Municipal League and The Council of Code Enforcers."

Eddy: "Well, let me specifically, for Members that are interested in metro counties, metro counties strongly oppose this Bill in the original form. Specifically, do you know if the metro counties have removed their opposition?"

Dugan: "Representative, from what I was told and when I met with representatives from the Municipal League and the Illinois Council of Code Administrators, I understand that this language that they gave us does remove all opposition. Now whether or not metro county, I'm assuming it does but again, I didn't speak directly to them. I spoke to representatives of the counties and the Municipal League."

Eddy: "Now, you also mentioned that this deals with asbestos removal. What... what does it... what the public policy change? What does this allow?"

Dugan: "What this allows is it seems in the original Bill that was brought here, Representative, because it seems as though when someone does demolition or renovation of a building that has asbestos, it is not really part of any demolition permit in a county or municipality. In some it is, but in many it may not be, to where that person is even notified of the fact that if they have asbestos involved in

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this demolition, they need to contact the EPA and make sure that the regulations set forth in this state for asbestos removal is followed. And so, all this does is say counties and municipalities just need to make it part of their application process, when someone comes in for a permit, they have to just notify them now that you need to make sure that if there's asbestos, you need to contact the EPA to make sure you have all those regulations."

Eddy: "So, currently, there's not this notification requirement, and somebody's going to demo a building, doesn't have the... the knowledge, this really is an attempt to notify of them of the need to get that... the asbestos inspection."

Dugan: "Correct, Representative, and it actually has happened and that's why we... it was brought to our attention that it is not a requirement. And so we think, in the best interest of the state and the people of the state, that people just need to be made aware and that's all this does is say tell them when they come for the permit that if they believe they have asbestos they need to contact and make sure they follow the regulations for removal along with disposal of asbestos."

Eddy: "So, could you consider any part of this Bill to be a mandate that's not funded to the municipalities? Is there anything that they're required to do besides the notification?"

Dugan: "Not... not anymore, Representative, with the Amendment from the Senate. That's why there's no opposition that there was before."

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Eddy: "Okay. Thank you. I appreciate. To the Bill, very quickly. Ladies and Gentlemen of the House, the Sponsor obviously is trying to be as up-front with this as possible. Those who though are interested in metro counties, this is something that you might want to check out, be a little cautious of it, that was your original opposition. They don't actively oppose it, but if you haven't heard from them, as Representative Dugan has not heard from them, you might want to watch this Bill. Thank you."

Speaker Lyons: "Seeing no further discussion, Representative Dugan to close."

Dugan: "Yes. Again, I would just like to state that this Amendment, I'd like an agreement to concur. Those that were in opposition did come to my office or sent representatives, and I do believe at this point, that the opposition has been lifted. Our analysis says so, and I certainly would appreciate this is just to make sure that asbestos removal done in the state is done according to the regulations to protect the people in the state, when asbestos is involved. Thank you very much."

Speaker Lyons: "The question is, 'Should the House concur with Amendment #1 to Senate Bill 1606?' This... House Bill 1606. This is final action. All those in favor signify by saying 'yes'; those opposed vote 'no'. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Mr. Clerk, take the record. On this Bill, there's 116 Members voting 'yes', 0 voting 'no', 0 voting 'present'. And the House does concur with Amendment #1 to

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House Bill 1606. And this Bill, have received the Constitutional Majority, is hereby declared passed. Representative Dan Reitz, for what purpose do you seek recognition, Sir?"

Reitz: "Thank you, Mr. Speaker. Yesterday on Senate Bill 3644, I was recorded as a 'yes', and I would like the record to indicate that I wanted to vote 'no'. I'd like to be recorded as a 'no'."

Speaker Lyons: "The Journal will reflect your intentions, Representative. Mr. Sullivan, for what purpose do you seek recognition, Sir?"

Sullivan: "A point of personal privilege."

Speaker Lyons: "Please proceed."

Sullivan: "Ladies and Gentlemen, if we look at the voting board, you can see that it's 1111 on January 1... January 11, 2011. And with that, this very strange day, I just want to ask the Speaker if he could check with the parliamentarian, do you believe the apocalypse is upon us?."

Speaker Lyons: "Representative, you get the answer for that question. We're anxious to have you advise us on that, but good observation, Representative. A moment in history. Thank you."

Sullivan: "Thank you."

Speaker Lyons: "Ladies and Gentlemen, the Chair would like to recognize a special guest we have on the floor. We have, of course, the Attorney General of the State of Illinois, Lisa Madigan; her husband, Pat Burns; their daughters, Rebecca and Lucy; and of course, the chairman of the Illinois Arts Council, the grandma, Shirley Madigan. Welcome.

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Representative Colvin on House Resolution 1257, House Resolution 1517. Representative Marlow Colvin."

Colvin: "Thank you, Mr. Speaker. I humbly ask that we suspend the posting requirements for House Resolution 1517 and House Resolution 1257. I checked with Republican Leadership which they had no objection and so please, Mr. Speaker."

Speaker Lyons: "Seeing no objection, the posting requirement is waived. Ladies and Gentlemen, if I can have your attention. I'd ask staff to please retreat to the rear of the chamber. All Members, please, be at their desks in their chairs. Mr. Clerk, House Resolution 1558."

Clerk Bolin: "House Resolution 1558.

WHEREAS, The members of the Illinois House of Representatives are saddened to learn of the death of State Representative Richard P. Myers of Colchester, who passed away on December 1, 2010; and

WHEREAS, He was born to John and Martha Myers on December 27, 1947 in Macomb; he married Christine Sims on August 9, 1975 in North Henderson; he graduated from Colchester High School in 1966 and earned a Bachelor of Science in Agronomy from Western Illinois University in 1973; and

WHEREAS, Representative Myers farmed his family farm for 29 years and served 6 years in the United States Army Reserves; he was an active member and elder of the Scotland Trinity Presbyterian Church; and

WHEREAS, During his farming career, Representative Myers was active in the Farm Bureau organization, serving in various capacities at the local, State, and national levels; he served 12 years as a member of the board of directors of

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the Illinois Farm Bureau; during that time he represented the Illinois Farm Bureau on the board of directors of the Interstate Producers Livestock Association, the U.S. Meat Export Federation, and numerous other agricultural organizations; and

WHEREAS, Representative Myers served several years as minority spokesperson of the Appropriations-Higher Education Committee and was a strong advocate for increased funding for the State's public colleges and universities, as well as for the State's community college system; and

WHEREAS, Representative Myers served on the Agriculture and Conservation, Higher Education, State Government Administration, Elections and Campaign Reform, and Renewable Energy Committees; he served as a member of the Passenger Rail Caucus, a group of legislators advocating for continued and expanded Amtrak service throughout the State; and

WHEREAS, Representative Myers was co-chair of the Commission on Government Forecasting and Accountability, a bi-partisan legislative commission of members from both chambers; their responsibilities include forecasting State revenue projections, oversight of employee insurance programs, and conducting hearings on the proposed closure of State facilities; and

WHEREAS, Beyond the State of Illinois, Representative Myers served as co-chair of the Agriculture and Natural Resources Committee of the Midwest Legislative Conference of the Council of State Governments; and

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WHEREAS, Representative Myers was preceded in death by his son, Nicholas; his father, John; and his brother, Wendell, who died in infancy; and

WHEREAS, Representative Myers is survived by his wife, Chris; his daughter, Alison; his mother, Martha; his brothers, Donald (Sue) Myers and Charles (Ann) Myers; and numerous nieces and nephews; and

WHEREAS, Representative Myers will be remembered as a thoughtful and hardworking legislator who always put his family and constituents first; therefore, be it

RESOLVED, BY THE HOUSE OF REPRESENTATIVES OF THE NINETY-SIXTH GENERAL ASSEMBLY OF THE STATE OF ILLINOIS, that we mourn, along with his family, friends, and constituents, the passing of State Representative Richard Myers; and be it further

RESOLVED, That a suitable copy of this resolution be presented to the family of State Representative Richard Myers as a symbol of our sincere sympathy."

Speaker Lyons: "The Chair recognizes the Gentleman from Jackson, Representative Mike Bost."

Bost: "Thank you, Mr. Speaker and Members of the House, you know, we... in certain times in our lives that... that when we get to speak on this floor that... that we wish we didn't have to in this case. Rich was a very good friend to many people right here on this floor. He was a member of our class, and it is, as I said, at his wake... or at his funeral, I considered that an honor to be able to speak there. You know Rich was like E. F. Hutton for those of us that are old enough to understand that statement. When he

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spoke, people listened because he didn't spend a lot of time going over words and going in every direction. He was focused. He knew what he believed, and he was very serious about what he did here in this General Assembly. I thank the Lord that I was blessed to become a friend after we came in our freshman year. You know... I mean, that's the way this place works. You come in, and you work with people and he and I worked together so much because of Higher Education, because of Ag, because of the different things in the districts that we represent, both being rural areas outside of where our colleges set. And we used to joke because... because we were always in Higher Education together, and I don't mean to offend anybody that's involved with the higher education community, but we would joke back and forth because he was a spokesman for Higher Ed Approp and I am as a spokesperson for Higher Ed. And I don't know if you know this or not, but quite often when people from Higher Ed come into speak to committees, they sometimes believe if they just talk loud... long enough that they'll be able to maybe impress the other people who are in the room, and we would get to winking back and forth at each about how people would go on in that committee. Of course, here's what I want you to know about Rich. Rich loved his family tremendously. Chris and Alison, I know you know that and they're with us here today. And his brothers, mom, and dad and all of them that worked in the farm, and when you were at his funeral, you could understand how much the community loved him. But he knew that his family was important than this place. And he and I would talk on many

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occasions, and let me tell you something else. He also knew that he had a faith in Jesus Christ and he held to that faith, and he held on to a few things, so 'cause each of us know that sometimes when we spend late nights around this place we do get an opportunity to talk about our beliefs. Rich was okay with the thought of the end, and it was because his faith allowed him to know that there's a place better than here, and he would have that opportunity to see his son, Nick, again. He is a man who will be dearly missed because of the service that he also did here though. He believed in higher education. He worked hard for higher education. He believed in Western, and the people from his community. I hope and pray that the Members of this Body who have had the opportunity to serve with him, and I know they will, will always remember the man that he was, the things that he believed, and that he actually knew that this place, quite often we had to debate and disagree, but the thing that he knew most about that is that conflict was inevitable, combat optional. You never had to go to combat with him. You never had to go to combat. You might have a conflict and disagree on an issue. Maybe many of us should take his lead on that. Chris, we thank you for allowing him to serve with us, for the friendship that we were able to have with him. It's not easy on our spouses and on our children that we have to come down here and deal with these issues, and we do want to say thank you to the family. Thank you for sharing him with us. Mr. Speaker, I know there's others that want to speak on this, and I look forward to hearing that, but I do want to make sure that

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everyone in the chamber would be added to the Resolution, if we could, Sir."

Speaker Lyons: "So noted, Representative Bost. Representative Watson."

Watson: "Thank you, Mr. Speaker. I... I've been blessed in my life to work with lots of different leaders in lots of different fields. When I taught, I worked with people that led kids in the classroom. When I coached, I worked with leaders in the athletic fields. And in business, I worked with folks that led people in commerce and competition. And in the Marines, I've led people... I worked with people, worked with leaders who led Marines in a time of war. And so I know a thing or two about leadership. I know it comes in lots of different styles. Rich Myers was a quiet leader. He didn't have to stand on the floor, and let people know about it, but when you went to talk to him and ask him about Ag or Higher Ed or budget issues, he knew it. He was a gentleman, and I think given the atmosphere of this last week, both here and nationwide, we can use more people like Rich Myers. He may not always agreed with you, but he always respected you. I will miss him. He was my friend. He was my mentor, and I appreciate all that he did for me."

Speaker Lyons: "Representative Al Riley."

Riley: "Thank you, Mr. Speaker. My deepest condolences to the family. I knew Rich not as well as many of you who have been here longer than me, certainly my friends on the other side of the aisle, but we had a great relationship. You always could talk to Rich. And I guess I got to know him better as I was involved in a big debate presentation for

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COGFA. When I got a chance to be on COGFA, I thought it was great to be on a committee bipartisan-bicameral, as we always say, a group of wants. We try arrive at the facts. And that's the way I looked at Rich Myers. He wanted to deal with the facts of the issue, nothing more and nothing less and I really appreciated that. I appreciated the way he carried himself in committee and just around here. We always had a really great relationship. But you I know I used to look at the guy and he we all matter of fact, but I'll never forget when were over having hearings over at the Thompson prison. Here is this guy, all about the facts, stayed and everything. And there was little incident that happened with the one of the residents that wanted to ask him a question to the committee, and I'm not going to go into what they wanted to ask, but this is the first time I saw Rich Myers just really.. I mean he was slapping his knee it was so funny. It was myself and Rich and Bill Black and we were all just having a good time. And the little incident tickled Rich so that every time I saw him or looked at him, for the duration of the hearing, he'd just really burst out laughing. And I guess that's another side that I didn't know about Rich, but it was really great to see him that way. So he was a good friend to me. I did not get a chance to go down to the funeral. But I remember when he came back to see all of us a few weeks before he left us and just the mark of somebody who was just really big. So, family know that, know that he was appreciated and just a great guy. Thanks."

Speaker Lyons: "Representative Jim Sacia."

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Sacia: "Thank you, Mr. Speaker. I had the privilege of meeting Rich in a rather unique way when I first got here 8 years ago. The late Dave Wirsing, who at that time sat at the very desk that I now sit at and for years had orange slices long before me. I sat right to his right and he was every year, actually twice a year, a guest speaker along with Rich Myers at a political science class taught by someone most of us in here know and love, Cris Cray, who works with the Board of Elections. And Dave said to me, would you come out, Rich and I, and you and we'll talk to these political science students. And it was the first opportunity I had to meet Rich. I knew him. I had met him, I guess, briefly, but it was the first time that I really got acquainted. And everyone that has spoken so far has alluded to his soft mannerisms, his easygoing way. And for those of you that recall Dave Wirsing, he could be some times loud and verbose and I am sometimes a little that way and here we had Rich Myers. And I couldn't help but notice as we talked with the students, Dave and I couldn't talk over Rich because as soon as he'd start talking the young people would really tune into him. It was just one of those things you see in a person and I think Representative Watson said it so well; everybody has a unique way about them. And he was just one of those guys, when he did speak you listened. He brought such a quiet elegance to this floor. I had, in the past, had the privilege of meeting Chris and the first opportunity I had to meet Alison was at the wake. And the wake, like I'm sure the funeral and whenever there are events of that nature, are so touching

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because you see a family suffering such a great loss. I think which was... what was hardest for all of us in this general assembly; all of us knew in May that Rich was ill. I think all of us hoped that he could get better. I remember the last conversation I had with Rich. I believe we adjourned around May 7 and I said, 'Rich, gonna be okay?' And he had such a peace about him and now when I reflect back upon on it, it was like... and I'm sure Chris and Alison know, I'm sure that he knew then that he really had an uphill struggle. But when we all came back here for veto session and when we saw Rich in the wheelchair and realized just how sick a man he was, I think it got to every one of us because we knew him as such a tremendous man and if he had a beatable disease, if any one could beat it Rich could. I find great solace in the words that many of you have already spoken. He will be at peace with a son that he and Chris lost way too soon. So he is carved into the hearts of all of us that had the privilege of knowing him, had the privilege of working with him, and knowing that soft mannerism; soft spoken people can many times accomplish so much more than those who are rather loud and boisterous. He left a tremendous legacy. He will be missed by all who had the privilege of knowing this kind and gentle man. Thank you, Mr. Speaker."

Speaker Lyons: "Representative David Reis."

Reis: "Thank you, Mr. Speaker and Ladies and Gentlemen of the House. I got to know Rich about a dozen years ago or so when I was on the board of directors for the Illinois Pork Producers. And for those of you that were here in the mid

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to late '90s, you knew Rich had an issue that he was trying to come to some compromise on, come to some solution with, with the expansion of livestock facilities here in Illinois. And it was a real hot potato for him and Rich survived that and made the law stronger because of his calm manner. He listened to both sides. Both sides definitely had a lot to say about that issue. But we have the new laws here today that have allowed agriculture to change and evolve into what it is today and still maintain good neighbors. And while Rich was a calm person, he was also a fierce... he had a fierce commitment to his family, to the agricultural industry, to his constituents, to university and community college funding; and that's what Rich stood for. Those of you that attended his service, as you drove up to the church it was a rural church; that's what Rich was about. And out in front was a big John Deere, four-wheel drive with a campaign sign on it. And it kind of epitomized Rich Myers: family, faith, agriculture, and tough campaigns. And I think it put a smile on people's faces as they drove up. As one of seven farmers in the general assembly, I'm going to miss Rich, the industry is going to miss Rich. And sometimes, you know, we get going here and we go a thousand mile an hour. We're upset our bill didn't pass or we're upset that a certain piece of legislation did pass that really doesn't represent our districts. And it was always good to go out with Rich to dinner and have Rich be that calming factor. You know, David, tomorrow will be here; there'll be another fight, and in that respect, Rich was like a father to me. And I

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told Chris and his brothers that... her brothers... Rich's brothers that at the service. I'm going to miss that, Rich. So Chris and Alison, thank you again for sharing Rich with us. The agricultural community and certainly the constituents are going to miss Rich. Remember the good things though. As someone who lost my father about 20 years ago, you remember the good times. There's lots of those, I know there are, but please know that you and your family will be in our thoughts and prayers. We're going to miss Rich."

Speaker Lyons: "Representative Don Moffitt."

Moffitt: "Thank you, Mr. Speaker. To Chris, Alison, and the family, I hope that you knowing how much we loved Rich will be an added source of comfort. We've also lost a friend and that we share in your loss. And has been said we certainly thank you for sharing him with us. Words are really not adequate to describe the loss of a wonderful person who passed too soon, but yet that's all that we do have. With the passing of Rich, a husband, a father, a brother, a son, an uncle, an extended family member, and a friend to all has been lost. And for those of us in this chamber we've lost a dear friend and colleague. Higher education, in general, and Western Illinois University specifically, have lost an articulate voice and a strong advocate. And also, has been mentioned, agriculture has lost a real leader for the improvement of the agriculture industry in our state. But Rich left us with a model of public service, what it means to serve with honesty and integrity and compassion and concern, a model that we all should try to follow. Not

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only will Rich Myers be missed, he will be remembered. We thank the family and we really thank God for the opportunity, although it was too short, the opportunity to serve with him. God bless Rich Myers.

Speaker Lyons: "Representative David Miller."

Miller: "I too want to share in my thoughts on Rich to the family. I got to know Rich when I became chairman of Higher Education Appropriation and when that happened he is the first person I had talked to about it as the spokesperson. And I talked to him because he knew more than me. He knew more than me because he had served on the committee a long time, but more importantly, he was very passionate about the higher education system as it is in the State of Illinois. He helped guide me and mentored me through my chairmanship. All of us have a unique relationship with him, that is mine. That is something that he, I believe, helped me become a better person, better understanding, and was extremely (as Representative Moffitt just mentioned) strong advocate for Western Illinois University. His demeanor, as is mentioned, was not always... we didn't have to agree 100 percent, but our vision was the same. He had a vision that children and students should be... our universities should be accessible and affordable and that's of course his flagship university was one of the finest and wanted to make sure that was that way. During committee we would talk, but actually afterwards in private, we would talk too and I really appreciate that. He is missed and he will be missed. And for those that didn't get to know him, he was somebody you should have known. I remember the last

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time I saw him, as Representative Sacia just mentioned, when he was wheeled in, I was standing next to Connie. And Connie had asked, you know, are you alright? And he said, Yeah. I'm okay, Connie. I'm fine. And I was surprised about his health condition. And I said to myself, let me go over and say hello to him. I looked for him and didn't see him. And I said, well, I guess I got tomorrow to look for him, and unfortunately that day never came. So, I say this to say that we have to remember each other, in the spirit of a Rich Myer, that we all have our constituencies, that we all care about people. He was somebody who really, deeply cared about people. And we don't know when our time will come to be called home, but let's remember, in our own spirit, in our own wisdom, in our own lives, the kind of person he was and try to exemplify that as we live the rest of our lives. Thank you."

Speaker Lyons: Speaker Lyons: "Representative Dave Winters."

Winters: "Thank you, Mr. Speaker and Members of the House. We all know Rich as an incredibly well respected Legislator. He was calm. He was a gentleman to the nth degree, but, I want to speak a little bit more about Rich as a friend for several reasons. Outside of this House chamber and outside of our committee rooms, sometimes we do run into other Legislators at other venues. And I'll speak about the council of state of governments where Rich chaired the Ag Committee. The chance to meet not only Rich but Chris, also at those meetings was great and we were in a lot state capitals and provincial capitals around the Midwest. And seeing him on a social basis, maybe that was what got him

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into trouble with me since not only were we classmates coming in sixteen years ago together, but Rich was the first one that I was able to convince to invest in some real estate here in Springfield. And we took great pride and pleasure in having Republican Majority in our partnership, R2 D1, Representative May is not on the floor, but she was always outvoted and that's really rare for a Democratic Legislator to be outvoted. Rich and I really enjoyed it and we talked many times about... you know, I was... we were remodeling our apartment building and rich would have some great ideas. As a farmer, as I am, sometimes you're a hands-on guy and come up with a different approach to things that we don't always see on the House Floor. But when you deal with a guy on day-to-day issues, Rich was always calm, he was always thinking. He'd come up with insights that I didn't have and I really appreciated those insights. This last spring when Rich became aware that he had cancer, I also got that prognosis of prostate cancer. And my wife, when Rich passed away, my wife reminded me that I had called home and I was upset. And Rich had gone through it a couple of months more than I had and had dealt with the medical establishment more than I had at that point. My wife, Kathy, reminded me of how calmed I was. When I talked to her, I mentioned my conversation with Rich and how he calmed me down. In my case, the prognosis was missed and I didn't go through the struggle that Rich did. But his calm nature, his friendly nature, his willing to reach out of the pain that he was going through and to help me, really... even over a phone conversation, my wife

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remembered months later, how much he was able to comfort and console me. I'm hoping that the last time I saw Rich... I went down to the hospital and visited with the family and Rich was, this was a couple weeks after our first veto session, and Rich was really struggling, obviously very struggling. But I, you know, kind of in honor of everybody in the general assembly as I left Macomb, the Federal Aviation Administration doesn't need to know this, but I think I broke a few regulations on how close I passed by the hospital on the way out, and rattled the windows just to say a final goodbye to Rich. What a guy, what a gentleman, and what a friend. We are all going to miss him so much. And Chris and Alison know that we will remember Rich the rest of our lives for the man that he was."

Speaker Lyons: "Representative Suzie Bassi."

Bassi: "You know, Rich was my seatmate for 12 years. He was my quiet mentor, my steady support. You know, he never got upset with my tears, thank God. He's been my dear friend and all I can say is thank you Alison and Chris for sharing such a special man with all of us."

Speaker Lyons: "Representative Ron Stephens."

Stephens: "Thank you, Mr. Speaker. The older I get the more I understand that the lessons you learn in life don't all come together at the same time. I was involved very early in Rich's political career as it reflects here in the General Assembly. I remember being over in the district back in those days and Rich and I didn't agree on particular aspect of the campaign. And I didn't understand at that time the burdens that he carried. And I kind of got

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in his face and I... he said, Ron, I just can't do that. And he alluded to the fact that he was... because he was sad. And I chose not to understand that. And at the time I regret this, but I said, Chris is handling it. And he said to me, she's stronger than I am. Little did I know that years later, I would stand in this Body and... this was early on in his diagnosis, but long enough that he knew what I was yet to learn. I said Rich, how we doing. And I will always remember that he said, Ron, I'm doing okay. But I'm worried about Chris. He loved his family. He loved his wife. He carried his burdens well. We should all do that. God bless you."

Speaker Lyons: "Representative Danny Reitz."

Reitz: "Thank you, Mr. Speaker. I'd just like to echo all of the other Legislators. Rich was a very, very effective Legislator. And as people said, a quiet leader and had an open office to anyone who had concerns. I had an opportunity to work with him on a number of issues over the years. And a lot of the work involved with... work with CSG and also with the state agricultural and rural leaders. And I would just tell Chris and the rest of the family thank you for sharing Rich with all of us, but also pass along the condolences and thanks of hundreds of Legislators across the country that he will be greatly missed and just... he was a good person. And thank you for sharing him with us."

Speaker Lyons: "Representative Hammond."

Hammond: "Thank you, Mr. Speaker. It was my privilege to work for Rich for fourteen years. I loved going to work every

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day. I had a boss that had such integrity. I knew that I could hold my head proud because of him. He did enormous things for his district, but also for the State of Illinois. He wasn't proud, but I think we can be proud of what he accomplished in his years here in the general assembly. Representative Riley, I got to see a lot of those knee-slapping times. They were awesome... just awesome. He wasn't just my boss. He was my friend, and Chris and Alison, thank you."

Speaker Lyons: "Representative Elaine Nekritz."

Nekritz: "Thank you, Mr. Speaker. We develop a lot of relationships here, some closer than others. A lot of it depends on who we might sit near... what priorities... what legislation we're working on, might be based on geography and I really shared none of those with Rich Myers. In fact, we were... I wouldn't say that we shared much on tons of issues at all. But when he passed away and I was listening to the Clerk read the Resolution, total serendipity. Rich and I served on a lot of committees together. We served on COGFA together. He was very, very active on the passenger rail caucus and one of the major reasons for the success of the passenger rail caucus. I was proud to serve with him on the higher ed. Appropriations committee and then active with the Midwest Legislative Conference of the Council of State Governments, which is really where I got to know Rich... because we would sit down and have a drink together and really talk about how things were going here, what we would like to see changed and... and it was... those were just absolutely delightful conversations. So, I will miss him

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greatly. I did consider him a really good friend and someone I could always count on. No one was more reliable than Rich Myers. So... very, very saddened with this loss and we'll miss him a lot."

Speaker Lyons: "Representative Jerry Mitchell."

Mitchell, J.: "Thank you, Mr. Speaker. My thoughts and prayers are with the family as well. Rich and I had a very unique relationship. As I look around: Raymond Poe, myself, over there Mike Smith, Connie Howard, Mike Bost, Dave Winters... we all came in at that exciting time with Jim Edgar and took over the House. And boy, were we going to do great things. Well, time passed and we went into the next Session. And Rich was headed down highway 101, turned right on 99 or left, I'm not sure which but he was headed south. And he went by a farmhouse and he said, I looked in the yard and there's a Jerry Mitchell sign. And I thought, what in the heck is a Jerry Mitchell sign doing way down here, since I'm from northern Illinois. And he says, finally it dawned on me that that was your mother-in-law's. And Rich was the state Representative for my parents and mother-in-law and a lot of the area that now Jil Tracy has back in that area. He was also the Representative of a small state called forgottonia, and he was very concerned about that part of the state, very concerned about the economy of that area and not much has been said about it, but Rich was really, really concerned about the economy of west central Illinois. I remember he came back to me at a time when Jil Tracy was running a resolution that she thought would just fly out of here and everybody would be wonderful with

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called the Kansas City and Chicago Freeway. It was targeted to help with the economy of that area of Illinois. I was concerned because the interstate headed through Sterling, Illinois not Mount Sterling was called the Ronald Reagan highway and I thought that maybe they're trying to change the name to the Kansas Chicago... As Jil talked, Rich wandered right back here and stood right beside me, with hands... or arms folded and said, Jerry, we're not trying to do anything to dishonor Ronald Reagan and that highway. We're only trying to improve the economy of the area where you were born and all of your family lives. That certainly convinced me and I... I had no problem then voting for it. He kidded me a lot about that area and he says, if you really want to learn what this part of the state is about, go over to FS and talk to the boys down there and I have not often because it's a Democrat stronghold and I usually get chased out of there pretty quick. But Rich knew that area so well, and served it so well. I truly, truly enjoyed talking with him. I truly enjoyed talking to him about Western where my daughter went, my wife went, and I have a degree from. He was extremely concerned of that part of the state, but not just that, the entire state. I know that everyone in that area and... many, many in FS has said to me, well we lost a true friend. We really did. And we did lose a true friend. Rich did a fantastic job. Rich was a great member of that magnificent class of '95 and we'll miss him for all time. Thank you, Mr. Speaker."

Speaker Lyons: "Representative Linda Chapa LaVia."

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Chapa LaVia: "Thank you, Speaker and Members of the House. My condolences to Chris and Alison. I didn't get a chance really to meet you, but I heard so much about you. Rich is a... a very elite group that meets with Bible study on Wednesdays and Thursdays with us and Sacia, and Pritchard and Moffitt and couple of other people and it's such a special place for us. As I was going down his funeral, which I want to thank all of my colleagues for making me feel such at home because I was so afraid at first, because being the only... I was unfortunately the only democrat that could make it. I know a lot of us wanted to make it and hopefully I represented you properly there, but I really felt at home when I got there. And I was reflecting on the first time I actually went around to your husband and your dad to say hi to him. I was little intimidated because he doesn't always have a solid smile on his face. He was a little apprehensive about people coming around him for the first time and that... this is my story about him. And when he gave me the first smile and the first handshake, it made me feel so warm inside. It made me feel like... jeez, I really got to get to know this guy better. Like a relationship with a father and a daughter, you know, you want him to acknowledge you when you come around. And when I'd come over there to Jil and you guys, I was always actually looking for Rich. I'm sorry girls, but the relationship that we built in our Bible study.. he was so excited someday to see your son. He was so happy because he was such a true Christian and he knew that Jesus Christ saved him, in that sense, to be able to have that

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opportunity. He was very convicted in who he is and who he stood for on this planet and morally with his integrity and I such admired that. And the relationship that you had with him through that, Chris, was so important in my development with my husband's relationship and who we are on this planet. So, all I tell you from our bible studies, and I've been doing this now for five years and I think I've invited everybody at least once. And I used to always tell him part of my pitch is to ask to just pray for people. And he always did that. So, the solace I get out of today is that be joyful and to rejoice. In Mark 10:39, and I'll paraphrase a little bit 'cause he used to always throw out verses to me, and I felt... I was the Catholic in the group, so they gave me tabs to find sections in the Bible quicker. So, now I have it on my phone but it reads something to this, in order to be first you must be last and servant to all. That was the epitome of your dad and your husband. And I can't wait to see him someday and rejoice with him and then can all the people that this General Assembly has seen pass and been such amazing marks on this planet. And thank you so much for sharing him with me. He was an amazing guy and I'm sure he's even brighter and better now and we'll all see him someday. So, thank you so much."

Speaker Lyons: "Representative David Leitch."

Leitch: "Thank you, Mr. Speaker and Ladies and Gentlemen of the House. You know, I guess there's a reason why so many of us feel such a sense of loss and such respect for Representative Rich Myers. And I believe that that is because Rich Myers not only spoke to principle, but in

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everything Rich Myers said, did, worded; Rich Myers was a person of conviction who reflected that principle. I had the honor early... early on, as Rich was thinking about running for the General Assembly, to go visit with him and to encourage him. And then as we hear today, the values that he held so dear were present then. His very first concern was that of Chris, because it was not too long before that that they had suffered the tragedy with their son. He was most, most, most concerned about how Chris would feel about that decision. He was very concerned about how his brothers in the family would view that decision, because we all know how important he was to the success of the family farm. He was very, very concerned about his commitment to the Ag community because outside of Springfield he had earned a remarkable reputation in the state for all of his service, not only to the farm bureau, but to the other organizations, prominent national organizations that have been mentioned. But as I recall leaving that day and talking with Rich, the pervasive sense was a sense of service. And it seemed very clear to me that if he felt his wife would accommodate this service, that it wou... his faith would lead him to continue in a new dimension of public service. And that is the public service that so many of us have not only witnessed, but lead us to our sense of grief and loss and ultimate respect for a leader, the quiet leader, who made us all so proud. So, I must tell you I rejoice in Rich Myers example and the legacy of that example and may that legacy serve as a watchword for all of us in our future acts here in the

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General Assembly and to those who will come after us. So, God bless you, Rich and God bless the family. We will miss you very much."

Speaker Lyons: "Representative Patti Bellock."

Bellock: "Thank you, Mr. Speaker and Members of the House. I just wanted to say for a minute about Rich and his convictions, and his faith and mostly his courage. And I think we all saw that when he came down to visit us. So, I wanted to thank you, especially to Chris, for allowing us, his family here, to see him one last time and to say goodbye. Thank you very much. God bless."

Speaker Lyons: "Representative Bob Flider."

Flider: "Thank you, Mr. Speaker. You know, when you think about public service, you think in terms of the spectrum of politics beings one scale and politicians being one scale and statesman being the other. Rich definitely tipped the scales on the side of the statesman. And I had a unique opportunity to see Rich in his home environment. And that's something that, I think, all of us like to do is see how other State Representatives in other districts work in their districts and so on. But my son was attending Western Illinois University, where he received his degree in law enforcement, but along the course of the way he went through the ROTC program. And he was, in 2009... May of 2009, he was commissioned as a second lieutenant and lo and behold who was there sitting at the president... or at the table with the president and the army officers was Rich Myers. Now, you know, when you think about a State Representative and you think about an institution like

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Western Illinois University, where so many young men were going through there, very few of those were his constituents. And really it was the fact that he was there was because he is such an honorable individual that he would attend a ceremony like that at a great institution like Western Illinois University. He wasn't there for political reasons; he was there for the right reasons. He was there because he was a statesman. And at the table that I sat at, you know, so many of the people who... you know, they talked so highly of Rich, and how wonderful he was. And one was on his fundraising committee and one was just proud to work beside him on one of his other committees. And I always thought to myself, I can't imagine Rich Myers ever having an opponent that he'd have to worry about. He's such a statesman and so well liked and so well respected that he didn't even have to have a, you know, political committee, but you know, he was just so well respected. And I just want to say this, too, that I know he didn't have to be there that day to congratulate my son or the other newly commissioned officers, but as my son heads to Afghanistan this Thursday, he'll... I will always remember that he was there to congratulate my son and will have a special place in our heart 'cause he didn't have to be there and he was. Thank you."

Speaker Lyons: "Representative Dan Brady."

Brady: "Thank you, Mr. Speaker. First off, to Chris and Alison and all the family, my deepest sympathies. Rich, we've all attest to is a wonderful individual. And I had the opportunity one evening, quite lengthy, about the death of

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his son, Nick, and how that affected him and how no one should go through... have to go losing a child. And I had the opportunity at onetime to go to a hearing that we had over at Macomb, and when I got home that night Rich had called to just thank me again for coming and being part of that hearing. He was a very caring individual. And for those of you who didn't have the opportunity to attend the funeral service of Rich, I'm going to read from the service folder that the family had chosen and I'm assuming this is how the family feels and I think it's probably how all of us feel right now. God saw you getting tired and a cure was not meant to be, so He put his arms around you and whispered come to me. With tearful eyes we watched you as we saw you pass away, although we love you deeply, we could not make you stay. Your golden heart stopped beating, hardworking hands at rest. God broke our hearts to prove to us He only takes the best. Rest in peace, Rich."

Speaker Lyons: "Representative Pritchard."

Pritchard: "Thank you, Mr. Speaker, Ladies and Gentlemen, guests in the House. Like many of you, I roughly knew where Macomb was but I'd never been there 'til 2002 when I took a job with the Illinois Agricultural Leadership Foundation housed in Macomb. It was organization that Rich Myers championed. He was the one that advocated for that organization and gave me guidance before we ever got to this chamber about the importance of that organization. And that's one of the aspects, one of thoughts about Rich Myers that I want leave with you that hasn't been mentioned. Certainly he was concerned about issues in his region of

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the state, but he was also concerned about young people, their education and their preparation to take leadership roles after we have served in those terms. Rich thought ahead. As you've heard, Rich was compassionate. Rich was concerned about the future of the state. It's those qualities, it's that concern for those that follow us, it's that concern for this future of our state that we are to remember Rich for and try to emulate his values as we deal with the issues here today and in the future in a bipartisan spirit. To the family, thank you for sharing Rich."

Speaker Lyons: "Mr. Clerk, Representative Bost made a Motion that all Members be added to this Resolution and at this time the Chair would ask a moment of silence in honor of and in memory of our friend, Rich Myers. May his soul and the soul of all the faithfully departed rest in peace. Representative Cross moves for the adoption of the resolution. All those in favor signify by saying 'yes' and those opposed say 'no'. In the opinion of the Chair, the 'ayes' have it. To Chris, Alison, and the Myers family, thank you for being here. God love you. You're in our thoughts and our prayers. Thank you, Ladies and Gentlemen. Ladies and Gentlemen, we do have a committee scheduled that we are going to be taking a break. A pink sheet was passed out prior... earlier this morning. And the Clerk will go through the committee schedule, so please, heads up."

Clerk Bolin: "The following committees will meet immediately upon recess: the Executive Committee will meet in Room 118; International Trade and Commerce Committee will meet in

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Room 122-B; the Revenue and Finance Committee will meet in Room 114; the Vehicle Safety Committee will meet in Room 115, the Insurance Committee will meet in Room C-1 Stratton. One committee will meet 30 minutes after recess. The Financial Institutions Committee will meet in Room 118 30 minutes following recess.

Speaker Lyons: "There are 6 different committees that will be meeting. Committees will meet immediately and sometime around a quarter after or twenty after the financial institutions meeting will go into adjournment. Representative Osmond, for what purpose do you seek recognition?"

Osmond: "Thank you, Mr. Speaker. The Republicans will caucus immediately after the committees."

Speaker Lyons: "And how long, Representative, do you think that you will need for caucus? Do you have a rough idea?"

Osmond: "It will be in Room 118 for approximately one hour."

Speaker Lyons: "Okay. We're going to hold up or one moment before we go into our committee schedules, so everybody just sit tight for a moment. Ladies and Gentlemen, just to set the record straight, we're still in Session. We're still in operation, so hold off for a minute. The Chief of Staff will be here for a second, there maybe some... some issue we may have to address before we go into our committee schedule. Okay, Ladies and Gentlemen, I've been informed that there is a change in plans, that we are still in Session and the committee schedule was announced will be postponed, at least for a short period of time. So, I'm just following instructions, boys and girls. But we are

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still in Session, so I'd ask Members to please come back to the chamber. The committee schedule will be on hold as will, I hope, the Republican caucus, but that remains to be seen. So, please return back to the chamber."

Clerk Mahoney: "May I have your attention? Committees will meet immediately upon recess. The following committees, again: Executive in Room 118, International Trade and Commerce in Room 122B, Revenue and Finance in Room 114, Vehicle Safety in Room 115, Insurance in C-1. Then 30 minutes later Financial Institutions will meet in Room 118. Committees will meet immediately."

Speaker Lyons: "So, you heard the committee schedule. The House will now stand in recess to the call of the Chair."

Clerk Mahoney: "Attention, Members. The House Republican Caucus will meet immediately in Room 118. House Republican Caucus will meet immediately in Room 118. All House Republican Members caucus in 118. Another announcement, the House Black Caucus for Members of the 97th General Assembly will be meeting in Room 122B. The House Black Caucus will meet in Room 122B for Mem... with Members of the 97th General Assembly. Attention all Members. Attention all Members. The House will convene in approximately three minutes. The House will convene in approximately three minutes."

Speaker Madigan: "The House shall come to order. Mr. Clerk."

Clerk Mahoney: "Committee Reports. Representative Bradley, Chairperson from the Committee on Revenue & Finance reports the following committee action taken on January 11, 2011: recommends be adopted is floor amendment #7 for Senate Bill 44, Floor Amendment #2 to Senate Bill 336, and Floor

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Amendment #2 to Senate Bill 2505. Representative Burke, Chairperson from the Committee on Executive reports the following committee action taken on January 11, 2011: be adopted is Floor Amendment #1 to Senate Bill 1183, and Floor Amendment #2 to Senate Bill 3087. Representative D'Amico, Chairperson from the Committee on Vehicles & Safety reports the following committee action taken on January 11, 2011: recommends be adopted is a Motion to Concur in Senate Amendments 1, and 2 to House Bill 3677. Representative Harris, Chairperson from the Committee on Insurance reports the following committee action taken on January 11, 2011: recommends be adopted is a Motion to Concur on Senate Amendment #2 to House Bill 5018. Representative Mendoza, Chairperson from the Committee on International Trade & Commerce reports the following committee action taken on January 11, 2011: recommends be adopted is House Resolution 1517. Representative Monique Davis, Chairperson from the Committee on Financial Institutions reports the following committee action taken on January 11, 2011: recommends be adopted is House Resolution 1257."

Speaker Madigan: "Representative May, do you wish to call House Bill 5018 on the Order of Concurrence?"

May: "Yes, Speaker."

Speaker Madigan: "Proceed."

May: "House Bill 5018 is the concurrence with Senate Amendment #2. It was a Scrivener's error of just the number, having the wrong number put in. This is the Department of Insurance Bill. The original underlying Bill was unanimous."

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This Amendment too has been unanimous also. I ask for a 'yes' vote."

Speaker Madigan: "The Lady moves that the House concur in the Senate Amendment. There being no discussion, the question is, 'Shall the House concur in Senate Amendment #2 to House Bill 5018?' Those in favor signify by voting 'yes'; those opposed by voting 'no'. The Clerk shall take the record. On this question, there are 117 people voting 'yes', 0 voting 'no'. The House does concur in Senate Amendment #2 to House Bill 5108. And this Bill, having received a Constitutional Majority, is hereby declared passed. The Chair recognizes Representative Yarbrough."

Yarbrough: "A point of personal privilege, Mr. Speaker."

Speaker Madigan: "State your point."

Yarbrough: "In the gallery today, we're graced with the presence of the former mayor of Maywood, Mayor Don Williams from the Village of Maywood, and his wife. And he just happens to be my father and mother. Will you give them a warm Springfield welcome."

Speaker Madigan: "Is Mr. Colvin in the chamber? Mr. Colvin, on the Order of Resolutions, there appears HR1257. It's on the Supplemental calendar #1. Mr. Colvin."

Colvin: "Thank you, Mr. Speaker. I ask for the House to move the adoption of House Resolution 1257, which simply is a congratulatory Resolution for the Black Wall Street Project. A little bit of background, the Black Wall Street Project is an initiative of the U.S Black Chamber of Commerce. And a project that they kicked off about four years ago, simply gives recognition and award to African-

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American business districts across the United States where there are thriving business districts. I've been so fortunate to be the State Representative of 33rd, where Stony Island Avenue, for about 14 blocks, run right through, literally, the heart of my district and it is the dividing line of the 33rd Representative District. In August of 2010, they were awarded a Black Wall Street award. And it simply acknowledges those businesses and those Chambers of Commerce who work so hard to keep small business alive. I think all of us would agree that small business is the lifeblood of every community in the United States of America. And while we're so fortunate to have small business growing and prospering, the U.S Black Chamber of commerce took time to come to Chicago and recognize Stony Island, which is literally, littered with small businesses and small business owners who employ people who pay taxes, provide health insurance and help stabilize communities all across this country. With that background, it has no impact on the state economically, fiscally, or administratively. It's simply congratulatory in nature and I ask for its adoption."

Speaker Madigan: "The Gentleman moves for the adoption of the Resolution. The chair recognizes Mr. Burns."

Burns: "Thank you, Speaker. To the Resolution. Although the Black Wall Street Project occurs primarily outside of my district, many of the organizers for the project are in... work in the 26th Representative District. And I join my colleague; I'd like to be added as a cosponsor of your Resolution and urge the adoption of this fine Resolution."

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Speaker Madigan: "Mr. Colvin moves for the adoption of House Resolution 1257. Those in favor say 'aye'; those opposed say 'no'. The 'ayes' have it. The resolution is adopted. Mr. Clerk."

Clerk Mahoney: "Rules Report. Representative Barbara Flynn Currie, Chairperson from the Committee on Rules reports the following committee action taken on January 11, 2011: approved for floor consideration, recommends be adopted is Amendment #3 to Senate Bill 3087."

Speaker Madigan: "On the order of resolutions, Mr. Colvin, 1517."

Colvin: "Thank you, Mr. Chairman. I ask for the adoption of House Resolution 1517. 1517 is a Resolution that simply urges Congress to pass the Start Arms Reduction Treaty. It's a treaty that was recently negotiated by the U.S. Secretary of State, Hilary Rodham Clinton with several European countries to enter into an agreement to reduce the number of nuclear weapons in their arsenals. The purpose of this Resolution, why I'm carrying it, I have a constituent who is part of an organization called the White House Project. The White House Project has been put together to encourage young women across the United States to engage themselves in public policy relative to political outcome as well as governmental outcomes and as a student, she got involved in this project. The group she was working with was assigned to work on influencing members of Congress and local elected officials to sign on to the START Treaty and show support of it. She asked if I would do this Resolution. And this Resolution simply recognizes

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her efforts on working to reduce nuclear weapons in our society. I ask for the adoption of the Resolution, Mr. Speaker."

Speaker Madigan: "The Gentleman moves for the adoption of the Resolution. Those in favor say 'aye'; those opposed say 'no'. The 'ayes' have it. The Resolution is adopted. Mr. D'Amico, on the Order of Concurrence, House Bill 3677."

D'Amico: "Thank you, Mr. Speaker. House Bill 3677. I wish to concur with Senate Amendment 2. It's basically just a technical change. I appreciate an 'aye' vote."

Speaker Madigan: "Mr. Clerk, how many Amendments were sent from the Senate?"

Clerk Mahoney: "Senate Amendments 1 and 2."

Speaker Madigan: "Mr. D'Amico."

D'Amico: "Sorry, Mr. Speaker. I wish to concur on Senate Amendments 1 and 2."

Speaker Madigan: "The Gentleman moves that the House concur in Senate Amendments #1 and 2. There being no discussion, the question is, 'Shall the House concur in those Amendments?' Those in favor signify by voting 'aye'; those opposed by voting 'no'. Have all voted who wish? Have all voted who wish? The Clerk shall take the record. On this question, there are 117 people voting 'yes', 0 voting 'no'. The House does concur in Amendments #1 and 2 to House Bill 3677. And this Bill, having received a Constitutional Majority, is hereby declared passed. Mr. Clerk, on page 6 of the Calendar, on the Order of Senate Bills-Second Reading, there appears Senate Bill 3087. What is the status of the Bill?"

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Clerk Mahoney: "Senate Bill 3087 has been read a second time, previously. Amendment #1 was adopted in committee. Floor Amendments 2 and 3, offered by Representative Mautino, have both been approved for consideration."

Speaker Madigan: "Mr. Mautino."

Mautino: "Yes, Mr. Speaker. Would you withdraw Floor Amendment num... Hold, please."

Speaker Madigan: "Mr. Mautino."

Mautino: "Mr. Speaker, would you withdraw Floor Amendment #2."

Speaker Madigan: "Withdraw Amendment #2. Are there any further Amendments?"

Clerk Mahoney: "Floor Amendment #3."

Speaker Madigan: "On Amendment #3, Mr. Mautino."

Mautino: "Thank you... thank you, Speaker. And I would move adoption of Floor Amendment #3. The Amendment becomes the Bill, and it makes several changes which are they increase the bond authorization by five... \$.25 billion to fund year two of the Illinois Jobs Program. We, also, in this, will exclude fiscal year '10 and '11 pension obligation notes from the arbitrage disclosure requirements. And what that means is, when we passed the pension bonds early on, that was as an arbitrage base. We did those under Governor Blagojevich. These last two years have been pension notes. So, there is no arbitrage, so that is technical. The third item allows our pension to directly invest pension funds. They don't have this ability now. Currently, we pay outside investments... firms \$150 million and it would strengthen our position to try and cut some of these costs or negotiate for them, if they had the ability to use our

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fund in investment managers and invest our own funds. There is no opposition to that provision. The request of... for all underwriters of Illinois debt to disclose their positions of credit default swaps, both in Illinois debt and any other credit default swap positions that they've had in the past three months. And basically, we want those people who are... we are authorizing to do our underwriting. They've got to tell us if they are betting on the other side. A credit default swap, if you've had them, and that way we would have full disclosure to know who is applying to do our investments and our debt. The bond authorization, both staffs have taken a look at the items on the list for construction. And I would be happy to answer any questions that you have. One... and I would move the adoption of this Amendment."

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

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

Speaker Madigan: "Put the Bill on the Order of Third Reading and read the Bill for a third time."

Clerk Mahoney: "Senate Bill 3087, a Bill for an Act concerning State Government. Third reading."

Speaker Madigan: "Mr. Mautino."

Mautino: "Thank you. The Amendment became the Bill I just described, previously. It has the four points. Why don't we go to questions now, and be happy to answer any

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questions you have an... on any of the provisions within this legislation."

Speaker Mautino: "Mr. Eddy."

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

Speaker Madigan: "Sponsor yields."

Eddy: "Thank you. Representative Mautino, just to kind of review, for example, in this Bill there's an expansion of capital spending for school construction. Do you know the... the additional amount that will be available for school construction? I think the total in the Bill... The total additional authorization is..."

Mautino: "Six hundred forty-six million is in this Bill. And so that Members know, we're not authorizing new things. You've voted under the major capital Bill, and we only released the first authorization to spend that money. So, the projects have been appropriated."

Eddy: "And there's no change in the program itself; everything's the same. The only... I think the only concession that was made here is that back when we dealt with the FY02 list, we specifically wrote amounts into an appropriation Bill for capital, and... and we're giving those schools an opportunity in this to do what the '03 lists and on did, and that's make an adjustment for the time period."

Mautino: "Yes. That was a provision where, I believe you've seen that language, worked with Representative Dugan on it, and it's an issue of fairness. Those in 2002 were paid in 2002 dollars, while those schools 2003, 2004, 2005 have

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been recalculated to reflect current construction costs. So, this would allow recalculation for those schools."

Eddy: "Okay. The final question I have, and it has to do with revenue. The revenue is already in place for this. This will not require additional revenue. This is just allowing for the cap on the current amount that the state has for capital bonding could be increased to... to allow additional capital spending, but his doesn't... this doesn't require any revenue that's not already in place."

Mautino: "No. We... That was by agreement that we would do the capital plan in three phases. We've done year one. This is year two of that plan. The revenue sources are in place, and we did this specifically to make sure that we wouldn't sell any bonds 'til we have the revenue to make those payments."

Eddy: "Okay. Thank you, Representative. Very quickly, to the Bill. Ladies and Gentlemen of the House, this allows us to continue a... a program that will provide jobs, that will provide for new schools, for road construction, and other projects. It's necessary that we do this so that those projects can be moved forward at this time. I want to thank Representative Mautino for addressing an issue related to, really, just a few schools, 26 schools, but schools that waited since FY02. And I really appreciate the fact that the language was added to give those schools the... the additional flexibility that other schools had. And I would urge this Body to support this legislation to allow for us the... to continue the positive aspects of the capital program. I would urge a 'yes' vote."

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Speaker Madigan: "Mr. Franks."

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

Speaker Madigan: "Sponsor yields."

Franks: "Representative, could you please tell me what the revenue source would be to pay back these bonds?"

Mautino: "Yes. The revenue sources are the same that were identified in the original capital Bill. They were fees on... fees from the driver services. There's also the alcohol tax and proceeds from video poker. The Bill, which is yet to be implemented at this point, but those, as they become available, they'll be used to pay these bonds."

Franks: "That's right. I wanted to ask you about the video poker. Isn't that being held up in litigation right now, on questions of constitutionality?"

Mautino: "No. Actually, it's... it is the Gaming Board itself that has... supposed to structure the... that is supposed to have structured and set up the licensing and the security requirements that has yet to be done and that's rath... rather appalling since this is going on about 18 months."

Franks: "So, as a result, this state has lost... what, over about a billion dollars in revenue?"

Mautino: "Easily."

Franks: "Do we have any idea when this might come online?"

Mautino: "The... they had improperly done a contract for this. So, they had to go and do a Request For Proposal under an open and transparency law that you all worked on with... with all the Members. So, they've had to go back and rebid that, and that is what has delayed it. And they're thinking probably this summer for licensing of the... And

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that is probably optimistic at the rate that they've been following this thing out."

Franks: "So, it's at least another six months away. So, I guess that begs the question, do we have enough revenue from the existing sources in order to fund this bond?"

Mautino: "The... what we're doing here is the authorization itself. So, the bonds won't be sold unless the... revenue has to be there to back the bonds or the market will not pick them up. We just need the authorization. The projects are in place. There is money coming in from the alcohol taxes that were designated funds, as there is money that is coming in from the... the fees portion of it. This is specifically why we stepped this in over a three-year period, is to make sure that the amount of revenues would be sufficient to pay the bonds. And that's our hope."

Franks: "I guess that's one of my concerns, on whether bond houses are going to continue to buy Illinois bonds. Especially should we pass this tax increase, which would increase revenues for the state, but then after four years, there would no longer be increased revenues though our expenditures would be increased. I'm concerned what Wall Street would think, if there's been any analysis done on the proposed tax increase and how that would affect our bond market."

Mautino: "Actually, they will most likely give us an upgrade. Where we have our... our fund manager, our bond manager, John Sinsheimer is going to be attending a meeting out in New York to discuss Illinois's bond rating in light of the actions that may or may not happen here today."

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Franks: "Okay."

Mautino: "And it's our hope that we will move and we are going to be asking for an upgrading from our current status at Moody's which is A-1 negative outlook, and we can positively impact that by some actions."

Franks: "I'm concerned that that's not going to happen because of the way... should the tax increase be structured, with the increased revenues, then with the... the fall off at the end. I'm not very optimistic that they will upgrade us. But I... I'd like to ask another question on this Bill, and perhaps you can explain it better, is the question on the credit default swaps."

Mautino: "Sure."

Franks: "Have we done this before in the State of Illinois?"

Mautino: "Currently, no, we haven't, but actually this idea came from... It's something we need to do because, you know, you and I both know and understand the impact that credit default swaps have had on the national economy. And basically, people are betting or hedging against positive reactions the state might do on our bonds. They're betting that we default. Because of that, we have probably... we pay the most in... in basis points of any state in the country. So, what we're doing right now is if you want to do business in the State of Illinois, you have to be certified through our investment board. Right now, we currently don't ask them are you investing or are you betting against Illinois's profit... profitability. And I think it's probably one of the strongest provisions in this Bill."

Franks: "What..."

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Mautino: "California did this, just with a check mark to the people on their list, saying if that you... if you don't fill out this survey and respond, you will no... you will not be able to do business with Illinois on... on our debt. And they got about a 90 percent response, right off the bat, without any statute."

Franks: "Well, one question I have, though, we wouldn't actually be selling any bonds to these speculators. It's sort of like a market that we're creating. If these are naked bonds, meaning these folks don't even have to buy them, do they? They're just... they're just betting either on us or against us."

Mautino: "No. They don't have to purchase them, but what we want to know is if you are going to be engaged in our market, you have to be transparent about what you're doing, so that we know and we can make that evaluation."

Franks: "Well, isn't there some concern where we're creating a mark... it's not really a market, we're not selling anything. We're creating a gambling pit, when we're saying these folks can buy these naked default swaps, which are really not buying anything."

Mautino: "We worked with the bankers on this, but you know the reality is... is they're currently doing that. They're currently gambling, they are currently betting against Illinois. It's just, they don't have to tell us."

Franks: "Well, how are we going to make money on people betting against us? And... and isn't there inherent conflict of interest..."

Mautino: "We're... we're actually not in..."

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Franks: "...by bond houses that are betting against us?"

Mautino: "We're actually not in this to make money. What we want to know is, we want them to disclose if they are selling it off into a secondary market where someone who has no interest would profit by our failure of a bond issue. That's something under open transparency we think we should know, that we don't know now."

Franks: "Okay. So, we're actually not going to be selling these things ourselves."

Mautino: "No."

Franks: "Okay. I was wondering if we were creating a new market."

Mautino: "Oh, okay. Now I know where you're going with that, and no, we're not."

Franks: "Okay. Thank you."

Mautino: "We're... we're forcing disclosure where there isn't any."

Speaker Madigan: "Mr. Mautino is recognized to close."

Mautino: "Thank you, Speaker. I appreciate the... the comments and the questions. This Bill will allow us to go forward with year two of our capital program. So, you're talking about construction that has a revenue source and is paid for. We will be, from that point, allowing the pension systems to make their own investments and give them a tool to negotiate the rates with the people that we're currently doing business, hopefully, get some savings there. And we will regulate those entities, or we will require disclosure from those companies that want to do business with the State of Illinois. And I ask for an 'aye' vote."

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Speaker Madigan: "Mr. Mautino moves for the passage of the Bill. Those in favor signify by voting 'yes'; those opposed by voting 'no'. This Bill requires 71 votes. Have all voted who wish? Have all voted who wish? The Clerk shall take the record. On this question, there are 117 people voting 'yes', 0 voting 'no'. This Bill, having received a Supermajority vote, the Bill is hereby declared passed. Page 6 of the Calendar, on the Order of Senate Bills-Second Reading, there appears Senate Bill 1183, Representative Currie. Mr. Mautino."

Mautino: "Mr. Speaker, I would move the House adopt Floor Amendment #1. The Amendment becomes the Bill and this provides the supplemental appropriations for fiscal year '11. It adds \$112,940,800 in appropriations from all funds. Of that, 76,476,500 of that amount are from General Revenue Fund, and it makes technical changes that are outlined below. Both staffs have... have looked at this language. And I'd be happy to answer any questions. Move for its adoption."

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

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

Speaker Madigan: "Put the Bill on the Order of Third Reading, and read the Bill for a third time."

Clerk Mahoney: "Senate Bill 1183, a Bill for an Act concerning appropriations. Third Reading."

Speaker Madigan: "Representative Mautino."

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Mautino: "Thank you, Speaker. And the Amendment became the Bill. This is a supplemental appropriation, adds \$112,940,800, of which 76,476,500 of that amount are from GRF. We have three categories of items in here. I know Representative Eddy has some problems, or some questions with one of these, and I wanted to go to his questions."

Speaker Madigan: "Mr. Eddy."

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

Speaker Madigan: "Sponsor yields."

Eddy: "Rep... Representative Mautino, I think you covered this in your opening, but the... this adds to the FY11 appropriation budget \$112,940,800."

Mautino: "Correct."

Eddy: "Where... where's the money coming from when, I think by all accounts, the appropriation that originally passed in the FY11 budget can't... I mean, there's not enough revenue to meet the original total appropriation. What good does it do to just add 100 and... almost \$113 million, when we don't have the money?"

Mautino: "Much of the money that we're talking about within here are... it's spending authority. The money is already there, but we don't have the authority to spend it. So, we... Basically, you've got federal dollars that have come in and we need to give the authority to spend those."

Eddy: "I may be mistaken, but we... didn't we pass an emergency authority for the Governor that gives him extraordinary powers to... to have the kind of authority. I mean, once that Bill, that passed out of here today, goes through the Senate doesn't he have that authority?"

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Mautino: "And... and we did pass those Bills, but we do need spending authority, specifically for items like the services for disabled individuals. We have to be able to allow to spend the money for claims processing, it's Social Security, the WIC operational expenses. These are federal reimbursements, and it's the federal share of these rebates. And so, we need to give spending authority. It's not actual... We're not putting additional cash for their..."

Eddy: "So... so, you can tell me for every single..."

Mautino: "We're giving them the ability to spend the cash they have."

Eddy: "...every single one of these supplemental appropriations, for every dollar, there's a new revenue source. Or a revenue source that's increased in the way of federal money, or somewhere this... every single dollar in here is matched with new revenue."

Mautino: "The dollars within the budget, the Governor has to manage those, but this is authority. So, we did not give him the authority in these lines to spend that money. Some of them are also transfers that we would have to do to allow for reallocation of... reimbursements. For example, the Wildlife Conservation and Restoration Plan... Programs, they need the ability to move between those lines and that's what this Bill does. So, the money items, we've had federal dollars that have come in, but we don't have the authority to spend them."

Eddy: "Well, the question is, though, for every... I look at the State Board of Education supplemental effect, and you have \$800 thousand reduction in one lined item for Title I and

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you're putting \$800 thousand in another line item for Special Education Services. So, you're revenue neutral in that case, in that specific case. Is that the case for every single one of the additional appropriations? Is it totally revenue neutral? It doesn't appear to be."

Mautino: "We talked about... you pointed out the transfer, which I had talked about one line to another to spend that money. This is spending authority, so I guess the question, it wouldn't be applicable. If we were talking about putting in new money I could understand that, but right now, the money is there. And we need to give authority, which we did not give to the Governor to go ahead and make those expenditures. That's what this is about."

Eddy: "Representative, where does... where is the money coming from? You say the money is there, where's it coming from? Is it federal money, all of this? Is this all revenue neutral either from a source of federal money or a reduction in a different line item. Or does this represent, at the end, once these appropriations are all in, additional spending without revenue?"

Mautino: "The items for DHS and the Illinois State Board of Education are federal dollars. The items for the Board of Higher Ed under other state funds. The Court of Claims amount are GRF, and that would have to come from and this is the line of duty grants, that's 25.5 million, and that would have to come from existing dollars, that is GRF, and the Governor would have to manage that from the lump sum authority that we've given him."

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Eddy: "Thank... Representative, thank you. I... To the Bill. Ladies and Gentlemen of the House, again, we're facing a situation in this state where the current budget, the FY11 budget, from a revenue standpoint is woefully underfunded. We don't have, in the existing appropriation line items, we don't have enough money to pay for what's been appropriated. To add \$113 million without accounting for every single one of those additional appropriations in some manner, I think is part of the problem we've had here for eight years that have led up to the problem that we're facing tonight, and that is oftentimes we increase appropriations without a second thought about where the revenue is going to come from. I urge a 'no' vote. This is more of what we've seen that's gotten us to the point that we face tonight. We're appropriating funds with no idea of where the revenues come from. Vote 'no'."

Speaker Madigan: "Mr. Franks."

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

Speaker Madigan: "Sponsor yields."

Franks: "Representative, following up on the previous speaker, I know much of this... these funds are coming from the feds, 'cause I'm looking at our analysis. It seems that some of it actually coming from GRF. And then, just looking at our analysis for instance, going down the line, I'm looking at DES. Do you see that line item where it's GRF for unemployment compensation to former state employees? Are you asking for an additional \$62 million?"

Mautino: "In spending authority, yes."

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Franks: "And then from DHFS for implementing Medicaid reforms would be an additional 4 million."

Mautino: "Yes."

Franks: "And then, I... I'm just looking at GRF. Is that correct, 'cause we're not looking at the federal funds. Then from the elections... for election judges, you need another million and a half dollars."

Mautino: "Yes."

Franks: "And the Court of Claims operational, you need another \$1 million?"

Mautino: "Correct."

Franks: "And for DCEO, for a high school you need a \$4 million for an emergency improvement?"

Mautino: "Yes."

Franks: "And then from the Lieutenant's Governor's Office... well, I guess that... that's that 112 million point 9, is that just the... the thing to even it out?"

Mautino: "A hundred and twelve thousand."

Franks: "Oh, that's all. A hundred... We need 112 thousand for the Lieutenant Governor's Office?"

Mautino: "Yeah. That's decreasing that line, actually."

Franks: "Okay."

Mautino: "We zeroed it out, and he had done the financing of the transition through his lump sums, because last year we didn't have a Lieutenant Governor."

Franks: "Right. That's... that's exactly what I was going to ask. Thank you. And then the last one would be the Court of Claims, an additional... a little over \$4 million for lack of funds... denied lack of funds?"

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Mautino: "Yes. That's correct."

Franks: "So, we're looking from GRF at approximately \$70 million out of this 112."

Mautino: "Seventy-six million four hundred seventy-six thousand five hundred."

Franks: "Okay. Now, when you say they've already been... When you say the money's there, what do you mean by that? That's... I'm not... I can't get my mind around that."

Mautino: "Under the Emergency Budget Act, we gave the Governor extraordinary authority to move funds from different lines if necessary, but these spending authorities that we gave him here were capped. And they didn't reflect the amounts, for example, \$4 million in the Medicaid line. So, he's going to have to manage this budget and manage the GRF."

Franks: "So... so even if it is appropriated, it doesn't mean he necessarily spends it."

Mautino: "That's correct."

Franks: "Okay."

Mautino: "But right now, without the change in this appropriation, for example, the... you know, the line of duty grants 25.5. We needed to increase that by a million because that's driven by the number of who are killed in the line of duty. Without that authority, since it... well, since our original authority said 24.5 and we need to go up to 25, they wouldn't be able to. They'd bump against that without the authority."

Franks: "Okay. Thank you."

Speaker Madigan: "Mr. Mautino moves for the passage of the Bill. Those in favor signify by voting 'yes'; those

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opposed by voting 'no'. Have all voted who wish? Have all voted who wish? Have all voted who wish? The Clerk shall take the record. On this question, there are 67 people voting 'yes', 50 people voting 'no'. This Bill, having received a Constitutional Majority, is hereby declared passed. On page 4 of the Calendar, on the Order of Senate Bills-Third Reading, there appears Senate Bill 1858, Representative Currie. Mr. Clerk, read the Bill."

Clerk Mahoney: "Senate Bill 1858, a Bill for an Act concerning public employee benefits. Third Reading."

Speaker Madigan: "Representative Currie."

Currie: "Thank you, Speaker. This is the Bill that would ask the state's five pension systems to recalculate their costs. And I appreciate... based... based on the reforms of the pension system that we made."

Speaker Madigan: "Mr. Eddy."

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

Speaker Madigan: "Sponsor yields."

Eddy: "Representative, you mentioned that this allows for the recalculation. This is the recalculation based on the tier two changes that were made in Senate Bill 1946."

Currie: "That's correct."

Eddy: "To date, how much money has been paid to the systems?"

Currie: "And I can't answer that question and I'd have to tell you that this recalculation is tied to the borrowing Bill that is in the Senate, that we believe will pass."

Eddy: "So, the borrowing Bill hasn't been acted on yet?"

Currie: "It might be act... they may be acting on it even as we speak."

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Eddy: "Okay."

Currie: "But we anticipate that it will. It doesn't hurt to pass this Bill. If it turns out that it doesn't... that other Bill doesn't pass, we can come back and do something similar to this later on."

Eddy: "Originally, the systems had a concern because the calculation didn't include any losses that they had experienced from a lack of payment to this point. Have you heard anything from the systems? Are they still opposed to this?"

Currie: "They are not opposed."

Eddy: "Okay. Thank you, Representative. I appreciate that. Apparently, at this point, they're willing to take what they can get and not worry..."

Currie: "Well..."

Eddy: "...about what they've lost."

Currie: "...the assumption here is that the borrowing will happen. If it doesn't, then this Bill will not have any meaning and we'll come back to ground zero, square one and start over again."

Eddy: "Okay. Thank you. That... that's the point, if it doesn't pass..."

Currie: "Right."

Eddy: "...then..."

Currie: "Right."

Eddy: "...then the effect of this just... Okay."

Currie: "Then we have another whole approach."

Eddy: "Thank you."

Currie: "But in the meantime, if it does, let's get this done."

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Eddy: "This does allow for that number to be recalculated at what actuarials believe should be the payment for this fiscal year."

Currie: "Absolutely."

Eddy: "Okay. Thank you."

Speaker Madigan: "Representative Currie moves for the passage of the Bill. Those in favor signify by voting 'yes'; those opposed by voting 'no'. Have all voted who wish? Have all voted who wish? The Clerk shall take the record. On this question, there are 69 people voting 'yes', 48 people voting 'no'. This Bill, having received a Constitutional Majority, is hereby declared passed."

Clerk Mahoney: "Attention Members, the House Rules Committee will meet immediately in the Speaker's Conference Room. The Rules Committee will meet immediately in the Speaker's Conference Room."

Speaker Madigan: "Mr. Clerk."

Clerk Mahoney: "Rules Report. Representative Barbara Flynn Currie, Chairperson from the Committee on Rules reports the following action taken on January 11, 2011: approved for floor consideration, recommends be adopted is Amendment #8 to Senate Bill 44."

Speaker Madigan: "Mr. Clerk, what is the status of Senate Bill 44?"

Clerk Mahoney: "Senate Bill 44 has been read a second time, previously. Floor Amendments #5, 7, and 8 have all been approved for consideration, offered by Representative Currie."

Speaker Madigan: "So, would the first be Amendment #5?"

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Clerk Mahoney: "Floor Amendment #5 is the first Amendment approved for consideration."

Speaker Madigan: "Who's the Sponsor of Amendment #5?"

Clerk Mahoney: "Representative Currie."

Speaker Madigan: "Representative Currie on Amendment #5."

Currie: "I'd like to withdraw Amendments 5 and 7 and concentrate on Amendment 8."

Speaker Madigan: "Withdraw Amendment #5 and Amendment #7, Mr. Clerk. Amendment #8, Representative Currie."

Currie: "Thank you, Speaker, and Members of the House. This Amendment would, over a one-year period, raise the cost of a pack of cigarettes by \$1... 75... \$1.01, 76 cents on March 1 of this year, and an additional 25 cents on March 1 of next year. A very small portion of the money would go into the Long-Term Care Provider Health Fund and the rest of the money would go into the fund to advance education in the State of Illinois. The measure also changes the way we tax certain kinds of tobacco, moist tobacco, and what that would do is it... instead of taxing as a percentage of cost, we would tax as a mat... as a measure of weight. So, it would be 20 cents by weight, rather than 18 percent by cost. I think it's really important that we pay attention to this measure because the public health of our children depends upon it, as well, the opportunity to increase our activities from Race To The Top to make sure that the education outcomes in the State of Illinois are, in fact, improving opportunities for our youngsters. I'd be happy to answer your questions and would appreciate your support for adoption of the Amendment."

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Speaker Madigan: "Representative Chapa LaVia."

Chapa LaVia: "Thank you, Speaker. I would just like to commend that... the Sponsor on working with the opposition on this, making it neutral. I really appreciate the work that you put into it. Thank you."

Speaker Madigan: "Representative Eddy."

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

Speaker Madigan: "Sponsor yields."

Eddy: "Leader Currie, the substantive difference between Amendment 8, which does become the Bill, and Amendment 7, which we just heard in committee not very long ago, has to do, I think, with... and... and we just go this, so we're trying to work through it. In the original Bill, there was a 20 cent tax increase on what they called moist snuff, or some type of a smokeless tobacco. Now, it's going to be weight based."

Currie: "And that was true in Amendment 7, as well. So, the two substantive changes in Amendment 8, from what you saw in 7, are, first of all, that we phase in the increase in the cigarette tax, and we send the money directly to either the Long-Term Care Provider Fund, or to the fund to advance education. So, nothing goes through GRF, as was true in Amendment 7."

Eddy: "So... so, there wasn't a change or an increase in the amount of tax for smokeless tobacco."

Currie: "That was in Amendment 7 and the change was to go from a percentage, a sales tax percentage based on price, to a 20 cents per weight tax."

Eddy: "Okay. So that was already in 7."

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Currie: "Yes."

Eddy: "We just saw it in a... in the two substantive you've described. Okay. Thank you very much. We have other questions, but Mr. Speaker, we'll... we'll debate that on Third."

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

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

Speaker Madigan: "Put the Bill on the Order of Third Reading and read the Bill for a third time."

Clerk Mahoney: "Senate Bill 44, a Bill for an Act concerning revenue. Third Reading."

Currie: "Thank you, Speaker, and Members of the House. This tax increase will result in significant savings in terms of health care costs from people who have smoking effected pregnancies in birth. We anticipate as much as 18 million savings over time on that front. Savings on smoking caused heart attacks and strokes in the neighborhood of \$31 million. We anticipate a significant decline in smoking among our youngsters, 12 percent, and a lot of adults deciding that it's time to quit. Of course, in addition, this measure would put, over time, some \$375 million into the state's coffers so as to do a better job of educating our young. We were all very proud, a year ago this time, when we enacted changes to our education system that we felt would improve accountability and improve outcomes. We were working on Race To The Top, and we think we made some

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important steps forward. Putting money into this fund for the improvement of education will enable us to take more steps along that very same route. I'd be happy to answer your questions, and I would very much appreciate your support for passage of Senate Bill 44."

Speaker Madigan: "Mr. Tryon."

Tryon: "Thank you, Mr. Speaker. I rise to ask the Representative a question, if she would."

Speaker Madigan: "Sponsor yields."

Tryon: "Representative Currie, it's a good idea I think to know what the impact of a tax like this is on a constituent base, for instance in McHenry County, or any other area. You know, this hasn't been a new idea. We've been talking about a dollar a pack increase for some time. So, do you have statistics on how this affects each of the counties? What kind of revenues are going to come in from each of the counties?"

Currie: "I don't have estimates on that front, but I can tell you that in previous years when we have increased the cigarette tax, we have actually increased revenue significantly, and curiously, when some other states have increased their taxes, they have not seen a decline in revenue either... either. So, the argument is often made that if we increase our tax, people will go some place else to buy their cigarettes. The statistics suggest that that happens only at the margins, that primarily the cigarettes that are sold in the State of Illinois today will be sold here tomorrow."

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Tryon: "Well, a couple of years ago, when this was being floated, we looked at the numbers in McHenry County to look at what was going to be generated in a tax on cigarettes. And in McHenry County, we have about 18 percent of the population that is smokers that would be paying this tax. And that would generate somewhere around 12 to 16 million dollars, we... we couldn't really get a good handle on... on the number of smokers, but ironically, those 18 percent of our population that smoke, would actually be paying almost what the counties corporate tax rate is to run all of county government. I think that's a lot of money to ask a percentage of a population to pay, when you're splitting up the funds for education and a whole bunch of other things that we're... we're trying to do here, and I think it's a regressive tax. I think when you look at the demographics on who's smoking, some... many of the smokers are less advantaged individuals and I just... I think that this tax is too much in consideration of where we've been with cigarette taxes. So, I intend to vote 'no' and would hope that my colleagues would join me."

Speaker Madigan: "Mr. Eddy."

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

Speaker Madigan: "Sponsor yields."

Eddy: "Leader Currie, just a couple areas of questions. First, where... if this were enacted, where would this put Illinois, compared to states surrounding Illinois, in the total amount of tax per pack of cigarettes?"

Currie: "I believe that we would be cl... not quite as high as Michigan, well below Wisconsin, more than Indiana, and a

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little ahead of Iowa. But again, the statistics from tax increases, cigarette tax increases, in Illinois and in neighbor states, do not suggest that raising the tax means that a lot of people will go someplace else to buy their cigarettes. We do anticipate a decline in smoking, and we do know that when you raise the tax a lot of young people decide that smoking is not for them. And that's a good public health reason for increasing the tax on the sale of tobacco."

Eddy: "Well, I'm not going to dispute the fact that there's some health benefits any time you dissuade people from smoking. I guess, as someone who represents eight counties that are right on the border and knowing full well that there will be businesses, especially convenience stores, gas stations along the border counties I represent, where they will lose, they will definitely lose some business because to go into Indiana, in many cases less than a mile into the state, they'll be able to purchase cigarettes at far less than if they were to shop on the Illinois side. And my concern is the one that's been stated before, and that is, that's not the only thing that they're going to purchase while they're over there. They may very well purchase other things. So, I really think that, again, we're looking at a policy here that hurts small business people in Illinois. Now, we... we've been pretty consistent in... in that approach, so I guess this... one thing about this Bill that I could say it's consistent with the approach that we've taken toward business for several years. And I think it's dangerous for us to continue down that road. I

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do have some questions also about the education fund because this revenue does not pay for any of the existing education costs that have not been paid to school districts. Last year we experienced a significant decrease in the amount of money in a mandated categorical payment for transportation. This supplements or this... excuse me, this does not supplement anything in the common school fund. This supplants, and it's actually new spending."

Currie: "That's the idea. We're talking about supplementing, not supplanting moneys that are already spent on education."

Eddy: "Representative, with all due respect, I understand the health benefits, but I certainly don't understand the benefits of starting new programs with any revenue when we haven't been able to pay school districts money that we owe them for transporting students to school. And in the fund itself, this education fund, there doesn't appear to be anything in here that limits the money to go to K-12 education."

Currie: "It is not intended to go for new programs. It is intended to be available so that we can find better ways of educating our youth."

Eddy: "Well, I'm... you're not going to get me to argue with better educating youth, but I'd like a better definition of what that means 'cause this fund, the way it's set up and the way it's written, the money could be used for charter schools, it could be used for vouchers, it could be used for... really anything because it's not restricted. It... there's nothing in the language that blocks the funds from

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paying for... for any... I mean, really, this could be spent for anything."

Currie: "You could spend this money on transportation, as long as it's more than we're spending on transportation today."

Eddy: "Well, I would... I would feel a lot better about it if it was restricted to that because you could also spend it on vouchers. I... for purposes of legislative intent, would you state for the record that this fund is dedicated for public education needs and uses and... and it's not intended to pay for charters, vouchers, private school textbook loans, or transportation, that this is for public education."

Currie: "It, you know... yes, that would be my interpretation, but the reality is, it goes into a lockbox where it goes into education, except for that tiny portion that goes to the Long-Term Care Provider Fund."

Eddy: "For that portion. There's nothing in here though, and I think your intent is to help the education reforms, and you reference Race To The Top, but it doesn't restrict it by language. But I just want to establish that that's your intent for this fund, if it were to be established."

Currie: "Yes."

Eddy: "Thank you. To the... to the Bill. Ladies and Gentlemen, there are a couple of flaws in this legislation that I... I think require you to vote 'no'. Number one, this legislation drives people out of this state to purchase a product across state borders, plain and simple, and that hurts small businesses, convenience stores, gas station operators. And we have to come to a point in this state where we're not anti business and anti job, and this does

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nothing to reverse what has become a perception across this country about Illinois being closed to business. That's number one. That, in and of itself, should.. should garner a 'no' vote. The second part is, the revenue that's created isn't even going to pay off existing debt. It's going to create new spending and new programs. Now, if there's something that.. that makes less sense than that at this juncture in our state's fiscal crisis, I don't know what it is. To create new programs to use any available revenue, whether this passes or not, not to use that money to pay down existing debt makes no sense at all. And it just goes to show you, that we haven't taken seriously what people want us to do, and people want us to show some type of fiscal discipline. This is just exactly evident of the problem that we have in this state. I urge a 'no' vote. This is.. this is ludicrous to be creating new spending when we can't pay the bills we have. Please vote 'no'."

Speaker Madigan: "Mr. Will Davis."

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

Speaker Madigan: "Sponsor yields."

Davis, W.: "Representative, I wanted to ask you as you talked about phasing in this, and.. and I don't know if you mention this in your opening statement about what in each year though.. the.. the dollars are going to be. Can you share with us what those dollars are going.. those figures are going to be?"

Currie: "In March 1.. on March 1, 2011, the increase would be 76 cents. On March 1, 2012, the increase would be 25 cents."

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Davis, W.: "Well, at one point, when you... if you looked at it in the... in the totality, it was talked about that that may equate to about 370-some odd million dollars. So, with the phase in, what does that work out? What are... what are those numbers?"

Currie: "Well, it... it means that after March 1, 2012, it'll be the full 375. So, three-quarters of the money, three-quarters of the 375 would come in during this coming year starting March 1, 2011."

Davis, W.: "Okay."

Currie: "So, three-quarters of the money would come in then."

Davis, W.: "And we've talked about that those dollars will be indeed dedicated toward education, and not replacing dollars, but supplementing those dollars."

Currie: "They will not stop in general revenue; they will go directly to education. They will not pass go, they will not collect \$200. It'll go right to the lockbox."

Davis, W.: "So at the end of the day, when we do our budgets every year, we always talk about education spending. So, yes, we'll talk about education spending come the end of the next fiscal year, as we settle our budget. So, these dollars would go... this will be in... in addition to or above whatever we decide education spending is going to be for that year, correct?"

Currie: "Exactly. And it can be spent on things like transportation, some of those items we've not been able to meet because of our fiscal problem in the last couple of years."

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

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Currie: "But that'll be an appropriations decision that we'll all participate in making."

Davis, W.: "That we'll all participate in. So, to the Gentleman's comments about how those dollars will be spent, that will be a conversation because like him, well, I won't say like him, but I know I've had my challenges with charter schools and some of those other spending lines. So, we will be able to talk about exactly how those dollars will be spent, correct?"

Currie: "Absolutely right."

Davis, W.: "Thank you very much. To the Bill briefly, Mr. Speaker. I know many of us are struggling for a number of reasons with the fact that this is a cigarette tax and for some, we know what that tax means, and conventionalism would generally mean that if you tax something, the revenues generated, possibly, might go down, because we're taxing cigarettes and that's a product that people purchase, because it will now cost more, conventionalism would say that the revenue maybe generated from this will go down. But we've heard numbers that indicate that those dollars will be there and that revenue will actually go up, 'cause people are going to smoke. Make no mistake about that. People are going to smoke, whether you agree with it or not, people are going to smoke. So, if they're going to smoke, let's make sure that we do something positive with the dollars that are going to be generated from this. We always talk about wanting to do something for education. Well, Ladies and Gentlemen, here is indeed an opportunity to do something for education and provide new moneys, to

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provide additional dollars, so that our children can receive new technology, new schools, books, all of those great things that we want to do for education. And who knows, for those of you who live in wealthier districts, who knows, maybe there m... there may be more money for mandated categoricals. That's a possibility, and that's something that we all should decide together, but at the... at the very least, we know that these dollars will be for education, which again, is something that I think all of us in this chamber said that we support in our elections. So, please, let's do the right thing and vote 'yes'. Thank you."

Speaker Madigan: "Mr. Franks."

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

Madigan: "Sponsor yields."

Franks: "Representative, I heard you in your answer say, to one of the previous questions, indicating that this money would go directly to school... to schools and would not go to GRF. Is that correct?"

Currie: "That's correct."

Franks: "So, this would be exempted from the extraordinary powers that we just gave the Governor."

Currie: "Yes."

Franks: "Why would we do that? I thought the Governor... we had such a crisis that he needed to manage this \$15 billion deficit and we just had an argument that he needed every available option. Why are we taking this option away from him?"

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Currie: "Because we think people are not prepared to vote for a cigarette tax increase unless they know that, except for the small portion that goes to the Long-Term Care Provider Fund to make up for the different way we tax moist tobacco, we think people wouldn't be interested in voting for it."

Franks: "Well..."

Currie: "People are interested in finding ways to do a better job of educating our youth, and that's new revenue and we're saying it'll go directly into the... the new education fund."

Franks: "How much money do we spend in this state, if you know, on smoking cessation programs?"

Currie: "I don't have that number."

Franks: "'Cause I... I'm concerned. It seems to me that if we love our kids in this state, where we're going to encourage our citizens to smoke because that's going to pay for education..."

Currie: "Well, we don't though. We do run smoking cessation programs and I would only urge that if we increase the tax, we do see... we will see a decline in the number of smokers."

Franks: "But don't you think it is a little ironic that we fund our schools on sin taxes, that if we care about our children. We're smoking, we are drinking, and we are gambling. All the things we tell our kids we shouldn't do, but that's what we're going to fund our schools on. I mean, I prefer, quite frankly, that you know, perhaps we set a better example and maybe had comprehensive school reform, and have the Special Session of the Legislature dealing only with that, and perhaps funding all of our

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schools equally, so kids who are, you know, born in one part of the state get treated just as well as kids who are born in other parts of the state. Wouldn't that be great?"

Currie: "and you'd vote for the revenue to sustain that effort?"

Franks: "Yeah. I think we could if we did it universally. And I... To the Bill. I... I'm not going to vote for this, and I think we all know that we need additional moneys for our schools, but what we have is a broken school system and an antiquated funding source that still maintains hold harmless agreements for areas that lose population. So, the money instead of following the student goes to a school district that may or may not necessarily need it. What we ought to be doing is fixing the school funding formula instead of putting this Band-Aid on a bullet hole. This is not proper public policy. We all agree that we need to change our school funding system. By doing these stopgap measures, we're never going to get there. And I encourage a 'no' vote."

Speaker Madigan: "Representative Currie to close."

Currie: "Thank you, Speaker. This measure will provide additional dollars for our schools. It will not send smokers across state lines. When Wisconsin raised its tax significantly, Wisconsin re... tobacco tax revenues went up and Illinois's actually declined. Putting money in an education fund that will supplement not supplant moneys that we already spend on public education, I think is good public policy. I would appreciate your 'aye' vote."

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Speaker Madigan: "The Lady moves for the passage of the Bill. Those in favor signify by voting 'yes'; those opposed by voting 'no'. Have all voted who wish? Have all voted who wish? Clerk shall take the record. On this question, there are 51 'ayes', 66 'noes'. The Bill shall be put on the order of Postponed Consideration."

Clerk Mahoney: "Attention all Members. Attention Members for an announcement. The Doormen are distributing a packet for those Members that will be sworn in the 97th General Assembly tomorrow. Before you leave, please make sure you receive the packet. There's information in that for tomorrow. Attention Members. The Rules Committee will meet immediately in the Speaker's Conference Room. The Rules Committee will meet immediately in the Speaker's Conference Room."

Speaker Madigan: "Mr. Clerk."

Clerk Mahoney: "Rules Report. Representative Barbara Flynn Currie, Chairperson from the Committee on Rules reports the following committee action taken on January 11, 2011: approved for floor consideration, recommends be adopted is Amendment #3 to Senate Bill 2505."

Speaker Madigan: "Mr. Clerk, on Senate Bill 2505, what is the status of the Bill?"

Clerk Mahoney: "Senate Bill 2505 has been read a second time, previously. Amendment 1 was adopted in committee. Floor Amendments 2 and 3, offered by Representative Currie, have both been approved for consideration."

Speaker Madigan: "Representative Currie on Amendment #2."

Currie: "Thank you, Speaker. I'd like to withdraw Amendment 2."

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Speaker Madigan: "Withdraw Amendment 2. Mr. Clerk."

Clerk Mahoney: "Floor Amendment 3."

Speaker Madigan: "Representative Currie."

Currie: "Floor Amendment 3 is identical to Floor Amendment 2 which was heard in committee earlier today. The only difference is that in the original Bill, in Amendment 2, we created a property tax rebate program using a quarter of a percent of the increase in the income tax to make for a permanent property tax rebate program, and at the same time, canceled the current property tax credit against the income tax. This Amendment reverses that decision. There is no property tax rebate program, but the current program in which five percent of the cost of property taxes can be used as a credit against the income tax that will be retained. I'd be happy to answer your questions, and I'd appreciate it if we could just go ahead and put the Amendment on the Bill, so that we could debate it on Third Reading."

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

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

Speaker Madigan: "Put the Bill on the Order of Third Reading and read the Bill for a third time."

Clerk Mahoney: "Senate Bill 2505, a Bill for an Act concerning revenue. Third Reading."

Speaker Madigan: "Representative Currie."

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Currie: "Thank you, Speaker and Members of the House. Illinois is in crisis, absolute financial crisis, and there is no way we can dig ourselves out of the crisis without increased revenues. We all agree we need to make cuts. We have made cuts. Over the last two years, we have cut \$3 billion in state general fund spending, \$3 billion just this Session. We made significant changes in the state pension system, going forward, changes that will save significant dollars, perhaps as many as 200 million over some... next few years. We also have reformed and brought integrity to the Medicaid Program, and we anticipate that there will be significant savings from the reform of the Medicaid Program, but there is no way, no way we can take our or we cut our way out of the deficit we face out of the \$13 billion that is the problem that faces the state today. To make a 40 percent cut in current state programs means we'd have to cancel whole sale programs of State Government. I don't mean just a program here and a program there. I am talking about cutting out entire agencies of State Government. No responsible observer believes that we can escape our problem without some kind of revenue enhancement and the provisions of Senate Bill 2505 would provide precisely that. The measure would increase the individual income tax from 3 percent to 5 percent, the corporate tax from 4.8 to 7, and some of those proceeds would be used to borrow so that we can pay our bills. Today, we are borrowing from our vendors. We are actually making them bear the brunt of our financial problems, and we would then keep that portion of the tax increase in

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place for 14 years until the bonds are all paid off. We would take of the other moneys that are in the... in the tax collection. We would drop... after year five, we would drop the individual rate from 5 percent to 4 percent and the corporate rate from 7 to 6.4. There is another provision in this Bill which I think is very important, especially for those of you who are concerned that we are not sufficiently tidying... tightening our belts, and that provision is the Taxpayer Accountability and Budget Stabilization Program. It would provide that if we increased spending more than 2 percent during the next three years of the life of this income tax increase, if we increase spending by more than 2 percent, and that were determined by the Auditor General to be over the cap then in fact, the income tax would disappear. So there's a very significant cut that we are proposing in this Bill, restraint on future spending, and there is a very big hammer awaiting us if we aren't able to make the grade. And let me point out that pension costs have been going up by about 8 percent a year. Health care costs and the Medicaid Program and the health care costs for state workers, those are growing at a very significant rate as well. So if you're talking about 8 percent for health care inflation, 8 percent for pension increase responsibilities, the idea that we are limiting ourselves to 2 percent, I think means that we are going to have a shoe that does a whole lot more than pinch. So, I think what we have before us is a revenue increase essential, if we want to fix the problems of our structural deficit and pay back the bills we owe the people who are providing

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service to our clients and at the same time, not only have we already saved a lot of money through programs like pension reform, Medicaid reform, but we are guaranteeing that, in the future, we will hold spending in line. I'd be happy to answer your questions, and I certainly would appreciate your support for passage of Senate Bill 2505."

Speaker Madigan: "Mr. Eddy."

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

Speaker Madigan: "Sponsor yields."

Eddy: "Representative Currie, the 2 percent increase in the personal income tax rate, in my understanding in committee, a half percent of that amount is dedicated to, excuse me, a payment toward a debt relief bond. Is that correct?"

Currie: "Yes."

Eddy: "So, excuse me, you mention that after so many years if... through some process, the hammer, I think you referred to it as, that this could disappear. If... how would bond houses feel about that half percent disappearing if you've borrowed or does that not disappear?"

Currie: "No, the half percent would be in play... in place for... until year 14 because that would be used to do the bonding so as to pay back the Medicaid and other providers of care to our clients. The hammer is that, should we fail to restrain spending in future years, the entire proceeds of the tax would disappear."

Eddy: "The entire 2 percent?"

Currie: "Uh huh, the entire 2 percent for individuals and 2 point whatever it is for corporations."

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Eddy: "Okay. So, the half percent that's dedicated to paying off the bonds for the borrowing would also disappear?"

Currie: "Yeah. I'm sorry. No, it would not. It would not. It would not. I am sorry. I misspoke. Yes, that would disappear, too, but that would not relieve us of the obligation to pay off that bond. It just would make it more difficult for us to do so."

Eddy: "Okay. Representative, also there's... there's some extraordinary power given to the Governor here to reduce an appropriated amount, and the language in that Section of the Bill appears to allow the Governor to... to reduce unilaterally an appropriation for just about any reason. It looks like it tries to carve something out. Specifically my question is, could the Governor, the way that's written, reduce the amount of the payment that's required to the pension systems?"

Currie: "Really, all this... all that language does is to say in the event that the Auditor General certifies that we have overspent that we... that we have broken the cap then we have an opportunity to fix it. If we don't fix it, then the Governor has the opportunity to come in and propose reserves so that we will not any longer be beyond the cap."

Eddy: "Can you give us an idea? Because we talk in terms of percentages here, and a 2 percent increase in the income tax, personal income tax, is a... really a 66 percent increase. What does that mean to someone that has a family of four and has an income of about \$40 thousand?"

Currie: "I believe that'd be about \$800 more on an annual basis."

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Eddy: "So a family of four that has a yearly income of about \$40 thousand is going to have to pay an additional \$800 under the terms of this legislation?"

Currie: "If my math's right, that's right."

Eddy: "Okay. Isn't there... isn't there something wrong with that type of a burden to be placed on individuals due to the fact that we've mismanaged, in this General Assembly, for eight years our responsibilities to balance our budget and make sure that we're not spending at a rate that's greater than the amount of money that we have to spend?"

Currie: "You know, Representative, I think the time for casting aspersions, pointing fingers, playing the blame game; that's over. That is over. This mess is a mess that is the responsibility of all of us, of Republicans, of Democrats, of several different Governors; and part of the mess isn't even anybody's fault except for the fact that we are in the biggest recession, the worst recession, since the Great Depression. We are in crisis, Representative and it does no good to say, oh, gee, let's go back and do the whole thing over again starting from 8 or 10 or 12 years ago. It's too late, Representative, too late. It's time for us to be adults, face the crisis, and figure out together a solution. What you had before you in Senate Bill 2505 is a solution, and this state is not going to be able to meet its responsibilities. This state will be downgraded by the ratings agencies so that our bonds will be junk level, unless we act tonight."

Eddy: "Representative, I've been here eight years, and we stand up every time one of these bloated budgets are presented,

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and we consistently have warned that this day is coming. The time to be adults was eight years ago when we were adding programs, expanding spending, to a point that we couldn't pay for it, and we knew very well we couldn't pay for it. We were using onetime revenues. We were... we were raiding funds. We were skipping or reducing pension payments, and on the appropriations' side, we were building in permanent... permanent costs with temporary revenue, and we did that for eight years. The time for us to act like adults was a long time ago. So eight years later, no one's to blame. This just happened. All those budgets that all along, we warned would lead to this day have nothing to do with this. At this point, the people of the State of Illinois, people that make \$20 thousand a year and are struggling with over three dollar gasoline have to pay for those eight years. That's what we're saying. Let's be adults and punish the hardworking people of the State of Illinois for the mistakes we've made here for the last eight years and do it, and we'll call it a cap. We're going to cap. This is growth in spending over those four years. Representative, I... I look at this chart that estimates the effect that this is going to have on people, and I haven't even started talking about the effect that this is going to have on people who bring jobs to this state. We're raising the income tax on businesses and expecting them to stay in Illinois, when they don't have to. At a time, when we're looking at some recovery, and I heard Director Vaught during the committee talk about the fact that we actually are beginning to... to see some reduction in unemployment and

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some new jobs come to the state. So, what are we going to do to that momentum? We're going to raise the taxes on businesses. We're going to close what we call loopholes, and the people... the businesses that have loss money who were able to use that lost against any revenue to come up with a true amount that they should be paying taxes on, we're going to take that away from them in this Bill, too. I got to ask a question about the property tax part because I think that did change with this Amendment."

Currie: "Yes."

Eddy: "What... Is there no effect now on property tax, as a result of this?"

Currie: "Correct."

Eddy: "Is it going to be the same as it is?"

Currie: "Correct"

Eddy: "It's going to be the same as it is. No reduction in property tax?"

Currie: "Well, there wasn't going to be a reduction in property taxes with the earlier Amendment."

Eddy: "Absolutely."

Currie: "There were going to be rebates. Rebates."

Eddy: "In fact, some people are going to pay more. Some people are going to pay more. Now, the total dollars..."

Currie: "But you... I think my... my recollection is you objected because some people might have to pay more, and we will keep the credit that is currently in place, and 21 percent of the money we spend on that credit goes to people with very high property tax bills, and I would urge the ability to pay them."

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Eddy: "And they pay more, a lot more."

Currie: "And the ability to pay them. That isn't... that's to say they go to... 21 percent goes to particularly wealthy Illinoisans."

Eddy: "Representative, is it accurate to say that state spending under this plan will increase 10 percent between FY11 and FY12? Total state spending. I don't want it cut out between pensions and Medicaid and this and that but the total."

Currie: "Representative, this is a cap. It is not anything that suggests that we must spend more. I only mention the fact that we know that health care costs continue to outpace inflation. My point only is that we are going to have trouble staying within the cap, but remember the point of this income tax increase is not to expand programs, not to do brand new things in Illinois State Government, it is only intended to pay our old bills and deal with the structural deficit. This is not about new spending. It is about trying to bring ourselves in line with the problems of old debt and of a structural deficit."

Eddy: "In numbers... and you know, I don't know how else to characterize this, but in FY10, if spending's 33.5, in FY12 this Bill allows for 36.8. That's a 10 percent increase in spending. And then in FY13, we go to 37.5. FY14, 38.3. By FY15, \$39 billion in spending, when we started at 33, and we call it capped spending."

Currie: "It is capped at 2 percent, 2 percent a year."

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Eddy: "How in the world can you say that we've capped spending, when this increase is seventeen and a half percent during this time period."

Currie: "It's not spending it at all. What this does is cap spending each year at 2 percent above last year."

Eddy: "It's increased spending over a period of years that equals seventeen and a half percent, and we're trying to say somehow we're being fiscally responsible. Representative, what's the effect of this Bill on the Local Government Distributive Fund percentage?"

Currie: "The Local Government Distributive Fund, I should think, would welcome passage of this Bill because with passage of this Bill, we can pay local governments their share of the Local Government Distributive Fund. I think in my own city, the City of Chicago, I think we owe them something like \$100 million that we're not able to pay. So they would do well, if we were to pass this Bill. Go talk to your mayor and managers, see if they would like us to pay that mayor and manager what we owe. Your city, too."

Eddy: "Representative, I understand they may get money that we've already promised them, but to change the way that we've treated them based on this new revenue because we have not been able to pay what we promised them... doesn't. It seems like a pretty shallow victory for local governments to say, you're finally going to get what we promised you, but you're not going to get your share of any increase."

Currie: "There is no share that belongs to the local government of any increase. They will continue to get the Local

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Distributive Fund moneys from the existing tax rate. We're not taking that away, but we are in a serious fiscal problem in the State of Illinois. This measure is big enough, maybe, to pay our old bills and fix the structural deficit. There's no more money for new program, Representative. Including new money to local governments or for education."

Eddy: "We've been saying that for eight years, that there's no new money or no money for new programs. We've said it for eight years. Does it take that long for some understanding of that simple concept to take place? Every single year, we've stood up over here and asked, how are you going to pay for it? How are you going to pay for this expansion or this program? We've asked the question, and now eight years later, the answer is how you do it is you increase the burden on people that work. And you take somebody that has a 20 or 40 thousand dollar income and make them pay for our mistakes. That's the answer to the question, and if you vote for this, that's exactly what you're doing. We're not taking responsibility for our irresponsibility. We're saying to the people of the State of Illinois, for eight years, we've overspent. Now we're going to make it your problem. Whether you pay three dollars for gasoline at the pump, you're able to buy less food because we're making up for our mistakes on your back, without doing anything about our penchant to spend money. We're spending, instead of 33 and a half billion, 39 billion dollars at the end of this time period, and we're trying to tell people that we're being conservative, that we're being fiscally responsible.

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I don't get the argument. I think there are people who are willing to really work on solutions that include real discipline, and I've talked to some of those people on this side of the aisle, and I've talked to those folks on that side of the aisle. But we're also able to tell the difference between something that is fiscally responsible and something that's more of the same. We cannot afford to continue the practices that put us in this situation. How can we expect four years from now for this initial income tax increase on citizens and corporations to be reduced, Representative, when we've raised the spending to that level. How can we look at people with a straight face and say, hey, tell you what, four years from now, even though we're increasing spending at 17.5 percent, we're going to... we're going to eliminate this tax.? How are people supposed to believe that?"

Speaker Madigan: "Representative Eddy, could you bring your remarks to a close."

Eddy: "Thank you, Mr. Speaker. I appreciate the indulgence. I just am trying to figure out how this helps, and I can't. I can't figure out how this plan does anything for our real problem, and unless and until, we come to the realization here that our real problem is spending and the increase spending, and that mentality that we have, we're going to continue to throw money into a hole that has no bottom. We need to work on something better for the people of Illinois. I say we vote 'no' on this. We have real dialogue and real talks about what has to be done to fix this. Vote 'no'."

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Speaker Madigan: "Mr. Reis."

Reis: "Thank you, Mr. Speaker. To the Bill. Well, happy new year from the lame duck General Assembly. We just came off of historic elections, elections where your side of the aisle lost seats. Congresses all over America turned sides. Governorships changed Parties. Have you forgotten after two months what the people want? They want to stop the spending, stop raising our taxes, live within your means. That's what we have to do at home. That's what they tell us. That's what they said in the elections. We have 20-some people here that aren't even going to be on the stage tomorrow that are voting for this. Some of you campaigned your entire career here on no taxes, but because you either didn't win or didn't run for reelection or retired, it's okay. Let's heal all our... our problems over the last eight years with one fell... swell vote. You came home Friday night, we were laughing stock of the talk shows. Illinois's going to raise their income tax 75 percent. Well, hey, we got an Amendment now; it's only 66 percent. We lowered our corporate tax from the highest in the industrial world by a point or so, still the laughing stock of the world. You all talk about jobs, going to do jobs, heard the Governor say yesterday on the J-O-B. Governor, you're going to see a sucking sound of jobs out of this area. I have businesses in my district call me over the weekend. David, we've had enough. We told you for the last year we agreed with your message. You got to reform government. You got to cut, and you got to improve the business climate here. You do that, show it to us, we'll help you out. Medicaid, a few hundred

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million dollars, you reformed it all right. It'll make a nice press release. It's not going to save us any money. Workmen's comp, I applaud Representative Bradley on his work on this. We run that Bill, and it won't get ten votes. The highest cost of doing business in Illinois is workers' comp. We didn't reform the business climate. You say you cut spending. We've asked for cuts. We haven't cut enough. So how do we go back home and tell our businesses that we did the things they wanted us to do? You look at the states that have low taxes. Texas, 80 percent of the jobs in this country that have been formed in the last 18 months have been in the State of Texas. They don't have any income tax, either does Florida. New York, New Jersey, and all those states out east that, hey, lo and behold, they figured it out. They're cutting spending. They know they raised their taxes too much. And I just ask the simple question, if higher taxes and more regulation, more litigation, more government are the answer, we would be number one in the nation in creating jobs. And that's what you're doing with this. Adding to the burden. We're 48th in the nation now. Maybe we'll be 51st next year. Over the weekend, the Governor of Indiana has taken all of our jobs anyway. They've had this billboard up for years. Come on in for lower taxes, businesses and cost right on the Illinois line. Michigan. Mitch Daniels is drooling, hoping this passes. As the former or the prior speaker just said, we're willing to help you with this. We've outlined it, but you got to make meaningful cuts. You got to make meaningful changes to the way government works. This Bill should be on

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display for 72 hours. I would venture to say most the people on the other side of the aisle don't know what's in this Bill, and I know the people don't except a big tax increase. We need to change the way government works, and we got to change the business climate. We've done none of them. We'll continue to drive more jobs out of this state. You'll bring in less revenue. We'll be right back where we're at. I want to close with this. Remember this, baby. Three party, Quinn... three county, Quinn. The other counties voted for less government, less taxes, less regulations. Sure we were 30 thousand votes short, but many of you represent these red counties. Go home and tell everybody what you did. I can't wait to see it. We won't have to make up a flier that says people are sending jobs to China. Ours will just say they're going to Indiana, Missouri, Kentucky, Tennessee, Wisconsin. That's what you're doing. I have my kids here tonight. I will be voting my own switch, but they're going to be there with me. You're asking them for the next 14 years to pay for all of this without any cuts, without any way out. Who knows what will come next. Nick will be 20 or Nick will be 30 and Adriana will be 28. Just what time you get done paying for these bonds, it may pass. So, Ladies and Gentlemen, the people of Illinois do not want this. They want us to sit down and do something that's sustainable, reasonable, cost-effective, and this does none of the above."

Speaker Madigan: "Representative Sullivan."

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

Speaker Madigan: "Sponsor yields."

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Sullivan: "Leader Currie, my colleagues have done a very good job of pointing out the points or putting forth the points. A couple things though. With this employer.. new increase in employer tax, do we have a quantitative analysis of how high we're going to go or are what states are above us or below us? What point are we?"

Currie: "We don't have a complete list, but I would point out that our corporate rate actually will not be out of line with those in other states and certainly a good deal lower than, for example, Iowa. If you remember, the corporate income tax that people talk about does not just include the state corporate rate but also 2 and a half percent goes to the replacement in the personal property tax. So, what we will actually be asking businesses is 7 percent, well below the 12 percent that they would be charged in Iowa and comparable to those in other nearby Midwestern states."

Sullivan: "When we talk about the.. and the Representative talked about this before, the half percent tax that goes to debt relief. We're going to have another vote potentially on borrowing, and if we don't pass this and we don't send out the bonds, you have this half percent. That doesn't go away as you stated. So if we don't have the bonds to sell, you have an additional half percent to use for whatever you see.. choose fit. Would that be a fair characterization?"

Currie: "No. I think that this is predicated on the idea that we will bond this money for 14 years to pay our old bills. So what the.."

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Sullivan: "So, you're telling me now that if we don't pass the borrowing plan that should come to us before, that you're going to reduce the overall tax rate by a half percent?"

Currie: "We would not be able to use that money for any purpose other than borrowing."

Sullivan: "Right, so it would go into GRF?"

Currie: "Yeah. It'll be in GRF, but it won't... it can't be used. So I would hope that should this Bill miraculously pass this House, that we would then agree that we want to pay our old bills."

Sullivan: "We can use that to pay old bills is what I'm getting at."

Currie: "I don't know about you, but I am tired of having vendors be the people who are taking responsibility for our inability to pay them, and the rates that we're paying the vendors, when we finally do pay them, are pretty high. So we might actually do a better job borrowing in terms of interest payments than we do today. But that's not relevant to this conversation. The reality is that half cent."

Sullivan: "Well, if it's... if we can't do anything with it, then wouldn't it be better... Why wouldn't you just make the commitment tonight that if we don't pass the borrowing that we would just take that portion of the income tax out?"

Currie: "Well, I trust that wisdom, common sense will prevail, and should this pass, we will decide that it's time to pay our bills."

Sullivan: "Okay. Well, let's go on to another point that we haven't really talked about. The net operating loss carried

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for a provision is going to be sunsetted for three... four years."

Currie: "It will be held in abeyance for four years. It'll come back, and those people who experience net operating losses during that period of abeyance will be able to capture their... their dollars after that four year period is over."

Sullivan: "Have you had any discussion..."

Currie: "So they don't lose it. It's just a waiver for that period of time."

Sullivan: "Have you ever had... within this proposal, have you had a discussion with any of the major employers in the State of Illinois on what their thoughts are in regard to this proposal, like Caterpillar?"

Currie: "Pardon me?"

Sullivan: "Have you had a discussion with any of the major employers in the State of Illinois regarding this proposal, such as Caterpillar?"

Currie: "No, but there were people in committee this morning who'd misunderstood the proposal, and I was able to set the record straight."

Sullivan: "So, on a major tax proposal that we've seen in the history of Illinois, you did not speak to a major employer, such as Caterpillar's ahead of time?"

Currie: "No, I didn't. I didn't, Representative, but I'm sure others did."

Sullivan: "Okay."

Currie: "And I am sure they have lobbyists who are carefully watching everything we do."

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Sullivan: "Okay. Lastly, I want to delve a little bit more into the cap legislation. I realize that you want to set certain levels of spending increases over time for the next four years, which is amazing to itself, but I'll talk about that later. What happens at the end of the four years when you've increased the spending caps and in essence, our budget has gone up over the next four years, and then you start to roll back the revenue coming into the state. Don't you see some type of ledge there?"

Currie: "Yes. First of all if... I don't see that the budget will actually go up. That's a spending decision. I can tell you it will not go up more than 2 percent even though the cost of pensions, the cost of health care may, in fact, be out of control. So I would urge that we will be cutting at the end of that period. The tax will revert to today's levels."

Sullivan: "Why do we even need the cap then if you say we're going to be cutting the whole time? We should just leave it at that. We're going to cut. We don't have to worry about having a cap because to us and too many people in the State of Illinois what it says is we're going to institutionalize the idea that we're going to raise spending every year. That's what this part of the legislation tells me. How do I answer my constituents when you have this in there?"

Currie: "Right. In fact, all we're trying to do is make sure that we're not using these revenues for new spending. We are hopeful that over this four-year period, the economy will do its best to rebound, and that the need for these new revenues will no longer be before us."

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Sullivan: "Thank you, Representative. To the Bill. Ladies and Gentlemen, we've heard a lot of debate on this, but let's talk about, kind of rehash, what we just talked about. This is an employer tax that would put our employer tax to the third highest in the nation. We're coming to a position where potentially we could start seeing growth in businesses. Under this, we go to the third highest in the nation. One of the provisions, a net operating loss carried forward, is a very onerous part of this Bill. We have not even discussed it with the major employers, such as Caterpillar, that this would have a tremendously negative effect on. I... I find that just amazing. Lastly, only in the State of Illinois can we say we are going to fix our problems by spending our way out of debt. Only in Illinois, do we put a spending cap, a spending cap, to try and fix the many problems that we have. Ladies and Gentlemen, we are... we might be able to push some things off with a tax increase, but at the end of the day, we're going to come back here in ten times worst shape once this thing falls apart. Thank you very much."

Speaker Madigan: "Mr Franks."

Franks: "Thank you, Mr. Speaker. I'd like to speak to the Bill, but I won't go into detail on how this proposal would make Illinois one of the highest flat tax rate states in the country, and how this regressive tax would hit the middle class the hardest. And I won't go into detail on how Illinois would have one of the highest taxes of any of its Midwestern neighbors, and I won't go into detail on how this Bill will hurt family farmers because of the

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reinstitution of the estate tax, and farmers may have to sell their properties to pay the government taxes. And I won't go into detail in how the tax increase expenditures will continue to rise at 1.7 percent over four years or \$2.2 billion. But at the end of that time, they will lose their revenue, and we can't assume normal growth. We had assumed 8 percent growth in our pension funds, and they only grew to approximately 4 percent, and you see where that got us. However, what I'd like to speak about is alternatives to this misguided legislation. Our state has a spending problem, and this legislation will exacerbate it. It is designed to maintain the status quo and business as usual. It is designed to increase spending. Let me repeat that. It is designed to increase spending. It does not require meaningful cuts or hard decisions to be made. It will perpetuate a system of inefficiency and unaccountability. It will hamper business growth and put Illinois at a competitive disadvantage. Our unemployment rate is over 9 percent, and this legislation will only make it worse. We have boards and commissions whose members who are paid thousands of dollars for little or no work and who receive health care benefits and pensions. This legislation preserves these indefensible expenditures. We spend more than \$1 billion a year to fund the Department of Commerce and Economic Opportunity, which was shown to be a cesspool of corruption during the last administration. Yet we have not curtailed its spending, and with a tax increase, no business will be coming to Illinois anyway. So, DCEO must be eliminated cause there's nothing that it will be able to

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do to attract business if this Bill passes. This legislation will simply continue to feed the beast. We continually tell our social service providers and our educators that they have to trim the fat and function within their means. Yet their government fails to lead by example. By supporting the job-killing tax increase, we are simply passing the buck by declining to take responsibility for our state's poor fiscal condition and refusing to explore viable alternatives to a tax increase. What I suggest is what we do is take the next four months and go through every line item in the budget and axe every nonessential item. Only then, should we begin to have a discussion on whether to raise taxes. Raising taxes should be the last option and not the first. This whole dialogue, absent wholesale structural change of our budget process, is simply unacceptable. We all know and leading economists have told us that tax increases on working families actually cost jobs, which further harms our economy. These proposed tax increases will harm families and business. Now, in an acceptance speech by his Party's Presidential nomination, these words were spoken, 'I will cut taxes because in an economy like this the last thing we should do is raise taxes on the middle class.' Now, who do you think said that? You think it was Ronald Reagan? It wasn't. You think it was George Bush? No, it wasn't. You think it was the other George Bush? No, it wasn't. You think it was John McCain? It wasn't. These words were spoken on August 28. I was sitting right there, 2008, at the Democratic National Convention by President Barack Obama. He was right then,

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and he's right now. On December 7 at a press conference, the President observed, 'There are folks right now who are just barely making it on the paycheck that they've got, and when their paychecks get smaller, they're going to have to scramble to figure out how am I going to pay all my bills. How am I going to keep on making the payments for my child's college tuition? What am I going to do exactly?' More recently, President Obama in his December 11, 2010, weekly radio address said, 'By putting more money in peoples' pockets and helping companies grow, we're going to see people being able to spend a little more. We're going to spur hiring. We're going to strengthen our entire economy.' He went on to say, 'The opportunity for families to send their kids to college hinges on this debate.' Like it does right here, folks. The ability of parents to put food on the table while looking for a job depends on this debate, and our recovery will be strengthened or weakened based on the choice that now rests with us. I agree with our President. I hope that you do too. And I strongly urge the Members of the House of Representatives to vote against this irresponsible tax hike that will hurt Illinois family and business. When you consider your vote, remember President Obama's words because in an economy like this the last thing we should do is raise taxes on the middle class. Please do the right thing and vote 'no' on this job-killing, middle-class bashing tax increase. Let's end business as usual. Let's do our jobs. Let's cut our budget, and let's stop this madness."

Speaker Madigan: "Mr. Mathias."

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Mathias: "Thank you, Mr. Speaker. Will the Representative yield?"

Speaker Madigan: "Sponsor yields."

Mathias: "I wanted to ask you a couple things about the municipal... the local government fund. You indicated before, I know there was no written guarantee in the law regarding that fund, but really that 10 percent figure, wasn't that part of a larger agreement, when the income tax came into being?"

Currie: "It may be. I was not here when that happened, so I can't answer the question."

Mathias: "Well, I believe it was, and it's been the same percentage from what I understand since that time, and now we're going to change that percentage."

Currie: "Only for the new revenue, and if Representative, you want to offer an Amendment that would significantly increase the rate beyond the 5 percent that is in this Bill, so that we can give money to local governments, be my guest. And tell me how many votes you will offer for that Amendment and for passage of the Bill on Third Reading."

Mathias: "Well, thank you. Let me ask you this question. At the present time, the way the Bill is written, local governments rate... rate, I guess, is reduced, if I understand it correctly, to 6 percent of all the moneys collected?"

Currie: "It... that's the way it calculates, but they still get 10 percent of everything up to the rate that is in effect today. We're taking not one penny from them, and if we pass this Bill, we can actually pay them what we owe them."

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Mathias: "Let me ask you this. If for some reason, whatever reason... Well, first, let's say the Bill passes and is signed into law, and then somewhere in the future, the spending exceeds the limits, and we don't roll it back or do whatever is necessary in the Bill, and as a result of that, the income tax reverts back to 3 percent. That is a possibility. Is that correct?"

Currie: "Yeah. They'll get... everyone will get less money."

Mathias: "Right. If it reverts back to 3 percent, will local government get 10 percent of that money or 6 percent of that money?"

Currie: "They'll get 6 percent. This is called the hammer that is going to make us toe the line and save resources and pull in our belts."

Mathias: "So, in effect, you're saying that if this Bill... if the logic behind the Bill fails, and we cut back the income tax to 3 percent, then the local government fund... the local municipalities will be cut back from their current 10 percent of the 3 percent to 6 percent? Is that what you're saying?"

Currie: "That's what I am saying."

Mathias: "So does it..."

Currie: "So they'll be anxious to help us toe the line and make sure that we don't overspend."

Mathias: "So, we're not... not only are we not paying them a percentage of the increase, but now we're penalizing them for something that the State Legislature does by not balancing... as we are penalizing them now by not paying them what's due to them."

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Currie: "Yeah. I mean, the reality is that we're not penalizing them. They're not part of the program. The point of this tax increase is to pay our bills and fix our structural deficit. It is not about new program, whether the new program is education or local government. And if, in fact, this money disappears, let me tell ya, it's D-Day for everyone, local governments and the State Legislature, too."

Mathias: "But I am correct at what you're saying is that if the tax reverts back to 3 percent, local government will only get 6 percent of that first 3 percent, not 10 percent?"

Currie: "Yes. Yes."

Mathias: "Okay. When you... also, just so those of you in the room who are supporting local government understand that. The second thing, the not... the net operating loss. You said that the net operating loss is, I don't want to... my words is it's deferred. In other words, if in the year 2011, a company has a net operating loss, they cannot go back on their income tax, and let's say, get a refund if they had an income in 2010. Is that correct?"

Currie: "They can after the four-year hiatus. They can go back and count that income and get their refund. Yes."

Mathias: "So they can accumulate the losses even if they can't take the immediately..."

Currie: "They can."

Mathias: "But after four years, if let's say, in those next four years, they had a net operating loss each year, they can accumulate them, and then in the fifth year, do they go back to the fourth year or when can they use it?"

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Currie: "When we get to the fourth year and the hiatus is over, they can collect against the entire accumulated net profit loss."

Mathias: "For past income or for future income?"

Currie: "For... for future. They would get the credit against future income, but they would be able to take all of it and then be able to accumulate it, and count all of it against future income."

Mathias: "But today, you understand, that they can accumulate.. I mean, they can get it for past returns. They don't have to wait. I think they can go back either two or three years file amended returns and get money back. Will they be able to do that in the fifth year?"

Currie: "They'll be able to collect on it. I am not sure what the mechanism will be, but they'll be able to account for that accumulated loss."

Mathias: "So, they will not lose that loss?"

Currie: "That's right."

Mathias: "Okay. And finally, on the estate tax, my understanding is you're... isn't there some issue today of the law. From my understanding, in the year 2010, Illinois did not collect an estate tax. Is that correct?"

Currie: "That is right."

Mathias: "And wasn't that because we were preempted from doing that by the Federal Law?"

Currie: "No, it's because we decoupled from the feds, and we did not recouple. We didn't recouple during... or we didn't reestablish our own estate tax, and that's what this does in this Bill."

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Mathias: "But we did have an estate tax prior to... in 2008.

Currie: "Yes, we did. Yes, we did. Yes, we did, but we decoupled from the federal changes, but then at the beginning of the year 2010, our estate tax disappeared. We didn't recouple with the feds. Here we are recreating our own."

Mathias: "Okay. I thought my understanding was because it was... there was an issue in the Federal Law then they stopped you from collecting it."

Currie: "No. No. No, right, no. Yeah."

Mathias: "Okay. So... and you're doing it now. This Bill would have it at \$2 million. Is that correct?"

Currie: "Yes."

Mathias: "And will you be... will an estate of a husband and wife under Federal Law today, under the new estate tax, a husband and wife can each, in effect, get \$5 million, and the first spouse to die, the surviving spouse can accumulate the same exemption from his deceased spouse. Will you be able to do that under Illinois law?"

Currie: "You know, if... I think, the simplest way to explain it is that what we do is reinstitute the tax that we had in 2009."

Mathias: "So whatever rules were then?"

Currie: "Yes."

Mathias: "But it'll be \$2 million?"

Currie: "Right."

Mathias: "Okay. Thank You."

Speaker Madigan: "Representative Harris."

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Harris: "Thank you, Mr. Speaker. To the Bill, Ladies and Gentlemen. We've heard a lot of comments made during the last debate and about how we got to the situation in which we find ourselves today, which is not a good situation at all. I think as you look back over time, over the years and the decades it has taken this state to get into this situation, I don't think either side Democrats or Republican are without blame. I think we have all, each of us, made a contribution to getting us to the place where we are today, but I don't think there's anything to be served by looking at the past because we are today where we are today, and we should today be looking for the future. The wolf is at the door, Ladies and Gentlemen. The wolf is at the door, and we have some very unpleasant decisions to make, and there are basically two of them that we can make today. My worry, if we do not pass this Bill, are the unintended consequences of our inaction. We could trigger a cascade of public and private defaults that will rapidly spiral out of our ability to address them. If I can just bring up a couple of these. If the state is not able to make its obligations, we have \$13 billion of obligations out there which we cannot satisfy. Our failure to make those obligations and the failure of businesses or social service agencies or churches or faith based groups to borrow any further could trigger a wave of layoffs of more of our residents in every district of this state. It could cause businesses to collapse, defaults on loans to banks, which have already extended credit. People could close their doors. The impact of that: our families will not be

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able to pay their mortgages, their property taxes, a loss in sales taxes, businesses, retailers which close their doors because of lack of costumers with income who can spend money in those states. Our municipalities, our school districts who rely on the property tax and on the sales tax for the largest single portion of their operating revenue, could be starved out. Our neighborhoods, where foreclosure and default is already a problem, if there's further unemployment in this state triggered by the closure of thousands of businesses when this state does not meet its financial obligations could devastate communities. How much of this will happen, and where it will happen, I don't know. I don't think anyone in this room will know, but I think everyone in this room knows that it's a definite possibility, and in fact, a probability that we will have to face. And as we've seen with the national mortgage crisis and the national banking crisis, once this process begins, once the cycle starts, we may not have the power any longer to effectively stop it here in the State of Illinois. So, I worry about these consequences. There have also been discussions that we need to cut and trim the waste in our State Government. Well, Ladies and Gentlemen, we can cut. We can trim. There's always waste. There's always abuse, and we should continue to root that out in every way, shape, and form. But to give you an idea of the scope of \$13 billion, and what we would need to cut and trim to reach that \$13 billion number; the cuts that we'd have to make would be the elimination, not the cutting, but the elimination of all GRF revenue to the Department of

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Juvenile Justice, the Department of Children and Family Services, the Department of Natural Resources, the Department of Corrections, the Department of Human Services, the Department of Public Health, the State Police, Veteran's Affairs, the Department of Human Rights together. Just close them down, and we would almost make \$13 billion. Ladies and Gentlemen, that is the scope of the problem that we face today. There are no good choices, Ladies and Gentlemen. There are no easy ones for us to make, but I think we need to look very carefully and think very carefully as we cast this vote and look to the future. I think we need to look and be sure that we do not cast a vote that exacerbates rather than alleviates the problem. I urge everyone to do the thing that we have to do today. To do an unpleasant thing, and what may be an unpopular thing, but in the long run, will be the right thing and vote 'yes' for the Lady's Bill. Thank you."

Speaker Madigan: "Mr. Burns."

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

Speaker Madigan: "Sponsor yields."

Burns: "I just want to clarify. There is a 2 percent spending cap in the Bill for each year. Now that is a ceiling. So, spending cannot exceed that 2 percent, but there's no requirement that the state increase spending by 2 percent every year."

Currie: "Correct."

Burns: "Okay. My understanding is, as well, that we're going to amend the rules of this chamber to require a Supermajority to authorize any spending above that 2 percent cap."

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Currie: "Should this Bill pass that is, in fact, our plan."

Burns: "Okay. Thank you. To the Bill. Two years ago when I attended new Members training, I was told that this was the worst possible time to become a Member of the Illinois General Assembly, and I think that the... our instructors underestimated the challenges that all of us are facing. As a new Member, I could easily say that because I wasn't here when decisions were made, that I did not have a vote, that I don't have the responsibility for correcting the problems. I can say as someone who has wanted universal, early childhood education for every child in this state, who has wanted to change the way that we fund public schools, who has wanted to make sure that we have programs that get people out of poverty and move them into opportunity. I can say as someone who has been a proponent of a more generous, a more fair, a more equitable Illinois that this tax Bill is not the Bill that I want to vote for, and that I shouldn't vote for it because it does not comport with my vision of what this state should be. I am voting for a tax increase not because I want to, not because it's going to fund the programs I care about, but because there are no other options. That is the bottom line. We have a \$15 billion deficit over a \$33 billion operating base. That's the simple fact of the matter. If we don't do this, we can't skip our pension payments or the pension funds would have to sell their assets. We have mountains of unpaid bills. The economy will not recover in time. There will be no natural revenue growth big enough, large enough, quickly enough in order for us to balance our

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budget. We could freeze state spending for the next decade, and we would still be in deficit. And these... these are not my facts. They come from the Institute for Government and Public Affairs at the University of Illinois. They're no liberals. They're not Democratic staff. These are people looking at the raw data. And the facts are clear. I have providers in my district. I got a call from a provider today who told me that one of their staff members had a stroke, in part, because they didn't know when they were going to be paid and some of the stress in the job. I've had... I've talked to providers where their staff have wanted to walk off the job because they haven't been paid. You know we're doing the work, but we're not getting paid. We have schools. The Chicago Public Schools has hundreds of millions of dollars in unpaid bills from the State of Illinois, and if we don't pay that, that means laid off teachers. That means larger classrooms. That means that we're cheating our future. There are a lot of Bills that we have to deal with here, that are easy Bills and are fun to vote for, and we can all slap ourselves on the back about doing it. This is not one of them. I don't relish this vote, but we have to do it. And I would encourage you to join me in voting 'aye'."

Speaker Madigan: "Mr. Winters."

Winters: "Thank you, Mr. Speaker, Ladies and Gentlemen of the House. I rise to highlight a recent study that was done looking at other governments faced by budgetary disasters. Thirty-one different countries, all industrialized countries, primarily from Europe, have faced budgetary

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crises over the last 35 years. The study was done and asked the question, what led to a successful change in budgetary conditions for these countries? And the study ended up, it was done by very well respected economists, and the answer came down to there are two basic groupings. About half of the countries were successful in closing their budgetary gap. The other half failed and they went from to crisis to crisis. The economists said that the difference between those two groups of countries was there policy choice, made by their Legislature, on how they addressed that budgetary crisis. The countries that succeeded, an average of 75 percent of the closing of their budget was through cuts. The countries who failed tried to close their budgets with increases in taxes on their public. This Bill will do exactly that. We're following the example of country after country who failed to close their budget gap because they chose to ask their citizens to bail them out instead of telling their citizens, like grown-up adults, we've overgrown the size of our government. We cannot afford it any longer. Cuts are what are needed. And it can be... unfortunately, one of the previous speakers said that we would have to close agency after agency after agency, and then we would still barely be able to close our budget gap, but that was over a one year. You're trying close a 13 to 15 billion dollar hole that's been built up over the last 10 years. And I'm not going to blame it on one administration. Several administrations have been responsible for passing unbalanced budgets, but each year it's been this General Assembly that approved those

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budgets. Ireland, when faced with a crisis this last year, cut public salaries by 15 percent. Every worker in Irish government work took a 15 percent pay cut and still did the job that they were expected to do. This state needs to do the same thing, including this General Assembly. Serious cuts; we need to be an example. There are optional programs that we offer to our citizens that are nice, but they're not mandated and they're not necessities to our citizens. They will have to close. We need to shrink this government and we need to grow the economy. Now adding taxes on our corporations and adding taxes on individual families is not the way to grow our economy. Instead we need regulatory reform so that businesses can do their business in a more rapid fashion with certainty that they will get the permits that they need from government. We need to cut those regulatory burdens. We need reform of the workers' compensation and much further than what has been proposed this January. We need to make serious cuts to make our businesses able to compete with states around us and build here in Illinois. That's the way you build revenue for the state, is not through taxes, it's through growth of jobs and growth of our economy. We need reform of our schools. The money we spend is approaching \$10 thousand per student. How can we spend \$300 thousand in a classroom of 30 kids? How can we spend a third of a million dollars, almost, in each classroom? There have to be huge cuts in our education bureaucracy and we need pension reform of our current employees. We're facing a \$700 million increase this year alone in our pension obligation for state and university

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employees. Without reform, we're never going to close this budget gap. If we do it through taxes, we'll follow the other 28 countries around the world, who saw their budgetary efforts collapse when they did it through taxes instead of by making the cuts. We're doing the same thing over and over again. We're turning over rocks. We're looking for revenue. The net operating loss that Representative Currie brought forward that for four years we're going to get enhanced dollars into our State Treasury, because we will not let young, start-up companies that normally have net operating losses, you won't be able to take those against your previous earnings. So, instead, what we've done is we've created another bombshell. Four years from now, all those companies will not have to pay their corporate income tax. They'll have four years of net operating loss carryover to use. So again, you're stealing money out of future budgets and putting it into this year's budget. This... doing the same thing year after year after year but maybe putting a little bit more money because you found a rock over here that you turned up and found some cash, that's hitting your head against the wall; it won't work. Again, look at other countries that were successful, they cut the size of their government. The countries that did what we're doing were not successful. I urge a 'no' vote."

Speaker Madigan: "Mr. Miller."

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

Speaker Madigan: "Sponsor yields."

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Miller: "Yeah. I want to focus on a little bit of the... with the education funding piece of this, Representative Leader Currie and the funds that will be created for that in Human Services. Can you explain, first off, the genesis of these two funds and why they were created?"

Currie: "After the five-year period, during which we are taking care of the structural deficit and the old bills and paying off the bonds, then they will get dedicated revenue for both education and human services. We think about \$400 million a year."

Miller: "So... in each one of these funds, with passage of this legislation, will be created... a pool will be created or the additional... the money from the increase in the taxes will go into this dedicated fund as we go along this five years."

Currie: "Yeah. It would be dedicate distribution in the human services, on the one hand, that will be one-eighth. And the other eighth will go into education."

Miller: "Well, let me repeat myself. Is it... will the fund be cre... the fund will be created with passage of this legislation, correct?"

Currie: "Yes."

Miller: "Will money from an increase in our state income tax go directly into this fund starting day one..."

Currie: "No."

Miller: "...or the goal is to after five years..."

Currie: "Ten."

Miller: "...once whether the bond debt is paid off or not?"

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Currie: "No, before the bond debt is paid off, that's 14 years... 15 years. So, before that time."

Miller: "Okay. Why five years before money goes towards the education fund?"

Currie: "Because we're trying to... the central point of this Bill..."

Miller: "Barbara, this for the record too."

Currie: "...is to fix our problems with bills and to fix the structural deficit. And we anticipate it will take that long for us to be able to be made whole."

Miller: "Okay. In the case of where our economy does not recover or is dragged on along, as we've seen, what can happen in year six? Can the General Assembly come back and extend or is it automatically in place where these funds will be created?"

Currie: "Well, the General Assembly, yeah, is automatic, but the General Assembly can always change it."

Miller: "Okay. In terms of once these funds are created, how will they be distributed to social service providers or in the education community?"

Currie: "By appropriation. The Legislature will make that determination."

Miller: "Okay. I've heard a lot of talk about spending cuts here. Is there any indication and proof that the lottery shell game won't happen again in this particular legislation, meaning that if \$400 million is appropriated from these funds... that are... that in GRF that would have went towards human services or education, that \$400 million would have been eliminated somewhere else?"

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Currie: "We have language in the Bill that should guarantee against that."

Miller: "Could you repeat that?"

Currie: "We have language in the Bill that should guarantee against that. The idea is this should supplement not supplant moneys that are already being used for education and for human services."

Miller: "Okay. So, in terms of that budgetary process five years from out, then there'll be a certain flat level for the prior year, lets say year four, that... 'x' amount of dollars... \$100 cannot... will be appropriated towards any of the human service, for instance. And in this it'll say it can't... that \$100 from GRF cannot be reduced, but an additional \$400 million from this fund will be added on."

Currie: "That's absolutely the intention."

Miller: "In terms of property tax relief, you had stated in your opening comments that in Amendment 2, I believe that was the property tax relief particularly known as in common. Was that part of the Tax Swap Initiative that the Senate had brought in..."

Currie: "No."

Miller: "...or is this something different?"

Currie: "No. There had been a proposal that there'd be rebates for property taxes paid, paid for by buddies in this new income tax. That idea is dropped, but we will revert to the current program in which people are entitled to a 5 percent credit on their income tax, 5 percent of the property taxes they pay."

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Miller: "Okay. In terms of that... and that's just the same as what we do right now and currently in the State Law?"

Currie: "Yes."

Miller: "So, there has been no change?"

Currie: "None."

Miller: "Okay."

Speaker Madigan: "Mr. Miller, could you bring your remarks to a close?"

Miller: "Yeah. Thank you Mr. Speaker. Thank you. To the Bill. As the previous speaker had talk about in terms of an ideal piece of legislation, I share his same concerns. This is something that I have reservations about voting for, but will do it. As many of you know in this General Assembly, I've promoted legislation that deals with some of our structural forms in terms of education. I think it's a travesty to the fact that the disparity in our education system depends on what zip code that you live in. That's something I fought from day one being in this General Assembly to my last day, as it is today. Unfortunately though, that piece of legislation, House Bill 750 and 174 isn't in front of us today. Now, I've heard comments from both sides of the aisle in terms of what we try to do to solve some of our structural deficit, but yet I see no movement. This Bill does not solve all our problems in terms of State Government, and trying to make sure that we still have to make necessary cuts. As Representative Harris gave a list of agencies that we'll cut, which you guys don't even... don't say which ones are going to be cut, pick one. Pick an agency that you want to cut, but

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unfortunately, you're not going to do it. And for all of you who want to... who try to come up with government or renew, you had your time. You had your time in which you could try to present a new way of budgeting and it didn't happen. But the number one call I got and still get is from providers who are looking to be paid. Not just rich hospitals or poor hospitals, but dentist and physicians, and those social service agencies. When we got federal... we got the stimulus dollars that are financing our State Government. And where are they now, they're closed. Their businesses are closed, which adds more to our tax burden into more of our state. So, it's easy to say we need to revisit, because I remember 10 years ago, when Governor Ryan was Governor, we faced a \$2 billion budget deficit. And I didn't hear Members talk about how we're going to fix our structural budget and our structural problems. We had education funding problems then. We have it now. So when I hear eight years ago, come on folks, come on. Ten years ago it happened and we didn't fix it. And now we're not fixing it, but we don't have a better choice today. Everybody wants to go heaven, but nobody wants to die. It is time for us to live up to our responsibility to make sure people in the State of Illinois are taken care of. We need to support this Bill. I ask for an 'aye' vote."

Speaker Madigan: "Mr. Leitch."

Leitch: "Thank you very much, Mr. Speaker and Ladies and Gentlemen of the House. To the Bill. We really don't need to guess what the impact of this measure will be on our state, indeed, if it's enacted. All we have to do is look

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back to what happened when we raised the tax on trucks by a thousand bucks... or truck a few years ago. A year after we enacted that, there were 19 thousand fewer truck registrations in Illinois. Today... the other day we checked, there are over 60 thousand fewer truck registrations in Illinois, because a mobile economy could move with its feet, and doesn't really care what we do here, because they can move elsewhere. It's very interested that the earlier comment about Caterpillar. We know Caterpillar is recognized as perhaps the best managed company in the world today. Caterpillar opened a plant in Thailand yesterday. Caterpillar announced another plant in China last week. Caterpillar bought their largest mining competitor, Bucyrus, last month. Caterpillar understands what it takes to be successful. Most remarkable to me over the last three days is I've had over 1600... 1600 e-mails against increasing this tax. Twelve hundred of them or more have been from Caterpillar employees. And in addition to those Caterpillar employees saying how ill-advised it would be to simply increase the income tax, and what it would do to the job market, they asked the question we all should be asking, because what do the most effective businesses, entities do in the face of financial difficulty? The term restructuring, the term reinvent... how many times have we heard about the vibrancy of American business because of its capacity to reinvent itself. And that is what we should be working together to do in Illinois. We should be reinventing the way we are doing business. We should be restructuring how we do the business. We should be figuring

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out the best most efficient ways to deliver services in the 21st century, rather than propping up antique bureaucracy systems and ways to do things. So, the really hard work that should be done should be to work together and figure out what the new vision and face of Illinois government should look like. It should figure out how to make judicious cuts. Yes, have some revenue to the down... to reduce the debt, but we should be a lot smarter than just taking an easy way out, which is to slather on more tax money to great detriment to our business climate and then wind up four years from now at a place where we won't be able to get off the drug. We won't be able to reduce taxes. So, those are the reasons I'm opposed to the Bill and I would not only urge you to oppose this measure as well, but to join with us and let's provide some adult supervision in this place and figure out a real answer."

Speaker Madigan: "Representative Nekritz."

Nekritz: "Thank you, Mr. Speaker. To the Bill. It's been clear for a very long time that we have a very deep fiscal hole and to get out of that hole, we have to use every tool in our toolkit, every arrow in our quiver, every bit of courage we can muster. This is a comprehensive package that will move us a long way toward driving down our spending, paying our past due bills, and achieving fiscal stability. This will fit perfectly with the new budget process reforms that were recently adopted. Now, I've been... in my tenure here, I've worked really hard to achieve fiscal accountability, transparency, and stability. And last spring I was really proud to work with a group of

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Legislators, most of whom were in this chamber, who proposed over a billion three in cuts. A billion three in cuts we were looking for, difficult cuts. Significant cuts to education, higher education and Medicaid. Smaller cuts that... it would have impacted boards and commissions, travel allowances and other things like that. Spending reforms that would have required retired state employees to contribute toward their own health care. And while these were not things I wanted to do, I felt that if we couldn't pay our bills and we couldn't pay anyone on time, we were, in effect, making cuts. And we should be making them in a more rational fashion, rather than making them in the irrational fashion of simply not paying our bills. But every last one of those cuts that that group of Legislators proposed were shot down. Some of them failed to get a Motion in committee, and by the way there are Republicans on those committees as well, others were lucky to get a Motion, but received two or three 'yes' votes. Yes, two or three 'yes' votes on committees that have lots of Republicans on them and so we were unable to move forward with any of those spending cuts. So cuts were obviously... and cuts is was one of the things I have said for a long time, we need to be moving ahead on, but that clearly was not going to be possible at this juncture. I've also been a proponent of reform. And one of the things that we did manage to get passed last spring and that you know, one of my colleagues from Lake County has really moved forward on, is the budgeting for outcome. This is a really significant budget reform process for this Body that will allow us to

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set a revenue limit and set priorities for what things we want to be spending money on. And when we get... when we run out of money and spending on those priorities, we draw a line and we're done. No spending outside that revenue limit. No more spending beyond our means. The budgeting for outcomes process will be really significant and it will be easy and transparent for us to understand, for our appropriations committees to understand, and for the public to understand. So those budget reforms are really significant. We've tried to rein in numerous other things, like with Medicaid and so forth, so we're on our way with reforms. One of the other things that's in this legislation that I'm proud to have worked a lot on over the last week, is in fact that spending cap that's in there. We have shown a lack of discipline in the past and so having a spending cap in this legislation that has very small increases in it over the next four years, I think it's one... if we're going to be growing revenue... or growing spending 1.7 percent from FY11 to FY12, which is a hard number, that spending limit is a hard number that's in the legislation and growing 2 percent thereafter really shows that this General Assembly is dedicated to reining in our spending. No new programs. No growing programs beyond what we can afford. That spending cap will be in place. And the hammer for that, for us as a General Assembly, is that this income tax will go... this income tax increase will go away if we exceed that spending cap. So, I have great confidence in our ability to see that hammer standing... sitting out there and then live... and start living within our means on our spending. With all

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those things in place, I have felt for a long time that we can't cut our way out of this, we can't reform our way out of this, and we can't tax our way out of this, but we've got to do all them. And while I'm disappointed that we couldn't get the cuts through and we couldn't get support from the other side of the aisle, that we have to... we still have to move ahead and solve a problem that we have... and solve a problem that we have now facing us... staring us in the face where we are going to lose our bond rating, we are going to... and stop making payroll shortly. We're going... we are going to be in very dire straights if we don't do something. And so I view this as a choice between bad and worse. I don't want to have to raise taxes, but it is part of the solution and I think that this... that's something that we have to do at this time in order to avoid those more dire consequences. So while it is reluctantly that I stand and say that I will be supporting this legislation because I don't want to impose this on... on the hardworking people of Illinois, but it is something that we have to do in order to get to a place where we have some fiscal stability. And that, I think, is the most important thing we can do as Members of this Body. Thank you."

Speaker Madigan: "Ladies and Gentlemen, we've had a very full debate. There will be one more speaker and we'll go to Roll Call. I would ask all Democratic staffers to go to the rear of the chamber and all Democratic Members to take your seat. The last speaker will be Mr. Reitz. Mr. Reitz."

Reitz: "Sorry. Thank you, Mr. Speaker. I just have one question for purpose of legislative intent. The Section 30, ILCS

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25.2 of the legislation grant the Governor the authority to reduce the annual certified contribution amount for the State Retirement Systems, including the Teachers Retirement System, the State Employees Retirement System, the State Universities Retirement, The General Assembly Retirement System, and the Judges Retirement System as outlined in 40 ILCS 15, the State's Pension Fund Continuing Appropriations Acts."

Currie: "No."

Reitz: "Good Answer. Thank you."

Speaker Madigan: "The Lady has moved for the passage of the Bill. Those in favor of the Bill signify by voting 'yes'; those opposed by voting 'no'. The Clerk shall take the record. On this question, there are 60 people voting 'yes'; 57 people voting 'no'. This Bill, having received a Constitutional Majority is hereby declared passed. We would ask the Democrats, please stay in the chamber. We have additional Bills to call right now. You guys need a rest. Mr. Lang."

Lang: "Mr. Speaker, having voted on the prevailing side, I move to reconsider the vote by which that last Bill passed."

Speaker Madigan: "The Gentleman moves to reconsider the vote by which the Bill passed. Representative Currie moves to lay that Motion on the table. Those in favor say 'aye'; those opposed say 'no'. The 'ayes' have it. Mr. Lang's Motion is laid upon the table. Mr. Clerk, what is the status of Senate Bill 3088?"

Clerk Mahoney: "Senate Bill 3088 has been read a second time, previously. Amendment #1 was adopted in committee. Floor

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

Speaker Madigan: "Representative Feigenholtz on the Amendment."

Feigenholtz: "Thank you, Mr. Speaker. House Amendment #2 replaces everything and becomes the Bill. It is the nursing home assessment and I would entertain any questions and would appreciate adoption of the Amendment."

Speaker Madigan: "The Lady moves for the adoption of the Amendment. The Chair recognizes Mr. Eddy."

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

Speaker Madigan: "Sponsor yields."

Eddy: "Representative, what's the increase in the existing bed tax?"

Feigenholtz: "I'm sorry. I don't... what is the increase in... what is the bed tax right now?"

Eddy: "Yeah. What's the bed tax? What is the existing bed tax?"

Feigenholtz: "\$1.50."

Eddy: "And what would the bed tax be if this Amendment is adopted and we vote this into law?"

Feigenholtz: "It would be increased \$6.07 for only occupied beds, not empty beds."

Eddy: "Okay."

Feigenholtz: "And it is this..."

Eddy: "So, we will be taking a dollar and a half tax and raising it to \$7.50-some... Is that right?"

Feigenholtz: "Correct. It..."

Eddy: "How much revenue would this..."

Feigenholtz: "With federal match, \$290 million, Mr. Eddy."

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Eddy: "Now, I remember looking at a list related to this that shows that some facilities will receive additional dollars, but some facilities will lose dollars. Is that accurate?"

Feigenholtz: "That is correct. That is essentially the nature of an assessment like this. It was the same when we did the hospital assessment."

Eddy: "Well, okay. And the hospital assessment..."

Feigenholtz: "We can't hold facilities harmless. That's Federal Law."

Eddy: "Okay. But in the hospital assessment there was a... I think about 10 percent of the facilities were going to not receive as much money, or we might call them losers are losing money, but they were part of a larger group actually that kind of mitigated that law. So, we worked very, very hard to come to some type of a number, in that case for hospitals that really kept the number that we're going to lose down. This seems like the percentage of those homes that are going to lose, somewhere around 40 percent."

Feigenholtz: "You are correct, Representative, that the very nature of hospitals and comparing them to nursing homes is very, very unique and different and I'm not sure if there was a question at the end of that. But I do want to talk a little bit about the Nursing Home Reform Act that we passed last year, where we mandated increased staffing levels, because of some of the problems that we were having in some of long-term care facilities. And we also have made a commitment to fully fund the MDS System, which we actually never fulfilled that promise. And this is essentially an opportunity for a provider to impose their own tax on

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themselves, Mr. Eddy, this is not going to be one penny out of the General Revenue Fund. This is money that providers are going to tax themselves."

Eddy: "So I understand that there were increased costs because of the changes in staffing ratio. I understand that. But how does that make it easier on the facilities that are going to lose money under this? They're going to still have those increases, correct? But they're also going to lose money. Forty percent are going to have to meet new staffing requirements but also lose money, while 60 percent of facilities are going to realize additional income to meet those new mandates."

Feigenholtz: "Well, you know... I guess the answer... this is just what happens in assessments, Representative Eddy. I wish that I could do an algorithm for you about why, but frankly... again, these are low Medicaid nursing homes. And perhaps this will incent them to take more Medicaid patients so that they can equalize."

Eddy: "Well, that might be the case but for those facilities that exist today, that are self-pay for people that are... have planned for this type of an expense and are in that situation where they're self pay, this is actually... this is actually pushing those individuals into a Medicaid program, and pushing us into higher costs and toward a single payer system. Is that right?"

Feigenholtz: "I'm sorry. What was that last question? There's... I can't see you or hear you, I apologize."

Eddy: "Representative, I guess what I asked you had to do with the effect that this might have on those private pay

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facilities in the fact that it could push individuals into that incentive that you described earlier, which is into those Medicaid facilities or at least toward a single payer system."

Feigenholtz: "Representative Eddy, that is certainly not the intention of this legislation. I'd like to just remind the Body about the Nursing Reform Act that we passed last year, and the mandates, the unfunded mandates we put in... the MDS commitment that we never fulfilled. And I also want people in the room to know that we had other mandates in that Bill. One was the restoration of dollars to the Ombudsmen Program, the other was actually funding the needs of the Department of Public Health for the oversight, which we failed to do. And thirdly and most importantly for me and a lot of people in this... under the dome is the issue of funding more community slots for the fulfillment of the Williams decision so that people who don't want to go into nursing homes prematurely have an opportunity to be in the community, whether they're mentally ill or they're elders."

Eddy: "Let me ask you this. This is over a 400 percent increase in a tax. Is there a way that you could accomplish some of those staffing ratio revenue goals with a lower increase than this type of an increase, so that there would be less facilities that would be negatively affected? In my district, the calculations that we received show a couple of my providers that are going to lose hundreds of thousands of dollars. Now how do I go back to those facilities and say that I voted for a bed tax increase of over 400 percent that's going to cost you over \$200

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thousand? And in that same legislative district, I've got facilities who are going to gain \$200 thousand. Can't we work out something that lowers the increase so there's less losers?"

Feigenholtz: "In a year and a half, there's going to be an opportunity to recalculate and review and come up with a new formula on the MDS and how we..."

Speaker Madigan: "Ladies and Gentlemen, please, could we discontinue the conversations and give your attention to Representative Feigenholtz and Eddy?"

Feigenholtz: "...and how we pay nursing homes."

Speaker Madigan: "Representative Feigenholtz, can I finish my announcement? Can we have some attention, please? Representative Feigenholtz."

Feigenholtz: "I hope I answered your question."

Eddy: "Well, Representative, I think the point is, if we sat down and we looked at an increase that accomplished some of the goals... And I understand the effect of the changes that were made and the cost increases. Believe me, I'm not an unfunded mandates person. I don't think that's the way... but we're talking about, at least in my legislative district, and if Representatives would take a look at the effect that the current increase has in your district, there are winners and there are losers and they're big winners and big losers. Now some lose a little, but couldn't we negotiate a rate that decrease the number of large losers because they are double losers. They're going to have to implement those same reforms, but they're not going to have the increased money to do it."

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Feigenholtz: "Representative, I know that when I received my... from the advocates... a piece of paper indicating who in my district were winners and who were not, I really don't like to look upon them as losers because the most... the average is very minuscule, frankly."

Eddy: "Well, if it's not you it is. I mean, for some of these facilities they don't consider... in Lawrence County, one of the poorest counties in the state, Lawrence Community Healthcare Center is going to lose \$230 thousand. In my district in Shelbyville, at Shelbyville Manor they're going to gain \$230 thousand. Both of those facilities have to comply with those new regulations that are going to cost them more money. One is going to have the money to do it, the other isn't going to have the money to do. Isn't there a way to do this so that, for example, at the Lawrence Community Healthcare Center that loss is less than this amount?"

Feigenholtz: "You know, I wish there was and I think that in a year, when we are recalculating the MDS, that may be something that we're able to accomplish. But I know that there have been a lot of discussions going on with advocates and providers and many of whom are starting to come to agreement. I know that the previous opposition from Lexington Homes has been removed based on an agreement. I'm not sure exactly what the details are, but I've been informed that that is the case."

Eddy: "When are new rates scheduled to... to come out?"

Feigenholtz: "I'm sorry, what?"

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Eddy: "When are the rates... new rates going to be made public?
When's a change going to be made?"

Feigenholtz: "July 2012."

Eddy: "July of 2012. Is there any way to... to calculate or to
even begin to guess what effect those new rates will have
on this same list? Who's going to be 'winner' and who might
be a 'loser'?"

Feigenholtz: "That's going to be worked out when that mechanism
is devised and discussion begins on the MDS 3.0 in July of
2012."

Eddy: "So, this could have an unintended consequence on that
and we really... My question then, that leads to my final
question and I'll end with this. Why now... why is it
necessary to push through a 400-plus percent increase on
elderly on the last day of a lame duck Session, rather than
to see what the effect is going to be and work on this
later? Why do we do this now?"

Feigenholtz: "I'd like to correct, Representative Eddy, your
comment. This is a tax that is levied on and paid for by a
provider. It is not paid for by anyone else but a provider.
I also would like..."

Eddy: "Well, the facility passes that on in private pay... I'm
sorry."

Speaker Madigan: "Mr. Eddy, could you bring your remarks to a
close?"

Eddy: "Yeah. This has no effect whatsoever on what the patients
pays, is that what you're saying? The facility takes a
loss. What about in private pay, aren't those individuals
going to have to pay that increase?"

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Feigenholtz: "It is not supposed to be passed on Representative."

Eddy: "So, instead they're supposed to take the loss. Ladies and Gentlemen, this is Granny Tax on steroids. This is a 400 percent increase in a tax pushed through on the last day of a lame duck Session. If this had any merit, we'd be working on it later. This is a suicide vote. You ought to vote 'no'."

Speaker Madigan: "Representative Bellock."

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

Speaker Madigan: "Sponsor yields."

Bellock: "Thank you. Representative is AARP still strongly opposed to this Bill?"

Feigenholtz: "I believe that they have not changed their position."

Bellock: "Okay. And is Life Services Network still strongly opposed to the Bill, who represent so many non-for-profit nursing homes in the state?"

Feigenholtz: "That is correct. Yes."

Bellock: "Okay. Representative Eddy mentioned that there is a 400 percent increase in here. You said that that will not be passed on to people. I think the only way when you pass it on, a 400 percent increase to a provider, is to pass that on then to the sick and elderly people who are entering those nursing homes."

Feigenholtz: "We don't know exactly how each nursing home is going to manage this, Representative. You know, I'm sure that they're going to have to recalculate things, but it is

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my understanding that it is a self-imposed tax that they're going to pay."

Bellock: "So, the tax will go from a \$1.50 to \$7.57 per bed except on vacant beds. Is that correct?"

Feigenholtz: "Occupied beds only and no Medicare beds."

Bellock: "All right. And..."

Feigenholtz: "So, that actually significantly lightened the burden."

Bellock: "I understand the reason for the Bill, the whole nursing home reform, but I, like Representative Eddy, would wish that you could wait on this for a couple of weeks to negotiate how to fund this better. I just cannot imagine so many nursing homes in Illinois, especially those that are non-for-profit nursing homes, very fine nursing homes that have private pay people that we are going say to them, unless you have and I think its almost 80 to 90 percent Medicaid beds, that they will be losers. Isn't that correct? Two of the groups that testified in committee had over 75 percent Medicaid beds and they were still big losers."

Feigenholtz: "I think that there's been some work done with one of those, groups Representative, where they are continuing to work with the other part of the industry to make sure that that isn't the case."

Bellock: "What is the percentage of Medicaid beds that you have to have to be a winner in this?"

Feigenholtz: "It's the degree of disability in your MDS scoring that makes that determination."

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Bellock: "But it is an average of at least over 85 percent, correct? That's how it appeared to be in the committee."

Feigenholtz: "You know, I think... I don't think that there is a hard and fast calculation on Medicaid percentages. I think it's a combination of many things."

Bellock: "Well, I agree with some of the things that we're trying to accomplish in this Bill as far as funding the methodology of the MDS. I agree with the long-term balancing because that's one of the major things we were looking to do in the Medicaid Bill. But in contrary to what we'd tried to accomplish with the Medicaid reforms, in taking people off Medicaid, I think what this Bill is doing is pushing more people on to Medicaid and punishing those that are private pay patients and increasing their costs to the tune of almost \$2 thousand per person in a private non-profit nursing home. Thank you very much, Representative."

Speaker Madigan: "Ladies and Gentlemen, the last speaker will be Mr. Lang. Last speaker, Mr. Lang."

Lang: "Thank you, Mr. Speaker. Ladies and Gentlemen, I rise in support of the Lady's Bill. Representative Feigenholtz has worked long and hard to piece together a compromise and an arrangement to make this work. This Bill will fully fund the MDS System, which we rely on and the nursing homes have been promised for eight years that we would fully fund so that they can do the work they do, that we in this General Assembly have required them to do. The Bill will provide 30 to 50 million dollars for home and community services and a rebalancing between nursing homes and community services.

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Many in this chamber, even those who support nursing homes have said we need to have more money for community services. This Bill would do it. We also recently require the nursing homes to change their staffing ratios. So to do that and mandate that without a little help to accomplish that would be folly. Finally, we've been after... all Governors that I've served under for 23 years could do a far better job in getting federal match. In essence, getting free money out of Washington, D.C. This Bill would get \$130 million from the Federal Government to help us with the MDS, to help us with staffing ratios, to help us put more money in the communities and to help us rebalance between the nursing homes and the communities. To me, this is a no-brainer. Please vote 'aye'."

Speaker Madigan: "The question is, 'Shall this Bill pass?' Those in favor signify by voting 'yes'; those opposed by voting 'no'. All right. Ladies and Gentlemen, I stand corrected. We're on Second Reading. We're on an Amendment. Those in favor of the Amendment vote 'aye'; those opposed vote 'no'. Mr. Stevens, did you wish to vote? The Clerk shall take the record. On this question, there are 62 voting 'yes' and 54 voting 'no'. The Amendment is adopted. Are there any further Amendments?"

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

Speaker Madigan: "Put the Bill on the Order of Third Reading and read the Bill for a third time."

Clerk Mahoney: "Senate Bill 3088, a Bill for an Act concerning State Government. Third Reading."

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Speaker Madigan: "Ladies and Gentlemen, we've had a full debate on the Bill. I suggest we just go to Roll Call. Those in favor vote 'yes'; those opposed vote 'no'. Have all voted who wish? The Clerk shall take the record. On this question, there are 61 people voting 'yes', 55 people voting 'no'. This Bill, having received a Constitutional Majority, is hereby declared passed. Mr. Clerk, for an announcement."

Clerk Mahoney: "Introduction of Resolutions. House Resolution 1597, offered by Representative Barbara Flynn Currie, referred to House Committee on Rules."

Speaker Madigan: "Mr. Clerk, what is that status of Senate Bill 336?"

Clerk Mahoney: "Senate Bill 336 has been read a second time, previously. Amendment #1 was adopted in committee. Floor Amendment #2, offered by Representative Mautino, has been approved for consideration."

Speaker Madigan: "Mr. Mautino."

Mautino: "Thank you, Speaker. House Amendment #2 becomes the Bill. And this Amendment increases the bond authorization by \$8.75 billion. And the purpose of this is to pay down the backlog of state bills and any other unfunded liabilities the state shall incur. Now, the priority for payment on these repaying vouchers that are at least 60 days past due. Paying medical expenses and other obligations incurred by the state under our health insurance plan, paying the corporate income tax refunds, paying other unfunded liabilities of the state as they occur from time to time. Under the Amendment before you,

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the state will... we will be authorizing the borrowing for a 14-year period. And from the Bill that passed previously, there is a revenue stream dedicated from the income tax to pay this off. Currently, we have \$8.5 billion in unpaid bills to providers. These are to the hospitals, to the schools, corporate income tax. We have liabilities to the state that have been existing for 6, 12, 14, 18 months. And so we have been, in fact, borrowing from the people of the State of Illinois. They have had to finance the debt of the state. Under this Bill, it's the intent that in the first section we would go to... we would issue \$5.75 billion and we would approach the bond markets on Thursday. At the same time, John Sinsheimer who is with me here, who is our bond manager, will go forward and discuss at a meeting with the rating agencies, bringing up and increasing in the bond rating which means we'll get a better cost. So under the structure that you have before you, we can take the people who have been awaiting payments, have been borrowing money, have been laying off their employees, closing their doors because we have not paid them. And what our intent with this, should the bond market have an appetite for these bonds and I think because it has a dedicated revenue stream of 14 years which goes away under the provisions of the Bill that was just passed, we would then have cash in hand by March and then very similar to the Rail Splitter Tobacco Settlement, through our process we could pay down the backlog of bills within a matter of weeks at that point. And the people, the schools who have not received dime one for months, the people who have not received any payments

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since July 1 because we had to pay off all of last year's bills, with the tobacco settlement will receive relief, they will borrow less, and the cost of this program is less to the State of Illinois than what we are forcing our vendors to pay. Be happy to answer any questions. I can go through the schedule for repayment with you. This is a piece of getting Illinois on its financial track. We have been cited, we have been reduced in our bond ratings in the past because we have not paid our bills. Now, should we not do this... should we not do this we will take those... the percentage from the income tax, which is about \$1.5 billion in that Bill, and we will apply that as required to debt reduction. So what we would be talking, John, we're looking at about 6, 7, to 8 years to take care of the structural deficit, which has plagued us through the past administration. We have the capability and ability to look at the school district, who has a sign out on the front of their door saying the State of Illinois owes me \$1 million. We have a chance to pay that by April. We have a chance to pay the doctors, and the pharmacists, and the social service providers by April by taking this action. And so... but this... we're talking about the structure of our bonding and borrowing. So, I need 71 votes to do this, to take a responsible action which saves money for the people of Illinois, which pays those to help keep their doors open at a time when we know we have a dedicated revenue stream to do so. So, I urge you to take this action with me and work towards correcting some of the injustices that have been forced upon the people of the State of Illinois and our

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vendors because of our inaction. I think it's an opportunity to say to all of those people that we know and understand we need to right the ship of state. We owe you \$8.5 billion. With that, I would be proud to answer any questions and I look forward to this debate as we approach restructuring, getting our bills down to a 30-day cycle, which we have not seen in years. I ask for the adoption of this Amendment and I look forward to debating the Bill on Third Reading."

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

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

Speaker Madigan: "Put the Bill on the Order of Third Reading and read the Bill for a third time."

Clerk Mahoney: "Senate Bill 336, a Bill for an Act concerning government. Third Reading."

Speaker Madigan: "Mr. Mautino has moved for the passage of the Bill. He has explained the Bill on the order of Second Reading. There be no one seeking recognition, the question is, 'Shall this Bill pass?' Those in favor signify by voting 'yes'; those opposed by voting 'no'. This Bill will require 71 votes. The Clerk shall take the record. On this question, there are 65 people voting 'yes', 52 people voting 'no'. Mr. Mautino, do you wish to Postpone Consideration?"

Mautino: "Yes, Mr. Speaker. Please place the Bill on Postpone Consideration."

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Speaker Madigan: "Put the Bill on the Order of Postpone Consideration. Supplemental Calendar #2 on the Order of Resolutions there appears HR1597, Representative Currie. Mr. Clerk, read the Rules Report."

Clerk Mahoney: "Representative Barbara Flynn Currie, Chairperson from the Committee on Rules reports the following committee action: approved for floor consideration, recommends be adopted is House Resolution 1597."

Speaker Madigan: "Again, Supplemental Calendar #2, Order of Resolutions, HR1597, Representative Currie."

Currie: "Thank you, Speaker and Members of the House. This measure would make two changes in our House Rules. Any effort to amend... to change the spending limitation Section of the Tax Payer Accountability and Budget Stabilization Act would require 71 votes to move from Second Reading to Third. Similarly, any attempt to change the continuing appropriation language for pension payments would also take 71 votes to move from Second to Third. I'd appreciate your support for adoption of the Resolution."

Speaker Madigan: "The Lady moves for the adoption of the Resolution. Chair recognizes Representative Nekritz."

Nekritz: "Thank you, Mr. Speaker. To the Resolution. I just wanted to flush this out a little bit because this is very closely tied with the spending caps in the legislation that just passed a few minutes ago. What the General Assembly can do, the General Assembly can undo with a simple Majority and in order to make those spending caps incredibly tight, and to make sure that hammer that's in

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there that rolls back the income tax if we fail to abide by those spending caps, to make sure that that's airtight. We needed to make sure that this General Assembly did not, in the next few years, suspend the requirement that we pay the pensions and also change the cap in the underlying legislation. So, this will assure that if we are to do that, that we will have bipartisan support for that. So, this is a necessary and really integral part of making sure that that spending cap is a firm spending cap and that we will be forced to abide by it over the next four years. I urge an 'aye' vote."

Speaker Madigan: "Mr. Eddy."

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

Speaker Madigan: "Sponsor yield."

Eddy: "Leader Currie, what's the current rule to amend House Rules? What's the current vote required?"

Currie: "The vote to amend House Rules is a Majority vote."

Eddy: "A simple Majority vote?"

Currie: "Yes, if the measure is proposed by the Rules Committee, as this one was."

Eddy: "Its got to get through there first and then it takes a simple Majority."

Currie: "Correct."

Eddy: "And in this Resolution, it states that this Rule may not be suspended except by unanimous consent. If you could kind of explain the rationale?"

Currie: "Well, the rationale here is entirely, as the previous speaker mentioned, the idea is to make sure that we are hammering ourselves and making sure we are not spending

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more than we are allowed under the Taxpayer Accountability and Budget Stabilization Act, nor are we lightly going to contemplate changing the continuing appropriation language with respect to pension payments. So, I would say what we've done with this Rules change is significantly to empower Members of the Minority Party. You should be jumping for joy, Representative. You should've asked to be a principal Sponsor."

Eddy: "Representative, I have some Amendments that I'd like to add, as far as other Rule changes, if you'd be willing to discuss any of those?"

Currie: "Pardon me?"

Eddy: "I'd probably jump higher if we had additional Rule changes that we could add to a different Resolution, but then probably that two-thirds Rules Committee requirement that we even get to the point that we can amend or change the Rules by any Majority or extraordinary Majority, we probably wouldn't see that Resolution out here, I'm guessing?"

Currie: "That's a hypothetical question."

Eddy: "Hypothetical..."

Currie: "I don't think it's relevant to the consideration of House Resolution 1597."

Eddy: "So, could a simple Majority... but we still have the filter? We still have the two out of three or the Rules Committee has to have a unanimous vote to begin the process anyway? Majority... a Majority vote."

Currie: "I didn't understand your question."

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Eddy: "There still has to be a Majority vote in the Rules Committee for anything to emerge as a change."

Currie: "Yes. Yes. Correct."

Eddy: "Thank you, Representative."

Speaker Madigan: "Representative Currie to close."

Currie: "Please vote 'yes'."

Speaker Madigan: "The question is, 'Shall this Resolution be adopted?' Those in favor signify by voting 'yes; those opposed by voting 'no'. Have all voted who wish? Have all voted who wish? Have all voted who wish? The Clerk shall take the record. On this question, there are 117 people voting 'yes', 0 voting 'no'. The Lady's Motion to adopt the Resolution is adopted. Mr. Clerk, what is the status of Senate Bill 336?"

Clerk Mahoney: "Senate Bill 336 is on the Order of Postpone Consideration."

Speaker Madigan: "Mr. Clerk, put the Bill on the Order of Third Reading. Read the Bill for a third time."

Clerk Mahoney: "Senate Bill 336, a Bill for an Act concerning government."

Speaker Madigan: "Representative Mautino."

Mautino: "Thank you, Speaker. And thank you for the reconsideration. This Bill and House Amendment #2 as adopted increases the bond authorization to \$8.75 billion for the purpose of paying down our backlog of bills that we owe to schools, to all of our vendors throughout the state. We have not paid any bills since July 1. We have intent with John Sinsheimer to go to New York to meet on Thursday and talk with the rating agencies about increasing our bond

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authorization and our ratings due to the actions taken by the General Assembly today. With that we would have \$5.75 billion in bonds to bring to market at a decent rate, we feel. From that we would have cash on hand first week of March and as with the tobacco settlement, we can disperse those checks and bring our balances to current. And we would have, hopefully, a 30-day or better payment cycle and be able to pay our debts and obligations to the people of the State of Illinois who have been financing us the past few years. I ask for an 'aye' vote."

Speaker Madigan: "Mr. Mautino moves for the passage of the Bill. Those in favor vote 'yes'; those opposed vote 'no'. Have all voted who wish? Have all voted who wish? Have all voted who wish? Have all voted who wish? The Clerk shall the record. On this question, there are 68 people voting 'yes'; 49 people voting 'no'. This Bill, having received a Constitutional Majority, is hereby declared passed. The Chair stands corrected. The Bill failed. Mr. Clerk, what is the status of Senate Bill 3336?"

Clerk Mahoney: "Senate Bill 3336 has been read a second time, previously. Amendment #1 was adopted in committee. Floor Amendment #3 was adopted, previously."

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

Clerk Mahoney: "Senate Bill 3336 is on the Order of Senate Bills-Second Reading."

Speaker Madigan: "Put the Bill on the Order of Third Reading and read the Bill for a third time."

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Clerk Mahoney: "Senate Bill 3336, a Bill for an Act concerning local government. Third Reading."

Speaker Madigan: "Mr. Lang."

Lang: "Thank you, Speaker. Ladies and Gentlemen, this is a Bill we debated thoroughly on Second Reading. This is the Bill that would allow the Governor to appoint, with the advice and consent of the Senate, the chairman of Metra... or the chair... sorry, the chairman of the RTA, would provide that within one year Metra provide Internet service or Internet availability, wireless availability on its trains. And it would require that AEDs, defibrillators are installed on the train cars. I ask for your support."

Speaker Madigan: "The Gentlemen has moved for the passage of the Bill. The Chair recognizes Mr. Reis."

Reis: "Inquiry of the Chair or the Clerk, first Mr. Speaker. Have all the notes been filed?"

Speaker Madigan: "Mr. Clerk, please respond."

Clerk Mahoney: "All the notes that have been requested on this Bill have been filed."

Reis: "Okay."

Speaker Madigan: "Mr. Reis."

Reis: "Will the Sponsor yield now?"

Speaker Madigan: "Sponsor yields."

Reis: "Representative, what was the fiscal note? It was responded to by the Department of Commerce and Economic Opportunity. I'm not sure how it would have cost them any money to begin with. Do we know what this is going to cost the RTA?"

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Lang: "I haven't seen the fiscal notes, Sir. Do you have the information?"

Reis: "Representative, it's your Bill. We filed notes on..."

Lang: "It may be my Bill. I didn't request the fiscal note. It says it won't cost IDOT anything. I could tell you what I told you earlier in debate, which is the... Metra has said it's going to cost \$500 thousand."

Reis: "Five hundred thousand dollars. To the Bill, Mr. Speaker. This is exactly what is wrong with this place. We've just all heard about fiscal crises and we haven't met our obligations, we haven't paid our vendors. And we continue to do it an inch at a time. Five hundred thousand dollars, whatever it's going to cost, you can't... we can't help ourselves. We absolutely can't help ourselves. It's a cut... death by a thousand cuts. Let's put this off until we find out what's going on. Even if it doesn't cost the State of Illinois a thing right now, the RTA and the CTA is going to come to us for another bailout because we keep increasing our expenses. They're not efficient now. I urge a 'no' vote on this. Unbelievable."

Speaker Madigan: "Mr. Mathias."

Mathias: "Again, I stand in strong opposition to this Bill. Just remember, it was just a short two or three years ago, when after a contentious debate and many Amendments, we came up with a solution and that solution included consensus. And now we're doing away with that consensus and probably, if this would have been part of the original Bill, the Bill probably would have failed and we'd have riders out in the streets. So, now we're trying to do what

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we couldn't do at that time, we're trying to do that now. And I think it's wrong when we spend so much time on a Bill and come to a consensus to do away with that consensus. And I have no problem with Governor Quinn and I'm sure he'll make a good choice, if given the opportunity, but we've had other Governors in the past that may not make that good of a choice. And it will... you know, take away from the consensus that we've built in this region for many years, and now it's going to go down the drain just... it's going to take away from the balance of power between the city, the counties and the Governor. Why do that? It makes no sense. We have equal amount of people. We purposely put into the Bill that it would take a Majority... a Supermajority to pick the chairman so there would be a chairman that we know will have expertise. This chairman may not know anything about how to run a public transit system. But we know that when all the parties together pick a choice, they're going to pick the best choice out there. So I urge you, don't, you know do away with the consensus that we've built up in mass transit. Don't make this a political process, a political vote, when it should be a vote to run a professional agency. And we should do it by allowing the professionals to run it. We shouldn't have the Illinois Legislature come in and try to run a regional authority. We didn't do this with McPier. Why are we doing it with RTA? Again, I ask for your 'no' vote."

Speaker Madigan: "Representative Bassi."

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

Speaker Madigan: "Sponsor yields."

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Bassi: "Representative, we've talked about this ad infinitum. The discussion on the floor earlier talked about the state being in crisis, that we absolutely have a crisis in the State of Illinois, a funding crisis. We voted for a Bill that would tax some of these expenditures. I'm looking at the vote from earlier today and I am pleading with the suburban Legislators to take a look at this Bill and vote 'no' so that we are not putting additional problems on Metra and that so that we are not dismantling the RTA. By all reports, John Gates was appointed in a bipartisan fashion as an individual who did an excellent job at McPier. Let's let him do his job at the RTA. Please Ladies and Gentlemen, we debated this earlier, please continue your 'no' votes. Thank you."

Speaker Madigan: "Mr. Tryon."

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

Speaker Madigan: "Sponsor Yields."

Tryon: "To the Bill. We debated this earlier. I want to point out, before you cast your vote, this is a model of a government structure that's been in place for 28 years. There are lots of things that I don't like about the RTA, the CTA, the Metra, and Pace, the way the funding formula works, but I accept them. I don't like the fact that the CTA gets 99 percent of all of the discretionary funding that goes into the system when it was once supposed to be an 80-20 split between the suburban communities and the City of Chicago. I don't like the fact that 20 percent of the riders on Metra are actually the City of Chicago residents from the 22 train stations that are in the City

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of Chicago. You got the City of Chicago taxpayers don't subsidize any of the Metra fares. I don't like that but I accept it. I accept it because there's been trust put into the governance structure where the votes were had to be worked out because it forced compromises in other areas. Just three years ago when we debated having to raise taxes in the collar counties, those commitments were based and made on the fact that we were going to have that same governance structure. When we reformed the RTA board, we reformed it in a manner that forced the consensus building. That's what we negotiated for. That's what we had. And you know, yesterday I was somewhat moved by Pat Quinn's speech when he gave his inaugural address and he said he's going to work in a bipartisan manner and he's going to reach out across the aisle. And it was going to be.. what was it.. everybody in, nobody out. One day into this, we've got a raw power grab for the chairmanship of the RTA. In the objection of the mayor of the City of Chicago, all of the suburban collar county board chairmen, the Cook County board members, this is the wrong message to send if you're trying to work in a bipartisan manner. This is something that is a model that we have built upon. And we have built one of the best transit systems in the country when it comes to Metra. We have a model for many parts of the area with Pace and how we handle the paratransit issues. All this being negotiated, and I hate to see people back out on their words when we made a commitment when we raised taxes in the collar counties, and now we're going to gut the structure that has led us to a successful transit agency. I

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tell you, I hope that you stand up and do the right thing and vote 'no'."

Speaker Madigan: "Mr. Lang to close."

Lang: "Please vote 'aye'."

Speaker Madigan: "The question is, 'Shall this Bill pass?' Those in favor signify by voting 'yes'; those opposed by voting 'no'. Have all voted who wish? Have all voted who wish? The Clerk shall take the record. On this question there are 55 'ayes', 61 'noes'. Mr. Lang, Postpone?"

Lang: "Postpone Consideration, Sir."

Speaker Madigan: "Put the Bill on the Order of Postpone Consideration. Mr. Clerk, Agreed Resolutions."

Clerk Mahoney: "On the Order of Agreed Resolutions is House Resolution 1594, offered by Representative Barbara Flynn Currie."

Speaker Madigan: "Representative Currie, Agreed Resolution. Those in favor say 'aye'; those opposed say 'no'. The 'ayes' have it. The Agreed Resolution is adopted. Is there anything further? The Chair is prepared to adjourn. This will be a Motion Sine Die and to all Members, I wish to thank you for a lot of hard work in a very contentious environment. And so.. wasn't easy, but we made it through. We accomplished a lot, but we could've accomplished more. So, for all of your hard work we say thank you. For those of you who will not be with us starting tomorrow, we wish you the very, very best in your future endeavors and in your future life. So, thank you very, very much. Representative Currie moves that the House stand adjourned

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Sine Die. Those in favor say 'aye'; those opposed say 'no'.

The 'ayes' have it. Mr. Sacia."

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

Speaker Madigan: "State your point."

Sacia: "Mr. Speaker, I gave a letter to your secretary yesterday and I just want to know if you will have an opportunity to address that?"

Speaker Madigan: "The answer is yes."

Sacia: "Thank you, Sir."

Speaker Madigan: "Thank you. Have a good night, everybody."