

STATE OF ILLINOIS
97th GENERAL ASSEMBLY
HOUSE OF REPRESENTATIVES
TRANSCRIPTION DEBATE

44th Legislative Day

4/15/2011

Speaker Lyons: "Good morning, Illinois. Your House of Representatives will come to order. Members are asked to, please, be at your desks. We shall be led in prayer today by Reverend Jeremy Cagle who is with Southern View Chapel in Springfield, Illinois. Reverend Cagle is the guest of Representative Raymond Poe. Members and guests are asked to please refrain from starting their laptops, turn off all cell phones and pagers, and rise for the invocation and the Pledge of Allegiance. Reverend Cagle."

Reverend Cagle: "Let's pray. Heavenly Father, we praise You and thank You for allowing us the privilege of being citizens of the United States of America and of the great State of Illinois. Both our state and our country have fallen on tough times lately but we thank You for the freedoms You've provided through our... both governments and we thank You for the men and women in this room who work hard to keep those freedoms available to us. I pray for these Representatives today. Many of them serve in this office at a great sacrifice to their families and a great sacrifice to their own personal lives. And many of them work long hours and expose themselves to criticism and ridicule and they strive hard to do the best job they can, all with little to no gratitude for their efforts at times. Lord, I pray that You would remind them that there are people who appreciate their service to this country. And more importantly, Lord, I pray that You would remind them that they, like every other person on this planet, will have to one day give an account to You for their lives. You are the God who rules over the nations. You are the

STATE OF ILLINOIS
97th GENERAL ASSEMBLY
HOUSE OF REPRESENTATIVES
TRANSCRIPTION DEBATE

44th Legislative Day

4/15/2011

King over every other king. You are the One that we will all answer to. And in Your great love for us, You sent Your Son, Jesus, to die and rise from the dead, that those who broke Your law might find forgiveness in His perfect sacrifice. That those who have done wrong, might be made right through His perfect life and that those who have offended You, might be pardoned on behalf of His sinless record. Heavenly Father, I pray that You would give these Leaders wisdom and all that they're about to do and all decisions they're about to make in this Session. And I pray that You would draw them each to the one place where salvation is found, at the Cross of the Lord, Jesus Christ. It's in His Name that we pray, Amen."

Speaker Lyons: "Representative Robyn Gabel, would you lead us in the Pledge of Allegiance."

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

Speaker Lyons: "Roll Call for Attendance. Leader Barbara Flynn Currie, Democrats."

Currie: "Thank you, Speaker. Please let the record show that Representatives Chapa LaVia and Jones are excused today."

Speaker Lyons: "Thank you, Representative. Bill Bost... Michael Bost, status on Republicans."

Bost: "Thank you, Mr. Speaker. Let the record reflect that Representatives Beaubien, Connelly, and Mulligan are excused on the Republican side of the aisle today."

STATE OF ILLINOIS
97th GENERAL ASSEMBLY
HOUSE OF REPRESENTATIVES
TRANSCRIPTION DEBATE

44th Legislative Day

4/15/2011

Speaker Lyons: "Thank you, Mr. Bost. Mr. Speaker, take the record. There are 110 Members responding to the Roll Call, we have a quorum. We're prepared to do the work of the people of the State of Illinois. Mr. Clerk."

Clerk Bolin: "Committee Reports. Representative Rita, Chairperson from the Committee on Business & Occupational Licenses reports the following committee action taken on April 15, 2011: recommends be adopted Floor Amendment #1 to House Bill 2777. Representative Soto, Chairperson from the Committee on Mass Transit reports the following committee action taken on April 15, 2011: recommends be adopted Floor Amendment #3 to House Bill 582. Representative Howard, Chairperson from the Committee on Housing reports the following committee action taken on April 15, 2011: recommends be adopted Floor Amendment #2 to House Bill 3199. Representative May, Chairperson from the Committee on Health Care Availability & Access reports the following committee action taken on April 15, 2011: recommends be adopted Floor Amendment #2 to House Bill 3259. Introduction of Resolutions. House Resolution 282, offered by Representative Mayfield. House Resolution 284, offered by Representative Lang. House Resolution 285, offered by Representative Lilly. House Resolution 286, offered by Representative Flowers. House Resolution... House Joint Resolution 29, offered by Representative Dunkin."

Speaker Lyons: "Mr. Clerk, read the Adjournment Resolution, please."

Clerk Bolin: "House Joint Resolution 30, offered by Representative Currie."

STATE OF ILLINOIS
97th GENERAL ASSEMBLY
HOUSE OF REPRESENTATIVES
TRANSCRIPTION DEBATE

44th Legislative Day

4/15/2011

RESOLVED, BY THE HOUSE OF REPRESENTATIVES OF THE NINETY-SEVENTH GENERAL ASSEMBLY OF THE STATE OF ILLINOIS, THE SENATE CONCURRING HEREIN, that when the two Houses adjourn on Friday, April 15, 2011, the House of Representatives stands adjourned until Tuesday, April 26, 2011 at 12:00 noon, or until the call of the Speaker; and the Senate stands adjourned until Wednesday, April 27, 2011, in Perfunctory Session; and when it adjourns on that day, it stands adjourned until Tuesday, May 03, 2011, or until the call of the President."

Speaker Lyons: "Representative Currie moves for the adoption of the Adjournment Resolution. All those in favor signify by saying 'yes'; those opposed say 'no'. In the opinion of the Chair, the 'ayes' have it. And the Adjournment Resolution is adopted. Don't get excited. We're not going anywhere; we just adopt the Resolution. Representative Ford, for what purpose do you seek recognition, Sir?"

Ford: "Thank you, Mr. Speaker and Members of the House. I rise and for personal recognition of a good friend birthday, Representative Camille Lilly. We want to give her a round of applause for her birthday. And we also have a good friend, Rob Moon's birthday, and Harold Washington's birthday is today. He would have been 89. So, we celebrate good people's birthday even though it's tax day. Thanks."

Speaker Lyons: "Thank you, Representative Ford, for those announcements. Happy Birthday, Camille, many happy, heal... happy, healthy more. Representative JoAnn Osmond, for what purpose do you seek recognition, Ma'am?"

STATE OF ILLINOIS
97th GENERAL ASSEMBLY
HOUSE OF REPRESENTATIVES
TRANSCRIPTION DEBATE

44th Legislative Day

4/15/2011

Osmond: "Thank... thank you, Mr. Speaker. Would the Members of the General Assembly please welcome some visitors from Antioch, Illinois. Charles, Sue, and Brady Bankers and their son, Brandon, is one of our Pages today. And they're right up here in the balcony. Please welcome them."

Speaker Lyons: "Welcome to your Capitol. Enjoy your day. Representative Lou Lang, for what purpose do you seek recognition, Sir?"

Lang: "Thank you, Mr. Speaker. I just simply want to admonish the Chair for teasing the Members the way you did a few minutes ago with the Adjournment Resolution. Speaking for all the Members, we're pretty unhappy. Thank you, Sir."

Speaker Lyons: "I'm speechless, Representative Lang. Representative Roger Eddy, for what purpose do you seek recognition, Sir?"

Eddy: "Purpose of... a point of personal privilege."

Speaker Lyons: "Please proceed, Representative."

Eddy: "Ladies and Gentlemen of the House, there's another birthday today that I want to recognize, Brad Bolin. Today is 19 for the 20th time or something. Everybody join us in wishing Brad a happy birthday."

Speaker Lyons: "Happy birthday, pal. Thanks for your hard work on behalf of everybody in this House. Representative Jim Durkin, on the Order of Third Readings, we have House Bill 1717. Read the Bill, Mr. Clerk."

Clerk Bolin: "House Bill 1717, a Bill for an Act concerning government. Third Reading of this House Bill."

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

STATE OF ILLINOIS
97th GENERAL ASSEMBLY
HOUSE OF REPRESENTATIVES
TRANSCRIPTION DEBATE

44th Legislative Day

4/15/2011

Durkin: "Thank you, Mr. Speaker. This Bill is very straightforward. It just states that if you have an open campaign account and then you are an appointed member of a state board of commission, which requires Senate approval, that that account must be frozen or divested during the pendency of your term in... on that board and commission."

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

Franks: "Thank you, Mr. Speaker. Parliamentary inquiry. We're there..."

Speaker Lyons: "Sponsor yields."

Franks: "I see there was two Amendments. Have either been adopted?"

Clerk Bolin: "For House Bill 1717, no Amendments have been adopted."

Speaker Lyons: "Thank you, Mr. Clerk."

Franks: "Thank you. Representative, are you planning on... on having any Amendments put on in the Senate after this Bill passes?"

Durkin: "Yes, I am."

Franks: "Okay. I... when you brought this Bill to committee, I thought it was... I like the idea. And I was hoping, at that time, that we could extend this because I like... I think that what the Bill does is it prohibits people who are appointed by the Governor on certain boards and commissions from utilizing their campaign funds. Is that correct?"

Durkin: "During the term as... as a board member, yes."

Franks: "Right."

STATE OF ILLINOIS
97th GENERAL ASSEMBLY
HOUSE OF REPRESENTATIVES
TRANSCRIPTION DEBATE

44th Legislative Day

4/15/2011

Durkin: "It says that you are basically... you freeze the account or divest it. Issue came up about a year and half ago with the appointed member of the ICC who had three open campaign accounts. I didn't feel it was appropriate that when that person's regulating utilities, that they have a campaign account open. I think we both agree with that."

Franks: "A hundred percent. And you'd think that people who are appointed in governmental positions who seek... who work at the pleasure of either the Governor or other appointing bodies, should not remain political. They should not be using political funds."

Durkin: "I... I think I know where you're going. And I believe that within this Body that to me it's... I... I am interested in the State Board and Commissions, not the commissions or boards which are appointed by county boards and local governments. I think that that's not my focus. It was more... I'm more interested in the individuals who are... the way the Bill is, people who will require Senate approval."

Franks: "Well, I think that's a good start. I... I just don't understand why we wouldn't do it for all. Because I don't know the difference, quite frankly, on a policy basis between one who's appointed by a Governor, who has the ability to influence policy and to spend state dollars, and one who would be appointed by a county board chairman. And the reason... you use the ICC as an excellent example and that's why I supported your Bill, but we also have same issues when it comes to Metra and other boards that are appointed because these folks are appointed very politically as you'll... you'll find out hopefully later

STATE OF ILLINOIS
97th GENERAL ASSEMBLY
HOUSE OF REPRESENTATIVES
TRANSCRIPTION DEBATE

44th Legislative Day

4/15/2011

today. The Chairwoman of Metra will be resigning which I think is a major step forward. I don't think that would have happened, but for the pressure that we put on as a General Assembly. But those folks have... they're spending mult... hundreds of millions of dollars, they're appointed politically, and they're able to have their same political campaign committees still operating. I don't see the difference between someone who controls hundreds of millions of dollars of our tax dollars with some other body except for the fact that there's a Democratic Governor who might appoint here and Republican people who might appoint them in the suburbs. I don't want this to be partisan. I think good government is good government and we should have it across the board. And I would ask for you to... to make that change."

Durkin: "As we discussed about a month and half ago, when this Bill came up, I was not inclined to take this further than members who are state appointed... boards and commission members. I... I am not... yes, there have been problems with Metra and certain other boards which have members that are appointed by county boards or municipalities, but I'm not particularly interested in micromanaging that aspect of those positions. So, I... I believe that your... your... you have some good thoughts. I would suggest that you are a chairman of a powerful committee and we've got a month ahead of us to find that language. I would rather not have that part of this Bill. So..."

Franks: "Okay. Hopefully, you'll work with me on a Bill and you'll be my cosponsor on that Bill then."

STATE OF ILLINOIS
97th GENERAL ASSEMBLY
HOUSE OF REPRESENTATIVES
TRANSCRIPTION DEBATE

44th Legislative Day

4/15/2011

Durkin: "You know, Representative Franks, you and I, we've had had a lot of fun over the years and I will keep an open mind as always."

Franks: "All right. Thank you."

Durkin: "Thank you."

Speaker Lyons: "Representative Durkin to close."

Durkin: "I would just ask for an 'aye' vote."

Speaker Lyons: "The question is, 'Should House Bill 1717 pass?' All those in favor signify by voting 'yes'; those opposed vote 'no'. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Representative Carol Sente, would you like to be recorded? Mr. Clerk, take the record. On this Bill, there's 110 Members voting 'yes'; 0 voting 'no'. This Bill, having received the Constitutional Amendment, is hereby.. Constitutional Majority, is hereby declared passed. Mr. Clerk, Agreed Resolutions."

Clerk Bolin: "Agreed Resolutions. House Resolution 281, offered by Representative D'Amico. House Resolution 283, offered by Representative Berrios. And House Resolution 287, offered by Representative Brauer."

Speaker Lyons: "Representative Lang moves for the adoption of the Agreed Resolutions. All those in favor signify by saying 'yes'; those opposed say 'no'. In the opinion of the Chair, the 'ayes' have it. And the Agreed Resolutions are adopted. Representative Eddy."

Eddy: "Mr. Speaker, that's twice. I think Representative Lang's point regarding the continual teasing of the Members is well noted, but that's twice."

STATE OF ILLINOIS
97th GENERAL ASSEMBLY
HOUSE OF REPRESENTATIVES
TRANSCRIPTION DEBATE

44th Legislative Day

4/15/2011

Speaker Lyons: "Ladies and Gentlemen, I think I've advised this Body very much in the past. Even though I'm driving the bus, somebody else tells me where to turn left and turn right. So, just remember that. On the Order of Third Readings, Representative Brauer. Is Representative Brauer in the chamber? Ladies and Gentlemen, can I have your attention. Staff, would you please retire to the rear of the chamber. Representative Bost on House Resolution 221. Shhhh. Mr. Clerk."

Clerk Bolin: "House Resolution 221, offered by Representative Bost.

WHEREAS, The members of the Illinois House of Representatives are saddened to learn of the death of United States Army Specialist William Templeton, who passed away on March 7, 2011 after being injured while serving in Iraq; and

WHEREAS, William was born September 28, 1988, in Du Quoin, the son of David C. and Lea Anne (Ferrero) Templeton; he graduated from Pinckneyville Community High School in 2007; and

WHEREAS, After graduation, he immediately joined the United States Army Infantry where he served as a specialist in Iraq during Operation Iraqi Freedom; and

WHEREAS, He was a member of the First United Presbyterian Church in Pinckneyville and always enjoyed hunting, fishing, and hanging with his friends and family; and

WHEREAS, He was preceded in death by his grandfather, Robert "Bob" Templeton; and

WHEREAS, United States Army Specialist William Templeton is survived by his parents, Dave and Lea Anne Templeton; his

STATE OF ILLINOIS
97th GENERAL ASSEMBLY
HOUSE OF REPRESENTATIVES
TRANSCRIPTION DEBATE

44th Legislative Day

4/15/2011

brother, John C. Templeton; his sister, Mackenzie L. Templeton; his paternal grandmother, Wilma Templeton; his maternal grandparents, Dutch and Letha Ferrero; his loving girlfriend, Keri McDaniel; and numerous aunts, uncles, cousins, and friends; therefore, be it

RESOLVED, BY THE HOUSE OF REPRESENTATIVES OF THE NINETY-SEVENTH GENERAL ASSEMBLY OF THE STATE OF ILLINOIS, that we mourn, along with his family, friends, and a grateful nation, the passing of United States Army Specialist William Templeton; and be it further

RESOLVED, That we honor the memory of United States Army Specialist William Templeton and his willingness to serve his country, which led to him making the ultimate sacrifice; and be it further

RESOLVED, That a suitable copy of this resolution be presented to the family of United States Army Specialist William Templeton as a symbol of our sincere sympathy."

Speaker Lyons: "Mr. Bost."

Bost: "Thank you, Mr. Speaker, and Members of the House. We're... we're joined today by Will's mother Lea Anne in the gallery, along with her niece. Will... after talking to Lea Anne... Will was always wanting to serve his country. He... he respected the veterans around the community, knew them well, always wanted to talk to them. Of course, in Pinckneyville, for those of you that are familiar with the town, basketball is the main thing. Well, Will, being rebellious, played football and not only played football slightly, he played it very, very, very well. He was offered several scholarships to go to a few colleges and he

STATE OF ILLINOIS
97th GENERAL ASSEMBLY
HOUSE OF REPRESENTATIVES
TRANSCRIPTION DEBATE

44th Legislative Day

4/15/2011

chose instead to join the Army to serve his country. That's what he wanted to do. A few months, or a year or so before his death, he came home to visit and he had already seen a lot of combat. But Will told his mother as they were driving through town he said, this is where I want to be. He said... she said what, Pinckneyville? You know it... just Pinckneyville. And he said, no... he said, family. It's the most impor... important thing. And she made the comment that you've learned that at a very young age. A lot of people it... that takes a long time to figure that out. Will served and was actually involved and was around when three major explosions happened at different times. And... and it was those explosions that actually caused his death. Because there were... he was... he received injuries that they didn't know he had from that many times of being around an explosion. But he was... he was always there. He was always serving. The community loves and respects him and his family. I got to drive home... he... he passed away not... he passed away in Colorado Springs from the injuries. And when they were bringing him home and... and the community knew that he was coming home, I was driving home, and I have to drive through Pinckneyville on my way home, and there were people lining the streets putting up flags. There were 1,050 flags put out by the community just to line the streets. It was an amazing sight. It was an amazing tribute, but it's never enough for Will or for any of the young men and young women who serve in our Armed Services. The other day when... when Representative Watson spoke here on the floor, he... he really did describe it best

STATE OF ILLINOIS
97th GENERAL ASSEMBLY
HOUSE OF REPRESENTATIVES
TRANSCRIPTION DEBATE

44th Legislative Day

4/15/2011

on... on how we should respect and honor these young men and young women who serve and those that give the ultimate sacrifice. I told Will's mother on the way up in the elevator, my son... I myself served and many of you know that... but my son serves now. And I thought when I served that that was the tough position to be in, but no, the toughest position is to be the parent. You worry every day. You pray a lot. So, I think a special thank you does need to go to the family, to the mother and the father for their service as well, for raising that next generation who will stand on the front line and defend us, to love this country. You know, we argue back and forth on issues in this chamber, but I thank God every day for these men and women that give me, and you, and my children, and grandchildren the opportunity to stand up and have our rights and freedoms protected. Mr. Speaker, I thank you and I thank the Members of the Body. And if appropriate, I would like to add all the Members, if I could to the Resolution."

Speaker Lyons: "A moment of silence. May the soul of Will Templeton and all the faithfully departed rest in peace. Amen. Thank you, Representative Bost. Who moves that the adjourn... that the Amendment be adopted unanimously by all Members being cosponsors. All those in favor signify by saying 'yes'; those opposed say 'no'. In the opinion of the Chair, the 'ayes' have it. And House Resolution 221 is unanimously adopted. Thank you, Ladies and Gentlemen. Representative Beiser, back to the Order of House business, on the Order of Third Readings, on page 18 of the Calendar,

STATE OF ILLINOIS
97th GENERAL ASSEMBLY
HOUSE OF REPRESENTATIVES
TRANSCRIPTION DEBATE

44th Legislative Day

4/15/2011

Representative, you have House Bill 1041. Read the Bill, Mr... Out of the record. Representative Toni Berrios, on the Order of Third Readings, you have House Bill... on page 17 of the Calendar, House Bill 332. Read the Bill, Mr. Clerk."

Clerk Bolin: "House Bill 332, a Bill for an Act concerning government. Third Reading of this House Bill."

Speaker Lyons: "Representative Toni Berrios."

Berrios: "Thank you, Mr. Speaker, Ladies and Gentlemen of the House. House Bill 332 is to create a uniform race ethnicity classification across state agencies. The U.S. Census classifications will be implemented to ensure that the state is meeting federal reporting requirements and to improve the state performance monitoring. I'd ask for a favorable vote."

Speaker Lyons: "You've heard the Lady's explanation. Are there any... is there any discussion? Seeing none, the question is, 'Should House Bill 332 pass?' All those in favor signify by voting 'yes'; those opposed vote 'no'. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Representative Monique Davis, Dunkin, Randy Ramey, Keith? Mr. Clerk, take the record. On this Bill, there's 110 Members voting 'yes', 0 voting 'no'. This Bill, having received the Constitutional Majority, is hereby declared passed. Representative Berrios, you also have, on the Order of Third Readings, on page 17 of the Calendar, House Bill 350. Read the Bill, Mr. Clerk."

Clerk Bolin: "House Bill 350, a Bill for an Act concerning government. Third Reading of this House Bill."

STATE OF ILLINOIS
97th GENERAL ASSEMBLY
HOUSE OF REPRESENTATIVES
TRANSCRIPTION DEBATE

44th Legislative Day

4/15/2011

Speaker Lyons: "Representative Toni Berrios."

Berrios: "Thank you, Mr. Speaker, Ladies and Gentlemen of the House. House Bill 350 is a technical change to the Notary Public Act. We are just allowing them to consulatate identification cards as a valid form of ID as we do in other state statutes. Thank you."

Speaker Lyons: "You've heard the Lady's explanation of the Bill. Is there any discussion? Seeing none, the question is, 'Should House Bill 350 pass?' All those in favor signify by voting 'yes'; those opposed vote 'no'. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Representative Nybo. Mr. Clerk, take the record. On this Bill, there's 110 Members voting 'yes', 0 voting 'no'. This Bill, having received the Constitutional Majority, is hereby declared passed. Representative Rich Brauer, on the Order of Third Readings, you have, on page 21 of the Calendar, House Bill 3175. Out of the record. Mr. Clerk, on page 21 of the Calendar is House Bill 3315. Read the Bill, Mr. Clerk."

Clerk Bolin: "House Bill 3315, a Bill for an Act concerning State Government. Third Reading of this House Bill."

Speaker Lyons: "The Chair recognizes Rep... Representative JoAnn Osmond."

Osmond: "Thank you, Mr. Speaker. House Bill 3315 amends the Department of Veterans Affairs Act. Provides that for the fiscal year of 2012 the Discharged Servicemembers Task Force shall include the availability of prosthetics in its investigation."

STATE OF ILLINOIS
97th GENERAL ASSEMBLY
HOUSE OF REPRESENTATIVES
TRANSCRIPTION DEBATE

44th Legislative Day

4/15/2011

Speaker Lyons: "You've heard the Lady's explanation on House Bill 3315. Is there any discussion? Seeing none, the question is, 'Should House Bill 3315 pass?' All those in favor signify by voting 'yes'; those opposed vote 'no'. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Representative Crespo. Keith Sommer. Mr. Clerk, take the record. On this Bill, there's 110 Members voting 'yes', 0 voting 'no'. This Bill, having received the Constitutional Majority, is hereby declared passed. Representative Danny Burke, on page 20 of the Calendar, on the Order of Third Readings, you have House Bill 1964. Read the Bill, Mr. Clerk."

Clerk Bolin: "House Bill 1964..."

Speaker Lyons: "Out of the record, Mr. Clerk. Representative Bill Cunningham, on the Order of Third Readings, on page 18 of the Calendar, you have House Bill 711. Read the Bill, Mr. Clerk."

Clerk Bolin: "House Bill 711, a Bill for an Act concerning regulation. Third Reading of this House Bill."

Speaker Lyons: "Representative Cunningham."

Cunningham: "Thank you, Mr. Speaker, Members of the House. House Bill 711 is an initiative of the State Fire Marshal and the Music Entertainment Pyrotechnics Task Force. This task force was created by this Body a couple years ago. The Members were appointed by Speaker Madigan and Leader Cross. And the Bill seeks to codify the task force recommendations. Briefly, the main goal of the Bill is to properly license out of state production companies when they come to Illinois for concerts and music performances

STATE OF ILLINOIS
97th GENERAL ASSEMBLY
HOUSE OF REPRESENTATIVES
TRANSCRIPTION DEBATE

44th Legislative Day

4/15/2011

featuring pyrotechnics. It will allow out of state companies to associate themselves with Illinois based production companies and will require them to be properly insured. I'd be happy to answer any questions."

Speaker Lyons: "You've heard the Gentleman's explanation. Is there any discussion? Seeing none, the question is, 'Should House Bill 711 pass?' All those in favor signify by voting 'yes'; those opposed 'no'. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Representative Brauer, Crespo, Mary Flowers, Jerry Mitchell, would you like to be recorded? Mr. Clerk, take the record. On this Bill, there's 109 Members voting 'yes', 0 voting 'no'. This Bill, having received the Constitutional Majority, is hereby declared passed. Representative Will Davis, on the Order of Third Readings, on page 20 of the Calendar, you have House Bill 3005. 3005. Read the Bill, Mr. Clerk."

Clerk Bolin: "House Bill 3005, a Bill for an Act concerning parentage. Third Reading of this House Bill."

Speaker Lyons: "Representative Will Davis."

Davis, W.: "Thank you very much, Mr. Speaker. Yesterday, we adopted Amendment #5 to... to this, which essentially becomes the Bill. I'd like to say that in our last adoption of the Amendment we tried to incorporate most of the concerns of the office of the Cook County Public Guardian, the Attorney General, Healthcare and Family Services, and some members of the committee that expressed some concerns about this Bill. And remember, yesterday Amendment #5 removes the option of currently charged offenders and simply relies on

STATE OF ILLINOIS
97th GENERAL ASSEMBLY
HOUSE OF REPRESENTATIVES
TRANSCRIPTION DEBATE

44th Legislative Day

4/15/2011

convictions or pleas of no contest before proceeding in these areas. Simple synopsis of the Bill simply states that for purposes of child protection proceedings this Bill excludes from the definition of parent a person, man or woman, who has been or could be deemed a parent under the Illinois Parentage Act or similar law in any other state and has been convicted or declared no contest in any of the following: sexual relations with families, criminal sexual assault, aggravated criminal sexual assault, predatory criminal sexual assault, or aggravated criminal sexual abuse. The conviction or plea of no contest of these crimes by that person must have resulted in the conception of the minor at issue in the child protection proceeding only and does not eliminate the responsibility of that person to provide child support for that minor. The purpose of the Bill is that the Bill aims to protect the victims of sexual abuse and the child or children born as a result of that abuse by eliminating the perpetrator from all proceedings involving that child or children in child protection cases. This Bill also allows for the elimination of the perpetrator as a parent based on the finding of clear and convincing evidence in child protection proceedings. This prevents the perpetrator from obtaining benefits from the... of the system and of the child based on his or her crime such as: notice of the proceedings, access to the victim, access to the court appointed counsel, and most importantly, access to discovery, and the victim's or minor's personal information. This protects minors from potential harm at

STATE OF ILLINOIS
97th GENERAL ASSEMBLY
HOUSE OF REPRESENTATIVES
TRANSCRIPTION DEBATE

44th Legislative Day

4/15/2011

the hands of these perpetrators and prevents... prevents convicted perpetrators who are also the guardians of the child or of the minor parent from gaining... from granting consent to themselves regarding visitation or custody of that child. There are other states that include New York, Missouri, Wisconsin, Idaho, Maine, Nevada, and New Jersey that have similar statutes that limit or restrict parental rights based on the conception of a child through criminal sexual abuse or similar statutes. I'd be more than happy to answer any questions."

Speaker Lyons: "We've heard the Gentleman's explanation. Is there any discussion? The Chair recognizes the Gentleman from Cook, Representative Jim Durkin."

Durkin: "Will the Sponsor yield?"

Speaker Lyons: "The Sponsor yields."

Durkin: "Representative Davis, I'm trying to catch up on the Bill, but I do see that there are opponents still to the Bill, as amended, the Public Guardian and the Public Defender. Could you perhaps elaborate a little bit on their opposition?"

Davis, W.: "Well, I do have a document from... I spoke to the... I spoke to a Miss Gomez from the Cook County Public Defender's Office yesterday and she faxed me a copy of four points that she makes in terms of her opposition. I do have responses to those. Is there any particular question you'd like to ask?"

Durkin: "Well, I'm not... could you... would you be kind enough to at least share with us the points that she has raised in her letter of opposition."

STATE OF ILLINOIS
97th GENERAL ASSEMBLY
HOUSE OF REPRESENTATIVES
TRANSCRIPTION DEBATE

44th Legislative Day

4/15/2011

Davis, W.: "Well, she indicates that she feels that the... I guess this particular statute is overboard... overbroad and violates equal protection. She says that this strips the courts authority to consider the individual needs of the child. It leaves open for litigation whether a sex offender should pay child support, and includes vague Amendments to the Parentage Act."

Durkin: "Does this Bill apply strictly to people who have been convicted in a court of law?"

Davis, W. "Correct."

Durkin: "Or does it also apply to those who have been charged with those offenses which you...?"

Davis, W.: "No. Amendment #5, that we adopted yesterday, removes someone who's been con... charged..."

Durkin: "Okay."

Davis, W.: "...and only applies to someone that's been convicted in these cases."

Durkin: "Great. Thank you very much."

Speaker Lyons: "Representative Davis to close."

Davis, W.: "Thank you, Mr. Speaker, Ladies and Gentlemen of the House. Thank you very much for your indulgence in this issue. I know this may be somewhat sensitive to some but this is indeed trying to address a series of potential situations that have arose. And I'll be... I... I hope for an 'aye' vote."

Speaker Lyons: "The question is, 'Should House Bill 3005 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? Crespo,

STATE OF ILLINOIS
97th GENERAL ASSEMBLY
HOUSE OF REPRESENTATIVES
TRANSCRIPTION DEBATE

44th Legislative Day

4/15/2011

Mitchell, Reboletti. Jerry. Mr. Clerk, take the record. On this Bill, there are 105 Members voting 'yes', 0 voting 'no', 5 voting 'present'. This Bill, having received the Constitutional Majority, is hereby declared passed. Representative Greg Harris, on the Order of Third Reading, you have House Bill 1193. Read the Bill, Mr. Clerk."

Clerk Bolin: "House Bill 1193, a Bill for an Act concerning insurance. Third Reading of this House Bill."

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

Harris, G.: "Thank you, Mr. Speaker, Members of the General Assembly. This Bill is the result of a number of years negotiation between health care providers and the insurance industry. It would put a time limit of 18 months on recoupments and offsets by the insurance industry, which is the process whereby insurers go back and complete their internal audits and reconciliations for double payments or overpayments to providers, such as doctors, pharmacies, dentists, et cetera. It includes exemptions for adjudicated fraud, cases of double payment by a third party purveyor and the state CHIP program. I'd be happy to answer any questions."

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

Eddy: "Thank you. Representative, as amended, who opposes the legislation?"

Harris, G.: "There are... right now, my understanding and I... I will... I will try not to give you every single name, but there are some insurers who support it. There are some

STATE OF ILLINOIS
97th GENERAL ASSEMBLY
HOUSE OF REPRESENTATIVES
TRANSCRIPTION DEBATE

44th Legislative Day

4/15/2011

insurers who would like us to still add a category, which we have agreed to do work with the Senate Sponsor on for intentional misrepresentation and that is the case of false filings of claims by a provider that don't... that are not significant enough monetarily to rise to the level of adjudicated fraud, but still may be misrepresentative in nature. And they would like to have that definition put in. We're trying to find a good definition for 'misrepresentation'."

Eddy: "Well, now... now I want to make sure I understand your intention because there's a difference between trying to work on that and... and amending the Bill in the Senate and having it come back with Concurrence on an agreement."

Harris, G.: "And again, I can't speak for all of... there are many, many parties involved, dozens and dozens of parties involved in this. I could not say that every single insurance company and every single one of the medical groups and pharmacy groups and hospitals would necessarily all come to an agreement on misrepresentation, but I do believe we're all working on a good faith effort to find a definition somewhere else in federal statute or state statute that we could agree on."

Eddy: "Representative, as amended, then, it's our understanding that the Life Insurance Council, Blue & Cross/Blue Shield, and business groups like the Retail Merchants Association, and the State Chamber are still opposed."

Harris, G: "Yes."

Eddy: "And it's likely their opposition will not be removed from the Bill unless that definition is ironed out."

STATE OF ILLINOIS
97th GENERAL ASSEMBLY
HOUSE OF REPRESENTATIVES
TRANSCRIPTION DEBATE

44th Legislative Day

4/15/2011

Harris, G: "Yes. Because they have a number of members for whom this question of misrepresentation that does not rise to the level of adjudicable fraud. That's a very important distinction."

Eddy: "Okay. Representative, I appreciate your candor. You're always upfront and that may not happen in the Senate. Based on that and based on the possibility that this could move forward, there's no guarantee of a concurrence vote back in the House, I would recommend at this time that this Bill receive a 'no' vote until we have that clarification and that agreement. Thank you."

Speaker Lyons: "Representative Chapin Rose."

Rose: "Thank you, Mr. Speaker. To the Bill. I disagree with my colleague and I'm going to intend to vote for the Bill and I'll tell you why. Representative Harris has done a good job over the last, basically, two years on this, I believe, you've been working on this. We had this Bill last year in committee and it's back now. And at some point in time, you have to draw a line in the sand and say a deal's a deal and... and it's final. In the, you know, in the Criminal Code we have a statute of limitations that says you can't come back every so many year because witnesses die, witnesses memory gets faded, witnesses move. You know, facts become stale. Under the current law, as it exists, there's absolutely... I mean, you come back 9, 10 years later and ask for recoupment. Well, all the witnesses, the doctors may not be there anymore, the nurses may be gone. You know, they may have moved. How do you tell 10 years later whether what was done was done right or

STATE OF ILLINOIS
97th GENERAL ASSEMBLY
HOUSE OF REPRESENTATIVES
TRANSCRIPTION DEBATE

44th Legislative Day

4/15/2011

wrong. And so eventually, at some point in time we have to say, look, this is it. It's final. It's over with. We're going to move on and we're not going to worry about it anymore. And I know that the Sponsor's worked on this for, I think, two years now, year and half or so anyway. I salute his efforts. I... as the previous speaker said, I appreciate his forthrightness in saying that this may not... may not come to an agreement in the Senate. But I will say this, and I'm prepared to vote for it, eventually we have to say enough's enough. You can't come back 8, 9 years later and recoup. You can't come back 4 or 5 years later and recoup. This is a reasonable time limit. We are going to work in good faith and try to negotiate those other items in the Senate. I would like to see an agreement. I believe the Sponsor would like to see an agreement. We may not get there, but the bottom line is, we have to have some kind of a time limit to when a party can come back after the fact and try to recoup. I think this is a reasonable approach. The Sponsor's been eminently reasonable to date on this. He's worked with all parties. And I'm willing to give him the chance to go ahead and keep this going in the Senate. So, thank you, Mr. Speaker."

Speaker Lyons: "Representative Harris would you like to improve upon Representative Rose's close?"

Harris, G.: "I could never improve upon the Honorable Gentleman. But I would just like to say this, Ladies and Gentlemen of the House, in a perfect world if the medical providers in our district had their way they would get paid, the insurers could never come back after them if an

STATE OF ILLINOIS
97th GENERAL ASSEMBLY
HOUSE OF REPRESENTATIVES
TRANSCRIPTION DEBATE

44th Legislative Day

4/15/2011

error had been made. If the insurers had their way, they would like to be able to come after the medical providers from here to eternity. What we're trying to do here is establish a reasonable time frame for people to do their auditing, their internal reviews, and close the process. And this is particularly important to doctors, to dentists, to pharmacies in our neighborhoods who do not have the accounting staff and the legal staff to do this on a protracted basis. We're... we're asking people to do their reconciliation, do their accounting within an 18-month period. We're exempting out fraud. We think it's a fair compromise. I would ask for an 'aye' vote. Thank you."

Speaker Lyons: "The question is, 'Should House Bill 1193 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? Hammond, Mussman, Sacia, Tracy. Representative Mussman, like to be recorded? Mr. Clerk, take the record. On this Bill, there's 82 Members voting 'yes', 28 Members voting 'no'. This Bill, having received the Constitutional Majority, is hereby declared passed. Representative Randy Ramey, on the Order of Third Reading, on page 20 of the Calendar, you have House Bill 2259. Read the Bill, Mr. Clerk."

Clerk Bolin: "House Bill 2259, a Bill for an Act concerning government. Third Reading of this House Bill."

Speaker Lyons: "The Gentleman from DuPage, Representative Randy Ramey."

STATE OF ILLINOIS
97th GENERAL ASSEMBLY
HOUSE OF REPRESENTATIVES
TRANSCRIPTION DEBATE

44th Legislative Day

4/15/2011

Ramey: "Thank you, Mr. Speaker. House Bill 2259 is trying to level the playing field in general assistance programs in township government. Currently, the process of applying for general assistance... the application is exempt from FOIA. If the person is denied general assistance help, they can appeal the process. It's not clear in the statute that the appeal is still exempt from FOIA. So, what this Bill does will allow that to stay exempt, level the playing field. The information will come FOIAable after the process is over. I'll answer any questions."

Speaker Lyons: "You've heard the Gentleman's explanation. Is there any discussion? Seeing none, the question is, 'Should House Bill 2259 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? Will Davis. Mr. Clerk, take the record. On this Bill, there are 79 Members voting 'yes', 31 Members voting 'no'. This Bill, having received the Constitutional Majority, is hereby declared passed. Representative Naomi Jakobsson, on the Order of Third Readings, on page 20 of the Calendar, you have House Bill 1948. Read the Bill, Mr. Clerk."

Clerk Bolin: "House Bill 1948, a Bill for an Act concerning State Government. Third Reading of this House Bill."

Speaker Lyons: "Representative Naomi Jakobsson."

Jakobsson: "Thank you, Mr. Speaker. House Bill 1948 is... requires governmental agencies that own or have access to surveillance cameras... video surveillance cameras to disclose to the Illinois Criminal Justice Authority the

STATE OF ILLINOIS
97th GENERAL ASSEMBLY
HOUSE OF REPRESENTATIVES
TRANSCRIPTION DEBATE

44th Legislative Day

4/15/2011

number of the cameras and their privacy regulations, if they have any. It also requires that the agency... that the authority post the information on its website. This does not include traffic cameras, only those that are placed outdoors and on mass transit. It does not seek information about the location of any cameras and does not threaten public safety. House Bill 1948 is about transparency. So, I would urge an 'aye' vote."

Speaker Lyons: "You've heard the Lady's explanation. Is there any discussion? Seeing none, the question is, 'Should House Bill 1948 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? Barbara Flynn Currie. Mr. Clerk, take the record. On this Bill, there are 110 Members voting 'yes', 0 voting 'no'. This Bill, having received the Constitutional Majority, is hereby declared passed. Representative Dan Reitz, on page 18 of the Calendar, you have House Bill 390. Read the Bill, Mr. Clerk."

Clerk Bolin: "House Bill 390, a Bill for an Act concerning State Government. Third Reading of this House Bill."

Speaker Lyons: "The Gentleman from Randolph, Representative Danny Reitz."

Reitz: "Thank you, Mr. Speaker. House Bill 390 will allow the Department of Natural Resources to lease a mine within Pyramid State Park. We have a coal company that wants to mine a private parcel that is adjacent to the park. You can't put... do any mining procedures within 300 feet of a state park. This would just allow DNR to lease them ground

STATE OF ILLINOIS
97th GENERAL ASSEMBLY
HOUSE OF REPRESENTATIVES
TRANSCRIPTION DEBATE

44th Legislative Day

4/15/2011

so they can do the mining. At the end of that time, the 240 acre parcel will be donated to Pyramid or to the state and become part of Pyramid State Park. So, I think this is one of those where it's a win-win. We have good economic development. We have an opportunity for us to just basically allow them to use ground that we're currently not using right now and at the end of this we'll have 240 acres of open space added to the state. And I'd be happy to answer any questions."

Speaker Lyons: "You've heard the Gentleman's explanation. Is there any discussion? Seeing none, the question is, 'Should House Bill 390 pass?' All those in favor signify by voting 'yes'; those opposed vote 'no'. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Mr. Clerk, take the record. On this Bill, there are 108 Members voting 'yes', 2 voting 'no'. This Bill, having received the Constitutional Majority, is hereby declared passed. Representative Carol Sente, on the Order of Third Readings, on page 18 of the Calendar, you have House Bill 1130. Read the Bill, Mr. Clerk."

Clerk Bolin: "House Bill 1130, a Bill for an Act concerning movable soccer goals. Third Reading of this House Bill."

Speaker Lyons: "Representative Sente."

Sente: Thank you, Speaker. The unfortunate impetus of House Bill 1130, 'Zack's Law', is the death of a five-year-old boy named Zack Tran who was killed when an unanchored soccer goal fell over on him. This incident was not a fluke accident. Since 1979 there have been 36 deaths and 56

STATE OF ILLINOIS
97th GENERAL ASSEMBLY
HOUSE OF REPRESENTATIVES
TRANSCRIPTION DEBATE

44th Legislative Day

4/15/2011

injuries due to unsecured and improperly secured movable soccer goals. Several states have already adopted some form of soccer goal safety legislation. This Bill seeks to prevent future such injuries and deaths in two manners. One, any organization that owns or controls a movable soccer goal must create a soccer goal safety and education policy that will outline how their organization will specifically address the safety issue. Two, future movable soccer goals will have new ASTM manufacturing standards to increase their tip-resistance by changing the goal's weight distribution so they rest more securely. Manufacturers and distributors have one year from the date of this Act to stop manufacturing, selling or distributing any type of movable soccer goal, but the new tip-resistant goal. I have worked extensively with the family, ITLA, the park districts, and PDRMA, their risk pool, to work on the Bill language. I also reached out to the Illinois Merchants Association and the Illinois youth soccer organization. And I would like to thank all parties for working cooperatively on this manner. There are no opponents to this Bill. And I ask for an 'aye' vote."

Speaker Lyons: "You've heard the Lady's explanation on the Bill. Is there any discussion? Seeing none, all those in favor of its passage signify by voting 'yes'; those opposed vote 'no'. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Mr. Clerk, take the record. On this Bill, there's 110 Members voting 'yes', 0 voting 'no'. This Bill, having received the Constitutional Majority, is hereby declared passed.

STATE OF ILLINOIS
97th GENERAL ASSEMBLY
HOUSE OF REPRESENTATIVES
TRANSCRIPTION DEBATE

44th Legislative Day

4/15/2011

Representative Ann Williams, on the Order of Third Reading, on page 20, you have House Bill 3034. Read the Bill, Mr. Clerk."

Clerk Bolin: "House Bill 3034, a Bill for an Act concerning business. Third Reading of this House Bill."

Speaker Lyons: "The Lady from Cook, Representative Ann Williams."

Williams: "Thank you, Mr. Speaker, Ladies and Gentlemen of the House. House Bill 3034 provides consumer protections against storm chasers, fly-by-night contractors, often from out of state, who blanket an area after a catastrophic storm preying on homeowners to get consumers to sign off on contracts for home repair doing shoddy work or no work at all. This is an agreed Bill. And I want to thank the insurance industry, the home builders, the roofers, and the Attorney General's Office for coming together and working hard to get this Bill agreed. I ask for an 'aye' vote. And I'm happy to answer any questions."

Speaker Lyons: "Is there any discussion? Seeing none, the question is, 'Should House Bill 3034 pass?' All those in favor signify by voting 'yes'; those opposed vote 'no'. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Representative Ed Acevedo. Mr. Clerk, take the record. On this Bill, there's 110 Members voting 'yes', 0 voting 'no'. This Bill, having received the Constitutional Majority, is hereby declared passed. Representative Williams, you also have, on the Order of Third Reading, House Bill 2903 on page 20 of the Calendar. Out of the record.

STATE OF ILLINOIS
97th GENERAL ASSEMBLY
HOUSE OF REPRESENTATIVES
TRANSCRIPTION DEBATE

44th Legislative Day

4/15/2011

Representative Saviano, on Third Reading, on page 19 of the Calendar, Skip, you have House Bill 1490. Read the Bill, Mr. Clerk."

Clerk Bolin: "House Bill 1490, a Bill for an Act concerning regulation. Third Reading of this House Bill."

Speaker Lyons: "The Gentleman from Cook, Representative Skip Saviano."

Saviano: "Thank you, Mr. Speaker, Members of the House. House Bill 1490 represents the extension of the Boxing Act and also the Mixed Martial Arts Act. Additionally, what we put in here was some safeguards for amateur... amateur events. We have worked on this quite diligently for the last three months with promoters, with the department, with all interested parties. This passed out of committee yesterday morning 9 to 0. And I would ask for a favorable vote."

Speaker Lyons: "You've heard the Gentleman's explanation on House Bill 1490. Is there any discussion? The Chair recognizes the Gentleman from Cook, Representative Al Riley."

Riley: "Will the Sponsor yield?"

Speaker Lyons: "Sponsor yields."

Riley: "Representative Saviano, you have been working on this and many other related issues for quite some time. Can you tell me why there's still opposition to this Bill, especially, you know, the number of... of organizations? I know some of these are traditional karate organizations, but there also some mixed martial arts organizations too. Why are they opposed to this Bill?"

STATE OF ILLINOIS
97th GENERAL ASSEMBLY
HOUSE OF REPRESENTATIVES
TRANSCRIPTION DEBATE

44th Legislative Day

4/15/2011

Saviano: "Representative Riley, our... our analysis might not be up to date, but yesterday they made a representation in the committee that they were fine with it, now. We've scaled it down drastically. We took out registration fees for fighters and I told them that we would address the remaining issues in JCAR and they were satisfied with that."

Riley: "Thank you for the explanation."

Speaker Lyons: "The Chair recognizes the Gentleman from Peoria, Representative Da... David Leitch."

Leitch: "Thank you. Will the Gentleman yield?"

Speaker Lyons: "The Sponsor yields."

Leitch: "I, too, have heard a great deal of concern expressed by small karate and other types of schools and so forth. Are those types of groups... are they exempt?"

Saviano: "They are exempt"

Leitch: "Okay. Thank you."

Speaker Lyons: "Representative Saviano to close."

Saviano: "Thank you, Mr. Speaker. It's been a lot of work with the department. I commend the department and all the promoters across the state that are participating in the process. And I would ask for an 'aye' vote."

Speaker Lyons: "The question is, 'Should House Bill 1490 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? David Harris. Mr. Cler... Mr. Clerk, take the record. On this Bill, there are 72 Members voting 'yes', 37 Members voting 'no', 1 Member voting 'present'. This Bill, having

STATE OF ILLINOIS
97th GENERAL ASSEMBLY
HOUSE OF REPRESENTATIVES
TRANSCRIPTION DEBATE

44th Legislative Day

4/15/2011

received the Constitutional Majority, is hereby declared passed. Representative Mike Zalewski, on the Order of Third Readings, on page 18 of the Calendar, you have House Bill 1218. Read the Bill, Mr. Clerk."

Clerk Bolin: "House Bill 1218, a Bill for an Act concerning revenue. Third Reading of this House Bill."

Speaker Lyons: "The Gentleman from Cook, Representative Mike Zalewski."

Zalewski: "Thank you, Mr. Speaker. House Bill 1218 is a omnibus reform package dealing with the sale of property taxes when they are delinquent. It includes several provisions with respect to the procedures and timetable for redemption. The statute of limitations were good with regarding to indemnity. Automatic bidding, as the... as the Body well knows, there's an issue in Madison County where the manipulation of the auctions was taking place. We allow counties to participate in an automatic bidding system if they over 10 thousand inhabitants, video tape the sales if they are under 10 thousand inhabitants. We changed the posting requirements to include the... certain information on websites. Finally, with regard to the sale, we move it... the time of payment to the date... previous calendar day. I'd like to thank Representative Dwi... Dwight Kay, I apologize. Representative Dwight Kay who... who had a significant amount of input on the Bill. I'd yield my time to him at the end... if there are any questions, to close on the Bill, but I'd be happy to take any questions in the meantime."

Speaker Lyons: "Representative Kay."

STATE OF ILLINOIS
97th GENERAL ASSEMBLY
HOUSE OF REPRESENTATIVES
TRANSCRIPTION DEBATE

44th Legislative Day

4/15/2011

Kay: "Thank you, Mr. Speaker. Does the Gentleman yield?"

Speaker Lyons: "The Gentleman yields."

Kay: "Thank you. I want to thank Representative Zalewski for his help on this Bill. This goes directly to a matter which impacted Madison County, possibly others in a lesser extent. But just to be brief, most of these audits are supposed to be reverse audits, oft... often referred to as dutch audits, where you start low and go high with respect to tax sales. We had just the opposite, where a county treasurer started high, selected the bidders at 18 percent and from one bid to the next was approving them at 18 percent. In other words, a higher rate as opposed to a lesser rate. This Bill goes to address a rather egregious act, which impacted taxpayers within the district. And I... I ask for an 'aye' vote on this because it's the right thing to do to protect taxpayers in these situations. Thank you, Mr. Speaker. And I ask for an..."

Speaker Lyons: "The Chair recognizes the Gentleman from Knox, Representative Don Moffitt."

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

Speaker Lyons: "The Sponsor yields."

Moffitt: "Representative, I know at one point the County Treasurers were opposed. Are they still opposed or have you worked anything out with them? And if they are opposed, what's the basis of... basis of their opposition?"

Zalewski: "Representative, if you're referring to... there are a couple of issues we had to work out with county officials with respect to redemption periods. There was an issue of the 5 day, versus 10 day, versus 30 day period. We've

STATE OF ILLINOIS
97th GENERAL ASSEMBLY
HOUSE OF REPRESENTATIVES
TRANSCRIPTION DEBATE

44th Legislative Day

4/15/2011

stricken that language entirely. And I believe the county officials are okay with... with that... with that Amendment."

Moffitt: "In... including all... all of them. Including the County Treasurers, right?"

Zalewski: "I... I spoke... as of... as of the Amendment that was adopted yesterday, it's my understanding that there wasn't any opposition to the... to the Bill from the county officials."

Moffitt: "Okay. Well, I agree with the intent that's... as Rep... as explained by Representative Kay. I just... I knew that the County Treasurers at one point were opposed and if... if you've worked that out, that's good news. So, I guess we are not aware that they've necessarily re... removed their opposition, but you say the clerks have for sure? You think the treasurers?"

Zalewski: "Yeah. It... it's... I can certainly follow up on that information. But we... we've done a lot of negotiations throughout this process with the various county officials. There are parts of the Bill that they, you know, would prefer not be necessarily... the timing requirements would be not to their absolute liking, but I think for the most part everybody's onboard."

Moffitt: "Thank you very much."

Speaker Lyons: "Representative Zalewski to close."

Zalewski: "Again, I... I appreciate the hard work of Representative Kay, Representative Currie. And I... this is a good reform package that will offer transparency and efficiency to the system and at the same time protect tax... homeowners if they... if they find themselves in the

STATE OF ILLINOIS
97th GENERAL ASSEMBLY
HOUSE OF REPRESENTATIVES
TRANSCRIPTION DEBATE

44th Legislative Day

4/15/2011

situation where they have to deal with this unfortunate event. I ask for an 'aye' vote."

Speaker Lyons: "You've heard the Gentleman's explanation. All those in favor... for the passage of House Bill 1218 should vote 'yes'; those opposed vote 'no'. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Representative Cole. Representative Monique Davis. Skip. Mr. Clerk, take the record. On this Bill, there's 110 Members voting 'yes', 0 voting 'no'. This Bill, having received the Constitutional Majority, is hereby declared passed. Representative Bost, for what purpose do you seek recognition, Sir?"

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

Speaker Lyons: "Please proceed."

Bost: "I think we should welcome the newest elected city councilman to the floor here today. The newest elected city councilman of Danville. He's kind of new to politics, but it's City Councilman Bill Black."

Speaker Lyons: "Alderman Bill Black. Welcome home, Bill. Alderman, a pleasure to have you on your House Floor. Representative Ron Stephens, personal privilege?"

Stephens: "Yes. Thank you, Mr. Speaker. I am not in a very good mood and that's... that's unusual. It's pouring down rain. I'm running late. I get to my... my parking spot, somebody's in my parking spot. That's uncalled for. I had to park three blocks away, walk in the rain. Lo and behold, I didn't know we granted retired Members permanent parking in... license plate WB. Any idea who that might be? Retired Legislator, WB. Welcome back, Bill."

STATE OF ILLINOIS
97th GENERAL ASSEMBLY
HOUSE OF REPRESENTATIVES
TRANSCRIPTION DEBATE

44th Legislative Day

4/15/2011

Speaker Lyons: "Take care, Representative Black. Always good to see you on the House Floor. Representative Sosnowski, on page 20 of the Calendar, you have House Bill 2265 on the Order of Third Readings. Read the Bill, Mr. Clerk."

Clerk Bolin: "House Bill 2265, a Bill for an Act concerning transportation. Third Reading of this House Bill."

Speaker Lyons: "Representative Joe Sosnowski."

Sosnowski: "Thank you very much, Mr. Speaker. This is in response to a request from a church within my district, but it does affect these type of organizations across the state. They have a converted school bus that they use for church use, but they also have a school. They would like to be able to use this bus for opportunities for extracurricular activities for students and also field trips, those types of things, and also athletic events. We've had good discussions with the Secretary of State's Office. This is agreed upon language that they're... they're happy with. This would allow for this institution to be able to use the bus for those purposes. I'd ask for the support of this... this Amendment or this..."

Speaker Lyons: "You've heard the Gentleman's explanation. Is there any discussion? Seeing none, all those in favor of the passage of House Bill 2265 should vote 'yes'; those opposed vote 'no'. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Barbara Flynn Currie. Mr. Clerk, take the record. On this Bill, there's 109 Members voting 'yes', 0 voting 'no'. This Bill, having received the Constitutional Majority, is hereby declared passed. Representative John Bradley, on

STATE OF ILLINOIS
97th GENERAL ASSEMBLY
HOUSE OF REPRESENTATIVES
TRANSCRIPTION DEBATE

44th Legislative Day

4/15/2011

the Order of Third Readings, on page 19 of the Calendar, you have House Bill 1426. Read the Bill, Mr. Clerk."

Clerk Bolin: "House Bill 1426, a Bill for an Act concerning aging. Third Reading of this House Bill."

Speaker Lyons: "Representative John Bradley."

Bradley: "This was an initiative of the health care industry in Illinois. It asked the state to start figuring out how to comply with the adult... Older Adult Services Act. The opposition of the Department of Aging was removed with the second Amendment to the Bill. I'd ask for an 'aye' vote."

Speaker Lyons: "You've heard the Gentleman's explanation. Is there any discussion? Seeing none, the question is, 'Should House Bill 1426 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? Greg Harris. Representative Mussman, would like to be recorded? Mr. Clerk, take the record. On this Bill, there's 110 Members voting 'yes', 0 voting 'no'. This Bill, having received the Constitutional Majority, is hereby declared passed. Representative Williams, you have, on the Order of Third Reading, House Bill 2903. Read the Bill, Mr. Clerk."

Clerk Bolin: "House Bill 2903, a Bill for an Act concerning safety. Third Reading of this House Bill."

Speaker Lyons: "Representative Ann Williams."

Williams: "Thanks, Mr. Speaker, Ladies and Gentlemen of the House. This Bill expands the Illinois EPA's Alternative Fuel Vehicle Program for vehicles that utilize environmentally friendly fuels. We worked hard to address

STATE OF ILLINOIS
97th GENERAL ASSEMBLY
HOUSE OF REPRESENTATIVES
TRANSCRIPTION DEBATE

44th Legislative Day

4/15/2011

all the concerns that were raised in committee, tightened up the Bill and I think, as a result, we have a better piece of legislation. This would provide grants to electric car sharing organizations for the purchase of vehicles. Proponents include I-GO Car Sharing, Zipcar, Ford, General Motors, Illinois Environmental Council, Environment Illinois, and the Chicagoland Chamber of Commerce. I ask for an 'aye' vote and am happy to answer any questions."

Speaker Lyons: "You've heard the Lady's explanation. Is there any discussion? The Chair recognizes the Lady from Cook, Representative Mary Flowers."

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

Speaker Lyons: "Lady yields."

Flowers: "Representative, this will be a grant?"

Williams: "What this is, is a currently existing dedicated fund that is to be utilized for cars, vehicles that utilize alternative fuels."

Flower: "Yes. I understand, but..."

Williams: "So, it's actually a rebate program and we provide, in the legislation, that grants for the purchase of electric vehicles can be granted up to 25 percent of the project cost, but not until the rebates are all issued. So, this is only if there's money left over at the end of the fund."

Flowers: "So, what organizations are getting the grant and how can other organizations apply to be a part of this grant? Because I think it's a fantastic idea. It would help

STATE OF ILLINOIS
97th GENERAL ASSEMBLY
HOUSE OF REPRESENTATIVES
TRANSCRIPTION DEBATE

44th Legislative Day

4/15/2011

create, excuse me, create jobs. But I think other entities need to know about it."

Williams: "Absolutely. And that concern was addressed by expanding the definition of organizations that were eligible for the grant to include any car sharing organization that meets criteria of being environmentally responsible."

Flowers: "Any car sharing that..."

Williams: "Car... car sharing. So, we would be talking about Zipcar, or I-GO, or a similar sort of organization that provides for multiple users to share vehicles rather than purchasing their own."

Flowers: "And do you know how many minorities might be a part of this organization?"

Williams: "I don't have that information, but the exciting thing about this Bill is that the way we've written the definition it will encourage new car sharing organizations to enter the marketplace. So..."

Flowers: "Is there a bid on these grants or is this already designated for certain organizations?"

Williams: "Well, right now the fund is distributed via rebates. So, if you went out and purchased an electric car you could get, I think, it's a three or four thousand dollar rebate on that individual car as a... as a regular consumer. What we've done is said, for organizations that are environmentally friendly by using electric cars and encouraging sharing of vehicles, they could get a small percentage of those project costs covered via a grant."

STATE OF ILLINOIS
97th GENERAL ASSEMBLY
HOUSE OF REPRESENTATIVES
TRANSCRIPTION DEBATE

44th Legislative Day

4/15/2011

Flowers: "So, this should not be part of the state funded program or these organizations are private, or for-profit, or non-for-profit?"

Williams: "It can be either for-profit or non-for-profit and that's a change we met... we made during the negotiations. So, any car sharing organization can apply for these grants. But again, the grant is not issued until the rebates are fully granted. And I will note that the money for the fund comes from a surcharge on fleet vehicles. So, we don't pay for it out of GRF or any other state funds."

Flowers: "And so... and once these vehicles... who do they actually belong to once the grant money is given? Who... and do these organizations ever pay the state back or because it's a grant they don't have to pay it back?"

Williams: "Vehicles that are purchased with grant funds must stay in service for five years, otherwise, there has to be a refund. So, that's a good question."

Flowers: "And then after the five years if they're sold, then what?"

Williams: "The funds then... after the fun... well, there's a sunset of the whole grant program for only two years. So, really the goal is just to get the programs up and running. So, if the money is unused for the purchase, it must be returned. It's a dedicated monies for a car sharing organization and the purchase of vehicles specifically."

Flowers: "And approximately how much would one grant be?"

Williams: "Well, it's unclear at this point because we are only eligible to give as a state... the grants are only given after all the rebates have been issued. So, if there's a

STATE OF ILLINOIS
97th GENERAL ASSEMBLY
HOUSE OF REPRESENTATIVES
TRANSCRIPTION DEBATE

44th Legislative Day

4/15/2011

big run on the purchase of electric vehicles and there's no money left in the fund at the end of the year, there's no money left to give a grant."

Flowers: "And where would other facilities or organizations go to apply for these grants?"

Williams: "This is through the Illinois Environmental Protection Agency."

Flowers: "Thank you."

Williams: "Thank you."

Speaker Lyons: "The Chair recognizes the Gentleman from Knox, Representative Don Moffitt."

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

Speaker Lyons: "The Sponsor yields."

Moffitt: "Representative, I'm about to ask, I think you essentially covered the first part of my question. The... the source of the funding is generated by a charge on fleet vehicles?"

Williams: "Yes. Corporate fleet vehicles and other fleet vehicles. And the fund has been in existence for some time, but we noted that there were funds left at the end of the fiscal year that could be utilized to promote the usage of electric vehicles in the dedicated fund rather than sitting unused."

Moffitt: "Funds left that did not get swept?"

Williams: "Well, they have been swept."

Moffitt: "Oh, okay. I wondered how they got hid, if they... Secondly, you... you make reference to electric cars. I see in our analysis one statement here that it's... refers to programs that support the adoption of electric vehicles

STATE OF ILLINOIS
97th GENERAL ASSEMBLY
HOUSE OF REPRESENTATIVES
TRANSCRIPTION DEBATE

44th Legislative Day

4/15/2011

powered by sol... solar generation. You've just been saying electric, it's not just solar is it? It's... I mean, electric vehicles could be ones you plug in, but solar I would view as something that is obviously is using the sun."

Williams: "Sure. The original bill provided for non-profit organizations to get the funding as well as solar powered specifically, but in the Amendment we addressed to make it apply... we addressed that issue of being too narrow, the definition, to expand it. So, it needs to be environmentally friendly and the EPA would make that decision and analyze the criteria they utilize for the award of other rebates to determine whether the program applying for the funding is environmentally responsible. And there's a number of criteria utilized, as well as they can be non-profit or for-profit now."

Moffitt: "But it's not limited to use with vehicles that are solar powered? It's electric."

Williams: "No. Again, it's electric vehicles."

Moffitt: "Yeah."

Williams: "And we change the definition to make it broader and open to more entities."

Moffitt: "Okay. Final question. And I think the ideal vehicle is one that's probably a combination of electric and flex fuel, so that we're using biofuels. I assume if it was a vehicle that was combination electric and gasoline, or hopefully flex fuel it would still qualify?"

Williams: "We didn't modify any the opportunities for rebates under the program. We simply added a new grant component

STATE OF ILLINOIS
97th GENERAL ASSEMBLY
HOUSE OF REPRESENTATIVES
TRANSCRIPTION DEBATE

44th Legislative Day

4/15/2011

for car sharing organizations. So, currently there are a number of alternative fuel vehicles, including flex fuel, and I'm sure a hybrid.."

Moffitt: "That would qualify."

Williams: "...of a flex fuel vehicle would probably qualify. It's... we haven't changed that opportunity at all for rebates. This just adds on the end if the rebates are not all issued the opportunity for car sharing organizations, which provide not only electric vehicles but are environmentally responsible because people share them, an opportunity for grants."

Moffitt: "Thank you very much. I appreciate."

Williams: "Thank you."

Speaker Lyons: "Representative Williams to close."

Williams: "I appreciate the discussion. And ask for an 'aye' vote."

Speaker Lyons: "The question is, 'Should House Bill 2903 pass?' All those in favor signify by voting 'yes'; those opposed vote 'no'. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Representative Eddy, Fortner, Osmond, Reboletti, Chapin Rose, Mike Unes. Mr. Clerk, take the record. On this Bill, there's 96 Members voting 'yes', 14 Members voting 'no'. This Bill, having received the Constitutional Majority, is hereby declared passed. Representative Smith, on page 18 of the Calendar, on the Order of Third Readings, you have House Bill 700. Read the Bill, Mr. Clerk."

Clerk Bolin: "House Bill 700, a Bill for an Act concerning regulation. Third Reading of this House Bill."

STATE OF ILLINOIS
97th GENERAL ASSEMBLY
HOUSE OF REPRESENTATIVES
TRANSCRIPTION DEBATE

44th Legislative Day

4/15/2011

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

Smith: "Thank you... thank you, Mr. Speaker, Members of the House. House Bill #700 is concerned with the handling of Social Security numbers in a most confidential matter. This distinctiveness of the Social Security number as an individual identifier makes it increasingly vulnerable to exportation... exploit, identifying theft, and compromising of personal information and a growing concern of many institutions. House Bill 700 seeks to... as amended, seeks to limit the use of Social Security numbers in the state agencies and licensed professional. It amends Illinois Administrative Protection Act to continue to require a new licensee to include his or her Social Security number when applying for a professional license, but requires the agency, as soon as practical, to assign that person a customer identification number to be used on license renewal. It explicitly prohibits the Social Security number from appearing on the face of a license. I'm happy to answer any questions."

Speaker Lyons: "You've heard the Gentleman's explanation of House Bill 700. Is there any discussion? Representative Mayfield."

Mayfield: "Excuse me, is this your first Bill?"

Smith: "Yes."

Mayfield: "We have a protocol here about red jackets. No, no, no, no, no, no. Is there somebody in the House with a red jacket that can help our fellow Representative out? I... otherwise, I think when..."

STATE OF ILLINOIS
97th GENERAL ASSEMBLY
HOUSE OF REPRESENTATIVES
TRANSCRIPTION DEBATE

44th Legislative Day

4/15/2011

Speaker Lyons: "Kay Hatcher. Representative Smith, how does it feel in Representative Hatcher's sweater?"

Smith: "Smells good."

Speaker Lyons: "Representative Sullivan, do you have some questions of... of Representative Smith?"

Sullivan: "In the spirit of Friday and we're going on vacation, I move the previous question."

Speaker Lyons: "The Gentleman made his Motion. All those in favor say 'aye'; all those opposed say 'no'. In the opinion of the Chair, the 'ayes' have it. I only have one speaker and then he'll close. Representative Roger Eddy."

Eddy: "Representative, would you please tell the Body your Social Security number?"

Smith: "I... I didn't hear you, Leader."

Eddy: "I said this... this legislation is about Social Security numbers?"

Smith: "Yes."

Eddy: "What... what's the legislation intend to do regarding Social Security numbers?"

Smith: "Protect the Social Security number."

Eddy: "So, would you share with the Body your Social Security number?"

Smith: "No."

Eddy: "That's a good answer. See how this works. So, what... what has brought about this great concern in Social Security numbers on your part? Is there an issue in America related to that that you're... you're troubled by?"

Smith: "Consumer fraud."

Eddy: "Consumer fraud. That's it?"

STATE OF ILLINOIS
97th GENERAL ASSEMBLY
HOUSE OF REPRESENTATIVES
TRANSCRIPTION DEBATE

44th Legislative Day

4/15/2011

Smith: "Yes. We want to protect the consumers."

Eddy: "So, once you pass this Bill, you've achieved the goal of protecting consumers in Illinois and you're done."

Smith: "There is another step."

Eddy: "There's more? What's the rest? How about identity protection?"

Smith: "Yes."

Eddy: "Representative, based on the way you're dressed right now, I'd worry about identity protection. Representative, I think... I think as Representative Sullivan said, in the spirit of the day, and the fact that we're on Third Reading deadline, and you have been a good sport, and now you smell good, not that you didn't smell good before, I don't know, but I think what we ought to do is show you the same red on the board that you've shown us with the sweater."

Speaker Lyons: "Representative Smith to close."

Smith: "Thank... thank you for your decision on the Bill. The purpose of this policy is to generate a broad awareness of the confidential nature of the Social Security number, eliminate the unnecessary storage of Social Security number in state agencies, documentation of practice and systems, and eliminate the use of Social Security number as a primary identifier for the state agency. I ask for your favorable vote."

Speaker Lyons: "The question is, 'Should this Bill pass?' The... the question is, 'Should this Bill pass?' All those in favor vote 'yes'; those opposed vote 'no'. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Have all voted who wish? Have

STATE OF ILLINOIS
97th GENERAL ASSEMBLY
HOUSE OF REPRESENTATIVES
TRANSCRIPTION DEBATE

44th Legislative Day

4/15/2011

all voted who wish? Mr. Clerk, take the record. On this Bill, there's 110 Members voting 'yes', 0 voting 'no'. This Bill, having received the Constitutional Majority, is hereby declared passed. Congratulations, Mr. Smith nothing like doing a Bill, your first Bill, on the last day of Session here. So, congratulations, Sir. Representative Mike Tryon, on the Order of Third Reading, on page 20 of the Calendar, you have House Bill 2558. Read the Bill, Mr. Clerk."

Clerk Bolin: "House Bill 2558, a Bill for an Act concerning local government. Third Reading of this House Bill."

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

Tryon: "Thank you, Mr. Speaker, Ladies and Gentlemen of the House. This Bill was moved yesterday from Second to Third Reading and we discussed it. This sets up the procedure when a State's Attorneys Office is being investigated and it's the procedure for the court is that before they appoint a Special Prosecutor, they must first reach out to the Appellate Prosecutor, and if the Appellate Prosecutor is conflicted out, then they must reach out to the Attorney General's Office and the surrounding public prosecutors to that county. It also sets up a procedure by which the county board will be notified of bills that will be paid and... and financial impacts to the county of the special prosecution. I'd be glad to answer any questions. And if there are no questions, I would urge an 'aye' vote."

Speaker Lyons: "Representative Will Davis."

Davis, W.: "Thank you, Mr. Speaker. A point of inquiry."

STATE OF ILLINOIS
97th GENERAL ASSEMBLY
HOUSE OF REPRESENTATIVES
TRANSCRIPTION DEBATE

44th Legislative Day

4/15/2011

Speaker Lyons: "State your... state your inquiry, Sir."

Davis, W.: "Is this the only Bill that Representative Tryon is going to do right now?"

Speaker Lyons: "That's the only one he's going to do right now, yes."

Davis, W.: "Okay."

Speaker Lyons: "He does have ano... Yeah. This is the only Bill he'll do right now."

Davis W.: "Thank you very much, Mr. Speaker."

Speaker Lyons: "The Gentleman moves for the passage of House Bill 2558. 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? Arroyo. Beiser. Barbara Flynn. Mr. Clerk, take the record. On this Bill, there's 108 Members voting 'yes', 0 voting 'no'. This Bill, having received the Constitutional Majority, is hereby declared passed. Representative Zalewski, on the Order of Third Reading, on page 17 of the Calendar, you have House Bill 363. Read the Bill, Mr. Clerk."

Clerk Bolin: "House Bill 363, a Bill for an Act concerning elections. Third Reading of this House Bill."

Speaker Lyons: "Representative Mike Zalewski."

Zalewski: "Thank you, Mr. Speaker. House Bill 363 came to light after April 5's municipal elections. It came to the attention of several boards, non-Home Rule, school boards, and other entities that they were not placing the equalized assessed value on ballot questions which gave an inaccurate portrayal of the potential property tax increase that they

STATE OF ILLINOIS
97th GENERAL ASSEMBLY
HOUSE OF REPRESENTATIVES
TRANSCRIPTION DEBATE

44th Legislative Day

4/15/2011

were voting upon. The Bill simply makes crystal clear that some sort of EAV that the department certifies from the year before must be placed on the ballot. I respectfully ask for an 'aye' vote. This is a Bill that will provide greater transparency for voters when deciding upon ballot referendums relating to their property taxes."

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

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

Speaker Lyons: "The Sponsor yields."

Eddy: "Representative, we talked briefly about this and your goal here, I think everybody agrees with, is transparency so that the voting public will have a better, clearer understanding of exactly what it is and how it could affect them when they're voting on a referendum issue."

Zalewski: "Cor... correct."

Eddy: "So, the... the part that I had, not necessarily... I... I just concerned about..."

Zalewski: "Sure."

Eddy: "...the multiplier because when you list the multiplier it could change, as you know. Is... is that something that there's a way to fix that or to up..."

Zalewski: "So, Representative, I'm certainly willing to talk to Senator Harmon, who's agreed to work with me on this in the Senate and... and take your input into consideration. Leader Currie made a suggestion as well of... of somehow incorporating that the fact that the EAV may not necessarily be that going forward on the... on the ballot. I

STATE OF ILLINOIS
97th GENERAL ASSEMBLY
HOUSE OF REPRESENTATIVES
TRANSCRIPTION DEBATE

44th Legislative Day

4/15/2011

don't know exactly the mechanics of what we can do to ensure that the voter knows that this may change from year to year; however, the... the... weighing the interest of not putting it on there at all versus putting something on there so they realize that there's a multiplier involved, I think we have to go with the latter in terms of informing the voter."

Eddy: "Well, I appreciate that because obviously they're voting for something that could be multiple years related to a bond issue, perhaps even increasing the rate... the limiting rate in... in certain funds and they may believe that what they're voting on is locked into that multiplier or that EAV when indeed it isn't.

Zalewski: "Sure."

Eddy: "So, there may be a way to clarify it's for that year. That would even be better transparency. I hope you can work on that. But I think you have a good idea here."

Zalewski: "Thank you, Representative."

Speaker Lyons: "Representative Tryon."

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

Speaker Lyons: "The Sponsor yields."

Tryon: "Representative Zalewski, in 2006 this was a big issue and both Representative Franks and myself worked on a Bill that required the disclosure in a referendum to be for a \$100 thousand of assessed valuation. We felt that that was... that was very easy for somebody to calculate that this referendum will cost me, if I have a \$300 thousand house..."

Zalewski: "Sure."

STATE OF ILLINOIS
97th GENERAL ASSEMBLY
HOUSE OF REPRESENTATIVES
TRANSCRIPTION DEBATE

44th Legislative Day

4/15/2011

Tryon: "...it will cost me \$500 a year. So, what you're saying is that, when the referendum question's being placed on a ballot, we're not taking in the exac... in... into account the equalization factor for the homestead exemption or something like that, correct?"

Zalewski: "So, the Chicago Tribune and several local newspapers did some writing on this issue a few weeks ago. The boards, were frankly, ask... asked their counsel, don't we have to include this? Isn't it in our... should we be including the EAV? And they were... they were told by counsel it's not specifically required in the statute. So frankly, you know, that... that gives a, to many folks including myself, it gives an inaccurate picture of what they are exactly voting on without the EAV which is a multiplier, I think of 3.3 in Cook County, I don't remember exactly. So, we are... we are... in this Bill we are making it abundantly clear, above and beyond what we already do that that EAV has to be placed on the ballot."

Tryon: "Okay. Well, I rise in support of your Bill. And I hope you get it worked out. I think when people are making those decisions they need to know how it affects them and their families. That's what we're all worried about when we vote. So, I certainly support you. Urge an 'aye' vote."

Speaker Lyons: "Representative Ed Sullivan."

Sullivan: "Will the Sponsor yield?"

Speaker Lyons: "The Sponsor yields."

Sullivan: "Representative, I... I support your Bill. And we want transparency because of what went on down in Chicago. I

STATE OF ILLINOIS
97th GENERAL ASSEMBLY
HOUSE OF REPRESENTATIVES
TRANSCRIPTION DEBATE

44th Legislative Day

4/15/2011

just want to ask a couple technical questions. When we're going to do these, let's say a school district wants to have a referendum and now we want to put on equalization factors and the school district covers multiple counties and multiple townships, what happens in regard to these... this... the wording on the ballot? Because in Lake County where... where I'm an assessor also, we could have multiple townships that have different equalization factors. So, are you talking about township factors, state factors? How... how in practice does this work?"

Zalewski: "One moment, Rep... one moment, Representative. The lang... the language... shi... the Bill says the language shall include the equalization factor issued by the department for that particular year. So, the department... to answer your question, I think the department certifies an EAV for those entities and that... the Bill would require that number to go upon the ballot."

Sullivan: "Okay. So the... so the total EAV for... because technically you could have different people that will have different equalization factors. But you're looking at the EAV as opposed to the... the factor itself. The... the net effect of the equalization factor is what you're going to be using?"

Zalewski: "Correct."

Sullivan: "Okay."

Zalewski: "The EAV will be what's on the ballot."

Sullivan: "Okay. Thank you."

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

STATE OF ILLINOIS
97th GENERAL ASSEMBLY
HOUSE OF REPRESENTATIVES
TRANSCRIPTION DEBATE

44th Legislative Day

4/15/2011

Zalewski: "Thank you, Mr. Speaker. Again, we've had a good thorough discussion on the Bill. We'll continue to make it airtight with the Senate, but I think in light of what was reported the last few weeks, this is something that gives property taxpayers the... the fullest amount of information they can possibly have going into the ballot box."

Speaker Lyons: "You've heard the Gentleman's... we've heard thorough discussion on House Bill 363. All those in favor of its passage signify by voting 'yes'; those opposed vote 'no'. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Mr. Clerk... Representative D'Amico. D'Amico, Representative Colvin would you like to be recorded? Take the record. On this Bill, there's 110 Members voting 'yes', 0 voting 'no'. This Bill, having received the Constitutional Majority, is hereby declared passed. Representative Beiser, on the Order of Second Readings, on page 5 of the Calendar, you have House Bill 930. Read the Bill, Mr. Clerk. Mr. Clerk, out of the record. Representative Marlow Colvin, on the Order of Second Reading, you have House Bill 880. Read the Bill, Mr. Clerk."

Clerk Bolin: "House Bill 880, a Bill for an Act concerning transportation. The Bill was read for a second time on a previous day. No Committee Amendments. Floor Amendments 4 and 5 have been approved for consideration. Floor Amendment 4 is offered by Representative Colvin."

Speaker Lyons: "Representative Colvin on Floor Amendment #4."

Colvin: "Thank you, Mr. Speaker. House Amendment #4 essentially becomes the Bill. It deals with the issue of

STATE OF ILLINOIS
97th GENERAL ASSEMBLY
HOUSE OF REPRESENTATIVES
TRANSCRIPTION DEBATE

44th Legislative Day

4/15/2011

dealers who fail to pay off automobile loans in the event of closures, or bankruptcies, or events of the same. As we've seen in the last several years here in the United States, not just in Illinois, with the reorganization of Ford, and Chrysler, and GM, we've seen a number of dealerships close or shrink and... and some automobile manufacturers and labels go out of business completely. As a result, this had a direct effect... effect and impact on those dealerships, many of which have closed or some of which have declared bankruptcy in the last several years. What House Bill 880 aims to do in those events where individuals may be trading in cars to dealerships that were scheduled to be closed and once they trade in those cars if they owed an outstanding balance, oftentimes dealers take... dealers take those cars in trade for a brand new car and agree to pay off the lien for those older vehicles, the ones that you're trading in. Some of these dealers have closed without those liens being paid off. And so, while you drive home with your new car knowing that you only have the one payment to make, several months later you get in the mail a notice that you still owe GM, or Ford Acceptance Company four or five thousand dollars or whatever the unpaid lien was on that automobile. And now many families have found themselves in the event having their credit impacted if they don't pay off those liens or struggling to make two car payments and continue to pay off those liens in the event when those dealers don't. House Bill 880 simply creates a fund that will allow... a fund that would be appointed by the Attorney General of the State of Illinois,

STATE OF ILLINOIS
97th GENERAL ASSEMBLY
HOUSE OF REPRESENTATIVES
TRANSCRIPTION DEBATE

44th Legislative Day

4/15/2011

the Secretary of State of the State of Illinois, and the Auto... Automobile Manuf... Automobile Dealers Association where the automobile dealers will be putting the capital aside to create a fund where they will be charged \$500 in... in every 12 months to create a fund to pay off those liens in the event that dealers close and those liens are not paid off. It's a very honest and very good attempt to keep consumers whole in the event that they trade those cars off with the expectation that they will be paid off. That's essentially Amendment #4. Amendment #5 is a technical Amendment that simply reconstitutes the language of who makes up the committee. I'd be happy to answer any questions."

Speaker Lyons: "Representative Franks."

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

Speaker Lyons: "The Sponsor yields on Floor Amendment 4."

Franks: "Representative, presently, do dealers need to have bonds or surety bonds to cover this type of action?"

Colvin: "Some states require that. Right here, right now that is not happening."

Franks: "'Cause I know what you're trying to... to accomplish and I agree with what you're trying to do, but I'm wondering if it might be cheaper if we required dealers to place bonds instead of actually having to pay \$500 fees?"

Colvin: "Actually, based on the research that I have been given in conjunction with putting this Bill together and in concert with the automobile dealers, this is the method that they recommend that would be most cost effective and most proactive in protecting both dealers and automobile..."

STATE OF ILLINOIS
97th GENERAL ASSEMBLY
HOUSE OF REPRESENTATIVES
TRANSCRIPTION DEBATE

44th Legislative Day

4/15/2011

those who purchase new automobiles and trade in vehicles that still have liens on them. This is their recommendation on how to best operate and keeping everyone whole."

Franks: "Do we have any penalty provisions for those dealers that, in fact, don't pay off these liens? Is there something that we could do to give them a bit of a carrot and a stick here?"

Colvin: "Not that I'm aware of and.. and this Bill doesn't seek to en... enforce or enhance penalties. What it does simply and directly, it seeks to keep those individuals who buy new automobiles and trade in vehicles with outstanding liens whole."

Franks: "I thank you."

Speaker Lyons: "All those in favor of the adoption of Floor Amendment #4 signify by saying 'yes'; those opposed say 'no'. In the opinion of the Chair, the 'ayes' have it. And Floor Amendment #4 is adopted. Anything further, Mr. Clerk?"

Clerk Bolin: "Floor Amendment #5, offered by Representative Colvin."

Speaker Lyons: "Colvin on Floor Amendment #5."

Colvin: "Floor Amendment 5 simply deals with the definition of Fund Administrator and is the private entity which shall be appointed by the board and.. and which is the designee of the Attorney General, designee of Secretary of State, and designee of the Automobile... the Automobile Dealers of Illinois."

Speaker Colvin: "Representative Watson, on Floor Amendment #5."

STATE OF ILLINOIS
97th GENERAL ASSEMBLY
HOUSE OF REPRESENTATIVES
TRANSCRIPTION DEBATE

44th Legislative Day

4/15/2011

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

Speaker Lyons: "The Sponsor yields."

Watson: "Representative, just... just for clarification, there is a fee here but it's a fee that is supported by the folks that are going to pay it and this also... this Amendment makes sure that the IADA is in support of the Bill, correct?"

Colvin: "They are. They're in a hundred percent support."

Watson: "All right. Thank you."

Speaker Lyons: "All those in favor of the adoption of Floor Amendment #5 sig... signify by saying 'yes'; those opposed say 'no'. In the opinion of the Chair, the 'ayes' have it. Floor Amendment #5 is adopted. Anything further, Mr. Bill?"

Clerk Bolin: "No further..."

Speaker Lyons: "Anything further, Mr. Clerk?"

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

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

Clerk Bolin: "House Bill 880, a Bill for an Act concerning transportation. Third Reading of this House Bill."

Speaker Lyons: "Representative Colvin."

Colvin: "Thank you, Mr. Speaker. I... I attempted to give a pretty good understanding of what we're trying to do here and who... and who we're trying to protect. I'll be happy to answer any questions in respect to House Bill 880."

Speaker Lyons: "Is there any discussion? Seeing none, all those in favor for the passage of House Bill 880 signify by saying... by voting 'yes'; those opposed vote 'no'. The voting is open. Have all voted who wish? Have all voted

STATE OF ILLINOIS
97th GENERAL ASSEMBLY
HOUSE OF REPRESENTATIVES
TRANSCRIPTION DEBATE

44th Legislative Day

4/15/2011

who wish? Have all voted who wish? Representative Brady, Cole, Durkin, Kay Hatcher, Michael McAuliffe, Skip. Mr. Clerk, take the record. On this Bill, there's 91 Members voting 'yes', 19 Members voting 'no'. This Bill, having received the Constitutional Majority, is hereby declared passed. Representative Brown, on the Order of Second Reading, on page 11 of the Calendar, you have House Bill 2407. Read the Bill, Mr. Clerk."

Clerk Bolin: "House Bill 2407, a Bill for an Act concerning education. The Bill was read for a second time on a previous day. No Committee Amendments. Floor Amendment #1, offered by Representative Brown, has been approved for consideration."

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

Brown: "I move to adopt Amendment 1, which simply says that.. that sub.. subcontractors in the educational system will have to list for the school board, upon their request, any subcontracting that they might do."

Speaker Lyons: "You've heard the Gentleman's explanation. Is there any discussion? Seeing none, all those in favor of the adoption of Floor Amendment #1 signify by saying 'yes'; those opposed say 'no'. In the opinion of the Chair, the 'ayes' have it. And the Amendment is adopted. Anything further, Mr. Clerk?"

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

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

Clerk Bolin: "House Bill 2407, a Bill for an Act concerning education. Third Reading of this House Bill."

Speaker Lyons: "Representative Brown."

STATE OF ILLINOIS
97th GENERAL ASSEMBLY
HOUSE OF REPRESENTATIVES
TRANSCRIPTION DEBATE

44th Legislative Day

4/15/2011

Brown: "I ask for an 'aye' vote. I'd be more than happy to answer any questions."

Speaker Lyons: "Representative Jack Franks."

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

Speaker Lyons: "The Sponsor yields."

Franks: "I'm reading the analysis, Representative. What is a prime contract?"

Brown: "The prime contractor would be any subcontractor listed under the general contractor currently."

Franks: "Wait... I'm... why do we need this Bill? Why do we need for them to have to list subcontractors because our analysis indicates that the intent of this Bill is to limit the use of subcontractors."

Brown: "This Bill was brought to me by a constituent. Under current regulations the general contractor is awarded the bid. He often then goes out and has the opportunity to pick his subcontractors. Under my current proposal, this would give the authority to the school board to have the general contractors state who those subcontractors are and the cost of their estimates, as well. This would be permissive..."

Franks: "Can't you do that... via contract you can do that right now. Why do we need a specific law for this?"

Brown: "That's correct. This simply codifies that. And it leaves it up to the decision-making of the school board to decide if they would like the subcontractors to be listed."

Franks: "But this would actually require it though."

Brown: "That's incorrect."

Franks: "Where does it say its permissive and not required?"

STATE OF ILLINOIS
97th GENERAL ASSEMBLY
HOUSE OF REPRESENTATIVES
TRANSCRIPTION DEBATE

44th Legislative Day

4/15/2011

Brown: "It's permissive. It... it's stated in the... in the Bill."

Franks: "I'm going to pull the Bill up."

Brown: "Sure."

Franks: "Do you... can you tell me where? Because our analysis does not indicate that."

Brown: "This was a question that arose earlier. I had staff look into it and they confirmed that this is left up to the school board's discretion."

Franks: "I... I don't see that, though, in the Bill. I'm looking at the Bill on the bottom of page 6 starting on line 25. And that... there's nothing in there that is discretionary."

Brown: "It's stated earlier in the Bill. I'll look for specifics for you."

Franks: "Because what you're... the only part that you're amending does not indicate that."

Brown: "That's correct. It's stated earlier in the School Code in the Bill, as filed here, would not amend that... that it's left up to the school board's discretion."

Franks: "So, what you're saying is, right now it's left up to the school board's discretion and you're saying that we need a law saying that it needs to be left up to the school board's discretion."

Brown: "This Bill simply codifies something that's already in effect."

Franks: "Okay. Thank you."

Speaker Lyons: "Representative Roger Eddy."

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

Speaker Lyons: "The Sponsor yields."

STATE OF ILLINOIS
97th GENERAL ASSEMBLY
HOUSE OF REPRESENTATIVES
TRANSCRIPTION DEBATE

44th Legislative Day

4/15/2011

Eddy: "Representative, yesterday in committee, I think Representative... the... the previous speaker did bring up a good point. The concern was whether this was permissive. And I think this is permissive, but you are trying to clarify that if school boards want to do this you're... you're kind of encouraging them that they have this option and it might be a good idea."

Brown: "That's correct. My concern arose when general contractors had the opportunity to choose subcontractors after the contract had been awarded from the school board."

Eddy: "Okay. And... and to the previous speaker's point, that... that's not written in the part you're amending, but in the statute that covers the permissive nature earlier in... in the statute it does state permissive. So I... this is not an additional mandate. It's permissive but it is instructive."

Brown: "That's correct."

Eddy: "Okay. I... I think... I think this would be a good Bill to highlight something that boards need to pay attention to while not imposing any type of mandate. I'd urge a 'yes' vote."

Brown: "Thank you."

Speaker Lyons: "Representative Brown to close."

Brown: "I urge an 'aye' vote. Thank you."

Speaker Lyons: "The question is, 'Should House Bill 2407 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? Arroyo, Currie, Ramey. Mr. Clerk, take the record. On this Bill,

STATE OF ILLINOIS
97th GENERAL ASSEMBLY
HOUSE OF REPRESENTATIVES
TRANSCRIPTION DEBATE

44th Legislative Day

4/15/2011

there's 110 Members voting 'yes', 0 voting 'no'. This Bill, having received the Constitutional Majority, is hereby declared passed. Representative Esther Golar, you have, on the Order of Second Reading, House Bill 3199, on page 14 of the Calendar. Read the Bill, Mr. Clerk."

Clerk Bolin: "House Bill 3199, the Bill was read for a second time on a previous day. Amendment #1 was adopted in committee. Floor Amendment #2, offered by Representative Golar, has been approved for consideration."

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

Golar: "Mr. Speaker, this particular Bill, 3199... hold on just a second."

Speaker Lyons: "Amendment 2, Representative."

Golar: "I wish to adopt Floor Amendment #2 and what it does is that it will add some requirements to the second exemption, must have originated the mortgage being transferred, also, have not originated a total of 10 thousand mortgages in 2007, and also it would apply to banks that have less than 5 billion in assets on this Bill. Additionally, 50 percent and to the aban... this fund will go into the Abandoned Residential Property Municipality Relief Fund, 35 percent into the Open Space Land Acquisition and Development Fund and 15 percent into the Natural Areas Acquisition Fund."

Speaker Lyons: "Representative Golar moves for the passage of Floor Amendment #2. Is there any discussion? The Chair recognizes the Gentleman from Crawford, Representative Roger Eddy."

Eddy: "Just a point of clarification. We can do this on Third and maybe that's the best place for it. But

STATE OF ILLINOIS
97th GENERAL ASSEMBLY
HOUSE OF REPRESENTATIVES
TRANSCRIPTION DEBATE

44th Legislative Day

4/15/2011

Representative, what you're trying to do here, I think, is to limit the... the imposition of a real estate transfer tax. You're trying to limit that?"

Golar: "Yes."

Eddy: "So that the money can be used for other things?"

Golar: "Yes."

Eddy: "That's basically, what this Amendment does."

Golar: "That's what it does."

Eddy: "The Amendment is still... still has opposition. It didn't clear up the opposition."

Golar: "That's correct."

Eddy: "Okay."

Speaker Lyons: "Seeing no further discussion, all those in favor of the adoption of Amendment #2 signify by saying 'yes'; those opposed say 'no'. In the opinion of the Chair, the 'ayes' have it. And the Amendment is adopted. Anything further, Mr. Clerk?"

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

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

Clerk Bolin: "House Bill 3199, a Bill for an Act concerning revenue. Third Reading of this House Bill."

Speaker Lyons: "Representative Golar on House Bill 3199."

Golar: "Mr. Speaker, at this time could we hold the Bill on Second? There's still some negotiations going on in regards to this Bill."

Speaker Lyons: "We'll hold that Bill. Mr. Clerk, put that Bill back on the Order of Second Reading. Representative Karen May for a point of personal privilege."

STATE OF ILLINOIS
97th GENERAL ASSEMBLY
HOUSE OF REPRESENTATIVES
TRANSCRIPTION DEBATE

44th Legislative Day

4/15/2011

May: "Thank you, Speaker. I would like everyone in the House to help me welcome the seventh graders from St. Norbert's School in Northbrook. They also are here visiting Representative Nekritz and me. So, if they will stand up in the gallery. They're learning about our Constitution. Let's welcome them."

Speaker Lyons: "Welcome, St. Norbert's, to your Capitol. Glad to have you down here. Representative Jakobsson, for what purpose do you seek recognition?"

Jakobsson: "Thank you, Mr. Speaker. I rise for a point of personal privilege."

Speaker Lyons: "Please proceed, Representative."

Jakobsson: "This is actually for Representative Lilly. I would like everybody in the House to be sure to wish happy birthday to Representative Lilly today."

Speaker Lyons: "Happy birthday again, Representative. Thank you. Representative Gordon, you have on the Order of Second Reading, on page 10 of the Calendar, House Bill 1909. Read the Bill, Mr. Clerk."

Clerk Bolin: "House Bill 1909, the Bill was read for a second time on a previous day. No Committee Amendments. Floor Amendment #1, offered by Representative Gordon, has been approved for consideration."

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

Gordon: "Thank you, Mr. Speaker. House Amendment... excuse me, House Bill 1909 with House Amendment 1 it had some opponents early on in the legislation. And through some negotiations, we were able to move the realtors, the

STATE OF ILLINOIS
97th GENERAL ASSEMBLY
HOUSE OF REPRESENTATIVES
TRANSCRIPTION DEBATE

44th Legislative Day

4/15/2011

bankers, and the home builders neutral on the Bill. And I'd like to move to have House Amendment 1 adopted."

Speaker Lyons: "Any discussion on Amendment #1? Seeing none, all those in favor of its adoption signify by saying 'yes'; those opposed say 'no'. In the opinion of the Chair, the 'ayes' have it. And Floor Amendment #1 is adopted. Anything further, Mr. Clerk?"

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

Speaker Lyons: "Third Reading. Read the Bill, Mr. Clerk."

Clerk Bolin: "House Bill 1909, a Bill for an Act concerning local government. Third Reading of this House Bill."

Speaker Lyons: "The Lady from Peoria, Representative Jehan Gordon."

Gordon: "House Bill 1909 amends the Counties Code to permit a notice to appear to suffice as the initial process in enforcing county ordinance violations and specifically allows the initial process in Building Code violations. This Bill... the origination of this Bill is an initiative of Peoria County. And in the intent to expeditiously address habitual Building Code violators in a cost effective manner for our county. This simply gives Peoria County another tool in their toolbox dealing with habitual Building Code violators. And I would be willing to answer any questions at this point."

Speaker Lyons: "Representative Ed Sullivan. The Lady yields."

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

Speaker Lyons: "She yields."

STATE OF ILLINOIS
97th GENERAL ASSEMBLY
HOUSE OF REPRESENTATIVES
TRANSCRIPTION DEBATE

44th Legislative Day

4/15/2011

Sullivan: "Representative, with your new Amendment, it... it looked like the realtors and the bankers had some concerns in regard to the Bill. Have those concerns been erased?"

Gordon: "Yes, they have."

Sullivan: "Okay. So, at this point they are neutral or... or in favor?"

Gordon: "They're... they're neutral on the Bill."

Sullivan: "And... and those no other opposition to the Bill?"

Gordon: "The... yes, there is a group, the landlords. I don't think that's what they're called. Hang on one second, please. The Illinois Rental Property Owner's Association is in opposition to the Bill."

Sullivan: "Okay. So, the Illinois Rental Property Association, these are... this is an organization that has properties and they're upset because they potentially have... I mean... they're... they're the subject of the Bill."

Gordon: "The... the concern that they have is what they would like to do is... what they would like for us to do, lawfully, we can't do. They would like to tie the tenants to the property and the tenants don't own the property. The landlords own the property. So, there's no way for us lawfully to tie the tenants to the property and that's the... that's where the confus... that's where the rub is. And I don't think there's anyway lawfully for us to address that."

Sullivan: "Okay. Thank you for your comments."

Speaker Lyons: "Representative Gordon to close."

Gordon: "I'd like to ask for an 'aye' vote."

STATE OF ILLINOIS
97th GENERAL ASSEMBLY
HOUSE OF REPRESENTATIVES
TRANSCRIPTION DEBATE

44th Legislative Day

4/15/2011

Speaker Lyons: "The question is, 'Should House Bill 1909 pass?' All those in favor signify by voting 'yes'; those opposed vote 'no'. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Representative Brauer, Hammond, Jerry Mitchell. Back row. Mr. Clerk, take the record. On this Bill, there's 97 Members voting 'yes', 13 Members voting 'no'. This Bill, having received the Constitutional Majority, is hereby declared passed. Representative Jakobsson, on page 3 of the Calendar, on the Order of House Bills--Second Reading, you have House Bill 466. Read the Bill, Mr. Clerk."

Clerk Bolin: "House Bill 466, the Bill was read for a second time on a previous day. No Committee Amendments. Floor Amendment #1, offered by Representative Jakobsson, has been approved for consideration."

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

Jakobsson: "Thank you, Mr. Speaker. Floor Amendment #1 does several things. Current law allows the Department of Revenue to sell university debt certified as uncollectable by the AG to private vendors for five years. This Amendment provides state universities with an additional three years to collect their past-due debt and make the conforming changes allowing universities to delete from their records debt uncollectable more than eight years old. Also, provides that the Department of Revenue may not sell either child support debt enforced by HFS pursuant to Federal Law and unemployment debts enforced by the Department of Employment Security and owed to any Federal

STATE OF ILLINOIS
97th GENERAL ASSEMBLY
HOUSE OF REPRESENTATIVES
TRANSCRIPTION DEBATE

44th Legislative Day

4/15/2011

Court. There are some further parts to this Bill. Collection agencies currently may not charge a fee in excess of 25 percent of the liability and this Bill... this Amendment provides that 25 percent fee limitation applies only for the first attempt to collect that debt and does not apply to subsequent attempts. The universities experienced difficulty securing second and third collection agency bids. So, in most they'd... instances, subsequent attempts are charged a fee of 27 to 30 percent. State agencies experience second and third attempt fees of 35 percent. So, I would ask this to be moved to Third."

Speaker Lyons: "You've heard the Lady's explanation of Floor Amendment #1. Representative Bob Pritchard on the Amendment."

Pritchard: "Yes. Will the Sponsor yield?"

Speaker Lyons: "The Sponsor yields."

Pritchard: "Representative, in committee yesterday there was considerable debate over the percentage cap that seemed to be removed on the second, third, and subsequent years of trying to capture an uncollectable debt. And there is limits to 25 percent on the first year, but as I understand it you may be willing to work with the Senate on capping subsequent years as well. Is that correct?"

Jakobsson: "That's right. Because the way it is written the second and third or the subsequent ones could increase by 2 percent each time. So, I would like to work with the Senate, have an Amendment to make sure that there is a cap."

STATE OF ILLINOIS
97th GENERAL ASSEMBLY
HOUSE OF REPRESENTATIVES
TRANSCRIPTION DEBATE

44th Legislative Day

4/15/2011

Pritchard: "This certainly seems to make sense and it offers protection against some of the outrageous fees that are charged by companies working with uncollectable debt. There also was discussion that this extends to eight years a university's ability to collect uncollectable debts. Is that correct?"

Jakobsson: "That's correct. And that's certainly a help to the universities and to the students to be able to give them that time when they finish their education, be established, and begin taking care of their debts."

Pritchard: "And it sounded like in that testimony universities were successful in collecting a major portion of that debt because they could withhold transcripts if there was uncollectable debt on the student's record."

Jakobsson: "Right."

Pritchard: "So, this certainly seems to be a step in the right direction. I would encourage this Body to support it."

Speaker Lyons: "Representative Jack Franks."

Franks: "Thank you, Mr. Speaker. I'd like to ask the Sponsor a few questions, if I could."

Speaker Lyons: "She awaits your questions."

Franks: "Representative, I was looking at the time frame contained in the Amendment of eight years before they deem it uncollectable and my concern is whether this would be violative of the Federal Fair Debt Collection Practices Act or is there some type of exemption?"

Jakobsson: "To... to our understanding, and we've worked very hard with the universities, this would not violate any federal regulations."

STATE OF ILLINOIS
97th GENERAL ASSEMBLY
HOUSE OF REPRESENTATIVES
TRANSCRIPTION DEBATE

44th Legislative Day

4/15/2011

Franks: "Well, on its face, it isn't... it is in contrast. Right now, for instance, you cannot file a suit... well, you could, but you'd be violating the statute of limitations. It was in excess of five years and it was a verbal contract, or whether it would have been a credit card, or in some of these you're talking about some damages. The only way you could get past that really if it was a written contract. And I think the way this Bill is written that it could be in violation of that Federal Fair Debt Collection Practices Act which has very onerous... very onerous penalties for collectors."

Jakobsson: "Representative, this doesn't mean that we're... that the universities would be waiting for five years. It just extends it before they turn it over to a professional debt collecting company."

Franks: "I get that, but if you turn it over to a professional debt collecting company and it's already eight years old upon receipt they'd be violating Federal Law. What this would do would make the... would make the debt virtually worthless to any potential purchaser. So, I'm concerned that the time frame is too long. And really if you want to have any value for this you would have to shorten it to three years because the statute is so short. Because if you sold it now, after eight years, you would be violating Federal Law."

Jakobsson: "This is after the Attorney General declares it uncollectable."

Franks: "I get it. But I still don't know how we get past this threshold. My... my concern is that we're waiting too long."

STATE OF ILLINOIS
97th GENERAL ASSEMBLY
HOUSE OF REPRESENTATIVES
TRANSCRIPTION DEBATE

44th Legislative Day

4/15/2011

If you have the eight-year deal.. the eight year threshold to determine that it's uncollectable, at that point you can't sell it because anyone attempting to collect on that debt would be violating Federal Law."

Jakobsson: "Well, my sense is that they're pursuing the debt right from, you know, when they say it and that they're not waiting that eight years."

Franks: "But that's... that's not law... that's not the law. Can... would you mind taking it out of the record and I'll come over and talk to you?"

Jakobsson: "I'll take it out of the record."

Speaker Lyons: "Clerk, take the Bill out of the record. Representative Renée Kosel, on the Order of Second Reading, on page 13 of the Calendar, you have House Bill 2831. Out of the record. Representative Reboletti, on the Order of Second Reading, you have House Bill 1069, on page 5 of the Calendar. Read the Bill, Mr. Clerk."

Clerk Bolin: "House Bill 1069, the Bill was read for a second time on a previous day. No Committee Amendments. Floor Amendment #1, offered by Representative Reboletti, has been approved for consideration."

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

Reboletti: "That will become the Bill. I'll look to debate that on Third Reading."

Speaker Lyons: "Representative what's your... repeat what you said, Representative."

Reboletti: "I said I would look..."

STATE OF ILLINOIS
97th GENERAL ASSEMBLY
HOUSE OF REPRESENTATIVES
TRANSCRIPTION DEBATE

44th Legislative Day

4/15/2011

Speaker Lyons: "What's the status of Floor Amendment #1? Is it technical?"

Reboletti: "Wait a second, Speaker. This Bill would... if this Amendment was adopted... it'd be... this would be a change to how we promulgate rules for murder investigators. And I'll be more... I'll give a full explanation on Third Reading."

Speaker Lyons: "All those in favor of the adoption Floor Amendment #1 signify by saying 'yes'; those opposed say 'no'. In the opinion of the Chair, the 'ayes' have it. And Floor Amendment #1 is adopted. Anything further, Mr. Clerk."

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

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

Clerk Bolin: "House Bill 1069, a Bill for an Act concerning local government. Third Reading of this House Bill."

Speaker Lyons: "Representative Dennis Reboletti."

Reboletti: "Thank you, Speaker, Members of the House. Last year Representative Sacia and Senator Millner passed a Bill that required that homicide investigators be certified and take numerous classes to be able to investigate the homicides and then become expert witnesses with respect to that. I... I've had a conversation with State's Attorney Jim Glasgow of Will County who had some concerns as rules were being promulgated that those that are eligible to be grandfathered in could potentially be excluded by defense attorneys claiming that they are not certified and therefore would not be able to be called as expert witnesses. This would then allow... basically help those that are promulgating the rules to say that those that have

STATE OF ILLINOIS
97th GENERAL ASSEMBLY
HOUSE OF REPRESENTATIVES
TRANSCRIPTION DEBATE

44th Legislative Day

4/15/2011

20 years of experience would be grandfathered in and what this would clarify the language that they would indeed be experts in that field but did not need to do the training. So, I would entertain any questions."

Speaker Lyons: "You've heard the Gentleman's explanation. The Chair recognizes Representative Brady. John (sic-Dan) Brady."

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

Speaker Lyons: "Sponsor yields."

Brady: "Re... Representative, just a couple questions here, I'm trying to clarify this. You... you're... you're trying to grandfather in existing investigators from the State Police, the State Police only?"

Reboletti: "When the... when the Bill was passed, it... it left up to the those making the rules as to who would be potentially grandfathered in. Those rules are still being drafted and there was concerns that if we didn't actually explain who would be grandfathered in that any investigations going forward those investigators would not be considered certified homicide investigators. Therefore, this would be clarifying language."

Brady: "So, you're... you're grandfathering in existing law enforcement. Is that correct?"

Reboletti: "Those with... that would meet the requirements and I... I don't have those and I'll... I'll find that but if it... let's say it's 20 years of experience, they've been investigating homicides, they've already taken numerous classes. We wouldn't need to certify them compared to people that are coming up working their way up from the

STATE OF ILLINOIS
97th GENERAL ASSEMBLY
HOUSE OF REPRESENTATIVES
TRANSCRIPTION DEBATE

44th Legislative Day

4/15/2011

street level police officer, working their way through being detective. We'd want those people to go through training. We don't need to retrain people who've been doing it for 25 years."

Brady: "And that applies to any sworn law enforcement officer, peace officer of the state that's just a police investigator?"

Reboletti: "Yes... that's... there's actually going to end up being an Amendment and I thank you, Representative, for pointing that out. There's going to be an Amendment in the Senate, so we will see this over here to include all law enforcement."

Brady: "And this... does this apply to coroners or deputy coroners as..."

Reboletti: "It... it would not be."

Brady: "...death invest... or... investigators?"

Reboletti: "It... it would not be the intention. If that's something that you believe needs to be added, we could add that in. It will come back here and I'd be more than glad to talk. I've already talked to Senator Millner about taking this Bill since he was the Sponsor last year and he... and making some changes and that would be something I'd be more than glad to talk to him about."

Brady: "Okay. And I... you know, then I'm also concerned of where the... where the funding's going to come from for any of the training."

Reboletti: "That... I... I'm assuming that would come from the General Revenue Fund. That was already passed last year."

STATE OF ILLINOIS
97th GENERAL ASSEMBLY
HOUSE OF REPRESENTATIVES
TRANSCRIPTION DEBATE

44th Legislative Day

4/15/2011

This is just that clarification of who would be exempted out."

Brady: "Well, just... just for the record, for your knowledge, several years ago when we... when I had legislation dealing with the increased copies of certified death certificates and part of that money going to a fund in the training board to train law enforcement and homicide investigations, et cetera. So, I... I was looking at the Bill that was done last year. I'm just... I'm just a little bit puzzled that if we're just giving this exclusively to the State Police. And are we setting some situation... you talk about testimony in court, are we setting up some situation for on scene investigations where someone may be having a dispute of who has... who has the certification and who doesn't. And this is just simply... this is simply saying certification in homicide investigation only?"

Reboletti: "That's correct."

Brady: "Not... not death investigation overall just homicide?"

Reboletti: "That's just the homicide investigations."

Brady: "Okay. Thank you very much, Representative. And I... I... I'm just troubled by maybe some of the unclear points that I have. So, I'm probably going to be voting 'present' on it. Thank you."

Reboletti: "Thank you."

Speaker Lyons: "Representative Dunkin."

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

Speaker Lyons: "Sponsor yields."

Dunkin: "Representative, our... our previous Representative Brady had some pretty good questions as it relates to specifics

STATE OF ILLINOIS
97th GENERAL ASSEMBLY
HOUSE OF REPRESENTATIVES
TRANSCRIPTION DEBATE

44th Legislative Day

4/15/2011

that I had. But along those lines, what if there's a... a unique homicide as it relates to chemicals or a certain drug, sort of like, let's say a new drug that's out and that particular officer of 20 years or more simply has never seen that type of case. How would this im... impact them as a lead investigator or not?"

Reboletti: "Well, the initial intent of... of the legislation from last year and the law was as new people were coming up there are certain standards that they should have to meet to be able to investigate a homicide as well as then testify about it so that we didn't have new police officers being involved in the detection and investigation of those cases. Many of the officers are already taking training courses throughout. We're just saying that if you've already been doing this for so many years, we don't need you to go back and relearn something that you already have experience in. The... the problem has been is that we have exempted out a certain portion of those investigators. The problem is those rules have not been promulgated and there is some vagueness and we want to make that those who would be opted out would not be disqualified totally on the cases that they've already been working on. So, that's what this is looking at. There are always unique circumstances, Representative, and detectives are usually assigned based on experience and their availability. And I would assume that police chiefs would hope to assign those detectives that would have the most experience on those types of unique situations, when available."

STATE OF ILLINOIS
97th GENERAL ASSEMBLY
HOUSE OF REPRESENTATIVES
TRANSCRIPTION DEBATE

44th Legislative Day

4/15/2011

Dunkin: "So, what if... what if I'm from a smaller county that rarely experiences homicide at maybe once every five years. How would that impact them even though they would have the 20 years or more?"

Reboletti: "Ma... many times, Representative, there are mutual agreements that a county would come in and help out the sheriff's office, may... the Illinois State Police may provide some of those experienced investigators if a small community did not have people that were qualified to do so."

Dunkin: "So, would you say that the Illinois State Police is current when it comes to, sort of, new technology or, sort of, new chemical induced, or biological influence murders, or homicide?"

Reboletti: "I... I would say that they're at the cutting edge of where... that we need to be as far as the law enforcement community is concerned."

Dunkin: "I guess I'm just concerned about a smaller county, a smaller township, or village where as the 20-year veteran detective simply is not fully educated or trained enough in some of the... the new homicides that particularly can take place and yet they would be in a superior position and yet they may not have the real experience to that specific homicide."

Reboletti: "I... I think... and I can appreciate..."

Dunkin: "Do you follow?"

Reboletti: "I... I do follow, Representative. I... I think it's that the intent of the legislation was just to establish a threshold to which officers would begin to be homicide

STATE OF ILLINOIS
97th GENERAL ASSEMBLY
HOUSE OF REPRESENTATIVES
TRANSCRIPTION DEBATE

44th Legislative Day

4/15/2011

investigators, to be murder investigators, not necessarily that they'd have to have this continuing education. More so, that they have to deal with some kind of benchmark that they have to be qualified upon. So, those already doing it for 20 years. I don't think need to restart all over again so."

Dunkin: "Okay. All right. Well, I appreciate your question. Here's... and my last question is, if Representative Black was on the House Floor as a Member, how would he vote on this legislation?"

Reboletti: "I would yield to the alderman-elect from Danville, but I'm not sure if that would be allowed in House procedure. But I think he would assume this would be a good Bill and support his colleague from Elmhurst."

Dunkin: "Okay. Well, thank you very much."

Speaker Lyons: "Representative Reboletti to close."

Reboletti: "I would urge an 'aye' vote."

Speaker Lyons: "The question is, 'Should House Bill 1069 pass?' All those in favor signify by voting 'yes'; those opposed vote 'no'. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Mr. Clerk, take the record. On this Bill, there's 108 Members voting 'yes', 2 Members voting 'no'. And this Bill, having received the Constitutional Majority, is hereby declared passed. Representative Lisa Hernandez, on the Order of Second Reading, on page 8 of the Calendar, you have House Bill 1574. Read the Bill, Mr. Clerk."

Clerk Bolin: "House Bill 1574, the Bill was read for a second time on a previous day. No Committee Amendments. Floor

STATE OF ILLINOIS
97th GENERAL ASSEMBLY
HOUSE OF REPRESENTATIVES
TRANSCRIPTION DEBATE

44th Legislative Day

4/15/2011

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

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

Hernandez: "Thank you, Speaker. House Amendment #5 is a gut and replace Amendment. It retains part of the underlying Bill as amended by House Amendment #3. It includes the provisions of House Amendment #4. House Amendment #5 amends the Juvenile Court Act sets forth requirements that must be met prior to committing juvenile to the department of... you know... I'm sorry, I got the wrong one."

Speaker Lyons: "Representative, the Clerk has brought to my attention that this is Floor Amendment #1. We're talking about Floor Amendment #1."

Hernandez: "Yes. Okay. House... House Amendment #1 is a gut and replace Amendment that is completely different than the Bill. It requires a mortgage... a mortgagor to mortgage real estate with five or more dwelling units to transfer any security de... deposits within the property is sold or foreclosed. If the new owner receives actual possession of any security deposit, then the new owner will be liable to the applicable lessee."

Speaker Lyons: "You've heard the Lady's explanation on Floor Amendment #1. Is there any discussion? Seeing none, all those in favor of it's adoption signify by saying 'yes'; those opposed say 'no'. In the opinion of the Chair, the 'ayes' have it. And Floor Amendment #1 is adopted. Anything further, Mr. Clerk?"

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

STATE OF ILLINOIS
97th GENERAL ASSEMBLY
HOUSE OF REPRESENTATIVES
TRANSCRIPTION DEBATE

44th Legislative Day

4/15/2011

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

Clerk Bolin: "House Bill 1574, a Bill for an Act concerning civil law. Third Reading of this House Bill."

Speaker Lyons: "Representative Lisa Hernandez."

Hernandez: "Yes, Speaker. The... with the Amendment the Bill is an agreed Bill and it... it basically is... at the time if... of a transfer... the security deposit is then also transferred over to the lienholder. And I just... if anybody has any questions, feel free to ask... answer any. Otherwise, I ask for a favorable vote."

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

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

Speaker Lyons: "The Sponsor yields."

Franks: "Representative, is it my understanding as I'm reading the new Amendment, which is completely different than the original Bill, is it... this... does this only apply to dwelling units with five or more units?"

Hernandez: "That's correct."

Franks: "Okay. And the Bill states that if, for instance, the property is foreclosed on, that the purchaser of the property is going to become an insurer and have to pay for the security deposits?"

Hernandez: "That's correct. At the time of the transfer, if there is a security deposit account that will also transfer over to the lienholder."

Franks: "And is there any opposition to this?"

Hernandez: "No, there isn't. We... before originally... the Bill originally was opposed by the bankers, but we've worked

STATE OF ILLINOIS
97th GENERAL ASSEMBLY
HOUSE OF REPRESENTATIVES
TRANSCRIPTION DEBATE

44th Legislative Day

4/15/2011

together and we've come to an agreement with the Amendment."

Franks: "And what... what did you change for them to agree to it."

Hernandez: "What we did is we agreed upon the trans... so, at the time of the transfer, if their security depos... deposits account are available if that would be transferred at the time. And they agreed on that."

Franks: "Okay. But typically they wouldn't be. If they're in foreclosure, I presume they don't have anything."

Hernandez: "Pardon me."

Franks: "I presume there wouldn't be anything because if the... if the borrower is in foreclosure I presume he doesn't have any... he or she wouldn't have any security deposits to turn over, wouldn't you agree?"

Hernandez: "Yes. That's possible."

Franks: "Okay. I'm just wondering if there might be some tax advantages that we could give to people who would buy these then because you know, right off the bat, let's assume there's five units and each has a thousand dollars security deposit, it's going to have to come out of the purchaser's pocket. Could we add that possibly to the basis of the purchase price, so then when they go to sell it they'd be able to have a redu... they'd have an increased basis and have a reduced gain, hopefully? Because it seems to me this is just another hidden cost to purchase."

Hernandez: "No. That's no intent. But I... I'll be willing to work with you on the Bill. No problem."

STATE OF ILLINOIS
97th GENERAL ASSEMBLY
HOUSE OF REPRESENTATIVES
TRANSCRIPTION DEBATE

44th Legislative Day

4/15/2011

Franks: "Yeah. Maybe we could do that as a Senate... on the Senate side to do that."

Hernandez: "Yes."

Franks: "I appreciate that. Thank you."

Hernandez: "Absolutely."

Speaker Lyons: "Representative Roger Eddy."

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

Speaker Lyons: "The Sponsor yields."

Eddy: "Representative, I want to just clarify where the... where the original opponents are. Our understanding is they are neutral. They're... they're not opposing it, but they're also not... they removed their opposition but they still had some concerns and want more clarification. And I think the previous Representative talked about those concerns. Would you agree?"

Hernandez: "Yes. I'm sorry if I... I meant to say... if I said that it's agree... it's ac... they're actually neutral. We came to that point."

Eddy: "So, this will be further amended in the Senate and come back for concurrence based on those concerns?"

Hernandez: "Well per the... the conversation with Representative Franks, you know, I'm... I'm looking to further work with if... if necessary... if we want to go in that direction we can."

Eddy: "I think there's a clarification issue still about the banks returning the security deposit, the amount, and making sure that there's a strict clarification. That's not necessarily in the Bill, but you're committed to working on that in the Senate..."

Hernandez: "Oh, yes."

STATE OF ILLINOIS
97th GENERAL ASSEMBLY
HOUSE OF REPRESENTATIVES
TRANSCRIPTION DEBATE

44th Legislative Day

4/15/2011

Eddy: "...and bringing that back to us for a concurrence vote?"

Hernandez: "Absolutely."

Eddy: "Okay. Thank you."

Speaker Lyons: "Representative Rose. Chapin Rose.

Representative Lang. Lang on the Bill."

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

Speaker Lyons: "The Sponsor yields."

Lang: "Representative, I just want to clear up some confusion because I think this is something I asked you about in committee if I'm not mistaken or at least at some point I talked to you about this. And... so the Amendment does not require any new owner to be required to pay any security deposit that they have not already received. Is that correct?"

Hernandez: "That's correct."

Lang: "So, if the new owner has not had the security deposits transferred from the prior owner to the new owner, the new owner is not responsible or liable for anything under this Bill. Is that correct?"

Hernandez: "That's correct."

Lang: "So, only if in the transferring of the property where there's a sec... fund of security deposit that they get into their own hand are they responsible to... to protect those security deposits and pay them back to the lessees."

Hernandez: "That's correct."

Lang: "All right. So, I think that clears up the real problems with the Bill. And I support the Bill, Mr. Speaker."

Speaker Lyons: "Seeing no further discussion, the question is, 'Should House Bill 1574 pass?' All those in favor signify

STATE OF ILLINOIS
97th GENERAL ASSEMBLY
HOUSE OF REPRESENTATIVES
TRANSCRIPTION DEBATE

44th Legislative Day

4/15/2011

by voting 'yes'; those opposed vote 'no'. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Representative Tracy. Mr. Clerk, take the record. On this Bill, there are 90 Members voting 'yes', 19 voting 'no', 1 Member voting 'present'. This Bill, having received the Constitutional Majority, is hereby declared passed. Representative Karen May, on the Order of Second Reading, on page 16 of the Calendar, you have House Bill 3474. Read the Bill, Mr. Clerk."

Clerk Bolin: "House Bill 3474, the Bill was read for a second time on a previous day. Floor Amendment #6, offered by Representative May, has been approved for consideration."

Speaker Lyons: "Representative Karen May on Floor Amendment #6."

May: "Yes. Floor Amendment 6 is strictly technical. It clarifies that instead of being... going from a part-time to a full-time position it's an increase in the number of hours in... in two places in the Bill because in this particular part of the law there are hourly employees."

Speaker Lyons: "You've heard the Lady's explanation of Floor Amendment #6. Is there any discussion? Seeing none, all those in favor of it's adoption signify by saying 'yes'; those opposed say 'no'. In the opinion of the Chair, the 'ayes' have it. And Amendment #6 is adopted. Anything further, Mr. Clerk?"

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

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

STATE OF ILLINOIS
97th GENERAL ASSEMBLY
HOUSE OF REPRESENTATIVES
TRANSCRIPTION DEBATE

44th Legislative Day

4/15/2011

Clerk Bolin: "House Bill 3474, a Bill for an Act concerning public employee benefits. Third Reading of this House Bill."

Speaker Lyons: "Representative May."

May: "Yes. Thank you. I... I bring what I consider is a very important Bill in pension reform in this state. While we've done many things for most of our state systems, we read in the newspaper about abuses and so... some of our local government systems. So, this is a somewhat comprehensive Bill. My approach to close up some of the loopholes, to stop some of the gaming that is going on in our... in our local government system, mostly IMRF. I will say at the beginning that it applies only to new hires and that one portion applies to all systems, the rest are only IMRF. The first portion is about double dipping, preventing retirees from receiving pension if they're already... if they're annuitants and take on another job it requires them to notify the pension fund that they are indeed receiving funds. That applies to all systems. The other provisions are only to IMRF. One antispiking provision is to take the 6 percent, like we've done in TRS and other systems previously, and to say that if someone does spiking of more than 60 percent of an indi... individual salary that the... the local government has to pay this portion back within 90 days. They need to do it promptly and instead of kicking the can down the road, this, as it is... and applied in other systems has stopped some of the spiking. The other requirement is that IMRF shall submit a pension impact statement in writing to the local governing

STATE OF ILLINOIS
97th GENERAL ASSEMBLY
HOUSE OF REPRESENTATIVES
TRANSCRIPTION DEBATE

44th Legislative Day

4/15/2011

board saying what this impact will be. Just like we have fiscal notes here on the House Floor, this would let the local governing body know what the overall impact is and the employer would pay for the cost of this impact statement. In one case, in my district, a local board gave a... the executive of a park district \$435 thousand and when it came to light, citizens were outraged. Rightly so. They were outraged, but they said that they didn't realize the impact. So, I think this is very good to add accountability, also. There was a loophole saying that you can't spike from 3 months to 24 months. Right now the law says 3 months. I'm making it 24 months. That would've stopped this particular instance in my... in my district. It's an antispiking provision. Also, a transparency provision that our employee... employers need to put on their website or if they don't have a website the principal office building, total compensation packages, not just salary... total compensation packages including salary, health insurance, housing allowance, vehicle allowance, clothing allowance, bonuses, loans, and other... other parts that... of... of the salary which are often much larger than the... than the base salary. And the last provision is that for some members and trustees on boards and commissions that are really part-time they are eligible for pensions. So, I've listed those and that they no longer would be eligible for pensions that includes the Civil Service Commission, the Illinois Liquor Control Commission, many of those plus our transit boards, also. That is the Bill in a nutshell. There are many provisions as the... as the Civic

STATE OF ILLINOIS
97th GENERAL ASSEMBLY
HOUSE OF REPRESENTATIVES
TRANSCRIPTION DEBATE

44th Legislative Day

4/15/2011

Committee has written me in support of the Bill these are all meaningful ways to prevent future pension abuses."

Speaker Lyons: "Representative Roger Eddy."

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

Speaker Lyons: "The Sponsor yields."

Eddy: "Representative, just a couple of... and I'm sure somewhere you... you've made mention of this for clarification, this is IMRF only?"

May: "The one provision is for all systems. The one provision of notifying... annuitants notifying that they're going back to work. That is the only provision that applies to all systems. The rest are all IMRF."

Eddy: "So, anyone who is a member of any of the retirement systems that is a retired annuitant that goes back to work must notify whom?"

May: "Their em... the employer and the pension fund."

Eddy: "The pension from which they retired?"

May: "Yes. That's correct."

Eddy: "So, if it's TRS they have to notify TRS. If it's... Now, what's the purpose of the notification? Do they... do... do they..."

May: "Yes. IMRF has told me that they don't always know if someone goes back to work and three years later they will find out and they will be very upset with some of the fines that... that are applied on them."

Eddy: "Okay. So, then when that... those individuals return in another system that notification triggers that... that individual stops receiving the... the annuity because they've returned to work."

STATE OF ILLINOIS
97th GENERAL ASSEMBLY
HOUSE OF REPRESENTATIVES
TRANSCRIPTION DEBATE

44th Legislative Day

4/15/2011

May: "To work. That is correct."

Eddy: "Okay. Thank you for that clarification. The other thing is this is only for new hires..."

May: "That is correct."

Eddy: "...after the effective date of the Bill?"

May: "Yes."

Eddy: "And what is the effective date of the Bill?"

May: "It is... upon passage. If it passes before May 31 it will be effective January 1, 2012. If it for some reason it doesn't get passed by then, it would be June 1, 2012."

Eddy: "Okay. So, anyone hired after January 1 under certain conditions and after June of 2012 are the only individuals affected by this."

May: "That is correct."

Eddy: "Okay. The penalty that is referred to in this legislation deals with the penalty related to anyone who receives more than six percent pay increase during the four years used to calculate the final annuity?"

May: "Yes. The only people this will affect will be tier 2 so it's actually eight of the ten last."

Eddy: "Yeah. And maybe a better word than penalty is they're paying off the actual cost."

May: "Yes. I was thinking of the penalty for not notifying. But the... the requirement that they pay in a timely fashion rather than kicking the can down the road only applies to those people."

Eddy: "Thank you, Representative. I actually have a copy of the letter that you referred to from the Civic Committee... the Civic Federation and they obviously support the Bill."

STATE OF ILLINOIS
97th GENERAL ASSEMBLY
HOUSE OF REPRESENTATIVES
TRANSCRIPTION DEBATE

44th Legislative Day

4/15/2011

This is the type of reforms that I think everyone feels are necessary in order to allow these systems to be sustainable in the future. And... and I rise to support this Bill and hope the Body supports it as well."

May: "Thank you very much."

Speaker Lyons: "Representative Elaine Nekritz."

Nekritz: "Thank you, Mr. Speaker. To the Bill. The... the Sponsor has worked very hard on this and has worked closely with IMRF. And I know that the... it's my understanding that the... that IMRF has been very helpful in identifying where these excesses occur in the pension systems and making... and working with the Sponsor to come up with a system to address those. This is a very excellent comprehensive package to address those excesses. The career ending... they're not career ending... the spiking that we've read so much about in the newspaper that I know that has been of particular interest in... in the Sponsor's area limiting the calculation of final average salary... actually be final average salary and not gas allowances, and car allowances, and housing allowances, and... and a whole bunch of other things that... that we would not think would... on which the pension ought to be based. So, this is... it's really an important step forward in reining in the cost of our pensions and making sure that we are providing a pension that is livable but that is not ex... as ex... not excessive. I... I urge an 'aye' vote."

Speaker Lyons: "Representen... Representative David Harris."

Harris, D.: "Thank you, Mr. Speaker. A question of the Sponsor."

STATE OF ILLINOIS
97th GENERAL ASSEMBLY
HOUSE OF REPRESENTATIVES
TRANSCRIPTION DEBATE

44th Legislative Day

4/15/2011

Speaker Lyons: "The Lady awaits your question."

Harris, D.: "Representative, just a quick question. Does this eliminate the possibility of... of getting a pension for members of the Civil Service Commission, the Illinois Liquor Commission, Human Rights Commission, State Mining Board, Illinois Racing Board, and the like?"

May: "Going forward, yes."

Harris D: "Going forward. Correct. To the Bill, very briefly. The Representative put... has put together absolutely an excellent Bill. I had a Bill, 3076, which also addresses the issue of pension spiking with IMRF. Hers is more expansive. Hers really attacks some serious pension abuses. And I would... it'd be great that this Bill would fly out of here with a unanimous vote. Thank you."

Speaker Lyons: "Representative May to close."

May: "Thank you very much. I appreciate everyone's support. And I have worked hard on it for many months and have gotten input. I really would like to thank Bonnie Shadid of IMRF and our staffer... staffer Jeff Houch, who has been totally... totally devoted to this and has worked so hard. He has actually worked harder because he's had to implement it. This will stop gaming of the system. This will end abuses further to make our pension systems more sustainable. It is the right thing to do. It is what we can do for the citizens of the State of Illinois for them to regain trust in... in what we are doing with our pension systems. I do ask for an 'aye' vote. And I thank for every... I thank everyone for giving me your support."

STATE OF ILLINOIS
97th GENERAL ASSEMBLY
HOUSE OF REPRESENTATIVES
TRANSCRIPTION DEBATE

44th Legislative Day

4/15/2011

Speaker Lyons: "The question is, 'Should House Bill 3474 pass?' All those in favor signify by voting 'yes'; those opposed vote 'no'. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Representative May, do you want to vote for your Bill? Mr. Clerk, take the record. On this Bill, there's 110 Members voting 'yes', 0 voting 'no'. This Bill, having received the Constitutional Amendment, is hereby declared passed. Representative May, also makes a Motion to reconsider House Bill 390. Motion to reconsider. All those in favor signify by saying 'yes'; those opposed say 'no'. In the opinion of the Chair, the 'ayes' have it. And the Motion to reconsider House Bill 390 is approved. Mr. Clerk, House Bill 390."

Clerk Bolin: "House Bill 390. The Bill was read for a third time previously."

Speaker Lyons: "Representative Dan Reitz."

Reitz: "Thank you, Mr. Speaker. I know there were a number of people that had intended to vote 'no' on this Bill. This will give you an opportunity. I'd like to thank Adam Margolin for his great work on the language. I appreciate an 'aye' vote."

Speaker Lyons: "Ladies and Gentleman, we're going to redo the Motion to reconsider by... by a recorded vote. So, Mr. Speaker, Representative May moves for reconsideration on House Bill 390. All those in favor of the consideration signify by voting 'yes'; those opposed vote 'no'. The voting is open. This is on the Motion to reconsider the vote. This is on the Motion to reconsider the vote. Have

STATE OF ILLINOIS
97th GENERAL ASSEMBLY
HOUSE OF REPRESENTATIVES
TRANSCRIPTION DEBATE

44th Legislative Day

4/15/2011

all voted who wish? Have all voted who wish? Have all voted who wish? Brauer, Harris, Hayes, Morthland. Take the record, Mr. Clerk. On this Bill, there's 99 Members voting 'yes', 9 voting 'no'. And the Motion carries. Now, Mr. Reitz on House Bill 390. Dan Reitz."

Reitz: "Okay. Same as earlier. This is actually a vote on the Bill. We'd appreciate an 'aye' vote. Thank you."

Speaker Lyons: "All those in favor of the passage of House Bill 390 vote 'yes'; those opposed vote 'no'. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Berrios, Burke, Ramey, Soto. Berrios, Soto, Turner, would you like to be recorded? Mr. Clerk, take the record. On this Bill, there are 73 Members voting 'yes', 36 Members voting 'no'. This Bill, having received the Constitutional Majority, is hereby declared passed. Representative Phelps, for what purpose do you seek recognition?"

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

Speaker Lyons: "Please state your point."

Phelps: "I was just going to ask the Sponsor if that was his first Bill?"

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

Barickman: "Mr. Speaker, I'd like on House Bill 2259 my intentions were to vote 'no' and I'd like the record to reflect so."

Speaker Lyons: "The record will reflect... reflect your request. Representative Mike Bost, for what purpose do you seek recognition, Sir?"

STATE OF ILLINOIS
97th GENERAL ASSEMBLY
HOUSE OF REPRESENTATIVES
TRANSCRIPTION DEBATE

44th Legislative Day

4/15/2011

Bost: "Thank you, Mr. Speaker. Could the record reflect that the rest of the day Representative Sacia and Morthland are excused today from... for the rest of the day from the Republican side."

Speaker Lyons: "The Clerk will so note, Mr... Mr. Bost. Thank you for bringing that to our attention. Representative Phelps, you have, on the Order of Second Reading, on page 5 of the Calendar, House Bill 915. Out of the record. Representative Dave Winters, on the Order of Second Reading, on page 13 of the Calendar, you have House Bill 2896. Read the Bill, Mr. Clerk."

Clerk Bolin: "House Bill 2896, the Bill was read for a second time on a previous day. No Committee Amendments. Floor Amendments 2 and 3 have been approved for consideration. Floor Amendment 2 is offered by Representative Winters."

Speaker Lyons: "Representative Winters on Floor Amendment #2."

Winters: "I'd like to withdraw Amendment 2."

Speaker Lyons: "The Gentleman moves to withdraw Floor Amendment #2. Mr. Clerk."

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

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

Winters: "Thank you, Speaker. Amendment 3 becomes the Bill. What this is, is a way to put some alternative energy production into the Clean Coal Act. It would be using municipal solid waste in different forms with either gasification or a plasma technology. Waste management is very interested in expanding this, but they need to be able to negotiate contracts with the Illinois Power Agency. I...

STATE OF ILLINOIS
97th GENERAL ASSEMBLY
HOUSE OF REPRESENTATIVES
TRANSCRIPTION DEBATE

44th Legislative Day

4/15/2011

am not aware of any opposition to the Bill and be happy to answer any questions."

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

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

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

Clerk Bolin: "House Bill 2896, a Bill for an Act concerning State Government. Third Reading of this House Bill."

Speaker Lyons: "Representative Dave Winters."

Winters: "The same explanation that I just gave... gave on the Amendment of the adoption. It's an additional use of... to provide electrical power to the grid by using some resources that we currently are not able to use. And again, I'd be happy to answer questions."

Speaker Lyons: "Is there any discussion on House Bill 2896? Seeing none, all those in favor of its passage signify by voting 'yes'; those opposed vote 'no'. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Representative Arroyo, Burke, Berrios. Mr. Clerk, take the record. On this Bill, there's a 108 Members voting 'yes', 0 voting 'no'. This Bill, having received the Constitutional Majority, is hereby declared passed. Representative Dan Beiser, on the Order of Second Readings, on page 15 of the Calendar, you have House Bill 3340. Read the Bill, Mr. Clerk."

STATE OF ILLINOIS
97th GENERAL ASSEMBLY
HOUSE OF REPRESENTATIVES
TRANSCRIPTION DEBATE

44th Legislative Day

4/15/2011

Clerk Bolin: "House Bill 3340, the Bill was read for a second time on a previous day. No Committee Amendments. Floor Amendment #1, offered by Representative Beiser, has been approved for consideration."

Speaker Lyons: "The Gentleman from Madison, Representative Beiser."

Beiser: "Thank you, Mr. Speaker, Members of the House. House Amendment #1 is an agreed Amendment between the Secretary of State, the Auto Recyclers, and the Ins... Insurance Auction Industry. There's no... with this there's no known opposition to this. And this Bill is an initiative of the Secretary of State. I'd ask for its adoption."

Speaker Lyons: "Is there any discussion? Seeing none, all those in favor of the adoption of Floor Amendment #1 signify by saying 'yes'; those opposed say 'no'. In the opinion of the Chair, the 'ayes' have it. The Amendment is adopted. Anything further Mr. Clerk?"

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

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

Clerk Bolin: "House Bill 3340, a Bill for act concerning transportation. Third Reading of this House Bill."

Speaker Lyons: "Bei... Representative Beiser on House Bill 3340."

Beiser: "Thank you, Mr. Speaker. As I mentioned, it's an initiative of the Secretary of State. She's worked with all the interested parties. And basically, it changes the definition of automotive parts recycler, it clarifies who needs to be licensed as a recycler, and it clarifies when a salvage certificate has to be obtained. I'd ask for your favorable vote. I'd be happy to answer any questions."

STATE OF ILLINOIS
97th GENERAL ASSEMBLY
HOUSE OF REPRESENTATIVES
TRANSCRIPTION DEBATE

44th Legislative Day

4/15/2011

Speaker Lyons: "Is there any discussion? Seeing none, the question is, 'Should House Bill 3340 pass?' All those in favor signify by voting 'yes'; those opposed vote 'no'. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Mr. Clerk. Representative Nybo. Jerry Mitchell. Take the record. On this Bill, there's 81 Members voting 'yes', 27 Members voting 'no'. This Bill, having received the Constitutional Majority, is hereby declared passed. Representative Sosnowski, on the Order of Second Reading, on page 12 of the Calendar, you have House Bill 2554. Read the Bill, Mr. Clerk."

Clerk Bolin: "House Bill 2554, the Bill was read for a second time on a previous day. No Committee Amendments. Floor Amendments 1, 2, and 3 have been approved for consideration. Floor Amendment #1 is offered by Representative Sosnowski."

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

Sosnowski: "Thank you, Mr. Speaker. Amendment #1 becomes the Bill regarding auxiliary police officers for the county. I can speak more to that on Third Reading. I'd ask for passage."

Speaker Lyons: "All those in favor of adoption of Floor Amendment #1 signify by saying 'yes'; those opposed say 'no'. In the opinion of the Chair, the 'ayes' have it. And Floor Amendment #1 is adopted. Mr. Clerk."

Clerk Bolin: "Floor Amendment #2 offered by Representative Sosnowski."

STATE OF ILLINOIS
97th GENERAL ASSEMBLY
HOUSE OF REPRESENTATIVES
TRANSCRIPTION DEBATE

44th Legislative Day

4/15/2011

Speaker Lyons: "Representative Sosnowski on Floor Amendment #2."

Sosnowski: "This Amendment was at the request of the Fraternal Order of Police to take care of some issues in regards to responsibilities discussed in this piece of legislation. I would ask for passage."

Speaker Lyons: "All those in favor of the adoption of Floor Amendment #2 signify by saying 'yes'; those opposed say 'no'. In the opinion of the Chair, the 'ayes' have it. And Floor Amendment #2 is adopted. Anything further, Mr. Clerk?"

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

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

Sosnowski: "This is the last Amendment. It's in regards to the Sheriff's Association pertaining to compensation and clarifying how that would be determined. I'd ask for passage of this third Amendment."

Speaker Lyons: "All those in favor of the adoption of Floor 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. Anything further, Mr. Clerk?"

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

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

Clerk Bolin: "House Bill 2554, a Bill for an Act concerning local government. Third Reading of this House Bill."

Speaker Lyons: "Representative Sosnowski."

STATE OF ILLINOIS
97th GENERAL ASSEMBLY
HOUSE OF REPRESENTATIVES
TRANSCRIPTION DEBATE

44th Legislative Day

4/15/2011

Sosnowski: "Thank you, Mr. Speaker. This was brought to me by auxiliary police officers in one of my home counties. This basically allows for some basic compensation that would be at the discretion of both the county board and the county sheriff to allow for those auxiliary officers to work such things as county fairs and those minimal tasks of directing human and vehicular traffic. I'd ask the Body to support this passage of this legislation. Thank you."

Speaker Lyons: "The Chair recognizes Gentleman Zalewski. Representative Zalewski."

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

Speaker Lyons: "The Sponsor yields."

Zalewski: "Representative, at the end of December the Illinois Attorney General's Office issued an opinion of auxiliary police officers. They stated that Home Rule entities were... and non-Home Rule entities were precluded from hiring auxiliary police officers who do this type of work. I only know this because I was working with the auxiliary police officers in my area on some legislation regarding their training. So my question to you is, is the Attorney General's Office aware of your... of your Bill?"

Sosnowski: "I'm not aware of any concerns. I don't... was the que... your question did that pertain to county auxiliary officers or city?"

Zalewski: "Well, it... the opinion stated made two conclusions. It first stated that Home Rule entities were not given the power to hire auxiliary police under the Illinois Constitution and second that non-Home Rule these were not

STATE OF ILLINOIS
97th GENERAL ASSEMBLY
HOUSE OF REPRESENTATIVES
TRANSCRIPTION DEBATE

44th Legislative Day

4/15/2011

given the hire... the power to hire police under... under state statutes. So, we were... me and Senator Muñoz were going to work on some legislation over the summer. So, my question... I... I just don't know if your Bill would contravene that opinion."

Sosnowski: "Yeah. I'd be happy to... to clarify that and look at that in the Senate. My understanding is that currently we have auxiliary county officers who are actively helping with that type of work. There is a piece in the County Code that allows for them to actually receive compensation for those that are considered traffic officers. And there's actually a designation there that allows those particular individuals to be paid. This would just allow for stipends for others, but I'd be happy to clear that up with the Attorney General in the Senate on this matter."

Zalewski: "Yeah. I... I would enc... maybe you and I could work... talk to Senator Muñoz at some point and see. And if you have a Senate Sponsor lined up for the Bill, we could have a working group to talk about it because if... if your Bill is... is permissive under the la... under the opinion, that'd be... that'd be great. And if not, we can try to work it out with the... with the Attorney General's Office. So, thank you very much, Mr. Speaker."

Sosnowski: "Sure."

Speaker Lyons: "Representative Verschoore. Not seeking recognition, Representative?"

Verschoore: "Thank... thank you. Will the Sponsor yield?"

Speaker Lyons: "The Sponsor yields."

STATE OF ILLINOIS
97th GENERAL ASSEMBLY
HOUSE OF REPRESENTATIVES
TRANSCRIPTION DEBATE

44th Legislative Day

4/15/2011

Verschoore: "Representative Sosnowski, I just got off the phone with the police benevolent and they said that they're not okay with this Bill. And he talked to the... the state lodge for the FOP and they have some problems with this. So, I know you had said that the sheriffs was okay with it, but I just wanted to make... let the floor know that the police benevolent and the FOP lodge are not for this Bill. Thank you."

Speaker Lyons: "Representative Sosnowski to close."

Sosnowski: "I... I'd be happy to seek clarification with the distinguished chairman. I had received correspondence from both the Illinois Sheriff's Association, Greg Sullivan, and also Peter Baroni who is representing the 12 thousand member FOP and with the third Amendment both agencies said that they were happy with the Bill. I would be happy to, you know, again work through that in the Senate if there's any issues that are still outstanding. But my understanding was that they were okay and it was just a minor permissive addition. So, I'm not aware of the other agency. I know there was some concern with the original first Amendment. And I don't know that some of the... the smaller FOP organizations got the clarification on the third Amendment, but I'd be happy to reach out to them."

Speaker Lyons: "You've heard the Gentleman's explanation. All those in favor of the passage of House Bill 2554 vote 'yes'; those opposed vote 'no'. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Mr. Clerk, take the record. On this Bill, there's 105 Members voting 'yes', 3 Members voting 'no', 0

STATE OF ILLINOIS
97th GENERAL ASSEMBLY
HOUSE OF REPRESENTATIVES
TRANSCRIPTION DEBATE

44th Legislative Day

4/15/2011

voting 'present'. This Bill, having received the Constitutional Majority, is hereby declared passed. Representative Lou Lang in the Chair."

Speaker Lang: "Very nice. Very nice. House Bill 1576, Representative Dugan. Please read the Bill."

Clerk Bolin: "House Bill 1576, a Bill for an Act concerning local government. Third Reading of this House Bill."

Speaker Lang: "Representative Dugan."

Dugan: "Thank you, Speaker, Members of the House. House Bill 1576 is a... the... the firefighter hiring Bill that I think many of you have heard from me. I... I just want to clear up a few items before we start this Bill to kind of keep it as simple as I can. There has been quite a few comments made that there are still concerns with this Bill, which I understand; however, there seems to be the impression that I am not willing to or have not been willing to talk to the people that have some concerns. I want to make it clear that this Bill has been filed for two months. I have spent hours with those that oppose this Bill and I have here with me five pages, when I sat down with the firefighters and all of those that oppose the Bill, I have a five-page list of the concerns. We went line by line through this Bill, so that I could address their concerns. Because the only thing I'm trying to do with this Bill... there's two things and that is to make minimum requirements of testing and physical and mental aptitude to put firefighters on the hiring list. The other thing that I... there was 23 items that the Illinois Municipal League, the Police and Fire Commissioners, the testing groups brought to me. Out of

STATE OF ILLINOIS
97th GENERAL ASSEMBLY
HOUSE OF REPRESENTATIVES
TRANSCRIPTION DEBATE

44th Legislative Day

4/15/2011

those 23 items I agreed to change and amend the Bill which I did with Amendment #2 to address 20 of their 23 items. The three things that I would not agree to and would not change in this Bill is that this does not allow any community... they cannot waive the mental aptitude test, they cannot waive the physical abilities test, or the five veterans' points. That's the minimum requirements. Anything above and beyond that that any local community wants to do, they can. But this Bill addresses minimum requirements for the hiring of firefighters. I believe that this Bill... the fire chiefs came to the firefighters and talked about some of the concerns that they had. This particular Bill does and... and many have said... and I do know that they are opposed to the fact... that this does preempt Home Rule. The only community that this does not affect is the City of Chicago and that is because the hiring practices, the other firefighter items for the City of Chicago are in a completely different statute. They are not included in a downstate... what we consider downstate statute for the hiring of firefighters. So again, the three items that were brought to me... there seems to be other items that now they're saying they're having problems with. I want to again make it very clear. I have sat down with the opposition to this Bill. I have addressed 20 of their 23. I have told them at any time if they have any other concerns they need to bring them to me. They have not come to me again. They came to me in committee with some more concerns and Representative Fortner filed a Bill to address all of those concerns. So, I... I just want to

STATE OF ILLINOIS
97th GENERAL ASSEMBLY
HOUSE OF REPRESENTATIVES
TRANSCRIPTION DEBATE

44th Legislative Day

4/15/2011

make it clear because there seems to be quite a few things that are being said that I'm not willing to work in order to do this. If they... and I will say it again... if they still have concerns, I'm willing to certainly address it in the Senate, but my concern here is minimum requirements for firefighters that are hired to protect the people in our communities and also at the same time protect the firefighters who are the ones that put their life on the line every day in order to protect our families. So with that being said, I'll certainly be happy to answer any question."

Speaker Lang: "The Lady moves for the passage of the Bill. And on that question, the Chair recognizes Mr. Fortner."

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

Speaker Lang: "The Lady yields."

Fortner: "Representative, when this Bill started there were a number of fairly restrictive provisions and mandatory use of a state list, mandatory sets of points. This Bill now has addressed those particular issues. Isn't that correct?"

Dugan: "That is correct."

Fortner: "So that a municipality now has the flexibility under the language with the Bill as amended that they can choose preferences either from the sixth list... the six on the list or even other preferences that might be unique to their community needs to be able to flexibly adjust the kind of preferences they need for the list. And... with the one exception, as you mentioned, the veterans' preferences are mandatory preference set of points. Is that..."

STATE OF ILLINOIS
97th GENERAL ASSEMBLY
HOUSE OF REPRESENTATIVES
TRANSCRIPTION DEBATE

44th Legislative Day

4/15/2011

Dugan: "Yes, that is correct. The flexibility is still with the local community and that is something that we did clarify. That was always our intent. And that was clarified in... in Amendment#4."

Fortner: "Thank you. To the Bill. The Representative has come a long way from the Bill when we first saw this in the previous General Assembly to address a lot of concerns. Are there still some types of communities, there are certain Home Rule communities, who would probably still have some of their flexibility reduced by this? But I would put forward that by use of these preference points by identifying the types of specific community needs they can be up front at the beginning of the testing process, identify what they want their preferences to be, and if it turns out later that it would be too costly to go through another round of testing for a different type of position, they would certainly be able to avail themselves of the state list that would be available that could fill needs that they may not have anticipated at the beginning. I would encourage an 'aye' vote."

Speaker Lang: "Mr. Dunkin."

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

Speaker Lang: "The Lady yields."

Dunkin: "Representative, I... we certainly have talked about this before and there appears to be a number of... well, a lot of confusion, certainly on my part, because both sides are saying the complete opposite of what this Bill does. And why the associated... Associated Firefighter Association supports it and why a number of municipalities in this

STATE OF ILLINOIS
97th GENERAL ASSEMBLY
HOUSE OF REPRESENTATIVES
TRANSCRIPTION DEBATE

44th Legislative Day

4/15/2011

state are against it: the City of Naperville, City of Evanston, the City of Rockford, DuPage Mayors and Managers, Village of Hoffman Estates, Illinois Fire and Police Commissioners Association. And what's really surprising is the State Fire Marshal and the Illinois Fire Chiefs Association has no position. Can you give me as clear of a picture as of why it is that there's so much opposition and why there is no position with the State Fire Marshal and the Illinois Fire Chiefs Association?"

Dugan: "The... thank you, Representative. And the Illinois Fire Chiefs Association is in support of the Bill and... and the Fire Chiefs Association was down here just a couple of days ago. I think the analysis that we have does not reflect that, but I can confirm that the Fire Chiefs Association which are the ones that came up with this issue to begin with are in support of this Bill. As far as the others that are listed as opponents, first, the... all of the municipalities, I believe, that are opponents may be Home Rule. This, of course, does preempt Home Rule and all I can say, Representative, is... is none of those communities contacted me directly. There... they were represented in the talks that I had. It was... I was led to believe by the... by the IML and the Municipal League who has been the ones that have sat down with me to try to address all of the concerns of the municipalities."

Dunkin: "So Representative, and thank you for your response, why is there a need for this legislation right now?"

Dugan: "Because at... at this particular point we believe that there's a need to put into statute... I... I want to say under

STATE OF ILLINOIS
97th GENERAL ASSEMBLY
HOUSE OF REPRESENTATIVES
TRANSCRIPTION DEBATE

44th Legislative Day

4/15/2011

current law... under current law now non-Home Rule communities must file... go ahead and... and provide the testing anyway. That's already in the statute. Non-Home Rule communities can exempt themselves out of the mental aptitude and the physical ability test. We believe that every community affected by this statute should have minimum requirements for candidates to be firefighters and there... there's only the mental aptitude test which is used now by most communities. And so, I have had it said, well, we already do this why do we have to do it... why do you have to put it into law? Well, unfortunately, the law only applies to non-Home Rule communities and those Home Rule communities that are doing this and... and have the best practices and have the minimum requirements, then it... it doesn't change anything that they do now. So, the confusion that I also have as to those that say, well, we already do it, then it's not an issue but it does codify it in the statute of the minimum requirements needed."

Dunkin: "But... Representative, you have... so the process of being hired as a firefighter today is what? They go through the municipality, correct?"

Dugan: "Correct. They... the municipality would, I suppose, like put out an ad that they're looking to take applications for firefighters."

Dunkin: "And so, this Bill would allow the State Fire Marshal to assess and screen all of the applicants?"

Dugan: "Not at all. The State Fire Marshal has nothing to do with the hiring of firefighters on a local level."

Dunkin: "Well, who would do it then? If..."

STATE OF ILLINOIS
97th GENERAL ASSEMBLY
HOUSE OF REPRESENTATIVES
TRANSCRIPTION DEBATE

44th Legislative Day

4/15/2011

Dugan: "The same way they do it now. The municipality and then the municipality normally now hires a testing company and the testing company then applies tests to those applicants."

Dunkin: "Sure. I misspoke. I'm reading and talking with you... you at the same time."

Dugan: "No problem."

Dunkin: "Representative, there's also been discussion as it relates to the disproportionate number of... of whites compared to black or Latino firefighters or Asian firefighters and how would this be addressed in that respective approach with this type of legislation?"

Dugan: "Well, first, it would require every municipality effected by this statute to apply the test mental aptitude and physical ability, to everyone that wants to apply to be a firefighter. That this will not allow any municipality to waive from applying that test."

Dunkin: "So, why is there such a huge dis... disparity when it comes to black, and Latino, and Asian firefighters compared to white firefighters across the state?"

Dugan: "Well, Representative, I... I'm not sure because, again, this is done on local level and I'm not changing that. But what it does also do... what this Bill also does is address and... and make an option of a statewide list. So, from that particular end, if municipalities are having difficulties or if there are difficulties as far as different cultures of people being able to be a firefighter, there will be a state list and that's the other part of this Bill. That opens up an opportunity for

STATE OF ILLINOIS
97th GENERAL ASSEMBLY
HOUSE OF REPRESENTATIVES
TRANSCRIPTION DEBATE

44th Legislative Day

4/15/2011

people throughout this state to apply to be on the statewide list that then every municipality can use if they so choose. But I am not, by this Bill, dictating to a local municipality that they have to use the list or that they have to do anything different if they want to have more requirements for their firefighters they can do that, if they want to make more reasons and more provisions for people that they will hire as firefighters, I'm not taking away that right. The only thing that I'm saying in this Bill is I would like to at least see, throughout the communities, minimum requirements met. And when you are talking about a career such as a firefighter, which is a job that consists of half of you do as I know you know, Representative, the job of a firefighter can be very, very hard. And so, we're just saying that, if people are going to be hired in a municipality at the beginning of the process that every municipality should have a testing requirement that at least meets the minimum. If they want to make it stronger they can make it stronger, my Bill doesn't stop that, but at least minimum."

Dunkin: "Well, Representative, I... I am, most members..."

Speaker Lang: "Representative Dunkin, could I ask you to bring your remarks to a close, Sir. I haven't been using the timer but your well over five minutes, Sir. So, could you please bring your remarks to a close."

Dunkin: "Some Bills require more than five minutes, Mr. Speaker. Correct? I'm... I'm sure you are fully aware of that."

Speaker Lang: "We have four more speakers on this Bill, Sir."

STATE OF ILLINOIS
97th GENERAL ASSEMBLY
HOUSE OF REPRESENTATIVES
TRANSCRIPTION DEBATE

44th Legislative Day

4/15/2011

Dunkin: "Duly noted, Sir. I'm just... I guess my confusion is why that... why is it that you have the Illinois Municipal League and a lot of our major municipalities and small municipalities across the state that are adamantly opposed against this legislation and yet those particular firefighters will be working for those municipalities. That's the pause that myself and a number of other colleagues here have with this legislation, Representative."

Dugan: "And Representative, all I can say to you is this, the Illinois... Municipal League who represents those communities has been talking to me. They have sat down with me. I've told them they can call me. They have my cell phone. Any issue, none of the communities that are on this list as opposition have talked to me at all. They have allowed the Illinois Municipal League to sit down with me to try to address their concerns."

Dunkin: "That's not what I... I'm going to bring my remarks to a close. Representative, that's... that's not my understanding. And as a matter of fact, I've talked with a number of these municipalities here and... and collectively and individually and they... they say that they have spoken to this legislation. I'm not sure they spoke specifically to you, but I'm... you know... the City of Chicago, Lake County. I mean, there are a number of organizations here according to my analysis and with me speaking with them in general, even downstaters, that have a real problem with this piece of legislation. So, it's not an agreed Bill, obviously, and

STATE OF ILLINOIS
97th GENERAL ASSEMBLY
HOUSE OF REPRESENTATIVES
TRANSCRIPTION DEBATE

44th Legislative Day

4/15/2011

I'll be listening to further debate on, you know, how I'm going to vote on this piece of legislation. Thank you."

Dugan: "Thank you, Representative."

Speaker Lang: "Mr. Winters."

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

Speaker Lang: "The Lady yields."

Winters: "Representative, you said earlier the City of Chicago is exempt because they are in a different section of the Municipal Code from the downstate fire. Do they do exactly what you're requiring in this Bill already?"

Dugan: "You... you mean, the... again, this..."

Winters: "Do they... do they set their hiring preferences and their hiring procedures up exactly as you have in this Bill?"

Dugan: "If they're following the statute of the law, yes, they are."

Winters: "Well, I understand that in committee there was testimony that the City of Chicago would have been opposed to this if they were included because they could not afford the additional testing that this would require."

Dugan: "Well, first off, I... I'm not sure why the City of..."

Winter: "If... if they had been put into this, would they have supported it?"

Dugan: "They're... I don't know, you'll have to ask the City of Chicago. But what I... but what I will address to your issue as far as if the City of Chicago made the statement that it will cost them more for testing than I'm not sure what that has to do with my Bill at all because my Bill does not require anything more than what is already in the statute

STATE OF ILLINOIS
97th GENERAL ASSEMBLY
HOUSE OF REPRESENTATIVES
TRANSCRIPTION DEBATE

44th Legislative Day

4/15/2011

for the hiring of firefighters. What we're saying is, it's already there. We're just saying we're making sure and codifying that municipalities do not ignore the physical ability test or the written exam."

Winter: "Well, let... let me go in that direction then. As I currently understand it, municipalities can test and decide that they want to emphasize perhaps hiring more women or more minorities and does this basically say you have to pass the exam and then you have to take the highest applicant or anybody that passes is eligible?"

Dugan: "The way it's done now in municipalities all over is the test is given to applicants and a means test is used. That's the... that's the test that now municipalities use and the testing companies use. They take the means test and then they add and anybody above that score, that means test, again, this... I'm not changing the test. This is what they do now."

Winters: "Are you taking away the flexibility the municipal... the municipality has today that would allow them to say, there are a number that passed the test and we want to emphasize hiring a specific pool to change what we currently have in our employee ranks. We want to have more women out there, for instance. Does this change their ability to pick the applicants that they want to emphasize a particular segment of the pool over the... the entire pool?"

Dugan: "No. The preference point system that's in this Bill allows every municipality to give preference points for issues and things and requirements that they think that

STATE OF ILLINOIS
97th GENERAL ASSEMBLY
HOUSE OF REPRESENTATIVES
TRANSCRIPTION DEBATE

44th Legislative Day

4/15/2011

they need for their particular community. That's what the preference point system is. Now, they don't have to give preferences. They don't have to add anything to the preference points but they can put preference points, on any application and anything in addition to what the requirements are. This just says minimum requirements."

Winters: "Well, I've been told by staff that and people that were in committee that the municipality is only allowed to pick the first or second applicant. They do not have the flexibility that they currently do to choose qualified applicants who may not be at the top rank. That basically says, women, you can forget about joining the fire service because typically women are smaller bone structure, smaller muscle mass, and have a harder time on the physical abilities for most women. Now, if a municipality chooses that as one of their community's goals, you are preempting them from doing that."

Dugan: "I am not, Representative..."

Winters: "Well, I think there's an under..."

Dugan: "...and if staff... if..."

Winters: "...a misunderstanding about the Bill..."

Dugan: "...if... yes because... be..."

Winters: "...and I urge the defeat of this Bill."

Dugan: "...because in the Bill..."

Speaker Lang: "Ha... have you completed your questions? I guess... suppose so. Representative David Harris."

Harris, D.: "Thank you, Mr. Speaker. An inquiry of the Chair."

Speaker Lang: "State your inquiry."

STATE OF ILLINOIS
97th GENERAL ASSEMBLY
HOUSE OF REPRESENTATIVES
TRANSCRIPTION DEBATE

44th Legislative Day

4/15/2011

Harris, D.: "The Sponsor has stated that the Bill preempts Home Rule, I'd like to know how many votes it takes to pass this Bill?"

Speaker Lang: "We..."

Harris, D.: "I recognize that firefighters don't carry firearms, but it does preempt Home Rule."

Speaker Lang: "We will get a parliamentarian to answer your question, Sir. Was that your entire..."

Harris, D.: "No. I... a question of the Sponsor, please."

Speaker Lang: "The Sponsor will yield."

Harris, D.: "Representative, a couple of questions for you, if I may, by way of clarification. The really... you have done a lot of work on this Bill and I commend you for that, but there really is apparently a difference of op... difference of opinion here among the groups as to what this Bill does and doesn't do. In my area we have very professional firefighters, most firefighters are very professional, but we have very rigid standards, we train them, and when a municipality holds its test there may be a very small, almost miniscule difference between someone who comes in first and someone who comes in fourth or fifth. And we're able to do what's known as a banding of that group. And the... the municipality can determine, based on what their preferences are, who they want to select from within that band. Basically, they are all very good, miniscule differences. What I understand from this Bill is that capability to select from a band would be eliminated. Is that correct?"

STATE OF ILLINOIS
97th GENERAL ASSEMBLY
HOUSE OF REPRESENTATIVES
TRANSCRIPTION DEBATE

44th Legislative Day

4/15/2011

Dugan: "The banding issue that you talk about, which was talked about during our meeting, the Municipal League, nor any community asked whether or not they could band. I had told them before... and that was not requested... if a community and if the Municipal League feels that the banding is something that they want in, again, all I'm trying to address is the testing for the minimum requirement. If they want to band, and they did not request that, not the Municipal League, not any community, so if they would like to band I am more than open to banding as some do now. But that was not requested and I certainly would be glad to do that in the Senate."

Harris, D.: "Okay. But as of right now, the Bill prohibits that... that capability."

Dugan: "Because again, the way the statute reads right now..."

Harris, D.: "Right. Well..."

Dugan: "...they cannot do that except for Home Rule communities."

Harris, D.: "Right."

Dugan: "Correct."

Harris, D.: "And if... if the municipality chose to go to a statewide list, however, they could choose from anywhere on that list. They could choose the twentieth on the list versus the number one. Correct?"

Dugan: "Correct. And I asked them if they wanted me to put the statewide list in any kind of special order, ranking or banding, and they did not request that."

Harris, D.: "I understand. There is an iss... that issue of banding in my area, I know, is a big one. I did want to address something that was mentioned earlier by one of the

STATE OF ILLINOIS
97th GENERAL ASSEMBLY
HOUSE OF REPRESENTATIVES
TRANSCRIPTION DEBATE

44th Legislative Day

4/15/2011

previous speakers. The... the issue of preferences related to veterans. That veterans' preference is mandatory, is it not?"

Dugan: "That's in the law now, yes."

Harris, D.: "And... and that veterans' preference could very easily put lot... lots of veterans at the very top of the list. Could it not? Because if they get that extra... that... they get those extra preference points, correct?"

Dugan: "Well... well, no. Again, Representative, the... the way it happens, they come into apply and they take a written test and, of course, the physical ability test is a pass/fail. So, the written test is taken. Now, if someone else supersedes the veteran in the written test score wise, then the veteran doesn't automatically go to the top."

Harris, D.: "So, if..."

Dugan: "The... the... it's the testing that first determines the qualifications."

Harris, D.: "Right."

Dugan: "And then the veteran has a five point preference."

Harris, D.: "So... so, if they're equal... they take the test, they're equal, the veteran jumps ahead?"

Dugan: "That's their... the veterans' pref... if a municipality determines themselves..."

Harris, D.: "Right."

Dugan: "...not to add any other kind of preference points, yes, the veteran would be first."

Harris, D.: "Right. Well, I... and I will mention in my area the demographics are indeed changing substantially. There is a greater proportion of minorities, Latinos, and a large

STATE OF ILLINOIS
97th GENERAL ASSEMBLY
HOUSE OF REPRESENTATIVES
TRANSCRIPTION DEBATE

44th Legislative Day

4/15/2011

number of different groups, not your kind of average Caucasian guy, coming in, in my communities, my area. It's changing dramatically. The municipalities are making good faith effort to reflect that in their workforces. I fear that when you mandate that... that... that a lot of veterans come out who are, quite frankly, the average Caucasian guys and the firefighting is a... is an attractive occupation to them. I fear that we're taking away the capability of the municipalities to manage that force to get the... the diversity that they need within their fire department. That's... that's..."

Dugan: "And... and I certainly respect that, Representative, but again, I want to say, I'm not changing that portion of the law. The statute already requires the veterans' preference. Now, non-Home Rule communities cannot waive the veterans' preference. If there are Home Rule communities that want to waive the veterans' preference, that is one thing that I would not agree to. I mean that's... that's the simple point. I didn't put it in the law."

Harris, D.: "Right."

Dugan: "It was already in the law."

Harris, D.: "Okay."

Dugan: "But what I also want to say is this. Just because there's a ranking order that has been the law in this statute, there is nothing that prohibits a municipality from going down that list. What they have to do is if they have a need... so, let's just say they need someone who is bilingual. Just because a veteran is on the top of the list, their need is for somebody that's bilingual. So,

STATE OF ILLINOIS
97th GENERAL ASSEMBLY
HOUSE OF REPRESENTATIVES
TRANSCRIPTION DEBATE

44th Legislative Day

4/15/2011

they can go down the ranking list. They just have to have a viable reason for doing it and that certainly would be one."

Harris, D.: "I understand."

Speaker Lang: "Mr. Harris, could you bring your remarks to a close."

Harris, D.: "I... I will, Mr... Mr. Speaker. And just one quick question. Last question. It's my understanding that this Bill prohibits anyone under the age of 21 from applying to be a firefighter. Is that correct?"

Dugan: "That age of 21 was put into that. Of course, there's something different when you look at cadet programs and volunteer fire departments because that doesn't come under this statute. There has been concern brought to me that some said they want to have them as low as 18. I have spoke to the fire chiefs and to the firefighters and if that is something that the General Assembly would like to have is 18, then I would be glad to make sure that that is changed in the Senate."

Harris, D.: "Thank you for your answers. They were very complete. To the Bill, very briefly. There is a big difference of opinion here. It does take away Home Rule. I think it does take away the... the capability of the municipalities to manage the forces that they want. And Mr. Speaker, if the Bill does gets... appears to get sufficient votes to pass, I would ask for a verification."

Speaker Lang: "That request will be acknowledged. There are still three speakers on this Bill. Representatives Flowers, Brady, and Moffitt. And then we'll have

STATE OF ILLINOIS
97th GENERAL ASSEMBLY
HOUSE OF REPRESENTATIVES
TRANSCRIPTION DEBATE

44th Legislative Day

4/15/2011

Representative Dugan close. I would ask the Members to be as brief as possible, so that we can get on to the many Bills we still have the... on the Calendar before we adjourn today. The Chair recognizes Representative Flowers."

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

Speaker Lang: "The Lady yields."

Flowers: "Representative... Representative."

Dugan: "Yes."

Flowers: "Can you tell me why is it that you have changed the Bill, that you say is setting standards, from 'shall' to 'may'."

Dugan: "There were preference points and that comes with the preference points. There was concern by the municipalities that they wanted the flexibility of either being able to use them or not use them. So, it was never our intent to set into statute requirements of preference points. It was just suggestions that were made of best practices used throughout the state."

Flowers: "So, when you take into consideration of not only best practices, but even the hiring, it... it... they may hire not that they shall hire even if the person qualifies. But let me move on to another point. On... in the analysis, I noticed that there will be... the preference will be monitored by a created Joint Apprentice Committee. Who is going to be on the Apprentice Committee? Who will train them? And why is it that after a firefighter has passed the test it will be the Joint Apprentice Committee who will have the last say to retain that person or either to terminate that person?"

STATE OF ILLINOIS
97th GENERAL ASSEMBLY
HOUSE OF REPRESENTATIVES
TRANSCRIPTION DEBATE

44th Legislative Day

4/15/2011

Dugan: "Representative, I... I think maybe there I need to make some clarification here. The part of the Bill that you're talking about is a development of a statewide firefighter pool."

Flowers: "And that's... and that's my concern."

Dugan: "And... and that... and that is done..."

Flowers: "How will... how will this committee monitor a statewide program, a statewide testing? Who are they? What are their criterias because this is not a monolithical state. So, when you look at what goes on upstate, downstate, in the middle of the state, but yet this apprentice group is going to be the one to judge them. Even after they pass all other parts of the test, this apprentice... Joint Apprenticeship Committee will be the ultimate decider for..."

Dugan: "Are you asking to be... the... the Joint Apprenticeship Program, it's the... the... the force that's in place now, if you're familiar with the U of I Fire Training Institute. Okay."

Flowers: "I am."

Dugan: "That is... that is the group. That is the group that will work with those people that want to get on the statewide list. That has nothing to do with the firefighters locally."

Flowers: "According to the analysis, it says their performance will be monitored by the created joint, so this is something that's going to be created, who will have the authority to... to retain or either appoint. So, after a person think they pass a test, this group will have the authority to retain them if they so choose to, to appoint

STATE OF ILLINOIS
97th GENERAL ASSEMBLY
HOUSE OF REPRESENTATIVES
TRANSCRIPTION DEBATE

44th Legislative Day

4/15/2011

them even if they're not qualified, and to terminate them even if they are qualified."

Dugan: "Representative, the analysis is wrong. Okay. That is not what the statewide development list does. It does not give the Joint Apprenticeship, or the firefighters, or anyone else the ability to hire, or appoint, or terminate."

Flowers: "That's what it says."

Dugan: "I understand what it says, but it is not correct."

Flowers: "And it goes on to say that the appli... applications are subject to additional screening measure required by the commission. So, once they've done all the things and jumped through all the hoops, again, there is, and they're on this one-year probation, there is another ultimate decider. But in regards to the mental aptitude test, now again, the state is very different and what goes on in your part of the state versus... I know you've carved Cook... Chicago out but parts of Cook County is still involved. My point to you is who will be making the decision about the mental capacity because the Building Codes are different, the building height is different, the material and what the building is made of in different parts of the state is totally different. So, whoever these people are that's from the... from the state that will be monitoring..."

Dugan: "No... no, Representative. There is noth..."

Flowers: "...the aptitude test. This is dealing with the aptitude test."

Dugan: "No, no, no, Representative. You're... you're confusing the statewide list, that if communities want to use it they can, with what communities all over the state have to do

STATE OF ILLINOIS
97th GENERAL ASSEMBLY
HOUSE OF REPRESENTATIVES
TRANSCRIPTION DEBATE

44th Legislative Day

4/15/2011

and that's the mental aptitude test. I think what's being confused here, this Bill does two things. It sets minimum requirements and it also as an option to communities throughout this state a statewide list, a pool of candidates. That has nothing to do... that statewide list, the Fire Service Institute in Champaign, the firefighters that will help train those applicants or those candidates have nothing... nothing to do with who gets hired off the list, who gets taken off the list, which community does. I think some have confused the hiring list... that's only an option."

Flowers: "Please tell me what..."

Speaker Lang: "Representative Flowers, can I ask you to bring your remarks to a close."

Flowers: "I will. Please tell me why will the Joint Apprentice be created and what is their purpose?"

Dugan: "They are not being created. They're already here, Representative. They already are part of the Fire Training Institute in Champaign. That unit already exists now."

Flowers: "Their performance will be monitored by the created Joint Apprentice Committee who will have the authority to retain, appoint, or terminate an apprentice."

Dugan: "So, with all..."

Flowers: "And you are saying that this is incorrect?"

Dugan: "And with all due respect to whoever analyzed my Bill, I am telling you that that does not create it, it already exists and that is just to provide a pool of candidates that communities can use or not use. But a pool of

STATE OF ILLINOIS
97th GENERAL ASSEMBLY
HOUSE OF REPRESENTATIVES
TRANSCRIPTION DEBATE

44th Legislative Day

4/15/2011

candidates opens up firefighter opportunities to everyone in the state. That's the list, but nobody has to use it."

Flowers: "Representative, you know what, there's too much confusion with House Bill 1576. There's really a lot of confusion because it's... I cannot imagine how a statewide list and someone else will monitor, according to my analysis, and they will be the ultimate decider as to who will stay on the test or who will get a job. It's just too much confusion for me to be able to support this Bill right now."

Speaker Lang: "Mr..."

Dugan: "Thank you, Representative. All I can do is give you my word that that's not..."

Speaker Lang: "Mr. Harris. Mr. Harris, the parliamentarian will answer your inquiry, Sir."

Parliamentarian Ellis: "Representative Harris, on behalf of the Speaker in response to your inquiry, House Bill 1576 has two different provisions that preempt Home Rule and each of those cases it preempts Home Rule but does permit concurrent exercise of jurisdiction by the Home Rule entity and therefore it... it falls under Article VII, Section 6(i) of the Illinois Constitution and requires 60 votes for passage."

Speaker Lang: "A very succinct ruling. Mr. Harris."

Harris, D: "Mr. Speaker, why am I not surprised by that ruling."

Speaker Lang: "I was. The Chair recognizes Mr. Brady."

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

Speaker Lang: "The Lady yields."

STATE OF ILLINOIS
97th GENERAL ASSEMBLY
HOUSE OF REPRESENTATIVES
TRANSCRIPTION DEBATE

44th Legislative Day

4/15/2011

Brady: "Representative, I... I think I heard this, but I just want to clarify it with you on the record that this statewide system that is creating a statewide testing board and setting up a statewide list to be selected and used. You're not mandating that to the municipalities to have to follow, is that correct?"

Dugan: "That's correct. This is just setting up a statewide pool that if municipalities want to hire from it they can. If they don't want to use it, it's just another opportunity for municipalities if they want to go off that list. It also gives more opportunity to people throughout the state to actually apply and be on a list to be hired as a firefighter."

Brady: "But you would be setting up statewide standards that would have to be met."

Dugan: "Where?"

Brady: "In this particular piece of legislation."

Dugan: "No. That's not true."

Brady: "Okay."

Dugan: "What I am doing is I am setting up or codifying that minimum requirements which are now in the statute that a mental aptitude and a physical ability test to be given. That's already in the statute. What this is saying is because it does preempt Home Rule that communities who don't give a mental aptitude and a physical ability test, which is used now by communities with a testing group, they now have to, they can't waive that requirement."

Brady: "Okay. Thank you very much."

Speaker Lang: "Mr. Moffitt."

STATE OF ILLINOIS
97th GENERAL ASSEMBLY
HOUSE OF REPRESENTATIVES
TRANSCRIPTION DEBATE

44th Legislative Day

4/15/2011

Moffitt: "Thank you, Mr. Speaker. And Representative, we want to very brief the hour grows... grow... grows late. We commend you for all the work you've done on this. Just a couple of things and if they've been mentioned, I'd reinforce and perhaps they haven't been mentioned. First is, would we describe this as one more tool or option for a municipality to come up with qualified firefighters?"

Dugan: "Yes. We can. The statewide list."

Moffitt: "It is not a mandate?"

Dugan: "That's correct."

Moffitt: "Does this create a level playing field across the state? And we are talking full-time firefighters, correct?"

Dugan: "Yes, we... Yes it does. I believe it does."

Moffitt: "And a level playing field, right?"

Dugan: "Yes."

Moffitt: "Could this save a local government money?"

Dugan: "Yes, it could because they would not have to pay for the testing. They could choose off of the statewide list, if they so desired."

Moffitt: "So, if they do that, they've saved the... the money, the expense of setting up a test, doing the testing, developing the list, and then hiring from that, only if they want to do that."

Dugan: "Only if they want to."

Moffitt: "So, would we... couldn't we describe this... wouldn't we describe this as permissive?"

Dugan: "I would describe it as permissive as far as the statewide list, yes."

STATE OF ILLINOIS
97th GENERAL ASSEMBLY
HOUSE OF REPRESENTATIVES
TRANSCRIPTION DEBATE

44th Legislative Day

4/15/2011

Moffitt: "The only question was on the standards, which you clarified there with Representative Brady, I believe on..."

Dugan: "Correct. The minimum requirements for the aptitude and physical ability."

Moffitt: "And did you say those are already part of require..."

Dugan: "Those are already part of the statute."

Moffitt: "On the list, the question has been raised that suppose the department or municipalities looking for a firefighter/paramedic but on the top... the top two on the list are not paramedics, the third one is. There's no way they can go down and pick up the... the paramedic. Is that true?"

Dugan: "They... yes, they can, Representative."

Moffitt: "They could go down and..."

Dugan: "There's nothing in the law that stops them if the first person or second person on the list does not meet the requirements of that particular village. If somebody, I used the bilingual before, if there's a specific need of that fire... of that fire department and the first two don't meet it, then they can go down to the one that does. The only that we say is, is if you're not going to hire the first person on the list you have to have a viable reason for doing so and not having an EMT certification certainly would be so if that's what the village needs to do."

Moffitt: "And that's on, not just the optional list that's ei... either way on a list they could go down? There seems to be..."

Dugan: "Yeah. And that's right in this... and that's right in my Bill, Representative."

STATE OF ILLINOIS
97th GENERAL ASSEMBLY
HOUSE OF REPRESENTATIVES
TRANSCRIPTION DEBATE

44th Legislative Day

4/15/2011

Moffitt: "Okay. Thank you, Representative. Just to the Bill. I be... I support this Bill. I believe it's an opportunity to save taxpayers money. I believe it's an opportunity to give options to our municipalities. They can decide whether they want to continue to develop their own list or go with a statewide. And it also builds... creates opportunities or options for firefighters that they would know where other openings occur. With that, I think this is legislation that deserves a 'yes' vote, supported by the Associated Firefighters and the Fire Chiefs. Thank you."

Speaker Lang: "The Lady... excuse me. Representative Dugan to close."

Dugan: "Thank you. And I'll... I'll keep it brief because we've had a lot of discussion. I... I just want to clear up a couple of things. I know one of the previous speakers talked about the fact that women will have less of a chance because of the physical ability scoring. I want to make it clear, the physical ability test that is to be given, that's already statute, is not a scoring test. It is a pass/fail test. So, all we're saying is you have to, at least, have a physical ability test and somebody should be able to pass it. I also want to just reite... reiterate what Representative Moffitt said, that if... with this concern about the list, right in the Bill it says if a municipality has special needs and the first one or two persons is not on there, they can go down the list. All we're saying is, is that you have to have a viable reason for not hiring the person on the top that met all of those qualifications set by the municipality themselves. They're the ones that set

STATE OF ILLINOIS
97th GENERAL ASSEMBLY
HOUSE OF REPRESENTATIVES
TRANSCRIPTION DEBATE

44th Legislative Day

4/15/2011

the guidelines. They can make their tests even harder if they'd like. I'm just saying firefighters that are on the list to be hired should at least meet the minimum requirements. They are there to protect us. And we also want to make sure that all firefighters that are hired meet the minimum because they are also there to help protect their fellow firefighter. With that, I would like to say, I can only give you my word and I will say it again to even those that are probably outside, I have said I will work with anybody if there are more concerns. They have not come to me, again. If this Bill passes and we bring it to the Senate and they want to talk to me to... to make some changes or to look at things, I am more than open to doing that. I would like to ask for the safety, and for the firefighters, and those that protect us, and the Fire Chiefs, and every municipality that this does not take away their local control. I would like to ask for an 'aye' vote."

Speaker Lang: "The Lady moves for the passage of the Bill. Members vote your own switches. There's a request for a verification. All those in favor of the Bill shall vote 'yes'; opposed 'no'. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Record yourselves, Members. It's Friday. Mr. Colvin. Please take the record. On this question, there are 75 voting 'yes', 28 voting 'no', and 3 voting 'present'. And Mr. Harris, do you persist in your request for a verification?"

Harris, D.: "I... I withdraw the request."

STATE OF ILLINOIS
97th GENERAL ASSEMBLY
HOUSE OF REPRESENTATIVES
TRANSCRIPTION DEBATE

44th Legislative Day

4/15/2011

Speaker Lang: "The request is withdrawn. This Bill, having received the Constitutional Majority, is hereby declared passed. The Chair recognizes Representative Currie."

Currie: "Thank you, Speaker. Please let the record show that Representative Zalewski is excused for the rest of the day."

Speaker Lang: "Thank you, Representative. Next Bill is House Bill 2956, Representative Saviano. Please read the Bill."

Clerk Mahoney: "House Bill 2956, a Bill for an Act concerning regulation, has been read a second time, previously. Amendment #1 was adopted in committee. Floor Amendments 2, 3, and 4, all offered by Representative Saviano, have been approved for consideration."

Speaker Lang: "Mr. Saviano, Amendment 2."

Saviano: "Thank you, Mr. Speaker. I would ask that Amendment #2 be tabled, please."

Speaker Lang: "Amendment #2 will be withdrawn. Please proceed to Amendment 3."

Saviano: "Thank you, Mr. Speaker, Members of the House. Amendment #3 is an agreed Amendment with the department, with the bankers, and with the appraisers. And I ask it be adopted, please."

Speaker Lang: "Those in favor of the Amendment say 'yes'; opposed 'no'. In the opinion of the Chair, the 'ayes' have it. And the Amendment's adopted. Mr. Saviano, Amendment 4."

Saviano: "Amend.. Amendment #4 is a technical Amendment which makes the Bill agreed within all parties. And I ask it be adopted."

STATE OF ILLINOIS
97th GENERAL ASSEMBLY
HOUSE OF REPRESENTATIVES
TRANSCRIPTION DEBATE

44th Legislative Day

4/15/2011

Speaker Lang: "Those in favor of the Amendment say 'yes'; opposed 'no'. In the opinion of the Chair, the 'ayes' have it. And the Amendment is adopted. Mr. Clerk."

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

Speaker Lang: "Third Reading. Please read the Bill for a third time."

Clerk Mahoney: "House Bill 2956, a Bill for an Act concerning regulation. Third Reading."

Speaker Lang: "Mr. Saviano."

Saviano: "Thank you, Mr. Speaker, Members of the House. House Bill 2956 is the initiative of the department to license appraisal management companies. This comes from the Federal Government on instruction to take a look at appraisal management companies, license them, and regulate them. We've had a lot of meetings on this. Everybody is in agreement. This is a necessary thing that we have to do to give the department the authority to oversee the operation of appraisal management companies here in the State of Illinois. And I... I ask for an 'aye' vote."

Speaker Lang: "The Gentleman moves for the passage of the Bill. There being no debate, those in favor shall vote 'yes'; opposed 'no'. The voting is open. Have all voted who wish? Have all voted who wish? Record yourselves, Members. Have all voted who wish? Flowers. Williams. Please take the record. On this question, 83 voting 'yes', 22 voting 'no', 1 voting 'present'. This Bill, having received the Constitutional Majority, is hereby declared passed. The Chair recognizes Mr. Ramey."

STATE OF ILLINOIS
97th GENERAL ASSEMBLY
HOUSE OF REPRESENTATIVES
TRANSCRIPTION DEBATE

44th Legislative Day

4/15/2011

Ramey: "Thank you, Mr. Speaker. On House Bill 1576, I'd like to the vote to be recorded for myself as a 'yes' instead of a 'no'."

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

Ramey: "Thank you."

Speaker Lang: "Mr. Bost."

Bost: "Thank you, Mr. Speaker. We need to excuse Representative Rose and Rep... Representative Coladipietro for the rest of the day, please."

Speaker Lang: "Only if you can pronounce his name, Sir. House Bill 1153, Mr. Bradley. Please read the Bill."

Clerk Mahoney: "House Bill 1153, a Bill for an Act concerning civil law. Third Reading."

Speaker Lang: "Mr. Bradley."

Bradley: "Thank you. This is an initiative of the Illinois State Bar Association Division of Estates and Trust. It would create the... something referred to as a death deed. We don't currently have this and other states do. They've worked very hard on this. I would ask for an 'aye' vote."

Speaker Lang: "The Gentleman moves for the passage of the Bill. There being no debate, those in favor shall vote 'yes'; opposed 'no'. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Saviano, Schmitz, Sullivan. Record yourselves, Members. Mr. Sullivan. Please take the record. On this question, there are 99 voting 'yes', 5 voting 'no'. And this Bill, having received the Constitutional Majority, is hereby declared passed. The Chair recognizes Mr. Bost. Have you determined how to pronounce that name, Sir?"

STATE OF ILLINOIS
97th GENERAL ASSEMBLY
HOUSE OF REPRESENTATIVES
TRANSCRIPTION DEBATE

44th Legislative Day

4/15/2011

Bost: "Oh, yes. That wasn't a problem. Sullivan, I can pronounce. That's who we're excusing now."

Speaker Lang: "Thank you, Sir. Next Bill on the Calendar is House Bill 1237. Representative Mayfield. Please read the Bill."

Clerk Mahoney: "House Bill 1237, a Bill for an Act concerning criminal law, has been read a second time previously. Floor Amendment #1, offered by Representative Mayfield, has been approved for consideration."

Speaker Lang: "Representative Mayfield."

Mayfield: "Amendment #1 is a gut and replace. It replaces the underlying Bill. Basically what this does, it provides a mechanism for victims to receive notification of their rights within 24 hours of an offense."

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

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

Speaker Lang: "Third Reading. Please read the Bill for a third time."

Clerk Mahoney: "House Bill 1237, a Bill for an Act concerning criminal law. Third Reading."

Speaker Lang: "Representative Mayfield."

Mayfield: "I'm asking for passage of the House Bill 1237. I do want to note that this is a good Bill. It was a collaborative effort. All opposition has been removed. And this Bill in no way undermines the prosecution..."

STATE OF ILLINOIS
97th GENERAL ASSEMBLY
HOUSE OF REPRESENTATIVES
TRANSCRIPTION DEBATE

44th Legislative Day

4/15/2011

prosecutorial authorities' right to amenity. I ask for a
'do pass'."

Speaker Lang: "The Lady moves for the passage of the Bill.
There being no debate, those in favor vote 'yes'; opposed
'no'. The voting is open. Have all voted who wish? Have
all voted who wish? Have all voted who wish? Record
yourselves. Davis, Mitchell, Winters. Please take the
record. On this question, 103 voting 'yes', 0 voting 'no'.
And this Bill, having received the Constitutional Majority,
is hereby declared passed. House Bill 1355, Representative
May. Representative Karen May. Please read the Bill."

Clerk Mahoney: "House Bill 1355 has been read a second time
previously. Amendments 1 and 2 were tabled. Committee
Amendment #3 has been adopted. Floor Amendments 4 and 5
have both been approved for consideration."

Speaker Lang: "Representative May on Amendment 4."

May: "See Amendment 4. Wait just a second. Could I have a
minute to decide which Amendments we're calling here?"

Speaker Lang: "We'll wait a minute."

May: "Number 5 is a technical Amendment that needs to be
adopted, I... I believe."

Speaker Lang: "We need to adopt them in order, Representative."

May: "Okay."

Speaker Lang: "Thank you."

May: "Okay. Number 4. Did you say 3 or 4?"

Speaker Lang: "Mr. Clerk, please read the Amendments off
again."

Clerk Mahoney: "Floor Amendment 4 and 5 have both been approved
for consideration."

STATE OF ILLINOIS
97th GENERAL ASSEMBLY
HOUSE OF REPRESENTATIVES
TRANSCRIPTION DEBATE

44th Legislative Day

4/15/2011

May: "Is #3 approved for adoption?"

Speaker Lang: "Status with #3, Mr. Clerk."

Clerk Mahoney: "Number 3 is already adopted as a Committee Amendment."

May: "Okay. Then I only want to adopt #5."

Speaker Lang: Amendment #4 is withdrawn. Representative May on Amendment 5."

May: "Yes. It's very technical. Changing the word 'fund' to 'account' at the request of the State Treasurer."

Speaker Lang: "The Lady moves for the adoption of the Amendment. Those in favor say 'yes'; opposed 'no'. In the opinion of the Chair, the 'ayes' have it. And the Amendment is adopted. Mr. Clerk."

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

Speaker Lang: "Third Reading. Please read the Bill."

Clerk Mahoney: "House Bill 1355, a Bill for an Act concerning revenue. Third Reading."

Speaker Lang: "Representative May."

May: "Yes. House Bill 1355 is a very simple Bill, just suggesting and requiring that the state deposit checks into the appropriate account within three business days. This prompt deposit will earn interest on money and I believe it's a good fiscal measure in this economy."

Speaker Lang: "The Lady moves for the passage of the Bill. On that question, the Chair recognizes Representative Eddy for brief comments."

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

Speaker Lang: "The Lady yields."

STATE OF ILLINOIS
97th GENERAL ASSEMBLY
HOUSE OF REPRESENTATIVES
TRANSCRIPTION DEBATE

44th Legislative Day

4/15/2011

Eddy: "Representative, the... the Amendment #5 was at the request of the State Treasurer."

May: "That's true."

Eddy: "So, the Bill in its current form only has Amendment #3 and 5. Amendment 1 was never adopted?"

May: "Right. And 4 has been tabled."

Eddy: "So, the Treasurer's Office was not concerned whether or not Amendment #1 was adopted?"

May: "They really only didn't like Amendment 4. And they are neutral with the adoption of this. I will state very candidly, if the Treasurer's Office or the Department of Revenue has further tweaking, we've agreed to do it in the Senate."

Eddy: "Okay. So, the Department of Revenue is still opposed and you'll work on this in the Senate with them?"

May: "They... they have told me that if I adopted Amendment 5 they were neutral at this stage."

Eddy: "Okay. We don't have that understanding. We think they're still opposed but the Department of Revenue, not the Treasurer, but you'll work on this in the Senate with the Department..."

May: "Oh, absolutely."

Eddy: "Okay."

May: "I've talked to them and we've had very good discussions. This brings it in a form that I thought removed their objection. There may be some tweaking. This is a Bill that is to help the financial stability. Of course, if there's the Treasurer's Office, which is very knowledgeable

STATE OF ILLINOIS
97th GENERAL ASSEMBLY
HOUSE OF REPRESENTATIVES
TRANSCRIPTION DEBATE

44th Legislative Day

4/15/2011

about it, or the Department of Revenue has to make it work to the intent in which it is intended, that will be done."

Eddy: "Okay. Thank you."

Speaker Lang: "The Lady moves for the passage of the Bill. Those in favor vote 'yes'; opposed 'no'. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Brauer, Burke, Davis, Jakobsson, Mitchell, Sosnowski, record yourselves. On this question there are 103... Mr. Clerk, please take the record. On this question, 103 'yes', 0 'no'. And this Bill, having received the Constitutional Majority, is hereby declared passed. House Bill 3259, Representative Tracy. Please read the Bill."

Clerk Mahoney: "House Bill 3259 has been read a second time, previously. Floor Amendment #2, offered by Representative Tracy, has been approved for consideration."

Speaker Lang: "Representative Tracy."

Tracy: "Yes. I... I think we need to adopt the Amendments, don't we? Two."

Speaker Lang: "Yes. Please explain the Amendment and we'll adopt it for you."

Tracy: "Okay. What the Amendment does is add that the... under the All Kids program, those who do not have access... or who have access, excuse me, to affordable, employer sponsored, dependent health care insurance coverage that is comparable to the coverage of the existing program as determined by the administration's... the administering agency's rules. And I would ask that it be adopted."

STATE OF ILLINOIS
97th GENERAL ASSEMBLY
HOUSE OF REPRESENTATIVES
TRANSCRIPTION DEBATE

44th Legislative Day

4/15/2011

Speaker Lang: "Those in favor of the Amendment shall say 'yes'; opposed 'no'. In the opinion of the Chair, the 'ayes' have it. And the Amendment is adopted. Mr. Clerk."

Clerk Mahoney: "No further Amendments. However, a fiscal note on House Amendment 2 has been requested and not yet received."

Speaker Lang: "The Bill will be held on the Order of Second Reading. And Representative Tracy, maybe you could track down your fiscal note so we can move your Bill for you or ask the person who filed it to reconsider. Next Bill is House Bill 1883, Representative Smith. Please read the Bill."

Clerk Mahoney: "House Bill 1883, a Bill for an Act concerning revenue has been read a second time, previously. No Amendments. No Motions filed."

Speaker Lang: "Third Reading. Please read the Bill for a third time."

Clerk Mahoney: "House Bill 1833 (sic-1883), a Bill for an Act concerning revenue. Third Reading."

Speaker Lang: "Mr. Smith."

Smith: "Thank you, Mr. Speaker and Members of the House. House Bill 1883 deals with special service area. Under the law the county and municipal wishing to create a special service area must hold a public hearing in the matter, must provide affected taxpayers within 15 days. The House Bill 1883 strengthens the notice provision by requiring the following information about the proposed special service area to be included in a notice: the proposed tax levy, the tax rates for the preceding years of other taxing districts

STATE OF ILLINOIS
97th GENERAL ASSEMBLY
HOUSE OF REPRESENTATIVES
TRANSCRIPTION DEBATE

44th Legislative Day

4/15/2011

located within the proposed special service area, the proposed budget, and the tax impact statement containing the tax rates and tax increase estimate. House Bill 1883 requests a public hearing to be held within those boundaries. I would be happy to answer any questions."

Speaker Lang: "The Gentleman moves for the passage of the Bill. There being no debate, those in favor vote 'yes'; those opposed 'no'. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Members, record yourselves. Arroyo, Berrios, Moffitt, Sosnowski. Arroyo and Berrios. Please take the record. On this question, 72 voting 'yes', 31 voting 'no'. And this Bill, having received the Constitutional Majority, is hereby declared passed. House Bill 3635, Mr. Bradley. As Mr. Bradley goes to his chair, we'll recognize Mr. Bost."

Bost: "Thank you, Mr. Speaker. Please let the record reflect that Representative Schmitz will be excused for the rest of the afternoon on the Republican side of the aisle."

Speaker Lang: Thank you, Sir. Mr. Bradley. Please read the Bill."

Clerk Mahoney: "House Bill 3635, a Bill for an Act concerning public aid. Third Reading of this House Bill."

Speaker Lang: "Mr. Bradley."

Bradley: "It simply says that the long-term provider assessment cannot be passed on to residents. I ask for an 'aye' vote."

Speaker Lang: "The Gentleman moves for the passage of the Bill. There being no debate, those in favor vote 'yes'; opposed 'no'. The voting is open. Have all voted who wish? Have

STATE OF ILLINOIS
97th GENERAL ASSEMBLY
HOUSE OF REPRESENTATIVES
TRANSCRIPTION DEBATE

44th Legislative Day

4/15/2011

all voted who wish? Have all voted who wish? Ford, Mitchell. Mr. Ford. Please take the record. On this question, 101 voting 'yes', 0 voting 'no'. And this Bill, having received the Constitutional Majority, is hereby declared passed. House Bill 2581, Mr. Reboletti. Please read the Bill."

Clerk Mahoney: "House Bill 2581 has been read a second time, previously. Floor Amendments 1 and 2, both offered by Representative Reboletti, have been approved for consideration."

Speaker Lang: "Mr. Reboletti."

Reboletti: "Thank you, Speaker. The first Amendment would deal with a Bill we passed last year with fees on warrants and I'll discuss those on Third Reading. Move for the adopt..."

Speaker Lang: "The Gentleman moves for the adoption of the Amendment. Those in favor say 'yes'; opposed 'no'. In the opinion of the Chair, the 'ayes' have it. And the Amendment is adopted. Mr. Clerk."

Clerk Mahoney: "Floor Amendment #2 has been approved for consideration."

Speaker Lang: "Mr. Reboletti."

Reboletti: "Floor Amendment #2 is a clarification for the Illinois... that the Illinois State Police requested and I submitted. And I move for the approval of the Amendment."

Speaker Lang: "Gentleman moves for the adoption of the Amendment. Those in favor say 'yes'; opposed 'no'. In the opinion of the Chair, the 'ayes' have it. And the Amendment is adopted. Mr. Clerk."

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

STATE OF ILLINOIS
97th GENERAL ASSEMBLY
HOUSE OF REPRESENTATIVES
TRANSCRIPTION DEBATE

44th Legislative Day

4/15/2011

Speaker Lang: "Third Reading. Please read the Bill."

Clerk Mahoney: "House Bill 2581, a Bill for an Act concerning criminal law. Third Reading."

Speaker Lang: "Mr. Reboletti."

Reboletti: "Thank you, Speaker. This Bill simply corrects some legislation we enacted last year that stated that we had to add a \$75 fee on anybody who failed to appear in court on a criminal case on their warrants. It was Representative Washington's initiative. There's been some problems in the courthouse as to when the fee applies. The state's fee applies when the person is picked up and added to their bail amount. So, if it's \$300 in cash, they'd have to pay 375 to get out. And then, number two, the Floor Amendment states that the Illinois State Police if they are the arresting agency gets 70 of the \$75. I'll take any questions."

Speaker Lang: "The Gentleman moves for the passage of the Bill. There being no debate, those in favor of the Bill vote 'yes'; opposed 'no'. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? McGuire, Mitchell. Mr. McGuire. Please take the record. On this question, 101 voting 'yes', 0 voting 'no'. And this Bill, having received the Constitutional Majority, is hereby declared passed. House Bill 3199, Representative Golar. Please read the Bill."

Clerk Mahoney: "House Bill 3199 has been read a second time, previously. Amendment #1 was adopted in committee. Floor Amendment #2 has been adopted to the Bill."

STATE OF ILLINOIS
97th GENERAL ASSEMBLY
HOUSE OF REPRESENTATIVES
TRANSCRIPTION DEBATE

44th Legislative Day

4/15/2011

Speaker Lang: "Please.. Third Reading. Please read the Bill for a third time."

Clerk Mahoney: "House Bill 3199, a Bill for an Act concerning revenue. Third Reading."

Speaker Lang: "Representative Golar."

Golar: "Thank you, Mr. Speaker and Members of this Assembly. I bring to you House Bill 3199. This Bill is an initiative of IHDA and it is important that the Bill go forward. However, there are some opponents on the Bill and I will explain it as much as I can. We have House Amendment #2 that actually added a sunset of July 1, 2016. Also, adds some requirements to the second exemption listed above which is the.. we're really talking about today the real estate transfer tax. Must have originated the mortgage being transferred, have not originated a total of 10 thousand mortgages in 2007, and have less than five billion in assets on the Bill... Bill's effective date. House Amendment #2 states that the money collected from these two types of real estate transfers would be distributed in the following manner: 50 percent in the Abandoned Residential Property Municipality Relief Fund, 35 percent into the Open Space Lands Acquisition and Development Fund, and 15 percent into the Natural Areas Acquisition Fund. IHDA sought these changes to please smaller banks and to statutorily define where the newly generated funds will be distributed. Ladies and Gentlemen, today, in the State of Illinois, we are met by a foreclosure crisis. I think everyone in this Body agrees with that. However, what has happened is that IHDA does not have the funds presently to

STATE OF ILLINOIS
97th GENERAL ASSEMBLY
HOUSE OF REPRESENTATIVES
TRANSCRIPTION DEBATE

44th Legislative Day

4/15/2011

take care of these distressed neighborhoods and this is the initiative that they're coming forth with. I wanted to also add some communities in our districts that have been devastated and I will start out with my district. My district in 2010 there were 957 foreclosures, in the past four years 4,447 foreclosures in the State of Illinois. Approximately, there are 150 thousand vacant properties in Chicago. Representative Flowers' district, 1,073 in 2010, for four years 3,687. Majority Leader Cross's area in 2010, 2,314, in four years 4,880. McCasey's district, 2010, 2,090 and total for four years is 4,944 and I could go on and on. Today, Ladies and Gentlemen, we're talking about helping the distressed areas of vacant and abandoned buildings. Is this the right thing to do? We have negotiated with the banks. Some banks are not at the table, others have come forth. It may not be the perfect solution, but I'm urging... any questions that you may have and any, of course, suggestions that we could go forth to help these distressed communities. Thank you."

Speaker Lang: "The Lady moves for the passage of the Bill. This Bill is on the Order of Short Debate. I see four lights on. I see five lights on. Representative Eddy, Franks, Leitch, Tryon, and Lyons, you'll each be allowed to speak for two minutes. Mr. Eddy."

Eddy: "Thank you, Mr. Speaker. Very quickly to the Bill. This legislation is not ready. There are multiple groups that are opposed to this. The Sponsor may have worked with some of them, but as its written banks are going to become responsible for real estate transfer tax on property they

STATE OF ILLINOIS
97th GENERAL ASSEMBLY
HOUSE OF REPRESENTATIVES
TRANSCRIPTION DEBATE

44th Legislative Day

4/15/2011

don't really ever want. These are foreclosed property. This... this puts banks in a position that they become responsible for that. Bad idea. It needs a lot of work. It's something that we need to vote 'no' on. This Bill should not pass. And if it receives the requisite number of votes, I do request a verification."

Speaker Lang: "Your request is acknowledged. Mr. Franks for two minutes."

Franks: "Thank you. A parliamentary question. Have both Amendments been adopted?"

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

Clerk Mahoney: "Amendment #1 was adopted in committee. And Floor Amendment #2 was adopted."

Franks: "Thank you. To... Representative..."

Speaker Lang: "Mr. Franks, the Lady yields."

Franks: "This Bill is a tax increase, isn't it?"

Golar: "Yes, it is."

Franks: "Okay. So, we're going to be raising more taxes on business again. If that what... for... for... to give money to the Illinois Housing Development Authority, correct? That's what this Bill will do?"

Golar: "That... that is correct."

Franks: "Well, the Illinois Housing Development Authority has been recently criticized for the Taj Mahal, which they call their offices on Michigan Avenue. Have we scrutinized what kind of money that they're spending in their... in their agency 'cause you say that the don't have enough money to do their job. I'm wondering how they spend it."

STATE OF ILLINOIS
97th GENERAL ASSEMBLY
HOUSE OF REPRESENTATIVES
TRANSCRIPTION DEBATE

44th Legislative Day

4/15/2011

Golar: "How they spend it?"

Franks: "Yeah. I mean, have you been to their offices?"

Golar: "No, I haven't."

Franks: "Well, I could tell you, Representative Chapa LaVia told me about her... her field trip there and how upset she was where they're placed on Michigan Avenue. An opulent setting, spending a lot of money and then requesting additional moneys and asking us to increase taxes on businesses after we've just increased taxes 67 percent on them. I think this is... I think this is a really bad public policy. And I just would rather see us require more accountabilities from our own state agency than simply trying to throw more money at a problem because they can't handle their own."

Speaker Lang: "Mr. Leitch for two minutes."

Leitch: "Thank you. I have great respect for the Sponsor. Having said that, this is one of the most controversial Bills in the Housing Committee because it infairly... very unfairly impacts banks and credit unions who will, even if this thing becomes an Act, it'd go immediately to court. Everyone understands there is a huge problem with abandoned homes, mortgage foreclosures, and the like, but this Bill is not the way to provide IHDA more money or to provide those resources. The analogy for this Bill, as we heard in committee, I thought was a good one. It would be as if an institution were going to go repossess a car and the institution would have to pay to get the car back. You know, nobody at a bank wants to have these foreclosures, but to be tacked on 500 bucks, has to transaction for a

STATE OF ILLINOIS
97th GENERAL ASSEMBLY
HOUSE OF REPRESENTATIVES
TRANSCRIPTION DEBATE

44th Legislative Day

4/15/2011

foreclosure, is really grossly unfair. If anyone should be getting their fees increased, it should be the people who purchase foreclosed properties. The people who would... would invest and benefit by investing in those properties not by the entity on whom these are foreclosed. So, please vote 'no'."

Speaker Lang: "Mr. Tryon for two minutes."

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

Speaker Lang: "The Lady yields."

Tryon: "You know, Representative Golar, a foreclosure is a traumatic experience generally for a family. And I might have the option to do a deed in lieu of foreclosure to prevent that... that very traumatic experience in having the foreclosure occur on my terms. And... and your... if I understand this Bill right, what you're saying is that's going to be a taxed situation if I do that, correct? Because it would actually..."

Golar: "Correct."

Tryon: "Well, I... I have to take exception to that. I think that discourages that type of activity and I don't know how you place a price on that. I mean, that's a negotiated transaction that is below market, and... and I think that would be an unfair tax to put on that. So, I won't be supporting this."

Golar: "Thank you."

Speaker Lang: "Mr. Lyons for two minutes."

Lyons: "Thank you, Mr. Speaker. I... David Leitch certainly articulated as well as I did on this... my concerns on this Bill. The credit unions, community banks, some people are

STATE OF ILLINOIS
97th GENERAL ASSEMBLY
HOUSE OF REPRESENTATIVES
TRANSCRIPTION DEBATE

44th Legislative Day

4/15/2011

being involved in this thing way over the top of what they understandably realize has to be renegotiated but are certainly not in the position to be able to endorse this in its present form. Assure, with all due respect to you, I know what you're trying to do and you're trying to help a problem that definitely needs some attention. Would you make a promise, if this thing does get out of the House to work on it in the third... over in the Senate to try to make it a little more inclusive with some other issues... underlying issues that need to be addressed that don't quite effect the industry as negatively as it does in this... in this Bill?"

Golar: "Absolutely, Representative. It was my thought today... I knew that the Bill wasn't ready. I know that there are many opponents. Many of the banks that we brought in didn't even come to the table. So, it was important for me to have some discussion and what I wanted to do was to hear the dialogue and I'm willing to pull it out of the record for more work that needs to go forward."

Speaker Lang: "And the Lady removes the Bill from the record. The next Bill on the Calendar is House Bill 1943, Representative Williams. Please read the Bill. The Lady wishes the Bill to be taken from the record. House Bill 2595, Mr. Reboletti. Please read the Bill."

Clerk Mahoney: "House Bill 2595 has been read a second time, previously. Floor Amendment #2, offered by Representative Reboletti, has been approved for consideration."

Speaker Lang: "Representative Reboletti."

STATE OF ILLINOIS
97th GENERAL ASSEMBLY
HOUSE OF REPRESENTATIVES
TRANSCRIPTION DEBATE

44th Legislative Day

4/15/2011

Reboletti: "Thank you, Speaker. This Amendment deals with some issues, again, regarding synthetic marijuana. And I'd ask for the adoption of the Amendment."

Speaker Lang: "The Gentleman moves for the adoption of the Amendment. Those in favor say 'yes'; opposed 'no'. In the opinion of the Chair, the 'ayes' have it. And the Amendment is adopted. Mr. Clerk."

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

Speaker Lang: "Third Reading. Please read the Bill for a third time."

Clerk Mahoney: "House Bill 29... Correction. House Bill 2595, a Bill for an Act concerning criminal law. Third Reading."

Speaker Lang: "Mr. Reboletti."

Reboletti: "Thank you, Speaker. This is brought to me by the Will County State's Attorney. I know that many Bills have come out of this House regarding syn... synthetic cannabis. And this Bill would help clarify and expand the definition so that we would not have to write a new... a piece of legislation every time that there's a change. So, we're trying to be ahead of the curve on this one."

Speaker Lang: "The Gentleman moves for the passage of the Bill. There being no debate, those in favor vote 'yes'; opposed 'no'. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Brady, Franks, Mitchell. Mr. Franks. Please take the record. On this question, 100 voting 'yes', 0 voting 'no'. And this Bill, having received the Constitutional Majority, is hereby declared passed. House Bill 2777, Mr. Tryon. Please read the Bill."

STATE OF ILLINOIS
97th GENERAL ASSEMBLY
HOUSE OF REPRESENTATIVES
TRANSCRIPTION DEBATE

44th Legislative Day

4/15/2011

Clerk Mahoney: "House Bill 2777 has been read a second time, previously. Floor Amendment #1 has been approved for consideration."

Speaker Lang: "Mr. Tryon."

Tryon: "Thank you, Mr. Speaker, Ladies and Gentlemen of the House. I just want you to know that, you know, yesterday I did have five Bills but today I've had no where near as many Bills as Representative Williams has had. Okay. But... but we do have a Bill here that's important for the dry cleaning industry in the State of Illinois. This amends the Dry Cleaning (sic-Drycleaners) Environmental Response Trust Fund. And what this does is it allows them to accept payment for their license fee with either credit card or business check. They're able to currently today able to pay for their solvent tax, they're able to pay the trust fund, their insurance premium by business check, but they can't on the license fee. So, it makes that change and it also sets up a tiered approach to a late fee scenario where in the first month... after the first month they get a \$3 per day charge and after the... the second month they get a \$6... or \$5 per day charge. So, I would answer any questions if anybody has them. Certainly, this makes it easier for them to comply. And I want to point out, that this fund is only healthy if we keep the maximum number of drycleaners paying into it and it does provide for recovery of solvents and cleanup for dry cleaning fluids that have penetrated the soil into the groundwater."

STATE OF ILLINOIS
97th GENERAL ASSEMBLY
HOUSE OF REPRESENTATIVES
TRANSCRIPTION DEBATE

44th Legislative Day

4/15/2011

Speaker Lang: "Those in favor of the Amendment shall say 'yes'; opposed 'no'. In the opinion of the Chair, the 'ayes' have it. The Amendment is adopted. Mr. Clerk."

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

Speaker Lang: "Third Reading. Please read the Bill for a third time."

Clerk Mahoney: "House Bill 2777, a Bill for an Act concerning safety. Third Reading."

Speaker Lang: "Mr. Tryon."

Tryon: "I... I just explained it."

Speaker Lang: "Those in favor of the Bill shall vote 'yes'; opposed 'no'. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Mr. Watson. Take the record. On this question, 95 voting 'yes', 5 voting 'no'. And this Bill, having received the Constitutional Majority, is hereby declared passed. The Chair recognizes Representative Monique Davis."

Davis, M.: Yes, Sir. I wanted to speak on that previous Bill."

Speaker Lang: "I was ahead of you on that one, Representative. I'm sorry."

Davis, M.: "Quite ahead. I think it's important that you give us an opportunity to speak on Bills and don't just call the Bill and then call for the vote. I know we want to move, but you can't do it. All I wanted to say was that Bill was a fee increase and by putting it on credit cards some people will find themselves with bad credit based on a late payment to the credit card company. And it is not something to help the... the cleaning industry. It's something that will harm them. Thank you."

STATE OF ILLINOIS
97th GENERAL ASSEMBLY
HOUSE OF REPRESENTATIVES
TRANSCRIPTION DEBATE

44th Legislative Day

4/15/2011

Speaker Lang: "Mr. Brady."

Brady: "Thank you very much, Mr. Speaker. Point of personal privilege."

Speaker Lang: "Please state your point."

Brady: "I'd like to see if you would join me in welcoming from my district from Bloomington some good friends that are here visiting the Capitol today, Chuck Erickson, John Barnett, Ben Clausen, and Derek Erickson, who are off here to my right standing up and to my left an intern from my office, Brett Ludlame. Welcome to Springfield. Thank you."

Speaker Lang: "Welcome to Springfield, have a great day. House Bill 3259, Representative Tracy. Please read the Bill, again, Mr. Clerk."

Clerk Mahoney: "House Bill 3259 has been read a second time, previously. Floor Amendment #2 was adopted to the Bill."

Speaker Lang: "The Chair recognizes Representative Tracy."

Tracy: "Thank you, Mr. Speaker. There is a fiscal note filed and I have visited with the Representative that filed it. And I would like to move that the fiscal note is inapplicable."

Speaker Lang: "The Chair recognizes Representative Currie."

Currie: "Thank you, Speaker. I believe the fiscal note is applicable. Under the provisions of this Bill, as amended, the Department of Healthcare and Family Services would have to examine private insurance opportunities individual by individual to try to discover whether the All Kids Program is less or more affordable than any other insurance that might be on the market that a parent might choose to buy."

STATE OF ILLINOIS
97th GENERAL ASSEMBLY
HOUSE OF REPRESENTATIVES
TRANSCRIPTION DEBATE

44th Legislative Day

4/15/2011

So, the idea that the fiscal note is not applicable is to belie the fact that we do not have an inexhaustible supply of staff resources in that department. And I don't know how that department would be able to look at a variety of insurance products and make the determination, unless they are identical, that one is more and one is less affordable for this particular family. So, asking the department to engage in this level of resources is bound to be extremely expensive and I think it would be a disservice to our state agency and its other responsibilities to adopt this Bill without having a sense as to what the actual cost might be. I... I urge my colleagues to vote against the... the Motion."

Speaker Lang: "Mr. Eddy."

Eddy: "Thank you, Speaker. I would disagree with the Majority Leader that this is a note that's applicable because the state could actually realize savings if additional individuals choose employer based health coverage. There's nothing that guarantees the applicability of this. This note was put on today, the Bill has been sitting there. It's clearly a delay tactic to try and on the last day, stop the Bill from being voted on. I... I agree that the Bill is ina... the note is inapplicable. And I would ask Members of the Body to support the Representative and her attempt to get a vote on her Bill today."

Speaker Lang: "Representative Gabel."

Gabel: "Thank you, Mr. Speaker. This Amendment was just put on yesterday, and I just heard about it this morning. And that was why I filed the fiscal note today. It was put on

STATE OF ILLINOIS
97th GENERAL ASSEMBLY
HOUSE OF REPRESENTATIVES
TRANSCRIPTION DEBATE

44th Legislative Day

4/15/2011

this morning. Actually, the Bill... the Amendment was put on this morning."

Speaker Lang: "Representative Tracy to close on her Motion."

Tracy: "Yes. The... the Bill has been sitting on Second Reading and there... the second Amendment was filed, but clearly that the... the one word that was added was comparable. The word affordable health insurance coverage has been there for several weeks by a prior Amendment. So, be that as it may, the goal of the entire Bill is a cost savings to the department and for more funds available to serve the All Kids Program. That is the goal of the Bill. The department testified at an earlier hearing on the Bill several weeks ago. And they were in committee today. Nowhere did they raise any concerns that they would be hindered or the cost would be prohibitive to them as an agency to serve this. As I say, the goal of this Bill is to put more funds available for All Kids Programs to operate efficiently and serve the children of the State of Illinois who qualify for this program. So, I would ask... I would urge the Body to rule... to vote that the note is inapplicable."

Speaker Lang: "The Lady moves that the note filed on her Bill be in... held inapplicable. Those in favor of the Lady's Motion vote 'yes'; those opposed vote 'no'. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Leader Lyons. Please take the record. On this question, there are 45 voting 'yes' and 50... 55 voting 'no'. And the Lady's Motion fails. The Chair recognizes Mr. Watson."

STATE OF ILLINOIS
97th GENERAL ASSEMBLY
HOUSE OF REPRESENTATIVES
TRANSCRIPTION DEBATE

44th Legislative Day

4/15/2011

Watson: "Thank you, Mr. Speaker. A point of personal privilege."

Speaker Lang: "Please state your point."

Watson: "The Lady just brought a Bill that would bring an... an element of sa... of savings to the state. You're going to come back in a few weeks and say, hey, help us with borrowing, help us with other things. And... and you... and you won't even allow a Bill like this to be called for a vote."

Speaker Lang: "Next Bill on the Calendar is House Bill 466, Representative Jakobsson. Please read the Bill."

Clerk Mahoney: "House Bill 466 has been read a second time, previously. Floor Amendment #1, offered by Representative Jakobsson, has been approved for consideration."

Speaker Lang: "Representative Jakobsson."

Jakobsson: "Thank you, Mr. Speaker. Ladies and Gentlemen of the House, we had some discussion already on House Bill 466 and I agreed to take it out of the record at Representative Franks' request. Well, we looked to see if we were violating Federal Law and as it turns out there's a very good possibility that the Bill that we're trying to make some corrections to that we passed last spring the Department of Revenue's legal is going to look into that because the whole thing might need a trailer Bill to correct what Representative Franks was referring to. So, I would like to move this to Third, pass it out, because this is not going to change anything that we're already doing but allow the universities and the other agencies that we

STATE OF ILLINOIS
97th GENERAL ASSEMBLY
HOUSE OF REPRESENTATIVES
TRANSCRIPTION DEBATE

44th Legislative Day

4/15/2011

talked with to proceed with collecting their uncollectable debts."

Speaker Lang: "The Lady moves for the adoption of the Amendment. On that question, the Chair recognizes Representative Franks."

Franks: "Thank you. And I appreciate the Sponsor taking the Bill out of the record in that time. I've had a chance to meet with the Department of Revenue and staff. They will be doing a trailer Bill to correct any issues. So, I... I support the Lady's Amendment here. I think we should pass it, then follow it with the trailer Bill. So, thank you for your kind consideration."

Speaker Lang: "Those in favor of the Amendment shall say 'yes'; opposed 'no'. In the opinion of the Chair, the 'ayes' have it. And the Amendment is adopted. Mr. Clerk."

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

Speaker Lang: "Third Reading. Please read the Bill."

Clerk Mahoney: "House Bill 466, a Bill for an Act concerning finance. Third Reading."

Speaker Lang: "Representative Jakobsson."

Jakobsson: "Thank you, Mr. Speaker. Once again, we've had some discussion on this Bill already. And I would urge an 'aye' vote."

Speaker Lang: "Those in favor of the Bill should vote 'yes'; opposed 'no'. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Bellock, Davis, Harris, Tryon. Representative Bellock and Tryon. Please take the record. On this question, 100 voting 'yes'; 0 voting 'no'. And this Bill, having

STATE OF ILLINOIS
97th GENERAL ASSEMBLY
HOUSE OF REPRESENTATIVES
TRANSCRIPTION DEBATE

44th Legislative Day

4/15/2011

received the Constitutional Majority, is hereby declared passed. House Bill 465, Mr. Rita. Please read the Bill."

Clerk Mahoney: "House Bill 465, a Bill for an Act concerning finance. Third Reading of this House Bill."

Speaker Lang: "Mr. Rita."

Rita: "Thank you, Mr. Speaker, Ladies and Gentlemen of the House. This is an initiative of the County Clerk's Association. What it does is gives the authority to the county boards to readjust their fee schedules for marriage license. It also makes a technical change in the civil unions fee."

Speaker Lang: "The Gentleman moves for the passage of the Bill. And on that question, the Chair recognizes Mr. Eddy for two minutes."

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

Speaker Lang: "The Gentleman yields."

Eddy: "Representative, I... I think what you're trying to do here is... can be described as... as leveling a fee for everyone that exists now in... in counties for marriage license. Is that what you're trying to do here?"

Rita: "Yes."

Eddy: "So... so it does extend an already existing structure to a new classification?"

Rita: "Yes. Which would include the... the civil unions."

Eddy: "Okay. So, really supporting this just means that you support equality in the fee structure that... that's already in existence. It doesn't raise it?"

Rita: "It doesn't raise it. It gives the authority to the board if they do... do want to have an increase there that

STATE OF ILLINOIS
97th GENERAL ASSEMBLY
HOUSE OF REPRESENTATIVES
TRANSCRIPTION DEBATE

44th Legislative Day

4/15/2011

the... the county boards would do that. We're not increasing it and we're just expanding the... the types of fees that they can charge. Which would include the... what was..."

Eddy: "So, well, it... it allows them to not exceed 75, but it doesn't..."

Rita: "No."

Eddy: "...it doesn't increase the existing fees that are set..."

Rita: "No, it doesn't."

Eddy: "...at \$20 and \$35, right?"

Rita: "No. It doesn't... it doesn't change what the existing fees are. No, it doesn't."

Eddy: "It... it just raises the ceiling."

Rita: "It raises the cap... raises the ceiling on it."

Eddy: "It raises the cap. This has to be done by a vote of local elected officials..."

Rita: "Yes."

Eddy: "...on a cap that you're increasing?"

Rita: "Yes."

Eddy: "Okay. And... and it extends it and it is statewide?"

Rita: "Yes."

Eddy: "All right. Thank you."

Speaker Lang: "Those in favor of the Bill shall vote 'yes'; opposed 'no'. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Record yourselves, Members. Have all voted who wish? Biss, Davis, McCarthy, Phelps, Reitz. Mr. Biss. Please take the record. On this question, there are 46 voting 'yes'; 54 voting 'no'. And the Bill fails. House Bill 230, Mr. Leitch. Please read the Bill."

STATE OF ILLINOIS
97th GENERAL ASSEMBLY
HOUSE OF REPRESENTATIVES
TRANSCRIPTION DEBATE

44th Legislative Day

4/15/2011

Clerk Mahoney: "House Bill 230 has been read a second time previously. Floor Amendment #1, offered by Representative Leitch, has been approved for consideration."

Speaker Lang: "Mr. Leitch."

Leitch: "Thank you. This is an Amendment that helps individuals and small businesses have wind devices, as opposed to the body of law that's available for wind farms. This enables smaller, individual groups and businesses to have a framework to proceed to accomplish that. And I'd like to thank the counties for helping to negotiate this Bill. And I'd ask for your support."

Speaker Lang: "The Gentleman moves for the adoption of the Amendment. Those in favor say 'yes'; opposed 'no'. In the opinion of the chair, the 'ayes' have it. And the Amendment is adopted. Mr. Clerk."

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

Speaker Lang: "Third Reading. Please read the Bill for the third time."

Clerk Mahoney: "House Bill 230, a Bill for an Act concerning local government. Third Reading."

Speaker Lang: "Mr. Leitch."

Leitch: "Thank you. I'd ask for a favorable vote."

Speaker Lang: "Those in favor of the Bill shall vote 'yes'; opposed 'no'. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Brady, Watson. Please take the record. On this question, 88 voting 'yes', 13 voting 'no'. And this Bill, having received the Constitutional Majority, is hereby declared passed. The Chair recognizes Representative Kosel."

STATE OF ILLINOIS
97th GENERAL ASSEMBLY
HOUSE OF REPRESENTATIVES
TRANSCRIPTION DEBATE

44th Legislative Day

4/15/2011

Kosel: "Thank you, Mr. Speaker. I'd like to make a point of personal privilege. I'd like to welcome the student council from Liberty Junior High in New Lenox, Illinois, to the gallery right behind me."

Speaker Lang: "Welcome to Springfield. Happy to have you here. House Bill 145, Mr. Franks. Please read the Bill."

Clerk Mahoney: "House Bill 145 has been read a second time, previously. Floor Amendment #3, offered by Representative Franks, has been approved for consideration."

Speaker Lang: "Mr. Franks."

Franks: "Thank you, Mr. Speaker. Are we on Committee Amend... Floor Amendment #3? I need to see... I'm sorry, I have Floor Amendment #1. Give me one moment, please. So, the underlying Bill deals with the divestiture of the State of Illinois pension systems from businesses that deal with the Islamic Republic of Iran. And this Bill would strengthen laws that we currently have. I believe that the Amendment defines the defense sector as well as scrutinize company and foreign company. I'd be happy to answer any questions."

Speaker Lang: "The Gentleman moves for the adoption of the Amendment. On that question, the Chair recognizes Mr. Eddy for two minutes."

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

Speaker Lang: "The Gentleman yields."

Eddy: "Representative, does this require the retirement system to select a firm that specializes in global security risks?"

STATE OF ILLINOIS
97th GENERAL ASSEMBLY
HOUSE OF REPRESENTATIVES
TRANSCRIPTION DEBATE

44th Legislative Day

4/15/2011

Franks: "I'm not... I don't understand the term 'global security risks'. That's a term I'm not familiar with."

Eddy: "Well, I think Floor Amendment #3 states that the retirement system is to select an independent research firm that specializes in global security risk for portfolio determinations to determine whether or not the... the investment has a... has a risk. I'm... I'm just wondering where these firms exist, who they are, how much it might cost?"

Franks: "Can we take this out of the record for the moment? I was studying House Amendment #1. I have not seen 3. If we could take it out of... of the record for a moment, I'll speak with the..."

Speaker Lang: "Out of the record at the request of the Sponsor. House Bill 1578, Mr. Mautino. Please read the Bill."

Clerk Mahoney: "House Bill 1578 has been read a second time, previously. Floor Amendment #1 was adopted. Floor Amendment #2 has been approved for consideration."

Speaker Lang: "Mr. Mautino."

Mautino: "Thank you. I'd move adoption of Amendment #2. And this is language that I had discussed with Representative Sullivan. It answers the questions on the park district. I'd approve... I'd appreciate a vote to adopt Amendment #2."

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

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

Speaker Lang: "Third Reading. Please read the Bill."

STATE OF ILLINOIS
97th GENERAL ASSEMBLY
HOUSE OF REPRESENTATIVES
TRANSCRIPTION DEBATE

44th Legislative Day

4/15/2011

Clerk Mahoney: "House Bill 1578, a Bill for an Act concerning local government. Third Reading."

Speaker Lang: "Mr. Mautino."

Mautino: "Thank you. This is an initiative of the park districts. There is no opposition to the Bill. The Farm Bureau had misstated their opposition. So, they corrected that for us. The Amendment says that if one levy is raised the other must be lowered so there can be no additional taxes or tax increases in this Bill. That was always its intention. And I'd appreciate an 'aye' vote."

Speaker Lang: "The Gentleman moves for the adopt... for the passage of the Bill. And on that question, the Chair recognizes Representative Eddy for two minutes."

Eddy: "Thank... thank you, Mr. Speaker. Representative Mautino, there was some confusion I think based on the way the original Bill was written and whether or not there would be parcel increases. I think your understanding was there wouldn't be, but there was a technical problem with the Bill that would've allowed for increases beyond certain cap extend... or limiting rates that... that now has been taken care of."

Mautino: "And that Amendment took care of it. As I said, it's been worked out with Representative Sullivan. And he went through it with the... the tax experts. Basically, they cannot exceed the cap. There are currently in statute in two different locations, two commercial lines and two... two recreational lines. If one is raised the other must be lowered so that there can be no net increase at all."

Eddy: "Okay. And I... I think that was the flaw."

STATE OF ILLINOIS
97th GENERAL ASSEMBLY
HOUSE OF REPRESENTATIVES
TRANSCRIPTION DEBATE

44th Legislative Day

4/15/2011

Mautino: "And that's exactly what the Amendment #2 says."

Eddy: "And... but that can be done without referendum. Still that change can be done but it just can't exceed the rate."

Mautino: "Correct. And what it is and that's really no change. The only thing the Bill does is clarify the existing law for a handful of counties that were concerned they might not be doing it properly."

Eddy: "Okay. All right."

Mautino: "And so that was the intent and that's in fact what it does."

Eddy: "Okay. Thank you."

Speaker Lang: "Those in favor of the Bill shall vote 'yes'; opposed 'no'. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Record yourselves, Members. DeLuca, Lyons, Mitchell. Please record yourselves. Please take the record. On this Bill, there are 50 voting 'yes', 48 voting 'no', and 3 voting 'present'. Mr. Mautino."

Mautino: "Gone."

Speaker Lang: "And this Bill is declared lost. Mr. Bost."

Bost: "Thank you, Mr. Speaker. For the rest of the afternoon if we could excuse Representative Winters and Representative Bost."

Speaker Lang: "You've excused yourself, Sir? Briefcase in hand, there he goes. Let's here it for Mr. Bost. House Bill 2858, Mr. Mautino. Please read the Bill."

Clerk Mahoney: "House Bill 2858, a Bill for an Act concerning finance. Third Reading."

Speaker Lang: "Mr. Mautino."

STATE OF ILLINOIS
97th GENERAL ASSEMBLY
HOUSE OF REPRESENTATIVES
TRANSCRIPTION DEBATE

44th Legislative Day

4/15/2011

Mautino: "Are you sure I want to do this right now? Actually, this is the annual audit, Auditor Generals Audit Expense Fund transfer. This is... there are two Bills: one is an appropriation Bill, the other is the language. This is just moving his money over to pay for the audits of governmental agencies that we've ordered."

Speaker Lang: "Gentleman moves for the passage of the Bill. There being no debate, those in favor vote 'yes'; opposed 'no'. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Leitch and May. Mr. Leitch. Please take the record. On this question, there are 99 voting 'yes', 0 voting 'no'. And this Bill, having received the Constitutional Majority, is hereby declared passed. House Bill 3223, Representative Senger. Please read the Bill."

Clerk Mahoney: "House Bill 3223, a Bill for an Act concerning education. Third Reading."

Speaker Lang: "Representative Senger."

Senger: "Thank you, Mr. Speaker. House Bill 20... 3223 basically gives those school districts that are now using remote or online classes the ability to collect general state aid fund. When the online classes were first originated a year ago, there was very specifics on making sure that IEPs and everything else was in place. All we are asking now is to change the law that was put together a year ago which said you could only have online classes during the school day and make it more flexible that you could have it not on... have it in the calendar days, no more than the calendar days that are there and you can't take advantage of the

STATE OF ILLINOIS
97th GENERAL ASSEMBLY
HOUSE OF REPRESENTATIVES
TRANSCRIPTION DEBATE

44th Legislative Day

4/15/2011

system by collecting more general state aid. So, we're saying you can do it on a non-school time, like institute days or the weekend but you can't exceed the number of calendar days that you are entitled to the general state aid. And it's locked on the other end where you can't take advantage to get more general state aid. I'd appreciate an 'aye' vote."

Speaker Lang: "The Lady moves for the passage of the Bill. There being no debate, those in favor vote 'yes'; opposed 'no'. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Davis, Leitch. Representative Monique Davis. Please take the record. On this question, 98 voting 'yes', 0 voting 'no'. And this Bill, having received the Constitutional Majority, is hereby declared passed. House Bill 1110, Representative Karen Yarbrough. Please read the Bill."

Clerk Mahoney: "House Bill 1110, a Bill for an Act concerning housing. Third Reading."

Speaker Lang: "Representative Yarbrough."

Yarbrough: "Thank you, Mr. Speaker. House Bill 1110 was brought to me by the Chicago Housing Authority. It amends the Housing Authority Act by changing the Section pertaining... pertaining to Income Disregard Program to have it conform with federal regulation. The Income Disregard Program is an excellent program that provides an incentive for public housing families to go to work by not counting their income increase towards an increase in rent. This change keeps the valuable program in place and makes the

STATE OF ILLINOIS
97th GENERAL ASSEMBLY
HOUSE OF REPRESENTATIVES
TRANSCRIPTION DEBATE

44th Legislative Day

4/15/2011

changes necessary for this Section to conform to federal regulation. I'd be happy to answer any questions."

Speaker Lang: "The Lady moves for the passage of the Bill. And on that question, the Chair recognizes Representative Eddy for two minutes or less."

Eddy: "Thank... thank you, Mr. Speaker. Representative, very brie... Would the Sponsor yield?"

Speaker Lang: "The Lady yields."

Eddy: "This only applies to the Chicago Housing Authority."

Yarbrough: "That's correct."

Eddy: "Okay. Thank you."

Speaker Lang: "You still have a little time, Sir. Those in favor of the passage of the Bill should vote 'yes'; opposed 'no'. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Gordon. Jakobsson. Stephens. Please take the record. On this question, there are 97 voting 'yes', 0 voting 'no', 1 voting 'present'. This Bill, having received the Constitutional Majority, is hereby declared passed. House Bill 3443, Mr. Mautino. Please read the Bill."

Clerk Mahoney: "House Bill 3443, a Bill for an Act concerning insurance. Third Reading."

Speaker Lang: "Mr. Mautino."

Mautino: "Yes. Thank you, Speaker. This is the issue of medical sharing trust specifically. I've had this Bill for a couple of years for Samaritan Ministries. They have a sharing... a medical sharing trust and they allow for members to help pay other members health care bills. And they've been around for four years. We've tried to regulate them

STATE OF ILLINOIS
97th GENERAL ASSEMBLY
HOUSE OF REPRESENTATIVES
TRANSCRIPTION DEBATE

44th Legislative Day

4/15/2011

under trusts. The Attorney General's Office wasn't interested in handling the regulation for them there. We've worked with the Department of Insurance and continue to on this Bill and under the Federal Health Care Law basically there was an exemption that has been granted to medical sharing trusts so that they can continue. And this basically puts Federal Law into our statutes. It has a corresponding Bill which just came from the Senate. It arrived here today."

Speaker Lang: "The Gentleman moves for the passage of the Bill. And on that question, the Chair recognizes Representative Feigenholtz for two minutes."

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

Speaker Lang: "The Gentleman yields."

Feigenholtz: "Representative Mautino, I was a little confused about this Bill in committee and I'm... and I'm just wondering, why is this Bill needed?"

Mautino: "The concern was with changes that have happened or... and are ongoing with the federal health care laws that Samaritan Ministries and other needs sharing trusts wanted to be able to continue doing what they do, which is members pay for other members health care bills. It is not insurance and it operates, basically, on the form of a trust, as opposed to an insurance company."

Feigenholtz: "So it's a... it's an exemption from the Affordable Health Care Act?"

Mautino: "Excuse me. Can you restate?"

STATE OF ILLINOIS
97th GENERAL ASSEMBLY
HOUSE OF REPRESENTATIVES
TRANSCRIPTION DEBATE

44th Legislative Day

4/15/2011

Feigenholtz: "It's... is it an exemption from the Affordable Health Care Act? I mean is it... does the Affordable Health Care Act not approve these?"

Mautino: "No. No. They... they already have an exemption from the Affordable Health Care Act. It's done at the federal... federal level and this just mirrors it. They currently have an exemption at the federal level. As a matter of fact, a question on their status in a different state was now dropped just because of that. The federal exemption has passed. We're going to mirror it, so they can continue to do what they do."

Feigenholtz: "So, the answer is essentially that this exemption is a mandate to maintain individual coverage for the current members or these qualifying ministries that you're talking about, right?"

Mautino: "No. The Samaritan, they're not actual... they're not insurance plans or mandated coverage plans. They basically, members of a religious organization would get together, they would agree to help pay people's bills off. This has been going on for about 70 years."

Feigenholtz: "So, does this Bill go beyond what the Affordable Health Care Act contemplates?"

Mautino: "No. It actually just allows them to keep doing what they're doing, which is allowing members to share the cost of health care. I actually had an employee from one of our... a friend of one of our employees joined one of these and it was actually very helpful. It wasn't insurance, but when it came time for her to get her bills covered the people sent money, actually, directly to her to pay off her

STATE OF ILLINOIS
97th GENERAL ASSEMBLY
HOUSE OF REPRESENTATIVES
TRANSCRIPTION DEBATE

44th Legislative Day

4/15/2011

bills. It doesn't go to the provider, but it's member to member which is why it falls outside of the Insurance Code."

Speaker Lang: "Representative Feigenholtz, your time has come to a close. So, please bring your remarks to a close."

Feigenholtz: "Well, I have a couple of more questions, Rep.. Mr. Spe.."

Speaker Lang: "We'll give you one more minute."

Feigenholtz: "Thanks. Does this Bill define arrangement in the underlying language, Representative Mautino or does it leave without any definition? I... I've... from what I... the notes I have there's no definition of arrangement which could be a problem."

Mautino: "It... it wasn't a problem in the Federal Act, which this mirrors. As a matter of fact, their exemption was just granted in the feds and in other states where they're operating as well."

Feigenholtz: "And would... do you think this Bill exempts religious organizations and members who have an undefined arrangement from insurance laws?"

Mautino: "These..."

Feigenholtz: "So, this is like an exemption from..."

Mautino: "Sure."

Feigenholtz: "...so... from the Affordable Health Care Act."

Mautino: "It's... no. It's a exemption from the actual... from the Insurance Code itself. And actually, Amendment #1 was necessary because in drafting of the Bill by using the federal language we actually accidentally exempted them from car insurance and house insurance and everything else."

STATE OF ILLINOIS
97th GENERAL ASSEMBLY
HOUSE OF REPRESENTATIVES
TRANSCRIPTION DEBATE

44th Legislative Day

4/15/2011

So, that fixed... you know, that fixed and said they have to carry... they have to apply for all other types of insurance. However, since they're not an insurance company the Code does not impact them."

Feigenholtz: "But this... you're not... so people are going to opt into this because they want to be in it. Even though in other states, like the State of Washington currently had... they recently had a program like this and there was a lot of deceptive and predatory practices going on, but if the ministry... if... if you're in, you're in. You make that decision yourself. Is that correct? So, if you want people to prey upon you, if you have a bad operator, you make the decision to be in it or not, correct?"

Mautino: "We have..."

Feigenholtz: "It may not be the best way to go, but it's consumer choice."

Mautino: "It's... there's an option that's out there. The... the sharing trust actually the Illinois base has worked well for about 70 years for the people throughout Peoria and the Midwest. They do have thousands of people who have chosen to supplement their health care by... by doing this type of a choice."

Feigenholtz: "It's a very interesting Bill, Representative. Thank you."

Mautino: "Thank you."

Speaker Lang: "Representative May."

May: "Yes. Will the Sponsor yield?"

Speaker Lang: "The Gentleman yields."

STATE OF ILLINOIS
97th GENERAL ASSEMBLY
HOUSE OF REPRESENTATIVES
TRANSCRIPTION DEBATE

44th Legislative Day

4/15/2011

May: "Has... has your Amendment #2 taken away the objections of the Illinois Department of Insurance?"

Mautino: "No, it isn't. As a matter of fact, I talked with Director McRaith about 10 minutes ago and told him we would continue to work with him. He has some ideas for some different language. And I would be willing to... to do that. I've spoken with Bob Wagner, who is the Senior Legal Counsel at the Department of Insurance, for any ways they could do this better. I've been... been working on this for about three years. The department did not want to regulate them in the first place. They suggested we go to the Attorney General, as it was a trust. We went to the Attorney General, she said that it was not in her area. So, she didn't want to regulate them. So, the Federal Law has now made a decision on how they should be overseen and how they should be allowed to continue."

May: "Is the cease and desist order still in effect from... from federal... from the federal level?"

Mautino: "My understanding is no because of the federal language that cease and desist order on my understanding is... was withdrawn. I believe you're talking about out in the State of Washington."

May: "Okay."

Mautino: "And actually that's the reason for this Bill itself is to take that individual decision away and to allow for the... not the individual but different departments from having all different kinds of interpretation of what this is. Essentially, you and I agree that if you get sick, I will help you. You send the... the bills in and I will send

STATE OF ILLINOIS
97th GENERAL ASSEMBLY
HOUSE OF REPRESENTATIVES
TRANSCRIPTION DEBATE

44th Legislative Day

4/15/2011

you money as opposed to the provider. And that's how they've worked for, you know, in this case 70 years but for hundreds of years."

May: "Okay. I just... I was red flagged by the Department of Insurance that this exempted them from all insurance laws. So, you agree, it still needs work."

Mautino: "We... we fixed that with Amendment #2."

May: "Okay. But... but you agree that it still needs work."

Mautino: "I'm still willing to work with the departments on here. I think that... that without this law they will be able to continue to do what they do. With this law, it just says that the feds have now recognized that they can exist as... as they have existed and it will allow them that piece of mind to continue working properly."

Speaker Lang: "Representative May..."

May: "Thank you."

Speaker Lang: "...please bring your remarks to a close. The Lady has completed her remarks. Mr. Mautino to close."

Mautino: "I'd appreciate an 'aye' vote."

Speaker Lang: "Those in favor of the Bill shall vote 'yes'; opposed 'no'. The voting is open. Have all voted who wish? Have all voted who wish? Gordon, Harris, Lyons, Pritchard, Smith. Record yourselves, Members. Representative Gordon. Mr. Clerk, please take the record. On this question, there are 86 voting 'yes', 10 voting 'no', 2 voting 'present'. And this Bill, having received the Constitutional Majority, is hereby declared passed. House Bill 83, Representative Yarbrough. Please read the Bill."

STATE OF ILLINOIS
97th GENERAL ASSEMBLY
HOUSE OF REPRESENTATIVES
TRANSCRIPTION DEBATE

44th Legislative Day

4/15/2011

Clerk Mahoney: "House Bill 83, a Bill for an Act concerning courts. Third Reading."

Speaker Lang: "Representative Yarbrough."

Yarbrough: "Thank you, Mr. Speaker. House Bill 83 encourages juvenile courts to explore all less restrictive alternatives to confinement and plans for reentry from confinement. This Bill will also help Illinois to recover Federal IV-E Funds for services for delinquent youth. I'd be happy to answer any questions."

Speaker Lang: "The Lady moves for the passage of the Bill. And on this question, the Chair recognizes Representative Eddy for two minutes."

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

Speaker Lang: "The Lady yields."

Eddy: "Representative, we're working off of Floor Amendment 5 that becomes the Bill. I think originally this... this was a Bill that was filed and had a little bit of opposition."

Yarbrough: "Yes, it did, but we've worked with the State's Attorneys and they are now neutral."

Eddy: "Okay. So, it basically provides that the Department of Ju... Juvenile Justice does a least restrictive alternative and they do it based on evidence."

Yarbrough: "That's correct."

Eddy: "Is that the purpose?"

Yarbrough: "Yes. Yes."

Eddy: "Okay."

Yarbrough: "We want them to consider... we want them to consider what is the least restrictive alternative taking into consideration everything that this child has been through."

STATE OF ILLINOIS
97th GENERAL ASSEMBLY
HOUSE OF REPRESENTATIVES
TRANSCRIPTION DEBATE

44th Legislative Day

4/15/2011

Eddy: "And... and at the end of that determination the Department of Juvenile Justice still has the authority and the final say. It... it just sets up an additional review to make sure that they have indeed found the least restrictive environment based on all... it doesn't command them or demand them, they still make the final decision."

Yarbrough: "No. No. That's exactly what it does."

Eddy: "Okay. Thank you."

Speaker Lang: "Mr. Reboletti for two minutes."

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

Speaker Lang: "The Lady yields."

Reboletti: "Representative, will it be fair to say that what you're simply doing is codifying the... the common practices that the department's already doing?"

Yarbrough: "That's correct."

Reboletti: "Then I'll be supporting your legislation. Thank you."

Yarbrough: "Thank you."

Speaker Lang: "Those in favor of the Bill shall vote 'yes'; opposed 'no'. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Members record yourselves, please. Mr. Biss. Representative Cole. Please take the record. On this question, there are 73 voting 'yes', 25 voting 'no'. And this Bill, having received the Constitutional Majority, is hereby declared passed. The Chair recognizes Majority Leader Currie."

STATE OF ILLINOIS
97th GENERAL ASSEMBLY
HOUSE OF REPRESENTATIVES
TRANSCRIPTION DEBATE

44th Legislative Day

4/15/2011

Currie: "Thank you, Speaker. Please let the record show that Representative Acevedo is excused for the remainder of the day."

Speaker Lang: "Thank you, Representative. House Bill 3450, Representative Mautino. Please read the Bill."

Clerk Mahoney: "House Bill 3450, a Bill for an Act concerning liquor. Third Reading."

Speaker Lang: "Mr. Mautino."

Mautino: "Thank you. This Bill allows for the applicant to provide an e-mail address to the State Commission in addition to their name. And basically, this was an initiative of the Beer Distributors. It allow liquor licenses to issue e-mail reminders 30 days before a license expires."

Speaker Lang: "The Gentleman moves for the passage of the Bill. There being no debate, those in favor vote 'yes'; those opposed 'no'. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Representative Soto and Williams. Please take the record. On this question, there are 97 voting 'yes', 0 voting 'no'. And this Bill, having received the Constitutional Majority, is hereby declared passed. Members, the Chair is prepared to adjourn. I'd like to thank you for your cooperation today and wish you an enjoyable week off. And now... and now not quite yet. Members, I spoke to soon. House Bill 61, Mr. Farnham. Please read the Bill."

Clerk Mahoney: "House Bill 61 has been read a second time, previously. Amendment #1 was adopted in committee. Floor..."

STATE OF ILLINOIS
97th GENERAL ASSEMBLY
HOUSE OF REPRESENTATIVES
TRANSCRIPTION DEBATE

44th Legislative Day

4/15/2011

Speaker Lang: "The Bill number, Mr. Clerk, is House Bill 1261.
Please read the Bill."

Clerk Mahoney: "House Bill 1261 has been read a second time,
previously. Amendment #1 was adopted in committee. Floor
Amendment #5, offered by Representative Farnham, has been
approved for consideration."

Speaker Lang: "Mr. Farnham."

Farnham: "Thank you, Mr. Speaker, Members of the House. Sorry
to hold you up here. House Bill 1261, the Amendment adds
Metra to the list of entities that are required to enter
into an agreement with IDPH to compare the roster of
reduced fare programs with those individuals recorded on
the elections death reporting system. This changes the re..
repre... the reporting system to... so that the transit
agencies are reported the deaths so that they can take
people off of those rolls."

Speaker Lang: "The Gentleman's moved for the adoption of the
Amendment. There being no debate, those in favor say
'yes'; opposed 'no'. In the opinion of the Chair, the
'ayes' have it. And the Amendment is adopted. Mr. Clerk."

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

Speaker Lang: "Third Reading. Please read the Bill."

Clerk Mahoney: "House Bill 1261, a Bill for an Act concerning
public health. Third Reading."

Speaker Lang: "Mr. Farnham."

Farnham: "Thank you, Mr. Speaker. I ask for an 'aye' vote on
this. This will save millions of dollars to the people of
the State of Illinois. I ask for an 'aye' vote."

Speaker Lang: "The Chair recognizes Mr. Brady."

STATE OF ILLINOIS
97th GENERAL ASSEMBLY
HOUSE OF REPRESENTATIVES
TRANSCRIPTION DEBATE

44th Legislative Day

4/15/2011

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

Speaker Lang: "Reluctantly."

Brady: "I understand. Very quickly, Representative. So, you're using the electronic filing... death records filing system to remove individuals from the... what did you say... what records?"

Farnham: "From the Mass Transit Agencies and the county assessors."

Brady: "Okay. So, is this another way to verify as efficiently as possible because of this new system to take individuals who are deceased off the records?"

Farnham: "Correct."

Brady: "Thank you."

Speaker Lang: "Mr. Mathias for two minutes."

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

Speaker Lang: "He will yield."

Mathias: "Representative, I understand by looking at my analysis that the RTA is opposed to the Bill. Do you know why the RTA is opposed to the Bill?"

Farnham: "They're okay with Amendment #5 now."

Mathias: "Well, it says here on my analysis that the RTA is opposed to the Bill as amended by Floor Amendment #5. I'm just reading from my analysis. Says Pace is also opposed. I'm just going by my analysis."

Farnham: "My understanding is that they would have to pay a minimal amount of money on this and that's why... to get the records, but the money that they would save would be overwhelmingly more than what it would cost them."

STATE OF ILLINOIS
97th GENERAL ASSEMBLY
HOUSE OF REPRESENTATIVES
TRANSCRIPTION DEBATE

44th Legislative Day

4/15/2011

Mathias: "Okay. I... I just urge everybody and I know it's a late hour and everybody wants to go, but take a look at the Bill. Unfortunately, it comes at the late hour and... who's charging the money that they have to pay? In other words, who's paying them... the Bill?"

Farnham: "IDPH and an administrative fee for exchanging the information."

Mathias: "So, the state is charging RTA when they don't even... right now I've got a letter from RTA asking the state to pay the bill... the sales tax that is due to them and now you're going to throw another charge on them when they haven't even paid what the state owes them?"

Farnham: "Right now the state says that they would not charge a fee. They may, but they're saying that they would not, at this point."

Speaker Lang: "Mr. Mathias..."

Mathias: "Well, if they don't then..."

Speaker Lang: "...please bring your remarks to a close."

Mathias: "I would just ask for a verification."

Speaker Lang: "The Gentle... the Gentleman asks for a verification. Mr. Mathias asked for a verification. Mr. Eddy for two minutes or much less."

Eddy: "Thank you, Mr. Speaker. I... I think clearly the RTA is opposed and the reason is that there's obviously a fee or a charge. They may charge. May means they will. This is not ready. We need to... we need to vote against this Bill and bring it back at a time when people have a chance to look at it. I urge a 'no' vote."

Speaker Lang: "Mr. Farnham."

STATE OF ILLINOIS
97th GENERAL ASSEMBLY
HOUSE OF REPRESENTATIVES
TRANSCRIPTION DEBATE

44th Legislative Day

4/15/2011

Farnham: "Right now, they're being charged a lot more right now than they would be charged, \$16 thousand to get the information by the Department of Social Security. This would be hundreds of dollars. So, it would be considerably cheaper and save them a lot of money in the long run."

Speaker Lang: "The Gentleman removes the Bill from the record. And now, allowing perfunctory time for the Clerk, Representative Currie moves that the House stand adjourned 'til Tuesday, April 26 at 12 noon. Those in favor say 'yes'; opposed 'no'. In the opinion of the Chair, the 'ayes' have it. And the House does stand adjourned. Have a good week."

Clerk Mahoney: "House Perfunctory Session will come to order. Introduction and Reading of Senate Bills—First Reading. Senate Bill 7, offered by Representative Madigan, a Bill for an Act concerning education. Senate Bill 43, offered by Representative Farnham, a Bill for an Act concerning revenue. Senate Bill 64, offered by Representative Mathias, a Bill for an Act concerning criminal law. Senate Bill 72, offered by Representative Greg Harris, a Bill for an Act concerning insurance. Senate Bill 73, offered by Representative Cunningham, a Bill for an Act concerning criminal law. Senate Bill 79, offered by Representative Burns, a Bill for an Act concerning education, which may be referred to as the Charter School Quality Law. Senate Bill 83, offered by Representative McAsey, a Bill for an Act concerning local government. Senate Bill 91, offered by Representative Osmond, a Bill for an Act concerning transportation. Senate Bill 92, offered by Representative

STATE OF ILLINOIS
97th GENERAL ASSEMBLY
HOUSE OF REPRESENTATIVES
TRANSCRIPTION DEBATE

44th Legislative Day

4/15/2011

Gordon, a Bill for an Act concerning local government. Senate Bill 98, offered by Representative Nybo, a Bill for an Act concerning elections. Senate Bill 109, offered by Representative Nybo, a Bill for an Act concerning revenue. Senate Bill 123, offered by Representative Daniel Burke, a Bill for an Act concerning regulation. Senate Bill 150, offered by Representative Cross. Senate Bill 152... Correction. Senate Bill 150 is not read. Senate Bill 152, offered by Representative Saviano, a Bill for an Act concerning insurance. Senate Bill 161, offered by Representative Stephens, a Bill for an Act concerning revenue. Senate Bill 170, offered by Representative Watson, a Bill for an Act concerning government. Senate Bill 269, offered by Representative Colvin, a Bill for an Act concerning State government. Senate Bill 397, offered by Representative Sosnowski, a Bill for an Act concerning revenue. Senate Bill 401, offered by Representative Brady, a Bill for an Act concerning revenue. Senate Bill 539, offered by Representative Winters, a Bill for an Act concerning local government. Senate Bill 620, offered by Representative Soto, a Bill for an Act concerning education. Senate Bill 630, offered by Representative Madigan, a Bill for an Act concerning education. Senate Bill 954, offered by Representative Leitch, a Bill for an Act concerning transportation. Senate Bill 956, offered by Representative Mathias, a Bill for an Act concerning transportation. Senate Bill 1042, offered by Representative Reboletti, a Bill for an Act concerning criminal law. Senate Bill 1282, offered by Representative

STATE OF ILLINOIS
97th GENERAL ASSEMBLY
HOUSE OF REPRESENTATIVES
TRANSCRIPTION DEBATE

44th Legislative Day

4/15/2011

Biss, a Bill for an Act concerning State government. Senate Bill 1344, offered by Representative Nybo, a Bill for an Act concerning government. Senate Bill 1372, offered by Representative Bost, a Bill for an Act concerning civil law. Senate Bill 1587, offered by Representative Acevedo, a Bill for an Act concerning the State Police. Senate Bill 1727, offered by Representative Sacia, a Bill for an Act concerning transportation. Senate Bill 1742, offered by Representative Eddy, a Bill for an Act concerning education. Senate Bill 1805, offered by Representative Mathias, a Bill for an Act concerning public health. Senate Bill 1821, offered by Representative Holbrook, a Bill for an Act concerning regulation. Senate Bill 1831, offered by Representative McCarthy, a Bill for an Act concerning public employee benefits. Senate Bill 1914, offered by Representative Reitz, a Bill for an Act concerning criminal law. Senate Bill 1923, offered by Representative William Davis, a Bill for an Act concerning State government. Senate Bill 1927, offered by Representative Franks, a Bill for an Act concerning government. Senate Bill 1945, offered by Representative Hernandez, a Bill for an Act concerning health. Senate Bill 1996, offered by Representative Crespo, a Bill for an Act concerning civil law. Senate Bill 2004, offered by Representative Mathias, a Bill for an Act concerning criminal law. Senate Bill 2042, offered by Representative Bost, a Bill for an Act concerning education. Senate Bill 2063, offered by Representative May, a Bill for an Act concerning local government. Senate Bill 2064, offered by

STATE OF ILLINOIS
97th GENERAL ASSEMBLY
HOUSE OF REPRESENTATIVES
TRANSCRIPTION DEBATE

44th Legislative Day

4/15/2011

Representative Biss, a Bill for an Act concerning transportation. Senate Bill 2069, offered by Representative Cunningham, a Bill for an Act concerning process servers. Senate Bill 2081, offered by Representative May, a Bill for an Act concerning safety. Senate Bill 2082, a Bill for an Act concerning State Government. Senate Bill 2084, offered by Representative Coladipietro, a Bill for an Act concerning business. Senate Bill 2106, offered by Representative Biss, a Bill for an Act concerning safety. Senate Bill 2123, offered by Representative Biss, a Bill for an Act concerning State Government. Senate Bill 2134, offered by Representative Eddy, a Bill for an Act concerning education. Senate Bill 2138, offered by Representative Williams, a Bill for an Act concerning safety. Senate Bill 2141, offered by Representative Franks, a Bill for an Act concerning civil law. Senate Bill 2147, offered by Representative Lang, a Bill for an Act concerning State Government. Senate Bill 2149, offered by Representative Eddy, a Bill for an Act concerning education. Senate Bill 2151, offered by Representative Sacia, a Bill for an Act concerning criminal law. Senate Bill 2162, offered by Representative Sacia, a Bill for an Act concerning transportation. Senate Bill 2168, offered by Representative Gordon, a Bill for an Act concerning revenue. Senate Bill 2169, offered by Representative Holbrook, a Bill for an Act concerning regulation. Senate Bill 2188, offered by Representative Mathias, a Bill for an Act concerning State Government. Senate Bill 2193, offered by Representative William Davis,

STATE OF ILLINOIS
97th GENERAL ASSEMBLY
HOUSE OF REPRESENTATIVES
TRANSCRIPTION DEBATE

44th Legislative Day

4/15/2011

a Bill for an Act concerning environmental justice. Senate Bill 2194, offered by Representative Dugan, a Bill for an Act concerning revenue. Senate Bill 2206, offered by Representative Holbrook, a Bill for an Act concerning elections. Senate Bill 2225, offered by Representative Cross, a Bill for an Act concerning revenue. Senate Bill 2267, offered by Representative Mayfield, a Bill for an Act concerning criminal law. Senate Bill 2268, offered by Representative Zalewski, a Bill for an Act concerning criminal law. Senate Bill 2270, offered by Representative Reboletti, a Bill for an Act concerning criminal law. Senate Bill 2271, offered by Representative Ford, a Bill for an Act concerning State Government. Senate Bill 2279, offered by Representative Cavaletto, a Bill for an Act concerning public employee benefits. House Bill 2286, offered by Representative Connelly, a Bill for an Act concerning criminal law. Senate Bill 2357, offered by Representative Madigan, a Bill for an Act concerning appropriations. Senate Bill 2378, offered by Representative Madigan, a Bill for an Act concerning appropriations. And Senate Joint Resolution 34, offered by Representative Chapa LaVia. Introduction and First Reading of these Senate Bills. There being no further business, the House Perfunctory Session will stand adjourned."