

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

64th Legislative Day

5/25/2011

Clerk Mahoney: "House Perfunctory Session will come to order. Rules Report. Representative Barbara Flynn Currie, Chairperson from the Committee on Rules reports the following committee action taken on May 25, 2011: approved for floor consideration 'recommends be adopted' is Floor Amendment #1 to Senate Bill 745, Floor Amendment #2 to Senate Bill 1688, Floor Amendment #2 to Senate Bill 1907, and Floor Amendment #3 to Senate Bill 1943. Introduction and Reading of Senate Bills-First Reading. Senate Bill 400, offered by Representative Gordon, a Bill for an Act concerning revenue. Senate Bill 675, offered by Representative Daniel Burke, a Bill for an Act concerning regulation. And Senate Bill 2255, offered by Representative Feigenholtz, a Bill for an Act concerning regulation. There being no further business, the House Perfunctory Session will stand adjourned.

Speaker Lyons: "Good afternoon, 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 Pastor Darrell Bendorf who is with the Harvard Bible Church in Chemung, Illinois. Pastor Bendorf is the guest of Representative Jack Franks. 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 Bendorf."

Reverend Bendorf: "Loving God, by whose grace our land has been blessed with great bounty. And by whose guidance our Nation and our state were formed generations ago. Guide us

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in these days as we face the challenges of our times. We ask for Your wisdom to be given to each Representative in the deliberations of today's Session. Give them compassion, humility, and discernment. We ask You likewise to guide Governor Quinn, our State Senate and our Judiciary. With gratitude for the service of all of our state officials, we thank You... we thank You for them, we pray for their well being, and for the well being of their families. We pray for the men and women in our military. May those who are in harms way safely return home to their loved ones. Give comfort to our wounded warriors in mind, body, and spirit. On this Memorial Day weekend, we especially honor those who have sacrificed their lives defending our freedom and our way of life. We honor their courage, their service, their example, their lives, and their families. Strengthen us in heart, in mind, in spirit as we serve You, our God, and our beloved nation and state. For You alone are our Savior. You alone are wise. And to You alone belong glory, and majesty, dominion, and power both now and forever. Amen.

Speaker Lyons: "Veterans, Mike Bost, Ron Stephens, Jim Watson, Al Riley, Linda Chapa LaVia, Jerry Mitchell, Jim Sacia, Jack McGuire, Keith Farnham, General Wayne Rosenthal, General Harris, would you lead us in the Pledge of Allegiance?"

Bost, Stephens, Watson, Riley, Chapa LaVia, J. Mitchell, Sacia, McGuire, Farnham, Rosenthal, D. Harris - et al: "I pledge allegiance to the flag of the United States of America and

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to the republic for which it stands, one nation under God,  
indivisible, with liberty and justice for all."

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

Currie: "Thank you, Speaker. Please let the record show that  
Representative Soto is excused today."

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

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

Speaker Lyons: "Mr. Clerk, take the record. There's 116  
Members answering the Quorum Call. We do have a quorum and  
are prepared to do the work of the people of the State of  
Illinois. Mr. Clerk, Committee Reports."

Clerk Mahoney: "Representative Dan Burke, Chairperson from the  
Committee on Executive reports the following committee  
action taken on May 25, 2011: do pass Short Debate is  
Senate Bill 1293. Representative May, Chairperson from the  
Committee on Health Care Availability and Accessibility  
reports the following committee action taken on May 25,  
2011: do pass Short Debate is Senate Bill 1557.  
Representative Rita, Chairperson from the Committee on  
Business & Occupational Licenses reports the following  
committee action taken on May 25, 2011: recommends be  
adopted is Floor Amendment #5 to Senate Bill 1539.  
Representative Monique Davis, Chairperson from the  
Committee on Insurance reports the following committee

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action taken on May 25, 2011: recommends be adopted is  
Floor Amendment #2 to Senate Bill 1544."

Speaker Lyons: Representative Connie Howard, do you seek  
recognition, personal privilege, people to be recognized,  
Representative?"

Howard: "Thank you very much, Mr. Speaker. I'd like my  
colleagues to welcome today, two very important persons,  
Dr. Terry Mason, who is the Interim Chief Executive Officer  
of the Cook County Health and Hospital System and Dr.  
Claudia Fagan, who is the Interim Chief Medical Officer for  
the Cook County Health and Hospital System. Please welcome  
them to Springfield."

Speaker Lyons: "Welcome to your Capital. Glad to have you.  
Representative Karen May, point of personal privilege?"

May: "Yes. Thank you, Mr. Speaker. I have an announcement.  
The Green Caucus will meet immediately after Session in  
Room 122B, Room 122B for a Green Caucus Meeting immediately  
after Session. Thank you."

Speaker Lyons: "Ladies and Gentlemen, I'd like all Members to  
please be at their desks. Staff, please retire to the rear  
of the chamber. We are going to do our annual ceremony to  
pay our respects to fallen service members in the State of  
Illinois. And Representative Chuck Jefferson, you have the  
Chair's apology for not including you in that list of  
Veterans, so my apologies, Chuck, but Chuck was also a  
Veteran and served our country in uniform. So... would the  
Members and guests please stand. Guests in the gallery  
stand for the presentation of colors by the 114th Illinois

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Voluntary Infantry Reactivated. Presentation of Colors.  
Mr. Clerk, would you please read House Resolution 404."

Clerk Mahoney: "House Resolution 404, offered by Representatives  
Watson, Chapa LaVia, Stephens, Riley, and Bost.

WHEREAS, In accordance with the established tradition of the  
Illinois House of Representatives, it is fitting that, in  
observance of Memorial Day, we honor our brothers and  
sisters who have given their lives in service to our  
country as the guardians of our long-held freedoms; and

WHEREAS, This Memorial Day, we give added reverence in  
marking the 150th anniversary of the beginning of the  
American Civil War and reflect on those long-forgotten  
ancestors who fought so valiantly over four long years  
between 1861 and 1865 in that great struggle to make our  
country truly whole and truly free; and

WHEREAS, No better words have been written to honor those  
brave souls who were sacrificed long ago or pay tribute to  
the those brave men and women of today who have continued  
that fight for freedom than the Gettysburg Address; let us  
now recite those words so humbly said by our 16th  
President, Abraham Lincoln: "Four score and seven years  
ago, our fathers brought forth on this continent, a new  
nation, conceived in Liberty, and dedicated to the  
proposition that all men are created equal. Now we are  
engaged in a great civil war, testing whether that nation  
or any nation so conceived and so dedicated, can long  
endure. We are met on a great battlefield of that war. We  
have come to dedicate a portion of that field, as a final  
resting place for those who have gave their lives that that

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nation might live. It is altogether fitting and proper that we should do this. But, in the larger sense, we can not dedicate - we can not consecrate - we cannot hallow - this ground. The brave men, living and dead, who struggled here, have consecrated it, far above our poor power to add or detract. The world will little note, nor long remember what we say here, but it can never forget what they did here. It is for us the living, rather, to be dedicated here to the unfinished work which they who fought here have thus far so nobly advanced. It is rather for us to be here dedicated to the great task remaining before us - that from those honored dead we take increased devotion to that cause for which they gave the last full measure of devotion - that we here highly resolve that these dead shall not have died in vain - that this nation, under God, shall have a new birth of freedom - and that government of the people, by the people, for the people, shall not perish from the earth.";

and

WHEREAS, Those words from long ago still speak to those brave men and women of today who we now honor; it is all together fitting and appropriate that we, with heavy hearts, again accept the honor of reading the Roll Call of those American soldiers, sailors, airmen, and marines from the State of Illinois who have made the ultimate sacrifice in the preceding year since the previous tribute; therefore, be it

RESOLVED, BY THE HOUSE OF REPRESENTATIVES OF THE NINETY-SEVENTH GENERAL ASSEMBLY OF THE STATE OF ILLINOIS, that a copy of this resolution and a copy of the ceremonial

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honor roll and program of the May 25, 2011 reading of names be presented to the families of these fallen heroes."

Speaker Lyons: "Representative Currie moves for the adoption of House Resolution 404. All those in favor signify by saying 'yes'; those opposed say 'no'. In the opinion of the Chair, the 'ayes' have it. And the... it's unanimously adopted. Command Sergeant Major John Starbody. All Members and guests in the chamber please stand and remain standing for the reading of the names of our fallen heroes. Representative Mike Connelly."

Connelly: "Private First Class Gunnar R. Hotchkin, United States Army, Naperville, killed in action June 16, 2010."

Speaker Lyons: "Representative Sandy Cole."

Cole: "Army Ranger Specialist Joseph W. Dimock II, Joey Dimock, United States Army, Wildwood, died July 10, 2010."

Speaker Lyons: "Representative Bill Mitchell."

Mitchell, B.: "Sergeant Donald R. Edgerton, United States Army, Riverton, killed in action July 10, 2010."

Speaker Lyons: "Representative JoAnn Osmond."

Osmond: "Staff Sergeant Christopher J. Antonik, United States Marines, Antioch, killed in action July 11, 2010."

Speaker Lyons: "Representative Jerry Mitchell."

Mitchell, J.: "Staff Sergeant Justus S. Bartelt, United States Marines, Polo, killed in action July 16, 2010."

Speaker Lyons: "Representative Brown."

Brown: "Sergeant Jesse R. Tilton, United States Army, Decatur, killed in action July 16, 2010."

Speaker Lyons: "Representative Watson."

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Watson: "Sergeant Matthew W. Weikert, United States Army, Jacksonville, killed in action July 17, 2010."

Speaker Lyons: "Representative Sosnowski. Sergeant Anibal Santiago, United States Army, Belvidere, Illinois, died July 18, 2010. Representative Lilly."

Lilly: "Lance Corporal Frederik E. Vazquez, United States Marines, Melrose Park, killed in action July 24, 2010."

Speaker Lyons: "Representative Will Davis."

Davis, W.: "Sergeant First Class Edgar N. Roberts, United States Army, Harvey, killed in action August 17, 2010."

Speaker Lyons: "Representative Sandy Pihos."

Pihos: "Lance Corporal Kevin E. Oratowski, United States Marines, Wheaton, killed in action August 18, 2010."

Speaker Lyons: "Representative Morrison."

Morrison: "Corporal Christopher J. Boyd, United States Marines, Palatine, killed in action August 19, 2010."

Speaker Lyons: "Representative Unes."

Unes: "Lance Corporal Robert J. Newton, United States Marines, Creve Coeur, killed in action August 23, 2010."

Speaker Lyons: "Representative Rosenthal."

Rosenthal: "Sergeant First Class Ronald A. Grider, United States Army, Brighton, killed in action September 18, 2010."

Speaker Lyons: "Representative Brauer."

Brauer: "Staff Sergeant Joshua D. Powell, United States Army, Pleasant Plains, died September 21, 2010."

Speaker Lyons: "Representative Jehan Gordon. Sergeant Mark A. Simpson, United States Army, Peoria, killed in action September 26, 2010. Representative Mike McAuliffe."



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McAuliffe: "Senior Airman Daniel J. Johnson, United States Air Force, Schiller Park, killed in action October 5, 2010."

Speaker Lyons: "Representative Mary Flowers."

Flowers: "Lance Corporal John T. Sparks, United States Marines, Chicago, killed in action October 8, 2010."

Speaker Lyons: "Representative Jerry Mitchell."

Mitchell, J.: "Lance Corporal Alec E. Catherwood, United States Marines, Byron, Illinois, killed in action October 14, 2010."

Speaker Lyons: "Representative Ron Stephens."

Stephens: "Private First Class Andrew N. Meari, United States Army, Plainfield, killed in action 1 November, 2010."

Speaker Lyons: "Representative Brauer."

Brauer: "Specialist James C. Young, United States Army, Rochester, Illinois, killed in action November 3, 2010."

Speaker Lyons: "Representative Mike Bost."

Bost: "Staff Serg... Sergeant Jordan B. Emrick, United States Marines, Hoyleton, killed in action November 5, 2010."

Speaker Lyons: "Representative Mathias."

Mathias: "Lance Corporal James B. Stack, United States Marines, Arlington Heights, Illinois, killed in action November 10, 2010."

Speaker Lyons: "Representative Beiser."

Beiser: "Lance Corporal Kenneth A. Corzine, United States Marines, Bethalto, killed in action December 24, 2010."

Speaker Lyons: "Representative Dan Reis... David Reis."

Reis: "Sergeant Michael P. Bartley, United States Army, Barnhill, Illinois, killed in action 15th of January, 2011."

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Speaker Lyons: "Representative Mike Bost."

Bost: "Specialist William Templeton, United States Army, Pinckneyville, died March 7, 2011."

Speaker Lyons: "Representative JoAnn Osmond."

Osmond: "Specialist Andrew P. Wade, United States Army, Antioch, died March 9, 2011."

Speaker Lyons: "Ladies and Gentlemen, their souls and the souls of all the faithfully departed, especially our Veterans of Illinois, Rest in Peace. Amen. Representative Stephens."

Stephens: "Mr. Speaker, if I may. A wonderful tradition that you are all a part of that we... we give the families what we promised them, to remember. And now these names are forever a part of Amer... American History, our history here in Illinois. When these families lose their son or daughter they... they come here and many of you recognize them with a resolution. And I... when the families come during those times, I try to go in the gallery to meet with them, just to... to let them know how much you and I care. And it's always a tough trip up those stairs. There's a lot of sorrow. And the... the families, they've always got a couple of questions. Why and was it worth it? The... the sorrow that they feel helps me answer those questions as to why and whether it's worth it. I'm reminded of a poem, I believe by Browning, 'I walked a mile with pleasure; And she chatted all the way; But I was none the wiser for all she had to say. And I walked a mile with Sorrow; And ne'er a word said she; But, oh, the things I learned from her, when Sorrow walked with me.' I have been proud to serve my country and I'm prouder yet to serve with you. I look

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across the aisle, I see some... some former soldiers. I see Linda Chapa LaVia. A fine young woman whose life would certainly have been complete without her service to the military, but yet she heard the call... she heard that distant trumpet's call and she answered it. My good friend, Al Riley, Paratrooper with the 82nd Airborne. Tough, tough soldier, could take care of himself... himself. He told me that when he was a young paratrooper he took a great deal of pleasure, he... he was in perfect shape. He could dunk a basketball. I said, well, I was in perfect shape, too. I could... I could touch the net. I think of my friend, Jim Watson, on this side of the aisle. It wasn't good enough to go once to war, but indeed, went again. Left this chamber to go serve his Nation again. They heard the trumpet's call. One more example, Mr. Speaker, if I might. My good friend, Jim Sacia, who gave seven years of his life to the United States Army. He was an enlisted man, worked his way up to Staff Sergeant and he was really a good soldier. And they made him a Lieutenant. They sent him to Officer's Candidate School. He heard the trumpet's call. And I will tell you, I got to know Jim very well and he will... he will go to his grave after seven years of serving in the United States Army, giving it all, leading young men, he thinks he didn't do enough. That's the sort of men and women that serve their Nation. That's the sort of men and women we honor today. That sorrow that we... we see in the faces of the families helps me answer the question, 'Was it worth it?' We have metaphorically walked behind the case on that carried these young soldiers to

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their resting place and we... we walk that mile in sorrow. When they leave this earth, it is my belief, Mr. Speaker, if I'm ever lucky enough to even from a distance see the Gates of Heaven, I know, I visualize a long line and I'm in the back slowly proceeding to that gate, God calls those soldiers, those boys and girls forward first. And I visualize on the other side of that gate, literally, the arms of God wrapping His arms around those children, the way any Father would saying well done, well done and welcome home. It was worth it. God bless them all. Thank you, Mr. Speaker."

Speaker Lyons: "Representative David Harris."

Harris, D.: "Thank you, Mr. Speaker. The men of the 114th Illinois Infantry that presented this flag presentation today was our members of but one regiment of Illinois Militia that have fought so bravely going back to the Civil War. If you go back and do a little bit of history, you will find that Illinois contributed more soldiers to the Union cause than any other state in this Nation. If you go to Vicksburg, one of the bloodiest battles in the Civil War, you will find a large monument there, the largest at the Vicksburg Battlefield, to the soldiers of the State of Illinois who died at that battlefield. Those soldiers fought for an ideal. Those soldiers fought for human equality. Those soldiers fought for the protection and preservation of the Union, of this Nation, which we hold so dear. Unfortunately, so many other Illinois soldiers have over the years fallen on foreign battlefields. And unfortunately, because of our foreign commitments, more

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will probably fall on foreign battlefields. But we do them an honor by remembering them here in this chamber, we remember their service, we remember what their families have done. We remember the ultimate measure that they have given. We can be proud of what they have done as Illinois citizens and we are justifiably sad that we have lost them."

Speaker Lyons: "Ladies and Gentlemen, we'll stand in silence before their own thoughts for a moment. For all the things we do in this chamber, Ladies and Gentlemen, this Memorial Service is one of the finest hours that we ever have on this floor every year. To all of you who participated, for everybody who lost someone, for all of us who lost people from the State of Illinois, thank you and God bless you for being part of this. Program's concluded. Ladies and Gentlemen, Representative Watson moves that all Members of the General Assembly all eight... 118 of our names be added to House Resolution 404. All those in favor signify by saying 'yes'; those opposed say 'no'. In the opinion of the Chair, the 'ayes' have it. And all Members will be added to Proclamation 404. Thank you, Representative Watson for that Motion. Representative Chapa LaVia."

Chapa LaVia: "Thank you, Speaker and Members of the House. I'd like to have you help me wel... welcome one of our... our Veterans, Fred Tollbar. He's up in the audience today. He was the Commander of the oldest legion here in the State of Illinois. So, I'd like to welcome him and I'd like you, also, to welcome him for the State."

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Speaker Lyons: "Thank you, Commander. Enjoy your day at the Capitol. Proud to have you here. Ladies and Gentlemen, we're going to do some Senate Bills-Third Readings, the few that are left here. Representative Lang, on the bottom of page 5 under Senate Bills-Third Reading, you have Senate Bill 1794. Read the Bill, Mr. Clerk."

Clerk Mahoney: "Senate Bill 1794, a Bill for an Act concerning education. Third Reading."

Speaker Lyons: "The Gentleman from Cook, Leader Lou Lang."

Lang: "Thank you, Mr. Speaker and Ladies and Gentlemen of the House. This is really a very simple Bill, which has been made... made complicated by some. We've had for many years, well over a dozen years, a Federal Court settlement call... in a case called Corey H., regarding special education and teachers in special education. Under the court order and our recent conversations a judge has ordered that we do what this Bill requires, which is to remove the labels from Special Education Teachers. This Bill in no way lowers certification requirements. It in no way lowers standards for these teachers. It in no way lowers the kind of care and concern that these folks will have for our children who are in Special Education. It simply complies with a Federal Court Order. If we do not comply with this order the court will provide a mandatory injunction for us to do what is exactly in this Bill. And some would say, well why don't you wait? And the reason we won't wait is because if we get a mandatory injunction we will not be able to ever change it. We'll be stuck with that mandatory injunction unless there's a subsequent court order. If we pass this

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Bill, we can still do peremptory rules through JCAR. We can still pass other legislation in the future to affect this. And this is... this Bill is only to deal with the issues that the Federal Judge has given us to deal with. So, I would ask your support on this Bill. This will not harm children. It will not affect any treatment of children under special education in the State of Illinois. I ask your support."

Speaker Lyons: "You've heard the Gentleman's explanation. The Chair recognizes the Gentleman from Lee, Representative Jerry Mitchell."

Mitchell, J.: "Thank you, Mr. Speaker. Ladies and Gentlemen, this Bill is not a simple Bill. First of all, it takes away a Bill that was passed here about eight years ago by myself. It also takes away the right of... of special education teachers to specify that particular area that they want to concentrate their work. At a time when autism is growing at such a rate that it's unbelievable, we will not have teachers specialized in autism. This says that we will have Specialist I, Specialist II... generalist in an area that if you have a child with a special education need, you are going to have a grave concern that you have someone that does not have the specificity that they should have. Now, I was told by the State Board of Education eight years ago that if we don't do this the courts are going to put us in receivership forever. Now they're telling us again. I've asked, 'Show me the Carfax.' And Mr. Speaker, is this on Short Debate?"

Speaker Lyons: "Jerry, we're going to let it go. So..."

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Mitchell, J.: "Pardon?"

Speaker Lyons: "I don't have the timer on. I... we'll... we'll let it go. Go ahead."

Mitchell, J.: "But it... if it is on Short Debate, I would like to taken off Short Debate. I have..."

Speaker Lyons: "So noted."

Mitchell, J.: "Thank you. So basically, you've telling special education teachers don't worry about it, you can... you can take care of many different special education problems that are out there because we've trained you for all of them. We know full well that's not true. It doesn't cost any more to have them. We passed a Bill eight years ago to allow that specificity. And I was told at that time, you're liable to wind up in jail because you're going to be held in contempt by Judge Gettleman. I said, 'Bring it on.' Well, I'm still here, that Bill is still there and the State Board has been able to operate all eight years without a problem. Now all of a sudden, it's the end of the time that we're taken out of this case and we've got another full scale attempt to go back to only Specialist I, Specialist II. I don't think it's necessary. I don't think this Bill is necessary. They have another Bill coming that they've already agreed to take away this particular exemption and that's already been changed. This Bill certainly does not need to happen and I urge a 'no' vote at this time because we need to make sure that we have the specialists out there for those kids that have special needs. Thank you, Mr. Speaker. Vote 'no'."

Speaker Lyons: "Representative Monique Davis."



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

Speaker Lyons: "Sponsor yields."

Davis, M.: "Representative Lang, you're an attorney, right?"

Lang: "Yes, I am."

Davis, M.: "Do torney... do attorney's have specialties? Like are there Criminal Attorneys, Tax Attorneys, Real Estate Attorneys, Corporate Attorneys?"

Lang: "Representative, there are attorneys who call themselves those, but there is no certification in the law for those titles."

Davis, M.: "But they do specialize in those areas?"

Lang: "Yes. And this Bill would not keep any special education teacher from specializing, it would just take away their title."

Davis, M.: "To the Bill, Mr. Speaker. I hate to disagree with my honorable colleague. Children who have autism have very special needs that may be very different from a child who has a behavior disorder or a child who has learning disabilities would not need the same kind of teacher or instruction that the two former mentioned challenge it... challenges have. It is so important in this age where a number... an increasing number of children are being born with difficulties or challenges for us to all of a sudden say they don't need the specialty. That one... one college degree in each... in one area will suffice. It will not suffice. And the State Board of Education should really stop putting forth the kinds of things that will hurt the children in the State of Illinois. I agree with my colleague, Jerry Mitchell, that when Corey H. was being

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developed, a number of years ago, this was a battle that we already won. It was a battle hard fought. That there are children with special disabilities and they need a teacher who is trained to assist them on a daily basis. I agree with Jerry Mitchell. This should be a 'no' vote."

Speaker Lyons: "Representative Roger Eddy."

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

Speaker Lyons: "The Sponsor awaits your question, Sir."

Eddy: "Representative Lang, I'm not sure if you can hear me, but let me..."

Lang: "Are you talking, Sir?"

Speaker Lyons: "Well, wait a minute Roger."

Lang: "Yes, I can hear you."

Speaker Lyons: "Ladies and Gentlemen in the chamber, could we please bring the noise level down? Sshh. Thank you very much. Representative Eddy."

Eddy: "Representative Lang, I... I think that there's a lot of concern here related to whether or not children are going to be served, but with a specific disability, however the genesis of this is far different. This has to do with a court settlement and a judge's order related to a specific case. And this action will allow us to be removed from that... or help allow us to be removed from that monitor. Is that the genesis?"

Lang: "Well, that's correct, Representative. And so, I share the view of those who have spoken in opposition to the Bill that perhaps the court order is wrong. Perhaps, the judge misinterpreted the law. Perhaps, he shouldn't have done what he did. But for those of us who are actually

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concerned about Special Education, we would do best to vote for this Bill because if the court provides a mandatory injunction to us, we'll have no wiggle room. We'll be stuck with that mandatory injunction forever. But if we adopt this Bill, if this Bill becomes law, we'll be able to pass other statutes, other laws, and other rules through ISBE to have some impact on this. And none of this has any impact on the certification process or about how special education teachers go about their work in taking care of our children."

Eddy: "So... so specifically, this clears the way for us to serve those children with those specific certifications as the State Board of Education sees fit by complying with that order and moving forward. And that's what I see this as, a simple step along the way. I am no fan of federal judges orders related to education. I think it's a state's right issue. But when we talk about IDEA and FATE, we have to pay attention to what federal judges say. We can't just ignore it, although, sometimes I'd like to. Now, let's get this down to the level that we should be concerned about and that's the... the student... the student. Is there anything in this legislation that will change in any way an Individualized Education Plan for a Special Education Student?"

Lang: "Absolutely not. This Bill is, at it's core, simply about the titles. What we call the Special Education Teachers."

Eddy: "So, if it's..."

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Lang: "And it doesn't matter what we call them as long as they do the same fine work they've been doing."

Eddy: "So... so if I have a student that... that a multi-disciplinary team determines needs services from an Autistic Specialist or any specific service that you can name, the school district will still have to provide that specialized service. It... it's under possibly a generalized category but it doesn't relieve us of any of those responsibilities to serve children."

Lang: "As... as almost always, Representative, you have it exactly correctly."

Eddy: "Okay. And I also... I think we're going to be dealing with special education certification very soon. And some of the concerns that may exist related to this legislation, I think will be completely taken care of with the Certification Bill we're going to be listening to. The real concern is that that Certification Bill will mean nothing if we don't remove this barrier of the Federal Court monitor."

Lang: "Representative, you should have been the Sponsor of this Bill. You're doing a brilliant job."

Eddy: "Okay. I... look, I very seldom... very seldom am I going to have a disagreement with my more experienced, learned, and aged colleague. However, in this case, I just see the need to remove this, so that we can go forward and serve those children without that Federal Court Monitor. We need to relieve ourselves of any cloud over this so we can move forward in the most appropriate manner for children. And that's what this should be about. It shouldn't be about

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Judge Gettleman. It shouldn't be about teachers or certification. It should be about how we can best serve children and nothing in this changes that requirement and that responsibility. I think it makes common sense that we get rid of this. I would urge the Body to support this Bill. And also, when we see the Certification Bill support that as well, because those two in combination move us the direction we should in this state for special education students. Vote 'aye'."

Lang: "Thank you."

Speaker Lyons: "Representative Jim Watson."

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

Speaker Lyons: "Sponsor yields."

Watson: "Representative, do you know... does... would this... the passage of this Bill in public comments on rulemaking for special education?"

Lang: "Well Representative, can I assume you're referring to the fact that if there are... if there is rulemaking as a result of this, it would be peremptory rulemaking. Is that correct?"

Watson: "Correct."

Lang: "Yes. Then... then I... I believe there is public comment on peremptory rules."

Watson: "So... so, the intent is... is to still allow that."

Lang: "I'm sorry, Sir."

Watson: "So... so the intent is not to affect that established practice."

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Lang: "No. You know that... that I would not be part of a situation that prohibited public comment on the actions of State Government."

Watson: "Do you have... there... there's been some suggestion of what the Corey H. Judge, or a judge, may do should we not pass this? Do we have any evidence or do we have anything written or oral statement that we can point to?"

Lang: "The... the attorneys who have been in the most recent settlement discussions because while this is an old case there are ongoing discussions. The most recent discussions, as recently as in the last few weeks, the attorney representing ISBE came to committee to testify that the court is pressing this issue."

Watson: "And did they provide any evidence to suggest, you know, how they were doing though or in what fashion?"

Lang: "The judge simply said that if you don't do this, I'll do it for you."

Watson: "Okay. Well, Representative I appreciate your time. Thank you."

Speaker Lyons: "Representative David Leitch."

Leitch: "Thank you. I'd like to yield my time to Representative Mitchell."

Speaker Lyons: "His name was used in debate, David. He could... he could strike on his own if he wanted to. Jerry, you've got another shot at the apple here."

Mitchell, J.: "Thank you, Mr. Speaker. I certainly appreciate the kind words, all though the aged as almost as bad as the short jo... short joke here. Will the Sponsor yield?"

Speaker Lyons: "Sponsor yields, Sir."

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Mitchell, J.: "Representative Lang, you... you've been in the courtroom many, many times. You have finished cases. And I assume that win or lose, you wait for the written response from the courts as to how the case wound up. Isn't there usually some written document that follows a court trial?"

Lang: "Yes. But in most court trials there is something called a pre-trial, where a judge might say to the parties this is what I'm going to do so you... you might as well comply with it and that's not in writing."

Mitchell, J.: "And that's a good point. Because he said that eight, or nine, or ten years ago when this started."

Lang: "He also said it a few weeks ago, Representative."

Mitchell, J." "Yes."

Lang: "And you heard the attorney testify in committee about that."

Mitchell, J.: "I heard the attorney say the same thing 10 years ago. I heard the attorney take me aside and tell me that if I pursued this Bill that I would be held in contempt. None of that happened. So, how do I know what that attorney's telling me is ac... I want to see the Carfax. You know, it's very simple. If in fact this... this case, which was monumental, was that important I would assume that these kind of things that the State Board is trying to tell us would be in writing. Secondly, nothing in the Bill that this eliminates changes the face of Special Education, as well. As re... my colleague , Representative, I'm not going to say his name, mentioned, it doesn't change anything except that in undergraduate school if I choose as a

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special education teacher and I have an area that I'm really concerned with I can specialize at that time. If a school district needs a specialist in an area of autism, in an area of educationally mentally handicapped, of... an area of learning disabilities, we won't have them unless people go back for a Master's Degree, spend their own money and go beyond four years just to specialize. This simply creates a general education without the specificity that we need for these kids whose problems will not wait. It doesn't take away anything the State Board is u... doing. The State Board has been issuing the Specialist I, Specialist II for the last eight years. They're still going to do that. Why should we, in fact, take something off the books that helps number one, special education teachers, it also helps districts, it also helps children with problems. And that's the bottom line. We have set, 'an equal education opportunity for kids barring their ability to learn.' It costs a lot of money for special education, there's no question about that, but the courts have said in writing before, the Federal Government has said in writing before, that we must serve the children to the best of our ability and taking away the specialization and special education teachers, does exactly the opposite. I stand by what I said before and I still feel that this Bill has been on the books and if it was a great concern to the courts something would be done. I think that what we're doing now helps kids. I think if we move in this direction, I think children will be the big losers. Mr. Speaker, I reiterate, vote 'no'."



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Speaker Lyons: "Representative Brady. Dan Brady."

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

Speaker Lyons: "The Sponsor yields."

Brady: "Representative, just a question here as I listened to the debate. Maybe you could inform me as a parent with a son who's autistic, why I would vote for this Bill?"

Lang: "This Bill, Representative, will have zero impact on the services that any autistic child gets. The Bill is only about titles. The Bill has nothing to do with services, nothing to do with certification, nothing to do with IEP's, nothing to do with what children receive. It only has to do with the title of the person providing the service."

Brady: "And if you have that title, Representative, you just simply have the title with no type of specialized training within the title that you're earning?"

Lang: "There may be specialized training but you can get that specialized training anyway. If you want to be a person who specializes in autism, go get the training. We still under this Bill... the whole purpose of this Bill is so the court doesn't order us to do this and then we can never change it. We ought to do this so that ISBE doesn't have to con... spending hundreds of thousands of dollars in a courtroom with a court monitor, and with legal fees, and with all the other things they have to do so we can get about the business of making sure our statutes and our rules say what we want them to say not what a Federal Court says they ought to say. I don't really agree with Judge Gettleman. I would not like to be standing here doing

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this, but if we don't do it he's going to do it for us and completely end our ability to make a difference in this area down the line. And that might impact the services our kids get."

Brady: "So... so how's this help the students or the... or the teachers, directly?"

Lang: "I don't think it... I don't think it helps either."

Brady: "Okay."

Lang: "I'm just simply telling you that if we don't pass this Bill there's going to be a day down the line that there's going to be a court order that's going to force us to do this and we will not be able to get out from under that court order. Let me read a small part of the last court order. December 3, 2010: ISBE, this is a court order, 'ISBE will support legislation to codify the existing certification system.' And then it goes on to say, 'that if it's not done by August 1st the court will do it for us.' We will not have a choice in the matter."

Brady: "So if I... so if I understand correctly for ten years this Body's opposed the Corey H. ruling and now with just a few months until the end of the settlement agreement with the State Board of Education we're going to... if we move this Bill forward then we're going to come in compliance with the Federal Judge's order is without forcing the Federal Judge to issue his own order. Is that correct?"

Lang: "Federal Judge said, 'I will do exactly what I've told you to do if you don't do it.' And therefore, I... couple of people in... in this debate have referred to me as an attorney, so let me tell you as an attorney, I would rather

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be able to have some flexibility then to have a court order me to do something. If the court orders us to do this, we will have no flexibility and the opportunity to ever change this will be foreclosed to us unless someone files another lawsuit. If we do this we can turn around the next day and make changes as we see fit."

Brady: "Well I... I appreciate that and I... I didn't know the attorney part. I know you played an attorney on the House Floor.

Lang: "Both of those things. Yes."

Brady: "...but I didn't know you were actually an attorney by... by trade as well."

Lang: "Both of those things. Yes."

Brady: "So, thank you very much. I appreciate your answers. Thank you."

Speaker Lyons: "Rosemary Mulligan."

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

Speaker Lyons: "Sponsor yields."

Mulligan: "Representative, I've turned my light on and off several times because I'm trying to figure out exactly what your Bill is doing. And... so by doing this are you saying that a school would have a general designation of a special education teacher but not one in a specific category?"

Lang: "That's correct."

Mulligan: "All right. So, most school districts... and I come from school districts that work in that area, certainly identifying children and there are different disabilities. I had a child whose was quite bright but he had auditory memory disability. The special education teacher, who

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happened to be a neighbor of mine, identified it and we were referred to someone outside that could help him with this if we chose to do that. So, wouldn't most school districts only have one special teacher that would go through that and if a child had any kind of extreme difficulty, they'd recommend that child to additional help, maybe outside or after school. They're not going to have a teacher for each category, particularly if you have a large school district and we identify particularly with early intervention a lot more disabilities, some minor, some a little more major. So, you don't... you can't possibly have a teacher for each one of those categories in your school. You have one specialist that recommends where that child might go. Is that not correct?"

Lang: "Representative, I... I'm not sure I understand your question. These are... these are new categories that the Federal Court says we must use. If a... if... but that does not preclude someone from getting special training that could be used to help children with autism, or children with dyslexia, or children with any other malady or problem. But we have... but the court has ordered us to take the titles away from them."

Mulligan: "All right. So, what I want to know is if my school district has one type of a special education teacher and I have a parent comes in that has a child that has a different disability, could they sue my school district in order to have them hire a specialist in that particular area?"

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Lang: "My answer would be no, for two reasons. First, the Federal Court is ordering us to do this. Second, if we pass the statute the school won't have to do what you think they have to do now. And thirdly, and more importantly, there will still be people who specialize in autism. They just don't have a title that says that."

Mulligan: "Okay. So, the bottom line here is what extra burden does this put on my school district? I represent some Chicago and I represent suburban."

Lang: "None, whatsoever."

Mulligan: "Then why are you doing it? You know, I'm try..."

Lang: "Let me try to explain this one more time."

Mulligan: "All right. I'm sorry if I seem dense, but..."

Lang: "In... in the... in the Corey H. case throughout the settlement negotiations and as recently as very recently the judge has ordered that we change the title of the jobs... the job description as it reads in this Bill. He says if we do not do this, he will do it for us by a mandatory court order. If he does it by a mandatory court order, we won't be able to change it by statute because we will be ordered by the court to do it. The purpose of this Bill, brought by ISBE, is to comply with the order but still give us the flexibility of turning around some other day and altering this, either by rule or by statute."

Mulligan: "All right. I... I wanted to vote for your Bill. I'm trying to do this. I have a sister-in-law that wrote her thesis on mainstreaming kids and I'm not a real big fan of that. I also had a mother that was disabled, physically disabled. I'm very interested. And I don't think we

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should mainstream all children into classes. Unfortunately, that's where we've gone. And I don't think it does a good amount of... I don't think it helps the teacher in the class and I also think that you should identify and do differently. I'm just trying to figure out what you... what burden your Bill will put on and I still am not sure exactly. Although, I'd like to support it cause..."

Lang: "There... let me... let me just say this again."

Mulligan: "...I think I'm with it. Don't go again. Forget it."

Lang: "There is no burden being added to anyone. And this has nothing to do with the services being provided to anyone."

Speaker Lyons: "Representative Moffitt. And then, Representative Lang to close."

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

Speaker Lyons: "Sponsor yields."

Moffitt: "Representative, I really appreciate how candid you've been on... on your opening and on whether or not you really wanted to pre... present this or sponsor it, but you felt it was needed from a... from a legal standpoint. I would think just to briefly explain that, I appreciated how candid you were. I do have a question. You said that if we pass this you feels... you feel it gives the state... the legislature more flexibility and options in the future. And you said, either by statute or by rule. So, you... you think some changes could be made by legislation. Is that correct?"

Lang: "That's absolutely correct. And you heard Representative Eddy, oops Mr. Mitchell, I wasn't supposed to mention his name. You... you... you... you heard Representative Eddy talk about another Bill that talks about certification. If you

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take these things together, you have a plan to move forward."

Moffitt: "Okay. If it's by rule would that be... you mean something from the State Board or would it be JCAR? Who would be if it was rules?"

Lang: "The state... the State Board could issue rules, go to JCAR, where you and I sit, and we could take a look at these rules."

Moffitt: "Okay. Thank you. I appreciate that explanation. And I appreciate how candid you were. You... you just mentioned Representative Eddy, Representative Mitchell comments. You didn't... well yeah there were some other speaker. I guess we won't mention those. Thank you for your response."

Lang: "Thank you."

Speaker Lyons: "Representative Lang to close. Hurry up, Lou."

Lang: "Ladies and Gentlemen, I prefer that Judge Gettleman had not told us to do this. I would rather not be doing this, but this Bill provides us flexibility in a way that a court order can't provide us flexibility. This will not diminish certification requirements, will not diminish the amount of services children and schools get, this is simply the titles of these jobs, simply titles. And to comply with the court order, we must pass this Bill. I would ask for your 'aye' votes."

Speaker Lyons: "Representative Lang moves for the passage of Senate Bill 1794. 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

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voted who wish? Feigenholtz, Flowers, Mell, Nekritz, Schmitz would you like to be recorded? Mr. Clerk. Mary Flowers. Mr. Clerk, take the record. On this Bill, there are 80 Members voting 'yes', 37 Members voting 'no', and 0 voting 'present'. This Bill, having received the Constitutional Majority, is hereby declared passed. Representative Derrick Smith, for what purpose do you seek recognition, Sir?"

Smith: "Mr. Speaker, I stand to recognize a school in the 10th District. It's Westinghouse High School on the west side."

Speaker Lyons: "Westinghouse, welcome to your Capitol. Proud to have you down here. Representative Rich Brauer."

Brauer: "Thank you, Mr. Speaker. Point of clarification."

Speaker Lyons: "Please proceed, Representative."

Brauer: "It was referred to Mitchell as being learned and aged. He is actually learned and chronologically gifted."

Speaker Lyons: "So noted. Thank you, Representative. Representative La Shawn Ford."

Ford: "Thank you, Mr. Speaker. A point of personal privilege."

Speaker Lyons: "Please proceed, Representative."

Ford: "I, too, want to recognize Westinghouse. It's a beautiful school on the west side. And everyone knows that I've been fighting for a high school in Austin, but Westinghouse is beautiful and I want to encourage the students to keep that school beautiful and learn as much as they can. So, that they, too, can be leaders in our state."



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Speaker Lyons: Here, Here. Well said, Representative. Representative Chapin Rose, you have visitors on the Floor today, Representative?"

Rose: "Well thank you, Mr. Speaker. Yes, my family's here. I'm very proud to introduce my wife, Camille, my son, Jack, my daughter, Annie. And our, if you're wondering where we've been for the last eleven months, we've had 11 month old twins, Kyra and Grace. So, thank you for the opportunity, Mr. Speaker."

Speaker Lyons: "Congratulations Chapin. Welcome Rose's. Always glad to see you here. Representative Ron Stephens, personal privilege."

Stephens: "Thank you, Mr. Speaker. On the order of families, I believe we're on, I'm proud to introduce my wife, Lisa, standing behind me, our daughter, Molly, and her husband Dave Warner, and our daughter, Jade, over there paging, and my... our grandson, Lane. The whole Stephen's clan is in town."

Speaker Lyons: "Welcome Stephen's clan. We're always proud to have you here. Good to see you see Dad in action. Representative Rose, maybe your family would like to see you in action if you'd like to do Senate Bill 1798. It's next on the Calendar. Unless you'd rather have me come back to you, Representative? Whichever works best for you. Mr. Clerk, read the Bill. Senate Bill 1798."

Clerk Mahoney: "Senate Bill 1798, a Bill for an Act concerning education. Third Reading."

Speaker Lyons: "The Chair recognizes the Gentleman from Champaign, with family, Representative Rose."

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Rose: "Thank you, Mr. Speaker. Ladies and Gentlemen, Senate Bill 1798, is an initiative of Eastern Illinois University to help them recruit and retain low income students and also, attract, perhaps, some out of state students to EIU. I want to start by thanking Representative Will Davis, Representative Flowers, for some support on this Bill, they've given already. Also, Majority Leader Currie offered some very sensible Amendments that we were happy to include in this Bill. So, I'd be happy to answer any questions, but this is a pilot program that would sunset in four years. And I'd ask for favorable passage."

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

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

Speaker Lyons: "Sponsor yields."

Franks: "Representative, I'm not sure what you're trying to do with this Bill. I... my analysis indicates that you're trying to increase the waivers?"

Rose: "The... the... these are student tuition waivers. They'd be targeted primarily at low income students. They're not full waivers. So, actually Jack, it would take in more money than what they would be giving out, but it would increase enrollment. And I can give you those figures if you give me a second here."

Franks: "How would it bring in more money than what it's giving out? That's the..."

Rose: "Because they're not... they're not... it's not a 100 percent waiver. It's a partial waiver."

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Franks: "Okay."

Rose: "So, for example, it would be about \$375,000 cost to the university, but it would bring in \$768,000 in new tuition dollars at the same time. So, it offsets but it... it allows us to target low income students and also to compete against our border states. Eastern is about 45 minutes from Indiana, and not too far from Kentucky. And both states are... are basically taking our students out to their... they've offered very, very aggressive tuition rates to... to steal Illinois students. So, it's a nice program. It's a four year pilot. The Majority Leader asked us for reporting to the Illinois Board of Higher Education how it works. Very... I think very good suggestion. We accepted that and incorporated it. And again, it's not a full tuition waiver, it's partial. So, it would actually bring more money into the state than what we would be giving out."

Franks: "It... it would also be eligible... Illinois residents for these partial?"

Rose: "Oh ag... again, it's targeted at low income Illinois residents, first and foremost, to keep them here. Because what's happening is, Indiana, Kentucky are looking around the room they see a low income kid from Illinois with say a very nice ACT or GPA and they're saying, we'll give you a ride if you come to Indiana or Kentucky. So, it's targeted at our Illinois kids to keep them in Illinois."

Franks: "And how much is the partial waiver?"

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Rose: "I believe it's \$2,500.00. But again, that's... that's the net dollar amount. That's the maximum amount... maximum amount."

Franks: "And who would determine the different amounts? I understand the maximum would be... be 2,500 but if someone was going to get a half of that, let's say twelve hundred and fifty, who would be the individuals who'd be making that decision?"

Rose: "It'd be... the... the administration at Eastern, but I believe if you... the... the students would have to go through a regular admissions process and it's an increase... the waiver limitation increase isn't so there's cohort groups over the four year period and then it sunsets and reports back on whether it works or not."

Franks: "And it would... it would only be for Eastern. It would not be for any other of the state universities?"

Rose: "Correct. This was their... this was their idea. This was their concept. But, I would note that what... what we've done with it, again at the Majority Leader's request, it's reviewed each year and they report IBHE each year. But actually, all universities are going to have to report on their waiver programs that they have. And so, at the end of the four years you'll actually have data, not just for Eastern, but all the universities. And then we can decide very deliberately whether this works, doesn't work, and what we might want to do."

Franks: "Is low income student defined in this legislation?"

Rose: "Yes. It is... it'd be 150 percent of poverty level up through 151 to through... well low income's defined by

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federal law, but the maximum point would be the 300 percent of FPL, Federal Poverty Limit."

Franks: "And do you know how much that would be for, let's assume, a family of four?"

Rose: "Yes... yes. It'd be... it'd be from zero up to... well it'd be \$67,000 it'd be 300 percent of FPL."

Franks: "So, if a family made up to \$67,000, a family of four, their... their student would be eligible for... for that grant?"

Rose: "Correct. Correct."

Franks: "Well, I think it's fairer than the Legislative Scholarship Program, that's for sure."

Rose: "Well... well, they're asking for this actually. A little bit different situation there."

Franks: "Yeah. Okay. I wish you well. Thank you."

Rose: "Thank you, Representative."

Speaker Lang: "Representative Lang in the Chair. The Chair recognizes Representative Monique Davis."

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

Speaker Lang: "Gentleman yields."

Davis, M.: "Representative Rose, in Higher Ed Appropriation did we cut the MAP Grant?"

Rose: "For for-profit schools, yes. That's... that's the... that's what we did."

Davis, M.: "How much did we cut it?"

Rose: "That was 17 million."

Davis, M.: "And we also removed the 25 million that the Governor had proposed."

Rose: "Yes."

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Davis, M.: "Okay."

Rose: "Well, that was new money. That was new."

Davis, M.: "So where... listen carefully... listen very carefully. We're going to take away \$17 million from the MAP Grant and give Eastern, Rose's District, tuition waivers. There's something wrong with that picture."

Rose: "Representative, that's not true."

Davis, M.: "There's something wrong with that picture."

Rose: "That goes to your students, Representative. Representative, these go to students in your districts. Why would... it's for any student at Eastern Illinois University that they're targeted at low income students."

Davis, M.: "Maybe they don't want to go to Eastern, maybe they want to go to Kennedy-King, maybe they want to go to Olive-Harvey, maybe they want to go to Chicago State, maybe they don't want to go to Eastern. You're taking away their ability to go where they choose so that you can have a tuition waiver in Eastern Illinois University and it is wrong. You did it in Higher Ed Appropriation. You removed \$17 million from the MAP Grant. You decided you didn't want the Governor's \$25 million for the MAP Grant, but you want a tuition waiver for Eastern Illinois University. Now, I'm not saying they shouldn't have it, but the other colleges should have it also. If you're going to have it, Chicago State should have it. Other colleges should have the same opportunity to give a grant waiver."

Rose: "So bring... bring that Bill for Chicago State."

Davis, M.: "You took it..."

Rose: "...I'll be happy to entertain it, Representative."

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Davis, M.: "You... No. The first thing you'd say is we don't have the money."

Rose: "Representative. No, you... Representative, let... have you read the Bill?"

Davis, M.: "I know about the Bill."

Rose: "You know about that. Have you read the Bill?"

Davis, M.: "I... I've read the Bill."

Rose: "You... you have read the Bill."

Davis, M.: "And I also know that Eastern is the only one that will take... that will be able to use this tuition waiver."

Rose: "Because it's a pilot... it's a pilot program that was their suggestion, Representative. Now if you want to punish them for being innovative, go ahead. But all your doing is punishing your constituents who might get one of these tuition waivers."

Davis, M.: "To the Bill, Mr. Speaker. You know, it's a great idea to give tuition waivers to the college in your district. That's a great idea and it's very noble, but it's unfair to take it from the other students in the State of Illinois. To take \$17 million from the MAP Grant, where a student applies to go where he or she chooses but then he stands up here and says, but in my district they're going to have a tuition waiver. If this is not deceitful, I don't know what is. A student from my district may want to go to Eastern, but they may not. They may want to go some place else. So, for you to cut that MAP Grant and then come up with a scheme for Eastern Illinois University to be a beneficiary, I just think it's unfair. Thank you, Mr. Speaker."

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Speaker Lang: "Representative Will Davis."

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

Speaker Lang: "Gentleman yields."

Davis, W.: "Representative, if a school implements a tuition waiver program are they not making an arbitrary decision not to receive tuition dollars?"

Rose: "Ye... their... well this wouldn't be an... this wouldn't be an arbitrator. They've thought this through and it's not a full waiver, so there... it's a partial waiver where they bring in more money than what they're giving up. So, it's a... it's a well conceived plan that they've thought through and come up with. It wasn't arbitrary, Sir."

Davis, W.: "Right. So certainly, a student that applies and receives financial aid can attend Eastern Illinois University if they choose?"

Rose: "Oh, absolutely. Any... these... this... this is nothing to do with MAP at all. In fact, any... any student in the State of Illinois will be eligible for this. Particularly, as we've said it before, low income students. This is really targeted at keeping low income students in Illinois because Kentucky, Indiana, our surrounding states are coming in and taking them out by being very aggressive in their tuition policy. And I appreciate you, Sir, Representative Davis, being a Sponsor of this Bill."

Davis, W.: "Well, I will... I will say, Representative is that before I agreed to be a Sponsor on this Bill I reached out to a very good friend of mine who's the Director of Admissions at Eastern Illinois University and asked her



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point blank, is this or is this not a good thing? And... and the reason that I asked her and I expected a... an objective answer from her, not just because she works there but... but one of her passions is trying to recruit low income students and students of color to attend that university. So, I asked her point blank, is this a good thing or not a good thing? And she told me wholeheartedly that this was a good thing. Something that she could use as a tool to help get more minority students to her particular campus. I'm certain that if any other state school wanted to implement such a program... Hey, where's the Bill?"

Rose: "The... I'd... we'd love them to do it."

Davis, W.: "Where's the Bill? And we can support that as well."

Rose: "Right. Absolutely."

Davis, W.: "So, I don't want the message and what's being conveyed here to be completely misun... misconstrued. When we tried to address the MAP Grant situation I thought we focused on for-profit institutions."

Rose: "Right."

Davis, W.: "We weren't trying to target our state schools and some private institutions."

Rose: "Exactly. That's exactly right."

Davis, W.: "We were trying to target for-profit institutions who have a history of not being able to completely educate particularly minority students and those are things that I can speak to specifically because of my past as a college admissions counselor. That I can attest to. And I've had conversations with representatives from some of those

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schools since we've had that conversation who will agree with me that their history has not always been the best as it relates particularly to educating minority students. So again, I don't want the message in this Bill to get misconstrued. Certainly if a school wants... wants to try to implement a tuition waiver program, certainly they're taking that risk. As you indicated, they may receive, I guess it... it kind of balances itself out. They'll still receive more money from that college student than they would otherwise. I understand that. I understand that a waiver reduces some of the money that they receive but they're still getting other resources of that student that's paying tuition fees, room and board, and other expenses."

Rose: "They're bringing in more money than they're waiving. That's exactly right."

Davis, W.: "So... so, Ladies and Gentlemen, while I can certainly understand why this probably raises some red flags, but keep in mind this is an initiative of the university to try to help bring more low income and minority students. And I understand that all students will be able to take part of this, but one of the things that I can say and attest to about Eastern Illinois is that they work very hard to try to provide opportunities for students of color. And I see this as a great way for them to be able to continue that effort. And I encourage everyone to support this Bill. Thank you."

Rose: "Representative, thank you very much for your strong endorsement."

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Speaker Lang: "Representative Rose to close."

Rose: "Thank you. I... I believe the... the last speaker said it best. I appreciate the fact that he reached out directly to EIU and... and believes in the mission of this Bill. And so, I look forward to hopefully favorable passage. Thank you, Mr. Speaker."

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. Dan Burke, Flowers, Lyons. Mr. Lyons. Please take the record. On this question there are 115 voting 'yes', 2 voting 'no'. And this Bill, having received the Constitutional Majority, is hereby declared passed. Senate Bill 1924, Representative Tracy. Please read the Bill. Excuse me, Mr. Clerk, that's 1824."

Clerk Mahoney: "Senate Bill 1824, a Bill for an Act concerning civil law. Third Reading."

Speaker Lang: "Representative Tracy."

Tracy: "Thank you, Mr. Speaker. This Bill provides that life insurance benefits shall be deemed to be marital property and must be allocated equally between the parties by the court of jurisdiction. And it also provides that a maintenance award ordered by the court may be secured by existing or court ordered life insurance. It is an initiative of the Illinois State Bar. And it passed unanimously in the Senate. I'll be happy to ask... answer any questions."

Speaker Lang: "Lady moves for the passage of the Bill. There being no debate, those in favor of the Bill shall vote

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'yes'; opposed 'no'. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Brady. Dunkin. Mr. Dunkin. Please take the record. On this question, there are 117 voting 'yes', 0 voting 'no'. And this Bill, having received the Constitutional Majority, is hereby declared passed. Senate Bill 1843, Mr. Phelps. Please read the Bill."

Clerk Mahoney: "Senate Bill 1843, a Bill for an Act concerning regulation. Third Reading of this Senate Bill."

Speaker Lang: "Mr. Phelps."

Phelps: "Thank you, Mr. Speaker, Ladies and Gentlemen of the House. This passed the Senate 56 to '0'. There's no opposition. It just clarifies some language for the Illinois Chiropractic Society. I ask for it's passage."

Speaker Lang: "Gentleman moves for the passage of the Bill. And on that question, the Chair recognizes Mr. Reis."

Reis: "One ques... question for the Sponsor if he'll yield?"

Speaker Lang: "I'm certain he'd be happy to yield for you, Sir."

Phelps: "Yes, Sir."

Reis: "Brandon, I just want to make sure that the Chiropractor Society has removed their opposition? I had three or four chiropractors call me in the last week and they're... they have some concerns about this."

Phelps: "Right. And it was actually a misunderstanding. But this Bill does not prescribe drugs for chiropractors whatsoever and that was their issue."

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Reis: "Wow. That's not what they're telling me. Rather than me vote against your Bill, would you mind pulling this for just a little bit?"

Phelps: "I will pull it out of the record for you, Sir."

Reis: "Thank you."

Speaker Lang: "Gentleman moves for the passage of the Bill. Those in favor... Oh, the Chair apparently was not paying attention. Mr. Phelps."

Phelps: "In the honor of Representative Reis, let's pull this Bill out of the record, please."

Speaker Lang: "Thank you, Sir. Senate Bill 1907, Speaker Madigan to be handled by Mr. D'Amico. Please read the Bill. Mr. D'Amico, I understand there's a Floor Amendment. Do you need the Bill moved back to Second Reading?"

D'Amico: "I... yes, Mr. Speaker. I'd like to move it back to Second and adopt Amendment."

Speaker Lang: "Mr. Clerk, please move the Bill back for the Second Reading and read the Bill."

Clerk Mahoney: "Senate Bill 1907. Committee Amendment #1 was adopted in committee. Floor Amendment #2 has been approved for consideration."

Speaker Lang: "Mr. D'Amico."

D'Amico: "Thank you, Mr. Speaker. I'd like to adopt House Amendment 2 to the Bill. And we'll debate it on Third Reading."

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."

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

Speaker Lang: "Third Reading. Please read the Bill. Please take the Bill out of the record. Senate Bill 1968, Mr. Jackson. Please read the Bill."

Clerk Mahoney: "Senate Bill 1968, a Bill for an Act concerning State government. Third Reading."

Speaker Lang: "Mr. Jackson takes the Bill out of the record. Senate Bill 1996, Mr. Farnham. Please read the Bill."

Clerk Mahoney: "Senate Bill 1996, a Bill for an Act concerning civil law. Third Reading."

Speaker Lang: "Mr. Farnham."

Farnham: "Thank you, Mr. Speaker, Members of the House. Senate Bill 1996 provides that the Department of Public Health shall facilitate the development of a plan to address the relocation efforts of manufactured home or mobile home owners who are compelled to relocate. The department and the Illinois House Development Authority will participate in this collaborative effort by providing meeting space and expertise in cooperation with Members of the General Assembly and designated persons and groups and no later than October 1, 2011 the plan and any proposed legislation will be delivered to the Legislative Leaders. It would be effective immediately."

Speaker Lang: "The Gentleman moves for the passage of the Bill. And the Chair recognizes Mr. Eddy."

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

Speaker Lang: "Gentleman yields."

Eddy: "Representative Farnham, Amendment 3 has been adopted and becomes the Bill?"

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Farnham: "That's correct."

Eddy: "Okay. With the adoption of Amendment #3 the position of the... the Manufactured Housing Association, Mobile Homeowners Association, and AARP, they support this now?"

Farnham: "Everybody is in agreement on this Bill. Yes."

Eddy: "With the Amendment. Thank you very much, Representative."

Farnham: "Thank you."

Speaker Lang: "Gentleman 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? Mr. Colvin. Please take the record. On this question, 116 voting 'yes', 1 voting 'no'. And this Bill, having received the Constitutional Majority, is hereby declared passed. The Chair recognizes Mr. Barickman."

Barickman: "Thank you, Mr. Speaker. Would the... I would appreciate if the record would... would reflect on Senate Bill 1794 my intention was to vote 'no'. Thank you."

Speaker Lang: "The record will reflect your intentions, Sir. Senate Bill 2063, Representative May. Please read the Bill."

Clerk Mahoney: "Senate Bill 2063, a Bill for an Act concerning local government. Third Reading."

Speaker Lang: "Representative May."

May: "Thank you, Speaker, Ladies and Gentlemen of the House. Senate Bill 2063 with Amendments 2, 3, and 4 is about public safety. It's an Act to streamline and direct funds to enhance 911 services across the state. By our first responders rely almost exclusively on the existing wireless

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telephone 911 surcharge to fund their operations. And prepaid wireless phones are now more than 20 percent of the market and it's increasing. So, as a result, our 911 systems are losing needed funds that they would otherwise be getting. The point of sale collection system will bring in much needed dollars to our 911 system. Similar legislation has been passed in 18 states and 7 more states have it pending. It passed out of the Senate unanimously, out of our House Telecom Committee unanimously, also. It is supported unanimously by law enforcement, public safety officials, local governments, the City of Chicago and all the telecommunications carriers. IRMA and the ICC are neutral. There is no known opposition. It's a way to enhance the public safety in our state."

Speaker Lang: "Lady moves for the passage of the Bill. On that question, the Chair recognizes Mr. Bost."

Bost: "Thank you, Mr. Speaker. I rise in strong support of the Lady's Motion to move the Bill. This Bill does exactly what she says. It... it is very important we have seen a shortage of revenues based on the fact of these presales on these cell phones. This will provide the revenue that we need for the 911 services whether you're police, fire, or whatever that everyone is in support of it and I would encourage an 'aye' vote."

Speaker Lang: "Mr. Winters."

Winters: "Thank you, Mr. Speaker. I also rise in support of Senate Bill 2063. I think this is a model Bill that came from NCSL. It really does capture some of the wireless providers that have not been paying into the 911 system. I



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compliment the... the Sponsor of the Bill on moving it forward. And urge it's adoption."

Speaker Lang: "Representative David Harris."

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

Speaker Lang: "Lady yields."

Harris, D.: "Representative, two questions. The idea of... of collecting the fee at the time of purchase makes sense, I... I realize that. What about when you recharge the phone, when you buy additional minutes are you then purchase... are you then assessed the fee when you purchase additional minutes?"

May: "That is a good question and I honestly don't know the answer to it I'm sorry to say."

Harris, D.: "Okay. Well, that's an... an honest answer. Thank you very much."

May: "Yes. Sorry. No one has brought that up in lots of discussions about this."

Harris, D.: "Okay. And then the second question I have, I had some information, is Chicago excluded from this Bill?"

May: "No. There are... there are two different structures in the Bill in a way to capture the same amount of dollars now. That right now it's 73 cents a month outside Chicago and a different price in Chicago, so they kept that same structure. It is... it is one price in... in Chicago and one for the rest of the state so they can keep the same dollars coming in reflecting the current laws."

Harris, D.: "Okay. Okay. Thank you. I would go back though to the previous point. It makes sense since all of us have

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to pay who have plans. Every month we get a charge for the emergency services fee. If when folks re-up and buy additional minutes there ought to be some way to collect that fee from them, as well."

May: "Thank you."

Speaker Lang: "Mr. Durkin."

Durkin: "Will the Sponsor yield?"

Speaker Lang: "Lady yields."

Durkin: "Representative May, you may have already answered this question but I want to make it perfectly clear there is absolutely no new fee or surcharge which is being created with this legislation, correct?"

May: "That is true. It does not impose a new surcharge. It does not increase any existing surcharge and does not change the law as it applied to post paid wireless."

Durkin: "Absolutely. This just streamline... streamlines the collection process of this... of these dollars, correct?"

May: "It streamlines it and there is leakage in the system now and it will capture the much needed dollars."

Durkin: "And the one hitch over the past year has been concerns that the Merchants Association have had basically with the administration of... and the collection of the funds, correct?"

May: "Yes. And that has been worked out."

Durkin: "And they no longer oppose this legislation, correct?"

May: "That is absolutely true. IRMA and the ICC are neutral."

Durkin: "Thank you very much. You've done a very good job. I encourage everyone to support the Bill."

Speaker Lang: "Representative Senger."

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

Speaker Lang: "Lady yields."

Senger: "Yeah. Representative, quick question. I know your Bill is good and I know there's land lines and cell phones already have the surcharge to fund 911 centers. Does this have a sunset date?"

May: "Yes. Wait just a minute... just a minute. You're asking if it has a sunset date?"

Senger: "Is it... does it have a date when the collection sunsets? Correct."

May: "No. No."

Senger: "No, it does not. I guess my... my concern..."

May: "It's... it's a streamlining and a changing in the way we collect the money at the point of purchase so that we can get the additional dollars."

Senger: "Okay. What... some of my concern is now and your Bill is a good Bill is that currently for land lines and cell phones we are funding our 911 centers but it has an April 1, 2013 sunset date. And if... what the problem I have right now, there's no problem extending the sunset, except it's 2013 and municipalities this fall need to levy for many who have a fiscal year end of 4-30. Coming the Spring they're going to have to work their Fiscal Year 2012 to 2013 and they're going to only have nine... eleven months of funding from these other sources from... from the 911 centers. So this is something that I really urge us to work on to make sure that we get that one month gap filled from many municipalities because we're going to land up with funding

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from prepaid, but not 30 days worth of funding from cell...  
cell and landlines."

May: "You make a very good point that we all need to be  
cognizant of that and to work on it, but this will bring  
more monies to the system and perhaps help miti... you know,  
mitigate that."

Senger: "And I agree with you on that. I would support the  
Bill."

May: "Thank you."

Speaker Lang: "Representative May to close."

May: "Yes. Thank you... thank you very much and thank you to our  
21 Sponsors as... well maybe it's 22 now. This is an  
important piece of legislation to fund the public safety  
network. It's streamlining. I would just like to say the  
Illinois Sheriff's Association, the Illinois Association of  
Fire Protection Districts, the Illinois Fire Chiefs  
Association, the Northern Illinois Alliance of Fire  
Protection Districts, the Illinois Chapter of the  
Association of Public Safety Communications Officials, the  
Illinois Chapter of National Emergency Number Associations,  
the West Central Municipal Conference, the Will County  
Governmental League, the entire wireless industry, and the  
City of Chicago support this. There is no known  
opposition. It's what we need to do for the safety of all  
the citizens. 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?  
Please take the record. On this question, there are 117

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voting 'yes', 0 voting 'no'. And this Bill, having received the Constitutional Majority, is hereby declared passed. Chair recognizes Representative Currie."

Currie: "Thank you, Speaker. Please let the record show that on Senate Bill 1996 I would've preferred my vote to have been recorded as a 'yes'."

Speaker Lang: "The record will so reflect. Senate Bill 2082, Representative Sente. Please read the Bill."

Clerk Bolin: "Senate Bill 2082, a Bill for an Act concerning State government. Third Reading of this Senate Bill."

Speaker Lang: "Representative Sente."

Sente: "Thank you, Mr. Speaker. I... Senate Bill 2082 is a Bill to keep the General Assembly informed of business activity in our state through the dis... distribution of quarterly reports. It details three things, the number of new businesses forming in Illinois, the number of businesses renewing, and the number of businesses not seeking renewal of the legisla... of their registration. All are listed by business category with corresponding increases or decreases for category. The Bill's intent is to provide us with data on our businesses so we can make more informed decisions and better understand the severity of our state's problems. The Secretary of State already collects this data and it will be available on their website so there is no cost to the state to provide this. I ask for an 'aye' vote."

Speaker Lang: "Lady 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? Please take the record. On this

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question, there are 117 voting 'yes', 0 voting 'no'. And this Bill, having received the Constitutional Majority, is hereby declared passed. Senate Bill 2236, Representative Williams. Please read the Bill."

Clerk Bolin: "Senate Bill 2236, a Bill for an Act concerning regulation. Third Reading of this Senate Bill."

Speaker Lang: "Representative Williams."

Williams: "Thank you, Mr. Speaker, Ladies and Gentlemen of the House. This Bill would simply restore the original language to the Professional Land Surveyors Act to provide for a Bachelors Degree for purposes of sitting for the exam for surveyors. I know of no opposition. I'll be happy to ask... answer any questions."

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

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

Speaker Lang: "The Lady yields."

Franks: "Representative, what does this Bill do?"

Williams: "Well, as I just stated, what the Bill does is restores the original language that was in place two years ago regarding the qualifications to sit for the surveyor's exam. Originally it required a Bachelors Degree. It was modified two years ago to provide for an Associates Degree with two years of experience. However, that is not inconsistent with national standards. So, these... the surveyors opted to restore it to it's original language."

Franks: "So you have to have a Bachelors degree... degree now to be able to be a certified appraiser?"

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Williams: "Yes. And that's how it is in the majority of states. And that's the recommendation of the National Association. And that's what the vast majority of surveyors do in terms of education anyway."

Franks: "So, you'd be strengthening the requirements."

Williams: "Re-strengthening, I think, would be more accurate."

Franks: "Okay. That's interesting. This morning I had the opportunity and I went to New Salem, which where young Abraham Lincoln was a surveyor and he was in St. Petersburg. I... I don't think that he would be able to have meet these stringent requirements because he didn't, you know, graduate with a Bachelors Degree. Is there anything that would allow, perhaps, for grandfathering of those that already have been licensed?"

Williams: "Well, you know, there's really no need to grandfather. First of all, this new accreditation process was only put in place two years ago. So, as of today and everyday until the Bill goes into effect, should it pass, you can still sit for the exam with those other requirements. It's just that if you are in the middle of pursuing your degree, and this Bill does become law, and the Governor signs it then you would have to further complete your studies to meet the requirements, as you would have had to two years ago."

Franks: "Are there requirements you have to renew your license? Let's assume five... I don't how long these licenses are good for, but if there's any renewal, would you be grandfathered in if you were not a... did not have a degree?"

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Williams: "Well, you know, I don't think that there's anyone that falls in that category, at least we're not aware of that because the requirements... the more scaled back educational requirements have only been in place for a couple of years. So, you wouldn't even get to the point where you would be fully licensed yet. So, there's no one in that category."

Franks: "So... so no one would fall in there. All right. Thank you."

Speaker Lang: "Representative Mulligan. Representative Mulligan."

Mulligan: "Sorry. It's very hard to hear in here. Representative, would you reiterate your answer on someone that's reapplying and is already been a surveyor. Do they have to go back if they haven't had a Bachelors Degree but they've been a surveyor for a great number of years?"

Williams: "That is not a situation that would be existing. What this Bill does is simply restores the bachelor requirement as it has been in the Act for years. It was only two years ago that the qualifications were changed, scaled back, to provide for an Associates Degree and two years of experience. So, you would have only started to be eligible two years ago. So, there would be no one that's been practicing for any period of time that would fall into that gap."

Mulligan: "So, don't you think the main qualification, though, is an apprenticeship with a Certified Land Surveyor because that's what teaches you the job? I used to work in the area of development... land development and we worked with



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surveyors all the time and I think the surveyors that are the most qualified are the ones that have been doing it for a long time and their apprentices are the ones that learn from a qualified surveyor. So, why do you think they need to have a Baccalaureate Degree?"

Williams: "Well, this is... this Bill and the qualifications, like I said, have been established in the Surveyor's Act for many years, so I'm not exactly sure what other apprenticeship requirements and training are required that are beyond the scope of this Bill. But, that's something that is a standard in the industry and surveyors have been operating and the national association, the local associations have recommended Bachelors Degrees, most have Bachelors Degrees. So, this really isn't something that's changing anything beyond that simple requirement. So, that's... your question is a bit beyond the scope of this piece of legislation."

Mulligan: "All right, because I'm trying to remember but it's been... I've been in the General Assembly a long time and out of that field. So I'm just trying to remember where they could go because I thought there were other places where you could go that would not be a Baccalaureate Degree to get that significant education and it obviously has changed over the years. Are... are they trying to limit who's coming in or how you would be able to have that so they limit who are actual land surveyors now?"

Williams: "Again, this only goes... the change is only made two years ago. So, prior to that, when the Act went through the sunset extension rewrite two years ago the association

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requested the current structure to provide for this alternate qualification, you know, opportunity. Two years later, I think they realized they were not up to the standards that were advocated by the National Associations and otherwise. So, it's really just reversing I think what they would probably term as an ill-advised change in the law two years ago back to its original requirements. And I'll be happy to... to go through what the requirements are."

Mulligan: "No. I just want to know who approached you to carry this Bill?"

Williams: "This is from the Surveyor's Association or the Illinois Professional Land Surveyor's Association to be specific."

Mulligan: "Thank you."

Williams: "Sure."

Speaker Lang: "Representative Williams to close."

Williams: "Appreciate the questions. And would ask for 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? Have all voted who wish? Please take the record. On this question, there are 117 voting 'yes', 0 voting 'no'. And this Bill, having received the Constitutional Majority, is hereby declared passed. Senate Bill 2268, Representative Zalewski. Please read the Bill."

Clerk Bolin: "Senate Bill 2268, a Bill for an Act concerning criminal law. Third Reading of this Senate Bill."

Speaker Lang: "Mr. Zalewski."

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Zalewski: "All right. Thank you, Mr. Speaker. Senate Bill 2268 is the... is a Bill that requires due process hearings and notice to the owner regarding forfeiture hearings. In other words, if there's an arrest made and property is seized in Illinois, there was a Supreme Court case that was litigated to the United States Supreme Court. The court felt that we needed to institute some procedures and due process requirements to properly notice up the... the owners of the property and... and insure that the property was protected with a hearing structure. I'd be happy to take any questions. And ask for 'aye' vote."

Speaker Lang: "The Gentleman moves for the passage of the Bill. And on that question, the Chair recognizes Representative McAsey."

McAsey: "Thank you, Mr. Speaker, Members of the House. I have a question for the Bill's Sponsor regarding legislative intent."

Speaker Lang: "He would be happy to respond."

McAsey: "Thank you. Representative Zalewski, can you please, for purposes of legislative intent, explain who must be notified under this statute?"

Zalewski: "I'd be happy to. Under this statute, anyone... the owner of the property would... would have to be notified under this statute, Representative."

Speaker Lang: "I see you have a courier delivering a document. We'll wait. Is she going to bring you a document back or is that sufficient?"

Zalewski: "Under... unless good cause is shown, Representative all... all known interest holders in the seized property are

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to be notified of the seizure and the pending forfeiture proceedings, forthwith. Good cause includes such things as ongoing criminal investigations where notice of the proceedings might alert the target to the existence of the investigation. In other words, Representative, we are specifically saying with good cause language that there's an ongoing investigation and it would jeopardize a law enforcement's investigation, notice can be postponed under that circumstance. Thank you for the question, though."

McAsey: "Thank you, Representative. I have no further questions."

Speaker Lang: "Excellent. Representative Reboletti."

Reboletti: "I have some further questions. May the Sponsoring yield?"

Speaker Lang: "Of course."

Reboletti: "Representative, I'm... I'm not sure who was Sponsor of this Bill. I know that Representative McAsey's had it and now you had it. It's been back and forth a little bit. Can you tell me the genesis of this legislation?"

Zalewski: "Sure, Representative. My understanding is that there was a Supreme Court case that was litigated up to the United States Supreme Court that for various reasons they didn't get to the issue of... fact at hand but they simply said, in Illinois, we must revise the forfeiture rules and laws and due process standards. So, the States Attorney's Office of Cook County worked hand in hand with Representative... myself, Representative Howard, Representative McAsey to come to some sort of understanding

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about what we needed to do to ensure due process while at the same time protecting the property."

Reboletti: "Representative, I'm not sure if you're aware but I know that the Will County State's Attorney's Office had some concerns that they would like to have had addressed in this legislation but I... I think that between myself and Representative McAsey we made it clear that we wouldn't be able to work on that until probably a trailer Bill in Veto Session. Are... are you aware of that as well?"

Zalewski: "Yes, Representative. You and the previous... Representative McAsey have my assurances that we will address Will County's concerns in the... with the trailer Bill as soon as we're able."

Reboletti: "Thank you."

Speaker Lang: "Representative Howard."

Howard: "Thank you, Mr. Speaker. To the Bill. I am very happy and pleased that Representative Zalewski was willing to work with me as I had a concern about the individuals who would be victims... innocent victims of these forfeiture laws. I am certain that Professor Futterman from the University of Chicago would be very pleased... is very pleased and I appreciate the fact that the State's Attorney's Office has been cooperative in delaying this process until I feel good. Thank you very much."

Speaker Lang: "Mr. Zalewski to close."

Zalewski: "Thank you. I ask for 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? Please take the record."

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On this question, there are 117 voting 'yes', 0 voting 'no'. And this Bill, having received the Constitutional Majority, is hereby declared passed. On page 4 of the Calendar under the Order of House Bills-Third Reading appears House Bill 306, Mr. Ramey. Please read the Bill."

Clerk Bolin: "House Bill 306, a Bill for an Act concerning criminal law. Third Reading of this House Bill."

Speaker Lang: "Mr. Ramey."

Ramey: "Thank you, Mr. Speaker. House Bill 306 is a Bill that we call rapid repatriation or rapid re-path. This is a Bill I've been working on for four years and with the help a few members of... of members of the Latino Caucus, we've come to agreement with an Amendment that was writ... written by the Illinois Coalition for Immigrant Rights... Immigrant and Refugee Rights. What this Bill will do is facilitate persons in a Department of Corrections that have been found to be undocumented, currently they are turned over to ICE and deported. What this Bill would do allow us to offer this program to non-violent felons and have them released six months early again to the custody of ICE and for deportation. So, what this will do is clear up space in our Department of Corrections with it... which is overcrowded and it will save the state millions of dollars. I ask for an 'aye' vote. And I will answer any questions."

Speaker Lang: "Mr. Ramey moves for the passage of House Bill 306. There being no debate, 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? Representative Cassidy, Chapa LaVia, du

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Buclet, Jakobsson. Representative du Buclet. Please take the record. On this question, there are 108 voting 'yes', 9 voting 'no'. And this Bill, having received the Constitutional Majority, is hereby declared passed. On page 7 of the Calendar, under the Order of Senate Bills-Second Reading appears Senate Bill 87. Please read the Bill, Mr. Clerk."

Clerk Bolin: "Senate Bill 87, a Bill for an Act concerning regulation. Second Reading of this Senate Bill. Amendment #1 was adopted in Committee. No Floor Amendments. No Motions are filed."

Speaker Lang: "Third Reading. The Chair recognizes Mr. Jefferson."

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

Speaker Lang: "Your point, Sir."

Jefferson: "Just want to remind everyone, this evening at six o'clock or immediately following Session, the Illinois Legislative Black Caucus along with the Hispanic Caucus will be having an after session party at the Black Caucus House, 614 College Avenue, which is right across the street from Boone's Saloon. Wel... welcome all of you to come. Come out and have a good time and bring your appetites. We're going to have a great time this afternoon. We've even been... we've even been blessed with great weather. So, please come out and have a good time. Thank you."

Speaker Lang: "Chair recognizes Mr. Eddy."

Eddy: "Is everything okay?"

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Speaker Lang: "Are you asking me personally, Sir or as... as a Body?"

Eddy: "No. We all know... we all know the answer to that."

Speaker Lang: "Don't... please."

Eddy: "Just in general. Is this something we should be concerned about?"

Speaker Lang: "There are many things you should be concerned about, but I don't think this... this respite would be one of them."

Eddy: "Okay. Seems like maybe there are storm clouds gathering or something atmospheric."

Speaker Lang: "The Chair recognizes Mr. Eddy."

Eddy: "Thank you, Mr. Speaker. Please let the record reflect that Representative... Leader Cross is excused for the remainder of the day."

Speaker Lang: "Mr. Clerk on page 7 of the Calendar, under the Order of Senate Bills—Second Reading, appears Senate Bill 266. Please read the Bill."

Clerk Bolin: "Senate Bill 266, a Bill for an Act concerning State government. Second Reading of this Senate Bill. Amendment #1 was tabled. Amendment #2 was adopted in Committee. No Floor Amendments. No Motions are filed."

Speaker Lang: "Please hold that Bill on the Order of Second Reading. And Senate Bill 2172, Mr. Clerk. Please read the Bill."

Clerk Bolin: "Senate Bill 2172, a Bill for an Act concerning finance. Second Reading of this Senate Bill. Amendment #1 was adopted in Committee. No Floor Amendments. No Motions are filed."



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Speaker Lang: "Please hold that Bill on the Order of Second Reading. On page 7 of the Calendar, under the Order of Senate Bills-Second Reading, there appears Senate Bill 1235. Representative Golar. Representative Golar in the chamber? Please read the Bill."

Clerk Bolin: "Senate Bill 1235, a Bill for an Act concerning State government. Second Reading of this Senate Bill. No Committee Amendments. No Floor Amendments. No Motions are filed."

Speaker Lang: "Third Reading. Senate Bill 1686, Mr. Mautino. Please read the Bill."

Clerk Bolin: "Senate Bill 1686, a Bill for an Act concerning local government. Second Reading of this Senate Bill. Amendment #1 was adopted in Committee. No Floor Amendments. No Motions are filed."

Speaker Lang: "Third Reading. Senate Bill 1688, Representative Tracy. Representative Tracy, 1688? Please read the Bill."

Clerk Bolin: "Senate Bill 1688, a Bill for an Act concerning local government. Second Reading of this Senate Bill. Amendment #1 was adopted in committee. Floor Amendment #2, offered by Representative Tracy, has been approved for consideration."

Speaker Lang: "Representative Tracy."

Tracy: "I move to adopt that Amendment. Thank you very much."

Speaker Lang: "Would you like to tell us what the Amendment does?"

Tracy: "It's a Technical Amendment that referred to a prior statute and we discovered that there was an error in the

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prior Bill. And so, this technicality just corrects that problem."

Speaker Lang: "Excellent explanation. Those in favor of the Amendment will say 'yes'; opposed 'no'. In the opinion of the Chair, the 'ayes' have it. And the Amendment is adopted. Mr. Clerk."

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

Speaker Lang: "Third Reading. Senate Bill 1943, Representative Jakobsson. Please read the Bill."

Clerk Bolin: "Senate Bill 1943, a Bill for an Act concerning public health. The Bill has been read for a second time on a previous day. Amendment #1 was tabled. Amendment #2 was adopted in Committee. Floor Amendment #3, offered by Representative Jakobsson, has been approved for consideration."

Speaker Lang: "Representative Jakobsson. Out of the record. Senate Bill 2185, Representative Acevedo. Please read the Bill."

Clerk Bolin: "Senate Bill 2185, a Bill for an Act concerning government. Second Reading of this Senate Bill. No Committee Amendments. No Floor Amendments. No Motions are filed."

Speaker Lang: "Third Reading. Representative Mautino on a Motion."

Mautino: "Thank you, Speaker, Ladies and Gentlemen of the House. I move to suspend posting requirements on the following Bills, Senate Bill 1556, so it can be heard in Exec., Senate Bill 1259, so it may be heard in Exec., and

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Senate Bill 2170, which could be heard then in Counties. I know of no opposition."

Speaker Lang: "And my understanding is this has been approved by the other side. Is that correct? Is there debate? Seeing no debate, is there leave? Those in favor say 'yes'; opposed say 'no'. In the opinion of the Chair, the 'ayes' have it. And the Gentleman's Motion is adopted. Mr. Clerk, Agreed Resolutions."

Clerk Bolin: "Agreed Resolutions. House Resolution 407, offered by Representative Rose. House Resolution 408, offered by Representative Rose. House Resolution 410, offered by Representative Jefferson. House Resolution 413, offered by Representative Cavaletto. House Resolution 414, offered by Representative Jerry Mitchell. House Resolution 416, offered by Representative Barickman. House Resolution 418, offered by Representative Pihos. House Resolution 419, offered by Representative Nybo."

Speaker Lang: "Representative Mautino moves for the adoption of the Agreed Resolutions. Those in favor say 'yes'; opposed 'no'. In the opinion of the Chair, the 'ayes' have it. And the Agreed Resolutions are adopted. Mr. Clerk, Committee announcements."

Clerk Bolin: "The following Committees will meet immediately upon adjournment. The Executive Committee will meet in Room 118. The Revenue and Finance Committee will meet in Room 114, Counties and Townships will meet in Room 115, Higher Education will meet in Room 413, Insurance Committee will meet in Room C1, and Housing will meet in D1."

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Speaker Lang: "And now, allowing perfunctory time for the Clerk, Representative Currie moves... before we complete that the Chair recognizes Jerry Mitchell."

Mitchell, J.: "Thank you, Mr. Speaker. The Downstate Caucus has been changed to 5:00 at Saputo's... at 5:00 at Saputo's. Thank you."

Speaker Lang: "Mr. Eddy."

Eddy: "Thank you. Mr. Speaker, inquiry. Is there a new Committee schedule that's out or that will be? Okay. Had Members asking if there was a..."

Speaker Lang: "It will be distributed."

Eddy: "Thank you, Sir."

Speaker Lang: "Representative Currie now moves, allowing Perfunctory time for the Clerk, the House stand adjourned 'til Thursday, May 26, 2011, at the hour of 1:00 p.m. Those in favor say 'yes'; opposed 'no'. In the opinion of the Chair, the 'ayes' have it. And the Motion carries. The House does stand adjourned. Thank you."

Clerk Mahoney: "House Perfunctory Session will come to order. Committee Reports. Representative Verschoore, Chairperson from the Committee on Counties & Townships reports the following committee action taken on May 25, 2011: do pass Short Debate is Senate Bill 2170. Representative Jakobsson, Chairperson from the Committee on Higher Education reports the following committee action taken on May 25, 2011: recommends be adopted is Floor Amendment #1 to Senate Bill 122. Representative Monique Davis, Chairperson from the Committee on Insurance reports the following committee action taken on May 25, 2011: recommends be adopted is

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Floor Amendment #2 to Senate Bill 1555. Representative Dan Burke, Chairperson from the Committee on Executive reports the following committee action taken on May 25, 2011: recommends be adopted is Floor Amendment #1 to House Bill 815; Floor Amendment #1 to Senate Bill 959; do pass as amended Short Debate is Senate Bill 40, Senate Bill 107, Senate Bill 1831, Senate Bill 1835, and Senate Bill 1933. Referred to the House Committee on Rules is House Resolution 406, offered by Representative Flowers, House Resolution 411, offered by Representative Pritchard, House Resolution 412, offered by Representative Brandon Phelps, House Resolution 417, offered by Representative Rose and House Joint Resolution 37, offered by Representative John Bradley. There being no further business, the House Perfunctory Session will stand adjourned."