

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

66th Legislative Day

5/27/2011

Clerk Bolin: "House Perfunctory Session will come to order. Introduction of Resolutions. House Resolution 385, offered by Representative Currie."

Speaker Madigan: "The House will come to order. The Members will be in their seats. Members and guests are asked to refrain from starting their laptops, turn off all cell phones and rise for the invocation and the Pledge of Allegiance. We shall be led in prayer today by Pastor Shawn Lewis who is with the Illinois... he is the Illinois State Director of the Capitol Commission, serving the political leaders of Illinois. He is the guest of Representative Morrison."

Pastor Lewis: If you'd bow with me in prayer. Father in Heaven, You have selected each Member of this chamber. It's not the luck of... luck of the draw that won their elections but providence and for the challenges they face today, it is providential that each one is here. That is a comp... May they trust in You for wisdom today, even salvation if necessary. Teach us, Lord, to number our days and help us to realize how transient life is. We're only here for a moment in the history of one state, and that's a humbling thought. May it cause us to step back for a moment, examine our lives against Your word, and turn to you for grace, mercy and even joy. In the final days of the regular Session, many here under pressure, burdened and eager to go home and I pray that You would uphold each of our Representatives, give them strength and clarity of thought, protect their families as they're away from home,

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comfort them while they serve. We pray these things in Jesus' name, Amen."

Speaker Madigan: "We shall be led in the Pledge of Allegiance by Representative Chapa LaVia."

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

Speaker Madigan: "Roll Call for Attendance. Representative Currie."

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

Speaker Madigan: "Mr. Bost."

Bost: "Thank... thank you, Mr. Speaker. Let the record reflect that Representative Barickman and Stephenson are excused today. Stephens."

Speaker Madigan: "Mr. Bost. Stephens?"

Bost: "Stephens. Yes, Sir."

Speaker Madigan: "The Clerk shall take the record. There being 115 Members responding to the Attendance Roll Call, there is a quorum present. Mr. Clerk."

Clerk Bolin: "Committee Reports. Representative Currie, Chairperson from the Committee on Rules reports the following committee action taken on May 27, 2011: recommends be adopted House Resolution 385."

Speaker Madigan: "The Chair recognizes Representative Osmond."

Osmond: "Thank you, Mr. Speaker. The Republicans wish to caucus in Room 118."

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Speaker Madigan: "Representative, would you have an estimated... estimate of time?"

Osmond: "One hour."

Speaker Madigan: "So, Democrats, please stay in the vicinity. The Republicans will go to caucus. They tell us they'll be back in about an hour, and if Democrats would stay in the vicinity. Thank you very much. The House shall come to order. Mr. Clerk."

Clerk Bolin: "Committee Reports. Representative Currie, Chairperson from the Committee on Rules reports the following committee action taken on May 27, 2011: recommends be adopted Floor Amendment #4 to 1738, Floor Amendment #7 to Senate Bill 395, Floor Amendment #4 to Senate Bill 1773 and Floor Amendment #4 to Senate Bill 1943."

Speaker Madigan: "Mr. Eddy."

Eddy: "Mr. Speaker, I rise on a point of order."

Speaker Madigan: "State your point."

Eddy: "Under House Rule 18(g), I move for the discharge of Amendment 1 to Senate Bill 1177 from the House Rules Committee. Under House Rule 54(a)(2), as you know, all Motions are assigned Standard Debate status and I wish to debate my Motion. And upon conclusion of the debate, I ask for a recorded vote on the Motion to Discharge. Under Rule 49, Article IV, Section 8(c) of the Illinois Constitution, any vote shall be by record vote whenever five Representatives shall so request, and there are at least five Members on my side of the aisle by show of hands that wish for a recorded vote on the Motion to Discharge

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Amendment #1 to Senate Bill 1177 from the House Rules Committee."

Speaker Madigan: "Representative Currie."

Currie: "Thank you, Speaker. I object to the Motion."

Speaker Madigan: "Mr. Eddy, in light of the objection by Representative Currie, your Motion has failed. Mr. Eddy."

Eddy: "Mr. Speaker, I rise to a point of order. We specifically request that a Roll Call vote on my Motion pursuant to the rights granted in the House Rules and the Illinois Constitution, this breach of rules should be corrected immediately with a Roll Call vote on my Motion to Discharge. We are asking very simply that an Amendment be brought to the floor which adds transparency to a system related to mapping that lacks transparency. We have worked on a... on a map that has the potential to be heard around the state in multiple locations so that we can add transparency to what has been a very... a system that's lacked in transparency. A week ago on Friday, one map was put out, we had just two hearings, one in Chicago one in Springfield over the weekend. We've waived notice requirements and now the final Amendment hasn't even had a hearing around the state. There have been no hearings or there are no opportunities for the people of the State of Illinois to have input in a final map. What we'd like is to have our Amendment brought to the floor, the process that has become very, very nontransparent to be provided transparency and that a fair transparent process... you know, there's nothing more important in a democracy than our right to vote and the fact that we have not had hearings

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around this state on the final version of a map that's going to affect the voters of this state for the next 10 years is an outrage. We are simply asking that our Amendment #1 to Senate Bill 1177 be allowed out here so that we can add transparency for statewide public hearings on the fair map as well."

Speaker Madigan: "Mr. Eddy, as I stated earlier, your Motion failed because of the objection by Representative Currie, and that Motion is not subject to appeal pursuant to the rules. The Chair recognizes Representative Osmond. The Chair recognizes Representative Currie concerning Supplemental Calendar #2, Motions in Writing. Representative Currie."

Currie: "Thank you, Speaker, Members of the House. I move we suspend the posting requirements so that Senate Bill 123 may be heard in Human Services, Senate Bill 270 in Executive, Senate Bill 675 in Executive, Senate Bill 2133 in Exec, and Senate Bill 2255 in Health Care Licenses, and House Resolution 412 in Labor."

Speaker Madigan: "You've all heard the Motion. Mr. Eddy."

Eddy: "Thank you, Mr. Speaker. I object to the Lady's Motion, and I request a Roll Call vote against her Motion."

Speaker Madigan: "Representative Currie has moved to suspend the posting requirements on multiple Bills. Mr. Eddy objects. Those in favor of the Motion by Representative Currie will vote 'yes'; opposed will vote 'no'. Have all voted who wish? Have all voted who wish? The Clerk shall take the record. On this question, there are 64 voting

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'yes', 52 voting 'no', and the Motion is adopted. For what purpose does Mr. Rose seek recognition?"

Rose: "Mr. Speaker, two points of personal privilege, if I may."

Speaker Madigan: "State your point."

Rose: "Ladies and Gentlemen, I'm very excited today, our colleague and one of my best friends, Jason Barickman, is the proud father of August Michael Barickman, 7 pounds, 8 ounces, he was born 4:45 p.m. yesterday. I saw him rushing out of the Capitol, now we know why. So let's give Mr. Barickman a big round of applause. And if I may, Mr. Speaker, in the gallery on the Democrat side is Tim McCollum. Mr. McCollum, why don't you stand up, sir. Mr. McCollum is a former teacher of mine from Charleston Middle School, one of the greatest teachers I've ever had, and I wasn't the only one. Ladies and Gentlemen, Mr. McCollum has received many awards and he's retiring after 38 years of service. He won the National Education Association Horace Mann Award for Teaching Excellence in 2009 and the Golden Apple Central Illinois Academy inaugural class of 2008, the Exxon Mobile Outstanding Teacher Award of 2006, and on and on. Mr. McCollum is a great teacher. The students in Charleston will miss him deeply. He often spends his summers taking accelerated classes of science students around our community learning more when they probably... many of them would be doing baseball or sports or otherwise, but he takes his time off to help them advance their educational studies during the school year... during the nonschool year. Ladies and Gentlemen, Mr. McCollum is a

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personal friend of mine and a former teacher, one of the greatest teachers I've ever had. I'm going to be sad to see him go, but something many might not know is Mr. McCollum was actually one of the finalists back in the day to be the first teacher in space, and of course, that turned into a national tragedy for our country. But he was one of the first selected and he's had an extraordinary outstanding career in teaching. He's joined by his wife Monica... excuse me, Rita, his daughter Monica, and his son Kyle, if they'd stand as well. And could we salute his years of service to our state and to Charleston and many students he's educated over the years? Thank you so much, Mr. McCollum."

Speaker Madigan: "On the Order of Second... on the Order of Senate Bills-Second Reading, on page 8 of the Calendar, there appears Senate Bill 1177. Representative Currie. Mr. Clerk."

Clerk Bolin: "Senate Bill 1177, a Bill for an Act concerning redistricting. The Bill was read for a second time on a previous day. No Committee Amendments. Floor Amendment #2, offered by Representative Currie, has been approved for consideration."

Speaker Madigan: "Representative Currie on the Amendment."

Currie: "Would it be possible to move this to Third and have our discussion on Third, if that would be acceptable to Mr. Eddy?"

Speaker Madigan: "Mr. Eddy."

Eddy: "Mr. Speaker, I believe Representative Rose has a question or two while it's on Second... on the Amendment."

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Speaker Madigan: "Mr. Rose."

Rose: "Thank you, Mr. Speaker. If the Majority Leader would yield just for a brief couple questions."

Currie: "Should I present the Amendment first or is this..."

Rose: "Sure. Thank you. No."

Currie: "Okay."

Speaker Madigan: "Representative Currie."

Currie: "Are you sure you want to do this?"

Speaker Madigan: "Representative Currie."

Rose: "This is..."

Currie: "Thank you, Speaker and Members of the House. As you know, the United States and the State Constitution require us to redraw Legislative Districts every 10 years after the results of the census become available. And what this Amendment does, Amendment 2 to Senate Bill 1177, it does exactly that. Under State Law, we were required to hold four public hearings across the state; in fact, we held 15 before proposing the map and after we proposed a map, we, in conjunction with the Senate, held 3 more. I am grateful to the Members of the chamber who participated in those hearings and I'm very grateful to the Members of the public, many who provided oral and written testimony and I'm here to say that we did take into account much of what they had to report. I think our map is the better for the hearings. Our map is the better for public participation. I believe that this proposal, this General Assembly redistricting plan, is fair. It represents our best efforts to balance the many factors that have to be taken into account when we are redistricting a state as diverse as



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Illinois. As you know, the population in Illinois changed significantly over the last 10 years. Ten years ago, Kane Will, Kendall Counties were farmland, were open space. In the meantime, of course, today each has a substantial population and it looks as if they will continue to grow over the next decade. Chicago, for the first time, saw a significant drop in population, some 200 thousand people in part due to migration to the south, the southwest and western parts of the state. So, there were significant changes in some areas of the state, not very much in the way of change, and in other parts of the state, significant. So, some districts in this map look very much as the ones in today's map look, minimal change; others are significantly different. Drafting a redistricting map is not a simple task, not for the faint of heart and it isn't a job that is given to one person. It is a task that requires many ideas, many thoughts and many hands. But first and foremost, this map perfectly complies with the one person one vote requirement of the United States Constitution. Every Representative district in the state has a population of 108,734 people; in a few cases, 108,735. We have respected this, the cardinal rule of redistricting. We also recognize that the plan has to comply both with the United States Constitution and the Federal Voting Rights Act. We believe the plan is consistent with both of those and we believe also that the districts satisfy the Illinois Constitution's requirement that districts be compact and contiguous and I believe this plan fully complies with the Illinois Voting Rights Act. I

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believe the map is politically fair, but we certainly recognize that partisan concerns did play a role. There are a number of other factors that go into any redistricting plan and all of these were considered in balance one with another. These principles include preserving core of existing districts, preserving communities of interest, respecting county, township, ward boundaries; in a sense, making sure that political divisions... subdivisions are taken into account maintaining incumbent constituent relationships, proposals that came from testimony both oral and written during the time that we were considering the map, incumbent requests and respect for geographic features like rivers and I would say mountains but of course in Illinois we don't have any. Between the initial presentation of the map as in House Bill 3760, we held, as I told you, additional hearings and in those additional hearings there were... it was more testimony that led to some changes between what we saw in 3760 and what we see today in Amendment 2 to Senate Bill 1177. We heard from many Latino groups at the hearings including the Mexican American Legal Defense and Educational Fund. They were concerned that some of the districts that had a majority Hispanic populations didn't have enough to make those effective opportunities for Hispanic populations to have an impact on electoral outcomes. So, we made some changes to voting-age populations in several districts. We also split, at their request, the Little Village community in Chicago in order, again, to improve... or to expand... raise the Hispanic voting-age population. In Springfield, we heard

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from the medical district. They would have preferred to have been in one district, and so, we responded to that request. We also responded to individual requests from some of our Members. And as I say, the map in Amendment 2 is not significantly different from what we saw in House Bill 3760, but it does represent our effort to make sure that people who bring legitimate issues to us were given an opportunity to be heard. So at the end of the day, this map is, I believe, a competitive map; it's a fair map. It's not a perfect map because there isn't any such thing. There'll be some of us, individual Members, some on your side of the aisle and some are mine... on mine who are happy and some who are not happy, but we think this map protects minority rights. It's consistent with Federal and State Laws that protect minority voting rights and it follows all applicable laws, ours as well as Federal. I am grateful, again, to the members of the public who came forward and shared their ideas with us. And while I can't... I can't suggest that we took every single one of their ideas, because to have done so would have conflicted with somebody else's we did take their thoughts into consideration and we tried our best to be responsive. I think this is a good plan. I think it's a solid plan. I think it will serve the citizens of Illinois well over the next decade. I'd be delighted to answer your questions. And I certainly hope you will join me in voting to support Senate Bill 1177 with Amendment 2."

Speaker Madigan: "Mr. Rose."

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Rose: "Thank you. Majority Leader Currie, on Sunday, May 22, the first kind of proposed Amendment was introduced into Rules Committee on Hou... what was then House Bill 3760. That committee was called in Chicago. Do you have any idea how much lead time Members of that committee were given to be there for that hearing?"

Currie: "I don't know."

Rose: "What I think our staff told us is..."

Currie: "But the committee... the committee had been scheduled for at least a week that, I think, probably two weeks."

Rose: "That's not what our staff had indicated to us."

Currie: "The committee hearing had been scheduled, had been posted, for several weeks, Sir."

Rose: "But the Amendment was filed and then the Rules Committee met then, just quickly after it was filed. Is that correct?"

Currie: "The Amendment was filed on Friday. I think you're describing a committee hearing on Sunday, but the Amendment was filed on Friday."

Rose: "What was the notice requirement for Rules to meet to refer that Amendment?"

Currie: "I believe two hours."

Rose: "That's contrary to our understanding, but we will certainly go back and check the record on that point, Majority Leader. Also, I assume as I... we met... what day did we have our committee this week? Was it Tuesday? Our Redistricting Committee, was that Tuesday of this week?"

Currie: "It was on Tuesday. We met on Sunday; we met on Tuesday jointly with the Senate."

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Rose: "So, on Tuesday, I believe, you and Senator Raoul had asked if we were... if the Republicans were going to propose a map. As I'm sure you know, Representative Fortner yesterday proposed what was House Floor Amendment #1 in response to your request. I take it from the action that we're about to take here, to adopt this Amendment, that we will not be going to committee and there'll be no discussion or input for the public on Representative Fortner's map. Is that correct?"

Currie: "It depends partly on what happens with the Senate Bill 1177, doesn't it?"

Rose: "So, then, to that point, it's your intention to adopt this now without having any further input from the public on this map even though it's changed since we had our hearing?"

Currie: "Indeed it has, but in ways that I think came to us from the responses of members of the public to the original proposal. So, I think this is more responsive to the public who participated in our Sunday and our Tuesday hearings."

Rose: "But also, those members of the public... and I sat through many of those redistricting hearings with you or with other Members of the committee... around the state those same members of the public said we would like to have input around the state... hearings around the state... that input before you vote on a final map, did they not?"

Currie: "And we did give them, as I say, between the Senate and the House, three hearings. Every interested group, every group that had said anything about the mapping process,

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early or late, every single one of them presented testimony."

Rose: "Well, and I guess... the point though was that the public asked for... was hearings around the state not just... our redistricting hearing was a joint hearing here in Springfield on Tuesday. They asked for hearings around the state and also with the ability to comment upon the final map and there's a critical distinction there. Majority Leader, I just... I just have one last question. And that is, that in the Bills there's references to say, for example, House Resolution 385. That... do you know when that Resolution was filed?"

Currie: "It was filed this morning."

Rose: "It was filed this morning. We think at sometime around 7:30, 7:45 or so. Is that accurate?"

Currie: "Before we came into Session."

Rose: "So, before 8 a.m. It's now 10:38. That Resolution is 364 pages long and there's been roughly about three hours of time to digest it and I would just like to point that out."

Currie: "Okay. We're... and we're not..."

Rose: "That's... that's all. That's all."

Currie: "...we're not addressing that Resolution; we're addressing Amendment 2."

Rose: "Well, but it se... the Resolution is incor... point is, the Resolution's incorporated by reference in this Bill. And so, we are addressing it because it's incorporated by reference, and I just point that out that it's now 10:38 a.m. Thank you."

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

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

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

Clerk Bolin: "Senate Bill 1177, a Bill for an Act concerning redistricting. Third Reading of this Senate Bill."

Speaker Madigan: "Representative Currie."

Currie: "Thank you, Speaker. I've already described the Bill on Second Reading. I'll stand by that description. Again, I'd be happy to answer your questions. This is a fair, this is a strong, this is a solid map. And I'd appreciate your 'yes' votes."

Speaker Madigan: "Representative Fortner."

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

Speaker Madigan: "Sponsor yields."

Fortner: "Majority Leader Currie, one of the things that I raised in committee and I'm still seeing lacking, I see a reference in the language of the Bill to House and Senate Resolutions particularly House Resolution 385. I see that such a Resolution's been filed. Has that Resolution been adopted by the House?"

Currie: "No, it has not. I think we will consider that later, but just for your information, all that Resolution is, is a description of the districts and it describes some but not all of the factors that went into the drawing of the districts."

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Fortner: "Wouldn't it be appropriate to know whether or not this Body is... has adopted that Resolution since it is referenced and would become a part of the language of this Bill before taking action on the Bill since... at this point, we don't know if that Resolution is adopted or not?"

Currie: "Representative, I'm... right now, we're on Senate Bill 1177 and I'd appreciate your 'yes' vote."

Fortner: "I understand that; however, I'm just commenting that this... this Bill refers to that Resolution and I think that it's inappropriate, but let me go on to some other questions, then. Will we see, presumably, should we adopt this Resolution, is this a com... will we see a complete description of the balancing factors that you have described in your earlier comments involved with each of the districts?"

Currie: "I said some but not all of the districts, but the guidelines that were used would be described in the Resolution. As you know, the whole thing is a balancing, a program and that's what 1177 reflects."

Fortner: "I understand. So, will we be getting information about those factors which are not going to be included in the Resolution? You say that the Resolution will include some but not all factors. Are there going to be any other information to provide us with what other factors would be involved and how they would influence those districts?"

Currie: "Well, it seems to me that the Resolution will do a lot of describing. I've never known this degree of specificity happen in a map in previous decades. So, I think what you get will be pretty good."



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Fortner: "Well, we'll see when we get to the Resolution on that particular point. On the question of the Bill before us, then. We heard testimony from Dr. Lichtman as it relates to... Voting Rights Act. Has he reviewed the districts that are proposed for this map?"

Currie: "He... yeah, he has reviewed virtually all of them and he knows what changes have been made."

Fortner: "So he has reviewed virtually all of the 118 House..."

Currie: "Right."

Fortner: "...and 59 Senate Districts."

Currie: "Now, he was particularly... he never looked at all 118. I believe he was looking especially with respect to the Voting Rights... to the Voting Rights Act and how the district that might be subject to Voting Rights Act requirements did or did not offer effective opportunities for members of minority groups fully to participate in the electoral process. That's what he testified to on Tuesday."

Fortner: "He identified a threshold for both African-American and Latino districts."

Currie: "He didn't spec... he didn't..."

Fortner: "At what... at what point he... for the purposes of his review, was that same standard used for his review of this map?"

Currie: "He said... he was quite clear that there isn't a specific standard, there isn't a numerical standard that he was using, but whatever went into his initial analysis would have gone into his analysis of the changes that you see between 3760 and 1177."

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Fortner: "I agree he did not say there was a standard for appli... the Act, but he did say that he did not review any African American districts where the voting-age population who's below the 30... thirtyish percentile race, that is to say he did not review those in the 20 percent range. Is that applied to this map as well?"

Currie: "Yeah. You have the testimony from Dr. Lichtman. I don't think we need to redescribe it here. I think his... his thought was that if there are very few African-Americans or very few Latinos in a district that it wouldn't come under the requirements of the Federal Voting Rights Act."

Fortner: "I understand. I'm just... I'm..."

Currie: "But I... but I don't want to speak for him."

Fortner: "I'm asking the question..."

Currie: "He spoke very eloquently for himself, as you remember."

Fortner: "I just want to make sure I understand which districts he did review because some of the districts have changed. Certainly some of the districts where there are significant minority voting-age populations have changed and wanted to make sure I know which ones. He was clear as to which ones he reviewed in the Bill that we debated in committee. I just wanted to clarify which of the districts he reviewed in the Bill before us today which is... has some different districts."

Currie: "I can't give you an exhausted list of the ones that he reviewed before he testified, but I do know that he's aware of the changes that happened between 3760 and 1177."

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Fortner: "And so he has reviewed all of those specific changes in the districts that he referred to in his previous testimony?"

Currie: "Yeah. My... my understanding is that he's aware of or has specifically reviewed the changes that were made."

Fortner: "One of the other questions that was raised had to do with compactness which is required by the Illinois Constitution. I believe you referred to a Joe Webster as the expert involved with this. Did he review the districts both in the preceding one as well as in the Bill before us pursuant to looking at compactness?"

Currie: "His name is Professor Gerald Webster and I don't know whether he reviewed the changes. As I say, the changes were not substantial and on the... on the initial Bill that which was proposed in House Bill 3760, he believed that we met appropriate compactness requirements in his preliminary review. He said highly similar to the redistricting plan that is currently in place and that was upheld by both state and Federal courts."

Fortner: "And he would apply that statement to both... did that as the statement that would apply to this Bill before us that you just made?"

Currie: "As I say, I don't know whether he had an opportunity to do a preliminary review of the changes, but I don't believe that he's likely to have changed his view given that the changes we made were not substantial."

Fortner: "The... it's clear that there have been a number of changes in some of the minority districts and we heard a lot of testimony. Can you move this back to Second Reading

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for the purposes of having public hearings for review and discussion of this map particularly as it relates to those districts where we had a lot of public testimony over the weekend, Sunday as well as on Tuesday?"

Currie: "No, Representative. In fact, what the... what the changes represent is precisely our response to the testimony that we heard on Sunday and on Tuesday."

Fortner: "I would like to also ask some questions specifically to the districts. As you've... as you commented, there's a lot of detail in the... in the Resolution, which we have not yet discussed before this Body. Would you prefer that I ask those questions specifically to the de... detail some of the districts at this time or may I reserve those comments and ask those questions on this floor when the Resolution is brought up?"

Currie: "Yeah. That... maybe it makes more sense to do in relation to the Resolution since the Resolution speaks more specifically to district boundaries."

Fortner: "Well, then I will reiterate my earlier concern about the propriety of passing this piece of legislation which references the Resolution which has that level of detail in it at this time. It seems to me we were taking the things out of an order that makes the most sense. Then... Mr. Speaker, to the Bill. I'd like to comment that the Majority Leader and the Sponsor of this Bill has indicated a lot of the content is in a Resolution which this chamber has not debated nor adopted and it's a Resolution that was filed literally minutes before this Session was gaveled in. That's hardly time to read an extensive document that goes

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into great detail on many districts. Not only is it a lack of time for the purpose of this chamber to make a considered decision on this important Bill, but it's also a lack of time for the public to weigh in on the details that went in to many of the districts, if not all of the districts, that are being proposed in Senate Bill 1177. I think the public has been left on the short end of this process by not giving them the opportunity, both to comment on the changes as well as, perhaps more importantly, to comment on a very detailed Resolution that this chamber has not yet adopted. I would urge a 'no' vote."

Speaker Madigan: "Mr. Eddy."

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

Speaker Madigan: "Sponsor yields."

Eddy: "Leader Currie, I think it's important that we review the timeline again here because I'm a little... I'm a little concerned about the... the lack of time and transparency related to this subject on a couple of fronts. First, I think that... I think it was Sunday, May 22, that House Democrats convened a Rules Committee meeting in downtown Chicago with just a few minutes notice to refer the proposed redistricting map Amendment to House Bill 3760 to the House Redistricting Committee and there were no House Republicans in that Rules Committee. Is that accurate?"

Currie: "That is accurate. Frequently, when the Rules Committee meets in Chicago, there are no Minority Members present."

Eddy: "Well, I understand that but this was..."

Currie: "So that's not unusual."

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Eddy: "...this was trumpeted as the transparent process for an important mapping that's going to guide our electorate in the way that we elect officials for the next 10 years. I would certainly think that a little more notice would be given to the Minority Party to be present. Then, I think it was on Monday the House Democrats filed a Motion to waive the public six-day notice posting requirements, you and I discussed that on the floor that day, for a hearing on three Senate redistricting shell Bills. The Motion, against the transparency that we requested, that Motion passed with only House Democrat votes. I think that's accurate as well. And then Thursday, House Democrats refer a revised redrafted Floor Amendment #2 to Senate Bill 1177 directly to the House Floor without public committee hearings and after the close of business for immediate consideration by the House the next morning. The Amendment provides new legislative district boundaries for the next 10 years. The Rules Committee action occurs with only, again, House Democrat votes, 364 pages. Then this morning, not long ago, House Democrats refused to allow public review or consideration of the House Republican Fair Map proposal that was contained in Floor Amendment #1 to Senate Bill 1177 which was filed earlier. And you know, it's interesting that we couldn't even have a recorded vote on that because that right was taken away back when we... back when we adopted Rules. One Member of the House Democratic Caucus objected to its consideration. Three hundred and sixty-four pages, three hours, here you go. This is transparency. This process is supposed to be one that

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allows for statewide hearings. You had two hearings, one in Springfield, one in Chicago over the weekend, and you said to the public, here's your chance, take it or leave it and we're going to ram this map through next week whether you like it or not. And once the final language is done, we're going to lay it out there for two hours, you get a chance to look at it, the review is leaping through it. Where is the public supposed to go to on the final version of this map for input? How can the public on a statewide basis, have input on this 364 pages?"

Currie: "Was that a question?"

Eddy: "Yeah. The question is, how can the general public, in a transparent way, have input on the final version of this map when it's filed and then we're voting on it three hours later?"

Currie: "The public did have input. That's why we made some tweaks, some changes in the original proposal, only because we responded to the concerns of the citizenry, concerns about how this didn't quite work or that could have worked better. I told you exactly what those changes were. I stand by them. I think this has been the most transparent, the most accountable, the most open redistricting process in the history of the State of Illinois..."

Eddy: "Representative Currie..."

Currie: "...and I would put it right up..."

Eddy: "...if this is the most open and transparent process we've ever had..."

Currie: "...right up... right up..."

Eddy: "...we're in trouble..."

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Currie: "...right up against that of any other state."

Eddy: "...'cause this is not open transparency. This is not open and transparent. The final version of this map has had zero public hearings, zero, the final version. Now there may have been input from the two public hearings that were supposed to be statewide that were held in two locations, but you realize there are other locations throughout the State of Illinois that are a long way from Springfield and a long way from Chicago. From Metropolis, Illinois to Springfield is not a short drive. Why didn't we have statewide public hearings on the map proposal? Individuals on a Saturday or Sunday afternoon, with Friday notice, are supposed to clear what they're doing and drive to either Springfield or Chicago. How is that statewide? Do you describe two hearings, one in Springfield, one in Chicago as statewide consideration?"

Currie: "Any group that was concerned about this map had every opportunity to let us know what they thought and they were here, every last one of them. They did respond once the map was unveiled and we were grateful to have their participation after the fact. That's why we changed in order to be responsive to them and we were very grateful to have their participation before the fact..."

Eddy: "And what if..."

Currie: "...because what they said was taken into account when we drew the lines."

Eddy: "What if they have concerns and they want to have input and consideration on the final version? Representative Currie, what opportunities, on a statewide basis, do



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individuals have for input on this version, the final version, of the map?"

Currie: "We have actually had 75 letters of support from organizations across the state in favor of Senate Bill 1177 with Amendment #2. So if people are concerned that the public didn't know what was happening, the answer, Representative, is that they do. They were inclu... one of the letters, you'll be happy to know, came from the City of Metropolis."

Eddy: "Representative..."

Currie: "They're right there with us every inch of the way and I hope with their support I'll have your support too."

Eddy: "Representative, my question is, based on the final version of a 364-page Amendment that was filed two hours ago, what statewide opportunities do individuals have? Now maybe that included the two meetings that took place over the weekend, but there may be people who object to some of the input. That happens all the time. They have no opportunity."

Currie: "You know, it's..."

Eddy: "There is no opportunity for the final version."

Currie: "It's essentially the same map. I think those 75 letters of support including from Metropolis speak volumes. The changes were not significant and they were changes responsive to concerns that were brought to us by the public at those hearings."

Eddy: "Representative, have those 75 letters come in since two hours ago or last night? Is that what you're saying?"

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Currie: "But the Amendment, Amendment 2, was filed not two hours ago. I think you're talking about..."

Eddy: "Yesterday..."

Currie: "...the Resolution..."

Eddy: "Okay."

Currie: "...which was now filed four or five hours ago."

Eddy: "Okay."

Currie: "The Amendment #2 to Senate Bill 1177..."

Eddy: "Okay."

Currie: "...was filed yesterday."

Eddy: "And those 75 pages have come in since then... or those 75 letters? Those 75..."

Currie: "And... and..."

Eddy: "...since that time, they've had a chance to read it?"

Currie: "Just as with the map, the proposed map, Amendment 2 in Senate Bill 1177, those letters are also on the website and maybe you'd like to stop talking and read the letters."

Eddy: "Representative, what I want to do is find out if the people of the State of Illinois are going to be shut out of the process again like they have before. You've described this as the most transparent and open process for a map that's ever taken place, but it doesn't mean it couldn't have been better because it could have been much better if, after the final version of the map and the language at least had a chance for the pages to cool off from the copy machines, people around the state at multiple hearings with a true geographic disparity of what this state is like could have had a chance and they haven't had that chance. Those 75 letters haven't come in on 364 pages in the last

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four hours. I appreciate the fact that there are people that support this map. I understand that, but there are opponents to this map as well, and those individuals, based on this final version, have not had an ample opportunity to respond. I... very, very quickly, this... to the Bill. Ladies and Gentlemen of the House, it... the real shame here is the fact that we are attempting to describe a process that allows a 364 page Amendment to a Bill that's going to remap our state that is only about 10 days old to begin with, the real shame here is we're calling that transparent. Under no reasonable definition of transparency for something this important can that statement be made. This is not a transparent process. We offered a transparency process. We offered a fair map and the answer to that was, we're not even going to let you bring that Amendment to the floor to be debated. We don't want the people of the State of Illinois to even see that there is an alternative because we know best, here it is, take it or leave it, you got two hours to look at it. That's the answer. That's what we've got. Ladies and Gentlemen, vote 'no'. This is not what the people of the State of Illinois expect. And Mr. Speaker, if this receives the requisite number of votes, I request a verification."

Speaker Madigan: "Mr. Schmitz."

Schmitz: "Thank you, Speaker. I'll just go to the Bill quickly. I wanted to clarify a couple of remarks that the Sponsor said a minute ago regarding the Rules Committee on Sunday. She is correct that the Minority Party's typically not attended the Rules Committees in Chicago. We get very quick

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notice. I live in Batavia which is about 40 miles west of the city. The other Republican Member, Representative Leitch, lives in Peoria. Usually 5, 10-minutes notice for a Rules Committee hearing in Chicago is not enough time to get us on the Eisenhower into the city. The second point I wanted to make clear was, that Sunday, when the Rules Committee did meet, Republican staff and the Republican Members, nobody received any notice that day and we did have Republicans in attendance at the redistricting hearing, but we received no prior notice that this Rules Committee would be convening. Thank you, Speaker."

Speaker Madigan: "Mr. Durkin."

Durkin: "Majority Leader Currie, will you entertain a question?"

Currie: "Indeed."

Speaker Madigan: "Sponsor yields."

Durkin: "Representative, on House Bill 3760 Amendment 1, there were a list of opponents: Latin... Latino Policy Forum, LULAC, MALDEF, National Council of La Raza, League of Women Voters, the Association House of Chicago, Hispanic Housing Development Corporation, Interfaith Leadership Project and Latinos Progresando. Do you know whether or not they still continue with their opposition to this Bill?"

Currie: "Representative, I can't speak specifically to those organizations, but I do know that many of the issues that were raised by members of those groups were addressed in Amendment 2 to Senate Bill 1177."

Durkin: "Thank you."

Speaker Madigan: "Mr. Riley."

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

Speaker Madigan: "Sponsor yields."

Riley: "Representative, are you familiar with a group called the African Americans for Legislative Redistricting?"

Currie: "Yes, I am."

Riley: "To what extent did they play a role in terms of getting their view heard on this... on this map?"

Currie: "They were very helpful to us in drawing the map. They established principles and made proposals that I believe we responded to. They were very concerned, as they should have been, with the effective participation of members of the African American community in the political process. And my understanding is that we did respond to their proposals in a... in a positive fashion."

Riley: "And wasn't this group really a coalition of a lot of different organizations representing..."

Currie: "It was indeed."

Riley: "...law and community-based organizations and..."

Currie: "Yes."

Riley: "...other ethnic organizations?"

Currie: "You are right."

Riley: "Thank you very much."

Speaker Madigan: "The last speaker will be Mr. Lang. Mr. Lang."

Lang: "Thank you, Mr. Speaker. For purposes of legislative intent, if the Sponsor will yield?"

Speaker Madigan: "The Sponsor yields."

Lang: "Representative, on the last page of the Bill, Section 5-10, lines 5 through 7, it reads in the Bill, General Assembly Redistricting Act of 2011; compliance. It says the

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General Assembly Redistricting Act of 2011 complies with all of the requirements of this Act. This refers to Section 85, the Illinois Voting Rights Act of 2011. For purposes of legislative intent, can you tell us what this Section means?"

Currie: "Happy to. What it means is;, that the General Assembly which created, after all, the Illinois Voting Rights Act affirmably states that, yes, this General Assembly Redistricting Act up to 2011 is fully and completely consistent and compliant with the Illinois Voting Rights Act and there is no violation of the Vot... of the Illinois Voting Rights Act present in this plan. So, it's an affirmative statement that we who created the Voting Rights Act affirm that, in fact, this map does meet the requirements of the Illinois Voting Rights Act."

Lang: "Thank you, Leader."

Speaker Madigan: "Representative Currie to close."

Currie: "Thank you very much, Speaker. I think we've had a healthy debate. This is, in fact, the fair map. This is a good map and a solid map. It will serve our constituents; it will serve the citizens of Illinois well over the next 10 years. It's a competitive map. It's a fair map. Please vote 'yes'."

Speaker Madigan: "There is a request for a verification. Will all Members please take their seats. Mr. Holbrook and Mr. Bradley. Mr. Holbrook, would you take your seat. There is a request for a verification. Would all Members take their seats. The question is, 'Shall this Bill pass?' Those in favor signify by voting 'yes'; those opposed by voting

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'no'. Have all voted who wish? The Clerk shall take the record. On this question, there are 64 people voting 'yes', 52 people voting 'no'. Mr. Eddy has requested a verification. Mr. Eddy, did you wish the Clerk to read the names or do you know the names already?"

Eddy: "Mr. Speak... Mr. Speaker, I would request that the names in the affirmative be read into the record."

Speaker Madigan: "Mr. Clerk, read the names of those voting 'yes'."

Clerk Mahoney: "The following: Representative Acevedo; Representative Arroyo; Representative Beiser; Representative Berrios; Representative Biss; Representative Bradley; Representative Burke, D.; Representative Burke, K.; Representative Carli; Representative Cassidy; Representative Chapa LaVia; Representative Colvin; Representative Crespo; Representative Cunningham; Representative Currie; Representative D'Amico; Representative Davis, M.; Representative Davis, W.; Representative DeLuca; Representative du Buclet; Representative Dugan; Representative Dunkin; Representative Farnham; Representative Feigenholtz; Representative Flowers; Representative Ford; Representative Franks; Representative Gabel; Representative Golar; Representative Gordon; Representative Harris, G.; Representative Hernandez; Representative Holbrook; Representative Howard; Representative Jackson; Representative Jakobsson; Representative Jefferson; Representative Jones; Representative Lang; Representative Lilly; Representative Lyons; Representative Mautino; Representative May;

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Representative Mayfield; Representative McAsey;  
Representative McCarthy; Representative McGuire;  
Representative Mell; Representative Mussman; Representative  
Nekritz; Representative Phelps; Representative Reis;  
Representative Riley; Representative Rita; Representative  
Sente; Representative Smith; Representative Soto;  
Representative Thapedi; Representative Turner;  
Representative Verschoore; Representative Williams;  
Representative Yarbrough; Representative Zalewski, and Mr.  
Speaker."

Speaker Madigan: "Mr. Eddy."

Eddy: "Is Representative Will Davis in his seat?"

Speaker Madigan: "He's in the rear of the chamber."

Eddy: "Okay. I didn't see him. Thank you. Representative  
Flowers. Oh, I see. She's back there. She's on... Okay. Thank  
you."

Speaker Madigan: "Thank you, Mr. Eddy. One more time. There  
being 64 voting 'yes' and 52 voting 'no', this Bill, having  
received a Constitutional Majority, is hereby declared  
passed. Mr. Lang in the Chair."

Speaker Lang: "On Supplemental Calendar #1 there appears, under  
the Order of Resolutions, House Resolution 385.  
Representative Currie."

Currie: "Thank you, Speaker and Members of the House. This  
measure describes some, but not all, of the items that went  
into the drawing of the 118 House and 59 Senate Districts  
and it does describe the boundaries of those districts. I'd  
be happy to answer your questions. This is basically



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supplemental material to the redistricting map that we just approved."

Speaker Lang: "Lady moves for the adoption of the Resolution. The Chair recognizes Mr. Fortner."

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

Speaker Lang: "Lady yields."

Fortner: "First, some general questions about the Resolution to make sure we understand since we did not get the chance to debate this in our committee at all. This was presented and filed just before Session today. Who helped put together this Resolution?"

Currie: "Our staff."

Fortner: "Did you have an attorney review the Resolution?"

Currie: "I can't answer that, but my guess is we probably did since many of the people on our staff are, in fact, lawyers."

Fortner: "Did Dr. Lichtman... was he involved in the drafting of any part of this Resolution?"

Currie: "Not to my knowledge. I mean he... right... not to my knowledge. I don't think, as I said earlier, he wasn't, I don't believe, familiar with all the districts in the State of Illinois. He was looking partic..."

Fortner: "That's why I asked about if he was part of the Resolution."

Currie: "Yeah."

Fortner: "I recognize from your earlier comment."

Currie: "Not to my knowledge."

Fortner: "Does this provide a complete description of the balancing factors involved in each district?"

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Currie: "No."

Fortner: "The... earlier you talked about, as part of legislative intent, the compliance with the Illinois Voting Rights Act. Does this Resolution identify any specific districts as to whether or not they were drawn specifically to meet the requirements of the Illinois Voting Rights Act?"

Currie: "That's a legal determination. The Resolution does not deal in those specifics."

Fortner: "So, the Resolution does not identify any district... does not identify that by name other than the statement at the end of the Reso... of the Bill that was referenced in the previous discussion?"

Currie: "Right. Again, as I said about the map, we did comply with the requirements of federal and state statutes including the Voting Rights Act, but this Resolution is not specific in respect to one district rather than another."

Fortner: "So, for example, in District 114 which was a district with... that was previously had an African-American voting age population in excess of 50 percent is now at a number of slightly over 42 percent. Is this then an influence coalition or crossover district as defined by the Illinois Voting Rights Act?"

Currie: "I wouldn't... I wouldn't begin to figure out what those terms mean in legal terminology, but Dr. Lichtman did testify precisely about that district that he considered it a highly effective district in terms of the opportunity for African Americans to fully participate in the electoral process, and I'm relying on his testimony, that's not knowledge of my own."

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Fortner: "I'd like to... there's a lot of this, obviously, 118 House Districts and 59 Senate Districts referenced... well, of course, we've got the House Districts in this Resolution here. The... and with barely more than three hours since the filing, hardly time to have gone through, but I'd like to at least get a sense of some of those by looking at Representative District #1. The... for instance, you referenced areas where there are median incomes and talked about the brackets, you talked about the differences between different size of the districts, knowing that some are in the range of 44 thousand to 99 thousand, others in the range of two and a half thousand to 44 thousand. Did those... did... you talk about them, the diversity of the district that is created. Did you design the district and draw the lines to get that diversity or was that a statement that was prepared after the lines were drawn to be able to compare to the current district?"

Currie: "I'm not quite sure what you're asking. I mean, are you asking whether we tried specifically to draw a district that was this diverse economically and socially? If so, the answer is no. We're just describing how this map worked in terms of those demographics and..."

Fortner: "So, a measure like that was really, as you say, it's describing..."

Currie: "Descriptive."

Fortner: "...in this case, it's a com... you're using it as a comparison, I believe, to the previous Representative District 1 and I..."

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Currie: "It is... this is descriptive, but yes, we do try to take into account the core of the districts that exist today and communities of interest, all of those other items, ward, municipal, other kinds of boundaries. All of those are factors that must be balanced in the drawing of a map."

Fortner: "On page 8, towards the end of the description of Representative District 1, you have a parenthetical comment throughout these summaries, partisan composition..."

Currie: "I see it."

Fortner: "...in a particular district was derived from an analysis of voter behavior based on candidate performance in numerous races over several election cycles. Are there specific elections, whether they be Primary or General, that was used to determine partisan composition as referenced here and then later, you know, the other districts they simply refer to that phrase as defined in that parenthetical comment?"

Currie: "Yeah. I believe there are several different indices that one might use in making this calculation. I don't know which one or ones were used and I don't know which elections were taken into account or taken out of account."

Fortner: "Is there a way that we would be able to identify for each district, that references partisan composition, which elections went into the partisan composition for that district?"

Currie: "We would have used the same for all of them. I'm just saying, I don't know which indices, which index, which races were used to make that kind of calculation and I

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don't know which of the various indexes that would... but we would have used the same throughout."

Fortner: "So the same index would have been used for all 118 districts as described in the stocks..."

Currie: "Or indices, yes."

Fortner: "...or indices as described here. Again, since it's to be the same for all, that should be a fairly limited sect, and I wonder if you might consult with your staff and be able to answer that question here on the floor as to what that index or indices were?"

Currie: "I don't have the information and I don't believe the people who are whispering in my ear this morning have that information either."

Fortner: "Well, since you said that the staff had constructed the Resolution, I thought that perhaps you might be able to invite the staff on to the floor as we often do, to be able to provide you with that particular information and you're indicating that you're not able to do that."

Currie: "That's right."

Fortner: "In... again, thinking about Representative District 1, there's certainly a lot of descriptive information related to the core of the prior district, communities of interest, et cetera. Among the factors that you balance, that I did not see listed I wanted to specifically inquire about, were incumbent requests. You specifically... with respect to Representative District 1, which is one of the factors that are identified."

Currie: "Yeah. I can't tell you about what happened in relation to any given district, but yes, we certainly had incumbent

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requests information provided from Republicans as well as from Democrats."

Fortner: "It's just that I didn't see anything specifically related to incumbent requests in that specific Representative District. Do you know if... were those identified in any of the Representative District's descriptions as far as the Resolution is concerned?"

Currie: "Right. We then... not everything that was relevant to every district is included in the Resolution. We did our best and we did... this is general, some but not all the factors. For example, one of your colleagues asked to be separated from you in the final map and we accommodated that request, but I don't think it's going to say so in this Resolution."

Fortner: "In... likewise, in District 1 was an area where we certainly heard public testimony related to that part of the... particularly the large Latino populations in that area. Again, looking at the text of the Resolution, I don't see any reference as to what if any of that public testimony... I know that your earlier comments you said you responded. There's nothing in the Resolution here that I see. Is there anything in any of the other districts that identifies whether or not the public testimony was or was not used in that particular district?"

Currie: "Sometimes... there... you'll see many references to public testimony written and oral throughout the Resolution, but it doesn't mean that in every single district we describe how that public testimony did or did not affect the outcome of the district lines."

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Fortner: "Well, I just asked because this was a district where I know that we heard a lot of public testimony from different directions as to what would be appropriate in that area. It would seem to me that that might be a place where references might be appropriate, but I don't see that in this case."

Currie: "Yeah. And we, again, we took everything into consideration. It's all a balance. And that we certainly were not going to write a novel in House Resolution 385. In fact, I think it's plenty long at 300-plus pages."

Fortner: "It certainly... certainly seems to be..."

Currie: "So, I think more specificity would have made my eyes glaze over."

Fortner: "...certainly not a document my English professor in college would have expected me to be able to review in just three hours..."

Currie: "Yeah."

Fortner: "...which is unfortunately all that I've had so far."

Currie: "So, actually... actually, I think we're talking four or five hours, but never mind."

Fortner: "Well, actually, I believe it was filed... we first saw it at about five minutes 'til 8:00, showing up in the filing, so just over three hours by my watch. The... though I've been asking these questions specifically to Representative District 1, can I assume... should I assume, would your answers be the same to the other Representative Districts listed here as you have given me with respect to Representative District 1?"

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Currie: "Yeah. I mean, I would say that we took into account the factors that traditionally go into redistricting and we balanced them and we described some of the... of what went into specific districts, but that doesn't mean that other items unreported in the Resolution did not nor... nor that if we said it here and we didn't say it there, it means that we didn't take it into account. We took everything into account."

Fortner: "But you... but you also indicated that some of the information here is not so much what you took into account, but was a measure of a comparison with the current versus the prior or a description of the district as it exists if it really... since some districts don't really have a direct comparison to a prior district."

Currie: "Right. Although, remember one of the traditional rubrics in redistricting is to take into account the core of existing districts... existing boundaries. So, that's one of the factors."

Fortner: "Right. But I... but there are certainly some districts where there's not a core there. I can certainly refer to current House District 95 which I happen to represent which is now located in a place far away in the state, so clearly that would not be the core of the district in that respect. So, I just wanted to make sure that some of these are..."

Currie: "Well..."

Fortner: "...some of these statements are descriptive of what the district is as opposed to a core of a previous district."

Currie: "And... and we noted that, and again, if you're... as I said in the very beginning when we looked at the map



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itself, it is no easy task to draw 118 contiguous, compact districts that are equal in population, and a change here necessarily means a change somewhere else, and our primary responsibility is to make for population equality and to recognize population shifts over the last 10 years. That's one of the primary issues that goes into a redrawn map."

Fortner: "Thank you for your answers. Speaker, to the Resolution. Again, I feel that this is a discussion that should be had where we have the full opportunity to have heard this in committee. This is a critical part of the description of the map that we have just approved, but we never had a chance to have testimony like the kind we heard for the map itself on what is the imp... a very important descriptive document, a document referenced by the Bill that we have just passed related to the map. It's also a document that I think would be important to go into because, as has been indicated, it only expresses some of the balancing principles. We need to find out what the other principles are and how those have factored in to the drawing of the map for the House and Senate Legislative Districts. So, given that lack of time, lack of hearing and lack of information, I would urge a 'no' vote."

Speaker Lang: "Mr. Eddy."

Eddy: "Thank you, Mr. Speaker. First, an inquiry of the Chair."

Speaker Lang: "State your inquiry, Sir."

Eddy: "Will this Resolution require a Roll Call vote?"

Speaker Lang: "I don't know if it requires one, but you're going to have one, Sir."

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Eddy: "Appreciate that. If not, I do request that. Thank you. I have some questions for Majority Leader."

Speaker Lang: "The Majority Leader yields."

Eddy: "Thank you. Representative Currie, I guess my basic question about this Resolution in general is, why is it necessary?"

Currie: "I don't know that it's necessary, but I think it is helpful for the citizens and for all of us to know what goes into this drawing and we're trying to be transparent and accountable to the citizens of the state. These are some of the things that went into the... yeah... well, in fact, actually I thought you wanted a rationale and so we're giving you one."

Eddy: "Well, I think I'd consider this to be a little more transparent..."

Currie: "Right."

Eddy: "...if individuals had a chance to read it before we adopted it and it were brought before a committee. So, for example, those in the 110th District, which is described in this Resolution, those individuals would have, at a public hearing, the opportunity to say, well, wait a minute, this... we'd like this described this way or maybe this would be... has there been any opportunity at all for that kind of input by the public?"

Currie: "You know, two things. First of all, some of the information in this Resolution is a matter of fact and I don't know that you need to ask people for their reactions to matters of fact. And second, this also reflects some of the factors that went into drawing individual districts."

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And what we're doing here is letting people know which is what they asked for and you asked for during our hearings. People want to know why and we're giving them some measure of answer to the question, why? It is an effort to be transparent and accountable."

Eddy: "But you're asking the Members of the House to vote on a 360-some page document about three hours after it was filed, which seems a little less than transparent. I mean, the very definition of transparency and sunshine would at least allow this to go to a committee, the appropriate committee, and provide individuals the time for that transparency to actually occur. This may be the best description of every district in the state that there could possibly be, but we've had no time and the individuals... the citizenry of the state has had no time to react to that because it never got a committee hearing. How is that transparent? I..."

Currie: "Representative, this is transparency brought to you by the Illinois House of Representatives. I encourage you to vote 'aye'."

Eddy: "Well, this is the type of transparency we have become accustomed to, I will admit that, which is a total lack of transparency in this process with limited hearings especially when the final version of documents related to the map come forward, there's not time. They're... they are done in a manner that is obviously to speed these things through so people who may want to say something are told we don't want to hear it. Now, if this were posted, people had a chance to read at least the individual district

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descriptions, have a chance to respond, then I would agree that maybe we're looking at transparent process, but there's nothing at all transparent about a 360 page Bill that's given three hours for review. Representative, very quickly, to the Resolution. Ladies and Gentlemen of the House, I really believe that we're on Bill #2 of a process that could have been much, much better. It could have served the people of the state in a fashion that would have allowed public input, additional comments, once the final version was complete. That's when it's most important for the people to have their say. This is what we're voting on. Up until that point, we're working on a lot of hard work that took a lot of hours that's not final. I don't see what the problem is that once we have a final product that we think is fair, if it is, then it would make perfect sense that you wouldn't have any trouble allowing the people of the state to see it. It creates the question as to whether or not what we're doing really is fair. If people had the opportunity, it would be a different story. Ladies and Gentlemen, I urge a 'no' vote, and Mr. Speaker, I also request that if this Resolution receives the requisite number of votes, that a verification of that Roll Call take place."

Speaker Lang: "Mr. Schmitz."

Schmitz: "Thank you, Speaker. I wanted the record to be clarified that it was said a few minutes ago when Representative Fortner was in debate, that it was insinuated that I made a request to be separated from

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Representative Fortner. I want the record to be very clear that I made no such request."

Speaker Lang: "Mr. Eddy, for a second bite at the apple."

Eddy: "Thank you. Just very, very briefly. I think Representative Schmitz's point is exactly what I'm talking about. That type of comment made... we were able to find Representative Schmitz so he had the opportunity to weigh in. There are... there are hundreds of pages here that people aren't having the opportunity to respond to. I think that's a perfect example of what can happen when we don't have transparency. Vote 'no'."

Speaker Lang: "Majority Leader to close."

Currie: "Thank you very much, Speaker, Members of the House. This is unprecedented, not only in Illinois, but as far as I know in any other state to have this degree of accountability and transparency in a redistricting process. So for every district there is some factual information that no one can dispute and there is a way of tying into the drawing of those lines, some, not all, but some of the factors that went into the decision that these boundaries should be here rather than someplace else. I know of no other state that has ever gone to this degree of transparency and accountability to show the people how and why new districts have been drawn. I would appreciate your 'aye' vote on House Resolution 385. If you stand for transparency, if you stand for accountability, this is your opportunity to show the people back home that you really do care about the process."

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Speaker Lang: "Lady's moved for the adoption of the Resolution. There will be a Roll Call vote and there's been a request for a verification. Members will be in their chairs and please vote your own switches. Representative Currie has moved for the adoption of the Resolution. Those in favor vote 'yes'; opposed vote 'no'. The voting is open. Have all voted who wish? Have all voted who wish? Please take the record. On this question, there are 64 voting 'yes', 52 voting 'no'. And there has been a request for a verification. Mr. Clerk, please read the Affirmative Roll Call."

Clerk Bolin: "A poll of those voting in the affirmative: Acevedo; Arroyo; Beiser; Berrios; Biss; Bradley; Burke, D.; Burke, K.; Carli; Cassidy; Chapa LaVia; Colvin; Crespo; Cunningham; Currie; D'Amico; Davis, M.; Davis, W.; DeLuca; du Buclet; Dugan; Dunkin; Farnham; Feigenholtz; Flowers; Ford; Franks; Gabel; Golar; Gordon; Harris, G.; Hernandez; Holbrook; Howard; Jackson; Jakobsson; Jefferson; Jones; Lang; Lilly; Lyons; Mautino; May; Mayfield; McAsey; McCarthy; McGuire; Mell; Mussman; Nekritz; Phelps; Reitz; Riley; Rita; Sente; Smith; Soto; Thapedi; Turner; Verschoore; Williams; Yarbrough; Zalewski, and Mr. Speaker."

Speaker Lang: "Mr. Eddy."

Eddy: "I will remove the request for verification. Thank you."

Speaker Lang: "Gentleman would remove his request. And the 'ayes' have it. And the Amendment... the Resolution is adopted. Moving to House Bills-Second Reading, on page 2

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of the Calendar appears House Bill 387, Representative Gabel. Please read the Bill."

Clerk Bolin: "House Bill 387, a Bill for an Act concerning State government. The Bill was read for a second time on a previous day. No Committee Amendments. Floor Amendment #2, offered by Representative Gabel, has been approved for consideration."

Speaker Lang: "Representative Gabel."

Gabel: "Thank you, Mr. Speaker. House Floor Amendment 2 is a correction to a Bill that was passed four years ago. But I believe there's... wait, there's another Amendment. There's another Floor Amendment. That I just submitted this morning. Is it..."

Speaker Lang: "Well, then would you like to take this Bill out of the record until your Amendment moves through Rules?"

Gabel: "Yes. Thank you."

Speaker Lang: "Take the Bill out of the record, Mr. Clerk. House Bill 815, Speaker Madigan, to be handled by Mr. Holbrook. Please read the Bill."

Clerk Bolin: "House Bill 815, a Bill for an Act concerning safety. The Bill was read for a second time on a previous day. No Committee Amendments. Floor Amendment #1, offered by Representative Holbrook, has been approved for consideration."

Speaker Lang: "Mr. Holbrook."

Holbrook: "Thank you. On House Bill 815, Floor Amendment #1, is an agreement between IEMA and Exelon on upgrading our Eleven Reactor Safety Programs. Sets up some fee

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structures for them that they've agreed to. I'd like to adopt the Amendment and debate it on Third."

Speaker Lang: "Gentleman moves for the adoption of the Amendment. Those in favor say 'yes'; opposed 'no'. The 'ayes' have it. The Amendment is adopted. Mr. Clerk."

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

Speaker Lang: "Third Reading. Please read the Bill for a third time."

Clerk Bolin: "Senate Bill 815, a Bill for an Act concerning safety. Third Reading of this... correction. House Bill 815, a Bill for an Act concerning safety. Third Reading of this House Bill."

Speaker Lang: "Mr. Holbrook."

Holbrook: "Thank you. This is a result of a long-term negotiations between IEMA and Exelon who runs our eleven nuclear reactors. It's sets up a higher level of response and monitoring for those, and sets up associated fees that they've agreed to to help pay for them. Be glad to take any questions."

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

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

Speaker Lang: "Gentleman yields."

Franks: "Representative, which fund do these increased fees go to?"

Holbrook: "The Nuclear Safety Emergency Preparedness fees are for the short terms and for the capital fund, they go to the RMS which is the Remote Monitoring Systems."



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Franks: "And this would be a fee increase of about \$150 thousand per license?"

Holbrook: "Yes. It's 1.6 million total for the Preparedness Fund which will allow to meet the new requirements for 12 to 15 positions concerning the radio chemistry people and the health physicians and the nuclear safety scientists that they're going to have to add. And on the remote systems, it will cover both gamma detection network of remote sensors and gas effluence and reactor data collection."

Franks: "Thank you. I have a question on the first fund that you would... that you had identified. Had that fund been swept in previous years?"

Holbrook: "I don't know, Representative Franks. I... that... that is never brought up."

Franks: "I think it had, and that's a concern that I have if we're raising fees for a fund that had been swept because the fees had not been previously used. And I just wonder if we have an agreement from the Governor's Office, should this Bill become law, that they will not sweep these funds and have the moneys used for exactly what you described?"

Holbrook: "Director of that agency, IEMA, Monken was involved in those negotiations and I believe there was a commitment that these positions would be filled and the specific cost of them and that's why the fees were set at what they were."

Franks: "Thank you."

Speaker Lang: "Mr. Eddy."

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

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Speaker Lang: "Gentleman will yield."

Eddy: "Representative, my understanding is, this is agreed to by Exelon and the IEMA as a way to fund some positions?"

Holbrook: "Yes. There's no opposition to it."

Eddy: "So, each of the power plants, I think, Braidwood, Byron, Clinton, Dresden, LaSalle and the Quad Cities generating station each of those will be assessed in addition to the fee that they currently pay?"

Holbrook: "Yes."

Eddy: "And that will allow IEMA to employ some individuals for inspection purposes and that money is... the supposed purpose of the money is to pay that cost?"

Holbrook: "Yes. There's some additional personnel that will be hired. I assume a lot of this has been in response to some of the other issues that have happened continuing a nuclear regulation vote at our federal level and concerns at our state level."

Eddy: "Okay. And those plants are in agreement that..."

Holbrook: "Yes."

Eddy: "...that money. So hopefully, to the previous speaker's point, that the purpose for these funds will be respected and the funds will be allowed to be used for their intended purpose and not swept for another purpose?"

Holbrook: "I checked with the Governor's Office after Representative Franks asked that question, and yes, they agree that is what it's going to be used for, nothing else."

Eddy: "Okay. Thank you."

Speaker Lang: "Mr. Holbrook to close."

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Holbrook: "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? Have all voted who wish? Please record yourselves, Members. Let's move some Bills. Representative Pihos. Please take the record. On this question, there are 70 voting 'yes', 45 voting 'no', 1 voting 'present'. This Bill, having received the Constitutional Majority, is hereby declared passed. Page 4 of the Calendar appears House Bill 3108, Mr. Eddy. Please read the Bill."

Clerk Bolin: "House Bill 3108, a Bill for an Act concerning education. Sec... the Bill was read for a second time on a previous day. Amendment #4 has been adopted to the Bill. No further Amendments. No Motions are filed."

Speaker Lang: "Third Reading. Mr. Clerk, please read the Bill for a third time."

Clerk Bolin: "House Bill 3108, a Bill for an Act concerning education. Third Reading of this House Bill."

Speaker Lang: "Mr. Eddy."

Eddy: "Thank you, Mr. Speaker. This... this Bill, as amended, represents an opportunity for us to collect much needed data in the state related to special education and the City of Chicago Public Schools for use in the budgeting process. I'd be happy to answer any questions and I'd appreciate an 'aye' vote."

Speaker Lang: "Gentleman moves for the passage of the Bill. There being no debate, those in favor vote 'yes'; opposed 'no'. The voting is open. Have all voted who wish? Have

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all voted who wish? Have all voted who wish? Saviano, Sosnowski. Please take the record. On this question, 114 voting 'yes', 2 voting 'no'. This Bill, having received the Constitutional Majority, is hereby declared passed. On page 5 of the Calendar, under the Order of Senate Bills-Third Reading, appears Senate Bill 959, Representative Berrios. Please read the Bill."

Clerk Bolin: "Senate Bill 959, a Bill for an Act concerning transportation. Third Reading of this Senate Bill."

Speaker Lang: "Representative Berrios."

Berrios: "Thank you, Mr. Speaker, Ladies and Gentlemen of the House. Senate Bill 959 is to help car rental companies that are currently at airports. They want to pass through the concession fee that other airports in the United States actually charge. And it would be the individual who rents a vehicle from a location at an airport, not any other location."

Speaker Lang: "Lady moves for passage of the Bill. Chair recognizes Mr. Eddy."

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

Speaker Lang: "Lady yields."

Eddy: "Representative, I think, really all this does is, it allows rental car companies to collect a fee from customers that at this time they're not able to collect?"

Berrios: "Right, exactly."

Eddy: "Just a simple change to allow them access to a cost that they incur that, at this point, they're not able to access?"

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Berrios: "Exactly."

Eddy: "Okay, Representative. Thank you. I..."

Berrios: "Thank you."

Eddy: "...I appreciate what you're trying to do here. I think it makes sense. I never understood why they couldn't collect it. I guess there's a technicality that doesn't allow it and you're trying to correct that. And I think it's a good idea."

Berrios: "Thank you, Representative."

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? Tryon, Unes. Mr. Tryon. Please take the record. On this question, 94 voting 'yes', 20 voting 'no', 2 voting 'present'. This Bill, having received the Constitutional Majority, is hereby declared passed. On page 6 of the Calendar appears Senate Bill 1539, Mr. Saviano. Please read the Bill"

Clerk Bolin: "Senate Bill 1539, a Bill for an Act concerning regulation. Third Reading of this Senate Bill."

Speaker Lang: "Mr. Saviano."

Saviano: "Thank you, Mr. Speaker, Members of the House. Senate Bill 1539, as amended, includes two major provisions. One is the licensure of the Appraisal Management Companies which the department had got a mandate from the Federal Government to do. The other portion is the rewrite of the Appraisers Licensure Act. Both of these issues we've been working on for about three years and that's probably why we had five Amendments as we went through the process. I'd like to commend the departments, all the interest groups

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and the staffs for their perseverance in coming to this agreed Bill. And I would ask for its adoption. Thank you."

Speaker Lang: "Gentleman moves for the passage of the Bill. There being no debate, those in favor vote 'yes'; opposed 'no'. The voting is open. Have all voted who wish? Have all voted who wish? Record yourselves, Members. Have all voted who wish? Representative Flowers, Hernandez, Mitchell, Sacia. Jerry Mitchell. Mr. Mitchell. Please take the record. On this question, there are 86 voting 'yes', 29 voting 'no', 1 voting 'present'. This Bill, having received the Constitutional Majority, is hereby declared passed. Senate Bill 1773, Representative Rose. Please read the Bill. Mr. Rose, I understand you have an Amendment? So you want this out of the record? You want... the Gentleman moves... asks that his Bill be put on the Order of Second Reading, Mr. Clerk. Thank you. Senate Bill 16... all right. All right. Senate Bill 1773 is on the Order of Second Reading. Mr. Clerk, please read the Bill."

Clerk Bolin: "Senate Bill 1773, a Bill for an Act concerning education. The Bill was read for a second time on a previous day. Amendments 1 and 3 have been adopted. Floor Amendment #4, offered by Rose, has been approved for consideration."

Speaker Lang: "Mr. Rose."

Rose: "This would change the effective date to July 1, 2011. I'd ask for its adoption and move to Third. And then I'd like to hold it on Third, Mr. Speaker."

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

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

Speaker Lang: "You want this on Third Reading, Mr. Rose?"

Rose: "Please."

Speaker Lang: "Third Reading. Senate Bill 1622, Representative Feigenholtz. Please read the Bill."

Clerk Bolin: "Senate Bill 1622, a Bill for an Act concerning health. Third Reading of this Senate Bill."

Speaker Lang: "Representative Feigenholtz."

Feigenholtz: "Thank you, Mr. Speaker, Ladies and Gentlemen of the House. Senate Bill 1622 asks that we do a geographic analysis of supports and services in community settings and defines it. I'd be glad to answer any questions."

Speaker Lang: "Lady moves for the passage of the Bill. Those in favor vote 'yes'; opposed 'no'. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Mr. Bost, Mr. Mitchell. Please take the record. On this question, 116 voting 'yes', 0 voting 'no'. And this Bill, having received the Constitutional Majority, is hereby declared passed. Members, we're moving to Senate Bills-Second Reading. There are quite a few Bills. The faster we get through these Bills, the faster we might finish today. So pay attention and let's move these Bills as quickly as possible. The first Bill is Senate Bill 40, Representative Dugan. Please read the Bill."

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Clerk Bolin: "Senate Bill 40, a Bill for an Act concerning State government. The Bill was read for a second time on a previous day. Amendments 1, 2, and 3 have been adopted. Several notes have been requested have not been filed."

Speaker Lang: "Please hold the Bill on the Order of Second Reading. Senate Bill 115, Representative Berrios. Representative Berrios, 115. Please read the Bill."

Clerk Bolin: "Senate Bill 115, a Bill for an Act concerning employment. The Bill was read for a second time on a previous day. No Committee Amendments. No Floor Amendments. No Motions are filed."

Speaker Lang: "Third Reading. Senate Bill 122, Representative Carli. Please read the Bill."

Clerk Bolin: "Senate Bill 122, a Bill for an Act concerning education. The Bill was read for a second time on a previous day. No Committee Amendments. Floor Amendment #1, offered by Representative Ford, has been approved for consideration."

Speaker Lang: "Mr. Ford."

Ford: "Thank you, Mr. Speaker. If we could let... I got jack for this Bill by the officers, so if we could just give it to her."

Speaker Lang: "Representative Carli on the Amendment."

Carli: "Thank you, Mr. Speaker and Members of the House. This is the first Amendment to Senate Bill 122 which will provide statistical information on three areas of first generation students to higher education institutions. It will focus on admission, retention, and graduation. After this data is collected, this Amendment will require the



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institution to report their findings to the General Assembly in order to assess if any improvements are needed to increase the participation and help first time students adjust."

Speaker Lang: "Lady moves for the adoption of the Amendment. There being no debate those in favor say 'yes'; opposed 'no'. The 'ayes' have it. The Amendment is adopted. Mr. Clerk."

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

Speaker Lang: "Third Reading. Returning to Senate Bill 115, Representative Berrios. Please read the Bill for a third time."

Clerk Bolin: "Senate Bill 115, a Bill for an Act concerning employment. Third Reading of this Senate Bill."

Speaker Lang: "Representative Berrios."

Berrios: "Thank you, Mr. Speaker, Ladies and Gentlemen of the House. What we are doing with this Bill is amending the Equal Pay Act of 2003. We are doubling the fine for violations from \$2500 to \$5000."

Speaker Lang: "Lady moves for the passage of the Bill. There being no debate, those in favor vote 'yes'; those opposed 'no'. The voting is open. Have all voted who wish? Have all voted who wish? Record yourselves, Members. Have all voted who wish? Bellock, Bost, Brauer, Dunkin, Durkin, Leitch, Mitchell. Record yourselves, Members. Please take the record. On this question, there are 71 voting 'yes', 45 voting 'no'. And this Bill, having received the Constitutional Majority, is hereby declared passed. Senate Bill 145, Representative Feigenholtz. Please read the

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Bill. Representative, we understand there are notes pending on this Bill, so we'll hold the Bill pending those notes. Senate Bill 395, Representative May. Please read the Bill."

Clerk Bolin: "Senate Bill 395, a Bill for an Act concerning revenue. The Bill was read for a second time on a previous day. Committee Amendment..."

Speaker Lang: "The Lady... the Lady wishes to take the Bill out of the record, Mr. Clerk. Sorry to interrupt you. Mr. Clerk, returning to Senate Bill 395, please read the Bill. We'll start over."

Clerk Bolin: "Senate Bill 395, a Bill for an Act concerning revenue. The Bill was read for a second time on a previous day. Committee Amendment #1 was tabled. Three floor Amendments have approved for consideration. The first is Floor Amendment #3 which is offered by Representative Berrios."

Speaker Lang: "Representative Berrios. Mr. Zalewski, are you handling these Amendments?"

Zalewski: "If you would, Mr. Speaker."

Speaker Lang: "Mr. Zalewski."

Zalewski: "Thank you, Mr. Speaker. I think, Mr. Speaker, the Amendment I'd like to address is #7."

Speaker Lang: "Do you wish to withdraw Amendment 3, Representative Berrios? The Lady acknowledges. Amendment #3 is withdrawn. Mr. Clerk."

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

Speaker Lang: "Mr. Zalewski."

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Zalewski: "Mr. Speaker, Floor Amendment #5 was adopted by the Revenue Committee; however, there were two technical changes. I'm asking to table... table #5 and move to... #7 and address #7 as the one.."

Speaker Lang: "The Gentleman... the Gentleman moves to table Amendment 5. Seeing no... Correct, Mr. Clerk. There was... Amendment #5 will be withdrawn. Mr. Clerk."

Clerk Bolin: "Floor Amendment #7, offered by Representative Zalewski."

Speaker Lang: "Mr. Zalewski."

Zalewski: "Thank you, Mr. Speaker. Floor Amendment #7 is the Bill. On Second, I would simply say it makes two technical changes to the Bill regarding homeowner's exemptions. It withdraws the downstate assessor's ability to issue CAVs and it changes the language as it's related to related to the time period in which an assessment officer can go back. I ask for its adoption."

Speaker Lang: "Gentleman moves for the adoption of the Amendment. Chair recognizes David Harris."

Harris, D.: "Thank you, Mr. Speaker. And the Sponsor did indicate that this was a technical Amendment, showed it to us before it was presented. And while you might not be as supportive of the Bill overall, the Amendment I would recommend an 'aye' vote."

Speaker Lang: "Those in favor of the Amendment say 'yes'; opposed 'no'. The 'ayes' have it. The Amendment is adopted. Mr. Clerk."

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

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Speaker Lang: "Third Reading. Page 8 of the Calendar appears Senate Bill 1177, Majority Leader Currie. Out of the record. Senate Bill 1228, Mr. Reboletti. Out of the record. Senate Bill 1293, Representative Cassidy. Please read the Bill."

Clerk Bolin: "Senate Bill 1293, a Bill for an Act concerning liquor. The Bill was read for a second time on a previous day. No Committee Amendments. No Floor Amendments. No Motions are filed."

Speaker Lang: "Third Reading. Mr. Clerk, please read Senate Bill 1293 for the third time."

Clerk Bolin: "Senate Bill 1293, a Bill for an Act concerning liquor. Third Reading of this Senate Bill."

Speaker Lang: "The Chair recognizes the very lucky first Bill, Kelly Cassidy."

Cassidy: "Thank you, Mr. Speaker and Members of the House. Today, I come before you with Senate Bill 1293, an initiative related to a small business in my district that is located within 100 feet of a church and wishes to secure their liquor license. The previous business in that district had a liquor license. The church in question has no objection. The neighborhood organizations have no objections. The alderman of the ward has no objections. And I ask for your favorable consideration."

Speaker Lang: "Lady moves for the passage of the Bill. The Chair recognizes Mr. Eddy on the Lady's first Bill."

Eddy: "Thank you, Mr. Speaker. Where's she at?"

Speaker Lang: "Hard to tell because she isn't wearing the traditional garb."

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Eddy: "That... I guess that's my point. I can't see her without the red jacket. And if we can't see her, then she's not there. And if she's not there, she can't present her Bill."

Cassidy: "Representative, will orange work for you?"

Speaker Lang: "Does this... does this color work for you, Sir?"

Eddy: "You know, I think... no, no. Let me..."

Speaker Lang: "Representative... Representative Carli has some help. Make sure you get that back, Representative, you may need that yourself. It fits so well too. Representative Eddy."

Eddy: "Okay. I can see her now at least. Representative, this obviously is your first Bill. Let me ask, what... what does this Bill do? You said something about it allows for alcohol to be served at schools? Did I miss something? I..."

Cassidy: "Yes, you did miss something, Representative."

Eddy: "Oh."

Cassidy: "This Bill will allow a small business in my district taking over a formerly empty storefront to develop and grow and survive as a thriving concern in my district in spite of their proximity to a church. The church in question has no objections."

Eddy: "So, the church is encouraging alcohol sales?"

Cassidy: "The church to my understanding is encouraging the strength of the business community in my district."

Eddy: "Well... well, let me ask you a question. Normally, there's a letter of nonobjection that we're... that we receive. Do you have that letter? Is there a letter of

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nonobjection from the church related to this distillery that you're supporting to be open near a church?"

Cassidy: "While I understand it is not ordinary for a church to issue such a letter, I do, in fact, have a letter from Pastor Timothy Goddard expressing his support for this business."

Eddy: "Did you file that letter with the Clerk?"

Cassidy: "That is not a requirement as I understand it, Sir."

Eddy: "Well, we could make it one. I'd like a copy of the letter. I think..."

Cassidy: "I'd be delighted..."

Eddy: "...everyone one in here..."

Cassidy: "...to provide you one."

Eddy: "...deserves a copy of the letter. In fact, Ladies and Gentlemen of the House, if you want a copy of the letter, please raise your hand. Representative, I think you should pull the Bill from the record until you have enough coppies to hand out."

Cassidy: "I... I'm not going to be pulling the Bill from the record today, but I would be delighted to provide you a copy afterwards."

Eddy: "Well, I guess that's fair enough. How about some cookies and milk too?"

Cassidy: "Get me to a kitchen; I'll bake you some cookies."

Speaker Lang: "...return, Representative."

Eddy: "Wow. You know, I got to tell you, there's been a lot of freshmen and a lot of red jackets and never a cookie offer before, so you're really getting somewhere. You know, Representative Poe, from time to time will provide the Body

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with fried chicken. And if you're going to be willing to provide us with cookies, I think we're really getting somewhere here with the buffet I have envisioned."

Cassidy: "This is true bipartisanship as its best."

Eddy: "Well, I don't know about that, but... let me ask you one other question because this is... this is important obviously to your district. When you... when you swore and you took your oath to come to serve the people of your district, did you envision the fact that your first Bill, your first effort at public policy in the State of Illinois to benefit the individuals in your district, would have to do with making sure that a liquor establishment could be open near a church?"

Cassidy: "Representative, what I did know was that I was going to do everything in my power to encourage the strength of my small business community in my district."

Eddy: "Even if it includes alcohol to be served so close to a church? You... you really... I mean, you've made it. You've really figured out what this public policy process is all about. You've been able to solve a problem in your area that combines alcohol and churches. That doesn't happen very often on a first Bill, Representative. Congratulations."

Cassidy: "I believe that."

Speaker Lang: "That about it, Mr. Eddy? Representative Berrios."

Berrios: "Does the Sponsor yield?"

Speaker Lang: "Oh, I'm certain she will."

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Berrios: "Would the sponsor yield? Hi, Representative. Quick question. I'm wondering will the church people be allowed to go to the restaurant too?"

Cassidy: "Allowed by whom?"

Berrios: "By the owner of the restaurant that wants the liquor..."

Cassidy: "I believe that the owner of the Kingfisher would be delighted for anyone in the neighborhood or beyond to come in."

Berrios: "Perfect. And will they be serving Latino alcohol? Latino beers at the restaurant?"

Cassidy: "I haven't a clue, but I bet we can get a decent margarita there."

Berrios: "Perfect. Sounds good to me. Thank you."

Speaker Lang: "You're a lucky Lady. Representative Cassidy to close."

Cassidy: "Thank you, Mr. Speaker. And I am indeed a lucky Lady that you're there today. I ask for your favorable consideration."

Speaker Lang: "Lady moves for the passage of Senate Bill 1293. Those in favor shall vote 'yes'; opposed 'no'. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Please take record. On this question, there are 70 voting 'yes', 47 voting 'no'. And this Bill, having received the Constitutional Majority, is hereby declared passed. Mr. Pritchard, for what reason do you rise, Sir?"

Pritchard: "Thank you, Mr. Speaker. Would the Clerk please record me as voting 'no' on Senate Bill 115, please."



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Speaker Lang: "The record will reflect your intention, Sir. Senate Bill 1040, Representative Mussman. Please read the Bill."

Clerk Bolin: "Senate Bill 1040, a Bill for an Act concerning criminal law. The Bill was read for a second time on a previous day. Committee Amendment #1 was tabled. Floor Amendment #2, offered by Representative Mussman, has been approved for consideration."

Speaker Lang: "Representative Mussman."

Mussman: "This House Amendment actually... House Amendment #2 is a duplicate of House Amendment #1. Do you need me to read all the details?"

Speaker Lang: "Representative, you have an Amendment. Just describe it to us briefly and we'll move forward."

Mussman: "It increases the registration reporting. It adds a line about the Crimestoppers program being available in various regions. And it moves certain... I'm sorry... was trying to read my computer."

Speaker Lang: "We couldn't tell the difference, Representative."

Mussman: "Hey. And it moves certain registrable offenses on to the sex offender registry from the Child Murderer and Violent Offender Act registry."

Speaker Lang: "Lady moves for the adoption of the Amendment. The Chair recognizes Mr. Watson."

Watson: "Will the Sponsor yield?"

Speaker Lang: "Lady yields."

Watson: "How you doing?"

Mussman: "Hey."

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

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

Speaker Lang: "Third Reading. Senate Bill 1228, Mr. Reboletti. Please read the Bill."

Clerk Bolin: "Senate Bill 1228, a Bill for an Act concerning criminal law. The Bill was read for a second time, previously. No Committee Amendments. No Floor Amendments have been approved for consideration. No Motions are filed."

Speaker Lang: "Third Reading. Please read the Bill for a third time."

Clerk Bolin: "Senate Bill 1228, a Bill for an Act concerning criminal law. Third Reading of this Senate Bill."

Speaker Lang: "Mr. Reboletti."

Reboletti: "Mr. Speaker, if we could move that back to Second Reading. There'll be an Amendment coming."

Speaker Lang: "Mr. Clerk, please move that Bill back to the Order of Second Reading at the request of the Sponsor. Senate Bill 1297, Representative Dan Burke. Out of the record. Senate Bill 1306, Mr. Mautino. Out of the record. Senate Bill 1470, Mr. Acevedo. Out of the record. Senate Bill 1471, Mr. Acevedo. Out of the record. Senate Bill 1557, Representative Golar. Please read the Bill."

Clerk Bolin: "Senate Bill 1557, a Bill for an Act concerning government. The Bill was read for a second time on a previous day. No Committee Amendments. No Floor Amendments. No Motions are filed."

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Speaker Lang: "Third Reading. Please read the Bill for a third time."

Clerk Bolin: "Senate Bill 1557, a Bill for an Act concerning government. Third Reading of this Senate Bill."

Speaker Lang: "Representative Golar. Lady takes the Bill out of the record. Senate Bill 1631, Representative Cassidy. Please read the Bill."

Clerk Bolin: "Senate Bill 1631, a Bill for an Act concerning criminal law. The Bill was read for a second time on a previous day. Amendment #1 was tabled. Floor Amendment #2, offered by Representative Cassidy, has been approved for consideration."

Speaker Lang: "Representative Cassidy."

Cassidy: "Thank you, Mr. Speaker and Members of the House. Senate Bill 1631, as introduced, amends the Probation and Probation Officers Act to make a technical correction concerning the use of probation fees for salaries. Floor Amendment 2 contains two parts in relation to the original Bill as introduced. The first part allows more flexibility to the Administrative Office of the Illinois Courts from permitting the use of probation fees for salaries. The second part of Floor Amendment 2 would add a \$10 court fee for probation operations in cases where the Circuit Court clerk adds a court automation fee. The fee is not assessed in cases where an appearance is not required and the bail amount is \$120 or less. This was introduced at the request of the Illinois Probation and Courts Service Association. And I ask that the Amendment..."

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Speaker Lang: "Lady moves for the adoption of the Amendment. Those in favor say 'yes'; opposed 'no'. The 'ayes' have it. The Amendment is adopted. Mr. Clerk."

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

Speaker Lang: "Third Reading. Senate Bill 1544, Mr. Mautino. Please read the Bill."

Clerk Bolin: "Senate Bill 1544, a Bill for an Act concerning insurance. The Bill was read for a second time on a previous day. Committee Amendment #1 was tabled. Floor Amendment #2, offered by Representative Mautino, has been approved for consideration."

Speaker Lang: "Mr. Mautino."

Mautino: "Thank you. Floor Amendment #2 is an agreement in an accommodation with the Department of Insurance regarding the fees and charges on policies filed within the department. It raises the fees from 1 thousand to 1500 on the individual policies, 2500 on the companies on their registrations. I'd ask for an 'aye'... for adoption."

Speaker Lang: "Gentleman moves for the adoption of the Amendment. The Chair recognizes Representative Monique Davis."

Davis, M.: "Thank you, Mr. Speaker. I would just like to say I'd like to be recorded as 'no' on House Bill 3108, which I would have voted had I been in my seat. House Bill 3108, Monique Davis votes 'no'."

Speaker Lang: "The record will reflect your intentions. Is there any debate on Mr. Mautino's Amendment? There being none, those in favor say 'yes'; opposed 'no'. In the

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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. Continuing on the Order of Mautino, Senate Bill 1555. Please read the Bill."

Clerk Bolin: "Senate Bill 1555, a Bill for an Act concerning insurance. The Bill was read for a second time on a previous day. No Committee Amendments. Floor Amendment #2, offered by Representative Mautino, has been approved for consideration."

Speaker Lang: "Mr. Mautino."

Mautino: "Thank you, Speaker. Floor Amendment #2 contains the structure to create a Legislative Study Commmis... Commission for the insurance exchange as well as incorporating Representative Bellock's health savings account to be made available to employees of the state. And I'd ask for adoption."

Speaker Lang: "Gentleman moves the adoption of the Amendment. There being no debate, those in favor say 'yes'; opposed 'no'. The 'ayes' have it. The Amendment is adopted. Mr. Clerk."

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

Speaker Lang: "Third Reading. And the final Bill on the Order of Mautino is Senate Bill 1306. Please read the Bill."

Clerk Bolin: "Senate Bill 1306, a Bill for an Act concerning regulation. The Bill was read for a second time on a previous day. No Committee Amendments. Two Floor Amendments have been approved for consideration. Floor Amendment #1, offered by Representative Mautino."

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Speaker Lang: "Mr. Mautino."

Mautino: "Thank you, Speaker. Floor Amendment #1 creates the Collateral Recovery Act. Basically, that is licensing and rules and a structure for those who are involved in repossession of personal property. And I would simply ask for its adoption."

Speaker Lang: "Gentleman moves for the adoption of the Amendment. Those in favor say 'yes'; opposed 'no'. The 'ayes' have it. The Amendment is adopted. Mr. Clerk."

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

Speaker Lang: "Mr. Mautino."

Mautino: "Thank you. This is a technical Amendment that does two minor corrections to the underlying Bill."

Speaker Lang: "Those in favor of the Amendment say 'yes'; opposed 'no'. The 'ayes' have it. The Amendment is adopted. Mr. Clerk."

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

Speaker Lang: "Third Reading. Senate Bill 1470, Mr. Acevedo. Please read the Bill."

Clerk Bolin: "Senate Bill 1470, a Bill for an Act concerning criminal law. The Bill was read for a second time on a previous day. No Committee Amendments. No Floor Amendments. No Motions are filed."

Speaker Lang: "Third Reading. Please read the Bill for a third time."

Clerk Bolin: "Senate Bill 1470, a Bill for an Act concerning criminal law. Third Reading of this Senate Bill."

Speaker Lang: "Mr. Acevedo, Senate Bill 1470."

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Acevedo: "Thank you, Mr. Speaker, Ladies and Gentlemen of the House. Senate Bill 1470 allows the Prisoner Review Board to schedule a hearing up to five years after the denial of parole, if the Prisoner Review Board finds it is not reasonable to expect a parole would be granted prior to that time. I'd be happy to answer any questions."

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

Reboletti: "Thank you, Speaker, and to the Bill. Ladies and Gentlemen of the House, this Bill has been moved for the five years that I've sat in this General Assembly, has never made it to the Governor's desk. It's fair time now that it does. This deals with what we call the C Number inmates, people who were sentenced prior to the death penalty being abolished back in the '70s where they were actually sentenced to up to... some of them up to 3 to 5 thousand years. And what happens is that they continually come up for Prisoner Review Board parole hearing every year. I have a constituent in Addison whose father was a Chicago police officer who was murdered by somebody who simply wanted to know what it was like to kill a police officer and that person was sentenced to about 150 years in prison. That family, every year, has to go through this process of being dragged back in front of the Prisoner Review Board to see if anything has changed. What usually does not change is the behavior of some of these inmates who will assault correctional officers, assault other inmates, not take advantage of any treatment options, education or behavior opportunities. I would suggest that

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this Body vote 'yes' and give victims an opportunity to go on with the rest of their lives. They already have a natural life sentence and it only makes fair sense that they not be dragged back into these proceedings every year.

Thank you."

Speaker Lang: "Representative Monique Davis."

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

Speaker Lang: "Gentleman yields."

Davis, M.: "Representative, why do we have C Number prisoners?"

Can you tell us how they became C Numbers?"

Acevedo: "I don't have that information, Representative."

Davis, M.: "Oh, you don't have that information?"

Acevedo: "No."

Davis, M.: "Well, the C Number prisoners are prisoners who were given a choice of having a determinate sentence or a nondeterminate sentence. Many of them... they have committed atrocious crimes, but some people have come behind them and committed worse crimes. When you have an indeterminate sentence in Illinois, it is... it's the only time it's ever been used, and it goes on and on and on. Most of these people are senior citizens; they're geriatric patients in the prison. Now, you're saying that they should only be allowed to seek, whatever they go before the Review Board for, only once every five years?"

Acevedo: "That... that's correct."

Davis, M.: "And the other prisoners can go before this Review Board how frequently?"

Acevedo: "That's correct."



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Davis, M.: "The other prisoners who are not C Numbers, how frequently can they go before the Prisoner Review Board?"

Acevedo: "I believe it's once a year."

Davis, M.: "So, we're deny we're denying... first of all, we're denying these inmates who we have determined are getting life, we've given life to all of them. We have decided life is your sentence even though it's called an indeterminant sentence. And so you're saying they cannot go before the Prisoner Review Board. They cannot take before that board whatever accomplishments or achievements they've had, whatever... how long they've been in there, where others have gotten out, others have served their time for worse crimes and gone out of prison? You're saying that this particular group cannot apply to have a hearing before the Prisoner Review Board except every five years. You think that's fair?"

Acevedo: "Well, Representative, you know, you keep asking me questions and you know the answers to them, so you're answering your own questions. Yeah, I think it's fair."

Davis, M.: "You think it's fair that a group of prisoners in the State of Illinois were given in determinat sentences. Others who've committed similar or worse crime, were given sentences that were determinate... some of them have served their time and they're gone. So this group, you're saying, we're still... were going to deny you. You can't go before the Prisoner Review Board except every five years?"

Acevedo: "Well, Representative, it's already three years. I'm just raising it to five years for the fact that you want to

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put the... why put the families through this ordeal once again."

Davis, M.: "What family?"

Acevedo: "The family of the victim."

Davis, M.: "Which family?"

Acevedo: "The family of the victim."

Davis, M.: "Well, I just have to tell you the family of the victim they don't really have to go, do they?"

Acevedo: "You want to make..."

Davis, M.: "I mean... if they're going through something, do they have to show up?"

Acevedo: "No, they don't have to show up, but you know what, Representative, this is some individual that did harm to their family member and they want to make sure that person stays behind bars."

Davis, M.: "I understand that. And all I'm saying to you, Representative, is we're continuing to take a group of people who... we're saying we're going to treat you differently than the other prisoners in the State of Illinois. Other prisoners in the State of Illinois... John Gacy, you could name any of them... would have had... would have the right to go before the Prisoner Review Board. And you're saying that this particular group can only go every five years and I just think it's not fair. It's just... it's cruel and unusual punishment. They should have an opportunity, whether that Review Board is going to keep them there or let them go, they should have a right to go before that board every year, if that's what other

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prisoners have a right to do. To the Bill, Mr. Speaker. I would just urge a 'no' vote."

Speaker Lang: "Representative Mulligan."

Mulligan: "Thank you, Mr. Speaker. I urge an 'aye' vote on this. Some of you who know me 'cause I've been here a long time, my father was murdered and I will tell you, the first victim was my father. The young man that murdered him, every time they came up of for parole, they called my mother to either go down to the prison to keep them there, or someone would call her so she wouldn't go and they would aggravate her. So the first victim was my father, the second victim was my mother who had diabetes who they harassed in order to get her not to testify against them to keep them in prison. They didn't have a full sentence, the sentence was only 17 years, so it started pretty quick after that where they would get out. If you knew how much it hurts the families after... for years after to be pestered by people to keep those people in jail or go to a prison to appear at a parole hearing, you would vote 'yes' for this Bill in a minute. I urge an 'aye' vote."

Speaker Lang: "Mr. Rose."

Rose: "Yield my time to Representative Reboletti."

Speaker Lang: "Mr. Reboletti."

Reboletti: "I'd like to correct some of the former... one of the former speaker's statements. First of all, there wasn't an option to be sentenced to determinant or indeterminant sentencing. That was the sentencing structure back in the '70s. Many of those folks would have actually gotten the death penalty if we not had indeterminant sentencing, but

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they were sentenced from 25 to life. And I have had a chance to read some of those transcripts that said the person would have be executed if the judge had that ability to do so, and they say that those people should never see the light of day ever again. When you sentence somebody to 300 years, that means 300 years in the judge's eyes. Number two, this... the Prisoner Review hearings are held en banc by three members and if there are zero members voting 'no', the hope for parole within one to three years is almost zero. So, instead of dragging victims families back to the process, the Prisoner Review Board, the entire panel can say, we can continue the hearing from anywhere from one to five years. That's as simple as that. We're going to let those people, who the Governor has appointed, make those decisions based on all the information that they have. That would include all... all the factors and aggravation and all the factors in mitigation. So, if they've been behaving, if they've been trying to make themselves a better citizen, that will be taken into account. If they have been assaulting other staves... staff members and other correctional officers, inmates or they have not obeyed orders in the facility, then that's going to be taken into account as well. So, it's very simple, give the discretion to the parole... the Prisoner Review Board, let them make the decision. Thank you, Mr. Speaker."

Speaker Lang: "Mr. Dunkin."

Dunkin: "Representative, will the Sponsor yield? Excuse me, Mr. Speaker, will the Sponsor yield?"

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Speaker Lang: "Gentleman yields."

Dunkin: "Representative, how many inmates were released based off of DNA testing?"

Acevedo: "I wouldn't know that number offhand, and I don't think this has anything to do with the Bill."

Dunkin: "Were there any individuals released based off of DNA testing or correction?"

Acevedo: "I believe so."

Dunkin: "Any idea, Representative? Twenty, thirty?"

Acevedo: "I wouldn't even guess."

Dunkin: "There were a number of individuals, I believe, roughly around thirty who were released from death row... death row based off of DNA testing. I mean it's common knowledge and understanding here in this state. Is there another approach in dealing with this type of issue, Representative?"

Acevedo: "Representative, this Bill has to deal with the Prisoner Review Board going from three years up to five years, and I don't know where this DNA issue is coming about, but my Bill has nothing to do with DNA."

Dunkin: "Well, the Illinois Prisoner Review Board didn't they play a role along with Governor Ryan, former Governor Ryan, in releasing those prisoners?"

Acevedo: "I believe the D... the testing of the DNA was the cause for them to be released. And I'll say it again, Representative, you keep bringing up DNA, this has nothing to do with DNA."

Dunkin: "Well, there's a correlation with prisoners... Prisoner Review Board, DNA testing in the State of Illinois that

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actually released inmates from prison, who were... we, as a state, was about to kill. And the Prisoner Review Board reviewed prisoners wrongly convicted, some we found out, and those rightly convicted. And so, there's a reason that we're going from three to five years. Maybe I missed that point because I was walking around talking with my colleagues, but what is that reason again, Representative, that we're going from three to five years?"

Acevedo: "We're going to three to five years for the fact... simple fact that we're trying to not put... continue putting the family through all this trauma and all the reviewing of the testimony."

Dunkin: "Is that the only reason?"

Acevedo: "Yes."

Dunkin: "Thank you."

Speaker Lang: "Mr. Acevedo to close."

Acevedo: "I just 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? Record yourselves, Members. Have all voted who wish? Members, it's the 27th of May. Have all voted who wish? Representative Will Davis. Representative Will Davis. Please take the record. On this question, there are 99 voting 'yes', 13 voting 'no', 5 voting 'present'. This Bill, having received the Constitutional Majority, is hereby declared passed. The Chair recognizes Mr. Sacia."

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Sacia: "Thank you, Mr. Speaker. I inadvertently voted 'yes' on Senate Bill 115. Would the record reflect my intentions to be a 'no' on that, please."

Speaker Lang: "The record will reflect your intentions, Sir. The next Bill is on page 8 of the Calendar. Senate Bill 1297, Dan Burke. Please read the Bill."

Clerk Bolin: "Senate Bill 1297, a Bill for an Act concerning gaming. The Bill was read for a second time on a previous day. No Committee Amendments. No Floor Amendments. No Motions are filed."

Speaker Lang: "Third Reading. Please read the Bill for a third time."

Clerk Bolin: "Senate Bill 1297, a Bill for an Act concerning gaming. Third Reading of this Senate Bill."

Speaker Lang: "Mr. Burke. Ready to go on Third Reading, Mr. Burke."

Burke, D.: "Thank you, Mr. Speaker, and Ladies and Gentlemen of the House. This matter would expand opportunities for charitable organizations to increase their profit on bingo games. It's a remote caller bingo license. And what it would do is pool the moneys that are used for the prizes at these bingo games and certainly offer a more attractive jackpot or prize to those that engage in playing bingo. Be happy to answer any questions."

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

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

Speaker Lang: "Gentleman yields."

Rose: "What... what is a remote caller bingo game?"

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Burke, D.: "What is... I don't know if you're familiar with the way bingo games are conducted currently?"

Rose: "B 2..."

Burke, D.: "You got it."

Rose: "Odd seven, something like that."

Burke, D.: "You got it."

Rose: "Okay."

Burke, D.: "So, it's a separate location where they would be pooling the dollars to afford larger payouts."

Rose: "So like our Ladies of Charity could have like 20 different locations going across the state at the same time?"

Burke, D.: "That is correct. So they'd be pooling their dollars, the charity benefits from it and certainly the players have a better opportunity to win larger prizes."

Rose: "Well, I appreciate the explanation, Representative. I don't think I'll be supporting it, but I appreciate the explanation."

Burke, D.: "Sure."

Speaker Lang: "Mr. Eddy."

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

Speaker Lang: "Gentleman yields."

Eddy: "Representative, would bingo licensing still be limited to charitable organizations?"

Burke, D.: "Yes. There's no expansion for those that would... no... no expansion with regard to that."

Eddy: "Okay. And is there any change to the distribution of the revenue from the license fees and the bingo receipts tax or are they going to be the same?"



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Burke, D.: "No, they're all the same."

Eddy: "Do you anticipate... or is there an anticipated increase in revenue, an amount?"

Burke, D.: "Yes. I don't have any specific number for you, but that's the whole purpose of this too."

Eddy: "Okay. And I think the other part of this is you're raising the limit on how much someone who... the prize money?"

Burke, D.: "Yes. Yes."

Eddy: "Is there a new limit or is it unlimited?"

Burke, D.: "I believe it's a thousand."

Eddy: "Okay. And right now, then the game receipts are split I think between the mental health fund and the common school fund and that will continue as well?"

Burke, D.: "That all remains the same."

Eddy: "Okay. Thank you, Representative."

Burke, D.: "Thank you."

Speaker Lang: "Mr. Burke to close."

Burke, D.: "Thank you, again, Mr. Speaker. I think those that are familiar with this issue understand that it is indeed an opportunity for our not-for-profit charitable organizations to derive better proceeds from these bingo games. As the questioning occurred, there are no major changes to the bingo structure. It just provides an opportunity for the prize to be bigger and certainly would probably be more attractive to those that play bingo. And I'd ask the Body's favorable consideration."

Speaker Lang: "Those in favor of the Bill vote 'yes'; opposed 'no'. The voting is open. Have all voted who wish? Have

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all voted who wish? Have all voted who wish? Currie, Jakobsson, May. Please take the record. On this question, there are 54 voting 'yes', 62 voting 'no', and 1 voting 'present'. And Mr. Burke."

Burke, D.: "Speaker, I'd like to have this matter put on Postponed Consideration."

Speaker Lang: "That will be done, Sir. Senate Bill 1471, Mr. Acevedo. Mr. Acevedo, 1471. Please read the Bill."

Clerk Bolin: "Senate Bill 1471, a Bill for an Act concerning criminal law. The Bill was read for a second time previously. No Committee Amendments. No Floor Amendments. No Motions are filed."

Speaker Lang: "Third Reading. Please read the Bill for a third time."

Clerk Bolin: "Senate Bill 1471, a Bill for an Act concerning criminal law. Third Reading of this Senate Bill."

Speaker Lang: "Mr. Acevedo. Mr. Acevedo."

Acevedo: "Thank you, Mr. Speaker, Ladies and Gentlemen of the House. Senate Bill 1471 protects the victim information at parole hearings. This Bill prohibits the Prison Review Board from releasing any information to the inmates, the inmate's attorney and third party of any other persons submitted from the victim or a person related to the victim by blood, adoption or marriage who has written objections, testified at any hearings or given audio/visual objections to the inmate parole. The materials are not to be shared unless a wavier from the objecting party is provided. I'll be happy to answer any questions."

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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? Gabel, Saviano. Please take the record. On this question, there are 108 voting 'yes', 1 voting 'no', 8 voting 'present'. This Bill, having received the Constitutional Majority, is hereby declared passed. Mr. Clerk, Senate Bill 1633, Mr. Bradley. Please read the Bill."

Clerk Bolin: "Senate Bill 1633, a Bill for an Act concerning State government. The Bill was read for a second time on a previous day. Amendment #1 was adopted in committee. No Floor Amendments. No Motions are filed."

Speaker Lang: "Out of the record, Mr. Clerk. Senate Bill 1682, Mr. Tryon. Please read the Bill."

Clerk Bolin: "Senate Bill 1682, a Bill for an Act concerning safety. The Bill was read for a second time on a previous day. Amendment #1 was adopted in committee. No Floor Amendments. No Motions are filed."

Speaker Lang: "Third Reading. Please read the Bill for a third time."

Clerk Bolin: "Senate Bill 1682, a Bill for an Act concerning safety. Third Reading of this Senate Bill."

Speaker Lang: "Mr. Tryon."

Tryon: "Thank you, Mr. Speaker, Ladies and Gentlemen of the House. Senate Bill 1682, as amended, will set up an opportunity for Illinois to comply with the settlement agreement that was the outcome of a lawsuit with USEPA. And... two years ago in 2008, a group called the Illinois Citizens for Clear Air and Water filed a lawsuit that

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contained with it, a de-delegation petition that would take away the clean water program from the State of Illinois and return it to the USEPA. The clean water program regulates our sewage treatment plants; it regulates our factories; it regulates any discharge within the State of Illinois to waters of this state. A person who discharges any kind of pollutants has to have one of these permits. It's important that we maintain the integrity of that program and we maintain the auspices that we get to be able to enforce for the tenets of that program. They won their hearing and as a result of that administrative adjudication, IEPA entered into a settlement agreement and agreed to have a permitting program set up for large animal feeding operations, commonly called CAFOs. A large animal feeding operation is an operation that has over a thousand farm animals that are being raised. If these... if we... if they actually discharge accidentally or otherwise to waters of the United States, there's an assessment made of that piece of property, and if it's found that there was a discharge that occurred, you have to obtain a NPDES permit. Illinois did not have a program; that's what led to this problem and it was found that we had to do these things. The program is going to cost between 800 and a million dollars a year to enforce. It's anticipated of the 3 thousand animal feeding operations that would qualify as confined animal feeding operations, only 300 of them would need to be able to have to have to get one of these permits. This Amendment actually sets up a criteria that this program will pay for itself but in no case would a

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single permit... it... in no case would that go over \$1200. That's what the Bill does. I'd be glad to take any questions."

Speaker Lang: "Mr. Sacia."

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

Speaker Lang: "Gentleman yields."

Sacia: "Representative Tryon, you know I have the greatest respect for you. You and I have shared a secretary for some three to four years. I like to think you're a great friend. We are very much in opposition on this Bill. And Mr. Speaker, should this... should this Bill receive the requisite number of votes, could I ask for verification, Sir?"

Speaker Lang: "Your request is acknowledged. You sure you don't want to just discuss this at the office?"

Sacia: "We... we tried that and that's exactly where I'm going next."

Speaker Lang: "All right."

Sacia: "Mr. Tryon, did we not sit in your office and discuss this?"

Tryon: "Yes, we did."

Sacia: "And did you not tell me that the Farm Bureau was actually lying about some of the activity? Is that not a correct statement, Sir?"

Tryon: "I don't know if I used the word lying, but I think the information the Farm Bureau gave was somewhat inconsistent when they told people that you did not have to have one of these permits because we already had a law that said you can't discharge."

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Sacia: "So, whether it was lying or they were giving out inconsistent information, whatever, but certainly your side of the... the equation, the folks that are in support of this Bill certainly give out only honest and forthright information. Would that be correct?"

Tryon: "I wouldn't say that. I don't even believe I've seen all the information that it has out in support of this Bill."

Sacia: "Well... well, I have seen quite a bit of it, Sir. And I will use one example that is put together by, allegedly anyway, the Illinois Environmental Protection Agency, the Sierra Club, Environment Illinois, Illinois Association of Wastewater Agencies, the ICCAW, the Food and Water Watch, the Prairie Rivers Network, and Illinois Environmental Council and other concerned individuals. That be being said, Sir, in their flyer they, of course, don't refer to large farming operations as anything other than factory farms, that's really quite a buzz term that that is out there. And as you are aware, Representative Tryon, in 2008 a large California dairyman came to my district with the desire to put in a 5 thousand cow state-of-the-art environmentally sound dairy. An organized group attacked this farm like nothing I've ever seen in dairy country in my life, and I would like to share with the Body that this particular county, Jo Daviess County, which is in the Galena area, has lost 11 thousand dairy cows in the past 20 years. And this Gentleman brings forth a state-of-the-art facility in full compliance with the Livestock Management Facilities Act that holds large farming operations to a

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zero discharge and that was passed about 12 or 13 years ago. And this man, not only is he a professional dairyman, he has been involved in building some of the finest dairy operations in the United States. And many of you in here are near to Chicago and from Chicago, and many of you have probably traveled the one hour south of Chicago on Highway 65 and have viewed Fair Oaks Dairy. Fair Oaks Dairy has 30 thousand milk cows on 35 thousand acres of land. It is the number three tourist attraction in the State of Indiana. It's an amazing facility. This gentleman was involved, at one point with some of the other dairymen who helped build that state-of-the-art facility. Ladies and Gentlemen, I think it's important to note, and if I don't note it, I'm sure Mr. Tryon will, that concentrated animal feeding operations of 20, 25 years ago were a disaster. There wasn't the environmental protection. The state-of-the-art operation that A. J. Boss was bringing to Jo Daviess County was as fine an operation that has ever been put together. That being said, the anti-folks were successful in stopping this dairy operation from being built after, Ladies and Gentlemen, after this California dairyman had already spent over \$15 million in building this facility, a very impressive facility. There were lawsuits. Mr. Boss's operation won every lawsuit along the way, but now he's basically folding his tent and giving up and losing \$15 million because the anti folks say that he must have a NPDES permit, okay. I don't have a problem with that, but he has never violated a thing. But here's what the anti folks say, and I quote, 'It is appropriate CAFOs are a

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significant source of Illinois water pollution.' In October, a tributary in Jo Daviess County's Apple River turned bright purple after a factory farm, Ladies and Gentlemen, a factory farm land applied CAFO wastewater. It goes on to talk about a bad spill from another CAFO, killing 130 thousand fish, in Iroquois County. Ladies and Gentlemen, this large factory farm that is being attacked with the spill which they referred to in 2010 has no livestock. Has never had a head of livestock, there are no cattle there because the Gentleman was shut down... And I call your attention to two years earlier. October of 2008, when something beautiful was happening in Jo Daviess County, Illinois. All of a sudden, the small communities of Warren and Nora and Lena and Galena and Hanover and Stockton, where life came back, it literally, it literally, Ladies and Gentlemen, none of us saw a gold rush but we were seeing a gold rush in Jo Daviess County. Economic development like I had never seen. A state-of-the-art dairy being built by one of the most renowned dairyman in the nation wanting to bring 5 thousand milk cows. Well, the anti folks said that he had a terrible spill from his filthy factory farm which was never was built. The purple looking water came from the silage that Mr. Boss had been buying from area farmers in anticipation of his dairy moving forward and they had stored corn silage. All of you, at one time or another, in the fall of the year have seen leaves floating in water and the water turns purple. What that is, Ladies and Gentlemen, it's a good bacteria that eats phosphorous and phosphates. That's a good thing;



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environmental people will tell you that's a very good thing, but we spin it here as something horrible coming from a factory farm with a dirty spill. The man's farm was never built, Ladies and Gentlemen. There is no manure there. And this is the kind of, pardon me, swill you are being fed and asked to attack the livestock industry which is exactly what this Bill is doing. And let me share one more thing with you, Ladies and Gentlemen. When you take livestock agriculture out of a community, what happens to the ground? What happens, Ladies and Gentlemen? The reason you have livestock agriculture in counties like Jo Daviess is because there are rolling hills. It's beautiful area. It is a pristine area. And I want to use the word 'pristine' because the anti-folks are going to tell you that you're going to destroy Jo Daviess County. You're going to destroy Galena. The water will turn brown, the fish will die, the tourists will go away. Oh my God, what are we going to do? And because of that, the Illinois EPA acquiesced to Region 5 of the United States EPA because an organized group in my district was successful in getting the U.S. EPA to say the Illinois EPA just wasn't doing their job. So, let's now hammer the farmers who are feeding us; let's hit them with a \$1200 fee. Oh, I give you, it was initially 1800, we got it down to 1200. You know, the tragedy here, Ladies and Gentlemen, is I know for a fact, I know unequivocally, positively, that the Farm Bureau has wanted to negotiate about this and this is a classic example of I can jam her through. Ladies and Gentlemen, I started to tell you earlier what happens when

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you take livestock out of rolling hills. All of a sudden you no longer have legumes and grasses because, now, the large farming operations can come in and raise corn and beans, and all of a sudden you have less and less erosion control. And what happens then? The dirt goes into the creeks, the creeks go down to the river, the river goes into the ocean. We could make a song. Ladies and Gentlemen, livestock agriculture is what Illinois is all about. I have more concentrated animal feeding operations in my district than anyone. I'm very proud of that. I have more livestock in northwest Illinois than anywhere in Illinois and I'm very proud of that."

Speaker Lang: "Mr. Sacia..."

Sacia: "And I know..."

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

Sacia: "I don't know, Sir, I'm wound up. I will... I will, Mr. Speaker."

Speaker Lang: "Thank you very much. But I appreciate your passion, Sir."

Sacia: "No, I... Ladies and Gentlemen, this Bill is an attack on livestock agriculture. There is no need for this fee because the Livestock Management Facilities Act passed 12 or 13 years when my predecessor, Ron Lawfer and others worked very hard, Don Moffitt, many worked very hard to pass it. The Livestock Management Facilities Act holds farms to a zero discharge, Ladies and Gentlemen, a zero discharge. Not... now think of your municipalities, many of you are from Chicago. You know that your municipality dumps sewage into the Chicago River; it dumps it into Lake

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Michigan. Municipalities don't even have a zero discharge requirement. This is a piece of legislation that deserves the trophy. Ladies and Gentlemen, please vote 'no'."

Speaker Lang: "Mr. Brauer."

Brauer: "Thank you, Mr. Speaker. Will Sacia yield? To the Bill. Listen to what Representative Sacia just said. He makes a very good point. And we talked about this Bill; we had this Bill in front of us about eight years ago. At that time, they had a \$5 thousand a year fee to it, and for a small family farm, it would cost that person over \$10 an hour to pay for it. Now they've brought this back in a little different form, and it's going to be cheaper but it's still \$1200 a year. And this thing has a tendency to, once it's got its... the camel's nose under the tent, that it will just grow and grow and grow, and the only reason for this is the fees. This Bill is out there to raise fees on agriculture. Right now, I have a friend that I know from up the northern part of the state, he had a spill, EPA came in and literally shut him down. We have everything in place in this state that we need for clean water. If you pollute, you pay and you will probably be out of business. So, to bring this... this new regulation in, just adds the cost of doing business in this state. And it's very important that we take a long look at this and realize that this is bad legislation. This is legislation that should not go forward. And I guess I would close by saying if you're not interested in eating, then vote for this Bill."

Speaker Lang: "Mr. Reis."

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

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Speaker Lang: "Gentleman yields."

Reis: "Many times I went to talk to my good friend Mike Tryon and Jim Sacia was in the room, so I had to wait. But Representative, I was under the impression that your Bill would only be for violators. This is for all CAFOs, right?"

Tryon: "This is only for CAFOs that discharge. This is not..."

Reis: "There are no CAFOs that discharge."

Tryon: "Representative Reis..."

Reis: "That's where I thought it was going to..."

Tryon: "...we have a State Law, the Livestock Facility Management Act and in that... it was passed, I think, in '02... in that, if you build a new one, you don't have to dis... you can't discharge, and there's fees and fines for that. This is a Federal Law that doesn't... the Livestock Facilities Management Act does not replace the federal Clean Water Act. The federal Clean Water Act says if you discharge, even if it's a accidental discharge, you have to have a permit. That's what this is about. It's not about the Livestock Facilities Management Act, it's about the Water Pollution Control Act..."

Reis: "I understand that..."

Tryon: "...that we administer for the Federal Government."

Reis: "...but I was under the impression it was only CAFOs that discharge. How many CAFOs are there in Illinois?"

Tryon: "There's... there's 3 thousand CAFOs. It's anticipated there'll be somewhere between 150 and 300 that actually discharge."

Reis: "And each one of them would have to pay this fee each year?"

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Tryon: "Unless they remediate the discharge. If they don't want to pay the fee, if they don't want to be in a NPDES program, then they can redesign their feed lots so there's no runoff water going through it. They can redesign their lagoon and they can work with EPA to get out from underneath the NPDES program. They don't have to have this permit if they don't discharge. If they're in compliance with our State Law, they will not need to get a permit."

Reis: "The Bill and the language said that the fee is set by agency rule providing that it brings in sufficient revenue to support the cost of implementing the program. So could these fees change should this become law? You mean... you talk about how this is only \$1200..."

Tryon: "There are... this... the maximum is set in statute. So, for it to go over the maximum amount this General Assembly would have to change the law."

Reis: "Okay."

Tryon: "It'd be less..."

Reis: "The thing is..."

Tryon: "...but it could never be more."

Reis: "...they could set the fee at \$800, come back next year and says, well, we don't have any violators anymore so now we have to up the fee because we need sufficient money to support the cost of implementing the program."

Tryon: "They'd have to go through JCAR to do that."

Reis: "Okay. To the Bill, Ladies and Gentlemen. If we could have some attention on the floor. Agriculture is the number one industry of the state, and we've heard a lot of debate, very passionate debate about specifics to just

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livestock operations. Ladies and Gentlemen, this is the camel getting its nose in the tent. Next there will be fees for spraying, fees for planting tree to seed, fees for applying commercial based fertilizer, fees for dust coming off of your combine. Where does it stop? It doesn't and that's why setting a precedent, a slippery slope like this is so bad. We have provisions in Illinois that take care of this, and it goes to the underlying real problem and it's something that many of you voted for seven or eight years ago and that was to end GRF funding for the Illinois EPA. It is now a fee-for-service agency. They have to go out and jack these fees up on whoever to support their agency. That's like the fox watching the hen house. You have a fuel spill in Illinois where they audit your books and determine how much of a fine you can pay. That's the underlying problem here. The EPA's always looking for a funding source to run their programs. It's a bad decision back then and it's almost as bad that we're feeding the fire with a piece of legislation like this. We hear from time to time, people stand up and say, don't you tell me how to run my district. How do you people from downstate know how to run something in Chicago? We've heard it; we heard it this year. Ladies and Gentlemen, listen to us. Those of you who have never been on a farm before, I know you come and visit Farm Bureau, it's a great program, but you're not there every day. Listen to those of us who farm, who are involved in associations related to farming, this is a bad Bill. You're attacking the number one industry in the state with a fee that does not need to be.

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Inquiry of the Chair. We ask for a recorded vote on this before I finish."

Speaker Lang: "Sir, the Bill's on Third Reading."

Reis: "I'm sorry."

Speaker Lang: "You get a recorded vote."

Reis: "I'm sorry, not a recorded vote. A verification of vote."

Speaker Lang: "That was acknowledged previously, Sir."

Reis: "Okay. As been said, I hope this gets a hundred 'no' votes. And we should send a message that this is just outrageous, it's uncalled for, and it's... it's to be at the detriment of the agriculture industry in the State of Illinois. Vote 'no'."

Speaker Lang: "Mr. Pritchard."

Pritchard: "Thank you, Mr. Speaker. To this Bill, Ladies and Gentlemen. I won't rehash some of the issues we've made, but I would like to underscore that it is good public policy in this state to try to improve the quality of our water system to avoid pollution wherever possible. That is exactly what our Large Animal Facilities Act does. It states very clearly that in the permitting process that facility must develop a plan about how it's going to contain its waste. It has to develop a plan about how it's going to apply that waste to the land in a nonpolluting way. And it states very clearly there can be no discharge. Therefore, establishing a permit to allow a discharge is contrary to what we said as our objective of improving the quality of our water system in this state. If you look at the record, though we have permits, for our... though we give

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these permits there have been very few discharges. Over the last seven years there's only been and on average, two accidental discharges per year that have not been of significant nature. Those discharges were identified. We don't need to create a new bureaucracy of over \$1.4 million in the Department of Environmental Protection Agency to watch a hen house that doesn't have any hens in it. I would urge a 'no' vote on this piece of legislation."

Speaker Lang: "Representative May."

May: "Thank you, Speaker. Will the Sponsor yield and then I have some comments too."

Speaker Lang: "The Gentleman yields."

May: "Representative, thank you, thank you for being a champion for clean water in our state, one of our most precious resources. I live right on Lake Michigan, so that is a precious resource; our rivers and streams are precious resource. Your knowledge and expertise in dealing with clean water is unparalleled. I've referred to it many times in committee work. You really... you understand this better than most of us do at all. I would like to ask you... a comment about a family farm because I grew up... I lived with my grandparents on their family farm after my mother died and have carried legislation in support of family farms, but exactly, how do you distinguish between these CAFOs and family farms? How large are they and how many of them are owned by some... on land that's been in for generations which we treasure in this state?"

Tryon: "There are 25 thousand animal feeding operations called AFOs or CAFOs in the State of Illinois. Three thousand



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would qualify as concentrated animal feeding operations and that would start at a thousand head of cattle and there's a formula that goes through on other livestock. So these are rather large facilities, some could be quite large, some could just meet the thousand animal unit definition."

May: "But I... it seems very large to me, a thousand head of cattle. But there's confusion going on about needing a permit or needing a permit or not needing a permit. Just clarify for everyone again whether... about the Clean Water Act and unpermitted discharges."

Tryon: "Illinois is a delegate to the U.S. Government. We administer the Clean Water Act and we receive funding to do so. Under that delegation, we have to have a program that permits any discharging CAFOs. We didn't have a program that met the minimum requirements of the U.S. EPA. That's what this settlement agreement's about. This is the settlement agreement right here that we signed in February of this year. If we don't implement this by July 1, we're in violation of that settlement agreement, and we may lose the right to regulate our sewage treatment plants."

May: "And then what happens?"

Tryon: "Then the sewage treatment plants... every city, every village that has a discharge, every industry that has a discharge, would have to go to U.S. EPA in Chicago or Washington, D.C. if they wanted to replace a sewer line, if they wanted to annex and to grow their sewage treatment plant, we would no longer control that."

May: "Thank you. That is the compelling argument why we need to do something about this now. We do not want to defer to

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the Federal Government, we need to keep our permitting authority. This just isn't someone dreaming this up; this is essential for our state to be able to do this. And I'd like to point out that all other discharges, industry sewage treatment plants already pay fees for these permits. It's what funds the EPA to go inspecting everyone, not just livestock operations. So as much as we treasure our family farms and CAFOs, you know, why should they be exempt from this? We are about to lose our certification from the Federal Government, from the permitting authority. That is very, very important. One previous speaker mentioned \$15 million already put in it. This is really the size of other industries and businesses that are already paying into it. So, I would just like to mention this loss of the permitting function is why the groups that are supporting this are very, very, very broad. The Quad Cities Water Families Against... Well Rural Messes, the American Water Works Association, the Illinois Pork Producers, the Illinois Association of Waterwaste Water Agencies, Protestants for the Common Good, Helping Others Maintain Environmental Standards. Many farm groups, too, Natural Resources Defense Council, the list goes on and on. Our water agencies know that we need this or we will defer and lose any certification through our Illinois EPA. I strongly urge... encourage an 'aye' vote to protect the water so we don't lose our permitting authority. Thank you."

Speaker Lang: "Representative Nekritz."

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

Speaker Lang: "Gentleman yields."

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Nekritz: "Representative Tryon, can you... the program that this is going to be... where the money's going to be going into that, what is... can you give me a little background on what that... what that program is?"

Tryon: "Well, what will happen is, any time there is a release from a Livestock Facilities Management Act that will be reported to US... or the IEPA. IEPA will then go out and make an assessment as to what the release requires, and if it requires an NPDES permit, then that person who had the release would have to fill out the paperwork apply for the permit and become part of the permitting program. This will not affect every CAFO."

Nekritz: "But this program is larger than just CAFOs. It applies to a whole range of industrial and commercial operations in the State of Illinois?"

Tryon: "Right. The NPDES Program affects anybody that discharges pollutants to the waters of the state. So if you are a factory and you have your own sewage treatment plant, if you're a subdivision and you have your own sewage treatment plant, if you are a municipality and have a sewage treatment plant, if you have processed wastewater from a small gravel pit, you would... you would have to get one of these. And a small mom and pop gravel pit would pay \$5 thousand for one of these permits. So in line with what the \$1200 is, it's in line with what the other permit fees are for other users of NPDES permits."

Nekritz: "And if we don't ask the CAFOs to do this, if they're discharging, would they be the only... would they be the only exception to that NPDES Program?"

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Tryon: "They would be the only commercial exception to the NPDES Program, that I'm aware of."

Nekritz: "Right. Thank... thank you, Representative Tryon. To the Bill. It seems obvious to me that if we've got commercial, industrial, agricultural uses that are polluting the waters of the State of Illinois, that we ought not to be picking and choosing who is going to pay a permit... who's going to pay a permit fee to be able to discharge. And so, if this is going on and there is a process to make sure that there's a determination by the EPA as to whether there's going to be... whether there has been a discharge, it should not be up to the General Assembly to pick winners and losers with regard to that program. I'd urge an 'aye' vote."

Speaker Lang: "Mr. Reitz."

Reitz: "Thank you, Mr. Speaker. To the Bill. Numerous speakers have mentioned we have the Livestock Facility Planning Bill that... or the Act that's in right now. And we spent a number of years working on that with environmental groups, spent a long time. It was quite a few years ago when we passed that; it's worked. I really don't think we need this Bill. I think Representative Sacia was right on with his remarks and everyone that joined in. So, would just appreciate a 'no' vote."

Speaker Lang: "Mr. Moffitt."

Moffitt: "Thank you, Mr. Speaker. To the Bill. A lot has been said, I don't want to go over the things that have been covered. I think a prior speaker is going to correct something. A statement was made and I believe it's going to

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be corrected that the Pork Producers support this Bill, they do not. All the ag groups, livestock groups, are totally, totally united in opposition to this Bill. And I think if that statement was made that the Pork Producers support it, I believe it's going to be corrected. This is a well-meaning, bad idea with huge collateral damage to the number one industry in the State of Illinois. Last week, we... I think probably passed unanimously a Bill, Senate Bill 1741, and we were all pleased to do it because it was a very pro business Bill streamlining payments to the Department of Revenue. We were pleased to pass that pro business. And then we always rant and rave about business leaving Illinois because it is too unfriendly in Illinois to do business. So here we are, with this Bill would create new fee, new regulation, bigger government, drive jobs out of the state. We want to be creating jobs and improve the business climate. That is the reason that this Bill needs to be defeated to return to try to maintain the businesses that we have. It's been pointed out that these facilities are not allowed to discharge and to be requiring a permit for something they're not allowed to do simply would be wrong, be very detrimental to our number one industry in the State of Illinois. I certainly appreciate the discussion, but the only vote for this today, correct vote for the future of Illinois, for the future of agriculture, is a 'no' vote. Thank you."

Speaker Lang: "Representative May for a clarification."

May: "Yes, thank you, Speaker. I was merely reading from a long list on our printed analysis that does say the

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Illinois Pork Producers. I understand they are not favor of it. So I apologize from reading from this list, it seems to be in print, but, and it also lists Gebhart Farms, too, on this. So, but certainly the list of environmental groups and wastewater agencies are, to me, the important ones because if we lose, if our Illinois EPA loses its delegation, it's going to be a bureaucratic nightmare. Thank you."

Speaker Lang: "Mr. Mautino."

Mautino: "Thanks. Just echoing the... couple of the remarks of the previous speaker who mentioned bureaucratic nightmare. It currently is a bureaucratic nightmare to try and even figure out who has responsibility for NPDES permits as battles have raged between Public Health and... and the EPA. On this issue, I was surprised to hear the Pork Producers and I'm glad to see the record was corrected. I know of a Pork Producer who has been taken into bankruptcy because over the past... I think he had one discharge in 30 years, corrected it to the levels and safe standards, one of our better operators, and then as a part of the decree I would think was required to get an NPDES permit. No one from our government could figure out how that works. So it took about three years, over the course of the three years, we have driven one of the better producers into bankruptcy. So, I... I look at the competency between those competing areas of the AG's Office, of the Department of Public Health and of IEPA and their treatment of some of those industries that makes me very concerned that we're heading in the wrong direction with this Bill. So, for that

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reason, in joining with the other Members from downstate and actually who deal with the agricultural businesses and that are the livelihoods within our communities, we would ask for a 'no' vote."

Speaker Lang: "Mr. Sacia, for what reason do you rise, Sir?"

Sacia: "Just a moment of... my name was used in debate and I'll be very brief, Sir. Ladies and Gentlemen, a gentle Lady from the other side of the aisle basically is trying to convince us that we're going to lose lots of funding and some difficult issues. Let me share with you. Many years ago, the Federal Government told us if we didn't pass a helmet law we were going to lose funding for our highways, that doesn't happen. This is a red herring, Ladies and Gentlemen. And the final thing I would like to say is this is such an attack on our farmers. There are no better stewards of the land, no better stewards of water, our soil, and the protection of the land that we live on and protect. This is absolutely so well-stated by my good friend Don Moffitt, a solution in search of a problem. Let's move on. Please vote 'no'."

Speaker Lang: "Mr. Tryon to close."

Tryon: "Thank you, Mr. Speaker. I don't like running fee Bills. I don't think anybody likes voting for fee Bills, but this one is a lot different. This one is a serious issue. It's a serious issue 'cause we're talking about our waterways that we get our drinking water from. We're talking about our obligations under the Clean Water Act to enforce the Federal Law. Let me read to you from the Livestock Facilities Management Act that was passed in

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2002, the same Act that we're saying that no discharge can be allowed in the State of Illinois. Well, this is what it says. When you discharge, it says that the regulations of this Act are cumuli and you have to have to comply with the Illinois Environmental Protection Act. You have to comply with the Illinois... or the Federal Water Pollution Control Act and you have to comply with the terms and conditions of the National Pollutant Discharge Elimination System Permits issued by the EPA. It doesn't exempt you. The Livestock Facility Management Act doesn't exempt you from a NPDES permit if you release. You have to have this permit. Let's look at some of the supporters: the MWRD, the Illinois Municipal League, the Illinois Association of Wastewater Agencies. This is a program that threatens the existence of their industry as well. You have to have a NPDES permit. This isn't an attack on agriculture. It's a facilitation to allow these farm operations to be able to comply with the Federal Law. If you don't have an NPDES permit program, they can't comply, and that's what the lawsuit was about. Imagine this getting a 100 votes, a 100 'no' votes when we have a court settlement. And at what message does that send the Federal Government that's going to hear the case on whether we get to keep the clean water program if the State of Illinois isn't willing to fund it? And I'll tell you what we don't have. We don't have the people to enforce this, we have to hire them to do it. How we going to hire them if we don't have any money? Should we just go ahead and do the program and take the funding for Medicaid or education or some other part of the budget?



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We shouldn't do that, we should be responsible. We charge every other commercial discharger an NPDES permit fee and some of these permit fees rise to the tune of \$50 thousand; \$1200 for a thousand head of cattle, or 10 thousand hogs, or 20 thousand hogs, isn't too much to ask to implement a program. Kentucky has a program. Minnesota has a program. We have to have a program. We can't be the only state in the country that doesn't have a program and think that we're going to be able to maintain the clean water program. You know, I can't imagine people saying this is an attack on agriculture when it's about compliance with the Federal Laws. You can't have... saying that you don't have to have a permit because we have the Livestock Facility Management Act and it has a law that says you don't discharge is like saying we have a law that you can't steal so we don't arrest anybody when they do steal because we have a law that says you can't. You have to have one of these permits. It's plain and simple. It's even explained in the Livestock Facilities Management Act. If you have a release, you have to comply with the terms and conditions of an NPDES permit. If we don't have the permit system, you can't comply, and that's what the lawsuit was about. And we need to do the right thing, we need to vote 'yes', we need to implement the program, we need to honor our settlement agreement. And we need to do this not just for the environment but for the ag community and for every other industry that falls under the requirements of a NPDES permit. And I would urge an 'aye' vote."

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Speaker Lang: "Gentleman moves for the passage of the Bill. There has been a request for a verification. Please vote your own switches. Those in favor of the Bill will vote 'yes'; opposed 'no'. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Mr. Ramey. Please take the record. On this question, there are 48 voting 'yes', 67 voting 'no', and 2 voting 'present. Mr. Tryon."

Tryon: "Mr. Speaker, I'd like to pull this out of the record if I could? Not pull it out, Postponed Consideration. I got that backwards."

Speaker Lang: "And the Gentleman... the Gentleman asks for Postponed Consideration. On page 10 of the Calendar appears Senate Bill 1799, Representative Chapa LaVia. Please read the Bill."

Clerk Mahoney: "Senate Bill 1799, a Bill for an Act concerning education has been read a second time previously. Amendment #1 was tabled from committee. Floor Amendments 2 and 3, offered by Representative Chapa LaVia, have both been approved for consideration."

Speaker Lang: "Representative Chapa LaVia on Amendment 2."

Chapa LaVia: "Thank you. I'm going to do an explanation of both of them if that's okay with the Speaker and Members. Amendment 2 and 3 is Senate Bill 1799, would make changes, certification and educators preparation programs by rewriting the existing provisions in the certification Article... Article 21 to streamline the existing statute and increase standards. There are results being the creation of a new Article of the School Code and a new system for

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educators' licensures. This initiative has been worked on by ISBE who has sought input from teachers' unions, education management groups, education reform organizations, special education, bilingual advocacy groups and teachers certification board and the National Board of Professional Teaching Standards groups, regional offices of educators and others. The changes to the provisions would become effected... effective at various points of enactment through July 2013. ISBE has pursued this legislative initiative in order to streamline a system for teachers, administrators and ISBE personnel and to increase standards because we know that highly effective teachers and leaders is essential to increasing student achievement. I ask for its adoption."

Speaker Lang: "Was that both Amendments, Representative? Lady has moved for the adoption of both Amendments 2 and 3. And Mr. Mitchell."

Mitchell, J.: "Thank you, Mr. Speaker. To the Bill, Ladies and Gentlemen. Just wanted to let you know that I appreciate the Lady's indulgence. Amendments 2 and 3 make this Bill acceptable to the special education nation, and we have no objection to the Bill. We believe this is something that is needed to bring us into compliance. And again, I appreciate the Representative's indulgence. Thanks."

Speaker Lang: "Representative Monique Davis."

Davis, M.: "Thank you, Mr. Speaker. I, too, rise in support of this legislation along with the Illinois State Board of Education, Chicago Teachers Union, Illinois High School Districts' Association, the Illinois Federation of Teaches...

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Teachers, LUDA and many other organizations. I think the state board might have gotten it right this time. And I urge an 'aye' vote."

Speaker Lang: "Lady moves for the adoption of Amendment 2. Those in favor say 'yes'; opposed 'no'. In the opinion of the Chair, the 'ayes' have it. And the Amendment is adopted. The Lady moves for the adoption of Amendment 3. Those in favor say 'yes'; opposed 'no'. The 'ayes' have it. And Amendment 3 is adopted. Mr. Clerk."

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

Speaker Lang: "Third Reading. Senate Bill 1835, Mr. Mautino. Please read the Bill."

Clerk Mahoney: "Senate Bill 1835, a Bill for an Act concerning liquor has been read a second time, previously. Amendment #1 was adopted in committee. Floor Amendment #2 was filed today, but has not been approved for consideration."

Speaker Lang: "Out of the record. Senate Bill 1943, Representative Jakobsson. Please read the Bill."

Clerk Mahoney: "Senate Bill 1943, a Bill for an Act concerning health has been read a second time, previously. Amendment... Committee Amendment #1 was tabled. Committee Amendment #2 was adopted to the Bill. Floor Amendments 3 and 4 have both been approved for consideration."

Speaker Lang: "Representative Jakobsson on Amendment 3."

Jakobsson: "Thank you, Mr. Speaker. Amendment #3 becomes the Bill. I'd like to have it adopted."

Speaker Lang: "Can you explain briefly what the Amendment does?"

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Jakobsson: "Yes. It makes the following changes: the definition of 'toy' containing part for the purposes of lead warning labels is further clarified. A 'toy' is any object designed, manufactured or marketed as a playing thing for... as a plaything for children under the age of 12. Child care articles and jewelry are not classified as toys; it discusses those also in this Amendment. Restores the warning label for other lead bearing substances to the language of the existing statute."

Speaker Lang: "Lady moves for the adoption of the Amendment. Those in... The Chair recognizes Representative Gabel. Representative Gabel, are you not speaking on this Bill?"

Gabel: "Thank you, Mr. Speaker. It's... not relating to the Bill. I would just like to..."

Speaker Lang: "Then why don't we hold you..."

Gabel: "Okay."

Speaker Lang: "...off 'til this Bill is complete. Those in favor of the Amendment say 'yes'; opposed 'no'. The 'ayes' have it. The Amendment is adopted. Mr. Clerk."

Clerk Mahoney: "Floor Amendment #4."

Speaker Lang: "Representative Jakobsson."

Jakobsson: "House Amendment #4 just changes one word to Amendment #3. It changes 'may contain lead' to 'contains lead'. 'do contains' rather than 'contain' in the warning for children's substances."

Speaker Lang: "Lady moves for the adoption of the Amendment. Those in favor say 'yes'; opposed 'no'. The 'ayes' have it. The Amendment is adopted. Mr. Clerk."

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

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Speaker Lang: "Third Reading. Senate Bill 2170, Mr. Verschoore. Please read the Bill."

Clerk Mahoney: "Senate Bill 2170, a Bill for an Act concerning local government has been read a second time, previously. No Amendments. No Motions filed."

Speaker Lang: "Third Reading. Please read the Bill for a third time."

Clerk Mahoney: "Senate Bill 2170, a Bill for an Act concerning local government. Third Reading."

Speaker Lang: "Mr. Verschoore. Third Reading, Sir."

Verschoore: "Thank you, Mr. Speaker. 2170 is a... just a... some cleanup language for a Bill that I passed two years ago was the one cent sales tax for schools. And what this does it allows school boards to have a referendum without going through their county boards if they have 51 percent of the people and they're in favor of it. It's... also has a provision in there where there is some type of property tax relief on it. And I'd ask for an 'aye' vote."

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

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

Speaker Lang: "Gentleman will yield."

Eddy: "Representative, first I want to thank you for the hard work you've done, both several years ago and now on this proposal. Any time we implement a new policy in the state, there are going to be concerns, questions that come up along the way, and I think really this Bill can best be characterized as an attempt to, at least to this point,

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address some of the issues that have come up during the implementation."

Verschoore: "That's correct."

Eddy: "Now, one of those things I think that is significant is the fact that the intent of the original Bill was to allow choice by front-door referendum so that some of the burden on property tax owners could be shifted with the one percent... up to a one percent sales tax..."

Verschoore: "Correct."

Eddy: "...but there was some concern that maybe there wasn't enough specificity to the point that existing bonds could be paid off and that tax rate could be lowered. And really, one of the major changes in this makes it clear that school districts can, for sure, use that authority to lower the tax rate."

Verschoore: "That's correct."

Eddy: "Okay. And I think that's an important one. There a couple of other important ones that will allow for the more efficient implementation of that school facility occupation tax. School boards are now going to be responsible for the implementation of that tax instead of the county board?"

Verschoore: "That's... that's right."

Eddy: "And again, an improvement?"

Verschoore: "Right."

Eddy: "Hopefully, as we move forward, we can continue to look for ways to improve this, and we can take some of the burden off the local property taxpayers, if they're wanting to. This is totally front door, in a manner that meets the intent that you and I had several years ago when we brought

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this forward. I hope everybody supports this. It's common sense. And we'll continue to work on it together, but thank you and I'd urge an 'aye' vote."

Verschoore: "Thank you very much."

Speaker Lang: "Mr. Kay."

Kay: "Thank you, Mr. Speaker. Just a... one question if the Sponsor would yield?"

Speaker Lang: "Gentleman yields."

Kay: "I'm curious about the... the protection for taxpayers. You indicated that there would be tax relief. Can you tell me if there's a guarantee in this Bill that there will be property tax relief if there is a vote to implement this tax, this occupational tax?"

Verschoore: "I don't think there's a guarantee in there, but there's a provision in there where if they so choose to do it, like Representative Eddy said, after they're paid off, the bonds, they can give some property tax relief."

Kay: "I understand, but there is no guarantee?"

Verschoore: "I don't... I'm not... I don't think so."

Kay: "Thank you."

Speaker Lang: "Gentleman moves for the passage of the Bill. Chair recognizes Mr. Sullivan."

Sullivan: "Thank you, Mr. Speaker. To the Bill. When we talk about a guarantee, what we're really talking in regard to this Bill is, giving the local units of government, the local school boards, more flexibility in how to spend moneys that were raised by referendum. That's the intent of this Bill. So, you're talking about moneys that they have the ability to use, but now we're giving them the



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ability to use to pay bonds which, in essence, if they do that and they choose to do it at a local level, will lower taxes. That's the intent of this Bill. It's flexibility to do what they want to do with the money and one of those options is to pay bonds which they were... it was in... wasn't really understood whether they could or couldn't. So, this gives them the flexibility to do that. And if they choose to do that at the local level, that will lower... has the ability to lower property taxes. That's why this Bill is a good Bill and I believe it should be voted out. Thank you very much."

Speaker Lang: "Mr. Reboletti."

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

Speaker Lang: "Gentleman yields."

Reboletti: "I guess maybe the question isn't so much for you but the previous speaker. I was trying to figure out how this actually reduced property taxes. So, I don't know how I'll be able to ask that question, so..."

Verschoore: "Representative Eddy, would you answer that please?"

Speaker Lang: "Mr. Eddy."

Eddy: "Thank... thank you. Representative Reboletti, if... it's really done by the local Board of Education by using the school facilities tax for capital projects. And by the way, it's limited to capital projects, this can't be used for operations. So, if the county by... the voters by front door referendum choose to implement up to one cent, it could be done in quarter-cent increments, then the Board of Education can either reduce the amount they're levying for

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in their operation and maintenance budget, their capital budget or if they have outstanding bonds, and this is the part I think that's very important, this clarifies the fact that those bonds can be rebated and the levy that was being used to pay those bonds off would therefore be eliminated. And I think that's the process and that's the intent. Along the way, as these counties that pass these referenda actually tried to implement, there were some questions about some of the technicalities and this seems to clear that up and make it more efficient and actually gives the greatest chance for those property taxes to be lowered."

Reboletti: "Thank you, Representative Verschoore and Eddy."

Speaker Lang: "Mr. Rose."

Rose: "Thank you, Mr. Speaker, we're very close to settling it otherwise. Representative Eddy, if I may, can you explain the provision about the deletion of the... there's the statement in the analysis, 'deletes a provision stating that a backdoor referendum is not required.' That's a double negative. So what would be required or not required, can you explain that..."

Speaker Lang: "Mr. Eddy."

Rose: "...briefly?"

Eddy: "Well it... it is not required. Now basically, what can..."

Rose: "Under the new law, if this passes, it would not be required?"

Eddy: "What can be done and I think that's significant, too, is the counties can discontinue the tax, if approved by voters, and that allows that to be implemented, another fix. And really this is just a series of..."

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Rose: "So the voters could overrule the school board, if they wished?"

Eddy: "Yes."

Rose: "Thank you. Thank you, Mr. Speaker."

Speaker Lang: "Mr. Verschoore to close."

Verschoore: "Thank you, Ladies and Gentlemen. And I want to thank Representative Eddy for working with me, not only on the initial passing of this but also moving this Bill forward. And ask for an 'aye' vote. Thank you very much."

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? Record yourselves, Members. Have all voted who wish? Mr. Stephens. Please take the record. On this question, there are 78 voting 'yes', 39 voting 'no'. And this Bill, having received the Constitutional Majority, is hereby declared passed. Senate Bill 1933, Mr. Bradley. Please read the Bill."

Clerk Mahoney: "Senate Bill 1933, a Bill for an Act concerning civil law has been read a second time, previously. Amendment #1 was adopted in committee. No Motions filed."

Speaker Lang: "Third Reading. Please read the Bill for the third time."

Clerk Mahoney: "Senate Bill 1933, a Bill for an Act concerning civil law. Third Reading."

Speaker Lang: "Mr. Bradley."

Bradley: "Thank you, Mr. Speaker. This is the Bill that would repeal the Workers' Compensation Act. We've been working on an agreement and although we've reached a tentative

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agreement that they're working with in the Senate, we're not sure what the outcome of that will be. This is something which is a viable alternative. The workers' compensation system in the State of Illinois is broken. It is not protecting injured workers in an efficient manner. It is too expensive for Illinois businesses. It is not fulfilling the goals and objections for which it was created in response to the Cherry Hill Mining disaster of 1910. The system is broken. We have attempted to reform that system. Until such time as the system is reformed, this is a viable alternative. Give the courts a chance where judges have a judicial Code of Conduct where they have to abide by ethical standards, where we potentially avoid the kind of reports that we've read in the newspapers throughout Illinois with regards to this broken system. For those that have cu... screamed and asked for causation, this is how you get it. You go to Circuit Court where you get not only direct causation, you get proximate causation, you get to argue all those things. The workers' compensation system is a no-fault system. It was a compromise. It was a bargain between business and labor, where labor gave up certain benefits that they were entitled to in exchange for a no-fault system. If we are to get away from a no-fault system and go to a fault system, then the deal that was made is blown up as well. The only way to do that is to go back to the Circuit Courts. The system is broken. Let's give the State of Illinois a chance to do something differently, quit banging our heads against the wall in the same old direction and

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move forward with something that would completely rock the system, shake it up and move forward with regards to workers' compensation reform. I ask for an 'aye' vote."

Speaker Lang: "Gentleman moves for the passage of the Bill.

Chair recognizes Mr. Eddy."

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

Speaker Lang: "Mr. Bradley yields."

Eddy: "Representative, I understand and really appreciate the hard work you've done on this issue. It's very complicated with varying interests and very significant groups around the state have a legitimate concern about the direction we move as we try to reform the system. My question has to do... when would the effective date be of the system being rocked?"

Bradley: "January 1, 2012."

Eddy: "Okay. January 1, 2012. Is there any concern related to... what impact do you envision this having on the court system? How many cases do we see a year?"

Bradley: "Well, I think there's roughly about 50 thousand cases a year. The comp commission has a bloated budget. And so, if we were to shift the comp commission budget, which this Bill would do, to the court system then that would create or give the court system, I think, sufficient resources in order to dispose of the cases and would also eliminate the need for a duplicative system because currently, we basically have two court systems in the State of Illinois. We have the circuit court system and we have the workers compensation system. And the workers compensation system is a duplicative system. And so, it'd be the intent to

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shift the budget from the comp commission to the Circuit Courts, let them handle the caseload. Mr. Speaker, I would ask, is there going to be a time limit on this... on debate or is it going to be unlimited?"

Eddy: "Are you already sick of me?"

Speaker Lang: "This is a very important piece of legislation. I do not intend to use the timer."

Bradley: "Thank you very much."

Eddy: "Thank you. Representative, as far as fiscal impact then, I mean, how much money is anticipated as a need for the court system? I think we have something that shows the 55 thousand cases might cost some money. Do you have an idea of how much?"

Bradley: "Well, it's my... it would be my belief that by reducing some of the duplicity that takes place with having two court systems currently, we'll have to hire some additional judges. We'll have the resources from the comp commission in order to hire additional judges. We got the judicial note back from the court system... and the judicial impact note back from the court system. They indicated they would have to hire some additional judges. They indicated what the cost of hiring additional judges were; they didn't give us a set amount on what it would cost. But that was the reason we didn't vote on this Bill earlier this year, as you recall, because I honored the request of the Republican Caucus to get that impact note back from the judiciary."

Eddy: "And I think a circuit judge, the average salary of a Circuit Court judge is about \$180 thousand a year, but it's your contention that even though there's going to be

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possibly over \$50 thousand... or 50 thousand additional cases for the court to hear and the need for judges at that type of an average cost, that the fiscal impact can be absorbed by what you described as the budget that exists in the current system?"

Bradley: "I'm sorry. Staff was in my ear."

Eddy: "Well, I guess I'm basically asking that at an average salary at about \$180 thousand and about 50 thousand-plus cases, your anticip... you still anticipate that the budget, the current budget of the work comp system, can take care of... that it would be a wash?"

Bradley: "Well... so, there's 36 arbitrators currently handling the caseload for the entire State of Illinois in workers' compensation is my understanding. So..."

Eddy: "So..."

Bradley: "...I don't know if you'd have to hire..."

Eddy: "...I don't know what an arbitrator cost?"

Bradley: "...36 judges or if a judge would be potentially more efficient than an arbitrator. I think we could make the argument, giving the reports we've seen out of the comp system, that the judges would be at least as efficient if not possibly more efficient. You wouldn't have to have duplicative systems; you wouldn't have to have duplicative locations. You have a court system in place which could handle this which is already set up which handles every other aspect of the law, handles every other aspect of the law, and so if you were to transfer this budget to that court system and allow them additional resources to hire some additional judges to handle this, we could end up

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money ahead. The questions is, we don't know because we haven't tried it, because we've just been tied to this broken system which has failed us all."

Eddy: "Okay. So practical application, January of 2012, all of a sudden 50 thousand cases, I know they don't happen all at once, but if you even average it over the year, they show up in court. Is there an transition period? Are the judges going to be ready? I mean, are there going to be lines at courthouses? Are we going to tie up..."

Bradley: "...that's why... that's why we put it off for seven or eight months. Originally, if you recall, when I proposed this, we were eight months out, nine months out from that date."

Eddy: "So, your feeling is that..."

Bradley: "The courts are aware... the courts are aware of this possibility. The idea would be that they'd have the next half of the year, more than a half a year, to get ready for this potential transition."

Eddy: "Well, how does that happen then? Is there a..."

Bradley: "I... I wouldn't presume to tell the courts how to run their business. We obviously can determine whether or not we want to have a duplicative court system governed by the Legislature and the Governor's Office or if we want to throw these cases into the existing court system like they were prior to the Cherry Hill Disaster."

Eddy: "So, this... this legislation also has, as far as state employee claims, they would be transferred to the Court of Claims according to this correct?"

Bradley: "For state claims, correct."



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Eddy: "Do you anticipate... how many... well, first of all, about how many state employee claims are there in an average year?"

Bradley: "Well, I don't know what the average is. I know that the cumulative in claim cases that have been out for years is a very disturbing number."

Eddy: "About 20 thousand."

Bradley: "Twenty-two... there's 22 thousand open claims, 22 thousand open claims. Now some of those have been going on for years and I don't think that's... that's not an accurate portrayal of how many claims are filed each year. But if you consider 50 thousand total claims, 22 thousand state employees with claims, that's a very disturbing number and I think it also supports the fact that we got to do something different."

Eddy: "Okay. So... but under this legislation that number would go to the Court of Claims. Again, the question is, is the Court of Claims able to handle that type of load?"

Bradley: "Well, again, a lot of these claims are claims that are not being adjudicated. They're not currently... they're technically open because of open medical or some other reason, but they're not currently in the system."

Eddy: "Well, let's... let's talk a little bit about the role of CMS in the Court of Claims, this new scheme or the way it'll be set up. Will CMS still be the first point of entry? 'Cause a lot of the delays that you refer to, my understanding is, it has a lot to do with CMS."

Bradley: "Well, we certainly have a state agency attempting to run a very technical worker's compensation system. And in

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the private sector, there would be a... professionals that are specifically scientifically trained in handling comp cases that would administer that. That's not what we have in Illinois. So, it's a very inefficient system, it's a very overworked system; it's a very broken system."

Eddy: "Maybe... maybe we should blow up CMS, too, with all the issues related to the blaze at that level."

Bradley: "If you... if you Sponsor that... if you file that Bill I'll cosponsor it with you."

Eddy: "Well, fortunately, we're toward the end here and there may not be time. I have no shell Bill, I'm not as fortunate. Now, let me... who's opposed to the plan to blow up and who's... who's in favor and against, because it's hard to keep track of the players. They switch and some are neutral and then they..."

Bradley: "Well, at the original time, the AFL-CIO and the Trial Lawyers were proponents, business groups were opponents, the Medical Society and the comp commission had no position."

Eddy: "Okay. Well, Representative, again, there's others that know much more about this subject and I'm sure you're going to get additional questions. I really admire the fact that you put the time and effort and I know that those on our side of the aisle that have worked on this are also frustrated at times because of the moving parts and how difficult this issue is between the docs and the Trial Lawyers and business and all of the other interests. This is a very difficult, difficult problem to tackle. And you know, I think that the court system in our state to be

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vamped up for this, it would be a tremendous, tremendous challenge for them. I understand your frustration. I do have concerns about going this direction and I want to listen to the rest of the debate. Thank you."

Speaker Lang: "Mr. Bost."

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

Speaker Lang: "He will yield."

Bost: "Representative, and understand... well, let me just ask this. Do you not feel... this is because of the frustration you felt in the negotiations and people not coming to the party. You wouldn't have... you wouldn't have ever gotten to this had it not been all of those arguments?"

Bradley: "Well, I think that originally there was frustration when I proposed this back in March or April. But Representative, the more that I'm around the reform efforts, the more this seems like a really legitimate reasonable way to deal with this right now..."

Bost: "And..."

Bradley: "...because the more I'm around the system, the more it stinks. And so, sometimes when it's that messed up you have to take a drastic step and I'm... I think this is a legitimate way to deal with this issue right now."

Bost: "Okay. Mr. Speaker, to the Bill. You know, I trust the Representative is truly trying to do what he feels is best. But Ladies and Gentlemen, when we become frustrated with the systems of the state when they don't work correctly and as we work forward on our jobs to try to straighten them out there's a lot of these things that I would like to say, oh, let's just blow it up. Let's break it completely and

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see if we can build it back correctly. However, the amount of lives that this affects is tremendous. And by the Sponsor's own admission, you got the AFL-CIO, however, many other unions are adamantly opposed. You've got the Trial Lawyers are for it but the judges are saying they can't handle it. You've got groups all over that are adamantly opposed to destroying a system that we can tweak if we can get all the parties together and work together and fix. Destroying the system that has been in place is not the best way here, Ladies and Gentlemen. And I'm not... I'm not making a joke of this. We always make a joke about the trophy and everything like that, but folks, not directed toward the Sponsor, but we need to send a hundred 'no' votes on this to say it is our responsibility to fix the system that is in place, not destroy it. Not destroy it. This isn't a partisan issue. This is where people might disagree on how we achieve this, we all want it to work correctly. But we cannot make it work correctly by overloading the courts, and I believe that most of the courts will want to do a very good job, but we have had some problems in this state with some of our courts. We have had so much problem that they've been mentioned nationwide with the problems they have. Ladies and Gentlemen, we... the tort system in the State of Illinois has had problem after problem after problem. This is not where we want to handle this; we want to bring this back... we want to bring this back, defeat this Bill and then work on the other work comp Bill that's out there and let's get something done, get everybody to the table, continue to

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work on that. This is not the way to handle it. I do encourage a 'no' vote."

Speaker Lang: "Mr. Brady."

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

Speaker Lang: "Mr. Bradley yields."

Brady: "First off, Representative, thank you. You and I have been working on workers' comp reform for... well, I think I had hair when we first started, if I'm not mistaken."

Bradley: "Mine was dark."

Brady: "I know. You know, it's kind of ironic, Ladies and Gentlemen of the House, that today I have a Page by the name of Tom Lawrence and his dad, who's up in the gallery, is a circuit judge, Judge Paul Lawrence. And I think if the judge could come down on the floor and speak, he could give you a lot of reasons why maybe... well intended, but this is not the answer. I want to know, Representative, in the course of our hearings and many meetings and discussions, one of the things that was a reoccurring theme was trying to expedite workers' comp cases as fairly and efficiently as possible and increase the turnaround time. How does this increase the turnaround time of putting the cases back to the circuit courts? How do you envision that?"

Bradley: "Well, first, if I could just take a moment here and compliment you, Representative Brady, on the work that you've done on this issue."

Brady: "Thanks."

Bradley: "We spent Christmas Eve together, we spent New Year's Eve together, we spent New Year's Day together, we have

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worked on this throughout the spring and I appreciate all your hard work."

Brady: "It... thank you. It was a very happy holiday season, there's no doubt, yes."

Bradley: "And so, in response to your questions, we did include the Temporary Total Disability Section from the Comp Commission Act, the Comp Act, in this piece of legislation. And it's my belief by reducing the duplicity of the second system, the workers' compensation system, the broken system, it will have additional resources in the courts to where we can more efficiently deal with these cases, and I'm willing to give it a try and I think a lot of us are willing to give it a try and we have a push out date until 2012 to allow the courts to transition into it and see if it works, because we know what we're doing now isn't working."

Brady: "Representative, I... and I appreciate that and had you bought gifts for my kids back when we were in Christmas Eve together I might be different on this Bill."

Bradley: "Well, we were on the phone. Just to clarify that, it was on the phone."

Brady: "I do want to ask you in all seriousness. Who... what judges have you spoken to that think this is manageable and a good way to proceed and to navigate through with their limited resources in the Circuit Courts around the state that this is a good idea?"

Bradley: "Well, I don't know if I should be mentioning specific judges' names. I have talked to judges who think that this is manageable. We do have the note from the court system

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and they did not indicate that it was unmanageable. They indicated they would have to hire some additional judges which I don't think they would have a problem doing but they didn't indicate that this was not something that if we asked them to do it that they couldn't do. So, you know, in that regard, yeah, I'm sure that if we took a poll of judges we would get conflicting opinions about that. But I think that my experience as a practitioner, having practiced in both court systems, both workers' comp as well as the Circuit Court, I would just as soon having these cases being decided in the Circuit Courts. And, again, for those groups that have said causation or nothing, that have said that we want to be able to argue these cases on direct and proximate causation, this would be the way to do it. And so, you can't do fault in a no-fault system. So, if you want fault injected in a workers' comp system, this is the way you do it. You go back to Circuit Court."

Brady: "And Representative, given our financial crisis in this state, where's the money going to come from for new judges?"

Bradley: "It will come from the comp commission's budget. So we'll transfer the comp commission budget to the courts, I believe it will be more than enough money to hire 36 judges or less that would need... be needed as well as it will reduce the duplicative of having two separate independent court systems with separate locations, with separate bureaucracies with a whole separate system."

Brady: "So... so you think we can kind of just transfer about \$25 million and put that into play for the circuit courts and

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we're going to have a expedited system and do a better job than what's presently going on now in the workers' compensation system itself?"

Bradley: "I think it's a real possibility. And I have confidence in our court systems and I have confidence that if we ask the courts to do this, that they're going to do their very best to make it work. And I think we ought to give them a chance because we know that the system we have is not functioning the way it should. It's broken."

Brady: "I don't... I don't... yeah."

Bradley: "I don't know why we continue to bang our head against the wall with them; let's give somebody else a chance."

Brady: "Sure. I... but I... I don't disagree with you in some respects that it's the system; I don't think this is the answer. And I would just ask and close by asking, nobody's... nobody's come to us, at least to me, from the courts, whether that be the Supreme Court, circuit courts and asked, could we please have this? Could we please get in the business of..."

Bradley: "It sounds like..."

Brady: "...the commission."

Bradley: "...it sounds like your and my involvement in the workers' comp issue. I don't remember us asking to get in the middle of it. But sometimes when we have historical issues that we have to deal with, people are willing to step up and do what it takes, and I don't expect that the courts would be any different."

Brady: "Thank you, Representative. To the Bill, Mr. Speaker. Ladies and Gentlemen of the House, again, many of us have



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worked on this issue; there's varying opinions on how to proceed. There's other pieces of legislation that are out there. I certainly respect the Representative and the hard work that he's had on this Bill, but I differ with him about this being the best way to approach and resolve the multifaceted workers' compensation system in this state. So, I'll be voting 'no'."

Speaker Lang: "Mr. Kay."

Kay: "Thank you, Mr. Speaker. Will the speaker yield?"

Speaker Lang: "Sponsor yields."

Kay: "Mr. Speaker, are we on Extended Debate?"

Speaker Lang: "We're on unlimited debate, Sir."

Kay: "Good, thank you. Representative, we've had and have faced a monumental crisis issue each year with the state finances and the ability to balance a budget and ratchet down our finances to balance a budget and face the critical needs of the state. Is that not correct?"

Bradley: "I think that's a fair statement. And.. and I applaud both sides for working together in that regard."

Kay: "As do I. I was very proud of Representative Mautino last night, and I'll just digress here since we're on unlimited debate, that I saw on TV who probably explained, as well if not better than anybody else could, the budgeting process that we just went through in the state. And I was proud to say that he was my colleague because he did such a great job which makes me wonder if we did such a great job with respect to the budget, why we can't do it with respect to workers' compensation? I will tell you that business applauds the work that we've done with the budget."

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Business does not applaud giving the workers' compensation system with its flaws over to the courts. Let me suggest, Representative, a couple of things and then I'd like to talk about some positives and some negatives about your Bill. First of all, we have been in a court system ever since we've had a workers' compensation system. Indeed, if you appeal a claim, you go to the commission, the commission then on to the Circuit Court, the Circuit Court on to the Appellate Court and the Appellate Court on to the Supreme Court. So, the simple truth is that we're in the court system. Now you could debate whether the court system has worked correctly, and I think business would say it has not, but, Representative, we've been in the court system. We've been there for a hundred years. So, to think that the court system is our avenue or the way to find parity, fairness, balance, is simply, I think, a false statement. Now before I go any further, I have one question. I understood that you intended..."

Bradley: "I would stipulate to him having one question."

Kay: "And that's fair. I'll retract that. I have a lot of questions, but I do have one really pretty simple question and that is, with respect to the courts, it seems to me like we are capitulating to trial lawyers. And I say that only in the context of my understanding was that we were indeed going to have a Bill presented to us by you which dealt with reform. Do you intend to call that Bill or is this the Bill we're going to be dealing with this weekend?"

Bradley: "I... I am supportive of both efforts, so the tentative agreement which is uncertain of what's going to take place

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with that is in the Senate currently. If that comes to the House, I will support that effort as well."

Kay: "Okay. Thank..."

Bradley: "This is another viable option."

Kay: "Thank you, Representative. So what would your preference be of the two before I go any further?"

Bradley: "I... I don't know."

Kay: "Well, then I'll proceed. I think the reform Bill that I have been appraised of is somewhat better, although albeit not complete, I think it's somewhat better. But let me... let me talk about some of the positives of Representative Bradley's Bill, and they're pretty simple. First of all, jurors tend to be more conservative and I think that's a given for any lawyer in the room here today, they will tell you that, so that's a plus. Secondly, in the courts you will find that employees error is not recognized as being compensable in most cases, certainly in this one. And thirdly, whether you want to agree or not, in the court system an injury would not be considered a benefit and compensable. It would be compensable as a... a finding of fact and an injury. Today the workers' compensation system, and I somewhat agree with Representative Bradley on this issue, has become not compensation but a benefit. But let me tell you the negatives and some have already talked a little bit about this. And again, I want to emphasis this happens to be a trial lawyers' Bill, as it's purposed and I will simply tell why. First, lawyers typically receive a piece of the settlement in court and it's somewhere around 33 percent. When it's heard at a

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arbitration setting or sometimes beyond, it's a 20 percent settlement. And you know most companies pay in the neighborhood of 100 to 110 dollars or they handle these cases pro se. Now, I would submit to this Body that this is trial lawyer-friendly but not business-friendly because no longer will pro se cases happen. And we will not be hiring defense counsel at 100... 110 to a 125, we'll be in court with defense lawyers who have to be far more confident in rules of evidence and process and procedures than we do today. So, that... number one, that's more quasi. Number two, I don't know whether the Representative has considered the fact that, if we're going to put this in place in January, all these judges are going to have to be elected, all these judges are going to have a place to reside. And as I'm told down in Madison County, that's going to take additional facility. And I think Representative Brady made the comment that we don't have any money to spare and that's certainly is the case here. What we're looking at here is big overhead cost. We're looking at a system that's not duplicative; we've been in this system for years and we're looking at a system now that is moving away from no-fault because we seemed to have the opinion in Illinois that no-fault means automatic pay, and that's an incorrect assumption. The no-fault system in Illinois is something that we have relied on for years, not because we necessarily fear courts or we believe they're bad, but we do believe that they're costly, but more so, more so, we believe that injured employees are entitled to prompt and quick compensation and if they don't get it then

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there's a rule called 19(b), and that's the way to remedy that. There is no possible way that we will ever address a workers' compensation claim on a basis that's any quicker than we do right now in a court system. We will not be looking at a year or a year and a half, we'll be looking at two to three years; and in Chicago, we will be looking at a time period somewhat longer. Representative, I don't know that you're aware, but there are 26 thousand-plus cases in Chicago today awaiting some form of adjudication. I submit to you that even in Cook County that cannot happen efficiently. I think the primary concern of the no-fault workers' compensation system, albeit flawed, is to provide quick and speedy relief with less cost to the employer and speedy recovery to the employee and that's not going to happen under this plan. I would just submit to you that I believe, and I, again, as a business man, I've heard two pieces of legislation which has come through this Body which are business-friendly, one which was last week and that was Representative Sente's, and I commend her on that Bill, it was an outstanding Bill. But this Bill is business unfriendly and at a time when we all are attempting to create jobs and grow business, this is a signal to the business community that the door is closed and we're not open for business. And I think the atmosphere that we're attempting to create or proffer through this particular Bill is toxic. I don't think that's the Representative's intention, but I think that's the obvious outcome, if indeed, we move from a no-fault system as we know it today in workers' comp and move it

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into a court system. It's not faster, it's more expensive, the employee suffers and when you look at the cost of business, it increases. Now to the Bill. My understanding when I came to the chamber today was that we were going to have some reform presented to us, and I was very hopeful to see that. This is not reform. This is an interesting concept which no other state has even considered taking on. We have fixed a difficult problem this year in our budget and many other areas through bipartisan, long hours, tough effort, good heads who came together in a manner which produced some very tangible results. And I think for us to say that we can't do it in the arena of workers' comp is wrong. I think it's wrong to think that we can't fix this problem when we're tackling some of the bigger ones in Illinois. Ladies and Gentlemen, I... Mr. Speaker, I would tell you that if this is passed, and I'm going to suggest very strongly that the Body vote against this, I will suggest to you that this will be the nail in the coffin for the business community. They will see this as a done deal and there will be early exits for businesses throughout the State of Illinois which is the very last thing we need to see. Thank you, Mr. Speaker."

Speaker Lang: "Representative David Harris."

Harris, D.: "Thank... thank you, Mr. Speaker and a question of the Sponsor."

Speaker Lang: "Gentleman yields."

Harris, D.: "Very briefly. Representative, I will concede your point that fault in a no-fault system probably cannot be achieved, but there are more factors than just fault. And I

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think the previous speaker made reference to one of those which is that injured workers on a relatively timely, and quickly period of time need to be compensated. There's another factor dealing with cost. Let me ask you, were you the Sponsor of House Bill 1032?"

Bradley: "Yes."

Harris, D.: "Which in essence did the same thing?"

Bradley: "Yes."

Harris, D.: "Which had Republican cosponsorship?"

Bradley: "Correct."

Harris, D.: "Of which I was one?"

Bradley: "Correct."

Harris, D.: "And we stood up on the House Floor when we introduced that Bill and we said, the system's broken, everybody was admitting to that."

Bradley: "Correct."

Harris, D.: "It needs reform. This is a lever..."

Bradley: "Correct."

Harris, D.: "...to get it reformed. Haven't we achieved that?"

Bradley: "Not yet, we haven't got reform yet."

Harris, D.: "Well, I'm being lobbied by the business community, the Chicagoland Chamber of Commerce, the City of Chicago, Wal-Mart, the Greater Oak brook Chamber of Commerce on a Bill that says, hey, we can live with this workers' comp legislation that apparently is in... is in writing."

Bradley: "That is correct. We have a tentative agreement which is currently in the Senate; it has not passed both chambers. This is another viable option. I ask you to stand with me a bit longer as we continue to move this

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issue toward resolution. Until we have a Bill that passes both chambers, we don't have resolution. I ask you to stand with me for a just a bit longer."

Harris, D.: "And... and I understand it. To the Bill, Mr. Speaker. The Gentleman from Williamson County really has done a great job in working through on this issue. I think the Bill that he introduced in this... which is now this Bill here, did serve as a lev... as a lever to try to encourage workers' comp reform. There is a Bill moving which is workers' comp reform. It's not going to be an easy vote because it has different part... different interest groups on opposite sides, but I think he's achieved his objective and I don't think we need this Bill."

Bradley: "Thank you."

Speaker Lang: "Representative Tracy."

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

Speaker Lang: "Sponsor yields."

Tracy: "Representative Bradley, if we go with this Bill and... and it passes, the standard of care will be in the Circuit Court will be negligence. Isn't that what you anticipate?"

Bradley: "Yes."

Tracy: "So, we'll have a standard of negligence that the claims will be judged by and the cases will be based in the counties where the action or the injury occurred."

Bradley: "Correct."

Tracy: "Now for us that are downstate, most of our court systems aren't overcrowded, so there wouldn't be perhaps a big strain on those systems."

Bradley: "Correct."



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Tracy: "There may be a few counties in the state where it would be, but overall, I mean, I don't know about your county but most of my counties don't have an overload in their court systems."

Bradley: "I think that's accurate."

Tracy: "And there... is there anything in the Bill that would prohibit an employer from going ahead and settling with an injured worker prior or even outside of the court system?"

Bradley: "Not at all. And there would also... still is the opportunity for them to setup a system within their company for dealing with workers' injuries and workers' claims..."

Tracy: "Right. But..."

Bradley: "...outside of the court system."

Tracy: "It's reasonable to assume that very likely an injured worker will be taken care of in a manner by the employer with the employer's insurance in a timely manner?"

Bradley: "Correct."

Tracy: "And then you've set aside a relief fund for handling situations that need immediate comp..."

Bradley: "Yeah. We have a Temporary Total Disability to make sure that cases are dealt with expeditiously and as efficiently as possible."

Tracy: "Right. You know, I... I applaud you for taking this approach I mean, I think people have a fear of the unknown, and this is an unknown. However, when you analyze it from what we just went through, there are some counties in this state which I tried working on tort reform and the like where I feel maybe are a little bit more litigious and there would be a great fear of bringing cases in that. And

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then, of course, the counties where we have an overload of cases such as Cook County and the like, that might be a big glitch in the system, if you will, but overall, I... I think you've created a good solution to the problem. We're worried about causation, we're worried about both sides getting quicker or prompt relief and actually I think your Bill addresses all that."

Bradley: "Thank you."

Tracy: "So, I stand in support of this."

Bradley: "Thank you."

Tracy: "I... I don't see any downside, I mean, I think what we have as you mentioned, is a very broken system. We've tried to fix it, no one sees... but I think your solution which is kind of a complete overhaul in a reverse manner actually might be the real solution. So, I stand in support of your legislation. Thanks."

Bradley: "Thank you."

Speaker Lang: "Mr. Mautino."

Mautino: "Thank you, Speaker, Ladies and Gentlemen of the House. I rise in support of the Gentleman's Bill, and just for a little... excuse me, on the historical perspective of this, Illinois has great history in this area for the development of workman's compensation. On Saturday, November 13, 1909, like most other days, 500 men and boys down to the age of 12 and three dozen mules were working in a mine in Cherry, Illinois. Unlike most days the... there had been an electrical outage during that week and that forced the miners to use kerosene lamps and torches. Long about noon, a rack of... a coal bin full of hay was ignited,

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set off to the side and it started a fire which spread throughout the Cherry Mines. And by the end of that day, the Cherry Mine Disaster became the greatest mining disaster in the history of the United States. Coming from that, this Body appropriated about \$1.2 million to the Village of Cherry back in 1909. The mining laws were changed for the State of Illinois as far as to mine safety and regulations and because the safest coal mine in the world, St. Paul #3 Mine in Cherry, Illinois, had had this disaster, the first workman's compensation statutes were structured and agreed to. It also became the background for the Federal Law that impacts the nation. The idea behind the Bill was very, very simple. Of the 259 men and boys who perished on that day that the company would take that liability, they would make those families whole and those workers whole, and there would be no fault, and as a result from that, there would be no follow-up or lawsuit coming from it. And that was the basis of the no-fault system coming from Cherry, Illinois, which oddly enough is a hundred years ago. Now the system has changed. It has been used and turned to its advantage, to the advantage of different groups throughout it, all groups that have been involved in the system. And I think as Mr. Bradley, Representative Brady, many of you who have worked this past year on this issue, have come to realize that there's a change that is necessary. I commend him for the work. I've watched him back in the offices with all of the groups, working on the compromise Bill, and I hope that comes to pass. But I think this is a viable option that we

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have to look at because we have come so far, from Cherry, Illinois in 1909, in this system when the idea was, the worker will be made whole, and the companies for that would not be sued in court. That was the basis of no fault. And as we look at each of the groups that are now involved in the system, there are no innocent parties, so we need to take a very hard line, hard look at it. This is one way and I agree with the Gentleman, I commend him for bringing it forward. My hopes is that all of the groups who have been involved in this system, which has changed so dramatically over the last hundred years, make the realization that the goal was to make sure workers are taken care of, that they are made whole and that the companies would receive the benefit of being able to do that without having to go to court. We need to get back to that system, so I stand in support. I commend Representative Bradley for the massive amount of work along with those of this room who have been involved in those talks. I hope for a good solution, but I urge an 'aye' vote as a viable option."

Speaker Lang: "Mr. Durkin."

Durkin: "Thank you, Mr. Speaker. I'll be very brief. The Sponsor mentioned earlier that the comp system right now is too expensive for Illinois businesses, but if we were to scrap the system it would just do the opposite. We're going to move 55 thousand claims into a system that has absolutely no cap on jury verdicts, those runaway verdicts which we've seen over the years. There's absolutely no prohibition on form shopping which has been a problem over

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the years, the system has not reformed the class action abuses which we've seen over the years, but we're leaving these claims in the hands of jurors in some of these counties in some very difficult places to defend cases. That's the reality of it. Also, if the purpose of the system is to try to bring swift and fair justice to the victims and the comp system, the industrial work comp commission website states that the vast majority of the cases are settled approximately one and a half years after a claim is filed, and right now, about one and a half years in the civil justice system you may just be getting written discovery, the interrogatories. It may take another year just to respond to those interrogatories. In the comp system, if your case has not been settled within three years, it will be dismissed unless there's good cause to keep it going. Three years you may be beginning the depositions. You're not even a third of the way through the case. These cases take four to five or six years before they're resolved. So, we're not doing the workers any favors by dumping the system. Secondly, and lastly, if we're going to move 55 thousand cases and we're going to say that it's going to be comp, we're going to have judges... we're going to add 26 new judges to the system. If they're going to handle those cases, just do the simple math, we're asking them to take on 2100 cases in their caseload. It just... this just doesn't work. So, Mr. Speaker, if this does reach... have the requisite amount of votes, I would ask for a verification."

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Speaker Lang: "Your request will be acknowledged, Sir. Chair recognizes Mr. Connelly."

Connelly: "Thank... thank you, Mr. Speaker. Due to a potential conflict, I will be voting 'present' to this Bill."

Speaker Lang: "Thank you, Sir. Mr. Bradley to close."

Bradley: "I think we've heard some very thoughtful arguments here today. And I appreciate everyone paying attention and listening, but we still have the issue of workers' comp in the State of Illinois which has not been settled as of the moment that we're going to take this vote. This is a viable alternative to fix a broken system. And so the question that I ask everyone here today, on Senate Bill 1933, is are we going to take back our state? Are we going to take back control of what's going on with injured workers and businesses in the State of Illinois, are we going to ratify a system that we all acknowledge is broken, that we all acknowledged can do better, should have done better, and did it. Are we going to keep banging our heads against the wall with the same old broken song or are we going to try something new? Ladies and Gentlemen of the House of Representatives, friends and colleagues, I'm for trying something new because what we've been doing hasn't been working. I ask for an 'aye' vote."

Speaker Lang: "Gentleman moves for the passage of the Bill. Those in favor shall vote 'yes'; opposed 'no'. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Mr. Sosnowski. Please take the record. On this question, there are 65 voting 'yes', 48 voting 'no' and 4 voting 'present'. And there's been a

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request for a verification, which Mr. Durkin withdraws. This Bill, having received the Constitutional Majority, is hereby declared passed. Mr. Clerk, committee announcements."

Clerk Bolin: "Committee announcements. Meeting at 2:30 p.m... these committees will meet at 2:30 p.m.: Executive in Room 118; Public Utilities in Room 114; Health Care License in 122B, Revenue & Finance in Room 115. At 3:30 p.m., Aging will meet in Room 118, Judiciary-Criminal Law will meet in 122B, Human Services in Room 413, and Labor in C-1. The committees meet..."

Speaker Lang: "Representative Gabel."

Gabel: "Mr. Speaker, I would like the record to reflect that I meant to vote 'yes' on Senate Bill 1471."

Speaker Lang: "The record will reflect your intentions. Mr. Clerk, Agreed Resolutions."

Clerk Mahoney: "On the Order of Agreed Resolutions is House Resolution 427, offered by Representative Connelly. House Resolution 428, offered by Representative Coladipietro. House Resolution 429, offered by Representative Franks. And House Resolution 430, offered by Representative Poe."

Speaker Lang: "Mr. Lyons moves for the adoption of the Agreed Resolutions. Those in favor say 'yes'; those opposed 'no'. The 'ayes' have it. The Agreed Resolutions are adopted. Members, just by way of announcement. If you look at your schedule you will see our Sunday Session is at 4 p.m. Sunday Session at 4 p.m. And now, allowing perfunctory time for the Clerk, Representative Lyons moves the House stand adjourned until Saturday, May 28 at the hour of 9:30

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a.m. Those in favor say 'yes'; opposed 'no'. The 'ayes' have it. And the House does stand adjourned until Saturday, May 28 at 9:30 a.m."

Clerk Mahoney: "House Perfunctory Session will come to order. Introduction... Committee Reports. Representative Barbara Flynn Currie, Chairperson from the Committee on Rules reports the following committee action taken on May 27, 2012: recommends be adopted the following Motions to Concur: a Motion to Concur in Senate Amendment #1 to House Bill 180, a Motion to Concur in Senate Amendment #1 to House Bill 200, a Motion to Concur in Senate Amendment #2 to House Bill 220, a Motion to Concur in Senate Amendment #1 to House Bill 233, a Motion to Concur in Senate Amendment #1 to House Bill 237, a Motion to Concur in Senate Amendment #1 to House Bill 248, a Motion to Concur in Senate Amendment #2 to House Bill 279, a Motion to Concur in Senate Amendment #1 to House Bill 297, a Motion to Concur in Senate Amendment #3 to House Bill 1091, a Motion to Concur in Senate Amendment #1 to House 1128, a Motion to Concur in Senate Amendment #1 to House Bill 1129; a Motion to Concur in Senate Amendment #1 to House Bill 1195, a Motion to Concur in Senate Amendment #1 to House Bill 1216, a Motion to Concur in Senate Amendment #1 to House Bill 1315, a Motion to Concur in Senate Amendment #1 to House Bill 1317, a Motion to Concur in Senate Amendment #1 to House Bill 1359, a Motion to Concur in Senate Amendment 1 to House Bill 1380, a Motion to Concur in Senate Amendment #1 to House Bill 1458, a Motion to Concur in Senate Amendment #1 to House Bill 1488, a Motion to



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Concur in Senate Amendment #1 to House Bill 1547, a Motion to Concur in Senate Amendment #1 to House Bill 1549, a Motion to Concur in Senate Amendment #1 to House Bill 1558, a Motion to Concur in Senate Amendment #1 to House Bill 1574, a Motion to Concur in Senate Amendment #1 to House Bill 1651, a Motion to Concur in Senate Amendments 1 and 2 to House Bill 1670, a Motion to Concur in Senate... in House... a Motion to Concur in House Bill 1680 for Senate Amendments 1 and 2, a Motion to Concur in Senate Amendment #3 to House Bill 1699, a Motion to Concur in Senate Amendment #1 to House Bill 1707, a Motion to Concur in Senate Amendment #1 to House Bill 1825, a Motion to Concur in Senate Amendment #2 to House Bill 1908, a Motion to Concur in Senate Amendment #2 to House Bill 1985, a Motion to Concur in Senate Amendment #1 to House Bill 2084, a Motion to Concur in Senate Amendment #1 to House Bill 2086, a Motion to Concur in Senate Amendment #1 to House Bill 2362, a Motion to Concur in Senate Amendment #1 to House Bill 2870, a Motion to Concur in Senate Amendment #1 to House Bill 2902, a Motion to Concur in Senate Amendment #2 to House Bill 2955, a Motion to Concur in Senate Amendment #2 to House Bill 2974, a Motion to Concur in Senate Amendment #1 to House Bill 3025, a Motion to Concur in Senate Amendment #1 to House Bill 3041, a Motion to Concur in Senate Amendment #1 to House Bill 3042, a Motion to Concur in Senate Amendment #1 to House Bill 3255, a Motion to Concur in Senate Amendment #1 to House Bill 3274, a Motion to Concur in Senate Amendment #1 to House Bill 3403, a Motion to Concur in Senate Amendment #1 to House Bill 3620, and a

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Motion to Concur in Senate Amendment #1 to House Joint Resolution #4. Introduction and reading of House Bills-First Reading. House Bill 3786, offered by Representative Mulligan, a Bill for an Act concerning gaming. First Reading. Senate Joint Resolution 30, offered by Representative Marrow (sic-Yarbrough), was referred to the House Committee on Rules. On the Order of Second Reading, the following Bills will be read and held on the Order of Second Reading. Senate Bill 109, a Bill for an Act concerning revenue. Second Reading. Senate Bill 269, a Bill for an Act concerning State Government. Second Reading. Senate Bill 270, a Bill for an Act concerning State Government. Second Reading. Senate Bill 675, a Bill for an Act concerning regulation. Second Reading. Senate Bill 744, a Bill for an Act concerning gaming. Second Reading. Senate Bill 1122, a Bill for an Act concerning human rights. Second Reading. Senate Bill 1531, a Bill for an Act concerning local government. Second Reading. Senate Bill 1609, a Bill for an Act concerning State Government. Second Reading. Senate Bill 1652, a Bill for an Act concerning public utilities. Second Reading. Senate Bill 2073, a Bill for an Act concerning revenue. Second Reading. Senate Bill 2133, a Bill for an Act concerning education. Second Reading. Senate Bill 2188, offered... a Bill for an Act concerning State Government. Second Reading. Senate Bill 2255, a Bill for an Act concerning regulation. Second Reading. And Senate Bill 2293, a Bill for an Act concerning State Government. Second Reading. Additional Committee Reports. Representative Dan

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Burke, Chairperson from the Committee on Executive reports the following committee action taken on May 27, 2011: recommends be adopted is Floor Amendment #2 to Senate Bill 1835; do pass Short Debate is Senate Bill 269; do pass Standard Debate Senate Bill 675; do pass as amended Short Debate is Senate Bill 109, Senate Bill 270, Senate Bill 744, Senate Bill 1531, Senate Bill 1609, Senate Bill 2133, Senate Bill 2293: do pass as amended Standard Debate is Senate Bill 2188. Representative Holbrook, Chairperson from the Committee on Public Utilities reports the following committee action taken on May 27, 2011: do pass as amended Short Debate is Senate Bill 1652. Representative Reitz, Chairperson from the Committee on Health Care License reports the following committee action taken on May 27, 2011: do pass Short Debate is Senate Bill 2255. Representative Bradley, Chairperson from the Committee on Revenue & Finance reports the following committee action taken on May 27, 2011: do pass as amended Short Debate is Senate Bill 2073. Representative Hernandez, Chairperson from the Committee on Aging reports the following committee action taken on May 27: recommends be adopted is Floor Amendment #2 to Senate Bill 1968. Representative Howard, Chairperson from the Committee on Judiciary-Criminal Law reports the following committee action taken on May 27, 2011: recommends be adopted is Floor Amendment #1 to Senate Bill 1228. Representative Bradley, Chairperson from the Committee on Labor reports the following committee action taken on May 27, 2011: do pass as amended Short Debate is Senate Bill 1122. There

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being no further business, the House Perfunctory Session  
will stands adjourned."