

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

69th Legislative Day

5/30/2011

Clerk Mahoney: "House Perfunctory Session will come to order. Rules Report. Representative Barbara Flynn Currie, Chairperson from the Committee on Rules reports the following committee action taken on May 30, 2011: approved for floor consideration, recommends be adopted is Floor Amendment #2 to Senate Bill 669, Floor Amendment #1 to Senate Bill 675, Floor Amendment #6 and 7 to Senate Bill 744, Floor Amendment #3 to Senate Bill 1531, Floor Amendment #2 to Senate Bill 1533, and Floor Amendment #3 to Senate Bill 2073; on the Order of Concurrence, recommends be adopted is a Motion to Concur in Senate Amendment #1 to House Bill 143. House Perfunctory Session. Committee Reports. Representative Nekritz, Chairperson from the Committee on Environmental Health reports the following committee action taken on May 30, 2011: recommends be adopted is House Joint Resolution 34. Representative Howard, Chairperson from the Committee on Judiciary II - Criminal Law reports the following committee action taken on May 30, 2011: recommends be adopted is a Motion to Concur in Senate Amendments 1, 2 and 3 to House Bill 78, and a Motion to Concur in Senate Amendment #4 to House Bill 263. Representative Yarbrough, Chairperson from the Committee on Housing reports the following committee action taken on May 30, 2011: recommends be adopted is Floor Amendment #5 to Senate Bill 16. Representative Berrios, Chairperson from the Committee on Consumer Protection reports the following committee action taken on May 30, 2011: recommends be adopted is a Motion to Concur in Senate Amendment #1 to House Bill 3024. Representative Riley,

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

69th Legislative Day

5/30/2011

Chairperson from the Committee on Cities & Villages reports the following committee action taken on May 30, 2011: recommends be adopted is a Motion to Concur in Senate Amendments 1 and 3 to House Bill 1576 and Senate... a Motion to Concur in Senate Amendment #1 to House Bill 3414. Representative Verschoore, Chairperson from the Committee on Counties & Townships reports the following committee action taken on May 30, 2011: recommends be adopted is a Motion to Concur in Senate Amendment 1 to House Bill 242 and a Motion to Concur in Senate Amendment #2 to House Bill 2555. Representative Will Davis, Chairperson from the Committee on Appropriations-Elementary & Secondary Education reports the following committee action taken on May 30, 2011: do pass as amended Short Debate is Senate Bill 2458 and Senate Bill 2480. Representative Holbrook, Chairperson from the Committee on Environment & Energy reports the following committee action taken on May 30, 2011: recommends be adopted is a Motion to Concur in Senate Amendment 2 to House Bill 3371. Representative Beiser, Chairperson from the Committee on Transportation: Regulation, Roads & Bridges reports the following committee action taken on May 30, 2011: recommends be adopted is House Resolution 395. Representative Holbrook, Chairperson from the Committee on Public Utilities reports the following committee action taken on May 30, 2011: recommends be adopted is Floor Amendment #1 and Floor Amendment #2 to Senate Bill 1653."

Speaker Lyons: "A happy and a blessed Memorial Day, Illinois, as your Illinois House of Representatives will come to

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

69th Legislative Day

5/30/2011

order. We shall be led in prayer today by Pastor Otis Anderson, Jr., who is the Cathedral Missionary Baptist Church in Chicago, Illinois. Pastor Anderson is the guest of Representative Ken Dunkin. Members and guests are asked to please refrain from starting their laptops, turn off all cell phones and pagers and rise for the invocation and the pledge of allegiance. Reverend Anderson."

Reverend Anderson: "Father, God, in the name of Jesus we come today to thank Thee for another day in life. We pray for those that... veterans that have given their lives that we might enjoy our freedom. We pray for every Representative of this House, that Thy will keep them in mind that this is a government for the people and by the people. We pray for the Representatives that will lead us into a prosperous year. We pray for their families, that Thou would just bless them, also. We pray for the Speaker of the House and our Governor. Bless Pastor... Representative Dunkin, use him to do extraordinary things for the State of Illinois. Keep this House together. Keep their minds together. Let there be unity residing in this House that we might have a prosperous and a great State of Illinois. We ask these blessings in Jesus' name, Amen."

Speaker Lyons: "You're... you're a tough act to follow, Reverend. Ladies and Gentlemen, again, we like this being Memorial Day I'd ask all of our veterans, Representative Bost, Mitchell, Stephens, Watson, Sacia, Jefferson, McCarthy, McGuire, Chapa LaVia, Farnham, Riley, General Rosenthal, General Harris to please lead us in the Pledge of Allegiance collectively."

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

69th Legislative Day

5/30/2011

Bost, Mitchell, J., Stephens, Watson, Sacia, Jefferson, McCarthy, McGuire, Chapa LaVia, Farnham, Riley, General Rosenthal, General Harris, D. - et al: "I pledge allegiance to the flag of the United States of America and to the republic for which it stands, one nation under God, indivisible, with liberty and justice for all."

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

Currie: "Thank you, Speaker. Please let the record reflect the absence of any excused absences among House Democrats today."

Speaker Lyons: "U.S. Marine, retired, Mike Bost, Republicans."

Bost: "Thank you, Mr. Speaker. Let the record reflect that Representative Barickman, Sacia and Watson are excused on the Republican side of the aisle."

Speaker Lyons: "Thank you, Representative. Mr. Clerk, take the record. There's 115 Members answering the Roll Call, a quorum is present. We're prepared to do the work of the people of the State of Illinois. Mr. Clerk. Mr. Clerk, on page 6 of the Calendar under House... Senate Bills-Third Reading, Representative Chapin Rose has Senate Bill 1702. Read the Bill, Mr. Clerk."

Clerk Mahoney: "Senate Bill 1702, a Bill for an Act concerning criminal law. Third Reading of this Senate Bill."

Speaker Lyons: "Take that Bill out of the record on the request of Representative Rose. Representative Kay Hatcher, on the Order of House... Senate Bills-Third Readings, you have Senate Bill 2139. Read the Bill, Mr. Clerk."

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

69th Legislative Day

5/30/2011

Clerk Mahoney: "Senate Bill 2139, a Bill for an Act concerning local government. Third Reading of this Senate Bill."

Speaker Lyons: "Out of the record. Representative Frank Mautino on page 7 of the Calendar under Senate Bills Second Reading you have Senate Bill 109. Read the Bill, Mr. Clerk."

Clerk Mahoney: "Senate Bill 109, a Bill for an Act concerning revenue has been read a second time, previously. Amendment #1 was adopted in committee. No Floor Amendments. No Motions filed."

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

Clerk Mahoney: "Senate Bill 109, a Bill for an Act concerning revenue. Third Reading."

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

Mautino: "Thank you. And House Amendment #1 to the Senate Bill became the Bill. And it would allow manufacturers' representatives to purchase a limited amount of product from licensed Illinois distributors and that all items and taxes would be paid. They would be able to sell to retail, but not to consumer, not directly to the consumer. And I know of no opposition to the Bill. It's been worked out with the Department of Revenue."

Speaker Lyons: "You've heard the Gentleman's explanation. Is there any discussion? Seeing none, all those in favor of the passage of Senate Bill 109 signify by voting 'yes'; those opposed vote 'no'. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Dunkin. Ken Dunkin, like to be recorded? Representative Dunkin? Mr. Clerk, take the record. On this Bill, there are

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

69th Legislative Day

5/30/2011

72 Members voting 'yes', 43 Members voting 'no', 0 voting 'present'. This Bill, having received the Constitutional Majority, is hereby declared passed. Representative Daniel Burke, on the Order of Second Reading, you have Senate Bill 123. What's the status on that Bill, Mr. Clerk?"

Clerk Mahoney: "Senate Bill 123 has been read a second time, previously."

Speaker Lyons: "Put that Bill on the Order of Third Reading and read the Bill, Mr. Clerk."

Clerk Mahoney: "Senate Bill 123, a Bill for an Act concerning regulation. Third Reading."

Speaker Lyons: "Leader Dan Burke."

Burke: "Thank you, Mr. Speaker and Ladies and Gentlemen of the House. A very simple matter, would just permit health care professionals to administer inoculations in public health facilities. Be happy to answer any questions."

Speaker Lyons: "You've heard the Gentleman's explanation. Is there any discussion? Seeing none, all those in favor for the passage of Senate Bill 123 signify by voting 'yes'; those opposed vote 'no'. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Representative Brady. Norine Hammond. Chad Hays. Tommy Morrison. Representative Brady, Dan Brady. Mr. Clerk, take the record. On this Bill, there's 115 Members voting 'yes', 0 voting 'no'. This Bill, having received the Constitutional Majority, is hereby declared passed. Representative Dennis Reboletti, on the Order of Second Reading, on page 9 of the Calendar, you have Senate Bill 1228. Read the Bill, Mr. Clerk."

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

69th Legislative Day

5/30/2011

Clerk Mahoney: "Senate Bill 1228 has been read a second time, previously. Floor Amendment #1, offered by Representative Reboletti, has been approved for consideration."

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

Reboletti: "Thank you, Speaker. Floor Amendment #1 is a complete rewrite of the theft statutes in our Criminal Code. It's part of the CLEAR Commission's Initiative to rewrite the Criminal Code. And I would look forward to explaining more of it on Third Reading. Thank you."

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

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

Speaker Lyons: "Third Reading. Representative Connie Howard, under Senate Bills-Second Reading, you have Senate Bill 1279. Read the Bill... Status of the Bill, Mr. Clerk?"

Clerk Mahoney: "Senate Bill 1279 has been read a second time, previously."

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

Clerk Mahoney: "Senate Bill 1279, a Bill for an Act concerning State Government. Third Reading."

Speaker Lyons: "Representative Connie Howard."

Howard: "Thank you, Mr. Speaker. Senate Bill 1279 makes a number of changes for the Ticket For The Cure, which is the lottery scratch-off game for... for breast cancer. It changes

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

69th Legislative Day

5/30/2011

the name of the game from the Ticket For The Cure game to the Carolyn Adams Ticket For The Cure game. It changes the name of the advisory board from the Ticket For The Cure Advisory Board to the Carolyn Adams Ticket For The Cure Board. It also alters the composition of the board, extends the life of the game and the board by 5 years and adds additional criteria to consider when awarding grants. I'll accept questions."

Speaker Lyons: "Lady moves for the passage of Senate Bill 1279. Is there any discussion? Seeing none, the question is, 'Should House Bill 1279 pass?' All those in favor signify by voting 'yes'; those opposed vote 'no'. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Mr. Clerk, take the record. On this Bill, there's 107 Members voting 'yes', 5 Members voting 'no', 3 Members voting 'present'. This Bill, having received the Constitutional Majority, is hereby declared passed. Representative Roger Eddy, on page 9 of the Calendar, under House... Senate Bills--Second Reading, you have House... Senate Bill 1435. What's the status of the Bill, Mr. Clerk?"

Clerk Mahoney: "Senate Bill 1435 has been read a second time, previously."

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

Clerk Mahoney: "Senate Bill 1435, a Bill for an Act concerning local government. Third Reading."

Speaker Lyons: "Roger Eddy."

Eddy: "Thank you, Mr. Speaker. Senate Bill 1435 simply extends the TIF District for the City of Lawrenceville from 23 to

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

69th Legislative Day

5/30/2011

28 years. The 5-year extension has been agreed to by all of the taxing districts and letters have been received supporting it. I'd appreciate your 'aye' vote."

Speaker Lyons: "You've heard the Gentleman's explanation. Is there any discussion? Seeing none, all those in favor of the passage of Senate Bill 1435 signify by voting 'yes'; those opposed vote 'no'. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Representative Ford, Mell, Mulligan. Debbie Mell. Rosemary. Mr. Clerk, take the record. On this Bill, there's 111 Members voting 'yes', 3 Members voting 'no', 1 Member voting 'present'. This Bill, having received the Constitutional Majority, is hereby declared passed. Representative Dan Beiser, for what purpose do you seek recognition, Sir?"

Beiser: "Thank you, Mr. Chairman. I would like the record to reflect on Senate Bill 109 that I intended to vote 'no'."

Speaker Lyons: "Representative, the Journal will reflect your wishes."

Beiser: "Thank you, Mr. Chairman."

Speaker Lyons: "Representative Jack Franks, you have Senate Bill 1436, Jack. What's the status of that Bill, Mr. Clerk?"

Clerk Mahoney: "Senate Bill 1436 has been read a second time, previously."

Speaker Lyons: "Put that Bill on the Order of Third Reading. And read the Bill, Mr. Clerk."

Clerk Mahoney: "Senate Bill 1436, a Bill for an Act concerning local government. Third Reading."

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

69th Legislative Day

5/30/2011

Speaker Lyons: "Gentleman from McHenry, Representative Jack Franks."

Franks: "Thank you, Mr. Speaker and Members of the House. This Bill would amend the Municipal Code to add any area owned by a conservation district to the definition of conservation area in the section regarding annexation. I believe it was an oversight in the original drafters. There are six conservation districts in the State of Illinois and we'd like them to be part of the conservation area. I'd be happy to answer any questions."

Speaker Lyons: "You've heard the Gentleman's explanation. Is there any discussion? Seeing none, the question is, 'Should Senate Bill 1436 pass?' All those in favor signify by voting 'yes'; those opposed vote 'no'. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Mr. Clerk, take the record. On this Bill, there's 115 Members voting 'yes', 0 Members voting 'no'. This Bill, having received the Constitutional Majority, is hereby declared passed. Mr. Clerk."

Clerk Mahoney: "Committee Report. Representative Chapa LaVia, Chairperson from the Committee on Elementary & Secondary Education reports the following committee action taken May 30, 2011: recommends be adopted is House Resolution 373, and House Resolution 411 and a Motion to Concur in Senate Amendments 1 and 2 to House Bill 1197."

Speaker Lyons: "Representative Dave Winters, on page 8 of the Calendar you have Senate Bill 539, on the Order of Second Reading. What's the status of that Bill, Mr. Clerk?"

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

69th Legislative Day

5/30/2011

Clerk Mahoney: "Senate Bill 539 has been read a second time, previously."

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

Clerk Mahoney: "Senate Bill 539, a Bill for an Act concerning local government. Third Reading."

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

Winters: "Thank you, Mr. Speaker. I apologize for the delay. I was trying to keep my coffee from spilling all over this gorgeous carpet that we have in here. Senate Bill 539 would allow two municipalities in Winnebago County, it's written very specifically, to join... a joint redevelopment project area for a single industrial park conservation area. They have problems with water supply. One community that does not qualify for this particular style of industrial development... tax credit has the water supply, the other community qualifies but does not. So, we're allowing them to merge. I'd be happy to answer any questions."

Speaker Lyons: "You've heard the Gentleman's explanation. Is there any discussion? Seeing none, the question is, 'Should Senate Bill 15... 539 pass?' All those in favor signify by voting 'yes'; those opposed vote 'no'. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Mr. Clerk, take the record. On this Bill, there's 115 Members voting 'yes', 0 voting 'no'. This Bill, having received the Constitutional Majority, is hereby declared passed. Mr. Clerk, Committee Reports."

Clerk Mahoney: "Representative Greg Harris, Chairperson from the Committee on Human Services reports the following

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

69th Legislative Day

5/30/2011

committee action taken on May 29, 2011: Motion to Concur in Senate Amendments 1 and 2 to House Bill 653, a Motion to Concur in Senate Amendments 1 and 3 to House Bill 3027 and a Motion to Concur in Senate Amendment #1 to House Bill 3635; recommends be adopted is House Joint Resolution 36, House Resolution 371, House Resolution 382 and House Resolution 383. Representative D'Amico, Chairperson from the committee on Transportation Vehicle Safety reports the following committee action taken on May 30, 2011: recommends be adopted is House Resolution 390 and House Resolution 3... 35... House Resolution 35. Correction on the first Committee Report that was from May 30, not 29, May 30."

Speaker Lyons: "Representative Jack Franks, on page 9 of the Calendar, under Senate Bills-Second Reading, you have Senate Bill 1122. What's the status of the Bill, Mr. Clerk?"

Clerk Mahoney: "Senate Bill 1122 has been read a second time, previously."

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

Clerk Mahoney: "Senate Bill 1122, a Bill for an Act concerning human rights. Second... Third Reading of this Senate Bill."

Speaker Lyons: "Representative Jack Franks."

Franks: "Thank you, Mr. Speaker. This Bill was the result of work by many different individuals. Illinois Chamber of Commerce wanted to amend this... this Senate Bill and I think they've made an excellent Bill. Now, it passed unanimously in the committee. And what it does is it's a way to save businesses as well as the state money when it comes to

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

69th Legislative Day

5/30/2011

employment discrimination processes. It also makes our... our law for the expansion of protection of pregnant workers consistent with that... with Federal Law. I'd be happy to answer any questions."

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

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

Speaker Lyons: "Sponsor yields."

Eddy: "Representative, I think you mentioned this, but I want to make sure that the point is made related to how this Bill has changed because when it came out of the Senate there was substantial opposition and... and a lot of 'no' votes. The Chamber of Commerce was the, I think, predominant opposition, but I think there has been an Amendment added to this and changes made so the Chamber has removed their opposition?"

Franks: "Not only have they removed their opposition, they support it."

Eddy: "Okay. And... and very quickly, again, what was the change? What was their concern and how was it..."

Franks: "Well, what it does now is it puts Illinois in compliance with Federal Law. Before we were more stringent than Federal Law on the pregnancy issue, so that was number one, but I think the bigger part of it was the issue of streamlining the ability for the... for those in the employment discrimination process to save money for the employers as well as the state as we take away duplication of efforts."

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

69th Legislative Day

5/30/2011

Eddy: "Thank you, Representative. Very quickly, to the Bill. Ladies and Gentlemen of the House, at this point, based on the fact that the Sponsor worked with business in this state to make sure that this was not going to be unfriendly and... and in a climate that has been very unfriendly to business this would have been, as it came out of the Senate, another hurdle for business. And appreciate the fact that he did that and with that, I would urge everyone to support the legislation and an 'aye' vote is a good vote on this Bill."

Speaker Lyons: "Representative Jim Durkin."

Durkin: "Will the Sponsor yield?"

Speaker Lyons: "Sponsor yields."

Durkin: "Representative, I'm just looking through the language in the Bill and it states that you can't discriminate based on the basis of pregnancy, childbirth or related medical conditions. What is a related medical condition?"

Franks: "Well, I think we just copied the federal language, Representative."

Durkin: "Would that mean if someone's kind of pregnant or is that a medical term or is that a..."

Franks: "I haven't... Is there a punch line there? I haven't heard that one in awhile."

Durkin: "I... you're usually pretty good at responding to those, but..."

Franks: "You caught me... you caught me totally flat-footed on that one."

Durkin: "I... in all the years, I can't believe that actually has happened, but..."

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

69th Legislative Day

5/30/2011

Franks: "You got me."

Durkin: "But it was... I mean, any idea of what the Federal... Federal Law state about related medical conditions 'cause it seems rather open and..."

Franks: "I... I wish I could give you a better response. We're just... we're just following what the Federal Law is. That's..."

Durkin: "Well, this is the first."

Franks: "We're going to come into compliance."

Durkin: "I think I'm going to have some fun with this. I got you on your back heels a little bit, Jack."

Franks: "That's right."

Durkin: "But I tell you what. All right. I... I understand what you're doing and if the business community signed off on it, I'll be satisfied with it. But I..."

Franks: "You won this one."

Durkin: "This is actually... this has been very enjoyable, you know it."

Franks: "You've won this one, Mr. Durkin."

Durkin: "Thank you."

Franks: "Abjectly surrender, you got me."

Durkin: "All right. And... all right. So, I guess we can say related medical condition would be kind of pregnant. So, thank you for purposes of legislative debate."

Franks: "Sure."

Speaker Lyons: "All those in favor of... of Senate Bill 1122 should signify by voting 'yes'; those opposed vote 'no'. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Representative

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

69th Legislative Day

5/30/2011

Cavaletto. David Harris. Mr. Clerk, take the record. On this Bill there's 115 Members voting 'yes', 0 voting 'no'. This Bill, having received the Constitutional Majority, is hereby declared passed. Representative Esther Golar, you have, on Senate Bills-Third Reading... Representative Currie, on Senate Bills-Third Reading, has Senate Bill 1557. Read the Bill, Mr. Clerk."

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

Speaker Lyons: "Majority Leader Barbara Flynn Currie."

Currie: "Thank you, Speaker and Members of the House. This merely provides that for purposes of state group health insurance, when an individual has an auto immune disease and he or she is... is prescribed various therapies... physical therapy by a doctor that the insurance program should respect the doctor's wishes and provide reimbursement for... for those services. I'd appreciate your 'aye' vote."

Speaker Lyons: "You've heard the Lady's explanation. Is there any discussion? Seeing none, the question is 'Should Senate Bill 1557 pass?' All those in favor signify by voting 'yes'; those opposed vote 'no'. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Mr. Clerk, take the record. On this Bill, there's 115 Members voting 'yes', 0 voting 'no'. This Bill, having received the Constitutional Majority, is hereby declared passed. Representative Bob Rita, on the Order of House Bills... Senate... Senate Bills-Second Reading, you have Senate Bill 1310. What's the status of that Bill, Mr. Clerk?"

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

69th Legislative Day

5/30/2011

Clerk Mahoney: "Senate Bill 1310 has been read a second time, previously."

Speaker Lyons: "Put that Bill on the Order of Third Reading and read the Bill, Mr. Clerk."

Clerk Mahoney: "Senate Bill 1310, a Bill for an Act concerning regulation. Third Reading."

Speaker Lyons: "Representative Bob Rita."

Rita: "Thank... thank you, Mr. Speaker, Ladies and Gentlemen of the House. This is just a basic extension of the Interior Design Sunset Act. There's no known opposition that I'm aware of."

Speaker Lyons: "You've heard the Gentleman's explanation. Is there any discussion? Seeing none, the question is, 'Should Senate Bill 1310 pass?' All those in favor signify by voting 'yes'; those opposed vote 'no'. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Representative JoAnn Osmond. Mr. Clerk, take the record. On this Bill, there's 115 Members voting 'yes', 0 voting 'no'. This Bill, having received the Constitutional Majority, is hereby declared passed. Representative John Bradley, on the Order of Senate Bills—Second Reading, you have Senate Bill 1633. What's the status of the Bill, Mr. Clerk?"

Clerk Mahoney: "Senate Bill 1633 has been read a second time previously."

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

Clerk Mahoney: "Senate Bill 1633, a Bill for an Act concerning State Government. Third Reading."

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

69th Legislative Day

5/30/2011

Speaker Lyons: "Mr. Clerk, on the request of the Sponsor take that Bill back to the Order of Second Reading. Mr. Clerk, on the top of page 11, under Senate Bills-Second Reading, Representative Phelps has Senate Bill 1691. Read the Bill, Mr. Clerk. Representative Phelps..."

Clerk Mahoney: "Senate..."

Speaker Lyons: "...1691, Representative?"

Clerk Mahoney: "Senate..."

Speaker Lyons: "Out of the record. Representative Bob Rita, you also have Senate Bill 1830. Read the Bill, Mr. Clerk."

Clerk Mahoney: "Senate Bill 1830 has been read a second time, previously."

Speaker Lyons: "Hold that Bill on the Order of Second Reading. Representative Mautino, you have, on the Order of Second Reading, Senate Bill 1835. Read the Bill, Mr. Clerk."

Clerk Mahoney: "Senate Bill 1835 has been read a second time, previously. Amendment #1 was adopted in committee. Floor Amendment #2, offered by Representative Mautino, has been approved for consideration."

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

Mautino: "Thank you. Floor Amendment #2 would allow for the... the replica boat on the Illinois/Michigan canal to have a liquor license. They wanted to be able to do some dinner and wine cruises. This is agreed. The boat is owned by the Department of Natural Resources and is a tourist attraction by Starved Rock, Illinois. Second portion is at the request of Senator Millner and has the... for the cooking school at the College of DuPage. It would allow them also to have a... have a liquor license for use at the school."

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

69th Legislative Day

5/30/2011

Speaker Lyons: "You've heard the Gentleman's explanation. Is there any discussion? Seeing none, all those in favor of the adoption of Floor Amendment #2 signify by voting 'yes'; those opposed vote 'no'. In the opinion of the Chair, the 'ayes' have it. And the Amendment is adopted. Anything further, Mr. Clerk?"

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

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

Clerk Mahoney: "Senate Bill 1835, a Bill for an Act concerning liquor. Third Reading."

Speaker Lyons: "Representative Mautino, Senate Bill 1835."

Mautino: "Thank you. Amendment 2 became the Bill. This would allow for the volunteer boat to have a liquor license as well as the College of DuPage for their cooking school."

Speaker Lyons: "Is there any discussion? Seeing none, the question is, 'Should Senate Bill 1835 pass?' All those in favor signify by voting 'yes'; those opposed vote 'no'. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Representative Verschoore, Pat. Mr. Clerk, take the record. On this Bill, there are 76 Members voting 'yes', 38 Members voting 'no', 1 Member voting 'present'. This Bill, having received the Constitutional Majority, is hereby declared passed. Mr. Clerk, Representative Kay has Senate Bill 1836. What's the status of the Bill?"

Clerk Mahoney: "Senate Bill 1836 has been read a second time, previously. Committee Amendment #2 was adopted to the Bill. Floor Amendment #3, offered by Representative Kay, has been approved for consideration."

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

69th Legislative Day

5/30/2011

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

Kay: "Thank you, Mr. Speaker. The Floor Amendment to 1836 basically adds a technical change. The number of days to the Bill remains at 25, but it requires the Comptroller to post vouchers as practical within 25 days. I ask for a do vote."

Speaker Lyons: "Thank you, Representative. Representative Gordon, do you have a question on the Amendment? No, she does not seek recognition. All those in favor of the adoption of Floor Amendment #3 signify by saying 'yes'; those opposed say 'no'. In the opinion of the Chair, the 'ayes' have it. And the Amendment is adopted. Anything further, Mr. Clerk?"

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

Speaker Lyons: "Third Reading. Mr. Clerk, on the Order of Senate Bills-Second Reading, Representative Saviano has Senate Bill 2015. What's the status of that Bill?"

Clerk Mahoney: "Senate Bill 2015 has been read a second time previously. There is a Floor Amendment that has been referred to the Rules Committee and not yet recommends be adopted."

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

Clerk Mahoney: "Senate Bill 2015, a Bill for an Act concerning civil law. Third Reading."

Speaker Lyons: "Representative Skip Saviano."

Saviano: "Thank you, Mr. Speaker, Members of the House. This is an initiative of the Cook County Public Guardians Office. This would allow an additional extension of a temporary

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

69th Legislative Day

5/30/2011

guardianship when they're trying to adjudicate a guardianship issue. It's been a problem. This clears up that problem, gives them a little bit more freedom and time to evaluate a guardianship case. And I would ask for its approval."

Speaker Lyons: "You've heard the Gentleman's explanation on the Bill. Is there any questions? Are there any questions? Seeing none, the question is, 'Should Senate Bill 2015 pass?' All those in favor signify by voting 'yes'; those opposed vote 'no'. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Sandy Pihos. Mr. Clerk, take the record. On the Bill, there's 115 Members voting 'yes', 0 voting 'no'. This Bill, having received the Constitutional Majority, is hereby declared passed. Mr. Clerk, Representative Feigenholtz has Senate Bill 145. Read the Bill, Mr. Clerk."

Clerk Mahoney: "Senate Bill 145, a Bill for an Act concerning health facilities. Third Reading."

Speaker Lyons: "Hold that Bill on the Order of Third Reading, Mr. Clerk, we'll take it out of the record on the request of the Sponsor. Representative Emily McAsey on the... Senate Bills-Second Reading, on page 7 of the Calendar, you have Senate Bill 83. What's the status of that Bill, Mr. Clerk?"

Clerk Mahoney: "Senate Bill 83 has been read a second time, previously. However, notes have been requested on this Bill and not yet filed."

Speaker Lyons: "Hold that Bill on the Order of Second Reading. Mr. Clerk, on page 10 of the Calendar, under Senate Bills-

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

69th Legislative Day

5/30/2011

Second Reading, Representative McCarthy has Senate Bill 1652. What's the status of that Bill, Mr. Clerk?"

Clerk Mahoney: "Senate Bill 1652 has been read a second time, previously. Amendment #1 was adopted in committee. Floor Amendments 2 and 3, offered by Representative McCarthy, have both been approved for consideration."

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

McCarthy: "Thank you, Mr. Speaker and Ladies and Gentlemen of the House. While Amendment #2 is a gut and replace Amendment, just for convenience sakes on my own self, it is a... it... so, it's a very long Amendment, but it really only has nine significant changes from Committee Amendment #1 which was approved in the committee on a Roll Call of 21-0-2. So, I can explain it as part of my overall, after the Bill goes to Third Reading, or if people want to have me list the changes right now, I would do that. But I think it might be better for time if I explain everything when it gets to the Third Reading."

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

Clerk Mahoney: "Floor Amendment #3."

Speaker Lyons: "Representative McCarthy, Floor Amendment #3."

McCarthy: "Thank you, Mr. Speaker. Amendment #3 is that page and line Amendment I just referred to. And I'd like to adopt it and then explain it all on Third Reading."

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

69th Legislative Day

5/30/2011

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

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

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

Clerk Mahoney: "Senate Bill 1652, a Bill for an Act concerning public utilities. Third Reading."

Speaker Lyons: "Representative McCarthy."

McCarthy: "Thank you, once again, Mr. Speaker and Ladies and Gentlemen of the House. This is a very long process or the end of a very long process and this is going to take some time to explain, but I hope that all of the Members will do their best to pay attention. I believe it's a great day for our House because today we prove, once again, that when we work together we can do great things for the people we serve. We can develop public policy that will provide cutting edge technology, outstanding reliability and safe and affordable service to the citizens and businesses of our state. I want to especially thank Representative Bost, Winters and Reitz. This package would not have come together without their assistance and cooperation. Want to also thank Chairman Holbrook and all the Members of the House Public Utilities Committee. Your patience with all of the starts and stops as we moved through the process and your suggestions were instrumental in the many improvements included in this package. I'd also like to thank the committee members. The other day when we adopted Amendment #1, which is basically the entire Bill, we had 21 'yes', 0

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

69th Legislative Day

5/30/2011

'no' and 2 'presents'. That vote certainly made my day. Senate Bill 1652, as amended by 2 and 3, is called the Electric Energy Infrastructure Modernization Act. It's a 10-year plan that will make Illinois the leader in the transmission and distribution of electricity to its citizens. We will improve the infrastructure all across our state, upgrading and replacing cables, switches and even wood poles, avoiding costly and sometimes dangerous outages that end up costing us ratepayers two of three times what they would if we did it in a timely and a scheduled manner. There will also be approximately \$11 million invested in training facilities to prepare our constituents to qualify for new jobs in this industry. These infrastructure improvements will bring over \$1.365 billion in incremental investment to our state. Senate Bill 1652 also calls for close to \$2 billion in investment in smart grid electric system upgrades. This includes smart meters, distribution automation, increased cyber security and substation microprocessor relay upgrades. At the end of the 10-year program, the Commonwealth Edison service area will have 100 percent coverage as far as smart meters go. The Ameren service area downstate is predicted to have 62 percent coverage at that time. This new technology will allow our citizens the opportunity to really change their consumption patterns, resulting in a great savings to them and making our planet a better place for everyone. Speaking of that, a great way to make our planet a better place to be is to have a job. Everyone on this floor probably knows a good number of residents who are either unemployed or

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

69th Legislative Day

5/30/2011

underemployed. Senate Bill 1652 not only talks about jobs, but mandates 2 thousand in the ComEd area and 450 for Ameren. Furthermore, if these targets are not met, there will be a \$3 thousand payment for each and every deficiency payable to a fund for training grants at DCEO. This could add up to over \$7 million for the two utilities. I'd now like to explain the main Section of Senate Bill 1652 because there have been many, many changes as anyone involved in this knows. First, who's in the Bill? As amended, Senate Bill 1652 is limited to only two of our utilities. Commonwealth Edison and Ameren Electric. The original proposal included our gas utilities as well, but I chose to remove them due to logistical problems and concerns expressed to me by my fellow Members. I want to be clear though, this was not a philosophical decision on my part because I certainly believe the overhaul of our regulatory system for gas delivery would also be a positive thing for our state. It was clear to me that we did not have the time to do the job correctly, so the decision was made to draw them out of the Bill. I do understand the concerns of colleagues who felt more comfortable making one step at a time. For the record, I know that many of the strongest opponents of Senate Bill 1652 also preferred that one at a time solution. Unfortunately, the fact that I adopted that position, as well as many others they were in favor of, it did not garner their support. The next thing I'd like to speak about is the process. I stand here today and attest to you that no one can say that this has not been a wide-open process from beginning to end. As the

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

69th Legislative Day

5/30/2011

Amendments were finished in LRB, many times the opponents were given a copy before the proponents. This was true even when they had chosen to no longer negotiate. We have listened and responded and many meaningful changes have been made. Next, preapproval. One of the most often heard complaints was that the original and subsequent rates that would go into effect, they would go into effect before receiving final approval from the ICC. That has been corrected and they will now be preapproved. The ICC and the intervenors will have a 240-day time period to study the proposals from the utilities. The first rate filing may be somewhat abbreviated, but that is why we included a \$200 thousand filing fee so that the ICC, if they need it, could bring in additional staff. So, let's..."

Speaker Lyons: "Kevin, hold on a minute. Ladies and Gentlemen, could we have some quiet on the floor. This is a large Bill with a lot of details. Kevin is trying to explain things to maybe preempt some questions. Shhh... Thank you. Representative McCarthy."

McCarthy: "Thank you, Mr. Speaker. I really do appreciate it 'cause I... as you stated, this is a big Bill and I do think the explanations, because there's been so much misinformation out there, I'm trying to clear up as much as I possibly can before I ask for your support. All right. The fir... The legislation makes it very clear that the ICC can review infrastructure and operations expenses for prudence and reasonableness. It also makes it clear that the supporting information the utility must provide and that intervenors are entitled to discovery during the

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

69th Legislative Day

5/30/2011

annual filings. Next, the rate cap. Another criticism is that while the infrastructure and technological improvements are certainly needed, please, the ratepayers bills must be kept under control. We believe in that. To solve that, we have included a rate cap that limits any increase in the customers' bills to two and a half percent per year for the first two years, measurable in 2014. If that is terminated... or if that cap is exceeded, excuse me, if they go over that two and a half percent cap, the program is terminated and the utility must return to our antiquated program that we have today. At that time... or excuse me, in addition to the first cap, there is also a hard sunset in 2017. At that time, the General Assembly must determine that the program should continue. So, in the... at 2017 they have to come back to us for approval to continue. This hard cap is probably the most significant method to make sure the utilities are performing in a prudent, reasonable and cost-efficient manner. There is also a collar to prohibit the utilities from collecting a windfall product if they exceed their allowed return on equity by more than 50 basis points. The extra profits, many of us have heard of this thanks to the price of gasoline, about the windfall profits of the oil company, we put a collar in here. They go above 50 points above their return in equity number they have to return that to the ratepayers during the next filing year. The third section I'd like to talk about is that... the performance-based formula rate. I'm grateful to Representative Durkin for asking the Attorney General's representative in the

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

69th Legislative Day

5/30/2011

committee room the other day that if there are any new costs included in this that have not been included in previous rate cases? Mr. Gaynor's answer was correct, there are none. Plus the ICC will still have the ability to disallow the costs they feel are not prudent or reasonable. This legislation does have a formula to determine the ROE and is currently set at 10.25. This compares to a 10.50 rate that they just were awarded by the ICC 4 or 5 days ago. The ComEd ROEs have been published since 1981 and the 10.25 would be the second lowest they've ever received. In 315 cases for utilities since 2007 the average ROE across the country has been 10.55. And the average for electric companies with formula rates, the most recent average is 11.37 percent. The 10.25 calculation in Senate Bill 1652 is certainly on the low end of the curve and is even more responsible when we add in the new performance metric penalties. Next, performance metrics. Another significant improvement to the original Bill, as well as our current law, is the addition of performance metrics for both of the companies. We have had a great deal of help from both staffs... legal staffs on both the House and the Senate, but in this case, I want to really point out the... the fine work of Eric Madiar, the Senate President's Legal Counsel, for his expertise and diligence in making sure that these metrics would be difficult to meet and would truly guarantee a high level of service for the people and the businesses of Illinois. There will be considerable deductions to the utility profit, up to 30 basis points. That is about \$10 million if the performance metrics

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

69th Legislative Day

5/30/2011

demanded in this Bill are not meet. So, I think that's a significant penalty. If that penalty was incurred, their ROE would fall below 10; it'd one of the lowest in the country. Next, the smart grid deployment. As we got through the beginning of the process, many people expressed their concern to make sure that the deployment plan was done in the right way. First, we have adopted a suggestion that the current pilot study should be completed before the plan is addressed. Second... second, Senate Bill 155... or 1652 establishes a Smart Grid Advisory Council. They will study the smart grid infrastructure deployment plan that is due to them by November 1 of this year. And then assist the ICC and the utilities to make sure that the deployment is done in the most advantageous way. We also added the opportunity for consumers, with those new smart meters, to see rebates on their bills by taking a simple task of reducing energy use during the peak times. Once again, the ICC will approve that deployment plan. So, they are inside the circle. Next, additional procurement. This is a change to current law, but Senate 1652 includes another improvement that will allow our citizens to take advantage of the current low prices for energy. This Bill will allow the Illinois power agency to buy power between the current... beyond the current 3-year limit. They will be able to buy power out for years 4, 5 and 6. In the current market, according to the director of the Illinois Power Agency which I think we all respect, he says that the savings for individuals could range from 580 to 780 million dollars conservatively. This is a savings that is passed directly on to the residences

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

69th Legislative Day

5/30/2011

and the small businesses of our state. Sorry, this is taking some time, but this is a pretty involved Bill. Next, the environmental concerns. I am pleased to state that we have added many provisions that will assist in reducing energy use, increase energy efficiencies and improve air quality for years to come. We will allow the ICC to approve energy efficiency measures above and beyond those that they can approve now. We will change the Net Metering Law, raising the limit from 1 percent to 5 percent and it extend the distribution credit to more customers. Also allowing them to aggregate their renewable energy credit; that is something they can't do today. We have also set aside a portion of the existing renewable limit for distributed... distributed generation. I am grateful to the Sierra Club and Members of the Environmental Caucus for working with us to improve this Bill. Especially grateful to my cosponsor, Dave Winters, who was the leadership in coordinating this effort. Finally, much has changed since good old House Bill 14 was introduced, but one thing has not. This is the time to modernize the Illinois electric grid. This is the time for us to make sure we place our state in a position to attract the jobs of the future and have a grid ready to accept the inventions we know are on the way, including electric vehicles. We are the policy makers for this state. We can sit back and watch others move forward or we can take the lead and be ready to answer when... the door when opportunity knocks. Please join me in supporting Senate Bill 1652. Now is the time to move this measure forward.

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

69th Legislative Day

5/30/2011

Thank you very much for your patience and I'll be happy to answer any questions."

Speaker Lyons: "Ladies and Gentlemen, before we start debate I'd like to have a wonderful House welcome for our Comptroller, Judy Baar Topinka. Judy, welcome home to the House Floor. Ladies and Gentlemen, there are numerous people seeking recognition, so the Chair will implement the timer and try to be as generous as I can for those who spill over. First speaker will be Greg Harris."

Harris, G.: "Thank you, Mr. Speaker. To the Bill, Ladies and Gentlemen. First, I would like to, you know, commend the Sponsor for the long, hard work he put in on this Bill. And there are many, many good pieces of... in this legislation, but the core of this legislation is the smart grid and how this will be paid for over many years by the people we all represent. And I think the question we have to ask ourselves, is this investment worth it? Would we spend money to do this? Now, I thought long and hard about this until I saw in Crain's Chicago Business... this was in Crain's Chicago Business that the very day that the president of one of the utilities was down here asking for this cost increase, Mr. John Rowe, the CEO of Exelon Corporation was in Washington, D.C. talking about the increase also. And these are John Rowe's own words and I quote, 'Smart Grid we are luctant... reluctant to embrace because it costs too much and we're not sure what good it will do.' "We are reluctant to embrace it because it costs too much and we're not too sure what good it would do." Ladies and Gentlemen, to me, when I heard the CEO of Exelon

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

69th Legislative Day

5/30/2011

say those words that made up my mind. I don't think this is a good investment for our state. And I don't think it's a good investment for our constituents. And I think it is a cost that they will be reminded of month after month as they see their electric bills with these increases, which even the CEO of Exelon said, we're probably not sure what good it will do. I would request a 'no' vote."

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

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

Speaker Lyons: "The Sponsor yields."

Bost: "Representative, I think there's been some confusion on this Bill, but... and I want to make sure we clear this up. And I know in your explanation you do a wonderful job of making sure, but I'm not sure everybody was listening. Does this include gas?"

McCarthy: "Unfortunately, logistically I had to make the decision to take gas out about a week and a half ago. There were some concerns that we could do the performance metrics correctly for them. And also, there were many of our colleagues who felt more comfortable making it one step at a time. But as I said in my opening remarks, I certainly think it will be a positive thing at some time in the future if we see this working very well to also include our gas utilities."

Bost: "So, it is our intent to move forward at some time and bring... bring that particular issue back as we watch this move forward and work, correct?"

McCarthy: "I would agree."

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

69th Legislative Day

5/30/2011

Bost: "Thank you, Mr. Speaker. To the Bill. Ladies and Gentlemen, I... I have to, someone spoke and... and said that they couldn't understand or see the invest... understand where the investment is worth it. Ladies and Gentlemen, for the opportunity to have the smart grid in place, to keep our constituents informed and to be able to allow them to make wise decisions on their electric bills, to see where their usage is and... and to make those choices based on good information, we should join the states of California, Colorado, Florida, Massachusetts, New Jersey, New York, North Carolina, Ohio, Pennsylvania and Texas in moving forward with this sensible legislation. There's always going to be the naysayers out there. Let me tell you that the Sponsor has worked diligently to try to answer every concern that's out there. But each of us that have been here for any length of time at all also understands that there are certain people that walk into the room and no matter what you offer up, they're not going to change their position or their minds. Let me tell you that I believe that one group that... that has stood in opposition to this and it's a shame because I believe some of their members could benefit the most, is AARP. Maybe instead of spending so much time fighting against this Bill and handing us little trinkets out that we can put on our desks for stress relief and all of those things, maybe they should invest in education of their members of how to possibly use this smart grid to save their members money right there in their own homes rather than just standing and saying, no, this isn't a good idea. There may be... may be an increase in

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

69th Legislative Day

5/30/2011

this. Ladies and Gentlemen, we've got to invest in the future. This is investing in the future. As we build out the smart grid and the information that it gives us, it will give us the opportunity to truly save not only today but also in the future. Mr. Speaker, I want to commend the... the Representative for his hard work and... and want to encourage..."

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

Bost: "Thank you, Mr. Speaker. We want to encourage everyone to support him as... as he's worked... like I said, he's brought people together, folks, that... that normally you couldn't get together at any time and come to an agreement. There are still a few that are in opposition. We must move forward. We can't just all of the sudden say, I'm scared of what this might bring. We've got to say, I am positive about what it will bring. It will bring the State of Illinois, our constituents, into the future with powered... powered generation and distribution. I support the Sponsor. I... that's why I'm a sponsor as well and I ask for your 'aye' vote."

Speaker Lyons: "Representative Mary Flowers."

Flowers: "Thank you, Mr. Speaker. To the Bill. Representative McCarthy, I would like to take this opportunity to thank you for the hard work that you and others have been doing in regards to this legislation and the groups that you've meet with across the state. And also, I would like to say to you, Representative, and others who say that Illinois must invest in its infrastructure in order to make sure that Illinois consumers have safe, reliable energy, but

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

69th Legislative Day

5/30/2011

unfortunately this Bill, Senate Bill 15... 1652, is not it. Senate Bill 1652 guarantees higher electric rates for our constituents. Our seniors, our lower income people, single moms at a time when people are sitting at their kitchen tables trying to figure out how to make ends meet. Our constituents will be forced to pay for ComEd's and Ameren's gamble on a risky technology. And the question that must be asked and answered, does Senate Bill 1652 even provide assistance for people who are going to need help in paying their electric bills? The answer is, no, it does not. Further, it would allow Commonwealth Edison and Ameren to shut off people's services remotely without even knowing the medically necessary conditions or the notifications that's going on in that home. And for that reason, Sir, I must respectfully vote 'no' on Senate Bill 1652. Thank you."

Speaker Lyons: "Representative Elaine Nekritz."

Nekritz: "Thank you, Mr. Speaker. To the Bill. As one of the prior speakers mentioned in March of this year, Exelon CEO John Rowe said that Smart Grid we are reluctant to embrace because it costs too much and we're not sure what good it will do. So, why is this matter before the General Assembly at this time if John Rowe isn't convinced of its necessity? What is the urgency of considering this... this matter at this time and during this... right at the end of this Legislative Session? The urgency, Ladies and Gentlemen, is profits. As part of the electric rewrite in 2007 a deal was cut so that Exelon locked in a contract for its electricity for 5 years. At that time, the market price of electricity

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

69th Legislative Day

5/30/2011

was about \$58... \$58 per megawatt hour. Since that time, the price of electricity has dropped precipitously. It's now about \$34 per megawatt hour. So, the contract that was locked in the 2007 legislation has cost consumers about \$1 billion. One billion dollars that has gone to shareholders at the expense of ratepayers. Based on the price of electricity in the current market, ratepayers should be getting a 10 to 12 percent cut, not the annual two and a half percent increase that is locked into this legislation. Through this Bill, we are telling ComEd that they must spend 2.6 billion and then go I... go to the ICC to determine their return. By telling them that they must spend this large sum, we're forcing the ICC to approve those rate hikes. Again, at a time when energy prices are depressed and our constituents should be seeing their bills decreased, we are locking in energy prices. And if ComEd were consistent in its jobs argument, it would stand by its argument that it made last year when other electric generation bills were for this General Assembly, that energy prices... that increasing energy prices actually kills jobs. I was proud to serve on the Jobs Creation Task Force last year and one of the very consistent messages we heard from employers, both large and small, was the one good thing about the Illinois economy was our low energy prices. So, again, locking in a rate increase over the next several years will be harm... harmful to job creation. I'm very grateful to the Sponsor for including some of the green provisions and I hope that wasn't too painful for you to go a little green, Representative. But I do hope that we can

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

69th Legislative Day

5/30/2011

find another way to get these provisions done and I believe that we can. Again, this Bill is designed to lock in profits at the expense of ratepayers. The 2007 Bill locked in high rates that have cost ratepayers approximately \$1 billion. We shouldn't have made that deal then and we shouldn't buy what they're selling now. I urge a 'no' vote."

Speaker Lyons: "Representative Dave Winters."

Winters: "Thank you, Mr. Speaker. To the Bill. First off, to the Sponsor Representative McCarthy, I really have enjoyed my involvement in this, minor as it may have been. I've been on several negotiating sessions when I... I watched your crafting of this Bill. Objectors would raise an issue, you talked to the utilities and quite often the utilities had resistance to making change and yet you thought that it was a better public process and answered many of the objections in the direction that was against the utilities and I think made it a better Bill in the long run. The previous speaker asked, why are we doing this now, and implied it was because Commonwealth Edison would not make as much money as otherwise. I would argue a different reason why this is critical that we do it today and that is that we are facing the competition of other states. As Representative Bost laid out, of the other 10 leading states in population and in economic activity everyone of them is doing exactly what we are doing trying to modernize the way their utilities respond to the current economic climate and to the advance in technology that we have seen in the 21st century. The current ICC process of rate review was modeled back when

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

69th Legislative Day

5/30/2011

Thomas Edison was still starting the electrical grid throughout the country. His early inventions and his process from neighborhood to city to community to state grids, we had to have a process to determine the proper rates and return on equity. We've moved to a different type of economy and a different type of technology. It is time to update it; the other states are doing that. We also don't significantly change the way the ICC will deal with rate increases. The same full discovery is allowed.. the people who intervene in these cases, they have the right to look at ComEd's and Ameren's records. They have to prove that their expenditures are fully reasonable and prudent under the same standards that we've always had. What we've done is shorten the time period to eight and a half months from 11 months and with the modern telecommunications we have I think that is adequate time for full discovery and for handling the rate case. And we have... we have also in the ICC process required that the utilities come in each year to update their rates. Instead of the lump.. the lumps that we see, large increases that may happen because one of the utilities hasn't filed for a rate case for a couple of years, instead of those large lumps we'll see a much more methodical... every year let's review and see how they're doing. Let's tweak, let's adjust and let's make sure that any changes are as..."

Speaker Lyons: "Your time expired, Dave. If you could please bring your remarks to a close."

Winters: "The last comment I'd make is on the Smart Grid. I have been on this as an experimental member of the real

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

69th Legislative Day

5/30/2011

time pricing. People are freaking out about the \$3 a month change in electric distribution costs, but the potential for everybody is to save between 7 and 10 dollars on their energy purchases. I think the Smart Grid is absolutely essential to this. I urge the adoption. We also are getting a lot of very good environmental advancements in net metering, much beyond what even the opponents of that thought that they would get. Commonwealth Edison has been very adequate... more than adequate in their amending the process. I certainly urge a 'yes' vote on this Bill."

Speaker Lyons: "Representative Jim Durkin."

Durkin: "Will the Sponsor yield?"

Speaker Lyons: "Sponsor yields."

Durkin: "Representative McCarthy, I think a lot of this has already been discussed, but I just want to make it perfectly clear that under this legislation neither the utilities whether ComEd or Ameren are going to be allowed to bypass the Illinois Commerce Commission with respect to raising utility bills, correct?"

McCarthy: "The... the filing will have to be completed before the new rates go into effect. In Amendment #3, which we just added earlier, actually brought this past March 31 of next year to May 31 in order to give them more time with the initial filing. We also mandated that each, with their official filing or initial filing pay a \$200 thousand filing fee in case the ICC needs to hire more help in order to process the application."

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

69th Legislative Day

5/30/2011

Durkin: "And the application for the rates ultimately will be decided by the Illinois Commerce Commission, a board that has been appointed by the Governor, correct?"

McCarthy: "Yes... yes, they are. We did put into statute the ROE, which I described earlier. And also, since they recorded these or reported these publically since 1981, the 10.25 would be the second lowest in the history since they've been reported."

Durkin: "So, there's no way anybody could state that this guarantees or mandates a rate increase? It's going to... the ICC will still be able to... they'll still be given discretion to..."

McCarthy: "Correct. And as..."

Durkin: "...under the reasonable and prudent standards, which have not been lessened, we have now lessened the standards which they use in the rate cases, have we?"

McCarthy: "They have not been lessened whatsoever and nothing in the formula rate includes any expense that hasn't currently been approved by the ICC going back in many, many rate cases."

Durkin: "The ICC can come back and modify the... can they recommend a different rate or some type of..."

McCarthy: "They certainly can. They can do disallowers... disallowances like they do today."

Durkin: "Thank you very much."

Speaker Lyons: "Representative Dunkin."

Dunkin: "Thank you, Mr. Speaker. To the Bill. First of all, again, congratulations, Representative McCarthy. I think you and a number of Members here in this committee have

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

69th Legislative Day

5/30/2011

been... are to be commended in coming up with... taking us into the 21st century. I think, you know, Illinois in... the Illinois energy infrastructure needs an upgrade now. Relying on an electric grid designed a century ago is not the way to power today's digital economy. Consumers and businesses can benefit from better service and Illinois can be more economically competitive, if we act now to modernize. Why act now? The answer is simple. Inaction will have an immediate and real affect on consumers, businesses and communities. Here's what's at stake if we put off the urgent need to modernize. Delay will only increase the cost of modernizing our system, whether it's now or later, this state will need to modernize to stay competitive. If we delay, it means that costs for businesses and households can be avoided. A modern grid will greatly reduce power outages and service disruptions that have an economic impact on all of our customers. Delay... delay would only deprive our customers of the advantages of the improved customer services. Automatic outage notices to utility, elimination of estimated bills, reduction in losses due to bad debt and theft. If we delay, we deprive consumers of the opportunity to explore the word... the world of information and technology that can help them reduce costs. If we delay modernization, it keeps us from training new employees and hiring companies that will supply materials and labor for an upgrade. If we delay, we keep Illinois from realizing the immediate job creation and economic development opportunities spurred from grid modernization. Illinois's ability to attract and retain high tech, clean

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

69th Legislative Day

5/30/2011

energy businesses would be seriously compromised. If we delay modernization here in this state in this century it leaves Illinois's Smart Grid Program stalled while 44 other states continue to make progress. Our regional competitive... competitiveness will take a hit as neighboring states move ahead every day we sit on the sideline. So, grid modernization is necessary; it is a modern-day infrastructure that is vital to our telecommunications, our airports, our roads. It will directly impact every citizen in this state and will serve as a foundation for our future. The time to act is now. I cannot imagine us in the year 2011 and moving forward with us being with a century-old system that simply is band-Aid across the state, certainly in the region where most of us represent. It is time to do the right thing now, to face the positive music of us having a smart grid system. We're moving towards electric cars, electric bicycles. We..."

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

Dunkin: "I would encourage an 'aye' vote for this. It takes us to the 21st century. Congratulations, Sponsor, on this great piece of legislation. Thank you."

Speaker Lyons: "Representative Tryon."

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

Speaker Lyons: "Sponsor yields."

Tryon: "Representative McCarthy, I think one of the things that we lose here is that much of the Chicagoland area, for instance in the suburb, has a aging infrastructure that has to be replaced anyway, is that not correct?"

McCarthy: "That is absolutely true."

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

69th Legislative Day

5/30/2011

Tryon: "And... and when I look in my own community and I look at all the underground utilities that have been buried and I see the power outages and the complaints that we get when that happens, that's at a point where it's going to be replaced anyway and those are recoverable costs. Is that not true?"

McCarthy: "They are. Currently with the... the lag it takes in order to recover those costs though every utility, even the ones not... no longer included, the gas utilities, said that they would not be able to be aggressive in their programs in order to replace these things. And so, they're... they're going to stick with... so, none of this investment would be necessary or possible without this formula rate moving forward."

Tryon: "Right. So, I think this is an opportunity for us to take advantage of the fact that we have an aging infrastructure and we're not going to replace it on a piecemeal basis. We're going to look at what the right thing is to do for the future. Our need for electrons keeps growing every day as we buy more computers and we buy more... appliances that use electricity and this is our opportunity to allow those appliances to become more efficient and deliver to us in the future the savings that comes with the technology of being more efficient. So, I can't imagine us as a... as a... one of the most largest metropolitan areas in the Chicagoland area looking at piecemealing together a grid when we know we're faced with looking at net metering needs. We know we're faced with looking at the need for... to power electric cars. We know we're with... in the need for

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

69th Legislative Day

5/30/2011

all of these changes that are coming. And let's not do it piecemeal; let's do it right. Let's do the right thing and vote 'yes' and make the smart grid happen. Thank you."

Speaker Lyons: "Will Davis."

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

Speaker Lyons: "Sponsor yields."

Davis, W.: "Representative, I know that this has probably been stated before, but I, too, want to just make sure that a couple things are very clear about this. Is that currently an organization like ComEd or Ameren if they are seeking adjustments in their rates, they must go before the Illinois Commerce Commission to seek that, correct?"

McCarthy: "That's correct."

Davis, W.: "This Bill does not stop that process from happening, correct?"

McCarthy: "They still have to go forward, yes."

Davis, W.: "I think that's very important. To the Bill, Mr. Speaker. I think that's very important because I think many thought that there was something automatic that happens if this Bill were to become law and the thing about is that that does not happen. There are still an... a state body that must review and make determinations on whether or not companies like these, that are seeking this type of legislation, can receive various rate increases. I... I think that's very, very significant. And another thing that I want to... I want to point out is that when Bills like this happen they are not done in a vacuum. Members of this Body have the opportunity to come and to talk and to negotiate

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

69th Legislative Day

5/30/2011

and to do whatever they feel is necessary to try to give them what they need to possibly be able to support that. So, for Members to... to talk about what's automatic about this or to talk about protections that consumers may or may not receive, if a consumer doesn't receive a protection that you are interested in then I think that's your fault for not being a part of this process in talking about what you need to help make this the type of legislation that you can, indeed, vote for. I want to protect my constituents just as much as the next guy or the next woman in this chamber and if talking and trying to protect consumers means that we want to talk about trying to seek freezes for seniors, for low-income individuals, to make the processes better so that individuals are not 'automatically cutoff' if they have trouble paying their bills. Those are the kind of calls that I receive now. And I work hand in hand with those companies to try to seek redress for the constituents that I have right now. And here was a great opportunity for you to try to put something in place so that you can feel better about what you can do to try to help your constituents and if you missed that opportunity, then maybe you will vote 'no' for this legislation but don't think that that opportunity was not in front of you and you didn't have the opportunity to talk about what you need to help protect your consumers. This is a very important piece of legislation and equally as it is important to talk about what's happening now in the system, this is about protecting the future of providing electricity to our consumers. And I think it's important that we support this

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

69th Legislative Day

5/30/2011

legislation and I encourage everyone to vote 'yes'. Thank you."

Speaker Lyons: "We'll have two final speakers, Representative Eddy and Reboletti and then McCarthy to close. We have two final speakers. Representative Roger Eddy."

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

Speaker Lyons: "Sponsor yields."

Eddy: "Representative, this... this Bill has gone through quite a change from the original version that was introduced. I think when the original version was introduced there were legitimate fears that there could be automatic rate increases and the ICC would not be as involved as a lot of people would like to have seen them."

McCarthy: "I would agree. In fact, when we first introduced the Bill when it was still House Bill 14, at the first subject matter hearing there was at least 24 people in this room that can tell you that I would not have been supportive. It was an unusual move for a Sponsor to sit there with his Bill and say he would not support the Bill in its current form. We have made many, many changes as you point out."

Eddy: "Well and.. and I think the important part is.. is the fact that the.. the people that were so concerned about those automatic rate increases, without a case being made, were listened to. I mean, the process worked in so many ways. I... I had businesses call me, I have some major businesses in my area that claim that this might cost jobs not create jobs. And they were.. they were heard. There were adjustments made. Can you tell me how many jobs there might be created across the state in the upgrade portion?"

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

69th Legislative Day

5/30/2011

McCarthy: "Well, there... there's actually a mandate in there that I... I know in my time here I've seen very seldom and in fact I don't think I've ever seen it, but there's 2 thousand jobs that ComEd has to... has to verify. There's 450 jobs that Ameren has to verify. And if they fall short, they have a \$3 thousand fine per job payable to DCEO for a training fund. So, I think it's real, you know, it's a tough standard to meet and with the fines there, I don't know if you've seen that in the pass, but I think it makes it very meaningful."

Eddy: "Thank you, Representative. Ladies and Gentlemen of the House, to the Bill. It... it took a long time for me to come around to understanding all of the moving parts of this. And I... I appreciate the fact that the... the people who worked on this Bill did such a good job of listening because I think what we have today is a product that supports jobs in two ways. One is the obvious jobs that it takes to... to make the upgrade. The other is, I had a call from a... a regional planning board and a director the other day they were filling out an RFP to try and attract jobs to east central Illinois. And one of the requirements was an electric capacity that was reliable and sustainable for that company to make an investment that might bring 700 jobs to our area. Without this type of investment in the infrastructure of electricity, especially moving into the future, Illinois is simply, especially rural parts of the state, we're going to fall behind and we're not going to be able to compete. We're not going to be able to fill out those RFPs and guarantee the type of electric service

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

69th Legislative Day

5/30/2011

necessary to bring those permanent jobs into our area. It's not easy to vote for a Bill that's going to cause some increases and... and it will, but it is necessary to secure our future and make sure that we are competitive in... among all states in securing jobs. Vote 'yes'."

Speaker Lyons: "Representative Reboletti."

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

Speaker Lyons: "Sponsor yields."

Reboletti: "Representative, as a former Elmhurst city council member I know back in the '90s we had a lot of concerns with power outages. And I know the six communities that I represent often send me resolutions, urging some resolution with power outages, how can we repair those power outages? And I know that as recently as last year power was out in my subdivision for three days. What will this legislation do to alleviate some of those concerns by the communities that we all represent, to reduce power outages?"

McCarthy: "Thank you, Representative. It's a great question and as of today... I mean, it does irritate them... irritate the customers when they lose their power. We will for the first time after this Bill becomes implemented that those power outages, they'll be rated by the frequency, how often they happen, by the duration, how long they last and in both cases, both utilities could lose part of their profit margin if they don't meet the... the metrics that were developed by... in the Senate under Eric Madiar's leadership. So, not only are they going to say they're going to do their best to stop it, but they're going to lose money if

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

69th Legislative Day

5/30/2011

they don't do it. And these were very, very tough metrics that both the Senate and the House insisted on."

Reboletti: "Well, I know... and... and a lot of my constituents obviously lost a lot of food with the outages and the cost to them, hot summer nights where it's 95 degrees in the house and so this will help alleviate that and be able to basically micromanage those outages based on necessity. The other thing, Representative, is what will the cost be? I recently received a ComEd bill, my electric bill was \$100 for the month. What would that do to the average constituent that I represent as far as a... a monthly average cost?"

McCarthy: "Well, we... we don't know what the rate could be if it goes down or stays the same, but the most it could raise in the first two years is two and a half percent. So, two and a half percent per year to be fair. But there's no..."

Reboletti: "Well, thank you, Representative."

McCarthy: "...but if the power prices stay down, if some of these efficiencies start taking place, there's no reason to think that they're going to push to go all the way to the two and a half percent cap. 'Cause remember three years right after that they have to come back to the General Assembly to get approval in order to keep the... the program going. I think it's going to be a very important program to them. So, we've given them a lot of incentive to do the best they can to hold those costs down. The outages that you're talking about are very, very costly. Like the ones in Elmhurst, affect you directly, but they also affect me 'cause I'm in the ComEd territory just like you are. If the outage is in

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

69th Legislative Day

5/30/2011

downtown Chicago, it's downtown Elmhurst. When they're sending those trucks out there in the middle of the night, that all goes into the rate base and all of us pay for it. So, a lot of these improvements are going to be in areas of Chicago. One of the speakers just a minute ago mentioned about some of these mains on the gas side and on the electric side are close to 100 years old. It's not if they're going to malfunction at some time, it's when. By doing this, we're giving them the incentive to go out and fix them. And the price of fixing them when it's an emergency and you have to send a truck out in the middle of the night is 3 or 4 times what it is when you can do it on a nice scheduled manner. So, we'll see many, many of these outages reduced. And if they're not reduced, they're going to pay the penalty."

Reboletti: "Well, I... I appreciate your work and the committee's work. You had an awesome task in front of you and you..."

Speaker Lyons: "Dennis, we'll give you another minute to conclude your remarks."

Reboletti: "Thank you. You had an awesome task ahead... that was ahead of you and that you worked very diligently to try to meet all of the concerns. So, I would urge an 'aye' vote. Thank you."

Speaker Lyons: "Representative McCarthy, the final word."

McCarthy: "I thank you. And I appreciate the comments that were made by many Members of the House here. One thing, as far as outages and changes to the current laws about whether power can be turned off, we made it clear from day 1 we weren't interested and we have changed nothing there. As

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

69th Legislative Day

5/30/2011

far as educating the public on how to use this, there's a \$5 million fund that's only 70 percent recoverable by the utilities. It's in there for the whole 10 years of the plan. They have to give \$5 million per year in order to educate the public. We know that's worked well. The Center for Neighborhood Technology, who testified in two different hearings, told of the pilot program on the west side of Chicago where the average senior lost... reduced their power bill by 13 percent. I think this a great move forward. I think this is a way to save money for the people. But as far as those... those cutoffs that they can be done remotely, that's another thing like those outages, we all pay for that. When they have to send a truck out there to remove the meter, we all pay for that. Those of us who are paying our bill, that goes into the rate base. We've worked really hard on this. I also want to salute the Senate because they became involved. I hate sending it over there at the last minute, but... but they have been at our hearings and for the most part and I've also worked very closely with Senator Jacobs who's going to assume the sponsorship of the Bill in the Senate. The... there was a lot of misinformation out there, which is why I had to do such a thorough explanation in the beginning, but even just yesterday, there was a flyer going around talking about the raise in the Ameren area, \$34 a month. That was in the end of the 10th year and it's \$34 a year and we have estimates that the savings in the 10th year, after all this new technology gets there, will be over \$40 a year. So, it more than wipes out the... the increase in the bills. I think this is the right time.

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

69th Legislative Day

5/30/2011

I think this is the right place for us to say we are the policymakers; let's move forward on this decision. I ask you for your support. And I guess one last thing, if... if you're sad that you're not in your VFWs or American Legions today saluting our veterans and you want to do something nice to a veteran, vote for the Bill. The Sponsor will certainly appreciate it. So, thank you."

Speaker Lyons: "Representative McCarthy moves for the passage of Senate Bill 1652. All those in favor signify by voting 'yes'; those opposed vote 'no'. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Arroyo. Colvin. Mr. Clerk, take the record. On this Bill, there are 67 Members voting 'yes', 47 Members voting 'no', 1 Member voting 'present'. This Bill, having received the Constitutional Majority, is hereby declared passed. Representative Chapin Rose, for what purpose do you seek recognition, Sir?"

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

Speaker Lyons: "Please proceed."

Rose: "Ladies and Gentlemen, over the last few days we've had several memorials to our... our fallen service men and women. This being Memorial Day, I thought it would be appropriate if we would have a moment of silence 'cause this... as this is the actual day. In a brief history of Memorial Day, many of this started as Decoration Day, among widows and mothers decorating graves after the Civil War. On May 5, 1868, General John Logan proclaimed the first actual Memorial Day as part of his General Order #11 from the Grand Army of the Republic. It is not important really who or ... who

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

69th Legislative Day

5/30/2011

established it or when it was established, what is important is that we remember the sacrifice, the honor of those who have served and given their all and those who continue to serve. And so, with a... with that I would just ask that we have a quick moment of silence. Thank you, Mr. Speaker. Thank you."

Speaker Lyons: "May their souls and the souls of all the faithfully departed rest in peace. Representative Williams, did you seek recognition? The Lady does not seek recognition. Thank you, Chapin Rose. Thank you very much for that moment. Representative Emily McAsey, you have a Motion, Representative?"

McAsey: "Yes, thank you, Mr. Speaker. On Senate Bill 83, first, I'd like to withdraw the housing and affordability impact note. Then I'd like to rule..."

Speaker Lyons: "Mr. Clerk, House... Senate Bill 83 on page 7 of the Calendar, Second Reading-Senate Bills."

Clerk Bolin: "Senate Bill 83 is on the Order of Senate Bills-Second Reading and was held pending the filing of several notes."

Speaker Lyons: "Representative McAsey."

McAsey: "Thank you, Mr. Speaker. I'd like to withdraw the housing and affordability impact note and the remaining notes."

Speaker Lyons: "Mr. Clerk, Lady moves to withdraw the fiscal impact note. Mr. Clerk, what's the status on the notes?"

Clerk Bolin: "A housing note has been requested by Representative McAsey and has not been filed. A fiscal note

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

69th Legislative Day

5/30/2011

and a judicial note have been requested by Representative Stephens and has not been filed."

Speaker Lyons: "Representative, your Motion is to withdraw the housing note?"

McAsey: "That's correct."

Speaker Lyons: "The Lady..."

McAsey: "... and"

Speaker Lyons: "...the Lady makes a Motion to withdraw the housing note."

McAsey: "Then, Mr. Speaker, I make..."

Speaker Lyons: "Mr. Clerk, withdraw the housing note. McAsey."

McAsey: "Thank you, Mr. Speaker. I move to declare the remaining notes inapplicable."

Speaker Lyons: "The Lady makes a Motion to remove the following... the remaining notes as inapplicable. The Chair recognizes Representative Roger Eddy."

Eddy: "Thank you, Speaker. Could we have the remaining notes enumerated what those are by the Clerk?"

Speaker Lyons: "Mr. Clerk, the remaining notes are?"

Clerk Bolin: "Two notes are remaining, a fiscal note and a judicial note have not been filed."

Eddy: "Thank you, Speaker. I just wanted to specifically mention the notes that are... are being requested to be inapplicable."

Speaker Lyons: "Representative Kosel."

Kosel: "Thank you, Mr. Speaker. I'd like to rise in support of a withdraw of the overrule of both of these fiscal notes. And would ask to... colleagues to support this Motion. Thank you."

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

69th Legislative Day

5/30/2011

Speaker Lyons: "Representative Sullivan."

Sullivan: "Thank you, Mr. Speaker. To the note request. I also rise in support of the Lady's Motion. We're talking about a local issue that has nothing to do with state finances and judicial issues. And so, I believe that these notes are indeed inapplicable. Thank you very much."

Speaker Lyons: "Representative McAsey moves for the notes to be... the fiscal note and judicial note to be... to be in... inapplicable. Those in favor of her Motion signify by voting 'yes'; those opposed vote 'no'. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Mathias. Mitchell. Mr. Clerk, take the record. On this, there's 91 Members voting 'yes', 24 Members 'no'. And the notes are ruled inapplicable. Mr. Clerk, Senate Bill 83, status?"

Clerk Bolin: "Senate Bill 83, a Bill for an Act concerning local government. The Bill was read... was read for a second time on a previous day. No Committee Amendments. No Floor Amendments. All notes have been requested, have either been filed or withdrawn or ruled inapplicable."

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

Clerk Bolin: "Senate Bill 83, a Bill for an Act concerning local government. Third Reading of this Senate Bill."

Speaker Lyons: "Emily McAsey on Senate Bill 83."

McAsey: "Thank you, Mr. Speaker, Members of the House. Senate Bill 83 is... actually does a number of things. This is to address a local issue dealing with communities that I represent, Bolingbrook, Romeoville, Lemont, Woodridge as well as Homer Glen. What we're doing first is changing the

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

69th Legislative Day

5/30/2011

threshold that allows for the formation of a water agency serving multiple municipalities, setting forth a clear threshold of a majority. Additionally, there is language that requires contractors to comply with responsible bidder requirements, requires a municipality to hire employees should a water system be acquired. And finally, recognizes the employees former union as the exclusive representative of those employees. And this... this is something that has come about because of what is going on in our communities with people struggling to afford a basic need, water and working to stand up for people against profits. I urge the support of the Body and would be willing to accept any questions."

Speaker Lyons: "The Chair recognizes the Gentleman from Menard, Representative Rich Brauer."

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

Speaker Lyons: "Sponsor yields."

Brauer: "Representative, I was told when this Bill came out that it was just going to affect a local issue, is that correct?"

McAsey: "This... this goes directly to existing statute that would allow for the formation of a water agency. There are communities in my region that seek to form a water agency. There are five communities that are trying to come together to do this. This language change is required to allow for that agency to come into existence."

Brauer: "But... but in fact this is really statewide, correct? This legislation will affect every community in the state?"

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

69th Legislative Day

5/30/2011

McAsey: "The Public Act talks about how municipalities can go about forming water agencies. Right now, we know of a specific situation in our community where there are multiple municipalities that want to come together and do this. Whether there is another situation elsewhere in the state, that's not something that I'm aware of, but this language change is..."

Brauer: "No, this is permissive. It allows every community in the state the ability to..."

McAsey: "There... there's not a specific geographic limitation, but it's specific criteria that would have to be met with regard to what's in current law. And what we're doing is really changing just one word."

Brauer: "That affects a whole state. To... to the Bill. This is one of those Bills that I was originally told that it was to help a local community when, in fact, it will actually affect the whole state. It will give the ability for communities to go in and make changes without a hundred percent of the communities supporting it. This is a dangerous precedence and I urge a 'no' vote."

Speaker Lyons: "Representative McCarthy."

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

Speaker Lyons: "Sponsor yields."

McCarthy: "Representative, as we spoke about the... the concern I have is the way I read it, is that this could have a group of suburbs or communities, whatever they're made up of and you could have like four of them and if three agree to do this, the way I read it the fourth one could be brought

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

69th Legislative Day

5/30/2011

into this compact really against their... their will. And I know that's not your intent and I know it's to eliminate what happened out your way that the fifth one went out on its own and they're still included for some reason in the compact. And they're saying that they have to get five out of five, which they can't do because one's not even... has already satisfied its needs. But I do want to ask you on the record that it is your intention that if... no community can be forced into this who is happy with their current arrangement because other communities around them chose to participate?"

McAsey: "Okay. And I want to address your question very specifically. So, the way that this current law exists, as well as with the language change that we have proposed to this Body, if you have a hypothetical situation for example where you have four communities that all would be part... be communities that could come together to form a water agency, three of them would make up a majority. So, those three could then under this law move forward and form the agency. The fourth community would not be part of the agency, would not have to be part of the agency, wouldn't incur any liabilities, anything related to that agency; would be completely autonomous from the agency. Now that being said, if there were four communities and one was not part of the agency but, for example, there was infrastructure that was under all four of those communities that fourth community, decisions that were made by the agency could have an affect on the fourth community. But, the fourth community would not be part of the agency, would

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

69th Legislative Day

5/30/2011

not be dragged into being part of the agency against their will."

McCarthy: "Okay. But when you say that fourth community could have... could be affected, I mean... You mean, financially affected, correct?"

McAsey: "Depending on ultimately what the agency chooses to do or chooses not to do. So, I mean, we're talking about a hypothetical here and I think that each situation would be different. But for example, in... in the situation..."

McCarthy: "But you know..."

McAsey: "Yeah."

McCarthy: "...this is it. When it's two communities they say either one can do it because... and that makes sense because if one does it and the other one doesn't do it, the one doing it doesn't affect anybody else. But it says all when it's more than two, correct?"

McAsey: "Well, and... and that's actually one of the problems with the current law. So, the current law has right now in... it has a standard that... that, in fact, is two different standards. So, if you have two communities, the standard is either. So, all you need is one to move forward and one can then become the agency. If there are more than two..."

McCarthy: "Right. But that one..."

McAsey: "...there's a..."

McCarthy: "...that one has no affect on the other one..."

McAsey: "...requirement of unanimous consent."

McCarthy: "...you know?"

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

69th Legislative Day

5/30/2011

McAsey: "And so what we're doing is creating a clear standard, a majority standard. Not two different standards based on the number of entities that you have."

McCarthy: "Well, I... I know your intent is not to pull somebody in who doesn't want to be part of it. So, I'm going to be supportive, but I... but I would count on you that if it turns out that, you know, we get calls back from some of suburban communities that say, I didn't want to do this and all the sudden I'm part of it because now it's just a majority. I mean, the all was there because if all four are going to be affected, all four should, you know, want to be affected. So, unfortunately, that's the way I read it. I know your intent though and that's why I'm going to be supportive, but I would hope that you'd be open to corrections if that does come about that a community comes to us and say they were forced into this and they didn't want to move forward at that time. So... but I... I know you are true to your word, so I will be supportive, but I just didn't... want to make sure that on the record that was clear that that was not the intent."

McAsey: "Thank you."

McCarthy: "Thank you."

Speaker Lyons: "Representative Ron Stephens."

Stephens: "Lady yield for a question?"

Speaker Lyons: "Lady awaits your question, Sir."

Stephens: "Thank you. Representative, the... in your region the... the water companies that are in question belong to Illinois American Water Company, is that right?"

McAsey: "That is correct."

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

69th Legislative Day

5/30/2011

Stephens: "And they've owned them for about how long?"

McAsey: "A number of years. Illinois American Water is the water company in the time that I represented the community of Bolingbrook. They are the water company that has been there."

Stephens: "So... so what's the problem? Are they not delivering water?"

McAsey: "Well, I... I think that the... the problems in talking with the people that I represent in Bolingbrook are numerous. Problems related to continuous rate increases. I can tell you many stories about..."

Stephens: "Are those rate increases above or below the consumer price index for the last 16 years? Are those rate increases above or below the consumer price index on average for the last 16 years? Let... let me help you."

McAsey: "The... the rate increases..."

Stephens: "They... they are below."

McAsey: "...the rate increases..."

Stephens: "They are below; they are well below."

McAsey: "And... and actually in response to that. Over the years from 2003 until 2011 there has been 84 percent total overall rate increases. That averages to a 12 percent rate increase in each of those years."

Stephens: "Well, you know what..."

McAsey: "...in less than a decade."

Stephens: "To the Bill, Mr. Speaker. You're just cherry-picking, Representative. You're trying to use statistics to win your argument. Well, let's look at all the statistics. In fact, Illinois American has owned this company since

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

69th Legislative Day

5/30/2011

1995 and on average... on average, 4.3 percent base rate water service increase, 2.0 percent for based waste water collective service. Over those same years since 1995, the average increase in the CPI has been 6 percent. Ladies and Gentlemen, this shouldn't be done today. Not with our American flags on full display. Representative, this is the way we... they do it in Venezuela. This is the way they... they just say, you know what, there's a private company and we don't like the way it's operating. We don't like that company, so we're just going to... the state is going to take it over. And isn't that, in fact what we're doing here? Ladies and Gentlemen, read the Bill. The government is taking these water companies over because they can. And then to make it a little sweeter, for some odd reason, throwing in a couple of paragraphs about prevailing wage. A couple of paragraphs about which particular unions these people have to work at. It's America for the sake of God. Let the system work; it's free enterprise. Some people in that area say, well, the rates are higher across the street. Why are... they're lower. I pay more. Well, come to find out if you do your homework you find out that the border between... on that street, the village across the way is paying a subsidy to hold rates down, artificially hold them down. So, that what? So, you can get reelected if you're running for city council or for mayor. This is the way they did it in communist China. This is the way they did it in Russia. This is the way they did it when the government... when the government was the only game in town. This is the way America... this is why... this is why we came

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

69th Legislative Day

5/30/2011

to America. Because we were tired of the government running every... everything. We were tired of the government saying, you can't succeed or fail on your own abilities. Your... we wanted... the... the government is the way according to the gentle Lady. I... I stand in strong opposition. Ma'am, if you... Representative, if you have to move this Bill, then it sounds like you might have more support than I do, but at least don't do it on Memorial Day. Don't do it in the presence of our flag. Do it on another day. Do it on Tuesday."

Speaker Lyons: "Representative Sullivan."

Sullivan: "Thank you, Ladies and... Mr. Speaker, to the Bill. Ladies and Gentlemen, we're hearing a lot of different things that go on with this Bill, but at the end of the day, this is about local control of a vital resource that we all rely on and... and have to live on. This does one thing, it takes it from where you have to have a hundred percent support for an issue. Where in the world do you say to get something done you have to have a hundred percent support? Do we have that here in the General Assembly? Do we have that at our local control? We do not. If you are living in a neighborhood or a town and you want to hook up to JAWA or Lake Michigan water you need 51 percent to be able to do that, but under this law you need a hundred percent. So, what the Lady's trying to do is say, we want to have local control. You still have to have votes, you still have to have a determination, but instead of the highest threshold you could possibly imagine we want to have the same threshold that if you wanted to set up an SSA

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

69th Legislative Day

5/30/2011

and hook up into a water source, 51 percent, the majority. Where else in the world do you not have a majority vote? We've been doing that all week. So Ladies and Gentlemen, let's get back to the basics of what this Bill is about. It's about having a majority within these towns to form a group to... to provide water, our basic resource. That is all this is about. It's about local control. Thank you. Please vote 'aye'."

Speaker Lyons: "Renée Kosel."

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

Speaker Lyons: "Sponsor yields."

Kosel: "Thank you. I'd like to talk about a few things that have happened here since I've down here. When I came down here there were a lot of utilities that were monopolies across this state. And every single utility except for one in the State of Illinois has been deregulated either on the supply or distribution side. The only utility that has not been deregulated on one side or the other is a for-profit water company. I have, in my district, approximately 30 thousand people that are affected by this monopoly. They want a fighting chance. And let me tell you why they want a fighting chance. Because they pay \$200 a month for water when the people across the street pay \$100 every two months for water. Because one community in the northern part of the state pays 287 percent more for water than the people who are in the municipal water supply. Because when a water main broke right behind my office and flooded a disabled veteran's house this company said, no, we will not come in and help him. Because last November a executive from that

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

69th Legislative Day

5/30/2011

company came and met with senior citizens in my area and a mayor from my area and told them that they had increased their rates over 100 percent because they could. All the people in my district want is a fighting chance. Please vote 'yes' to give them a fighting chance. Thank you."

Speaker Lyons: "Representative Mike Tryon."

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

Speaker Lyons: "Sponsor yields."

Tryon: "To the Bill. Basically, this is a Bill that sets up eminent domain, a government takeover of a private company. We have a hard time getting enough votes in this chamber to take away right-of-ways so a community can expand its... its road network. This is a serious decision that we're about to make here. Because a company, this is just a component piece of a company that makes up a larger company. And it may be one of the better pieces of the company. And when you go in and you take away that piece, you hurt all the shareholders and all the investors that have taken the risk for that company to grow and build that infrastructure. There's a process to do this. These communities can buy that water company. We don't have to empower them with the ability for the government to take it over where they might not get the full reimbursement that they would need to get to make the profitability of their company whole. That's our system; that's the United States. That's the free market enterprise. And now we're going to tool up a few municipalities to go in and take away from a company one of its assets and it could be a substantial asset. That's wrong. I'm all for trying to work out a solution with these

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

69th Legislative Day

5/30/2011

communities. The real problem is they're buying water; they're not making water. They're not taking it out of a river; they're not taking it from groundwater. They're purchasing it from another city. When that city raises its prices, they have to raise their price. When there's a main leak, they have to... who's going to pay for the water that runs out of the pipe in a main leak? They have to pass that cost on to the consumers. So, in the end, I don't even know if a city could run it any cheaper when you're purchasing water. But this isn't the right thing to do to empower a city to take over a private company. I think it's wrong. I would urge a 'no' vote."

Speaker Lyons: "Representative Don Moffitt."

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

Speaker Lyons: "Sponsor yields."

Moffitt: "Representative, I... I think this has bearing on an issue like this. Obviously the adequate water supply is crucial to good fire protection. In a municipality where they own... when it is their water supply and their delivery system, they can put regulations out there such as adequate pressure, adequate reservoir, regular inspection of fire hydrants. Is that done with the private company or can a municipality require that?"

McAsey: "I'm glad that you brought that up, Representative Moffitt. In fact, in committee the firefighters here in the State of Illinois filed in support of this legislation because of specific problems that have occurred with this water company and a lack of doing what needed to happen with adequate water pressure and hydrants and maintaining

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

69th Legislative Day

5/30/2011

those hydrants in the case of an emergency. So, that's another reason that this agency seeks to move forward to make sure that not only do we have water that is more affordable for consumers, but we have water when we need it in cases of public safety."

Moffitt: "So, you've actually experienced times when there was not functioning hydrants or a problem on the water supply?"

McAsey: "There... there have been."

Moffitt: "Do you know and I wouldn't necessarily expect you to have this, but what percentage of the water systems... municipal water systems or municipalities have a municipal system versus a private supply? Would you have any idea what the percentage would be?"

McAsey: "Representative Moffitt, I can't speak to a specific percentage of municipalities that own systems as opposed to private water companies, but I can tell you that there's been a lot of research recently. There are independent consumer groups including one right here in Illinois, Food and Water Watch, that has been talking generally about how privatization of water fails consumers. That rates increase, that water quality suffers, that jobs are lost in our community and that really localizing water, having municipal control, having a public body responsible to... to voters has led to voter rate... lower rates. It's led to empowering people in our community and that it... there's more accountable customer service. And... and... and going back to where I began that we're putting people before profits."

Moffitt: "Thank you, Representative. I appreciate your response and I'm certainly concerned there that... that we have

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

69th Legislative Day

5/30/2011

adequate water supply and functioning hydrants and good fire protection. I mean that in turn reflects to a cost to consumers on... on insurance and really protecting property. So, with that I... I do intend to vote for your Bill. Thank you."

Speaker Lyons: "Our final speaker will be Representative Mayfield, then Representative McAsey to close. Representative Mayfield."

Mayfield: "Thank you, Speaker. To the Bill. Ladies and Gentlemen, this Bill originally came to the City & Villages under House Bill 1934. It only had two 'yeses' and the rest were all 'no's'. This is not a good Bill. What this Bill does and I refer to Representative Stephens, he's absolutely correct. What we are doing is circumventing the system with this Bill. We are agreeing to let the mayor of Bolingbrook hostilely take over a legitimate business. Whether you like the water company or not, we have free enterprise in this sys... in our country and the state and we need to vote 'no' on this Bill. Thank you."

Speaker Lyons: "Representative McAsey to close."

McAsey: "Thank you, Mr. Speaker, Members of the House. I urge the support of the Members of this Body. What this is about is helping to empower people in our community. It's just giving them a chance, allowing some communities to come together to form an agency to control their own destiny to be able to afford something basic for life, water. This is about putting people before profit, being responsible to the senior citizens in our community, being responsible to provide the support to fire protection services that we

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

69th Legislative Day

5/30/2011

need rather than being focused on shareholders and on the bottom line. I appreciate the support of the Members of the Body. I urge you to vote 'yes'. Help us to form this agency."

Speaker Lyons: "Repre... Representative McAsey moves for the passage of Senate Bill 83. All those in favor should vote 'yes'; all those opposed vote 'no'. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Brauer. Poe. Yarbrough. Mr. Clerk, take the record. On this Bill, there are 66 Members voting 'yes', 45 Members voting 'no', 3 Members voting 'present'. This Bill, having received the Constitutional Majority, is hereby declared passed. Leader Lou Lang in the Chair."

Speaker Lang: "Under the Order of Senate Bills-Second Reading, on page 7 of the Calendar, appears Senate Bill 178, Representative Jakobsson. Please read the Bill."

Clerk Bolin: "Senate Bill 178, the Bill was read for a second time on a previous day. Notes have been requested on the Bill and have not been filed."

Speaker Lang: "Representative Jakobsson."

Jakobsson: "Thank you, Mr. Speaker. I would like to have the notes that are filed on this ruled inapplicable."

Speaker Lang: "Lady... Mr. Clerk, could you tell us how many notes there are filed on this Bill or how many note requests?"

Clerk Bolin: "For Senate Bill 178, a fiscal note has been requested and a balanced budget note have been requested and have not been filed."

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

69th Legislative Day

5/30/2011

Speaker Lang: "Lady moves that both notes be held inapplicable. Let's do this with one debate and one Roll Call. And on that question, the Chair recognizes Mr. Eddy."

Eddy: "Thank you, Mr. Speaker. To the Lady's Motion. I... I rise in strong support of this Motion. This is a very, very critical Bill for individuals for... for people in my area and downstate. It deals with the Health Alliance issue. We've worked very, very hard to state our position to make sure that individuals in our area will not be at risk of losing coverage. These notes are obviously an attempt to slow this down in the final days. We need to remove the notes, allow the Lady to bring her Bill to the House for a vote today and the people of the area that have been affected by this action need to have the Representatives be allowed to bring a solution before this Body. I urge an 'aye' vote on the Lady's Motion."

Speaker Lang: "Representative Nekritz."

Nekritz: "Thank you, Mr. Speaker. To the Motion. These are the notes that I filed and I'm very... I'm sensitive to the concerns about the health care being provided through these contracts, but to think that this will... that this Bill will have no fiscal impact to the state, I think it's... is just completely false. Once these contracts get rolled over and there's... and there's essentially no contract, the... whether there's a... whoever's providing the health care and I'm assuming it will be the incumbent health care provider will be able to charge whatever they want. And I think we, you know, we need to recognize that there will be a negative fiscal impact to the state as a result of this Bill."

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

69th Legislative Day

5/30/2011

Speaker Lang: "Representative Jakobsson to close."

Jakobsson: "Thank you, again, Mr. Speaker. It's very important that we call these inapplicable. People in our district are and in many of the east central and downstate districts are gonna find themselves with no networks to even try to get our insurance in. So, please vote for... please, I'm urging an 'aye' vote."

Speaker Lang: "Lady moves that the note request be held inapplicable. Those in favor of the Lady's Motion 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? Hammond. Mautino. Please take the record, Mr. Clerk. On this question, there are 96 'yes', 18 'no', 1 voting 'present'. And the Lady's Motion carries and the notes are held inapplicable. Mr. Clerk."

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

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

Clerk Bolin: "Senate Bill 178, a Bill for an Act concerning government. Third Reading of this Senate Bill."

Speaker Lang: "Representative Jakobsson."

Jakobsson: "Thank you, Mr. Speaker. House Bill 178 is very important to, as we've already said, to our district. This essentially revokes the purchasing powers back to CMS. It allows COGFA to function as a backstop to proposed health care and contracts by granting it the authority to disapprove of health contracts before they are finalized. It provides that if COGFA disapproves of a contract, it can become effective only if the General Assembly passes a

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

69th Legislative Day

5/30/2011

joint Resolution approving the contract. And it provides that the Chief Procurement Officer has not... if the Chief Procurement Officer has not finalized all written contracts for health insurance benefits 90 days prior to the start of the state fiscal, the commission may direct the Chief Procurement Officer not to finalize any proposed health insurance contracts and to seek to extend the existing health contracts for two years. What has happened with... what has moved forward with respect to the health contracts, the RFP clearly stated that the networks be in place by January of 2011. There are no... there are none of these in place for us and in fact, I have... I can read to you something from the Illinois Department of Healthcare and Family Services the spokeswoman, Stacey Solano, said a second enrollment will be held before the end of the year because the state members have to choose health plans while adjustments are still taking place in provider networks. I mean, it's clearly said that there are no provider networks. And so, even though the enrollment period has been extended to June 17, the people in our area in east central Illinois are not going to have a network to even apply for. So, it's very confusing for people. They won't know what to sign up for. And I certainly will hope that we can support this Bill."

Speaker Lang: "Lady moves for the passage of the Bill. The Bill is on Short Debate. The Chair will remove the Bill from Short Debate, but there's about 10 people wishing to speak. So, I'm going to ask Members to limit themselves to two

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

69th Legislative Day

5/30/2011

minutes a piece. The timer will be on. The Chair recognizes Mr. Pritchard."

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

Speaker Lang: "Lady yields."

Pritchard: "Representative, if we pass this Bill what is the state of our insurance program here in the State of Illinois?"

Jakobsson: "The purpose of this is to maintain the status quo. That would be the state of it if we pass this Bill."

Pritchard: "So in other words, you're saying that the affect of this legislation is to continue the current programs for what time period?"

Jakobsson: "For two years."

Pritchard: "And is there anything in the Bill that stipulates what kind of rates the vendors might charge?"

Jakobsson: "They... they would... if we extend it, it would be the current rates."

Pritchard: "Is... when the department awarded the bids, was that implicit in a contract that we've entered into with the new vendors?"

Jakobsson: "I'm not... I'm not quite sure I understand that. Could you ask it maybe a different way?"

Pritchard: "So... the Department of Healthcare and Family Services awarded the contracts to... to three vendors. Was that, in essence, then a contract that we entered with those vendors and if we now erase that bid award, have we broken a contract?"

Jakobsson: "It's a contract with those vendors, but my understanding those contracts have not been finalized."

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

69th Legislative Day

5/30/2011

Pritchard: "So, it hasn't been finally signed, correct?"

Jakobsson: "Correct."

Pritchard: "Well, I clearly support your intent that we need to give some clarity to our employees who feel they're going to have to lose not only their doctors or hospitals, but have to pay a higher rate to keep them. So, I applaud what you're trying to do. Thank you."

Speaker Lang: "Mr. Hays for two minutes."

Hays: "Thank you, Mr. Speaker. My concern about this process from the beginning is exactly what the Sponsor has outlined. The networks were to be in place on January 1 of this year. Testimony heard at every stop including in committee yesterday evening would indicate that clearly the networks are not in place and they're being negotiated as we speak. And what does that mean to the citizenry of people in 64 of our 102 counties? That means there is no network in place for their HMO. Let me describe what it means in my district. I called the president of Carle Foundation Hospital in Urbana. I said are you in the network? He said, no, not in the network. The Carle Clinic, are you in network? No, we're not in the network. I called Provena; they have a hospital in Danville and Urbana. I said are you in the network? They confirmed we are, in fact, not in the network. I called the Danville Polyclinic, the other largest multispecialty physician group, I said, are you in the network? No, we're not in the network. I called 8 or 10 independent physicians. I said, are you in the Blue Cross Blue Shield network? They said no, we are, in fact, not in the network. We are talking about thousands

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

69th Legislative Day

5/30/2011

of state employees. We're talking about thousands of retirees who will have no network in many parts of our state. I urge an 'aye' vote on this. We are about to drive the train off the cliff. Please vote 'aye'."

Speaker Lang: "Leader Currie."

Currie: "Thank you, Speaker and Members of the chamber. I know there is a lot of fear and anxiety among the state employees who have been comfortable with the health care provider they have in the past enjoyed, but I'm here to tell you three things. First of all, the procurement process that the Department of Healthcare and Family Services used was by the book. The book we wrote when we adopted Senate Bill 51 that says here is how an arm's length purchase order ought to happen. We set it, the department did it and the Executive Ethics Committee.. Commission and the Chief Procurement Officer of the State of Illinois looked at how they did the letting of those contracts and they said, yes, you did it exactly the way we asked you to. Now, maybe we were wrong. Maybe we should have said, no, we don't want arm's length transaction. Maybe we should have said, wink, wink, nod, nod is the way to go, but we didn't. Very, very recently we said this is the way procurement should happen. And our Executive Ethics Commission and our Chief Procurement Officer said the department did it by the book. They did it just the way the Legislature told them to. During the last 7 weeks there was a protest going on among the losing bidders and I understand that they were not happy to have lost. During that period they were allowed to come and tell you that

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

69th Legislative Day

5/30/2011

your constituents were not going to be able to have health care as they had known and loved it. I think that information was not accurate, but the winning bidders were under a gag rule, as was the department. So, the reality is that at least one of the companies awarded the bid already has 85 percent of the vendors, of the doctors, of the providers that were already covered by the losing bidder. So, I think that the fear and the anxiety in fact is misplaced and if you give it a couple of days, you will find out that your own health care provider will be available to you under one of the new vendors, under one of the new contracts. The third issue for me is the decision that we should tell a few people serving on COGFA that they have the authority to overturn a legitimate decision made by the Executive Branch of this government. That is not the role of the Legislature. It's certainly isn't the role of a handful of Legislators. I think on its face the decision to give COGFA this authority, to say that COGFA can say to the loser, guess what, you win after all. That that handful of people should be in that position is to undercut the way we ought to do purchasing and procurement in State Government. So, I think even if you think this was not the right.. the best plan for the department to pursue, I think you have to look carefully at the idea that this handful of people should be able to say to the losers, okay losers, today, because of us 7 people you get to be a winner. That's not the way to run any State Government and it certainly isn't the right way to run this State Government. I urge your 'no' vote."

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

69th Legislative Day

5/30/2011

Speaker Lang: "Mr. Brady for two minutes."

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

Speaker Lang: "Lady yields."

Brady: "Ladies and Gentlemen, I just stand in support of the Representative's legislation here. Not only is it needed, but I refer back to the Majority Leader's comments that the fear and the anxiety will subside once the present plan is put into place. And I had the pleasure, in some respects, benefit and the honor to be in a Memorial Day parade this morning back in my district. And if the discussion regarding health care in this state is going to subside with the fear and anxiety, I sure missed it this morning in the Memorial Day parade in Bloomington. Time after time after time I was stopped and asked to help with this issue, to continue to work and negotiate and bring back to the people, our employees and retirees, the present type coverage that they have, that they have paid for and have become accustomed to and are very deserving of. So, I certainly stand in support and ask for an 'aye' vote."

Speaker Lang: "Representative Sente for two minutes."

Sente: "Thank you, Speaker. Senate Bill 178 involves a very complex and sensitive issue, the procurement of the state's health insurance provider which in turn takes care of our state workers and the constituents health. However, if we focus solely on the provisions of this Bill, the only issue before us is to decide if the integrity of our state's procurement process was conducted properly, legally and if the successful bidder met the requirements of the RFP

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

69th Legislative Day

5/30/2011

process. For 20 years I've dealt with the public procurement on a daily basis and speak on the subject regularly. As I see it there are only three issues of relevance to this Bill. One, did the successful bidder meet the qualifications of the posted selection criteria? My findings are, yes, they did. They were the successful lowest bidder due to published criteria which included 70 percent weighting to the lowest fee and 30 percent weighting to technical criteria. All five bidders were asked to show what networks they had in place by January 1 and the successful bidder met that criteria and received the highest ranking. Two, was there impropriety in the RFP process? My findings are, no and if there was, this would be for the Inspector General to review. Or number three, was there a problem with the RFP process? My findings are, no and yet if there was, this would be a prerogative of DHFS, the issuing agency to resubmit the RFP. I, too, am concerned about sick individuals in this system that are worried about this change and I want to be sure they are not unfairly burdened. However, neither Governor Quinn nor DHFS wants that either. In closing, let's remember what this legislation is about and that we'll have far-reaching negative impacts on the sanctity of our procurement process. I urge a 'no' vote."

Speaker Lang: "Mr. Leitch for two minutes."

Leitch: "To the Bill. I rise in strong support of this Bill. And I have a very strong belief that if the remaining 38 counties didn't have an HMO alternative for their senior citizens, kids going to children's hospitals and others,

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

69th Legislative Day

5/30/2011

we... this wouldn't even be a debate. What kind of idiotic process could come up with a situation where our senior citizens, some of our most vulnerable people, the people who testified by the hundreds in Peoria with cancer and other maladies, scared out of their wits, don't know being in treatment whether they can find a doctor to take care of them. What kind of idiots would come up with a process that would permit this to happen? This is a Bill that should pass, should pass now and that goofy process should be straightened out. I don't care if it's Humana, I don't care if it's Health Alliance, but you can't have a system that only shows up with an HMO alternative in 38 counties of the state. This is an absolutely outrageous situation. And I would urge a strong 'yes' vote."

Speaker Lang: "Mr. Bradley for two minutes."

Bradley: "I rise as well strongly in support of this Bill. If this process by which Health Alliance was thrown out was done by the book then we need a new book because this is not acceptable for downstate. It's going to eliminate options for people, not just senior citizens, but children, working men and women throughout the state. We need a new book; this is the new book. I strongly support this Bill and I ask for an 'aye' vote."

Speaker Lang: "Mr. Eddy for two minutes."

Eddy: "Thank you... thank you, Speaker. To the Bill. Ladies and Gentlemen of the House, I... I stand in strong support of not only this Bill but how this system is working. Government works such that Representatives of the people from time to time have the responsibility to stand up for the people

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

69th Legislative Day

5/30/2011

they represent. Whatever the process that was used that resulted in this situation for our constituents, situations in which people are literally becoming sick because of the anxiety caused by this decision, they have nowhere to go for health care, it's time for the Representatives of those people to step up and change the system. Who could have ever thought that people responsible for making sure individuals were covered and had health care available would allow for the procurement process to result in no coverage, For people to have no doctors to go to, no hospitals to go to in rural areas of the state. Representative Leitch is absolutely right. Whenever the result of this came in, the individual should have stepped back and said, wait a second, this doesn't serve the very people we're supposed to serve. But instead of recognizing the obvious, they tried to somehow continue to defend a bad decision. That's where we step in. That's where the people's Representatives step in and we say, no, to the administration, no, to the flawed process. We have the responsibility to fix this and that's what this Bill does. The system is flawed, it's obvious. Any system that allows this result needs to change. How can we defend not having medical service to those people? It just doesn't make any sense. It's a shame we have to do this, but it's a necessity we have to do this because this is our responsibility. Vote 'yes'."

Speaker Lang: "Representative Dugan for two minutes."

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

Jakobsson: "Yes."

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

69th Legislative Day

5/30/2011

Dugan: "Yes. Representative, I just wanted to check 'cause there's been a lot of talk about the procurement portion of how this came about. Am I mistaken or is it not true that in the RFP it... it's stated about having a network for the bidders that were bidding to..."

Jakobsson: "The RFP said that the network should be in place by last January, January of 2011."

Dugan: "And so, the award of this... so this RFP who said it needed to be in place and yet it seems as though the network is not in place, I guess I question how then can we say that the procurement RFP... the procurement policy worked right or the procedure worked right when we, as a state agency, accepted a bidder that didn't meet our own RFP?"

Jakobsson: "Certainly that's, you know, one of the points that we've trying to make. We've tried to ask what the criteria was that was used and about the networks and that's an answer that we've never gotten. We only know, again... once again, what the spokesperson for HFS said and that's that state members have to choose their health plans while adjustments are still taking place in the provider networks. They're admitting that there are not the networks ready."

Dugan: "Thank you very much. To the Bill. I agree with... with many of my colleagues that have stood up that talked about the fact that as a state agency we do have a procurement policy in this state and I'm a strong supporter of making sure the procurement policies are followed. When you do an RFP and you state in your own RFP that the proposals or the bidders must make sure that they have a network in place,

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

69th Legislative Day

5/30/2011

the... and then they bid and they don't have a network in place and yet we say, this is the bidder that we're going with. That certainly should cause concern because we do not only have the procurement procedure question, I believe, but also even more importantly is because they did not have and meet our RFP we now have thousands of people that may end up without the health care that they need. This is a good Bill. It's unfortunate that this type of Bill has to take place, but again, when the procurement policies and the state agencies do their own RFP and the people don't even meet the RFP they've asked for, then unfortunately we need to step back and say, what is it in this state that we need to do and especially for the people. I certainly encourage a 'yes' vote."

Speaker Lang: "Mr. Rose for two minutes."

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

Speaker Lang: "Lady yields."

Jakobsson: "Yes."

Rose: "Representative Jakobsson, just briefly. Is it the intention of the Bill that the new section apply to fiscal year 2011 contracts if these new 2012 contracts do not follow those guidelines that were put out?"

Jakobsson: "That's correct. They'd be in place for two years."

Rose: "And that COFGA has voted regarding the policy of self-insurance already, saying that OAP contracts cannot be entered into by HFS for FY12. Is that also correct?"

Jakobsson: "That's correct."

Rose: "Finally, is... for legislative intent, is it your intent, Representative, under Section 5.5 of the State Employees

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

69th Legislative Day

5/30/2011

Group Insurance Act to extend the fiscal year '11 contracts because the fiscal year '12 contracts were not in place 90 days before the start of the next... of this new fiscal year that would start July 1 of this year?"

Jakobsson: "That's exactly right."

Rose: "Thank you. Mr. Speaker, to the Bill. This is perhaps... where we're at today is one of the most egregious things I've seen in 9 years. There are over 140 thousand people's lives at stake here. Lives at stake. This isn't about winning bidders or losing bidders, this is about 140 thousand people's lives. My eighth grade reading teacher called me because her husband has got a medical situation where he is literally fighting for his very life. His very life. And guess what? Right in the middle of that treatment his doctor disappears on July 1. His doctor will disappear on July 1. That's wrong. That is absolutely wrong. I asked the administration last week, administration, what are people supposed to do? In fact, I asked about my region. Representative Unes asked about a child at the Peoria Children's Center that isn't covered come July 1. What are people supposed to do? They said, oh, well, maybe. I guess maybe they could go on Quality Care. Sure, put them on Quality Care. Forget the fact that you have to pay up front on Quality Care. But then he said because maybe at some point in time in the next 6 months or so, maybe a network will be out... will be built out that will cover Peoria Children's Center, maybe. Maybe a network will be built out. In the original RFP it said, January 1 all networks must be in place. All networks must be in place by January

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

69th Legislative Day

5/30/2011

1. Maybe... maybe the Peoria Children's Center will be involved sometime in the next 6 months? This is wrong. It is wrong. To leave these people in limbo like this is wrong. I salute the Lady for bringing this Bill and I would hope that every person here would expect 140 thousand lives that are stake, lives. Thank you, Mr. Speaker."

Speaker Lang: "Mr. Tryon for two minutes."

Tryon: "Thank you, Mr. Speaker. To the Bill. You know, let me tell you what it was like to be on COGFA when you put hours and hours into evaluating these bids because our statute says COGFA gives advise and consent on health care contracts that are self-insured only to be told that we have no role in that. Only this Body can indemnify the State of Illinois by voting for it. Whether we do it when we borrow money or whether we do it when we appropriate money, we're the ones that are indemnifying the taxpayers. An HMO is a capitated product, it doesn't have any risk. We bid out of HMO only HMO product wasn't going to be offered now to most of downstate Illinois because we decided we were going to take an OAP or HFS decided they were going to take an OAP. An OAP is not capitated, it has risks. It is a self-indemnified plan that this Body should have been voting on and it needed the advice and consent of the General Assembly. Advice and consent is all through our statutes. When a mayor appoints somebody to city council or to the zoning board, he has to get the advice of consent. If it's no, they don't get appointed. When a county board chairman appoints somebody to commission, same thing. When we get advice and consent we're told it really doesn't

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

69th Legislative Day

5/30/2011

matter? I think that's wrong. Either we should change the statute for... say, you don't have to come to COGFA or we should do what the law says and give advice and consent. We never got that opportunity. And I clearly don't think that we followed the spirit of the procurement offering when we said we were going to accept only an HMO for most of downstate Illinois and we didn't do that. So, I would... I think this is appropriate legislation and I urge an 'aye' vote."

Speaker Lang: "Representative Will Davis for two minutes."

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

Speaker Lang: "Sponsor yields."

Davis, W.: "Representative, I just want to make sure that I understand a couple of things here. So, what you're trying to do is to undo the procurement process that took place, correct?"

Jakobsson: "I'm trying to ensure that COGFA has its appropriate oversight."

Davis, W.: "I'm sorry, could you repeat that?"

Jakobsson: "I'm trying to ensure that COGFA's oversight is recognized."

Davis, W.: "That COGFA's oversight is recognized? So, leading up to whatever COGFA was supposed to do, do you have any problems with the procurement process?"

Jakobsson: "Well, as has been stated before, the RFP wasn't followed. The networks were not in place. And therefore, people in central Illinois don't even have any network HMOs to apply their insurance to... to apply... to enroll in insurance for the next fiscal year."

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

69th Legislative Day

5/30/2011

Davis, W.: "Okay. So... so, when the RFP was awarded and that was found out not to be the case, the... the companies that you're speaking on behalf of filed a protest, correct?"

Jakobsson: "And they did that."

Davis, W.: "And what was the result of their protest?"

Jakobsson: "It was denied."

Davis, W.: "It was denied? Okay. So, the protest didn't recognize what you stated to be true that the network wasn't in place either?"

Jakobsson: "I'm not... can you word that differently? I'm not quite sure..."

Davis, W.: "Okay. Well, they went through a... if the... when the RFP was awarded and the... and you claim that the network was not in place or at least they said it wasn't going to be in place, they filed a protest and obviously that's a huge fact. The protest still was awarded in their favor, correct?"

Jakobsson: "No, I don't... I don't believe that was a factor."

Davis, W.: "You don't think that that was a factor?"

Jakobsson: "The... the protest... the protest dealt with the process, not with the substance."

Davis, W.: "Okay. I'm... I'm just trying to be clear because there are a number of times when contracts down here are awarded. We've heard about waivers. Now, I understand this is a health related contract and maybe I'm mixing apples and oranges, but if we're talking about the procurement process, there are several times when large construction companies don't fulfill their mandates. They get waivers so they don't have to hire minorities. They do a number of

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

69th Legislative Day

5/30/2011

different things like that and those we seem to be okay with, but now that we have a health issue... and I'm not trying to speak necessarily against the lack that health is not important or an important process... but because someone is upset with the procurement process now we're trying to do a legislative remedy to fix what they felt was wrong in the procurement process, correct?"

Jakobsson: "The important point here is the networks were not in place, it doesn't have anything to do with waivers. We're talking about networks not having been in place when they were required by the RFP."

Davis, W.: "Okay. So, you... so you think that I'm mixing apples and oranges?"

Jakobsson: "You said it, I didn't."

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

Speaker Lang: "Representative Hammond for two minutes."

Hammond: "Thank you, Mr. Speaker. To the Bill. I would like to thank the Sponsor for bringing this forward. This has been an issue in my district that affects thousands and thousands of people. And quite frankly, the level of anxiety is just incredible. It is such a disservice to many of these senior citizens that have depended upon these providers for their health care and to not be able to go to bed at night knowing that that's going to continue for them or that they're going to be able to continue with the same hospital or physician is, frankly, unfair and inhumane. I really want to thank you for what you've done. It is not about the providers, it is about the process. And the process was flawed. Thank you."

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

69th Legislative Day

5/30/2011

Speaker Lang: "Mr. Reboletti for two minutes."

Reboletti: "I yield my two minutes to Representative Rose."

Speaker Lang: "Mr. Rose. Mr. Rose waives his two minutes. Mr. Coladipietro for two minutes. Mr. Coladipietro waives his two minutes. Mr. Moffitt for two minutes."

Moffitt: "Just a... will the Sponsor yield, please?"

Speaker Lang: "Lady yields."

Moffitt: "Representative, the protest that has been made reference to who... like the Humana and Health Alliance, they filed a protest, who does that go to?"

Jakobsson: "It goes to the Chief Procurement Officer."

Moffitt: "And who made the decision to accept the bid that didn't even meet the specs?"

Jakobsson: "The Chief Procurement Officer."

Moffitt: "So, we're going back to the very person... the very agency that made the decision with a protest and then they get to rule on whether or not they made the right decision?"

Jakobsson: "The Chief Procurement Officer made that decision, yes."

Moffitt: "That to me is really the ultimate insult to the care for constituents around the state that the supposed safeguards is to go back and ask the person... the agency that made the decision, would protest it and their response back to no surprise is, yes, we made the right decision. The Legislature needs to have oversight on this. It just... when something does not meet the specs and the appeal process is to go back to the very people that made the decision, the people... the people are the losers. This is...

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

69th Legislative Day

5/30/2011

this decision that did not meet the specs is also, I believe, based on some assumptions in terms of supposed savings that are very questionable. For the agency that made the decision to be the one to decide a protest is almost like the ultimate insider deal. The only right vote is... for the people is to vote 'yes' on this legislation. Thank you."

Speaker Lang: "Last speaker will be Representative Flowers for two minutes."

Flowers: "Thank you, Mr. Speaker. Representative, I just wanted to clarify something. Are you just putting back in place what was in place once upon a time?"

Jakobsson: "This... this would have the affect of extending the contracts that are in place right now."

Flowers: "Okay. But CMS used to be in charge..."

Jakobsson: "Oh, okay."

Flowers: "...of purchasing health care, am I correct?"

Jakobsson: "Yes. Yes."

Flowers: "And so, will this be... so, are you just putting back in place what was in place?"

Jakobsson: "That's right. This is part of the Bill."

Flowers: "I just wanted a clarification. So, this is nothing new. We're just putting it back where it belongs, right?"

Jakobsson: "Right."

Flowers: "Thank you. I urge an 'aye'... "

Speaker Lang: "Representative Jakobsson to close."

Jakobsson: "Thank you, Mr. Speaker. Ladies and Gentlemen of the House, you have heard many, many people stand up about the anxiety that's being felt across many parts of this state

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

69th Legislative Day

5/30/2011

about networks that are not in place, they weren't in place, they are still not in place and we are drawing to a close to the time when people have to enroll for their health insurance. They are confused; they don't know what to enroll for. We were told that they might open up an... a second enrollment period. In the meantime, how does that help people know what they're supposed to do? I could go on and on, but I think we've had a lot of discussion on this. I urge an 'aye' vote."

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? Berrios. Burke. Carli. Hernandez. Sosnowski. Mr. Sosnowski. Please take the record. On this question, there are 98 voting 'yes', 15 voting 'no', 3 voting 'present'. And this Bill, having received a Constitutional Majority, is hereby declared passed. On page 9 of the Calendar appears Senate Bill 1394, Mr. Lyons. Please read the Bill."

Clerk Bolin: "Senate Bill 1394, a Bill for an Act concerning civil law. The Bill was read for a second time, previously. 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 1394, a Bill for an Act concerning civil law. Third Reading of this Senate Bill."

Speaker Lang: "Mr. Lyons."

Lyons: "Thank you, Mr. Speaker, Ladies and Gentlemen of the House. Senate Bill 1394 deals with the Self Storage

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

69th Legislative Day

5/30/2011

Facility Act here in the State of Illinois. And the Bill adds motor vehicles and water crafts as examples of personal property. And it also makes a difference on the notification process. Self storage facilities have become victims of the downturn in the economy and foreclosures and related problems that we've had in the economy. And this helps them to resolve some of their problems, particularly with the notification by certified mail so that they may use first class mail with a certificate of mailing. So, it's a... has no known opponents; it's an initiative of the industry. I'd be happy to answer any questions and hope for your favorable consideration."

Speaker Lang: "Leader Lyons has moved for the passage of Senate Bill 1394. Those in favor of the Bill should vote 'yes'; opposed 'no'. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Mr. Pritchard. Please take the record. On this question, there are 115 voting 'yes', 0 voting 'no', 1 voting 'present'. And this Bill, having received the Constitutional Majority, is hereby declared passed. Continuing on the order of Leader Lyons, on page 10 of the Calendar appears Senate Bill 1613. Please read the Bill."

Clerk Bolin: "Senate Bill 1613, a Bill for an Act concerning public employee benefits. The Bill was read for a second time on a previous day. Amendment #1 was tabled. Amendment #2 has been adopted. No further Amendments. No Motions are filed."

Speaker Lang: "Third Reading. Please read the Bill."

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

69th Legislative Day

5/30/2011

Clerk Bolin: "Senate Bill 1613, a Bill for an Act concerning public employee benefits. Third Reading of this Senate Bill."

Speaker Lang: "Leader Lyons."

Lyons: "Thank you, Mr. Speaker, Ladies and Gentlemen of the House. This is an initiative of the Illinois Fire Protection Districts of Illinois. And all it does, the Amendment, all it does is removes the requirement for those who are members of the police pension and fire pension from having to take all their training within the first 12 months, extends it to 24 months. There's no known opposition. I'd appreciate your 'aye' vote."

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

Franks: "Thank you. A parliamentary inquiry. Which..."

Speaker Lang: "Please state your inquiry."

Franks: "Thank you. Which Amendments have been adopted?"

Speaker Lang: "Mr. Clerk."

Clerk Bolin: "Committee Amendment #1 was tabled. Committee Amendment #2 was adopted. There are no further Amendments."

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

Speaker Lang: "Gentleman yields."

Franks: "Representative, House Amendment #2 then the change to the underlying law would double the amount of time that anyone in a pension fund who was a trustee would have to take the required ethics courses?"

Lyons: "Actually, Representative, the ethics requirement is an ongoing part of training, but when a... when a... when a member... when a person becomes a... a pension trustee, there's

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

69th Legislative Day

5/30/2011

additional training they have to take, which can amount to 40, 50 almost 60 hours in the first year. Which has become a burdensome problem for people who ultimately, basically are volunteering their time on these boards. So, this just stretches from 12 months within that basic requirement to 24 months. Now, the ethics part of it is the ongoing thing and can be included in part of that. There's additional training required for people that are dealing with pension funds."

Franks: "So, the pension trustees... would there be ongoing continuing education after this initial two years?"

Lyons: "Yes."

Franks: "Okay. So, beyond the ethics courses there would still be ongoing..."

Lyons: "No, the ethics is the ongoing, Jack."

Franks: "Oh, okay."

Lyons: "The ethics is the ongoing requirement they have to do, but in addition to that there's all types of requirements on fiduciary responsibilities, et cetera, that they have to be abreast of. But it became such a demand to do it in 12 months, that it was... we're asking if you stretch that to a 24-month window."

Franks: "Well, here's my question. After... let's assume they do it in the 24 months, would there be ongoing education after that besides the ethics training that all of us take every year?"

Lyons: "That I'm not sure, Representative. Ethics for sure has to be going. As far as an ongoing, most... most of these

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

69th Legislative Day

5/30/2011

requirements are to have some additional training every year."

Franks: "Okay. Thank you."

Lyons: "Okay."

Speaker Lang: "Those in favor of the Bill vote 'yes'; opposed 'no'. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Representative May. Please take the record. On this question, there are 96 voting 'yes', 20 voting 'no'. And this Bill, having received the Constitutional Majority, is hereby... hereby declared passed. On page 11 of the Calendar appears Senate Bill 1692, Mr. Dunkin. Please read the Bill."

Clerk Bolin: "Senate Bill 1692, the Bill was read for a second time, previously. Amendment #1 was tabled. No further Amendments. No Motions are filed."

Speaker Lang: "Out of the record. On page 8 of the Calendar, under the Order of Senate Bills-Second Reading, appears Senate Bill 669, Representative Monique Davis. Please read the Bill."

Clerk Bolin: "Senate Bill 669, a Bill for an Act concerning regulation. The Bill was read for a second time on a previous day. Amendment #1 was adopted in committee. Floor Amendment #2, offered by Representative Monique Davis, has been approved for consideration."

Speaker Lang: "Representative Davis."

Davis, M.: "We ask, Mr. Speaker, that we adopt Amendment 2 and we'll discuss it during Third Reading."

Speaker Lang: "Is there any objection to the Lady's request? Seeing none, those in favor of the Amendment say 'yes';

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

69th Legislative Day

5/30/2011

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. Please read the Bill."

Clerk Bolin: "Senate Bill 669, a Bill for an Act concerning regulation. Third Reading of this Senate Bill."

Speaker Lang: "Representative Monique Davis."

Davis, M.: "Thank you, Mr. Speaker. In early 2010, the General Assembly responded to the incident at Burr Oak Cemetery in Alsip, Illinois, by passing a strong Cemetery Oversight Law. In late 2010 the Joint Committee on Administrative Rules called upon this Body to take further legislative action regarding the law and that is precisely why we're here with this legislation today. This proposal, which reflects an agreement between the Speaker and the Senate President, recognizes that there's a need to fine-tune some of the requirements that the Cemetery Oversight Act places upon small cemeteries. However, this Bill recognizes that it would be inappropriate to revamp the Act's basic regulatory framework that the Department of Financial and Professional Regulations is willing and ready to implement. This proposal was crafted in response to concerns raised by the Senate... cemeterians with whom legislators and staff have spent many, many hours meeting. We've heard a lot about some of the financial and operational burdens that the Act could potentially place upon small cemeteries which are often run by volunteers or as family businesses. We've taken steps to address those concerns with provisions expending the Act's exemptions, reducing the maximum fines

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

69th Legislative Day

5/30/2011

that the department can impose and codifying the fees the department can charge on many other things. For example, the Care Fund Regulation, currently the Comptroller audits the Care Funds to ensure that the required deposits are made and fund income is used for cemetery maintenance. However, the Cemetery Oversight Act provides that this responsibility shall be transferred to the Department of Financial and Professional Regulations. This Bill stops that transition from occurring. The Crematory Regulation, currently the Comptroller licenses and regulates crematories in Illinois. The Act currently provides that the responsibility shall be transferred to IDFPR in 2012. This Bill would stop that transition from occurring. Currently small cemeteries, less than 2 acres, and inactive cemeteries, no burials perhaps in the last 10 years are totally exempt from this Act. And relatively inactive cemeteries, less than 25 burials in the previous 2 years, are partially exempt. A cemetery that would otherwise qualify for these exemptions is automatically ineligible if it has a Care Fund. This Bill expands these exemptions to include cemeteries that do have Care Funds. Total exemptions by religious burying grounds, this Bill provides that religious burying... burial grounds are totally exempt from the Act. A religious burial ground is defined as a cemetery in which no burials are... no burial rights are sold and they're limited to persons who are members of a religious order, perhaps nuns or monks. I'd like to share with you the proponents. Thank you, Mr. Ellis. The proponents are Illinois Department of Financial and

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

69th Legislative Day

5/30/2011

Professional Regulation, Cook County Sheriff, Cook County State's Attorney, Alliance of Illinois Cemeterians, Illinois Municipal League, Township Officials of Illinois, Oak Ridge Cemetery, Citizens Action, Catholic Conference, SEIU, Illinois Conference of Illinois and Illinois State's Attorneys Association. And I will ask... answer questions to the very best of my ability. Thank you, Mr. Speaker."

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

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

Davis, M.: "Yes."

Speaker Lang: "Lady yields."

Eddy: "Representative Davis, you mentioned a couple of types of cemeteries that would be exempt, totally exempt. I... I have in my area a lot of cemeteries that are church property cemeteries. Would those be exempt under all conditions?"

Davis, M.: "They would be partially exempt. Those that are totally exempt are religious cemeteries where only... where no plots are being sold."

Eddy: "So, if... if a church... I guess that would be the religious cemetery. They have to give the plot away. They... they can't sell it to their parishioners?"

Davis, M.: "If it's traditionally religious... if it's a traditionally religious cemetery, they're partially exempt."

Eddy: "Okay. So, what does it mean to be partially exempt?"

Davis, M.: "Well, I think some of them have to still advise people of their Bill of Rights... the Bill of Rights. Is that

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

69th Legislative Day

5/30/2011

right? They... they're regulated, but they don't have to have a license to operate."

Eddy: "Okay. The... the group that was the most vocal in my region in opposition to the Act were those who belong to churches or someone in the church was responsible for the... the care and oversight of a... of a cemetery that was owned by the church and their members... purchased a plot from the church. Would they be completely exempt in that case if they're members of the church?"

Davis, M.: "They're partially exempt. And the Catholic Conference supports this legislation."

Eddy: "Okay. Okay. That... that helps. I'm just... what's the difference between being... what's partially exempt? What... what do you have to do if you're partially exempt?"

Davis, M.: "That means they are regulated by the Act, but they don't have to get a license."

Eddy: "So, is it just a reporting function? Do they have to report each burial? Do they pay a fee for each burial?"

Davis, M.: "No, Representative Eddy, they have to follow certain regulations. But..."

Eddy: "Okay."

Davis, M.: "...they don't have to get a license. But they do have to follow certain regulations that are in the Act."

Eddy: "Okay. And who enforces those regulations?"

Davis, M.: "The Department of Financial and Professional Regulations."

Eddy: "Okay. Is there a... an inspection of the regulation or does there have to be an affirmative complaint?"

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

69th Legislative Day

5/30/2011

Davis, M.: "No. If they receive a consumer complaint, they can investigate immediately, but they don't just go out and you know, investigate. They have to get a complaint first."

Eddy: "Okay. So, there's not... they won't have to through an audit process where once every year or two..."

Davis, M.: "No, they won't. No."

Eddy: "...or whatever? Okay."

Davis, M.: "No, Sir."

Eddy: "So, for those who are for-profit cemeteries that... that sell and they're not... there is... What... what are the reporting functions and what are their requirements?"

Davis, M.: "If they're not a small cemetery or an inactive cemetery..."

Eddy: "Okay."

Davis, M.: "...then they have to follow the regulations. They have to advise people of all of their rights when they sell... sell the plots to them. They would have to get licenses; their manager would have to have a license."

Eddy: "Okay."

Davis, M.: "Volunteers would not have to have a license."

Eddy: "Okay. Now... now... the... the inactive cemeteries, they were defined as cemeteries that didn't have a burial within the last 10 years, did you say?"

Davis, M.: "That is correct."

Eddy: "And... and there's no requirement for those at all under this?"

Davis, M.: "No, none at all."

Eddy: "None at all. Okay. That clears up a lot of the concerns... I'm sorry?"

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

69th Legislative Day

5/30/2011

Davis, M.: "The only requirement for the exempt cemeteries is they have to apply for the exemption."

Eddy: "Oh, okay."

Davis, M.: "They have to tell us why, you know, how many acres they have or whether..."

Eddy: "Why they qualify as being exempt, okay."

Davis, M.: "...the last burial and so forth."

Eddy: "Once they're declared exempt then they're done? Okay. Those are the... the biggest concerns I have 'cause we have a lot of cemeteries that actually haven't had burials in years in our area and now they're exempt. Most of the others, the religious cemeteries are at least partially exempt and a lot of the more onerous requirements have been lifted."

Davis, M.: "Yes."

Eddy: "It sounds like, for at least a large majority of the cemeteries in my area, this takes care of those problems. Thanks for answering the questions."

Davis, M.: "You're welcome, Representative Eddy."

Speaker Lang: "Mr. Saviano."

Saviano: "Thank... thank you, Mr. Speaker. I just want to alert everybody to this Bill. I'm not saying that there aren't some good things in here and I'm hoping that after my conversation with Mr. Ellis that we'll continue to work on this. I don't know where this is going to go in the Senate. There are some substantial fees in this... in this Bill. As a cochair of JCAR, I'll give you a little historical perspective. We passed a Bill last Session to address this problem. We were... we were submitted rules by the department

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

69th Legislative Day

5/30/2011

to implement this. And we... because of the fact that in a lot of cases the rules went far beyond the statutory authority of the Act and the fact that it would have been impossible to enforce the provisions in the Act and in the proposed rules, we prohibited them. And it was a uni... it was a unanimous prohibition by JCAR sending the rules back to the department. We suggested a trailer Bill. This trailer... this... this is a version of a trailer Bill. I just saw this language today. Obviously, there's nobody at JCAR today 'cause it's Memorial Day, but I... I've consulted with my staff, JCAR staff and House staff, to try to figure out if this would address the concerns of the JCAR members. We're not quite there yet. We have some problems. There's... there's a couple... there's a couple provisions in here. Number one, the department... this would allow the department to allow local law enforcement agents to enforce a State Act. I... I don't know if that's proper. Secondly, it allows the department, which I don't know what kind of entity this would be, allows the department to contract with a third party for an enforcement of the Act. Is that a private security firm?"

Davis, M.: "Excuse me, Representative."

Saviano: "Yeah."

Davis, M.: "Only if the department enters into an agreement with a third party. That is the only way... for example, maybe an investigation has to take place... an investigation has to take place and... if there's another Burr Oak-type incident and they don't have a Sheriff Dart. There's no Sheriff Dart in the other area, so then the department can

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

69th Legislative Day

5/30/2011

hire someone to do the investigation of that particular location."

Saviano: "Well, what..."

Davis, M.: "But they wouldn't just automatically start, you know, hiring people to investigate a cemetery."

Saviano: "No... no. Well, here's my... here's my... my concern. Now, this would be after a complaint would be filed, number one?"

Davis, M.: "Absolutely."

Saviano: "Okay. Number two, what... what sort of entity would they contract with as an independent contractor? I mean, give me an example, maybe?"

Davis, M.: "They can contract with third parties for the proper administration of this particular Act."

Saviano: "But... Okay, but that doesn't answer my question. Would this be a law enforcement agency they would be contracting with..."

Davis, M.: "It could be, it could be."

Saviano: "...or some private security firm that's a buddy of somebody's? I'd like to limit it to law enforcement."

Davis, M.: "There is a provision... there is a provision in the Bill that allows for the third party to be another law enforcement entity. I mean, it's... it's not just automatic that it will occur. There would have to be a complaint. And the Department of Financial and Professional Regulations, you know, they don't have sheriffs on staff. So, they would have to... if they felt an investigation was necessary, they would have to contract with someone who is an expert in that area to do the investigation."

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

69th Legislative Day

5/30/2011

Saviano: "Well... well, that... I'd like a definition because here's why. If it's... if it's another law enforcement agency they have to bring in, say a neighboring county sheriff contracted with them to bring it in, because if it isn't, it could be in violation of the Collective Bargaining Agreement with the unions that represent our investigators in DPR. And that would be a problem."

Davis, M.: "Well..."

Saviano: "Because we... we see that the fees here are going to generate about \$1.8 million to increase resources for the department. And another..."

Davis, M.: "The fees have been reduced, Sir. All of the fees have been reduced. The fines have been reduced in this legislation."

Saviano: "No, no, no, no. That's just fines, not application fees. And you reduced your... your... your certificate from \$3 to \$2 increase, but the... the fees are still there. My... my... my... the projected revenue generated from all of these fees is about 1.8 million to the department so they can enforce the Act, which means hiring more investigators, more staff to oversee this Act 'cause they're taking on a greater responsibility. That was our problem with the original Bill and the original rules, that there was no way the department was going to have the manpower, the headcount, to make it feasible to enforce the Act. I want to make sure that this really does what we want it to do. Not that we just pass a piece of legislation saying, okay, Burr Oaks Cemetery situation is solved 'cause we got this Act. I saw it specifically with the last set of rules that the

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

69th Legislative Day

5/30/2011

department proposed that wasn't really going to do that. It was just going to make it more onerous on legitimate cemeteries to comply with a law that they would have no problems with. I know we've provided exemptions in this. I want... I just want to alert the Body that we need to have more input in this because there's going to be problems down the road if we don't make it where it's acceptable... an acceptable form so it can be enforced in a... in a legitimate manner. Now I... listen, I... I have no problem with the department. I... I'm one of their biggest defenders."

Davis, M.: "I just want to add that the department currently has the authority to contract with third parties in other issues. This isn't something just totally new for the cemeteries. They have the authority to have agreements with and other local law enforcement agencies, they can contract with third parties already. This is already agreed upon or done."

Saviano: "No, no. I understand they cooperate with other forms of law enforcement, but this is creating a new stream of money. I would like to know that that... I want to make sure that the third party that they would be bringing in and paying or... or contracting with or whatever would be law enforcement and not some private entity that would somehow be accessed to a new contract or whatever. I want to make sure it's all law enforcement that's involved."

Davis, M.: "They already have the ability to do that under other statutes."

Saviano: "This is a third party contract though. They don't..."

Davis, M.: "And they have a right to do that currently."

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

69th Legislative Day

5/30/2011

Saviano: "No, no they don't. This is specific to this Act."

Davis, M.: "But I'm... it is specific to this Act, but the... the department already has the authority to contract with third party based upon what the department's needs are. So, we just added that to this Bill also. And the fees are decreased."

Saviano: "I... I'm... all I'm looking for is a definition of third party. That's all I'm looking for. Give... give me a... throw me a bone here."

Davis, M.: "It just says third party, so it... probably based upon need. You know, private entity based on need."

Saviano: "Well, Representative, when you were in the meetings, was... was it ever discussed what would represent a third party?"

Davis, M.: "They really don't have to use... they usually... they don't have to use that authority. They do not have to use it."

Saviano: "No, no..."

Davis, M.: "But currently when you say third party and you're contracting with them it means private industry."

Saviano: "I mean, there's... there's... I mean, third parties, it's not just specific to law enforcement. But how about cemetery inspection? I mean, are... they're going to be hiring consultants? 'Cause you... you understand... you understand that the department has appointed the cemetery tsar who's going to have control over this Act and he's going to have some unilateral authority to hire people to do a lot of things this Act asks us to do."

Davis, M.: "Well, they'll..."

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

69th Legislative Day

5/30/2011

Saviano: "I just want to... I just want to make sure that whoever's enforcing this Act is doing it in a way... in the most efficient way and the best way it can be done?"

Davis, M.: "So that would be..."

Saviano: "And I'm not comfortable with that right now. I think there's just too much ambiguity involved."

Davis, M.: "That would be subject to the agreement and they would only use those parties that are experts in a particular area that's needed."

Saviano: "Now, the other... you know, with... allowing them to use local law enforcement we come into... we come up with a problem with the statewide enforcement authority. So, we're... we're giving up uniformity under the Act that we're passing to allow different local law enforcement agencies to enforce. Now, they may enforce it in different fashion. That's one reason we do state licensure, so it's done in a fair, broad-brush manner where we... we, as a state, our state agency enforces in a uniform manner according to the law."

Davis, M.: "This is permissive authority and it's up to the agreement between the agency and the authority."

Saviano: "No, I understand it, but we're giving them that permissive authority where otherwise we don't usually give... we never give that in... in any of our other licensure Acts."

Speaker Lang: "Mr. Saviano, I've given you a lot of leeway, Sir, but it's time to bring your remarks to a close."

Saviano: "Well, I... I... I thank you, Mr. Speaker. And I just wish sometime after this... I'm not ready to vote for this yet because I... I think that... I think JCAR should... should have

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

69th Legislative Day

5/30/2011

been a little more involved in this process because of the fact that we... we... we... we... as you know, Mr. Speaker, we've... we put a lot of thought into this and a lot of hours and I just think we're not quite there. I respect Mr. Ellis. He said that this is something that we could work on. We don't know the certainty of this in the Senate because they already sent over a Bill that they were comfortable with. So, I don't know where it's going to end up, but I just wish we had a little more time to work on this. This is something that, beyond political reality, I think it's in the sake of good public policy that we sit down and... and work this out. Thank you."

Speaker Lang: "Mr. Brady."

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

Speaker Lang: "Lady yields."

Brady: "Thank you. Ladies and Gentlemen, for maybe a few points of clarification. I've been working on this issue for quite some time and I... I think I bring to the table, if I'm not mistaken, as the only funeral director in this Body, as the only former coroner in this Body and as possibly the only former cemetery employee in this Body... Ron Stephens, he might... Representative Stephens may be one, but I want to try and clarify a couple of things. Now the previous speaker talked about issues with JCAR. And I was at the meeting with JCAR and I... I can appreciate their concern. But let me... let me break this down for you as easily as I can. We had a situation that occurred in the State of Illinois that caused us to do a couple of things. It caused

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

69th Legislative Day

5/30/2011

me to create a Prearranged Funeral Investigation Task Force and the Governor to create another task force of the Cemetery Oversight Task Force. We made recommendations, lots of people testified, pro and con in certain areas, people in the industry, families, the list goes on. And we came up with some legislation that even in spite of my trying to explain some things had some far-reaching areas that we needed a trailer Bill. So, I wrote a trailer Bill. And many others helped on the trailer Bill. This is very close to that trailer Bill. Now, the previous Representative will tell you a bunch of things about JCAR. JCAR listened to the for-profit cemeteries in this state and that's okay. But the for-profits aren't telling you, Ladies and Gentlemen, the whole story. Many of you asked what is best for my smaller cemeteries in this state? What treats them fairly? Senate Bill 669 does that because the township officials, the Illinois Municipal League and the Alliance of Cemeteries of Illinois helped write the Bill. They wrote a Bill that would be favorable and helpful to some of these smaller operations across the state, especially those volunteers, especially those that maybe only have one person on staff. Now, the bigger for-profit cemeteries like Burr Oak was a member of the Association of... the Illinois Cemetery and Funeral Home Association. Other cemeteries that have had significant problems across the State of Illinois have been and are a member of that association. And you know what happened? We came up with some regulation. We came up with some licensure requirements. We came up with some certification

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

69th Legislative Day

5/30/2011

requirements. We came up with some consumer protection requirements. I think we came up with something that was relatively fair and something that was relatively doable. But then JCAR decided they didn't want to implement some of the department's ideas. So, we went back, we worked, we cleaned things up. We worked with a lot of different groups. Here's the bottom line. The bigger for-profit cemeteries don't care for some of the things in this Bill and they're never going to, Ladies and Gentlemen. They're simply never going to. It is Memorial Day, Ladies and Gentlemen. Memorial Day when we are supposed to have reverence for the dead. When we are supposed to care for the grounds of cemeteries across this state. When we are supposed to be pro consumer and protect families at the most vulnerable times of their lives when one of their loved ones dies. This legislation doesn't have everything I wanted. I would have gone for some stricter regulation, if that was totally up to me, but it wasn't. What this boils down to is trying to be as fair across the board of cemeteries across this state without painting everybody with the same brush. Some of the fees, yep, we have asked... oh my God, we have asked for people who sell in this state cemetery plots and other related goods of all things to have a frigging license so we know who they are. JCAR has problems with that. We ask it... require more of barbers in the State of Illinois to cut hair than we do of people out selling to families in one of the most vulnerable times of their life. With some of the fees we have put in the Cemetery Relief Fund for grants for smaller cemeteries for

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

69th Legislative Day

5/30/2011

cemeteries not-for-profit that might need additional care and help, for neglect and abandoned, for mowing services, for snow removal and the list goes on. This, Ladies and Gentlemen, is a Bill that many of you have asked about 'cause you had concerns and justifiable concerns. I didn't put my name on as cosponsor and work on this for almost the last two years with many other people because I think it's unfair. I think it's fair. I think it protects the consumer. I think it takes care of the burial grounds across the state to the best of our ability. And I ask for a 'yes' vote."

Speaker Lang: "Mr. Reis."

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

Speaker Lang: "Lady yields."

Reis: "Representative, a lot of passionate speeches here. But can you please tell us how this is similar to Senate Bill 1853? Just real... not a long answer, but..."

Davis, M.: "Well, a lot of the requirements in 1853..."

Reis: "Now, that's the Bill that passed the Senate to basically gut what happened last year?"

Davis, M.: "Okay. Okay."

Reis: "Well, let me ask you is there a cemetery..."

Davis, M.: "Okay. No, 18... let me... let me just say..."

Reis: "...bill of rights in this?"

Davis, M.: "...1853 did not preserve any, hardly any, of those regulations put in by the Cemetery Care Oversight Act."

Reis: "I would agree. Is there a cemetery bill of rights in your Bill?"

Davis, M.: "Yes, there is. Yes, Article 35. Yes."

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

69th Legislative Day

5/30/2011

Reis: "Does the Comptroller retrain... retain financial oversight roles?"

Davis, M.: "Yes, the Comptroller does. We have returned the... the Care Fund and the Crematory Regulation, the Comptroller is still in charge of that, yes."

Reis: "Does it... does it still require background checks for all employees?"

Davis, M.: "There are no fingerprints. Background checks, but no fingerprints."

Reis: "You read off a long list of proponents. Is the Illinois Cemetery and Funeral Home Association in support or in opposition or neutral?"

Davis, M.: "They're... they are the sole opponent."

Reis: "They're the sole opponent?"

Davis, M.: "Yes."

Reis: "And they represent their cemetery owners? You listed some people that were exemption. What about townships that are currently still... Well, I'll throw that question into two parts: townships that do not have any current burials and then townships that still have burials?"

Davis, M.: "The Township Officials of Illinois are in support of this Bill."

Reis: "No. My question was, are townships that no longer have burials exempt?"

Davis, M.: "Yes, they are. If they don't have burials, they are exempt."

Reis: "Now, is that a partial exemption or a total?"

Davis, M.: "If they haven't had a burial in 10 years, they are exempt."

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

69th Legislative Day

5/30/2011

Reis: "Totally, okay."

Davis, M.: "And if they're under three acres they're also exempt."

Reis: "So, the fidelity bonds requirement's gone?"

Davis, M.: "That is a requirement of any Care Fund Cemetery."

Reis: "Which that's going back to the Comptroller?"

Davis, M.: "Yes."

Reis: "On the issue of liability insurance, would all cemeteries be required to have liability insurance?"

Davis, M.: "The... the fully licensed cemeteries will have to have liability insurance, but I think it's reduced... the amount is tremendously reduced."

Reis: "I know this may seem trivial at this point on your Bill, but we had a number of calls on the Bill that passed almost two years ago that would require signage in Spanish. Is that in any way, shape or form still part of this Bill?"

Davis, M.: "Well, the sign is presented for the benefit of consumers. Now, if those consumers are Lithuanian or if those consumers are speaking another language I would hope that we would want to put a sign there that is in the language that they read."

Reis: "The language that came out of JCAR..."

Davis, M.: "Ninety percent of the cemeteries already have it."

Reis: "No, no, not... not in our area. I mean, that was just... three, four or five cemeteries called in and said why on earth are we required to have English signs and Spanish signs for our cemeteries?"

Davis, M.: "Do you have Spanish residents?"

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

69th Legislative Day

5/30/2011

Reis: "Very, very few and my wife is one of them and I'm proud to say that, but..."

Davis, M.: "Is she an English language speaker?"

Reis: "You haven't answered my question, Representative. Yes or no, is that a requirement?"

Davis, M.: "The Bill does require cemeteries to post signs with consumer information, that's all. That's all it says about signs."

Reis: "Okay."

Speaker Lang: "Mr. Reis, can I ask you to bring your comments to a close, Sir?"

Reis: "I was just finished up. Thank you."

Speaker Lang: "Thank you. Mr. Cunningham."

Cunningham: "Will the Sponsor yield?"

Speaker Lang: "Lady yields."

Cunningham: "Thank you. I stand in support of this Bill. I wanted to point out to the chamber, given some of the criticisms that have been offered, that this Bill is essentially a middle ground. We have a much more restrictive law on the books right now. An effort was made over the last several months in a concession to the cemetery industry to smooth out some of the more restrictive elements of the original Act and that has been done. And as a result, there are elements of this Bill that I am not completely comfortable with that a previous speaker said that he was not comfortable with, but this represents in essence a middle ground, a compromise between a much more restrictive law that's currently on the books and an effort in the other chamber to completely dismantle

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

69th Legislative Day

5/30/2011

what's on the books right now. This is a good Bill. It does a couple of very important things. Number one, it maintains the Illinois Department of Financial and Professional Regulation oversight over cemeteries. That's something that's very important. Cemeteries for years virtually went with virtually no regulation in this state. They will now. That stays in this Bill. A database must be in place to track all burials in the state. That will prevent the kind of things we saw at Burr Oak, which we... where we saw corrupt cemeteries resell plots. That won't happen. But as I said, there's also a number of elements of this Bill that... that relieve burdens on smaller cemeteries, on cemeteries that are non-for-profit, that are municipal cemeteries and religious cemeteries. And I urge the chamber's support."

Speaker Lang: "Last speaker will be Mr. Dunkin. Mr. Dunkin."

Dunkin: "Thank you, Mr. Speaker. To the Bill. Ladies and Gentlemen, this Bill is a... a long, long overdue piece of legislation that is finally going to be codified. I served on the Governor's Cemetery Task Force about a year and a half ago and I... that was a work in progress and here we are right now with language that summarizes all of the efforts that a number of perspectives in testimony that went on for about several months. And so, I just want to commend the Sponsor in her leadership. This is in your district, Representative. It is a very horrifying history that occurred with Burr Oak Cemetery and this really sort of summarizes something positive that came out of all of that dialogue and all of that statewide embarrassment of our

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

69th Legislative Day

5/30/2011

state agencies not being on their toes and really doing what they should have been doing in the first place, whereas we could have avoided this level of travesty. It's a sad history in this state, but now we're able to move on and do the right thing and provide the legislative and regulatory teeth to see to it that no cemetery and no family in this state ever experiences what folks like myself and many Members here in this chamber and across this state will ever have to endure again with the death of their... their loved ones. So, I would strongly urge an 'aye' vote. And again, I commend the Sponsor in her leadership and for all of us in doing the right thing. Thank you."

Speaker Lang: "Representative Davis to close."

Davis, M.: "Thank you, Mr. Speaker. I would just like to thank all of those who asked questions and all of those who made comments. And we know that JCAR needs legislation in order to get its work done, so we'd like to get this Bill implemented and get some regulation on this particular issue that's extremely important to all of us. Thank you, Mr. Speaker. And I urge an 'aye' vote."

Speaker Lang: "Lady moves for the passage of the Bill. Those in favor vote 'aye'; those opposed 'no'. The voting is open. Have all voted who wish? Have all voted who wish? Record yourselves, please, Members. Mr. Franks. Mr. Sullivan. Please take the record. On this question, there are 86 voting 'yes', 29 voting 'no', 1 voting 'present'. And this Bill, having received a Constitutional Majority, is hereby declared passed. Mr. Clerk."

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

69th Legislative Day

5/30/2011

Clerk Bolin: "Committee Reports. Representative Currie, Chairperson from the Committee on Rules reports the following committee action taken on May 30, 2011: recommends be adopted Floor Amendment #3 for Senate Bill 1653 and Floor Amendment #3 for Senate Bill 1831; and recommends be adopted Motion to Concur with Senate Amendment #1 to House Joint Resolution 27. Representative Chapa LaVia, Chairperson from the Committee on Elementary & Secondary Education reports the following committee action taken on May 30, 2011: recommends be adopted House Resolution 373, House Resolution 411; Motion to Concur with Senate Amendments 1 and 2 to House Bill 1197."

Speaker Lang: "Thank you. I'd like to introduce a former Member of the House and Senate, the current State Treasurer of the State of Illinois Dan Rutherford. Representative Osmond."

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

Speaker Lang: "And how long will that caucus be?"

Osmond: "We would like 30 minutes."

Speaker Lang: "The House will be at ease 'til the hour of 2:15. House is at ease till 2:15. Mr. Bost. Out of the record. Members, please return to the floor. The House will be in order. On page 6 of the Calendar, under the Order of Senate Bills-Third Reading, appears Senate Bill 1968. Mr. Clerk, please read the Bill. I understand this Bills needs to be returned to Second Reading for purposes of an Amendment. Mr. Clerk, put the Bill on the Order of Second Reading and please read the Bill."

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

69th Legislative Day

5/30/2011

Clerk Bolin: "Senate Bill 1968, a Bill for an Act concerning State Government. Second Reading of this Senate Bill. No Committee Amendments. Floor Amendment #2, offered by Representative Jackson, has been approved for consideration."

Speaker Lang: "Mr. Jackson."

Jackson: "Thank you, Mr. Speaker. I'd like to hold this on Second. Do I need to do the Amendment first, though?"

Speaker Lang: "If you want to... if you want to adopt the Amendment then..."

Jackson: "Yes, I'd like to adopt the Amendment."

Speaker Lang: "All right. So, explain the Amendment and then we'll have it adopted for you."

Jackson: "The... the Amendment changes the language in the Health Care Facility Act from facility from 'license' to 'certificate' so that those individuals could receive food stamps. The pilot program is operated by the Department of Aging. We have been working with all interested parties to ensure that in trying to help one group we don't accidentally hurt another. It is clear that we need more time to work on the details. I'd like for this Amendment to be approved and I would hold it on Second."

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

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

Speaker Lang: "Please hold this Bill on the Order of Second Reading at the request of the Sponsor. Mr. Bost."

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

69th Legislative Day

5/30/2011

Bost: "Thank... thank you, Mr. Speaker. Let the record reflect the rest of the day that Representative Beaubien will be excused, please."

Speaker Lang: "On page 12 of the Calendar, under the Order of Senate Bills-Second Reading, there appears Senate Bill 2133. Mr. Jones. Please read the Bill."

Clerk Bolin: "Senate Bill 2133, 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 2133, a Bill for an Act concerning education. Third Reading of this Senate Bill."

Speaker Lang: "Mr. Jones."

Jones: "Thank you, Mr. Speaker. Senate Bill 2133 becomes the Bill, the Amendment becomes the Bill. This language, the Amendatory language, is at South Suburban College to refinance current bonds. This is done in accordance with the Illinois Community College Board. And I would ask for an 'aye' vote."

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

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

Speaker Lang: "Gentleman yields."

Eddy: "Representative, does this authority require a... a front door referendum? In other words, the folks will have to know and vote on the fact that it's from... to 25 years."

Jones: "No, Sir. It doesn't require referendum. It allow..."

Eddy: "It does not?"

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

69th Legislative Day

5/30/2011

Jones: "No. It allows the college to finance a bond to match a state funded project being released by the ICCB. The additional revenue is a local match that's necessary to complete the project. It's for..."

Eddy: "What... what... what will the additional cost to the project be based on... you're going from 20 to 25 years?"

Jones: "Yes, Sir."

Eddy: "So, do you know what the cost will be to the taxpayers?"

Jones: "I do not have that. But the... to my knowledge this is a policy that's been done with a lot of projects. We've done it with a couple of extending the life of a TIF and this is no different."

Eddy: "Well, I understand that. My... my concern is that it's being done without the authority of taxpayers and this will cost taxpayers money if you extend the bond period. So, I guess... is there a reason that they need to do it this quickly? Is the referendum not possible?"

Jones: "Well, the reason that South Suburban College wants to do this, they're in the process of building a \$45 million Allied Health Center that will be good for the south suburbs. This project has been done with the other community colleges and it's no different than the projects or items that we've extended in this General Assembly for other projects."

Eddy: "Representative, I, again, I'm wondering if this has to do with the fact that there may be federal money involved which allows it or... or requires a longer period of time? What we're doing here, if... if this is done without

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

69th Legislative Day

5/30/2011

referendum, we're allowing a bond to be extended without the consent of the voters and that will cost them money."

Jones: "This is a project that South Suburban College has had on the books for almost 20 years and the ICCB has had on the books for 20 years. This is to... we're extending the bond to provide the local match necessary for the \$45 million Allied Health Center at South Suburban College."

Eddy: "I get that. But the bond... the bond is going to be paid back through a levy, right?"

Jones: "Yes."

Eddy: "And that levy is going to be on taxpayers who are not going to have the opportunity to vote on whether they want to pay additional money and that... that's the concern I have. Normally there's some kind of referendum so that the taxpayers have the opportunity to vote."

Jones: "Okay."

Eddy: "And... and we're taking that voting right away from those taxpayers if there's no referendum."

Jones: "We're not taking the voting rights away from them because they elected the chairman and the board of trustees to provide the decisions like this. And this is going to provide a \$45 million Allied Health Center at South Suburban College that's going to benefit the south suburbs."

Eddy: "Okay. And I..."

Jones: "So, this is no different than the projects that have been done before with the ICCB and also, this General Assembly extending the life of projects like this before."

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

69th Legislative Day

5/30/2011

Eddy: "Well, Representative I... I understand what you're trying to do and I don't doubt the fact that this is something that will benefit the area. Again, my only concern is it appears as if we're costing taxpayers. If this is not by referendum as... as you have stated, they have no say in an additional levy. Thank you."

Jones: "You're welcome."

Speaker Lang: "Mr. Franks."

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

Speaker Lang: "Gentleman yields."

Franks: "Representative, is there any bonds... have these bonds already been issued?"

Jones: "Yes."

Franks: "Okay. And what you're trying to do is to extend the life of the bonds from 20 to 25 years?"

Jones: "Yes, Sir."

Franks: "Has there been a fiscal note to determine how much more that would cost the taxpayers to extend the life of the bond by... by 5 years?"

Jones: "To my knowledge, there hasn't. But this project has been done with the... the current law provides for Lockport High School, Elgin Community College and Kishwaukee Community College have already done this sort of project with this General Assembly have given them authority to do."

Franks: "But... but there has not been... you're trying to get a new project here, I presume, to build a... a state of the art Allied Health addition on the campus. That's what you're trying to do."

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

69th Legislative Day

5/30/2011

Jones: "Yes, Sir."

Franks: "Okay. But my question is, has there already been bonds sold in order to have the funds to do this? Are you just trying to extend the time or have you not yet sold the bonds?"

Jones: "I'm trying to extend the time. I believe the bonds have been sold. I can get that answer for you, Representative."

Franks: "Okay. Our analysis indicates that the community college is currently bonded at 20 million with a cap of 100 million?"

Jones: "Yes."

Franks: "So, are you trying to get an additional 40 million or is that just an additional 20 million?"

Jones: "It's additional 20 mil... million, which will provide the local match for the college with the bond."

Franks: "Okay. But you don't have a... you don't have a fiscal impact on how much it would cost additionally for the extra 5 years? That's all I really want to know."

Jones: "No, I'll get that answer for you, Representative."

Franks: "Okay. Thank you."

Speaker Lang: "Mr. Jones to close."

Jones: "Thank you, Mr. Speaker. This is a good project for the south suburbs. It's good for South Suburban College; it's good for my district. I would encourage an 'aye' vote."

Speaker Lang: "The 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? Have all voted who wish? Record yourselves, please, Members. Mr. Barickman, Brown, Mitchell. Bill Mitchell.

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

69th Legislative Day

5/30/2011

Please take the record. On this question, there are 66 voting 'yes' and 50 voting 'no'. And this Bill, having received the Constitutional Majority, is hereby declared passed. Page 11 of the Calendar appears Senate Bill 1831, Representative May. Please read the Bill."

Clerk Bolin: "Senate Bill 1831, the Bill was read for a second time on a previous day. Amendment... Amendment #1 was adopted in committee. Floor Amendment #2, offered by Representative May, has been approved for consideration."

Speaker Lang: "Representative May."

May: "Thank you, Speaker. The majority of this Bill includes three House Bills, I believe, that have passed the chamber unanimously. House Bill 3474, my comprehensive IMR... IMRF Pension Accountability and Sustainability Law, which stops further aspects of double-dipping, antispiking, it has transparency, cuts out pensions for new hires on some part-time boards. Then it includes 3253, also my Bill, which reformed the SLEP and ECO systems in IMRF for new hires. And House Bill 1956, which was carried by Representative Nekritz, also unanimous about the hourly standards for IMRF and school district employees. So, three major portions passed unanimously but did not move in the Senate. There are two small new sections. One is addressing the issue of IMRF participants who also can get a union pension at the same time they're getting an IMRF pension. This says that they can't get both if their employer paid. It leaves alone any where they're union, only monies put into it. Another small provision says that retired police officers, which are now prohibited from doing any auxiliary police work

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

69th Legislative Day

5/30/2011

could do it if it was for directing traffic, managing parking, strictly traffic management at special events."

Speaker Lang: "Representative, did you describe both Amendments or just one Amendment?"

May: "I'm sorry... I'm sorry, I got carried away."

Speaker Lang: "Well, that's all right. So, we can take them both on one Roll Call if no one objects."

May: "But I... No, I need to make sure... I believe we want to adopt 3 and not 2. And 3 is supposed to have both 2 and 3 in it."

Speaker Lang: "So, you wish to withdraw Amendment 2?"

May: "Yes. And adopt #3."

Speaker Lang: "Mr. Clerk, Amendment 2 is withdrawn. And Representative May has already described Amendment 3. And on that question, the Chair recognizes Representative Eddy."

Eddy: "I have a Parliamentary inquiry. I... I believe that..."

Speaker Lang: "State your inquiry, Sir."

Eddy: "...I believe that we want to make sure that 2 is incorporated into 3? I think that... okay. All right. So, we're just adopting Amendment #3?"

Speaker Lang: "Number 2 has been withdrawn, Sir."

Eddy: "Okay. Thank you."

Speaker Lang: "Representative Greg Harris."

Harris, G.: "Thank you, Mr. Speaker. Question of the Sponsor. Are the... is the Section that was of concern to police and fire removed from Amendment #3?"

May: "Yes. The portion that said that downstate fire and police pension funds could be irrevocably put into IMRF has been

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

69th Legislative Day

5/30/2011

stricken. That was the thing we were waiting on for Amendment 3."

Harris, G.: "So, that is out of the Bill?"

May: "Yes. And I would love it if staff would give me the language. I don't know that I even got the language because it's so fresh, hot off the presses."

Harris, G.: "Thank you."

Speaker Lang: "Mr. Bost."

Bost: "Thank you... thank you, Speaker. I just think the Lady did clarify that it was... that it's a very important part. The Bill itself is... after this Amendment is put in place is a... I stand in total support of. But we did have problems with the firefighter language that was... needed to be removed."

Speaker Lang: "Mr. Durkin."

Durkin: "Representative May, what systems are being affected by this Bill?"

May: "It is IMRF, is does not affect police and fire in any way."

Durkin: "No other systems? Strictly IMRF, right?"

May: "There was... there was one portion in House Bill 3474 that affected all systems, but not police and fire in that either."

Durkin: "What does that..."

May: "But as I say, that came out unanimously a long time ago."

Durkin: "But that's in this Bill, right?"

May: "Yes."

Durkin: "And what does that do? That affects all systems?"

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

69th Legislative Day

5/30/2011

May: "It was... it was about double-dipping, independent contractors. That was the only portion that affected all systems for new hires."

Durkin: "I'd rather not have to get into it in Third Reading. Can you explain to me what that double-dipping specifically... prohibition specifically does?"

May: "That you cannot be working as an independent contractor if you are a current annuitant."

Durkin: "All right. Now, you... you also mentioned that one of the provisions that you added would allow for police to... retired police to work as traffic safety officers or going into some type of capacity back to the police department?"

May: "Yes, strictly at special events and performances."

Durkin: "All right. Here's the question I have for you. How is that germane to the pension issues that we have in this Bill?"

May: "Because the current law says that if you were an early retirement... if you took early retirement you couldn't do it."

Durkin: "All right. The only reason I ask you is that we have a germaneness issue now that's being heard by our Supreme Court. You have a lot of different sections that are being incorporated and a lot of different issues. So, I wanted to make sure that we understood that there was not going to be a... an issue regarding inconsistency with that Section. Thank you."

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."

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

69th Legislative Day

5/30/2011

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

Speaker Lang: "Third Reading. On page 5 of the Calendar, under the Order of Senate Bills-Third Reading, appears Senate Bill 145, Representative Feigenholtz. Please read the Bill."

Clerk Bolin: "Senate Bill 145, a Bill for an Act concerning health facilities. Third Reading of this Senate Bill."

Feigenholtz: "Thank you, Mr. Speaker. Senate Bill 145, as amended, is about protecting the developmentally disabled and treating mentally ill people fairly. We had reforms that we passed last year for nursing homes to staff up so that our family members and loved ones can be safe. This Bill will bring that... those goals to fruition. It also provides a separate licensure code for some facilities exclusively serving individuals who are under 55 with serious mental illness. I would be glad to answer any questions."

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

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

Speaker Lyons: "Sponsor yields."

Eddy: "Representative, I think... well, let me... let me ask if this question is accurate or this statement is accurate. This really kind of fixes the Nursing Home Bed Tax that was passed with... in the January Session, is that right?"

Feigenholtz: "Yes."

Eddy: "So, in January with a minimum number of votes and a lot of sub ducks and lame ducks around, we passed a pretty

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

69th Legislative Day

5/30/2011

substantial increase in the Nursing Home Bed Tax. I think it was 1.50 and it went to 7.57. And apparently there was something amiss in the Bill so that the feds would not approve it as written. Is that... and... and now this seeks to correct the... the problems in the Bill so that the implementation could take place?"

Feigenholtz: "Correct."

Eddy: "Okay. So, is... I think it's pretty accurate to state that if you vote for this, you're voting for the Nursing Home Bed Tax because without this there is no Nursing Home Bed Tax."

Feigenholtz: "Representative Eddy, you can characterize this as ever you wish, there's no tax in this Bill. What this Bill does is it fixes a problem that could potentially unravel all of the nursing home reforms that have been enacted in this state. There are employees that are put in place. We have asked these providers to staff up and they have. And we have given them various steps to staff up, which they have. And unfortunately, we did hit a little hiccup on the calculation and this would essentially, if not passed, create a \$214 million hole in the budget of the Human Services-Appropriation. And we would have to go back to the drawing board."

Eddy: "Well, I... I guess, to get back to my... my basic premise here. The fact that the Nursing Home Bed Tax cannot be implemented without this Bill passing simply means that you're voting for that tax because without this there is no tax. Now, I... I'm concerned with the way this affects nursing homes in my district. I have two different really

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

69th Legislative Day

5/30/2011

basic types of nursing homes. I would just call some winners and some losers. Some nursing homes will receive additional funding as a result of this and some will lose hundreds of thousands of dollars. And I guess my concern is, how come we couldn't have had some type of Bill to allow for the implementation of... of a tax that wouldn't have created so many losing homes?"

Feigenholtz: "Representative Eddy, when we passed the hospital assessment we also had the same issue. When applying for these assessments, there... the Federal Government demands that there are winners and losers. We did this with hospitals and we were able to levy a tremendous amount of dollars to keep our Medicaid lines intact.."

Speaker Lyons: "Representative, your time has expired. We'll give you another minute or so."

Eddy: "Thank... thank you, Mr. Speaker. Representative, I... I don't know that in the... in the Hospital Bed Tax we had quite the... the number of losers. I... I think it was a better split. I think 40-some percent of the homes in this case will lose. That didn't take place. So, I'm not sure it's accurate to compare the two. And very quickly, to the Bill. I... I... I understand that... that maybe something has to be done here, there have been mandates on nursing homes to require staffing increases. I don't have an argument with that. I understand something has to be done. My problem with this is the nature and the extent of the increase. We're talking about going from 1.50 to 7.57 and we're hurting a lot of homes. I thought that there could be some better way to handle this, much like the hospital

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

69th Legislative Day

5/30/2011

assessment, where there wouldn't be that large number of winners and losers and the... the increase wouldn't be so stifling. I... I just believe that if you... if you vote for this you can expect that the characterization of your vote will be that you voted for the Nursing Home Bed Tax. That is a political fact, Ladies and Gentlemen of the House. Whether or not you like that or not, if you vote for this you will see this in some fashion the next time you run for office because you are voting in affect for that bed tax. I urge a 'no' vote."

Speaker Lyons: "Representative Lang."

Lang: "Thank you, Mr. Speaker. I rise in support of the Lady's Bill. At its simplest terms, this Bill has two parts. One and to put the MRDD homes on the same level with the same requirements of care that we did with nursing homes last year. We should have done it then, we need to do it now so that residents of those facilities will have the same care that we require of residents in nursing homes. It's a very important thing to do. The second part of the Bill changes a category so that the Federal Government will approve the bed tax; A prior speaker referred to this as a vote for the bed tax, he's incorrect. This Bill doesn't have a bed tax in it. This Bill will help us as a General Assembly ratify and convince the Federal Government that we're serious about the Bill we already passed. We already passed the bed tax. The question is, will we do what's necessary today to make sure the Federal Government approves it? We can talk about politics on this floor, but while we all know that politics is lurking in the background the floor of this

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

69th Legislative Day

5/30/2011

House is really not the place to talk about making votes based on political considerations. The purpose of this Bill is so this General Assembly, not can ratify the bed tax but can affirm the action that was taken previously on the bed tax. We have a responsibility to uphold the Acts that this chamber passes. And so, whether you were for or against the bed tax, we have a responsibility to vote for this Bill because we must always back up the actions that this chamber has taken. No one has filed a Bill to repeal the bed tax. If someone wanted to do that, we could have that debate, but since no one has filed a Bill to repeal the bed tax it would be wrong to let this Bill languish because you were against the bed tax. Once this chamber and one this General Assembly and once this Governor approve the bed tax we have a responsibility to do what is necessary in this chamber to make sure that that law finds its way to a conclusion. The conclusion of that is the approval by the Federal Government of the bed tax. You may not like the bed tax, but you like being a State Representative. And we have a responsibility to uphold the action that this chamber has undertaken. So, this Bill has two parts. One, I think no one has any dispute about, to make sure folks in the MRDD facilities have proper treatment with similar provisions to that we passed..."

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

Lang: "Thank you, thank you. ...in the Nursing Home Reform Bill we passed last year. The other part simply says we need to make this small change so we can ratify the Act we already took. And we have a responsibility to make sure that

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

69th Legislative Day

5/30/2011

happens. I strongly recommend your 'aye' votes. I strongly recommend that you take a stand today affirming an action that the General Assembly previously took in supporting the Acts of this chamber."

Speaker Lyons: "Representative Patti Bellock."

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

Speaker Lyons: "Sponsor yields."

Bellock: "Thank you. Is the Mental Health Association still adamantly opposed to the Bill?"

Feigenholtz: "Actually, Representative Bellock, there have been meetings both yesterday and today and I believe that they're neutral on the Bill now."

Bellock: "Oh, really?"

Feigenholtz: "At... at CEVA, Community Behavioral Health is neutral on the Bill."

Bellock: "Okay. Regarding the question that Representative Eddy asked, even though they're saying this is not a tax, if this Bill does not move forward does the tax take place?"

Feigenholtz: "No, it does not."

Bellock: "Okay. Is... are the numbers still the same as Representative Eddy said too? Is it still... I mean, my concern the last time, and I understand what issues you were trying to address with the Bill in the lame duck Session, but my concern was that 40 percent of the nursing homes in the State of Illinois were losers and especially those that were private pay. So, it was almost as if they were being punished if they had private pay people in them."

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

69th Legislative Day

5/30/2011

Feigenholtz: "Well, actually, Representative Bellock, perhaps this Bill will encourage private pay nursing homes to take more of our Medicaid clients. That's sort of how I would look at it."

Bellock: "But I remember at the time several of them said they did take 70 percent Medicaid and yet they still were losers in the percentages that came out."

Feigenholtz: "Well, in... in... in some nursing homes where there... where there's a system or more than one there's typically a mix of private pay and Medicaid."

Bellock: "Right."

Feigenholtz: "And so... and even within one particular home there also should be that kind of mix ultimately."

Bellock: "I thank you very much. In response to the Bill, I think the question is when we talked about 40 percent of the nursing homes in the State of Illinois being losers and there was a comparison to the Hospital Assessment Tax. And when we do the Hospital Assessment Tax we put up \$900 million and get back probably \$1.5 billion. So, some hospitals are losers and some hospitals are winners, but the difference there is a lot of those hospitals are within systems. So, they have some hospitals within their system that can take the loss and others that gain. But in this respect, when you talk about 40 percent of the nursing homes being losers, nursing homes are not within systems and so the nursing home itself, some of them will take big losses. Thank you."

Speaker Lyons: "Representative André Thapedi."

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

69th Legislative Day

5/30/2011

Thapedi: "Thank you, Mr. Speaker. To the Bill. I would like to commend the Sponsor for working with the Bar Association and the Trial Lawyers to preserve the essential body of case law relative to nursing home litigation. More specifically with respect to legislative intent, the Bill does not erode the definition of the term neglect. By not doing so, this Bill allows the Department of Public Health to continue with the enforcement of the Act effectively and without ambiguity while preserving the patient's legal rights. Recognizing the preservation of the significant legal right, the Illinois Trial Lawyers are now a proponent of the Bill and I'm asking everyone in the chamber to please vote 'aye' to protect the legal rights of our most vulnerable people, especially during this very difficult budgetary time. Thank you."

Speaker Lyons: "Representative Golar."

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

Speaker Lyons: "Sponsor yields."

Golar: "Thank you. Representative, does this Bill protect the developmental disabled and fair treating to the mentally ill?"

Feigenholtz: "It does, Representative."

Golar: "And also, with a 'no' vote on this Bill against reforms that will protect vulnerable children?"

Feigenholtz: "Representative Golar, there is a lot at stake with this Bill as far as the care and for our... our loved ones in facilities that house the mentally ill, the developmentally disabled, seniors, across the board. The intent of the Bill is to raise the bar and raise the

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

69th Legislative Day

5/30/2011

standard and quality of care for the people of the State of Illinois."

Golar: "And also, Representative, a 'no' vote on this Bill will also go against additional regulations on facilities that serve people with serious mental illness leaving them in nursing home act care is a recipe for disaster because these residents are under age 55 and have much different care and treatment needs. Ladies and Gentlemen, let's keep our eye on the prize. This is good legislation; let's support it. And I urge an 'aye' vote."

Speaker Lyons: "Representative David Leitch."

Leitch: "Thank you, Mr. Speaker. To the Bill. It took a long time in this House to get rid of the granny tax and I strongly urge you to take a very strong look at this measure because the people who get hurt with this Bill are those who are the third party payers. We already know there are over 40 percent losers, but the third... the private payers are the ones who will be hurt by having their rates jacked up. And not only will you be hearing from them, but it is fundamentally unfair. I totally respect what the intent of the Bill is and why some of these concerns need to be addressed. It's just the tax on the people, and that's what this is, is a tax on private pay people in nursing homes, it's just not a fair way to do it. And so, I think we should go back to the drawing board and figure out a much better way to address the problem. And I would strongly urge a 'no' vote."

Speaker Lyons: "Representative Al Riley."

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

69th Legislative Day

5/30/2011

Riley: "Thank you, Mr. Speaker. To the Bill. I'd like to add my congratulations to Representative Feigenholtz on just a lot of work, it took a long time to craft this piece of legislation. And as you could hear, over time, a lot of groups that might have been opposed or certainly taken no position are now in support of this piece of legislation. We all must remember we're talking about a very vulnerable population who often have no one speaking for them and... and in a real sense this Bill does exactly that. If you look at some of the proponents of this Bill, you'll see different groups that have different philosophies about their point of view in terms of service delivery to this population. And they're all joining in support of the Bill as I do. So, I would all... request you to join us and help this very vulnerable population. And I would request an 'aye' vote."

Speaker Lyons: "Our final speaker will be Representative David Reis and then Sara Feigenholtz to close. Representative Reis."

Reis: "Mr. Speaker, I would like to give my time to Representative Eddy."

Speaker Lyons: "Representative Eddy."

Eddy: "Thank... thank you, Mr. Speaker. I just wanted to clear one thing up because I think Representative Bellock asked a question related to the Mental Health Summit and their support or lack of support for this Bill. As of a half of an hour ago, the Mental Health Summit was still opposed to this Bill. I just received confirmation of that. The Mental Health of America of Illinois, the National Alliance of Mental Health of DuPage County, the Suicide Prevention

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

69th Legislative Day

5/30/2011

Association, the Illinois Hospital Association, the Psychiatric Society, the Psychological Association and dozen of other mental health groups are adamantly opposed to this because this will cause their... their institutions to lose money and it will put at risk some of the individuals who are cared for in the mental health community. No matter what you think this does or this doesn't do, you can expect, in fact, you can be rest assured that this is a vote for what was referred to as the granny tax originally, but it is the granny tax on steroids. This implements a tax that was \$1.50 raising it to \$7.50... 7.57 so that some individuals win and some individuals lose and Ladies and Gentlemen of the House, some of the winners are in institutions that care has not been provided in a quality fashion. There's a better way to do this. There does have to... there does need to be something done in order to... to fund the implementation of the... the additional staffing requirements. A vote against this is not a vote against staffing requirements. Those staffing requirements are required under law currently. In fact, there's another Bill coming that would allow those not to take place if this doesn't pass. They... there's ways to address this that's fair to more of these homes. I would urge a 'no' vote. Let's go back, let's negotiate this thing to a point that 40-some percent of the homes aren't losers. I would... I would just simply request a 'no' vote and remind you that the Mental Health Summit is opposed."

Speaker Lyons: "Representative Feigenholtz to close."

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

69th Legislative Day

5/30/2011

Feigenholtz: "Thank you, Ladies and Gentlemen of the House. The last few days have been days of very difficult decisions, this has been an unprecedented year for the General Assembly. And I... I want to address a corner that we're turning when it comes to the care of the people that we have to take care of. Hopefully, when this Bill passes gone will be the days of bad news reports about low staffing ratios and other bad stories about institutions taking care of our loved ones. No one is more committed to funding community mental health for the disabled, for the mentally ill and the quality of care. This Bill is going to help us get there. And I encourage an 'aye' vote. Thank you."

Speaker Lyons: "Representative Feigenholtz moves for the passage of Senate Bill 145. All those in favor should signify by voting 'yes'; those opposed vote 'no'. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Have all voted who wish? Representative Morthland. Mr. Clerk, take the record. On this Bill, there are 69 Members voting 'yes', 45 Members voting 'no', 1 Member voting 'present'. This Bill, having received the Constitutional Majority, is hereby declared passed. Mr. Clerk, on page 12 of the Calendar, under Senate Bills-Second Reading, Representative Lang has Senate Bill 2147. What's the status on that Bill, Mr. Clerk?"

Clerk Bolin: "Senate Bill 2147, the Bill's been read for a second time, previously. Amendment #5 has been adopted to the Bill. No further Amendments. No Motions are filed."

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

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

69th Legislative Day

5/30/2011

Clerk Bolin: "Senate Bill 2147, a Bill for an Act concerning State Government. Third Reading of this Senate Bill."

Speaker Lyons: "Leader Lou Lang."

Lang: "Thank you, Mr. Speaker, Ladies and Gentlemen. This Bill is not the same as the last Bill, but it certainly relates to it. And this Bill has two parts. First, this creates this... this repairs an audit finding from the Auditor General relative to payments regarding SEIU and the second part of the Bill deals with staffing at nursing homes. During the debate and the discussion and the negotiations on nursing home reforms last year, it was contemplated that there would be sufficient dollars to create new levels of staffing. If the bed tax happens, there will be plenty of dollars for the new staffing, but if the bed tax does not happen there will be insufficient dollars in the system as contemplated by the negotiations to fund the staffing. And therefore, this Bill simply says that unless the bed tax or other funding comes into play the staffing levels would be delayed not forever, not for 10 years, just simply for 1 year to give them a chance to put some dollars in place to pay for the staffing. This was contemplated by the original negotiations. No one's really surprised by this Bill. There will be those that say, well, it's terrible, it goes back on the reforms. Well, I guess you can argue that it does if you want to ignore the negotiations, if you want to ignore how we got to this point. The bed tax was put in place to pay for some of the staff... excuse me, some of the staffing. Now, some will argue on this floor, well, some people are losing under the bed tax. So, how... how does that help them?"

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

69th Legislative Day

5/30/2011

The answer is, I don't know. But it was contemplated in the negotiations for those that were there, those who agreed, those who signed off on the Bill that there would be dollars available for staffing. And all this Bill does is say that if the bed tax doesn't happen or if additional funding is not found we... we'll have a year delay in the staffing. And in a year they'll have to find the money to do it. It's all the Bill says. I would ask for your support."

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

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

Speaker Lyons: "Sponsor yields."

Eddy: "Representative, we... we just voted on the... the... enabling legislation for the bed tax. It's got to go to the Senate, if it passes there and the Governor signs it there... there would still be another step, correct? I mean, doesn't have to be approved still as the plan by the feds or are we fairly certain this is going to be implemented?"

Lang: "Well, we believe it will be approved by the Federal Government. If it isn't, then the bed tax will not have been... will not have... have accomplished its goal."

Eddy: "Okay. So, at that point, with the implementation, facilities will be receiving... well, wait a minute not all facilities. Some facilities will be receiving additional money. I guess, what... what does this do for those facilities that are losers with the bed tax because they're losing money are they allowed not to implement the reforms?"

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

69th Legislative Day

5/30/2011

Lang: "No one would be required to implement the reforms on staffing for one year unless the bed tax happens."

Eddy: "Yeah, but if the bed tax happens there are some facilities that will lose money. So, if this is tied to the bed tax implementation, so funding's available, some facilities aren't going to receive additional funding. So, how is the correlation between funding and the implementation of... of those staffing levels... I... I don't see the correlation?"

Lang: "As I said in my previous remarks, Sir, I anticipated your comment. There will be losers, but the negotiations over the bed tax contemplated that there would be dollars available in the system to pay for staffing. Yes, there are losers, but that... that was not part of that discussion. The discussion was that the bed tax for those who are not losers would be in the system to pay for the staffing levels."

Eddy: "Okay. So, those that are losers and there will be some and if... if... in my district well over half are losers, if the purpose is to try and provide them revenue to implement the staffing requirement increases, how... how are they going to handle this? What's going to happen to those facilities? A lot of them are private pay facilities. They're... they're not have... there's no assistance for them."

Lang: "But Sir, you're going back to the whole issue of whether we ought to have a bed tax. Now, we passed the bed tax and we also just passed the previous Bill, Senate Bill 145 reaffirming the bed tax. Reaffirming that we want to proceed to that. And so, to argue this point seems to be a

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

69th Legislative Day

5/30/2011

third bite at the apple on the bed tax. Let's get beyond that; we've already done that here."

Eddy: "Well, Representative, I... I beg to differ. What this Bill does and very quickly, to the Bill. This Bill actually reduces staffing requirements if there are problems with the implementation of the bed tax, which means that those homes that are... are favorably treated by the bed tax they will..."

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

Eddy: "...those... those... those institutions will receive the money to implement, but those institutions who don't and are losers won't receive the money but they'll have the mandate. This particular Bill, though, allows for a diminishment of the... the intended purpose of additional staffing and those cleanups. So, I... I think what you're really voting for here is the possibility of a diminishment of the increased staffing that was supposed to be there in order to make these homes safer. I would vote against this because I wouldn't vote for diminishing those staffing requirements."

Speaker Lyons: "Representative Lang to close."

Lang: "To make this Bill, again, about whether we'll have the bed tax or the assessment I think is an incorrect direction to go. This simply says that there may be less money in the system if the bed tax fails as it goes through to the Federal Government. Because of that, many of the nursing homes who agreed to the bed tax, who agreed to the assessment, contemplated dollars in the system for these

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

69th Legislative Day

5/30/2011

increased staffing levels when the negotiations were moving forward. All they asked for here is a year delay if the bed tax does not happen. If the bed tax happens, there'll be no delay in staffing. I urge your 'aye' vote."

Speaker Lyons: "Representative Lang moves for the passage of Senate Bill 2147. All those in favor signify by voting 'yes'; those opposed vote 'no'. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Biss. Brady. Currie. Feigenholtz. Jakobsson. Sente. Sullivan. Feigenholtz. Sente. Sullivan. Mr. Clerk, take the record. On this, there are 56 Members voting 'yes', 60 Members voting 'no'. Representative Lang."

Lang: "I ask for Postponed Consideration, Mr. Speaker."

Speaker Lyons: "Gentleman asks and will receive Postponed Consideration. Mr. Clerk, on Supplemental Calendar #1 are the following Senate Bills: Senate Bill 2458. Read the Bill, Mr. Clerk."

Clerk Bolin: "Senate Bill 2458, a Bill for an Act concerning appropriations. Second Reading of this Senate Bill. Amendment #1 was adopted in committee. No Floor Amendments. No Motions are filed."

Speaker Lyons: "Hold that Bill on the Order of Second Reading. What's the status of Senate Bill 2480?"

Clerk Bolin: "Senate Bill 2480, a Bill for an Act concerning appropriations. Second Reading of this Senate Bill. Amendment #1 was adopted in committee. No Floor Amendments. No Motions are filed."

Speaker Lyons: "Hold that Bill on the Order of Second Reading. Representative Lang, on Senate Bills-Second Reading, on

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

69th Legislative Day

5/30/2011

page 8 of the Calendar, you have Senate Bill... you have Senate Bill 744. Read the Bill, Mr. Clerk."

Clerk Bolin: "Senate Bill 744, the Bill was read for a second time on a previous day. Committee Amendments 1, 2 3, 4 and 5 have been adopted. Two Floor Amendments have been approved for consideration. Floor Amendment #6, offered by Representative Lang, has been approved for consideration."

Speaker Lyons: "Representative Lang on Floor Amendment #6."

Lang: "Thank you, Mr. Speaker. Amendment 6 is purely technical. I move adoption of the Amendment."

Speaker Lyons: "You've heard the Gentleman's explanation, request the adoption of Floor Amendment #6. All those in favor signify by saying 'yes'; those opposed say 'no'. In the opinion of the Chair, the 'ayes' have it. And Floor Amendment #6 is adopted. Anything further, Mr. Clerk?"

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

Speaker Lyons: "Representative Lang, Floor Amendment #7."

Lang: "Thank you, Mr. Speaker. Amendment #7 amends the Bill in the following respect. The Bill as originally drafted in the First Amendment which had become the Bill at that time had two different kinds of tax rates for casinos, one for... and for racetracks, one for all else and one for the City of Chicago. There was a request in committee, a request from many Members, to make this one unified statewide tax rate and that's what this Bill does. And so, all gaming in Illinois will be under one tax rate. I move adoption of the Amendment."

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

69th Legislative Day

5/30/2011

Speaker Lyons: "Gentleman moves for the adoption of Floor Amendment #7. Seeing no discussion, all those in favor signify by saying 'yes'; those opposed say 'no'. In the opinion of the Chair, the 'ayes' have it. And Floor Amendment #7 is adopted. Anything further, Mr. Clerk?"

Clerk Bolin: "No further Floor Amendments have been approved for consideration. No Motions are filed."

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

Clerk Bolin: "Senate Bill 744, a Bill for an Act concerning gaming. Third Reading of this Senate Bill."

Speaker Lyons: "Chair recognizes the Gentleman from Cook, Leader Lou Lang."

Lang: "Thank you, Mr. Speaker. Could we get it a little quieter in here, please?"

Speaker Lyons: "Ladies and Gentlemen, this is another of those important Bills where we're going to want to hear the explanation hopefully to prevent some questions being asked. So, I'll ask for conversations on the floor to please go to the back of the chamber or to the side of the chamber. I'd ask for quiet on the floor. Shhh. Representative Lang."

Lang: "Thank you very much, Mr. Speaker. This is known by most people as the gaming Bill. As many in this chamber know, I've been working on this Bill longer than most of us have been around here, but this is an important piece of legislation both for job creation and for economic development. As you know, Ladies and Gentlemen, gaming today is an important industry in our state. It's also an important industry in other states. And because it's an

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

69th Legislative Day

5/30/2011

important industry in other states and because it's treated differently in our... in other states, game... people who wish to gamble have left our state. People in the horse racing industry have lost their jobs. In fact, there are 40 thousand people in Illinois who a few years ago had their livelihood depend on the viability of the horse racing industry and thousands of those people have left our state. Thousands of those people have gone on to other places like Louisiana and Delaware that have been forward thinking enough to put slot machines at their racetracks, to increase the purses four and five times. And what's it's done to agribusiness in Illinois has been appalling and the fact that we have let that happen has not been good for our state and has left economic development in our state languishing. As it relates to casinos, all one needs to do is drive through the south suburbs of Cook County into the State of Indiana. And you see in the south suburbs areas that should be built that are not built, economic development and job creation that should be taking place that is not taking place. And you cross the border into Indiana and you go to just the parking lot of an Indiana riverboat and what do you see? Illinois license plates. You don't see Indiana license plates, you see Illinois license plates. We're exporting business from our state to another state. And we do that across the border from Quad Cities in Iowa, we do that across the border from East St. Louis in the State of Missouri. We must stop exporting business to other states. And this must happen not because this is gaming, but because we wouldn't do this to any other

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

69th Legislative Day

5/30/2011

industry. We wouldn't do this to any other industry. We wouldn't say to them, well, you know all of your competition is beating the heck out of you in the next state, but we're not going to help you. This is a state that's supposed to be about and a General Assembly that's supposed be about creating jobs, economic development and growth. Not only... when you put people to work as I know you well know, Ladies and Gentlemen, they buy things. When you bring people to your state, they buy things. They fill up our hotels; they fill up our restaurants. The tourism people around the State of Illinois, the Chambers of Commerce around the State of Illinois support this Bill and it's important that you do as well. Let me briefly tell you what is in the Bill. First, it creates five casinos, one in the City of Chicago and four others. One in Park City in Lake County... in Lake County, Illinois, one in Danville, one in Rockford and one somewhere in the south suburbs of the City of Chicago in a spec... in a city that will be determined by the Gaming Board through competitive bidding. This provides that the current riverboats can increase in size by paying a large fee. It allows for slot machines at the racetracks, requiring a large fee. It req... allows the Springfield Fairgrounds to have year-round racing and to have a racino for a large fee. Every new gaming position is supported by a large fee. There are numerous benefits in here for the horse racing industry and numerous protections for... through the Gaming Board and the Racing Board for the citizens of Illinois. Altogether this Bill will raise \$1.5 billion in upfront revenue for the State of Illinois from

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

69th Legislative Day

5/30/2011

these licensing fees, all of which are going to the unpaid bills of our state. We have over \$6 billion in unpaid bills today in the State of Illinois and no way to pay them. People have turned their back on borrowing it. People can't figure out how to pay it. Here's the only Bill in the Illinois General Assembly that will help us bring down that debt. You all have vendors and citizens in your communities who are owed money by the State of Illinois, \$1.5 billion and the provisions of the Bill require that if there are Medicaid matchable bills we can pay, do those first to maximize the dollars. In addition, the estimates are... the most conservative estimates are that this will mean a half a billion dollars to education and capital and GRF on an annual basis. But I would tell you that every time we've made estimates as to gaming revenues, over the long history of gaming in Illinois, they've always been low. So, I don't think this half a billion dollars is the right number. I think it'll be much more, maybe a billion or more dollars a year while creating thousands and thousands of jobs for the State of Illinois. Let me also briefly talk about a few other provisions. These provisions ensure minority and female participation. These provisions create funding for local communities and counties. It creates a Depressed Communities Grant Program where as much as \$30 million a year will go to help create jobs and bring about new entrepreneurship in the inner cities all over the State of Illinois. Ten million dollars for compulsive gaming programs and over \$25 million annually for downstate agriculture interests, like soil and water conservation

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

69th Legislative Day

5/30/2011

districts, county fairs, state fairs, cooperative extensions, state parks, botanical garden. And a couple of million dollars a year for the Foreclosure Prevention Program Fund to help our citizens who are having trouble paying their bills and are at risk of foreclosure. And so, Ladies and Gentlemen, there's a lot of good stuff in this Bill, lot of good stuff. The most important part of this has nothing to do with gaming at all. The most important part of this is putting people to work and helping pay the bills of the State of Illinois. That is an important goal, Ladies and Gentlemen. When we ran for office to come here, we talked about job creation, we talked about economic development and this is the only Bill out here that will do it to any measure even coming close to these dollars and to this kind of development. I'd be happy to answer your questions."

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

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

Speaker Lyons: "Sponsor yields."

Eddy: "Representative, I want to make sure that the Body understands the significance of one... at least one of the... the revenue producing functions of this Bill. You mentioned earlier the state is in debt several billion dollars. The initial start-up onetime fees for this Bill according to our analysis indicates \$1.542 billion. One hundred percent of that goes toward paying those bills?"

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

69th Legislative Day

5/30/2011

Lang: "That is correct. With the... with trying... with an effort to maximize those payments that are federally matchable and therefore, actually increase that number."

Eddy: "So, for those people who are not in favor of expanding revenue but paying our bills there was an agreement that we would take the onetime revenue and pay down those bills. And I think that's an important part of this legislation. The other... the recurring fees for this appear to be about \$440 million a year. You mentioned those are likely conservative estimates. It's kind of like our budget process is this year; we've gone with a conservative figure. That revenue will be used in a variety of ways. It's significant that some of it's dedicated to... to programs that are important to downstate communities. For example, soil and water conservation districts receive an annual payment in this Bill?"

Lang: "Yes, Sir."

Eddy: "And that annual payment is around... is it 10 million? If I... if memory serves me correctly?"

Lang: "I think that's correct, Sir."

Eddy: "Okay. In addition we have county fairs that will be supported by this, 4-H would be supported by this, CFAR would be supported by this, a number of very vital programs important interests to downstate have a dedicated annual funding stream that is created by this Bill?"

Lang: "That is correct. And that's not even to mention all the saved jobs downstate. As you know, Mr. Eddy, thousands of people have been flocking out of our state who are in agribusiness and going to other states. We need to get them

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

69th Legislative Day

5/30/2011

back. We need to keep them here. And I've heard from many who say, pass this Bill and we'll come back to Illinois. We'll bring our... our barns, we'll bring our stables, we'll bring our hands and we'll relocate in Illinois and help build this industry."

Eddy: "Representative, I'm glad you brought that up because in my area of the state the horse racing industry has taken... taken a brunt of... of the hit related to the gaming industry. And this is actually a promise kept to that industry because all other efforts in the past to try and provide them with revenue from gaming have been met with resistance, even some deals that were supposed to be part of previous gaming proposals have... have not been... have not been met. That... that industry has been harmed to the extent that it's barely existing in this state. And there is an inclusion of... of positions at... at tracks in this legislation that could very well save that industry in this state."

Lang: "I couldn't have said it any better, Mr. Eddy. You're exactly correct."

Eddy: "Very quickly to the Bill. I want to... I want to try to respect the time constraints we're working under. Ladies and Gentlemen of the House, I would simply say that Representative Lang has worked very, very hard to put together a Bill that respects and supports the interests of downstate in a manner that will help us support programs that are important to us, including soil and water, 4-H, county fairs, Cefur..."

Speaker Lyons: "Go ahead, Representative, finish up."

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

69th Legislative Day

5/30/2011

Eddy: "...and many other important industries, jobs in Southern Illinois, saving the horse industry and a casino in Danville. And I'd be remiss if I didn't mention that before he left this chamber and now continuing in this chamber with Representative Hays, they have made a very strong case... Representative Bill Black and now Chad Hays, a very strong case for the placement of a casino in Danville that will not hurt any existing operations because most of the... the revenue that we're going to derive in Danville will come from Indiana. And wouldn't it be nice for a change if in Illinois we began to reap some benefits from Indiana instead of the other way around? Ladies and Gentlemen, I urge an 'aye' vote on the Gentleman's legislation."

Speaker Lyons: "Representative Hays."

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

Speaker Lyons: "Sponsor yields."

Hays: "Mr. Speaker, would it be fair to say that interests all over this great state are included in this Bill?"

Lang: "Many years ago, Mr. Hays, when I started talking about gaming legislation for purposes of economic development and people would come to me piecemeal to fix this part or that part, I said my greater interest was in creating a comprehensive piece of legislation that (a) dealt with all gaming interests in the state and (b) was something that would appeal to all portions of the state. I think I've done that and I appreciate Mr. Eddy's comments indicating that he thinks I've done that."

Hays: "Thank you so much. To the Bill. I appreciate the hard work that Leader Lang has put into this Bill and all the

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

69th Legislative Day

5/30/2011

work he's done over the years as it relates to gaming. This Bill does in fact help our horse industry. It does in fact bring a casino to the city with the largest number of convention and convention goers in this nation. Conspicuous by its absence, gaming in the City of Chicago. And in my community at long last, a community on the border, a community that is downstate that cannibalizes no one as it relates to gaming interest. We have study after study that indicates that 65 percent of the revenue in our downstate casino will come from Indiana. To that I say to our citizens, welcome home. I say to those citizens in Indiana who are going to be crossing the border, welcome to Illinois. We are closer to Indianapolis than we are even to Chicago. We have buses stopping in our community every single morning on their way to somewhere else to enjoy gaming. The city council of Danville has adopted, by a 100 percent vote, a Resolution that says we are ready and prepared to go to work. And this really is about going back to work, it's not about gaming. Our community has had double-digit unemployment forever. This is about several hundred million dollars of investment in a downstate community that has been struggling, in a downstate community that has been trying to reinvent itself for 20 years. Several hundred million dollars, it's about laborers going to work. Not in Evansville, Indiana, not in Terre Haute, but right at home where their loved ones live. This is about several hundred permanent jobs. I thank the Leader for his work and I... encourage an 'aye' vote. This truly matters to our community. Thank you."

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

69th Legislative Day

5/30/2011

Speaker Lyons: "Representative Sacia."

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

Speaker Lyons: "Sponsor yields."

Sacia: "I... I find myself greatly humbled to stand with Leader Lang on this Bill. Over my 9 years here I think I have stood more in opposition to his Bills then in support and in fact, there was one Bill that we went quite significantly nose to nose that involved the horse industry and he prevailed and life moves on. I... I so applaud you Representative Lang for your diligent year after year after year work in an effort to craft a piece of legislation that supports so many different industries and creates such positive economic development. Oh, there's... there's no doubt, you know it and I know it that the naysayers will say that we're perpetuating ill and we're destroying morals and... and I think you eluded to it in your opening, we've long ago in Illinois established that gaming is acceptable. And what we are doing here is providing an opportunity for so much growth of business in this great state. I... I'm posing this as a rhetorical question, Representative Lang, and I'm sure you would agree with me we have well over 200 thousand horses in this state, nine of them stand on my farm. I have trained and shown horses my entire life. I continue to love them and I've watched how the industry has been decimated and whenever I get involved with horse people and visit with them... Speaker, could we get some order, please?"

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

69th Legislative Day

5/30/2011

Speaker Lyons: "Ladies and Gentlemen, people cannot hear the debate on the House Floor. I'm asking again, please, lower the noise level on the floor. Shhh... Representative Sacia."

Sacia: "Thank you, Mr. Speaker. Ladies and Gentlemen, we have an opportunity here to do something today that is so positive. Not only for urban development, but we include our agricultural industry. We include the horse industry. We actually are building significant jobs for our great state and there isn't a one of us here, not a one of us here that didn't work to get elected to help those back home. Here we have an opportunity to do something that has been in crises for a significant amount of time and I'm not going to be redundant. All I'm going to do is say this great opportunity that is before us right now is why we get paid what we paid, which is not a lot of money, but why we work so hard to get elected so that we can come down here and do the right thing. Yes, there will be those that criticize us but we can look every one of them in the eye, each and everyone and tell them, this is absolutely for the good of the great State of Illinois. It will grow our economy. Leader Lang, I applaud you and thank you for allowing me to be a Sponsor."

Speaker Lyons: "Representative... Representative Chuck Jefferson."

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

Speaker Lyons: "Sponsor yields."

Jefferson: "I rise in support of the Gentleman's Bill. Representative, can you tell me how much money this, again, will represent as it relates to the State of Illinois? How much money we will make from this Bill?"

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

69th Legislative Day

5/30/2011

Lang: "The Bill will provide for \$1.5 billion in upfront fees that will all go to payment of old bills. And we expect a minimum of \$500 million a year moving forward, but many people would suggest, of course you can pick whatever number you like, many people would suggest that number will be up to or maybe more than a billion dollars as the thing rolls out."

Jefferson: "And over and above making those type of dollars, we're going to be able to keep dollars in Illinois from going outside of the city... of the state, is that correct?"

Lang: "Totally correct, Sir."

Jefferson: "You know, it's... it's ironic to me that we've got one of the largest metropolitan cities in the country and we don't have the ability to take advantage of the tourists that come to the City of Chicago. To me that's asinine. That's money that we could bring into the State of Illinois and make sure we're doing everything we can to take care of our economy. The large... one of the largest metropolitan cities in the country and we don't have the advantage to take care of some of those tourists that come in that want to gamble, that come from all over the country to bring their dollars to Illinois and run into a situation where they're unable to spend those dollars. I'm from the northern most part of the state and I watch every day people drive by me in Rockford to get to Wisconsin. Wisconsin is consistently creating gaming situations so that they can get those dollars from Illinois. We have an opportunity to take... keep those dollars in Illinois. We have an opportunity to keep those dollars from Indiana. I

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

69th Legislative Day

5/30/2011

understand this Bill contains a smoking... a smoking ban, but this is going to eliminate the smoking ban until those surrounding borders would a... put a smoking ban in their facilities, is that correct? We would eliminate ours until they decided to create a smoking ban in the other cities?"

Lang: "Well, even though you're standing behind me, Representative, I'm having trouble hearing you. You're asking about the smoking ban?"

Speaker Lyons: "Shhh."

Jefferson: "The smoking ban would be lifted.. would be lifted here in Illinois until other surrounding cities would decide to go to a smoking ban, is that correct?"

Lang: "No, there's nothing about smoking in this Bill, Representative."

Jefferson: "Oh, I'm sorry. I thought I read something..."

Lang: "Now, many of us support that. Let me..."

Jefferson: "...yes."

Lang: "...let me suggest that many of us believe and we voted on this floor previously to do something about the fact that because we have a smoking ban in Illinois casinos it's cost the State of Illinois money; it's costs us jobs. And that's something I still support but that's not in this Bill because that would doom this Bill."

Jefferson: "Okay. Representative, you remember a Gentleman by the name of Zeke Giorgi?"

Lang: "Zeke Giorgi was a beloved person on this House Floor and I recall when he was the Sponsor of the first riverboat gambling Bill."

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

69th Legislative Day

5/30/2011

Jefferson: "Absolutely. And it's ironic that Rockford doesn't have a riverboat even though he was the first Sponsor of gaming riverboats. I think it's unfortunate that we have that problem. He chose then not put a boat in Rockford because we didn't need a boat in Rockford. Rockford is suffering now because our economy is suffering and we need a boat to try and get back to where we need to be. I stand in support of this legislation and I commend you for a job well-done. Thank you."

Lang: "Thank you."

Speaker Lyons: "Representative Rosemary Mulligan."

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

Speaker Lyons: "Sponsor awaits your questions."

Mulligan: "Representative, it's like dejavu from the moment I've been here, it seems like we've been talking about your gaming Bill. It's always very interesting. I have some questions, particularly since one of my home communities, Des Plaines is about to open a new casino, so of course they're very concerned about increased competition. They got the 10th license and they gave away considerable revenue to other communities, so they're very concerned. How soon do you think if this passes any of these casinos would be ready to go and online? And would they have to go to the Gaming Board as they do now to pick out their positions?"

Lang: "Representative, the Bill allows for the new casinos and the new racinos, in other words the slot machines as the racetracks, to open temporary facilities pending the building of a structure. We believe that they could be

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

69th Legislative Day

5/30/2011

ready to go within 6 months, but not necessarily. It will take substantially longer than that for structures to be built and approved by the Gaming Board."

Mulligan: "At one time in the Chicagoland area they had a ship or a large boat that they were going to use, I don't know if they were going to use it temporarily or originally in order to open a facility sooner. Do you know if that... if there's anything like that in the works?"

Lang: "I do not know. That would be up to the City of Chicago."

Mulligan: "Who would own the Chicago casino? Would Chicago own it strictly or would it be partly the rest of the State of Illinois and we would get revenue?"

Lang: "The City of Chicago would own the casino. They'd be required to hire an operator and contract with that operator to run the facility at a set fee."

Mulligan: "The owner of the Des Plaines casino was such an operator. He owned casino or he operated casinos in Canada, if I'm not mistaken. So, would they be doing something like that where they would hire someone that would facilitate the operation of how the casino would run, is that what you're referring to?"

Lang: "That is exactly right. We wanted to make sure that... that people that knew how to run a casino were running it. And we also wanted to make sure that issues such as personnel and those types of issues were not going to be involved in this process. So, city hall will have no say in the hiring of any of the employees at the casino."

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

69th Legislative Day

5/30/2011

Mulligan: "My understanding is that you put a considerable amount of money in this Bill towards the helping of problem and compulsive gambling. Could you tell me how much?"

Lang: "Yes, you and I have shared a concern about this in the past and I felt it only appropriate that we put dollars in this Bill. This Bill has \$10 million annually to go to compulsive gaming programs."

Mulligan: "I noticed there's a \$3 head tax. What is the current head tax?"

Lang: "The same, Representative."

Mulligan: "The same. The initial fee for Cook County positions are 25 thousand dollars and 12 thousand for those positions outside of Cook County. Is the assumption that the Cook County positions are so much more lucrative that they bring in that kind of money?"

Lang: "That would be a correct answer."

Mulligan: "How long do you think it would be before the Gaming Board would authorize at least one of these new casinos to be moving? It's taken other... you know, it took us a long time to get the 10th actually and Des Plaines went about it, you know, trying very hard to get that 10th casino."

Lang: "Well, one of the issues with the 10th license, of course, is... was not... it had various issues. One was where it would be..."

Speaker Lyons: "Representative, I'll give you another minute to answer that question. Rosemary, another minute."

Lang: "Thank you. And another issue was who would own it? As you recall it's gone through a couple of owners. For... for four of the five new casinos, where it will be is not going

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

69th Legislative Day

5/30/2011

to be an issue. Chicago, Park City, Danville and Rockford are all named. Only for the fifth city, the one that will be in the south suburbs is there some issue as to where it will be. As to who will own it, my assumption is that those communities will come into the Gaming Board with ideas and the Gaming Board will take a look at those. It's certainly going to take far less time than it did to put the 10th license together because the 10th license had all those issues including significant litigation."

Mulligan: "Well, thank you, Representative. As soon as one of my other colleagues is recognized and can give me their time, I'll have some more questions for you."

Lang: "Thank you."

Speaker Lyons: "Representative David Harris."

Harris, D.: "Thank you... thank you, Mr. Speaker and to the Bill. Ladies and Gentlemen of the House, this isn't about horse racing, it's not about agriculture, it is about a massive expansion of gambling in the State of Illinois. Okay? Straight away. Twenty seven thousand new gambling positions in the State of Illinois. All right? In my opinion and I represent most of Arlington Heights, but because of clever cartography of the map drawers, Arlington Park is not in my district. But I represent most of Arlington or a lot of Arlington Heights. And in my opinion the horse racing industry is a dying industry; it's my opinion. Churchill Downs that owns Arlington Park at their 2008 board meeting passed a resolution that said, well, let's emphasize... let's emphasize a full service entertainment. In other words, they want to operate casinos. So, that's what this is

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

69th Legislative Day

5/30/2011

about. This is about casinos. It's not about agriculture, you want to help agriculture the price of corn is \$7.50 a bushel, the price of beans are 13.75 a bushel and the price of wheat is \$8.25 a bushel. Guess what? That's 50, 60 percent higher than it was a year or six months ago. Okay? It's about gambling. It is about gambling. All right? There is a societal price to be paid when we expand to 27 thousand new gaming positions in the State of Illinois. Now, Representative Mulligan is my sister district and we both represent part of Des Plaines and Des Plaines just shelled out or is shelling out \$10 million a year, although I understand they're going to get a break, to get that 10th casino; \$10 million a year for the next 30 years. In addition to which, they have to support 10 additional communities with their revenues. And the mayor called me up today and he said, you know what, I'm not going to have any revenues because I'm going to have so much competition around me that it's not going to bring any money for Des Plaines. And it's gonna be a beautiful facility, I've toured it. It's going to be a great facility, it's going to open on July 17 by the way, you're all invited up. So, this is about gambling expansion. That's what it's about. Now, having said that if you think I'm arguing against it, I am arguing against gambling expansion. At the same time, my mayor calls me up and she says to me, if I lose Arlington Park... if I lose Arlington Park I lose a million dollars a year in my local revenues. All right. Maybe the horses come back, maybe they don't. They'll be a lot of gamblers out there. That's what we're looking for. That's what the Bill

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

69th Legislative Day

5/30/2011

is about. So, all this other rhetoric about jobs, it's important no question, but it's about an expansion of gambling. That's what we are about. There's enough in this Bill for everybody. There's five casinos. Arlington Park, racinos all over the place. So, Representative Lang, when I first asked him about the... I said, is the kitchen sink in there? He said, it is. So, if you like the kitchen sink that's in there too. It's a tough vote. Nobody likes to expand gambling that much. Nobody likes to expand gambling that much. But and here's the but, there really is a significant economic impact to so many people in this chamber. Reluctantly, I rise in support of the Bill."

Speaker Lyons: "Representative Mike... Representative Zalewski."

Zalewski: "Thank you, Mr. Speaker. To the Bill. I rise on this Bill because it's an issue of critical importance to the western suburbs in my district. We spent the last two years in this chamber and throughout the State of Illinois wondering what we can do to find new and creative ways for education. This Bill will create five to \$700 million for education in Illinois. We spent the last year and a half thinking what we could do to bring more jobs to the State of Illinois. This Bill will bring \$200 to \$400 million for capital projects, thousands of jobs. We were the horse racing capital of the United States of America up until few years ago when other states realized what to do... the new business motto was. What's happening is that other states are luring our veterinarians, they're luring our farmers, they're luring our horsemen and saying, our business climate is better. Come out of Illinois to where we are.

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

69th Legislative Day

5/30/2011

This Bill will revitalize communities; this Bill will bring back horse racing to the State of Illinois and it is a economic engine that will help us get this state back on track. Is it... is it what everyone in this chamber would ideally rally around under normal circumstances? Perhaps not, but it is a viable way to create jobs in the State of Illinois. I rise and I ask for your 'aye' vote."

Speaker Lyons: "Representative Sandy Cole, do you want to speak to the issue or do you want to yield your time to your seatmate?"

Cole: "Thank you, Mr. Speaker. I'd like to yield my time to Rosemary Mulligan."

Speaker Lyons: "What a good guesser I am there, Representative. Representative Mulligan."

Mulligan: "Thank you, Mr. Speaker. I'm still trying to digest some of the last comments on the floor before I go forward here. Representative Lang, in all the time I've been here I've never voted for gaming. And... you've talked to me quite a bit and I told you actually thinking about what to do because of my Des Plaines area. Is it my understanding from you that the additional positions in our area would go at... to the airport and to the racetrack and that a big regular casino would only... the first time it would only go down into downtown Chicago? It would not be out in the Des Plaines area near the new casino?"

Lang: "Well, certainly, the City of Chicago will have the option about where to put it within their city limits, but it strains my imagination to think they'll put it out in the northwest bordering Des Plaines when all the tourists

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

69th Legislative Day

5/30/2011

and all the conventions and all the trade shows are in and around the downtown area. So, while I can't commit to that 100 percent, Representative, I don't think you have a worry here at all. There will be the ability of the city to put some slot machines at the airport, only slot machines, but only inside the secured area. So, the airport will not become a destination for gambling. The airport will only be used for gambling by people who are traveling."

Mulligan: "It seems to me logical that they would not put it there, but logic is often defied and we... I've been around here long enough to know that so that I'm very concerned because many of the people in our area were not in favor of the Des Plaines casino, but now that it's a fata complee, particularly in this downturn in the economy it looks like it would be a reasonable source of revenue for the local community, many communities of which in our area are struggling figuring out how to raise that... those dollars. So, I was terribly concerned. Now, if the new casinos come on would they still have to go before the Gaming Board in order to determine the factors around how they would put up a new casino as they do now?"

Lang: "The answer is, yes."

Mulligan: "The answer... so, it would be the same?"

Lang: "Correct."

Mulligan: "All right. And is there any thought that that Gaming Board is going to be changed by this Governor with any of the new... new people coming on?"

Lang: "Well, as you know for a long time now every member of this Gaming Board has been on an expired term. So, the

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

69th Legislative Day

5/30/2011

Governor of the State of Illinois has the ability to replace one or all of them whenever he sees fit to do so. And I can't tell you what his plan might be."

Mulligan: "Did I hear something about the Governor saying he was going to veto this Bill if it passed?"

Lang: "No, the Governor was careful not to use that word. The Governor thought the Bill was a little large and I commented that those of us down here are State Representatives, we pass laws. And when we pass them he gets to review them, but if a Bill was on his desk that paid off a billion and a half dollars in old bills and he had no other way to pay them off, I think he'd want to take a strong look at that Bill."

Mulligan: "Well, I think that's the problem here. I think we're all eager to pay the bills or to pay human service providers and so things that we might not ordinarily agree to, we agree to. One of the other Legislators asked about smoke free. And I noticed in our analysis it looked like there was issues about smoke free in there, are there?"

Lang: "There was an Amendment filed to deal with that issue. That Amendment is not on the Bill."

Mulligan: "All right. Thank you."

Speaker Lyons: "Representative Arroyo."

Arroyo: "Thank you, Mr. Speaker. To the Bill. Lou, I want to thank you for calling this Bill. I know you've been a big fighter of gaming. Ever since I met you you've always talked about some kind of racing, gaming or something and creating... how many jobs did you say that this Bill creates?"

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

69th Legislative Day

5/30/2011

Lang: "There's no way to know for sure, Representative. Some say as many as 50 thousand jobs. Please remember that jobs created by gaming are not just the jobs at a casino or just the jobs at the racetrack. Agribusiness jobs in places where you and I rarely go, farms downstate, but the ripple affect throughout, for instance, the City of Chicago where restaurants are more full, hotels are more full, other venues have more people going to them can only serve to create more jobs."

Arroyo: "Lou, there's also.. this Bill brings money to.. for foreclosures. I have a big problem in my district with foreclosures. I think on the northwest side my district is one of the biggest districts that has a problem for foreclosure. Nobody else is talking about the money that's happening in foreclosures. There's no other Bill that's creating money to set aside for IDHA to be able to give communities that are having foreclosures. This is a big portion of the State of Illinois. Everybody in this chamber has a problem with foreclosures in their district and this Bill is going to be able to help bring some money to some of those people to alleviate a little bit of the foreclosure problem in the State of Illinois. Lou, I am going to vote twice for this Bill. Yes. Thank you very much."

Lang: "Thank you. I'll actually set..."

Speaker Lyons: "Go... And sorry, Representative Lang, I didn't mean to cut you off. Our final speaker will be Representative Beiser. Our final speaker is Representative

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

69th Legislative Day

5/30/2011

Beiser and then Representative Lang to close.
Representative Beiser."

Beiser: "Thank you, Mr. Speaker. Representative Lang, I think it's fair to say that when you brought this forward earlier in previous Session I wasn't in favor of the original proposal that you initially had. Is that accurate?"

Lang: "That is more than accurate, Sir, you were an opponent."

Beiser: "And... and I'm torn. I... I do represent an existing riverboat, but I also represent men and women that have contacted me who work at nearby Fairmount Racing Track. And when I'm torn like that, I... I turned to the Sponsor and I asked him to put some provisions in there that would not only help the horse racing industry but I think help the existing riverboats and he did. I would like for you to briefly talk about the surcharge, the 3 percent surcharge that currently is... goes to the horse racing industry and also the tax rates for the existing boats. Would you do that, please?"

Lang: "Thank you for the question, Representative. Firstly, as to the surcharge, you know this General Assembly passed some years ago a provision requiring the riverboats to put 3 percent of their revenue in a pot for the horse racing industry as a subsidy. Now, the horse racing industry's never received that subsidy; it's been tied up in litigation. There are many millions of dollars in that fund and I hope that the horse racing industry gets those funds when appropriate. But the more important answer to your question is that this Bill will end that subsidy. Relative..."

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

69th Legislative Day

5/30/2011

Beiser: "And then the tax..."

Lang: "...and relative to the tax rates, this Bill acknowledges two things. It acknowledges that revenues are down at riverboats, partly because of the smoking ban, partly because of the economy. It also acknowledges we're bringing competition into the industry. And so, we've lowered tax rates for everyone in the industry, but they're still by far not the lowest in America. We'll still be among the highest in America."

Beiser: "Another issue that was brought forward to me was that, yes, this allows existing riverboats to expand their positions. Unfortunately, my riverboat would not take advantage of that. They just would not do that because of the logistics of their facility. I asked Representative Lang to do a couple of things. And that is for a tax credit for the existing riverboats in addition to Alton. Would you discuss that briefly, please?"

Lang: "We've provided for an... a credit of 8 percent of project costs for current riverboats that have changes they want to make, capital improvements. There's also a provision in here for a \$2 million wagering tax credit against construction costs. So, we don't just stick it to the current riverboats. There are those in this chamber who represent communities that have riverboats such as yourself and most of these Legislators are opposed to this Bill. But I'm glad you've asked these questions because we've made... we've taken great care to make sure that they can stay competitive and continue to stay... to stay viable so they can pay their employees and so they can grow as well."

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

69th Legislative Day

5/30/2011

Beiser: "Thank you. And to the Bill. Again, like I said I represent a boat and this isn't an easy vote for me. But I think the goal for me was to not only help the existing boat, which it did as the Sponsor has described, but also to try to help the men and women who work at the racetrack that nearby that I represent, that live in my district. So, I'm torn but I also felt that at the same time I had to ask the Sponsor and to help the boat that I represent. I believe he has done that; I believe the City of Alton comes out ahead in this Bill. And it's for those reasons that I will be voting 'aye'."

Speaker Lyons: "Representative Lou Lang to close."

Lang: "Thank you, Mr... Ladies and Gentlemen. Thank you for the debate. Thank you for paying attention to this very important piece of legislation. I have one matter of cleanup before I close. And I would just like to say, for the record in House Amendment 6, page 2, line 11 the reference should be made to lines 21, 23 and 26. It is my understanding that this minor error can be corrected in the Enrolling process. Ladies and Gentlemen, there was some discussion during debate regarding a large expansion of gaming in Illinois. And you know there are 26 states in America that have over 10 thousand gaming positions today. As of today, Illinois is 25th in density. In other words, one of the least dense gaming states in America. And even with this Bill, we'll only go to 20th. There will still be 19 of the 26 states in America that have gaming that will be denser than we are. So, this discussion about too dense and too big and too heavy I think the facts belie that.

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

69th Legislative Day

5/30/2011

Ladies and Gentlemen, you know what this Bill is about. At least you know what I think it's about and what many of the speakers on this floor say it's about. It's about jobs. It's about economic development. It's about paying off our bills and it's about having some money left over to do things we need to do: capital projects, new capital projects, more money for education. It's good to talk about that at a time that we're talking about cutting some education this year. Let's talk about what we can do in the future to improve education. This will bring tourists to Illinois. It will bring the horse racing industry back to Illinois. It will bring more conventions and trade shows to Illinois, which is why every major tourists group, every Chamber of Commerce supports this piece of legislation. It will be dramatic help for the economic engine of Illinois, which is the City of Chicago. It will be dramatic help for the other communities and the other regions that will get riverboats. It will be terrific, significant help in the communities that have the racinos and it will be save 40 thousand jobs in the horse racing industry. It will provide \$25 million a year for downstate interests such as county fairs and CFAR. Provide the dollars that Representative Arroyo talked about for... foreclosure prevention. It will provide \$30 million a year to create jobs and new businesses in the inner cities all over the State of Illinois. And it will be a real shot in the arm to Illinois's economy into the future. And if that isn't enough for you, I've worked on this 20 years and I'd like

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

69th Legislative Day

5/30/2011

to move on to another project. So, Ladies and Gentleman, I urge you, I implore you, I ask you, vote 'aye'."

Speaker Lyons: "After a long and very interesting debate, Representative Lang moves for the passage of Senate Bill 744. All those in favor signify by voting 'yes'; those opposed vote 'no'. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Have all voted who wish? Mr. Clerk, take the record. On this Bill... on this Bill, there are 65 Members voting 'yes', 50 Members voting 'no', 2 Members voting 'present'. This Bill, having received the Constitutional Majority, is hereby declared passed. Representative Frank Mautino."

Mautino: "Mr. Speaker, I would move to reconsider the vote under which Senate Bill 744 passed."

Speaker Lyons: "Mr. Lang on Mr. Mautino's Motion."

Lang: "I move to lay that Motion on the table, Mr. Speaker."

Speaker Lyons: "Mr. Lang moves to table the Motion. Those in favor say 'aye'; those opposed say 'no'. In the opinion of the Chair, the 'ayes' have it. And the Motion is tabled. Mr. Clerk, on page 6 of the Calendar, under Senate Bills Third Reading, Representative Acevedo has Senate Bill 2185. Read the Bill, Mr. Clerk."

Clerk Bolin: "Senate Bill 2185, a Bill for an Act concerning government. Third Reading of this Senate Bill."

Speaker Lyons: "The Gentleman from Cook, Leader Eddie Acevedo."

Acevedo: "Thank you, Mr. Speaker and Ladies and Gentlemen of the House. Senate Bill 2185, the Illinois Dream Act, will enable young people whose parents are immigrants to pursue their educational dreams. Dreams that many cannot achieve

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

69th Legislative Day

5/30/2011

because the lack of proper status and access to financial help. The Illinois Dream Act will continue to work what the General Assembly started when we approved in-state tuition for undocumented students, a Bill that I had worked on and passed in 2003. The Illinois Dream Act would be funded entirely... entirely with private contributions and would cost taxpayers nothing. This Bill would do four things. The first one, it would set up a scholarship fund entirely through public-private contributions that will grant scholarships to immigrant students. Two, it will allow immigrant families to contribute to state college savings programs like College Illinois and Bright Start. Number three, establish an Illinois Dream Commission Act... Commission that will administer the scholarship fund and look into other issues regarding immigrant student access to higher education. And four, create training opportunities for high school and college counselors so immigrant students can get correct and current information about college opportunities. Again, Ladies and Gentlemen, this Bill does not cost Illinois taxpayers anything nor does grant immigrant youths legal status or work permits, which are controlled by the Federal Government. Yet, this Bill would mean a great deal to these young people who have worked hard and done everything the right way. America is their home and they want to be able to give back to their communities. We should give them the opportunity. I'd be happy to answer any questions."

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

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

69th Legislative Day

5/30/2011

Saviano: "Thank you, Mr. Speaker, Members of the House. I rise in support of this... this Bill for a lot of reasons, but most importantly, there are no public dollars involved in these scholarships and these opportunities. Over the years I've had a district that is... has changed a lot and I've been very responsive to the needs of all the people in my district and I've seen how initiative like this could take the burden off of governmental bodies and State Government and Federal Government by being... by being prospective and finding funds to take care of these kids and give them opportunities where they might not other have. I'm a believer in this and I... and I commend the Sponsor for his leadership on this and the work they've done 'cause it truly is a piece of legislation that reflects the future not only of our state, but I think of our country. I would really appreciate an 'aye' vote. Thank you."

Speaker Lyons: "Representative Toni Berrios."

Berrios: "To the Bill. I, too, am standing in support of this legislation. There is not much that we pass here that can impact students lives and doesn't cost the state a dime. So, with this legislation we are going to be able to help students attend college. Once they graduate they will be taxpaying citizens of Illinois, not citizens, taxpaying individuals of Illinois and it didn't cost the state anything at all. So, I, too, stand in support and I hope you can join us. Thank you."

Speaker Lyons: "Representative Dan Burke."

Burke: "Thank you, Mr. Speaker and Ladies and Gentlemen. Aside from supporting this piece of legislation, I wanted to

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

69th Legislative Day

5/30/2011

state something for the legislative intent. And recommend to my colleagues that contributions of up to 10 thousand made to Bright Start, Right Directions, College Illinois can be deducted from gross income reported to the Department of Revenue for tax purposes. If a taxpayer claims these deductions, these amounts get knocked off the taxpayer's reported taxable income and therefore, does not get taxed. At a 5 percent personal income tax rate, the maximum benefit... benefit is \$500. The fund that will be created through this legislation would be strictly administered by the Dream Commission, not ISAC. The funds in the account will likely be banked rather than invested since the money will most certainly be turned around quickly in the form of scholarships, training program costs and administration. The more money raised, the more scholarships. Fewer dollars, fewer scholarships. As a result, the question with respect to possible state bailouts, we will match, which will certainly not happen, this account would be funded entirely from private contributions at no cost to State Government. Not \$1 of state funds would be invested in this program. And I would certainly encourage everyone's favorable consideration of this Act."

Speaker Lyons: "Representative Lisa Hernandez."

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

Speaker Lyons: "Sponsor yields."

Hernandez: "Representative, does the Illinois Dream Act offer legal status to undocumented students?"

Acevedo: "No, it does not."

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

69th Legislative Day

5/30/2011

Hernandez: "Does the Illinois Dream Act cost Illinois taxpayers anything?"

Acevedo: "No, it does not."

Hernandez: "To the Bill. Why is this Bill important? Roughly 95 thousand undocumented youth live in Illinois. These youth have successfully finished high school, many have excelled in their academic work and emerge as leaders in their communities. They aspire to become doctors, teachers, scientists and engineers. Despite their success, these youth face many obstacles in going on to college, including lack of good information about their opportunities and limited financial resources. The Illinois Dream seeks to help those youth in overcoming these and other obstacles to continuing their education. I request, I implore, I ask for an 'aye' vote. Thank you."

Speaker Lyons: "Representative Soto."

Soto: "Thank you, Speaker and Members of the House. To the Bill. I just want to applaud Representative Acevedo and my colleagues here today. I want to really thank you from the bottom of my heart. This is a very important Bill and I truly appreciate your support 'cause I know that a lot of you here know that this is the right thing to do. Other families want what you want for your families. Again, thank you for your support."

Speaker Lyons: "Representative Pritchard."

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

Speaker Lyons: "Sponsor yields."

Pritchard: "Representative, what's the origin of the name of this Bill?"

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

69th Legislative Day

5/30/2011

Acevedo: "Well, Representative, I... I believe every one of us has dreams and it's... it's what makes our future brighter... a brighter out... it gives the future a brighter outlook because we're just wanting to give the students an opportunity to fulfill these dreams. This... this country was built on dreams."

Pritchard: "An education is an important part of that dream. So, I certainly applaud what we're trying to do in this particular Bill, but by your choice of name of this Bill you are drawing a parallel with a national effort that is entirely different. A national effort that has polarized a lot of our constituents. And therefore, I think even though you have stated the intent of this legislation there's a lot of confusion around this issue. A lot of people feel they shouldn't be spending their tax dollars for people that aren't citizens or people who are trying to become citizens of this country. How would you respond to that confusion?"

Acevedo: "Well, Representative, first of all, the... the... the one you're stating on the federal level is completely different. And most importantly there is not one tax dollar that goes into this program."

Pritchard: "If that's the case, why is this Bill structured to create a state system for setting up rules, for setting up appointments to this commission? It looks like there is an intent for the state to take over this program at some future date."

Acevedo: "Well, just for legislative purp... intent that... that's not our intention, Representative. Basically, the Governor

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

69th Legislative Day

5/30/2011

would just appoint this commission which is all volunteers. It would be all volunteering, no tax dollars."

Pritchard: "One of the provisions of this Act deals with training counselors to work with students so that they understand that college can be affordable and can be a part of their future and their career. Are you aware that this Body has already passed legislation that would accomplish that goal through the Illinois Corps?"

Acevedo: "Well, Representative..."

Pritchard: "The Illinois College Corps of counselors and advisors that help not only high school students, but also college students."

Acevedo: "Well, that... you're... you're absolutely right, Representative, but this has to deal with immigrant students who don't realize the opportunities that are out there for them. Basically, the commission would just train the... the counselors to give the students the complete opportunities.. the opportunities that are ahead of them that are given to them to continue on their higher education."

Pritchard: "And that's exactly what we're trying to do with the College Planning Act, is let people know who are low-income, who are minorities that they..."

Speaker Lyons: "Representative Pritchard, your time has expired. We'll give you another minute to finish your line of questioning."

Pritchard: "...that they can have a future. I... I applaud what you're trying to do in helping people get an education, which puts them on a path to a better career and a better

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

69th Legislative Day

5/30/2011

life and... and whatever their hopes and... and opportunities are. This has been a land of opportunity. So, I applaud what you're trying to do in aspects of this, but I still implore that this is a confusing Bill and that's a big problem with a lot of our constituents. Thank you."

Speaker Lyons: "Representative Arroyo."

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

Speaker Lyons: "Sponsor yields."

Arroyo: "Representative, can any student apply for this grant, for... for this scholarship?"

Acevedo: "For undocumented, yes."

Arroyo: "Okay. I... I applaud you for calling this Bill at this time because I think it's very important to all our students. Any student that can't afford to get an education should be allowed to go to school in any way. I'm... I'm so mad... so happy that this is coming out and I'm so proud of the Dream Act that when it came to Executive Committee I was the first one to donate \$1 thousand in committee to make sure that this gets done to be able to make sure that kids get scholarships and I'm pretty sure that a lot of other Legislators are here interested; they should also be able to make donations to be able to get the Dream Act up and running. Eddie, thank you very much and I think that this is a very important Bill. I'm going to vote 'yes' on this Bill. Thank you very much."

Speaker Lyons: "Our final speaker will be Representative Rosemary Mulligan and then Representative Acevedo to close. Representative Mulligan."

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

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

69th Legislative Day

5/30/2011

Speaker Lyons: "Sponsor yields."

Mulligan: "Representative, I noticed a lot of this... how they're going to do this is going to be done by rule. Does that mean that it will come through JCAR... JCAR to set up the rules of how this will be administered?"

Acevedo: "Well, no... no, Representative, because the commission will come together and figure out a way how the... the scholarships will be distributed."

Mulligan: "And who decides who will be on the commission?"

Acevedo: "The Governor will appoint a commission."

Mulligan: "And who will audit the fundraising just to make sure that when the funds are raised that they are covered and carefully administered just to make sure that you don't get someone in there that would raise the money and then use it improperly?"

Acevedo: "Representative, it's... it's entirely privately funded. So, the state auditor would have nothing to do with as far as how the money is distributed."

Mulligan: "Don't you think there should be some yearly report on the outside chance? I mean, you would... wouldn't you be concerned, which you should always be concerned, that at some point people are donating sums and something might happen to them. I should think there should be a mechanism for fairly auditing what you're raising, quite frankly. I... I intend to support this Bill. In the last map before this one I was a suburban Legislator with the most amount of immigrants in my district. I've helped some go on with a scholarship, particularly one woman who was a Hispanic nurse that wanted to be a doctor; she's a doctor now. I... I

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

69th Legislative Day

5/30/2011

think this is very important. I think a lot of us seem to think or some of the negative letters that I've received seem to be from people whose ancestors must have come over on the Mayflower. As far as I'm concerned, most of us are a generation or two removed from our parents coming here as immigrants. I certainly think this is a really good idea for them to be included as long as they are based on things like: they have good grades, the fund is administered properly and that it... it's based on the ability of the child to be successful and get the scholarship. I'm hopeful that's what the intent of this is?"

Acevedo: "Yes, that is Representative."

Mulligan: "So, it would be to educate the best and the brightest to go on, particularly to help their families and maybe be the first person that's gone to college or do something like that in their family. Is that the intent?"

Acevedo: "That's the intent, Representative."

Mulligan: "All right. Thank you very much."

Speaker Lyons: "Representative Acevedo to close."

Acevedo: "Thank you, Mr. Speaker, Ladies and Gentlemen of the House. This Bill passed overwhelmingly in the State Senate earlier this month. I want to begin by thanking Speaker Madigan for allowing this Bill to be called today and my thanks to Senator Cullerton for his leadership in helping put this Bill together. I want to thank my colleagues in the Latino Caucus for pushing for this Bill to be called and helping out to get these votes together. I want to thank everybody who was involved. I know it was a lot... a lot of people were involved to get this Bill called and to

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

69th Legislative Day

5/30/2011

help get this Bill passed. But I want to give a special thanks to my seatmate, Representative Lisa Hernandez, who worked tirelessly on this Bill. She did a tremendous job. Ladies and Gentlemen, you know some people didn't like the name of this Bill, the Dream Act. Dreams are what this country was made of. Dreams is what built this country. It.. it builds the future for everyone has dreams. As a little boy I had a dream to be a Chicago police officer. Now, Ladies and Gentlemen, most of you don't know but at the age of 13 I was confined to a wheelchair and bedridden after a very serious accident. My doctor told me there was no way in the world I would be able to become a Chicago policeman. Well, I set out to prove him wrong. I worked hard; I did everything I was supposed to do. I went to... went to high school, went to grade school, got my Associate's Degree. And I fulfilled my dream. Just as I tell my sons to fulfill their dreams. Two of my sons, one wants to be a doctor, one wants to be an attorney and they're well on their way to do it. Ladies and Gentlemen, these students deserve an opportunity. They work hard. We send them through grade school, we send them through high school and then we slam a door in their face and say, oh well, all the hard work is for nothing. You can't go to college. All their asking for is an opportunity. An opportune... an opportunity to fulfill their dreams, not only for themselves, for their families but for this great country. I ask for an 'aye' vote."

Speaker Lyons: "Representative Acevedo moves for the passage of Senate Bill 2185. All those in favor signify by voting 'yes'; those opposed vote 'no'. The voting is open. Have

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

69th Legislative Day

5/30/2011

all voted who wish? Have all voted who wish? Have all voted who wish? Mr. Clerk, take the record. On this Bill, there are 61 Members voting 'yes', 53 Members voting 'no', 1 Member voting 'present'. This Bill, having received the Constitutional Majority, is hereby declared passed. Representative Linda Chapa LaVia, for what purpose do you seek recognition?"

Chapa LaVia: "Purpose of announcement, Speaker. If... if I could have your attention. On Elementary & Secondary, we are not going to meet. It's going to be canceled today."

Speaker Lyons: "No, I think that's a little premature. Representative Schmitz, for what purpose do you seek recognition, Sir?"

Schmitz: "Mr. Speaker, I was off the floor for a few minutes and I intended to vote 'no' on Senate Bill 2185. If the record could so reflect that?"

Speaker Lyons: "The Journal will reflect your request, Representative."

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

Speaker Lyons: "Mr. Clerk."

Clerk Mahoney: "Committee announcements. Upon recess the following committees will meet: the Executive Committee will meet in Room 118, Revenue & Finance will meet in Room 122B and Elementary & Secondary Education will meet in Room 114. Elementary & Secondary Education in Room 114."

Speaker Lyons: "Representative Eddy does not seek recognition. Representative Chapa LaVia."

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

69th Legislative Day

5/30/2011

Chapa LaVia: "Thank you, Speaker. I have tore... kind of recant what I said earlier. It is still going on. We have a couple of pieces of legislation for Representative Davis. So, if you could all meet us in Room 114, I'd appreciate it."

Speaker Lyons: "Now, Ladies and Gentlemen, the House will be recess 'til the hour of 5:45. The House will stand in recess until the hour of 5:45. Committee meetings are immediately following us leaving the chamber."

Clerk Mahoney: "House Perfunctory Session will come to order. Rules Committee. Representative Barbara Flynn Currie, Chairperson from the Committee on Rules reports the following committee action taken on May 30, 2011: approved for floor consideration is Amendment #5 to Senate Bill 540 and Amendment #2 to Senate Bill 1178."

Speaker Madigan: "The House shall come to order. The Members shall be in their chairs. On page 9 of the Calendar, under the Order of Senate Bills-Second Reading, there appears Senate Bill 1178, Representative Currie. Representative Currie."

Currie: "Thank you, Speaker and Members of the House. On Senate Amendment... House Amendment 1 to Senate Bill 1178, I move its adoption. I believe there's also an Amendment 2, but let's first adopt this one."

Speaker Madigan: "Representative Currie, did you wish to withdraw your Motion?"

Currie: "Yes, I do. Thank you very much. I would really like to adopt Amendment 2 to Senate Bill 1178."

Speaker Madigan: "The Lady moves for the adoption of Amendment #2. The Chair recognizes Mr. Durkin."

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

69th Legislative Day

5/30/2011

Durkin: "Thank you, Mr. Speaker. Majority Leader Currie, what... what is Floor Amendment #2 versus Floor Amendment #1?"

Currie: "There were a few small changes in the southern part of the state between Amendment 2 and Amendment 1."

Durkin: "Is there any way you could elaborate a little bit more on that?"

Currie: "Yeah, I think I can. I think the downstate district, I believe there was a change in where Congressman Shimkus lives so that he's now in a different district. It was only a... a few blocks shift. And I believe that more of the district, I think Representative Johnson is now moved into an adjacent district. Because of these couple of small changes there were a few changes in the districts just above, but not significant ones."

Durkin: "Okay, Representative Currie, the Floor Amendment #2 which is the new Congressional Districts, we talked about this in committee yesterday. Could you tell me other than yesterday at committee hearing, what was the public input into the Congressional map?"

Currie: "I'm not aware whether there were hearings in the Senate. I know that we had a hearing yesterday in our committee. And I know also that the map that was proposed in Amendment 1 had been made available to the public, oh, sometime before last weekend. And I believe that it was possible for people to e-mail their comments, call with comments, make suggestions for change."

Durkin: "When is the deadline for the Legislature to pass a map?"

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

69th Legislative Day

5/30/2011

Currie: "I know the deadline for passage of a House and Senate redistricting plan would be June 30 and I think that may apply to the Congressional map as well."

Durkin: "Now, I've participated in a number of... well, a few hearings and I know a number of my colleagues have throughout the state on the legislative seats. I think it would be wise to have a similar type of approach towards something as significant as a Congressional map. Since we do have time, could we suspend this Amendment and this Bill and have at least a thorough public vetting on the Congressional maps to be consistent with Senator Raoul when we talked about what his goal was, was to have a, you know, transparency, a public airing of the maps. And I believe that this was... this map was late coming. I know that it takes a lot of work to put these together, but I think it's very important that the public does have, you know, it's just a few people in here and if you had the ability to go on a computer over a holiday weekend you can take a look at it, but we..."

Currie: "Well, we have taken testimony on the Congressional map as well as the state map. And I think that people have had plenty of opportunity to look at the proposed lines. As I say, the difference between Amendment 1 and Amendment 2 is in fact quite minor. For all I know that may have happened in response to comments from the public. So, I renew my Motion to adopt Floor Amendment 2 to Senate Bill 1178."

Durkin: "I understand. Another question, there was at least going back to what the original concepts and principles of the redistricting process would be is that... there would be

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

69th Legislative Day

5/30/2011

consideration of districts for incumbent Legislators across the board, no distinction between the Parties. Would you agree that in the Congressional map a number of the incumbent Republican Legislators have either been paired up with another Republican Legislator or they've completely redrawn out of their districts?"

Currie: "Well, in fact, in Amendment 2 we have... we have unpaired Representatives Johnson and Shimkus who were in the same district in Amendment 1 and we have unpaired them in... in Amendment 2."

Durkin: "Okay."

Currie: "So, I hope this Amendment will have your support."

Durkin: "Thank you."

Speaker Madigan: "Mr. Clerk, how many Amendments on this Bill?"

Clerk Mahoney: "There are two Amendments. Floor Amendment #1 was withdrawn and we're currently considering Floor Amendment #2."

Speaker Madigan: "Mr. Fortner, could we adopt the Amendment, put the Bill on Third and then proceed to discussion?"

Fortner: "Mr. Speaker, I would ask for a Roll Call vote. I'm joined by 5 Members on my side of the aisle seeking a Roll Call vote on the Amendment. And I would ask that if this Amendment gets the requisite number of votes that we have a verification."

Speaker Madigan: "Thank you. Is there anything further that you wanted to do?"

Fortner: "Nothing further on the Second Reading."

Speaker Madigan: "Thank you. Mr. Fortner. Thank you for your assistance on this matter, Mr. Fortner."

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

69th Legislative Day

5/30/2011

Fortner: "You're quite welcome, Mr. Speaker."

Speaker Madigan: "Mr. Clerk, what is the status of the matter here?"

Clerk Mahoney: "Floor Amendment #2 is before the Body."

Speaker Madigan: "And I believe that Representative Currie has moved for the adoption of the Amendment and there is a request for a record Roll Call and a verification. So, those in favor of the Amendment... those in support of Representative Currie's Motion to adopt the Amendment shall vote 'aye'; and those opposed vote 'no'. Have all voted who wish? Have all voted who wish? Have all voted who wish? The Clerk shall take the record. On this question, there are 64 voting 'yes', 54 voting 'no'. Mr. Fortner has requested a verification. Mr. Fortner, do you persist in your request for a verification?"

Fortner: "I'll withdraw the request for verification."

Speaker Madigan: "Thank you, Mr. Fortner. Mr. Clerk, are there any further Amendments? Excuse me, Mr. Clerk. There are 64 people voting 'yes', 54 people voting 'no'. The Amendment is adopted. Are there any further Amendments?"

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

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

Clerk Mahoney: "Senate Bill 1178, a Bill for an Act concerning redistricting. Third Reading."

Speaker Madigan: "Representative Currie."

Currie: "Thank you, Speaker. What you see before you is what was in House Amendment 2. And this is, I believe, a fair map, a good map, a map that will serve the people of

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

69th Legislative Day

5/30/2011

Illinois well for the next 10 years. I'd be happy to answer your questions and I'd appreciate your support for this Third Reading Roll Call."

Speaker Madigan: "The Lady moves for the passage of the Bill.

The Chair recognizes Mr. Fortner."

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

Speaker Madigan: "Sponsor yields."

Fortner: "Representative, now that we have the benefit of the full membership for what I think is a very important issue, something that we only address once every 10 years, would you be so kind as to let us know some of the details of what is Amendment 2? We only had a hearing on Amendment 1. And maybe talk specifically about those districts that are different in Amendment 2 compared to Amendment 1."

Currie: "Yes. District 12 changed a little bit, 13... I'm sorry, 12 did not change. Thirteen changed a little bit, it... it moved further into Springfield and it moved further up in... in McLean County. And I believe it moved also a little further into Champaign County. And that necessarily meant to change in district... in District 15 to accommodate the changes in 13. And I believe when those changes happened in 13 there also were a few small tweaks in 18 and in 16, but those were very small changes. Now, if you'd like you could also look on the website, ilhousedems.com/redistricting. And you will not only see the specific districts that are proposed in this Bill, as amended, but you also will see the accompanying data, that is to say, the population, the ratio other breakdowns."

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

69th Legislative Day

5/30/2011

Fortner: "Thank you. Were those the only districts that were changed between Amendment 1 and Amendment 2?"

Currie: "Yes. And as I say, the changes were not very significant. Population... the populations are still 712,813 in all but two districts where the population is 712,812. So, we are totally at population equality in this map."

Fortner: "And what was the rationale for those changes between Amendment 1 and Amendment 2?"

Currie: "I wasn't part of the decision in making those changes. And again, it may be that we had comments from the public as these maps were on the website and available to the public as long ago as last Friday."

Fortner: "Since the committee did not meet, where would the public have provided testimony? Certainly we did not have the benefit of a committee meeting or any other public forum to specifically accept certainly the changes of the kind you're describing. I don't recall anything specific..."

Currie: "First of all, on the..."

Fortner: "...when we had Amendment 1 under debate."

Currie: "...on the website and certainly the people were aware that there were redistricting committees. So, I suspect that people were free to call in or write or e-mail, just as they did on the state maps."

Fortner: "Is any of that information going to be made public that has come in and has influenced the creation of these changes to those districts you described?"

Currie: "I'm not aware of a forum where it would. And I myself did not receive any... any comments or proposals for change."

Fortner: "So, as Sponsor of this Amendment you're not..."

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

69th Legislative Day

5/30/2011

Currie: "I'm sorry. In fact, the e... any e-mails that we got with respect to either the state or the Congressional map or the Board of Review map in Cook County are posted online."

Fortner: "Do any of those e-mails address the changes that were described between districts 13, 15, 18 and perhaps some of 16?"

Currie: "I haven't read them."

Fortner: "So, as Sponsor of the Amendment you're not aware of the specifics behind the changes that are... that you've now described?"

Currie: "As you know, map making is a complex process. It involves many hands, many people, many ideas. So, I can't tell you exactly where these changes came from."

Fortner: "Well, in that case I'd like to ask some questions about some of the other areas in the map that apparently did not change. As we know, Latinos make up more than 15 percent of the state, yet this map provides for only one majority Latino Congressional district. That 4th Congressional District on the proposed map continues to be racially gerrymandered. It would... look like the boundaries connecting the northern and southern portions would not be drawn but for the purpose of connecting two other separate communities. These extraordinary efforts might have been necessary in prior redistricting cycles when it was not otherwise possible to create a majority Latino district. However, today with such a large and growing Latino population my question, is this necessary?"

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

69th Legislative Day

5/30/2011

Currie: "Well, my answer would be that a map that looks very much like this actually a little more narrow... this... this earmuff... muff map has larger muffs than did the earlier one. But an earlier one that did not look dissimilar had been upheld by the Federal Courts."

Fortner: "Has the Majority Caucus examined whether it was possible to create a strong majority Latino district on the southwest side of Chicago without resorting to that type of connection, which appears to be racial gerrymandering?"

Currie: "We've taken lots of different factors into account. As you know, race should not be the only factor that you take into account. We took into account communities of interest. We certainly looked for opportunities to make sure that members of minority groups have the opportunity for full participation in the electoral process. But we also do look as you know at many other factors, political subdivisions, natural boundaries like rivers and mountains."

Fortner: "But did you or any of the people who helped draw this map specifically examine whether it's possible to create a strong Latino majority district purely on the southwest side of Chicago?"

Currie: "Again, I do not know the answer specifically to that question. But I do know that there are so many... so many guidelines, so many important values that go into redistricting, I can't answer the question in... in as it were a vacuum."

Fortner: "Why would you have created a map that for the next decade would leave Latinos underrepresented at the

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

69th Legislative Day

5/30/2011

Congressional level based on their percentage of the overall population?"

Currie: "I don't actually accept the premise. I would say that a lot of factors go into drawing a map. And remember the populations are not always concentrated and there has been a lot of dispersion of population both with respect to African Americans in the City of Chicago and Hispanics. So, I don't... I'm not quite sure what you're trying to get at."

Fortner: "Well, isn't it possible to create two majority Latino districts on the Congressional map for Illinois?"

Currie: "I'm not going to get into the specifics and the legalities and I... I don't see it from the numbers I'm looking at from the index that accompanies, Senate Bill 1178 on the website."

Fortner: "So, if it perhaps was not possible, doesn't the census and the political data establish that there are two viable majority Latino Congressional Districts that are possible?"

Currie: "I didn't... I don't know the answer to that question. All I can say, again, is that many factors go into map making and certainly opportunities for members of minority groups to enjoy full participation in the electoral process is one. But there also are issues of compactness, contiguity, communities of interest, issues of natural boundaries, political boundary cities, counties and so forth. All of those play a role."

Fortner: "So, there's a..."

Currie: "Partisan considerations, incumbency, that... all of those... all of those are legitimate values in map making."

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

69th Legislative Day

5/30/2011

Fortner: "But even with those considerations why were almost 100 thousand Latinos excluded from either a Latino majority or influence district by this proposed map?"

Currie: "Yeah. The... the question leaves me and I'd have to say a little cold and certainly quite confused because the question assumes all kinds of things that I think are assumptions unwarranted."

Fortner: "Then let me look at one of the adjacent districts. Why does this map substantially dilute the Latino representation in proposed District 3?"

Currie: "Yeah. I don't... I don't understand your premise. In District 3 there are on... not quite 25 percent Hispanic voting age population."

Fortner: "Right. And given that percentage, doesn't that mean that for the next decade it would be virtually impossible for Latinos to have a sufficient majority to elect a Latino candidate in that district?"

Currie: "Well, we'll find out over the next 10 years, will we not?"

Fortner: "So, that was by design to have the split in that particular way..."

Currie: "No, no, no, no..."

Fortner: "...between this?"

Currie: "...no, no, no, no. No, no. Again, many factors go into a redistricting plan. You can't consider one district in a vacuum because anything you do in one part of the map is going to have an impact on another part of the map. Population shifts explain some of the changes in this map from the map that we have today. But if you look at the

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

69th Legislative Day

5/30/2011

maps compared to the maps that are currently in use I think you will see that poor... poorer of the districts are actually very much respected in the proposal that is contained in Senate Bill 1178."

Fortner: "Turning to one of the other principals. Do you believe that this map reflects the constitutional requirement that districts must be compact?"

Currie: "Must be compact, did you say?"

Fortner: "Yes."

Currie: "Yes."

Fortner: "Could you explain the rationale behind creating not just... well, District 4 even on the current map has often had the nickname as an earmuff district based on its shape. Could you explain the rationale behind creating additional districts beyond just four, such as District 6 and 11 that also have these kind of strange shapes with different clumps connected by thin lines?"

Currie: "Well, you know, again, what we're looking at are population shifts. There was, as you know, a reduction of 200 thousand people in the City of Chicago. And one place you cannot go when you are remapping is you can't go east. You can't go into the lake, you can't go so far east that you end up in Indiana or in Wisconsin. You have limited numbers of directions you can follow and of course there are... are issues about other communities of interest that you don't want to invade or ignore."

Fortner: "By the same way, can you justify the bizarre shapes in your map of the proposed Districts 1, 4 and 7, none of which appear compact."

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

69th Legislative Day

5/30/2011

Currie: "I don't think they are very oddly shaped at all and I think if you look back at the current map and you compare population what you've got really are the cores of the current districts that of course have expanded because the population has moved south and west. And that's why these districts look the way they do, but I think they are, in fact, compact."

Fortner: "During the Chicago hearing on May 21, Senator Raoul summarized the criteria considered in drawing legislative districts. And among those criteria, one of the ones he cited was included... keeping communities together with incumbent Legislators. The proposal that we have before us seems to respect the incumbent Democrats' districts and the Democratic Congressmen have districts that would closely resemble their current districts in many ways, but the Republican districts have been torn apart. Communities that have been in common districts for decades are split apart and separated from their incumbent Representatives. Can you offer any legitimate and constitutional justification for this other than it serves the purpose to disadvantage the incumbent Republican Congressmen and disrupt existing political communities?"

Currie: "And... and many... many of the... of the incumbents of both Parties do, in fact, continue to have the core of their current districts. So, I don't accept the premise that this is a map that's unfair to members of one Party rather than another."

Fortner: "Well, how would you respond to the complaint from some suburban Cook County and DuPage voters who elected

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

69th Legislative Day

5/30/2011

Republican members of Congress just last year and have for years and who woke up one Friday morning to find that their votes and preferences for representation will be ignored?"

Currie: "In the first place, they can run in the district even if they don't live in the district where they were elected. Because as you know, under... under the law you don't have to live in a particular district in order to run for Congress as long as you live in the state. So, I would encourage those people to decide where they want to run and go for it."

Fortner: "How is it possible that Chicago lost about 200 thousand people in population but has gained a Congressional District representation under this proposed map?"

Currie: "The... the cores of the district may be the same, but they certainly have extended beyond the city limits in many examples."

Fortner: "And elsewhere downstate, you talked about some of the changes that you've made and that includes some of the towns, you mentioned Springfield, Champaign but also in towns like Bloomington, Rockford, Peoria. What is the rationale for splitting all those communities among multiple Congressional Districts in this map?"

Currie: "And again, one time... once you draw one line you limit your opportunity to draw other lines. Certainly there was never... and in fact, in this map both Springfield and Peoria are less fractured than they were in the current map. So, yes, we... we tried to respond to political boundaries. You can't always do it, especially if you are trying to meet

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

69th Legislative Day

5/30/2011

the cardinal rule of redistricting which is one person, one vote. And as I said, our districts... proposed districts are, you know, all of them but two are at 100... 712,813. You can't do much better than that, Representative."

Fortner: "Thank you. Mr. Speaker, to the Bill. The... the map that we have before us I think has a number of flaws and certainly far less time for the public to weigh in and comment than what we saw in the... even in the legislative maps that we have already approved from this chamber. And that I am... there's already have felt we're short... this is shorter still. And I think there are a lot of questions that we need to probe more deeply on and that would require more time. So, at this time I would urge a 'no' vote."

Speaker Madigan: "Mr. Rose."

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

Speaker Madigan: "Sponsor yields."

Rose: "Majority Leader, what time was this Amendment filed today?"

Currie: "Yeah, I think around... I think between 4 and 4:30."

Rose: "Okay. And according to the clock, it's now 6:25. So, there's about 2 hours of sunshine on a 1500 page Amendment. What changes did you say were in this from the previous?"

Currie: "Very... very few. There was a change in District... in District 13, which necessitated a change in District 15 and a very small change in District 18..."

Rose: "What... Can you... could you expound on..."

Currie: "...and an even smaller change in District 16."

Rose: "...could you expound on that? What does that mean? What were those changes exactly?"

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

69th Legislative Day

5/30/2011

Currie: "All right. So, in District 13 we actually redrew the line so that Representative Shimkus lives in District 15 and we put more of Madison County into... into 15 along with Representative Shimkus. We also at the top end, where you see District 13, we added more of Champaign and Representative Johnson's home address into District 13. We also, on the... I guess the west end of District 13 we added more of Springfield, more of Sangamon County to District 13."

Rose: "And there... is it correct to say that since this is on Third Reading and there aren't going to be any public hearings or other opportunities for the public to have input on this?"

Currie: "We're ready to go for a vote and we... I, again, say that this map has been up on the website since Friday."

Rose: "Well, not with... not with the changes. But not with the changes."

Currie: "The changes are quite minor and they are available on the website. Both the House Democratic website and the General Assembly website along with the accompanying data."

Rose: "And since Friday has there been any chance for the public to comment on the new map?"

Currie: "Yes. Yeah."

Rose: "In a hearing?"

Currie: "On the website there is the opportunity to send e-mails and an... an engaged and alert public would certainly know that there are redistricting committees in both the House and Senate."

Rose: "Right. We had one hearing."

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

69th Legislative Day

5/30/2011

Currie: "And an engaged an alert public might well want to contact individual lawmakers if they had proposals for change in those maps. We had a hearing yesterday."

Rose: "So, it... so, there was less than a... there's less than a day between the time the original map was filed and the hearing and then this was less than... well, roughly about 2 hours. Do you know, Representative, if... if... Majority Leader, I'm sorry. Is... who's... who exactly drew this map?"

Currie: "I think it's a... it's a product of many hands, many minds, many thoughts and many ideas."

Rose: "Was there anyone outside of the... the Democratic Leadership that had input into this?"

Currie: "I don't know, but I'm sure there were, I'm sure many people."

Rose: "Do you know if... if this... if the State of Illinois were to be sued over this map, do you know if there's been any appropriations set aside to defend this or what that might cost the taxpayers?"

Currie: "I think the only appropriation I know about that hasn't yet been used and perhaps you put it up for on offer is the appropriation to the House and Senate Republicans. I believe you're reserving your moneys and maybe you'd like to put that up if... if it turns out somebody sues either about the state map or this one."

Rose: "In the House map for the state there was an expert, I believe Mr. Lickman, who had testified as to his opinions. Has there been any testimony or is there any expert to say that this is constitutionally sound?"

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

69th Legislative Day

5/30/2011

Currie: "We did not hear from anyone on that topic in committee yesterday. And I don't know to what extent experts have been... had been advising the map making procedures."

Rose: "So, as it stands now we have no one who says that this is done correctly under the Constitution, under Federal Law or State Law?"

Currie: "I... I believe it is. I believe..."

Rose: "Well, I understand... I understand you believe that..."

Currie: "...given my understanding of districting..."

Rose: "...but we have no..."

Currie: "...principles, I think we're right solid. We're right on it."

Rose: "But we have no... we have no experts that have opined to that?"

Currie: "As I said, I don't know that there hasn't been. I just don't know that there has been."

Rose: "Okay. If you could... if I could have one second, please? Thank you Madam, Majority Leader, appreciate it. And Mr. Speaker, if I could ask for a verification."

Speaker Madigan: "Representative Currie to close."

Currie: "Thank you, Speaker. A good map, a solid map and certainly an eminently fair map. Please vote 'yes'."

Speaker Madigan: "Representative Currie has moved for the passage of the Bill. There has been a request for a verification. If all Members could please take their seats. Representative Dugan, could you take your seat, please? If all Members could please take their seats. All Members please take their seats. Representative Currie has moved for the passage of the Bill. Those in favor signify by

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

69th Legislative Day

5/30/2011

voting 'yes'; those opposed by voting 'no'. Have all voted who wish? Have all voted who wish? The Clerk shall take the record. On this question, there are 63 voting 'yes', 54 voting 'no'. There has been a request for a verification. Mr. Rose."

Rose: "Withdraw... we'll withdraw that request, Mr. Speaker."

Speaker Madigan: "Mr. Rose has withdrawn his request for a verification. Again, there are 63 voting 'yes', 54 voting 'no'. This Bill, having received a Constitutional Majority, is hereby declared passed. On page 24 of the Calendar, on the Order of Resolutions, there appears HR294, Representative Howard."

Howard: "Thank you very much, Mr. Speaker. Although, the month of April has passed, I think it's important that we still do this Resolution because sarcoidosis is such a... such a devastating disease. And I think those individuals who are advocates would want to know that we recognize April as Sarcoidosis Awareness Month. For those of you who don't know, sarcoidosis is a systematic disease which causes massive tissue inflammation and damage to major organs. The disease can lead to debilitating and potentially fatal affects, such as seizures, blindness, disfiguring lesions and heart failure. So, I would just like this Body to formal... as a formality to recognize April as Sarcoidosis Awareness Month. Thank you."

Speaker Madigan: "Representative Flowers."

Flowers: "Thank you, Mr. Speaker. I rise in support of the Lady's Resolution. Unfortunately, sarcoidosis is often misdiagnosed and people die unnecessarily only because it

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

69th Legislative Day

5/30/2011

has been misdiagnosed. So, with more awareness more people will be able to live with it as opposed to die from it. Thank you."

Speaker Madigan: "Representative Monique Davis."

Davis, M.: "I rise in support of the Lady's Resolution and I'd like to ask one question. Representative Flowers... I'm sorry. Representative Howard, is this just for April of every year or..."

Howard: "Well, unfortunately there was not the vision to talk about this happening every year. And so, we... we're not... we didn't develop the Resolution in that manner, but certainly that's something that we can think about in the future."

Davis, M.: "Well, I hope that you will and I'll be happy to join you in supporting a Resolution that will make April the Sarcoidosis Month of... Awareness Month every year. And I commend you for your foresight. Thank you, Mr. Speaker."

Howard: "As you know, there are persons who we look to for entertainment and for other kinds of things, such as Bernie Mac and the young man, I'm forgetting his name who was on the sports channel, who died from Sarcoidosis. I think things are getting closer, but they still need to have just a lot of more research so that there will be a time when we can say that we have found a cure for Sarcoidosis."

Davis, M.: "Please join... help... let me join you on that Resolution. Thank you."

Speaker Madigan: "Representative Howard moves for the adoption of House Resolution 294. Those in favor say 'aye'; those opposed say 'no'. The 'ayes' have it. The Resolution is adopted. On page 26 of the Calendar, on the Order of

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

69th Legislative Day

5/30/2011

Resolutions, there appears SJR2, Representative Howard. Mr. Eddy."

Eddy: "Thank you, Speaker. Would the record show that Jerry Mitchell is excused for the rest of the day."

Speaker Madigan: "Thank you. Representative Howard."

Howard: "I'm sorry, Mr. Speaker. SJR 2, it would establish the Parents and Community Accountability Study Committee or shall I say, it would extend it. I had... it was established a couple of years ago and for various reasons was never functioning. We would like that it begin to function now and there's some changes that this legislation would make. It would make changes in the... in the constitution of the members of the committee. And as I said there are some other things, too, that I will talk about if... if requested to do so. It is important that there be a study done of how young people and their parents can relate better so that communities can be changed. This Resolution would ask that parents be more accountable for the behavior and the conduct of their children. I would appreciate support from my colleagues."

Speaker Madigan: "Representative Howard moves for the adoption of SJR2. On that question, those in favor of the adoption of the Resolution vote 'aye'; those opposed vote 'no'. Have all voted who wish? Have all voted who wish? Have all voted who wish? The Clerk shall take the record. On this question, there are 110 people voting 'yes', 7 people voting 'no'. And the Resolution is adopted. Mr. Clerk."

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

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

69th Legislative Day

5/30/2011

Rules Committee will meet immediately in the Speaker's Conference Room."

Speaker Madigan: "Mr. Clerk, on the... Mr. Ramey, for what purpose do you seek recognition?"

Ramey: "Thank you, Mr. Speaker. I would like the record to reflect on Senate Bill 744 I would like my vote to be a 'yes'."

Speaker Madigan: "The record shall reflect your request. Mr. Clerk, on the Order of Supplemental Calendar #2 there appears, on the Order of Senate Bills-Second Reading... Mr. Morrison."

Morrison: "Thank you, Mr. Speaker. For Senate Bill 1178, would the record please reflect a 'no' vote? My switch malfunctioned."

Speaker Madigan: "Let the... let the record reflect that request. Mr. Clerk, Supplemental Calendar #2... Mr. Clerk."

Clerk Mahoney: "Committee Reports. Representative Barbara Flynn Currie, Chairperson from the Committee on Rules reports the following committee action taken on May 30, 2011: recommends be adopted is Floor Amendment #3 to Senate Bill 270. Representative Bradley, Chairperson from the Committee on Revenue & Finance reports the following committee action taken on May 30, 2011: recommends be adopted is Floor Amendments 3 and 4 to Senate Bill 540 and Floor Amendment #2 to Senate Bill 2168. Representative Dan Burke, Chairperson from the Committee on Executive reports the following committee action taken on May 30, 2011: do pass Short Debate Senate Bill 1782, Senate Bill 1914, Senate Bill 2357, Senate Bill 2378; do pass as amended Short

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

69th Legislative Day

5/30/2011

Debate Senate Bill 42, Senate Bill 63, Senate Bill 620, Senate Bill 630, Senate Bill 1762; recommends be adopted is Floor Amendment #3 to Senate Bill 2062."

Speaker Madigan: "Mr. Clerk, on Supplemental Calendar #2, Senate Bills-Second Reading, there appears Senate Bill 42. What is the status of the Bill?"

Clerk Mahoney: "Senate Bill 42, a Bill for an Act concerning local government. Second Reading of this Senate Bill. Amendments 1 and 2 were adopted in committee. Floor Amendment #3, offered by Representative Beiser, was filed today but not yet reported out."

Speaker Madigan: "Mr. Clerk, leave this Bill on the Order of Second Reading. Mr. Clerk, Senate Bill 63. What is the status of that Bill?"

Clerk Mahoney: "Senate Bill 63, a Bill for an Act concerning elections. Second Reading of this Senate Bill. Amendment #1 was adopted. Committee Amendment #2 was tabled. No Motions filed."

Speaker Madigan: "Mr. Clerk, put this Bill on the Order of Third Reading. Mr. Clerk, Senate Bill 620? What is the status of that Bill?"

Clerk Mahoney: "Senate Bill 620, a Bill for an Act concerning education. Second Reading. Amendment... Committee Amendment #1 was adopted to the Bill. Committee Amendment #2 was tabled. No Motions filed."

Speaker Madigan: "Leave this Bill on the Order of Second Reading. Mr. Clerk, Senate Bill 630? What is the status of the Bill?"

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

69th Legislative Day

5/30/2011

Clerk Mahoney: "Senate Bill 630, a Bill for an Act concerning education. Second Reading. Amendment #1 was adopted in committee. No Floor Amendments. No Motions filed."

Speaker Madigan: "Mr. Clerk, put this Bill on the Order of Third Reading. Mr. Clerk, Senate Bill 1762. What is the status?"

Clerk Mahoney: "Senate Bill 1762, a Bill for an Act concerning State Government. Second Reading. Amendment #1 was adopted in committee. No Floor Amendments. No Motions filed."

Speaker Madigan: "Mr. Clerk, leave this Bill on the Order of Second Reading. Mr. Clerk, Senate Bill 1782. What is the status of the Bill?"

Clerk Mahoney: "Senate Bill 1782, a Bill for an Act concerning liquor. Second Reading of this Senate Bill. Amendment... Committee Amendment #1 was tabled. No Floor Amendments. No Motions filed."

Speaker Madigan: "Put this Bill on the Order of Third Reading. Mr. Clerk, Senate Bill 1914. What is the status of the Bill?"

Clerk Mahoney: "Senate Bill 1914, a Bill for an Act concerning criminal law. Second Reading. Committee Amendments 1 and 2 were both tabled. No Floor Amendments. No Motions filed."

Speaker Madigan: "Leave this Bill on the Order of Second Reading. Mr. Clerk, Senate Bill 2357. What is the status of the Bill?"

Clerk Mahoney: "Senate Bill 2357, a Bill for an Act concerning appropriations. Second Reading. No Amendments. No Motions filed."

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

69th Legislative Day

5/30/2011

Speaker Madigan: "Put... leave this Bill on the Order of Second Reading. Mr. Clerk, Senate Bill 2378."

Clerk Mahoney: "Senate Bill 2378, a Bill for an Act concerning appropriations. Second Reading. No Amendments. No Motions filed."

Speaker Madigan: "Leave this Bill on the Order of Second Reading. Mr. Clerk, do you have Agreed Resolutions?"

Clerk Mahoney: "On the Order of Agreed Resolutions is House Resolution 438, offered by Representative Ford. House Resolution 439, offered by Representative Barickman. House Resolution 440, offered by Berrios. And House Resolution 441, offered by Representative Berrios."

Speaker Madigan: "The Clerk has read the Agreed Resolutions, Representative Currie moves for the adoption of the Agreed Resolutions. Those in favor say 'aye'; those opposed say 'no'. The 'ayes' have it. The Agreed Resolutions are adopted. Mr. Clerk, you have committee announcements. If the Members could give their attention to the Clerk for the purpose of committee announcements. Mr. Clerk."

Clerk Mahoney: "Attention Members, the Revenue Committee will meet tomorrow morning at 8:30 a.m. in Room 118. Revenue in 118 at 8:30 a.m."

Speaker Madigan: "The Chair is prepared to adjourn. Representative Currie moves that the House stand adjourned 'til Tuesday, May 31 at 10 a.m. Ladies and Gentlemen, let me advise you that tomorrow will be a very long day. So, you should be like Mr. Ford and get a lot of rest tonight. Right, Mr. Ford? The Lady has moved to adjourn to May 31 at 10 a.m. Those in favor say 'aye'; those opposed say 'no'."

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

69th Legislative Day

5/30/2011

The 'ayes' have it. The House does stand adjourned until Tuesday, May 31 at 10 a.m., providing perfunctory time for the Clerk."

Clerk Mahoney: "House Perfunctory Session will come to order. Introduction and reading of House Bills-First Reading. House Bill 3788, offered by Representative Golar, a Bill for an Act concerning health facilities. House Bill 3788, offered by representative Golar, a Bill for an Act concerning health facilities. House Bill 3787, offered by Representative Ford, a Bill for an Act concerning State government. House Bill 3789, offered by Representative Brauer, a Bill for an Act concerning civil law. There being no further business, the House Perfunctory Session will stand adjourned."