

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

77th Legislative Day

10/26/2011

Speaker Lyons: "Good morning, Illinois. Your House of Representatives will come to order. Members are asked to please be at their desks. We shall be led in prayer today by Pastor Shaun Lewis, who is the Illinois State Director of Capitol Commission serving the political leaders of Illinois. Members and guests are asked to refrain from starting their laptops, turn off all mechanical electronic equipment, and rise for the invocation and the Pledge of Allegiance. Pastor Shaun Lewis."

Pastor Lewis: "If you'd bow with me in prayer. Father in Heaven, it's an honor to be here yet again and to pray for our lawmakers. You appointed each of them to be here today and to represent the people of Illinois. We pray that You give them knowledge, give them... give them the ability to rightly apply their knowledge if the situation demands. Give them humility to work together and the meekness to exercise restraint in moments of frustration. I ask these things, Lord, that our lawmakers be a blessing to our state and that You would receive glory. May this be a fruitful and productive morning. Direct the debates and the conversations of the day. Comfort each who are here that are away from family and turn every eye to You for salvation. We pray these things in the name of Jesus, Amen."

Speaker Lyons: "Representative Dan Beiser, would you lead us in the Pledge of Allegiance, please?"

Beiser - et al: "I pledge allegiance to the flag of the United States of America and to the republic for which it stands,

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one nation under God, indivisible, with liberty and justice for all."

Speaker Lyons: "Roll Call for Attendance. Leader Barbara Flynn Currie, status of the Democrats?"

Currie: "Thank you, Speaker. Please let the record reflect that there is not a single House Democrat who is excused today."

Speaker Lyons: "Representative Mike Bost, GOP?"

Bost: "Thank you, Mr. Speaker. Let the rep... record reflect that Representative Coladipietro is excused today."

Speaker Lyons: "Mr. Clerk, take the record. There's 116 Members responding to the Roll Call, a quorum present, we're prepared to do the work of the people of the State of Illinois. Mr. Clerk."

Clerk Bolin: "Committee Reports. Representative Bradley, Chairperson for the Committee on Revenue & Finance, to which the following measures were referred, action taken on October 26, 2011, reported the same back with the following recommendations: 'recommends be adopted' Floor Amendment #1 to House Bill 507. Representative Verschoore, Chairperson for the Committee on Counties & Townships, to which the following measures were referred, action taken on October 26, 2011, reported the same back with the following recommendations: 'recommends be adopted' Floor Amendment #1 to House Bill 508. Representative Phelps, Chairperson for the Committee on Public Utilities, to which the following measures were referred, action taken on October 26, 2011, reported the same back with the following recommendations: 'recommends be adopted' Floor Amendment #1 to House Bill 690. Representative Burke, Chairperson for the Committee on

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Executive, to which the following measures were referred, action take on October 26, 2011, reported the same back with the following recommendations: 'recommends be adopted' Floor Amendment #1 to House Bill 735. Representative Currie, Chairperson for the Committee on Rules reports to following committee action taken on October 26, 2011: recommends be adopted Floor Amendment #1 to House Bill 3788. Recommends be adopted, Floor Amendment #4 to House Bill 3847, recommends be adopted Floor Amendment #1 to House Bill 3851; and referred to Second Reading is Senate Bill 1697. Introduction of Resolutions. House Resolution 570, offered by Representative Mulligan. House Joint Resolution 46, offered by Representative Osmond. And House Joint Resolution 47, offered by Representative Saviano."

Speaker Lyons: "Ladies and Gentlemen, we have a couple of Amendatory Vetoes on page 10 and 11 and if the Members are on the floor, would like to call their Bill. Representative Bellock, Patti Bellock. Patricia... Patricia, you have House Bill 1659 on override, an Amendatory Veto. Do you care to call the Bill? Representative Bellock on House Bill 1659."

Bellock: "Thank you very much, Mr. Speaker. I'm making a Motion to override the Amendatory Veto. And the reason being is I worked with the Governor's Office on this, but the Amendatory Veto was ruled noncompliant. I do not want to let the underlying Bill die, especially at this time, because it's very critical to the closure of institutions in filing reports as to what happens to the people in those institutions and the money to follow those individuals into the community settings, the money for the people who are

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mentally ill and the people who are disabled. So I appreciate the Governor's Office working with this Bill on me and I have agreed to work on a trailer Bill with them in the Spring Session that addresses all the issues that they had in the Amendatory Veto. But at this time I do not want to let the underlying Bill die because I think it's crucial to the movement that we have on long-term care.. care rebalancing in Illinois. And it's extremely important during this time period of the COGFA closures. Thank you. I'd be glad to answer any questions."

Speaker Lyons: "You've heard the Lady's explanation on the Motion to override. Is there any discussion? Seeing none, Representative Bellock moves that the House do pass, notwithstanding the specific recommendations of the Governor to override the Veto on House Bill 1659. This Bill does require 71 votes. All those in favor signify by voting 'yes'; those opposed vote 'no'. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Mr. Clerk, take the record. On this Bill, there are 116 Members voting 'yes', 0 voting 'no', 0 voting 'present'. The Motion, having received the Supermajority, House Bill 1659 is hereby declared passed, notwithstanding the specific recommendations of the Governor. Representative Tim Schmitz, on the bottom of page 10, on the Amendatory Veto Calendar, you have House Bill 1712. Representative Schmitz on House Bill 1712."

Schmitz: "Thank you, Speaker. Ladies and Gentlemen of the House, I move to override the Amendatory Veto on House Bill 1712. This was a Bill previously carried by our friend Mark

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Beaubien. It passed both chambers unanimously. In the underlying Bill that we're attempting to restore with this override vote received unanimous support of the House and the Senate. The original Bill addressed the broad provisions of a previously approved Public Act that was designed to protect seniors from unscrupulous agents who might otherwise take advantage of them. A quick background, in 2010 we amended the Illinois Power of Attorney Act to protect senior citizens by making power of attorney forms easier to understand and put in effect by creating a new short form power of attorney. The change in 2010 was overly broad and unfortunately resulting now in avoiding of many legitimate limited powers of attorneys that seniors and others didn't want to revoke. House Bill 1712 struck a better balance and it narrowed the unintended consequences in the effects of the original law. What I want to emphasize here is that House Bill 1712 received thorough review by all of our staffs and all interested parties through every step of the legislative process and received unanimous support in both chambers all along the way. In contrast, the Governor's AV language did not... was not well vetted with our staffs or outside interests. It reverses the corrections we made last year and actually goes a step further increasing the likelihood that seniors and others could be defrauded. The state's most experienced trust attorneys have told us that the AV actually creates a loophole by defining too narrowly what powers of attorney formats would be superseded by the new short form document. This change now puts an increased risk of fraud for our

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seniors. Under the Governor's proposed language someone looking to defraud seniors could now create a power of attorney document that would be difficult for the principal to revoke by using a form not identical to the narrowly defined statutory power of attorney. The Governor's AV takes a step back from the goal of Public Act 96-1195 and the House Bill 1712 which I present to you right now to protect our seniors and other individuals from being taken advantage through the use of power of attorney. And with that, I would ask for an 'aye' vote to override the Governor's Amendatory Veto."

Speaker Lyons: "You've heard the Gentleman's explanation on the override Motion. Is there any discussion? The Chair recognizes the Lady from Cook, Representative Monique Davis."

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

Speaker Lyons: "Sponsor yields."

Davis, M.: "Representative Schmitz, is the Department of Aging opposed to your Motion to override the Governor's Veto?"

Schmitz: "Yes, Ma'am. The Department of Aging actually talked to me as I was walking up to the floor today to inform me of their opposition to the Bill which, unfortunately, we didn't hear from the department's opposition while this worked through the spring. And as I stated earlier, it went through this chamber 112 to nothing and went through the Senate unanimous."

Davis, M.: "Did they express to you what their opposition was?"

Schmitz: "No, Ma'am. We did not go through it in detail. They expressed that they were opposed to this Bill and I

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expressed to them my disappointment but that I would be continuing with the Motion to override the Amendatory Veto."

Davis, M.: "Well, my understanding, from the Department of Aging, is by overriding the Governor's Veto we are leaving senior citizens unprotected by scrupulous... unscrupulous people who may be having access to their banking records, who may have access to their homes and the housing or the care they may receive. It is leaving them vulnerable without the protection of the law. Can you take this Bill out of the record until you've had an opportunity to talk to the Department of Aging and other organizations that represent senior citizens to see how this Bill, left as it is, would affect their banking information? You know, senior citizens really are some of our most vulnerable citizens. And people that abuse their powers should not be allowed to go unscathed by that abuse. And what this Bill does is says that they cannot be held liable if they so-call make an error or do some harm to a senior citizen."

Schmitz: "No, with all do respect, Representative, I'm... I'm comfortable with keeping this Bill in the record. You know, this Bill passed out of the House on the 7th of April unanimous, and it passed out of the Senate on the 17th of May, 57 to 0. These concerns were not brought forward at those times. We feel very comfortable with the language of... the original Bill that was passed was very broad in nature and I kind of refer to this like what happened with the FOIA Bill. You put the first Bill out there, you have some unintended consequences, so you narrow it down. This Bill

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narrowed it down and both chambers agreed with that narrowing of it. We feel the protections are in place and I told the Department of Aging, specifically, as we were walking up to the floor here that their concerns, we will be happy to meet with them, run a new Bill if we've got to narrowly define it even more. We'll be happy to do that. But we feel very comfortable that this Bill, as written, as passed, is... is good to go."

Davis, M.: "So you feel if a banker or if an attorney with power of attorney does harm to a senior that they should be not held liable?"

Schmitz: "Ma'am, I'm... I'm not suggesting that at all and you can't..."

Davis, M.: "My name is Representative Davis."

Schmitz: "I'm sorry, Representative Davis. I... I just don't think that you should be putting words in my mouth. I did not say that at all. I don't believe that at all. But we feel very comfortable with the Bill that was passed out of this chamber, that you actually supported and that the Senate supported. We think that... "

Davis, M.: "Well, we... I supported it not knowing... "

Schmitz: "I don't get to finish, I guess?"

Davis, M.: "...not knowing at the time..."

Schmitz: "Okay."

Davis, M.: "...the reductions on senior citizen protections that was taking place. To the Bill, Mr. Sponsor. I'm sorry, to the Bill, Mr. Speaker. I apologize. I just urge the Members of this Body to be very careful in your consideration of overriding the Governor's Veto. This particular Veto, in my

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opinion, should stand in order to protect the senior citizens in the State of Illinois, to protect their little nest eggs, protect their homes, protect them in their health care, and not let people who abuse those powers not be legally liable for the result of the injury to the senior citizen. I would urge all of us to really consider not voting to override the Governor's Veto and to vote 'no' on this Motion. Thank you."

Speaker Lyons: "Representative Mike Zalewski."

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

Speaker Lyons: "Sponsor yields."

Zalewski: "Representative, to your point about this having been done unanimously in the spring is probably your most persuasive argument. My question is, based on what I heard from the Department of Aging, they seem to believe this can get worked out. And my question is, why not just do a new Bill that incorporates the Department of Aging's concerns and brings everybody on the same page as opposed to overriding the Veto? The concern, I think you're hearing is that we're overriding a Veto here when it seems to be reasonable that we could get this all worked out with a new piece of legislation."

Schmitz: "Representative, we... we believe this Bill has the protections in place and it's... it's narrowing down what happened with the first Bill which sometimes if Bills pass in this chamber they have unintended consequences. The unintended consequences did affect some of the trust that we're dealing with this in this Bill of power of attorneys. The parties that got together last year worked together,

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worked on an agreement on this, got it narrowed down. And as I told the Department of Aging, you know, this Bill has not changed from the Spring Session. It... nothing in it changed. None of the concerns on the protections were there during the spring which was... as... in my opinion, we fully vetted this item. But I did tell them, and... and with Representative McAsey, I hate to bring her into the loop, she... she worked on the original Act and she's been... we've discussed with her that, you know, if we need to narrow it down even more to make it even better in the spring.. or in the Spring Session with a new Bill, absolutely. But we feel very comfortable with the way this was drafted and that narrows it down even more. And I'd be happy to work with them again continuing on January and February as we keep narrowing that focus down and make sure the unintended consequences are closed."

Zalewski: "So, can you just articulate for me, and if it sounds repetitive I apologize, what's specifically is the time urgency with getting an override done as opposed to waiting 'til the spring to get everybody on the same page?"

Schmitz: "It's not so much the time urgency. I mean, there's no rush on this. My point on this Bill is that nothing changed except the Amendatory Veto that came out, in my opinion, was actually went beyond what we intended to do in the Bill. There are some portions of the AV that we agree with, and we said that we could work with and incorporate into a brand new Bill in the Spring Session. There's... there's some of those provisions in there we thought were great ideas, but then other ones, we believe, with all due respect to

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the second floor, they overstep some bounds and started creating some other things that we were not interested in dealing with in this Bill.

Zalewski: "Okay. I... I'll conclude, Representative. I... I certainly understand what you're saying and it makes a whole lot of sense. I appreciate you taking the time to answer my questions. Thank you."

Speaker Lyons: "Representative Mary Flowers."

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

Speaker Lyons: "The Gentleman yields."

Flowers: "Representative, are you the original Sponsor of this Bill?"

Schmitz: "No, Ma'am. As I stated in my opening remarks, Representative Beaubien was the original Sponsor of this Bill."

Flowers: "And after Representative Beaubien, who became the Sponsor?"

Schmitz: "After Representative Beaubien... well, I took over the sponsorship I believe on Monday."

Flowers: "But after Representative Beaubien, who became the Sponsor?"

Schmitz: "I'm looking on the status up here and Representative Beaubien maintained his sponsorship and then I... the Chief Sponsor changed on the 24th of October."

Flowers: "So Representative, there was no other Legislator that was the Sponsor of this Bill prior to yourself? Representative Osmond did not have this Bill?"

Schmitz: "Representative Osmond was listed on April 5 of '11 as chief cosponsor."

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Flowers: "Okay. So, she was one of the Sponsors. Is there a reason why there's been a change.. I understand in regards to Representative Beaubien but was there a reason why you took over the sponsorship from Representative Osmond?"

Schmitz: "In response to your question, no, I... the Representative is still on the Bill and she just explained to me that she did present the Bill to the chamber as the Representative Beaubien was in the hospital at the time."

Flowers: "Okay. Was this the Bill.. was this original Bill agreed to be held in the Senate until there was agreement?"

Schmitz: "I can't answer that. I'm not aware of that because if..."

Flowers: "It is my understanding that there was an agreement to hold this Bill until all the stakeholders could agree upon the language and for some reason the Bill was moved. And even after the Bill was moved, there was still an agreement to try to work things out. Let me just ask you this, are the bankers a proponent of this legislation?"

Schmitz: "Representative, I have in my analysis as no opponents but we now know that we have the Department of Aging and I have the State Bar Association as a supporter."

Flowers: "Are the bankers a proponent of this legislation?"

Schmitz: "I... I don't know. They have not talked to me and they are not listed on my analysis as proponents."

Flowers: "It is my understanding that this is an initiative of Northern Trust Bank and the Corporate Fiduciary Association. And so my question to you, would they have a conflict of interest? Would it be in their best interest for the senior citizens to no longer have rights to their

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possession and they could take away their power of attorney because this Bill would give them the authority to do so?"

Schmitz: "As I stated earlier, we... the way this Bill was drafted, we don't believe those... that situation is going to occur."

Flowers: "But there's others that do. And so because of the misinformation, Sir, we are merely requesting that you would please honor the agreement that should have happened that the Bill should have been held in the Senate until there was further negotiations, until we could work this out. Because it appears to me that because the Department of Aging, who's responsibility it is, is to protect the most vulnerable, the seniors, and AARP, those are seniors and other organizations, the Long-Term Care Council, the Illinois Association of Long Term-Care Ombudsman they are also opposed to this legislation. They're opposed to this Veto. So would you please, respectfully, take this Bill out of the record because the only someone that's going to benefit from this Veto would be the banks."

Schmitz: "Representative, we deal with topics on this floor all the time that some people support and some don't, and this is one of those Bills right now. And as I keep looking through the status of this Bill, this was not on a fast track. This is... this is not a new idea, the legislation just popped up and it was passed on the 31 in both chambers and the Bills immediately came to the floor. This is a Bill that was introduced in the early, early winter and passed out of the Senate on May 12, unanimous. So, I feel very comfortable with the vetting process that it went through.

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Are there going to be differences of opinion? Absolutely. There's difference of opinions, but my commitment to this body right now is those differences, we can come in and narrowly bring it down again and start in January. But we feel very comfortable with the way this was drafted, the way it went through the process last year with no opposition."

Flowers: "It had... "

Schmitz: "No opposition."

Flowers: "...no opposition, Sir, because there was the impression that this was agreed to. And then we found out that the Bill was moved without the agreement because.. "

Schmitz: "I... I can't speak to the Senate."

Flowers: "Oh, I understand that. But you know, the fact of the matter is the Governor's Amendatory Veto, the most important things, that it reinstates the protection for the consumer. Now, why is it that we want to take away the protection for the consumer and give them authority to the bank? Also, House Bill 1712 as a result of the Governor's Amendatory Veto would support the provision of House Bill 1712 which eliminate the automatic revocation of any exclusion of power of attorney, written revocation of any excluded power of attorney. All these things are put back in place as a result of this Amendatory Veto to protect the seniors, to protect the most vulnerable. Why would we want to take away that protection and give it to the banks?"

Schmitz: "Representative..."

Flowers: "That is my question. I'm just asking you, Sir, what is that nature and why is it so important to take away the

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protection from the families and from the seniors and give it to the banks who do have a conflict of interest here?"

Schmitz: "Representative, as I stated earlier, I believe this Bill as passed does do the protections that it a laws.. that is allows, but it narrowly breaks down some of the unattended consequences when the short forms are being created and some of these trusts that all of a sudden.."

Flowers: "The unintended consequences, Sir, is to make the rich, richer and the poor, poorer.."

Schmitz: "I.. "

Flowers: "...and that's not what the consumers want. That's the reason why people are marching in the streets today. That's the reason why people have lost their homes. That's the reason why people are no longer working because we're giving business the authority and taking away the power of the people. I urge a 'no' vote on House Bill 1712. Thank you."

Speaker Lyons: "Representative Will Davis."

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

Speaker Lyons: "Sponsor yields."

Davis, W.: "Representative, in reference to comments that were made by one of the previous speakers, I'm just trying to answer to the... to the question. With regard to, if someone has a power of attorney over someone and that individual does something unfortunate to the person whose interest they're suppose to be protecting, maybe they steal money, they embezzle money, whatever the case may be. The question that I have is whether or not the Bill in its current form provides a protection for the individual that does

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something against the person over whom they have the power of attorney? Does the Bill protect that individual?"

Schmitz: "We believe it does."

Davis, W.: "You say it protects them. What.. make sure you understand my question."

Schmitz: "I.. I.."

Davis, W.: "Does it.. does it protect the individual that.. that, again, steals money, for lack of a better example, over the person whom they have the power of attorney. I think that's some of the concern that's being espoused here is that it protects the individual that does something harmful to the person over whom in which they have the power of attorney. It protects that individual."

Schmitz: "Well, Representative, we have statutes already in place that allow those protections for some of the examples you said, I mean, those are illegal acts you were citing. So, what happened with the first Bill that was signed into law, it was very broad. And we know sometimes things happen when you have a broad Bill that comes out of there and as people start... it starts working its way through the system, through the people that actually use these power of attorneys, the unintended consequences where it really started affecting the short form documents that were specified in the statute, really starting affecting some of these... these areas that we're trying to cover here. So, the way this Bill was drafted, in no way, shape, or form does anything to take away any legal protections for seniors. We're trying to allow what the Bill provided for, the original Public Act, and allow the people that deal with

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the trust on a daily basis to work with these forms. And as I said earlier, the Department of Aging now has a concern with this Bill. I understand that. They presented some of their concerns as I was walking up to this chamber today. And I told them right outside the chamber that, you know what, what you have in your concerns we will get together with you and deal with these issues and we're going to narrow it down even more 'cause I still think this Bill is going to be a work in process. I think the original Act was good, the intentions were there. It had some unintended consequences; we're trying to change some of those right now with this Bill that we passed in both chambers and then next year, very shortly in a few months, we'll deal with their concerns that they may have. Who knows, after this comes out they may say, you know what, some of the issues that we had aren't there any more but here's one area that we'd still like to talk about. Totally open to that, Representative; we're completely open to it. We're not in a hurry. But we think that concerns brought out in here and the AV, the way it was drafted and the way it was presented to us, goes way over what's trying to be accomplished here in this simple Bill."

Davis, W.: "Okay. Not... well... without regard to whatever the criminal protections, I think that's what you were making reference to, disregarding this particular Bill just trying to see if it does protect the individual that are causing harm to others. And... and again, that's just as a simple question."

Schmitz: "I... I believe it does, Representative."

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Davis, W.: "So, if...

Schmitz: "I... I don't... "

Davis, W.: "So, if I was... so if I had a power of attorney over someone and I steal something or cause harm to that individual, this Bill protects me? If I'm the one causing the harm, it protects me? I'm not trying to ask a... you know, I think I'm asking a pretty straightforward question. If I had the power of attorney and I cause harm to that individual over whom I have that power of attorney, I took their money, I embezzled their money, whatever, this Bill will protect me?"

Schmitz: "Protect you as the power of attorney, no. This... this Bill is not going to protect the person doing an illegal act."

Davis, W.: "Well that's... that's what I'm getting at."

Schmitz: "No, no, no."

Davis, W.: "That's the question that I asked."

Schmitz: "I misunderstood the way it was phrased."

Davis, W.: "And that's... that's the concern that it will provide some..."

Schmitz: "No... no."

Davis, W.: "...protections for the individual causing the harm."

Schmitz: "No, there's not a protection in here for an individual that's going to scam, whether it's a senior or anybody else. I would not stand before you with such a Bill, Representative. There's... there's no way you could... could justify that kind of act."

Davis, W.: "But... but I wonder if that's one of the unintended consequences that we're talking about. Is that someone who

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causes the harm may somehow or another may be able to get away with the harm that they've caused. I think that's one of the unintended consequences that I think some are speaking of as it relates to protecting seniors. So that's why I tried to ask in a very straightforward way so that we could at least get to that. And I wondered if that's one of the unintended consequences that we're talking about."

Schmitz: "Again, no."

Davis, W.: "All right. Thank you very much, Representative."

Speaker Lyons: "Representative Renée Kosel."

Kosel: "Thank you, Mr. Speaker. To the Bill. Someone just testified on the floor that this particular piece of legislation was designed to make the rich, richer and the poor, poorer. I would like to stand up for the original Sponsor, Mark Beaubien, who is no longer with us. There is no one who is more honorable, more well-respected, and passed legislation with the highest degree of integrity and work. I will tell you that I am very disappointed that anyone would insinuate that this was a Bill that was designed to make bankers richer. This is something that he saw as a problem, he worked on, he asked to be passed and I am very, very disappointed that anyone on this House Floor would insinuate anything else. Thank you."

Speaker Lyons: "Representative Schmitz to close."

Schmitz: "Thank you, Speaker. I... I truly appreciate the spirit of debate and I answered the questions. I... I believe what I believe in this Bill. I feel comfortable of the process that this Bill originally went through in the spring, that it went through the committees of the House, it went

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through the House chamber, went through the committees of the Senate, went through the Senate chamber, went through the Governor's Office. They wrote an Amendatory Veto. I believe that they overextended some of their powers and authority by going beyond what this Bill originally did. And I keep open that door that if there's some issues still containing with this process of the underlying Bill which was the Public Act, that we're going to be there to help narrowly bring this back in. This is an ongoing process. We'll probably see another Bill. I don't know what area it's going to cover in this, but we're going to see another Bill I would venture to say in the spring. But this Bill that was passed by us and sent to the Governor is a good Bill. And I would really ask for an 'aye' vote and to override the Governor's Amendatory Veto language."

Speaker Lyons: "Representative Schmitz moves that House Bill 1712 do pass, notwithstanding the specific recommendations of the Governor. The Bill requires 71 votes. 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? Franks, McAsey, Mell, Sente. Mr. Clerk, take the record. On this Bill, there are 77 Members voting 'yes', 38 Members voting 'no', 1 Member voting 'present'. And the Motion, having received the Supermajority, House Bill 1712 is hereby declared passed, notwithstanding the specific recommendations of the Governor. Representative Feigenholtz, for what purpose do you seek recognition, Representative?"

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Feigenholtz: "Thank you, Mr. Speaker. I rise on a point of personal privilege. I would like to... for the General Assembly to extend a warm Springfield welcome to the seventh and eighth graders of Mt. Carmel Academy from my district, welcome."

Speaker Lyons: "Welcome to your Capitol, kids. Glad to have you down in the Capitol. Representative Barickman, for what purpose do you see recognition?"

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

Speaker Lyons: "Please proceed."

Barickman: "Mr. Speaker, Members of the Illinois House, we are joined today by a number of our friends from Champaign County, I'd ask that they all stand and please join myself, Representative Chad Hays, and Representative Chapin Rose in welcoming the Champaign County's active Senior Republicans led by the woman in the beautiful Halloween cap, their president, Mary Jo Reik. Please join me in welcoming them."

Speaker Lyons: "Welcome to your Capitol, folks. We're glad to have you. Enjoy your day. Representative Naomi Jakobsson, on the top of page 11 on Amendatory Vetoes, you have House Bill 1948. Do you wish to call the Bill? The Lady does not wish to call the Bill. Out of the record. Representative Dave Winters, you have, on the Amendatory Vetoes, House Bill 2270. You do not wish to call the Bill. We'll take the Bill out of the record. Representative Bob Pritchard, you have, on Amendatory Vetoes, to override House Bill 1353. You do not wish to call the Bill. We'll take the Bill out of the record. On page 3 of the Calendar, under House Bills-

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Second Reading, Representative... Leader Barbara Flynn Currie, you have House Bill 588. Mr. Clerk, status of House Bill 588."

Clerk Bolin: "House Bill 588, a Bill for an Act concerning local government. The Bill was read a second time on a previous day. No Committee Amendments. Floor Amendments #2, offered by Representative Currie, has been approved for consideration."

Speaker Lyons: "Representative Currie, your Floor Amendment #2."

Currie: "Thank you, Speaker and Members of the House. This is an issue having to do with libraries in the City of Chicago but I believe there are 20 others across the state that may not be able this year to meet the minimum local tax or... or donation level for being able to access the Secretary of State's library per capita assistance grants. For a three-year period this Amendment, which would become the Bill, would permit those... those libraries that already had access to those grants to continue receiving them. And this has the support of the Library Association. I know of no opposition. I'd be happy to answer your questions. And I'd appreciate your support for adoption of the Amendment."

Speaker Lyons: "Is there any discussion on the Amendment? Chair recognizes the Gentleman from Crawford, Representative Roger Eddy."

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

Speaker Lyons: "Sponsor yields for a question."

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Eddy: "Leader Currie, just a clarification, this is on the grant portion, only?"

Currie: "This would.. this would be on the per capita grant and also if a library is receiving assistance grant. So, there are two different grants coming from the Secretary of State."

Eddy: "So this access is that.. this doesn't do anything with property tax levy.. "

Currie: "Right."

Eddy: "...it only deals with the grant?"

Currie: "It deals... it deals with the per capita grant, but also if a library has been receiving library assistance grants that would be covered as well."

Eddy: "Okay. Thank you."

Speaker Lyons: "You've heard the Lady's explanation on Floor Amendment #2. All those in favor of its adoption signify by saying 'yes'; those opposed say 'no'. In the opinion of the Chair, the 'ayes' have it. The Amendment is adopted. Anything further, Mr. Clerk?"

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

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

Clerk Bolin: "House Bill 588, a Bill for an Act concerning local government. Third Reading of this House Bill."

Speaker Lyons: "Representative Currie on House Bill 588."

Currie: "Thank you, Speaker and Members of the House. The Amendment I just described has become the Bill. So, exactly what this does is what the Amendment did which is to say libraries receiving state support who fall below that .15

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percent of EAV will still be eligible to receive grants.

I'd appreciate your 'aye' votes."

Speaker Lyons: "Representative Don Moffitt."

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

Speaker Lyons: "Sponsor yields."

Moffitt: "Just for clarification, Leader, this applies to all libraries in the State of Illinois. Is that correct?"

Currie: "It does. And my understanding is that there are perhaps 20, as many as 20, that will not be able to meet that minimum requirement. So there are... that's, I think, why that Library Association stands in strong support of the Bill."

Moffitt: "So, we're... by passing this we would be waiving the absolute requirement of meeting that minimum. They're still expected to when possible?"

Currie: "Yes."

Moffitt: "And why would they not be able to meet that?"

Currie: "Well, the budget cuts of one kind or another. Many libraries have been... have been unable to... to meet the requirement through the actual tax levy, but they have been given grants. They have had other forms of revenue which has enabled them to reach that minimum level. Some may not be able to reach that level today which means they would not be eligible for grants at all tomorrow."

Moffitt: "And was this just for a certain length of time, was it till 2015? I just was scanning it quickly."

Currie: "Three years, three years."

Moffitt: "And then it... Okay. Then it would sunset in effect."

Currie: "That's right."

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Moffitt: "Okay. Thank you very much."

Speaker Lyons: "You've heard the Lady's explanation. No further questions. All those in favor of the passing of House Bill 588, this Bill does require 71 votes, signify by voting 'yes'; those opposed say 'no'. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Representative Will Davis, Art Turner. Mr. Clerk, take the record. On this Bill, there's 116 Members voting 'yes', 0 voting 'no', 0 voting 'present'. This Bill, having received the Constitutional Majority, is hereby declared passed. Representative Chapa LaVia. Representative Chapa LaVia, on the Order of Second Readings, on page 3 of the Calendar, you have House Bill 605. Read the Bill, Mr. Clerk."

Clerk Bolin: "House Bill 605, a Bill for an Act concerning education. The Bill was read for a second time on a previous day. No Committee Amendments. Floor Amendment #1, offered by Representative Chapa LaVia, has been approved for consideration."

Speaker Lyons: "Representative Chapa LaVia on Floor Amendment #1."

Chapa LaVia: "Thank you, Speaker and Members of the House. Floor Amendment #1 is a gut and replacement of the Bill and it creates the School Code... it redesigns the school report card for the state. It came out of... it matriculated out of Senate Bill 7 and I ask for its adoption."

Speaker Lyons: "You've heard the Lady's explanation on the Amendment. Is there any discussion? Seeing none, all those in favor of the adoption of Floor Amendment #1 signify by

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saying 'yes'; those opposed say 'no'. In the opinion of the Chair, the 'ayes' have it. And Floor Amendment #1 is adopted. Anything further, Mr. Clerk?"

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

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

Clerk Bolin: "House Bill 605, a Bill for an Act concerning education. Third Reading of this House Bill."

Speaker Lyons: "Representative Chapa LaVia on House Bill 605."

Chapa LaVia: "Thank you. And I want to thank Advance Illinois, Max Magee from IMSA and all the people on the P20 that helped create this piece of legislation. As far as the school report card, I think everybody has been briefed on it and what it does. I think it's a phenomenal piece of work done by everybody on the committee. I just want to do a couple of notes for intention of the language. What... the intent... the Bill is to provide the State Superintendent the decision to amend or update any of all metrics on the school district or state report card. It will allow the State Superintendent the opportunity to bring key stakeholders together to discuss minor changes, Amendments, or updates to the state report card. And also, another question that's been asked... two other ones I want to put on the record for intent, what is an example of what would be considered a minor change or an Amendment. An example, on the school report card where it addresses the outcome of what students are achieving and its list graduate... and its list graduate who enroll in additional school to the State Superintendent working in collaboration with the stakeholders could reach agreement to include enlisting in

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the military, items that we want to know where the kid has gone after they have graduated. That was an item that came up in the committee yesterday. And also, another question that was posed, is will legislative approval still be needed to add items to and or delete items from the state report card? And that is a definite yes for anybody who had concerns. I'll take any questions, but I ask for its... I ask for an 'aye' vote. Thank you."

Speaker Lyons: "This Bill will require 71 votes and the Chair recognizes the Gentleman from Lee, Representative Jerry Mitchell."

Mitchell, J.: "Thank you, Mr. Speaker. I rise in support of the Lady's legislation. I, too, want to commend the Advance Illinois group, the committee that... that put this together. It was more than just Advance Illinois, but... but they were kind of a leader in this whole situation. This takes a report to parents and school districts that was 17 pages long and condenses it to 1 page, front and back, gives you a quick thumbnail sketch of what that district's doing and what their status is. It's easy to read and well explained. I think it was a very, very good work. This is a product of your P20 council which then put together this subcommittee and gave them the charge of revamping the school report card at the request of the State Board of Education. It's a... it's a good start. There may be tweaks and changes down the road, but right now it certainly looks good to what we had before. So, I urge an 'aye' vote. Thank you, Mr. Speaker."

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Speaker Lyons: "Representative Jerry Mitchell, Representative Chapa LaVia move for the passage of House Bill 605. 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 Arroyo, Bradley, Gordon, McAsey. Mr. Clerk, take the record. On this Bill, there's 116 Members voting 'yes', 0 voting 'no', 0 voting 'present'. This Bill, having received the Constitutional Majority, is hereby declared passed. Mr. Clerk, what's the status on House Bill 691?"

Clerk Bolin: "House Bill 691, a Bill for an Act concerning regulation. The Bill is read for a second time on a previous day. No Committee Amendments. Floor Amendment #1, offered by Representative Colvin, has been approved for consideration."

Speaker Lyons: "Representative Marlow Colvin on House Bill 691."

Colvin: "Thank you, Mr. Speaker. I move for the adoption of Amendment #1 to House Bill 691. This trailer Bill to the legislation that we passed in Senate Bill 1533 back in the spring on the last day of the regular General Assembly Session authorizes the State of Illinois, or the power companies, excuse me, the power companies here in the State of Illinois that supply natural gas enter into 30 year contracts with the Leucadia Project, which is a synthetic natural gas plant that's purposely built on the southeast side of the City of Chicago. This Bill was passed with Supermajorities of both chambers. And the Bill, as it was passed, this Amendment unfortunately based on a ruling that

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we received from the IPA with regard to how these sourcing agreements would be structured was changed, which went in direct conflict to what the intent of the Bill was. What we're doing here in this trailer Bill is simply fixing that problem, that poison pill, that was entered into on the 11th hour. This is something we were hoping we would not have to do in this trailer Bill, but the effect of this trailer Bill simply would put us back to the exact piece of legislation that this General Assembly approved and that our Governor signed. So, I ask for the adoption of the Amendment."

Speaker Lyons: "Representative Colvin moves for the adoption of Floor Amendment #1. No one seeking recognition, therefore all those in favor of the adoption of the Amendment signify by saying 'yes'; those opposed say 'no'. In the opinion of the Chair, the 'ayes' have it. And Floor Amendment #1 is adopted. Anything further, Mr. Clerk?"

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

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

Clerk Bolin: "House Bill 691, a Bill for an Act concerning regulation. Third Reading of this House Bill."

Speaker Lyons: "Representative Marlow Colvin on House Bill 691."

Colvin: "Thank you, Mr. Speaker. As I explained in the Amendment that if you voted for the Leucadia Project in Senate Bill 1533 back in May, if you voted in the affirmative, then there's no reason you should change that vote now. All we're doing is restoring the original intent of Senate Bill 1533. If you believe Illinois should be

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creating jobs in a time that we need them, that we should be exploring new technologies and new ways to build our economy, providing a Illinois-born source of energy that would help secure our energy given respect to natural gas for years to come. If you believe the coal industry needs to be revolved... revived, if you believe that the transportation industry, particularly the railroad industry, needs to be revived, you'll vote for this Bill. It creates 1500 construction jobs, about 300 engineering grade full-time jobs to run this plant. This is exactly the type of investment Illinois needs to be making. We made these arguments in May, and the General Assembly, in an overwhelming fashion, in a Supermajority fashion voted for those ideals. And I would simply ask for a 'yes' vote. Mr. Speaker, I'd be happy to answer any questions."

Speaker Lyons: "You've heard the Gentleman's explanation on House Bill 691. Is there any discussion? The Chair recognizes the Gentleman from Crawford, Representative Roger Eddy."

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

Speaker Lyons: "Sponsor awaits your questions, Roger."

Eddy: "Representative, I think you referenced this in... in your comments. This Bill is actually an attempt to enable the underlying Leucadia Bill to take place with the original contract terms that were... were kind of expected to happen with this."

Colvin: "That's exactly right. After literally three and a half years of negotiation with the power companies, the IPA play in a critical role in the review and vetting of this

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process dealing with the sources agreements and cost of recovery in the prudence of these deals ruled that what happened at the IPA was what happened in our Bill that we, in a painstakingly way, covered all those provisions. And this poison pill that was entered into this Bill at the... literally, at the 11th hour is counter productive to this effort. That's correct."

Eddy: "So, those individuals who supported Leucadia and that concept, which I think you made the case last spring and it was a very thorough debate on the issue then, it was a public policy support of... of a type of energy that's going to use... I believe... what's the source of the energy for this? Is it natural gas?"

Colvin: "The source of the energy that would produce the natural gas is coal, more specifically, Illinois coal..."

Eddy: "So..."

Colvin: "...which would help revive a dying industry in Southern Illinois."

Eddy: "So the product natural gas would be produced at this plant by using Illinois coal?"

Colvin: "That's correct."

Eddy: "Okay."

Colvin: "And using Illinois transportation mechanisms..."

Eddy: "And... and..."

Colvin: "...to move that coal from Southern Illinois to the plant."

Eddy: "And that was a difficult negotiation last spring. Now, after that negotiation took place, a policy was passed, the contracts were in place, there's being an attempt to change

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the terms and this Bill simply restores the... the expected or the anticipated deal that was made when Leucadia was passed."

Colvin: "That's exactly right, Representative."

Eddy: "Ladies and Gentlemen of the House, I think the Representative deserves our support on this. We had a thorough debate related to the underlying Bill and it was the decision, after that long debate, that public policy in Illinois should support a clean coal technology and use of Illinois coal. Those people who, in good faith, negotiated that now at the 11th hour have had a... had a change in the... in the terms and conditions of the contract that was meant to support that public policy. And all the Representative is doing is making sure that those original terms are enforced. Those who will support Illinois coal and the use of Illinois coal to create jobs should certainly support this because this really will allow for the implementation of that intended public policy to support the use of Illinois coal and create tremendous number of jobs in this state. I urge an 'aye' vote."

Speaker Lyons: "The Gentleman from McLean, Representative Brady."

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

Speaker Lyons: "Sponsor yields."

Brady: "Representative, in respects to Executive Committee yesterday, I just want to be clear that Nicor is opposed, or was opposed yesterday to the Bill and still has problems with the legislation. Is that correct?"

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Colvin: "Representative, yes, it is correct. They were opposed to this Bill in what I would consider and characterize in an unprecedented way. In my 10 years here, this is the first time I've ever seen a Bill be negotiated for more than three years. Went through the process... we've sent this Bill to the Governor twice with Supermajorities from the General Assembly. The first Bill the Governor chose to veto it; we came back to the table. At no point in those more three years was Nicor not involved in this discussion. At no point when we sent this Bill through the House, through the Senate, signed by the Governor and as a result of an action posthaste, have the company now say that they're opposed to this. They participated in this process the whole way. I empathize with their position, but it's a little unfair to say that somehow they weren't heard or completely vetted in this process."

Brady: "Thank you, Representative. I just wanted to establish the fact that yesterday in Executive Committee there'd been no change from what was given in testimony by Nicor at that meeting as far as you're aware. Is that correct?"

Colvin: "That's correct. And this trailer Bill I think also represents no change in what both the House and the Senate passed and the Governor signed."

Brady: "Thank you very much."

Speaker Lyons: "Representative David Harris."

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

Speaker Lyons: "Awaits your question, Sir."

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Harris, D.: "Representative, I understand the Bill was passed by the General Assembly, it was signed by the Governor, correct?"

Colvin: "Correct."

Harris, D.: "It's also my understanding that the reason for this trailer Bill is that the individual who was appointed to head the Illinois Power Agency or Authority made some change which would allow the utilities to not purchase the gas that would be..."

Colvin: "To opt out... to back out of those contracts."

Harris, D.: "I'm sorry."

Colvin: "Yes."

Harris, D.: "Okay."

Colvin: "I'm agreeing with you."

Harris, D.: "Back out of the contract. Now, the Governor signed the Bill. The Governor appointed this person to the IPA, correct?"

Colvin: "The Governor did."

Harris, D.: "I... I sense a disconnect. I mean, here is... here is a Gu..."

Colvin: "So do I."

Harris, D.: "Here is a Guberna... well, but here's a Gubernatorial appointee taking action which I assume the Governor knew about."

Colvin: "Well, Representative Harris, the new appoint... the acting director of the IPA, on her first day on the job made this decision, and practically through self-admission was not up to speed with all of the negotiations, all the discussion, all the vetting that had taken place over the

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prior three and a half years. And in one day, literally, in a few hours made a decision that impacted a \$3 billion investment in the State of Illinois that had been argued, and vetted, and negotiated, and agreed upon, and voted by you, the Members of the General Assembly in the Senate, in the House, signed by the Governor and in a matter of a few hours made a decision that, quite frankly, was the poison pill that stopped this project from going forward."

Harris, D.: "And..."

Colvin: "Now, that's my disconnect."

Harris, D.: "And do we have any idea why she did this?"

Colvin: "If you... you can call her and ask her. I don't."

Harris, D.: "Thank you very much."

Speaker Lyons: "Representative Colvin to close."

Colvin: "I think that we've exhausted the debate on this Bill.

For energy reasons, for environmental reason, this will be one of the cleanest energy plants in the United States of America. To put it in perspective with other plants and... Northwestern Hospital in downtown Chicago has a larger pollution footprint than the Leucadia Project. The Art Institute of Chicago on Michigan Avenue has a larger pollution footprint than the permits that will be applied for, for the Leucadia plant. For... so, in terms of the environment, this is sound and practical legislation. In terms of our economy, no one can argue with the jobs that's going to be produced, no one can argue with the coal industry that will be supported, the transportation industry that will be supported. If you voted for this for

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those reasons and others, I ask you to stay with this project and vote 'yes'. Thank you, Mr. Speaker."

Speaker Lyons: "Representative Colvin moves for the passage of House Bill 691. All those in favor signify by voting 'yes'; those opposed vote 'no'. This Bill does require 71 votes and the voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Mr. Clerk, take the record. On this Bill, there are 73 Members voting 'yes', 39 Members voting 'no', 2 Members voting 'present'. This Bill, having received the Constitutional Majority, is hereby declared passed. Representative Hernandez, for what purpose do you seek recognition?"

Hernandez: "A point of personal privilege."

Speaker Lyons: "Please proceed, Representative."

Hernandez: "I'd just like to congratulate the nursing staff at MacNeal Hospital in Berwyn for their many achievements in the field of nursing, and also, who just recently received Magnet status at the hospital. Let's give them a warm welcome."

Speaker Lyons: "Congratulations, nurses at MacNeal Hospital. Welcome to your Capitol. Have a great day. Representative Karen Yarbrough, for what purpose do you seek recognition?"

Yarbrough: "Thank you, Mr. Speaker. On the previous Bill, House Bill 691, something happened with my switch and it should have been a 'yes' vote."

Speaker Lyons: "The Journal will reflect your request, Representative."

Yarbrough: "Thank you."

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Speaker Lyons: "Representative Norine Hammond, on page 10 of the Calendar, under Total Vetoes, you have House Bill 3178. Representative Hammond on House Bill 3178."

Hammond: "Thank you, Mr. Speaker. I'm sure we can all recall our discussion we had on House Bill 3178. We had some great fun with it; however, at the end of the day, it is a very serious Bill. My intention was a serious intention. The Governor has vetoed the Bill and I would ask for an override of the Veto. I don't believe that the citizens of the State of Illinois are going to be retrieving fur-bearing animals from Lake Shore Drive or I-55, but for many of our rural communities both upstate Illinois and central and downstate Illinois, this is a Bill that actually saves the state money. And so I would ask for an override of the Governor's Veto. Thank you."

Speaker Lyons: "You've heard the Lady's explanation. Is there any discussion? Representative Jack Franks."

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

Speaker Lyons: "Sponsor yields."

Franks: "Thank you. Representative, I read the Governor's Veto and I think it makes some sense and I wanted to ask you because the analysis of the Bill indicates that it would be lawful to take fur-bearing mammals found dead or unintentionally killed by a vehicle along the roadway during the open season, correct?"

Hammond: "Correct."

Franks: "Well, what would happen if someone stopped to do this and it wasn't open season?"

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Hammond: "Representative, I firmly believe that the majority of the folks that are going to stop to pick up these animals are doing it in an effort to sell the fur of the animal..."

Franks: "Representative, I understand that."

Hammond: "...and so those folks that are doing that, Representative, are very well aware of the season dates and they would be doing it for that reason."

Franks: "But if it wasn't the open... that didn't answer my question. Let's assume it is the day before deer season starts and there is an animal that's killed and laying along the roadway the day before the season starts. If someone stopped to pick up the carcass, they'd be breaking the law, correct?"

Hammond: "Representative, let me be clear. This Bill is fur-bearing mammals; it is not deer. There is... there is a separate entity with deer so let's..."

Franks: "Okay."

Hammond: "...let's just confine it to fur-bearing mammals and we have conservation officers throughout the State of Illinois and that is their responsibility to enforce that."

Franks: "Oh, then, let me use a different example. Let's use a fur-bearing mammal example. And the day before the season opens for the fur-bearing mammal, if someone stopped to pick this up along the roadway, they would be violating the law. Is that correct?"

Hammond: "Absolutely."

Franks: "Okay. And what's the penalty for that?"

Hammond: "That would be within the realm of the Department of Conservation or the Department of Conservation officers."

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Franks: "Well, my concern is that there could be real confusion. If we pass a law saying it's okay to pick up fur-bearing mammals along the side of the road during certain times, people... are we... people are going to hear that it's okay to pick them up. But if they pick them up when it's not the season, then they're going to be law breakers. Don't you think that this is going to add to confusion?"

Hammond: "Again, Representative, I believe that most of the individuals that would choose to pick up these fur-bearing mammals from the side of the road have common sense and a knowledge of the current and any future season for hunting fur-bearing mammals."

Franks: "Well, we know that ignorance of the law is no excuse, but the fact of the matter is I don't believe that people have... are necessarily going to know what date all the seasons are because sometimes they're for a short period, sometimes they're extended. I think it also may depend on where, am I correct? On where it might be?"

Hammond: "I think that more importantly we do not, in the State of Illinois, have the funding, either through the Department of Transportation or the Department of Natural Resources, to pick up these animals from our roadways. Week after week there are letters to the editor about how these animals are on the side of the road; they have not been picked up. It is disgusting to individuals and their small children. This is an opportunity to rectify that."

Franks: "Have you ever read the author, Carl Hiaasen? He's a columnist for the Miami newspaper."

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Hammond: "No, I have not."

Franks: "Well, he's written many books and he has a protagonist in some of them who's a former Governor of the State of Florida, and his name is Skink, and he would live off of roadkill. Are you familiar with this character?"

Hammond: "I am not."

Franks: "Okay. I just was wondering. To the Bill. I appreciate the efforts here, but I think... and I do agree that having dead animals on the side of the road is a problem but I also believe that this Bill will lead to more confusion because of the prohibition of taking the animals in the off season. So I think the Sponsor is well-intentioned, but I do agree with the Governor's statement. And I would urge a 'no' vote on this and to sustain the Governor's Veto."

Speaker Lyons: "Representative Monique Davis."

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

Speaker Lyons: "Sponsor yields."

Davis, M.: "Representative, the Governor's message states, I think, that he thought it would be a dangerous situation for people to get out of their cars or trucks and pick the animals up. What do you think he meant by danger there? What could be the danger?"

Hammond: "Actually, Representative, I'm a little confused on... on that statement by the Governor because I think you and I both know that we don't... number one, we see very few fur-bearing mammals in our urban..."

Davis, M.: "Hold it, hold it..."

Hammond: "...areas on our expressway."

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Davis, M.: "...hold it, hold it. In Chicago, we see a whole lot of fur-bearing squirrels and nobody picks a lot of them up."

Hammond: "There is a reason for that, Representative. The only fur of any value on a squirrel is the tail and it only brings in about 25 cents. So, people are not really concerned with picking them up."

Davis, M.: "What would that tail... what would people do with it?"

Hammond: "I'm sorry?"

Davis, M.: "What would they do with that tail?"

Hammond: "They would sell it to a fur trader but it only brings about 25 cents. It's kind of scary that I had that information."

Davis, M.: "That's interesting. Well, okay. If you feel that it is not a safety hazard that people that pick them up would not be in danger of being hit by a car coming behind them, will they have on any special gear or colorful clothing?"

Hammond: "Actually, Representative, in many parts of the state since it would be season, they may in fact have on camouflage gear having come from a hunting day or something like that. I think the bottom line here is I don't believe that in our urban areas we are going to see a lot of interest from individuals that are wanting to stop on a busy expressway and pick up a raccoon."

Davis, M.: "Thank you very much."

Hammond: "You're welcome."

Speaker Lyons: "Representative Eddy."

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

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Speaker Lyons: "Sponsor yields."

Eddy: "Representative, I remember the debate when this took place. This was your first Bill."

Hammond: "It was my first Bill."

Eddy: "It was your first Bill, so this would be your first override?"

Hammond: "It would be."

Eddy: "Okay. And this basically centers around your feeling that this offers an alternative for individuals to dispose of animals that have been hit, killed along the roadway, in a responsible manner, abiding laws that are already in place related to the season of that animal's hunting or gaming?"

Hammond: "Absolutely."

Eddy: "Okay. And I... I think this is a kind of a classic misunderstanding. In fact, one of the previous speakers didn't even know what a fur-bearing mammal was, right?"

Hammond: "I'm not going there."

Eddy: "Well, they didn't know. I mean, they said... they were referring to a deer. I think that shows the disconnect there is between what we are intending with this type of legislation and what the understanding is. I don't see how this would be anymore dangerous for a motorist who is a licensed driver in the State of Illinois to pull over, look around, put flashers on, do what they normally would do in that situation and in any other type of emergency or reason they might stop along the road."

Hammond: "I... I think that that's a point well-taken and are we going to outlaw stopping to fix flat tires?"

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Eddy: "Yeah, you could... you could... I mean, the Governor's Veto message here talks about safety. Well, I think that if we license a driver in this state and they stop along the road, I have a little more faith in our average driver apparently than the Governor of the state does. I think they can figure out how to pull over safely and make sure in a safe manner. I don't know how we can protect everyone. I'll tell you what may be even more dangerous. It may be even more dangerous if that animal carcass were allowed to remain in the road and someone may try to swerve to miss it and end up in some type of an accident."

Hammond: "Absolutely. And that does happen quite often in the rural areas."

Eddy: "So, really, I think the Governor doesn't understand. And wait... wait a minute. This is the same Governor that seems to not understand other rural issues like transportation for school busses and other... so it doesn't surprise me that he lacks faith in the common sense of licensed drivers in the state to figure this out on their own. I think this is a... at the time was a very good Bill; it offered a great alternative. I have a lot of faith in our licensed drivers in this state to do this in a manner that's safe. I hope we override this and I urge the Body to vote 'aye'."

Hammond: "Thank you."

Speaker Lyons: "Representative Hammond to close."

Hammond: "Thank you very much. Again, we've had a spirited discussion. The Bill got close to 100 votes the first time and it passed overwhelmingly in the Senate. So, I would

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appreciate your override of the Governor's Veto. Thank you."

Speaker Lyons: "Representative Hammond moves that House Bill 3178 pass, notwithstanding the Veto of the Governor. The Bill requires 71 votes. 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, Bradley, Brady, Will Davis, Gordon, Mautino, McAsey, back row. Mr. Clerk, take the record. The Motion is... 87 Members voting 'yes', 28 Members voting 'no', 0 voting 'present'. The Motion, having received the Supermajority, House Bill 3178 is hereby declared passed, notwithstanding the Veto of the Governor. Representative Brady, for what purpose do you seek recognition, Sir?"

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

Speaker Lyons: "Please proceed, Dan."

Brady: "Ladies and Gentlemen of the House, would you join me in giving a big Illinois General Assembly welcome and I'll ask them to stand, Mr. Woody Shadid from my district who's here with his wife, Jane and daughter, Bonnie today. Woody is fast approaching 90 years of age and a long time Bloomatonian and actually was my grandmother, Margaret Downey's paper boy. Please give a nice Springfield welcome to Woody Shadid."

Speaker Lyons: "Mr. Shadid, welcome to your Capitol. We're honored to have you here. Representative Mike Unes, what purpose do you seek recognition, Sir?"

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

Speaker Lyons: "Please proceed, Representative."

Unes: "Mr. Speaker, this past Sunday..."

Speaker Lyons: "Ladies... Mike, hold on. Ladies and Gentlemen, this is a Death Resolution, so I'd like your... your attention please on this. Representative Unes."

Unes: "Mr. Speaker, thank you. Thank you, Members of the Body. Mr. Speaker, this past Sunday, our state lost one of our very best, Marine Lance Corporal Jordan Bastean. Lance Corporal Bastean knew that he wanted to serve our country from a very young age. He was killed in the line of duty while serving our country in Afghanistan. Lance Corporal Bastean was a graduate of Pekin High School. He graduated in 2010. He was 19 years old. This was his first overseas deployment. He had been there for three weeks. I think his family put it best when they said that Jordan was gentle and humble and eager to dive in and get dirty with whatever life dealt him. His bravery will be remembered but so will his honest smile and his keen sense of humor. Mr. Speaker, I'd ask for all of our prayers to be with his family right now and I'd ask for a moment of silence from this Body. Thank you, Mr. Speaker."

Speaker Lyons: "May he rest in peace. Mr. Clerk, on page 2 of the Calendar, under House Bills-Second Reading, Representative Frank Mautino has House Bill 384. What's the status on that Bill?"

Clerk Bolin: "House Bill 384, a Bill for an Act concerning State Government. The Bill was read for a second time on a

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previous day. No Committee Amendments. Floor Amendment #1, offered by Representative Mautino, has been approved for consideration."

Speaker Lyons: "Leader Frank Mautino on Floor Amendment #1."

Mautino: "Thank you, Speaker. Ladies and Gentlemen of the House, 384 is a Bill which regards the payment of delinquent funds and it applies to persons that are entitled to a warrant or payment of those funds that's be held by the State Treasurer. And in this legislation, basically, the Comptroller would be able to enter into intergovernmental agreements in order to... with any unit of local government and... or higher education to provide for use of a Comptroller's offset system to collect delinquent obligations that are owed to those entities. I know of no opposition. And I think this is actually... it's supported by the City of Chicago, the College of Chicago, DuPage Mayors and Managers, and the office of the Cook County president. And I'd ask for your support. Be happy to answer any questions."

Speaker Lyons: "You've heard the Gentleman's explanation on Floor Amendment #1. Is there any discussion? The Chair recognizes the Gentleman from McHenry, Representative Jack Franks."

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

Speaker Lyons: "Sponsor yields."

Mautino: "Yes."

Franks: "Representative, I... I understand what you're trying to do here and I'm reading the analysis. Would this give the... the state a priority over anyone else who might have a

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similar claim to the moneys owed? Let's assume there are multiple creditors of the same entity or individual. Would this give priority to the state over others?"

Mautino: "I think it would be... it would put the state in the same position as the... as they currently are when the offset system is triggered. There's no change in that, so it would operate as it currently does for people who have debts due and owing to the State of Illinois. If we are issuing a warrant to them or a check to them, then it can be intercepted and applied towards that debt. I think in their... so, I would say there would be no change in the current operations. So, if it has priority now it will continue to."

Franks: "Well, here's one question I have as well. It indicates in our analysis that the Comptroller may not deduct more than 25 percent of the net amount of any wage or salary payment. Right now under the law, when you do a wage garnishment, you're only entitled to 15 percent. This would be a significant increase than what other creditors are entitled to. Are you aware of that?"

Mautino: "No. That..."

Franks: "I'm not sure you're... are you aware of that? That's a significant change."

Mautino: "No. That had not... I don't have an answer to that. Let me do this. Let me take this out of the record and get you that answer."

Franks: "I'll come talk to you. I apologize because I wasn't in committee 'cause I was in Revenue yesterday. I have a few other issues I would like to discuss with you on this."

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Mautino: "Okay."

Franks: "Thank you, thank you very much."

Mautino: "Please take this out of the record."

Speaker Lyons: "Mr. Clerk, on the request of the Sponsor, we'll at least temporarily take this Bill out of the record. Mr. Clerk, on page 9 of the Calendar, Representative Kevin McCarthy has, on the Order of Concurrences, House Bill 3036. Read the Bill, Mr. Clerk. Representative McCarthy, on Concurrences, again, on page 9 of the Calendar, you have House Bill 3036."

McCarthy: "Thank you, Mr. Speaker. I would like to make the Motion to Concur in Senate Amendments 1 and 2 to House Bill 3036."

Speaker Lyons: "The Gentleman moves for the Concurrence on Amendments... Senate Amendments #1 and 2 to House Bill 3036. The question is, 'Shall the House concur with these two Amendments?' This is final action. All those in favor signify by voting 'yes'; those opposed vote 'no'. The voting is open. This will require 71 votes. Have all voted who wish? Have all voted who wish? Have all voted who wish? Biss, Bradley, DeLuca, Dunkin, Jackson, Rita, Thapedi, would you like to be recorded, please? DeLuca, Eddie Jackson. Mr. Clerk, take the record. On this Bill, there are 91 Members voting 'yes', 24 Members voting 'no', 0 voting 'present'. The House does concur with Senate Amendments #1 or 2 to House... Senate Amendments #1 and 2 to House Bill 3036. This Bill, having received the Constitutional Majority, is hereby declared passed. Representative Gabel?"

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Gabel: "Please, Mr. Speaker. I meant to vote 'yes' on that last Bill. Please let the record reflect that. Thank you."

Speaker Lyons: "Representative Gabel, did you seek recognition?"

Gabel: "Yes. Mr. Speaker, I meant to vote 'yes' on that last Bill."

Speaker Lyons: "The Journal will reflect your request."

Gabel: "Thank you."

Speaker Lyons: "Representative Frank Mautino, we're back on House Bill 384, I believe it's Amendment #1. Representative Mautino on Amendment #1 to House Bill 384."

Mautino: "Thank you, Mr. Chairman. Thank you, Speaker. And we're bringing the Bill back in. Thank you for your patience in allowing us to take it out of the record. We did answer Representative Franks's question. And that is current law, so there is no change in the law that he was concerned about. Priorities would remain the same as they are under current law. So, thank you for your indulgence. And I ask for an 'aye' vote."

Speaker Lyons: "Representative Ford seeks recognition. Representative La Shawn Ford."

Ford: "Thank you, Mr. Speaker. I would like to make the record show that the previous vote, House Bill 3036, my vote should reflect a 'no' vote."

Speaker Lyons: "Journal will reflect your request on that legislation. Seeing no further discussion on House Bill 384, those for the favor of the option for Floor Amendment #1 signify by saying 'yes'; those opposed say 'no'. In the

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opinion of the Chair, the 'ayes' have it. And the Amendment is adopted. Anything further, Mr. Clerk?"

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

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

Clerk Bolin: "House Bill 384, a Bill for an Act concerning State Government. Third Reading of this House Bill."

Speaker Lyons: "Leader Frank Mautino."

Mautino: "Thank you and I appreciate the Body's indulgence. This is an initiative of the Comptroller's Office which will allow him to enter intergovernmental agreements to help collect outstanding debts. I'd appreciate an 'aye' vote."

Speaker Lyons: "You've heard the Gentleman's explanation. Is there any discussion? Seeing none, the question is, 'Should House Bill 384 pass?' This Bill will require 71 votes. 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 Biss, Dunkin, Hernandez, Bobby Rita. Mr. Clerk, take the record. On this Bill, there's 114 Members voting 'yes', 1 Member voting 'no', 0 voting 'present'. This Bill, having received the Constitutional Majority, is hereby declared passed. Representative Jerry Mitchell, on page 2 of the Calendar, under House Bills-Second Readings, you have House Bill 507. What's the status on that Bill, Mr. Clerk? House Bill 507, Jerry."

Clerk Bolin: "House Bill 507, a Bill for an Act concerning revenue. The Bill was read for a second time on a previous day. No Committee Amendments. Floor Amendment #1, offered

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by Representative Jerry Mitchell, has been approved for consideration."

Speaker Lyons: "Representative Mitchell on House... on Floor Amendment #1."

Mitchell: "Thank you, Mr. Speaker. This... this is simply a request from the City of Dixon to extend their TIF District."

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

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

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

Clerk Bolin: "House Bill 507, a Bill for an Act concerning revenue. Third Reading of this House Bill."

Speaker Lyons: "Representative Jerry Mitchell, House Bill 507."

Mitchell: "Thank you, Mr. Speaker. There's... all of the letters have been received approving of the extension of the TIF District in Dixon, Illinois. They're kind of up against it here. It expires in December and therefore, we need this run now. I apologize for the lateness. We had some... had to have some extra time to get the letters together, but everything is in place now and I would appreciate your 'aye' vote. Thank you, Mr. Speaker."

Speaker Lyons: "You've heard the Gentleman's explanation. Is there any discussion? This Bill will require 71 votes. All in favor of this passage of House Bill 507 signify by

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voting 'yes'; those opposed vote 'no'. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Crespo, Dunkin, Hammond, Saviano. Mr. Clerk, take the record. On this Bill, there's 112 Members voting 'yes', 2 Members voting 'no', 1 Member voting 'present'. This Bill, having received the Constitutional Majority, is hereby declared passed. Representative Mayfield, on the Order of Second Readings, on page 2 of the Calendar, you have House Bill 508. Read the Bill... what's the status on that Bill, Mr. Clerk?"

Clerk Bolin: "House Bill 508, a Bill for an Act concerning revenue. The Bill was read for a second time on a previous day. No Committee Amendments. Floor Amendment #1, offered by Representative Mayfield, has been approved for consideration."

Speaker Lyons: "Representative Rita Mayfield on Amendment #1, Floor Amendment #1."

Mayfield: "What this Bill does it provides an incentivizes for developers who are looking to develop large tracts of industrial property that may have contamination. What they can do is take this property, clean it up, and they would receive a benefit of not having to pay the interest on the penalties for that property. All it does is waive the interest at the county level. This is something that our county is definitely a proponent of. Something that we would really like to see happen as we do have several large tracts of land. So, I'm asking for an 'aye'... an 'aye' vote on this."

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Speaker Lyons: "The adoption on Floor Amendment #1. Any questions? The Chair recognizes the Lady from Cook, Representative Ann Williams."

Williams: "Thank you, Mr. Speaker. I'd like the record to reflect I intended to vote 'no' on Senate Bill 3036."

Speaker Lyons: "The Journal will reflect your request. Representative Jack Franks on Amendment #1 to House Bill 508."

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

Speaker Lyons: "Sponsor yields."

Franks: "Thank you. Representative, is this for a particular parcel? Are we doing something to help someone who hasn't paid their property taxes for awhile?"

Mayfield: "No, absolutely not. What this does, it provides a means for our local county government, and this is something... an initiative that they have really been wanting to do. It has absolutely nothing to do with the property taxes because you're still going to have to pay those delinquent taxes, but it would allow the county itself to waive their interest penalty payments in conjunction with the county treasurer's office who also has to be in agreement with it. So this is just for them. Other entities such as your school districts your municipalities, they would all still receive their... the delinquent tax portions. So, it would not affect them negatively in any way. It's a small incentivizes to businesses so that we can... for developers to come in and... and we're hoping to take some of those parcels throughout Lake County off of our hands and develop them."

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Franks: "Are they delinquent now? I mean, why do we have to abate penalties? That's what I'm not understanding. Who owns the property that we're trying to abate penalties for?"

Mayfield: "Actually, I believe this is county-owned property. The property is just sitting there. It's been abandoned. It has potential waste on it, hazardous materials and whatnot. It's just been left vacant for years and nobody wants it. The owners aren't trying to pay the taxes, they aren't going to pick it up, it's going to end up in the hands of the county. We don't want the property. We want developers to come in and to take this property over. It is a small incentivizes to businesses. It only waives a very small interest penalty... oh, at the county level. It would only waive the county interest. That's all that it does. It's something that the county definitely wants and they're a strong proponent of this. They're actually the ones that are generating this Bill."

Franks: "Well, right now isn't there a mechanism if you have delinquent property taxes that it could go to a tax sale, and if no one would purchase it at the tax sale, then the county would become the owner? What I'm not following, and maybe I'm just not getting, is why hasn't that occurred and the county taken title to the property?"

Mayfield: "The county doesn't want the property. We don't want it. Okay. If there is a benefit here for a developer to come in and all we're asking to do is for the county to forgive their interest penalty as an incentivizes for a business who may be interested in it. That's all we're

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asking for here. This is not something that... it would give those developers an incentivizes to purchase the property. These are brownfield properties. This is property that is just lying dormant. It's property that's contaminated. So if we can say to a developer who is willing to come in, purchase this property, pay for the clean up, pay the delinquent taxes, and we're saying, you know, we're going to waive this small county interest penalty. That's all we're asking to do here."

Franks: "Okay. I appreciate you explaining it. I get it much better now."

Mayfield: "Okay."

Franks: "Thank you."

Speaker Lyons: "Representative Jackson, you have a question regarding Floor Amendment #1 to House Bill 508?"

Jackson: "Sir, I would like for my vote to reflect 'no' on Senate Bill 3036."

Speaker Lyons: "The Journal will reflect your request. Seeing no further discussion... Representative Cassidy on House Bill... do you have a question on this House Bill, Representative?"

Cassidy: "No, I'm sorry. I want the record to reflect that I intended to vote 'no' on 3036, as well."

Speaker Lyons: "The Journal will reflect your request. Folks, when we're in the middle of a floor debate let's keep our concerns and our microphones to the issue at hand. And if you do want to make a point on the Journal to reflect a change in your vote' I'll be happy to do it in-between Bills. Representative Mayfield moves for the adoption of

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

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

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

Clerk Bolin: "House Bill 508, a Bill for an Act concerning revenue. Third Reading of this House Bill."

Speaker Lyons: "Representative Mayfield."

Mayfield: "This Bill has been debated. I've answered all questions. I would ask... respectfully ask for an 'aye' vote. Thank you."

Speaker Lyons: "The Lady asks for the passage of House Bill 508. This will require 71 votes. 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 116 Members voting 'yes', 0 voting 'no', 0 voting 'present'. This Bill, having received the Constitutional Majority, is hereby declared passed. Representative Barickman, for what purpose do you seek recognition, Sir?"

Barickman: "Mr. Speaker, on House Bill 3036 my intention was to vote 'no' and I'd like the record to reflect such."

Speaker Lyons: "Journal will reflect your request. Representative Cunningham, for what purpose do you seek recognition, Sir?"

Cunningham: "Mr. Speaker, on 3036 my intention was also to vote 'no'. I'd like the record to reflect that."

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Speaker Lyons: "Journal will reflect your request, Sir. Representative Kay Hatcher, for what purpose do you seek recognition?"

Hatcher: "Mr. Speaker, as well, for Senate Bill... for 3036 I wish to vote 'no'."

Speaker Lyons: "Journal will reflect your request. Representative Kelly Burke."

Burke, K.: "On House Bill 3036 let the record reflect my intention was to vote 'no'."

Speaker Lyons: "Journal will reflect your request. Representative John D'Amico."

D'Amico: "Yes, Mr. Speaker. On the same Bill, Senate Bill 3036, I'd like to be recorded as a 'no' vote... House Bill."

Speaker Lyons: "Journal will reflect your request. Lisa Dugan."

Dugan: "Yes, Speaker. House Bill 3036, I should... I would like to be recorded as a 'no' vote."

Speaker Lyons: "The Journal will reflect your request. Representative Morrison, on the Calendar, under Concurrences, you have House Bill 3384. You don't wish to call the Bill. Out of the record. Representative Esther Golar, on page 3 of the Calendar, you have, on the bottom of the page, under House Bills-Second Reading, House Bill 3788. Out of the record. Representative Mike Tryon, on page 4 of the Calendar, under House Bills-Second Reading, you have House Bill 3840. What's the status on that Bill, Mr. Clerk?"

Clerk Bolin: "House Bill 3840 is on the Order of House Bills-Second Reading, a Bill for an Act concerning revenue. The Bill is read for a second time on a previous day. No

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Committee Amendments. No Floor Amendments. No Motions are filed.

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

Clerk Bolin: "House Bill 3840, a Bill for an Act concerning revenue. Third Reading of this House Bill."

Speaker Lyons: "Representative Tryon."

Tryon: "Thank you, Mr. Speaker. House Bill 3840 was a... is a cleanup Bill to House Bill 2777. And that Bill allowed dry cleaners across the State of Illinois to be able to pay with a credit card into the dry cleaner cleanup trust fund.. dry cleaning cleanup trust fund. That Bill, however, did not allow the state to recover any credit card charges. It is usual and customary for the State of Illinois when somebody uses a credit card to recover the 3 percent in a matter like this. And so, this Bill allows the Illinois Department of Revenue to take and recover any credit card charges that may apply. Be glad to answer any questions."

Speaker Lyons: "You've heard the Gentleman's explanation. Is there any discussion? Seeing none, the question is, 'Should House Bill 3840 pass?' All those in favor signify by voting 'yes'; those opposed vote 'no'. The voting is open. This Bill will require 71 votes. Have all voted who wish? Have all voted who wish? Have all voted who wish? Currie, Dunkin, Mathias, Reboletti, Chapin Rose. Mr. Clerk, take the record. On this Bill, there's 81 Members voting 'yes', 34 Members voting 'no'. This Bill, having received the Constitutional Majority, is hereby declared passed. Representative Sandy Cole, on page 4 of the Calendar, under

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House Bills-Second Reading, you have House Bill 3848.
What's the status on that Bill, Mr. Clerk?"

Clerk Bolin: "House Bill 3848, a Bill for an Act making appropriations. This Bill is read for a second time on a previous day. No Committee Amendments. No Floor Amendments. No Motions are filed."

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

Clerk Bolin: "House Bill 3848, a Bill for an Act making appropriations. Third Reading of this House Bill."

Speaker Lyons: "Lady from Lake, Representative Sandy Cole."

Cole: "Thank you, Mr. Speaker. House Bill 3848 decreases the appropriations made to the office of the State Treasurer from the General Revenue Fund for contractual services, commodities, printing, equipment, and telecommunication services. On those particular items, it will be a 15 percent reduction. Overall the Treasurer is asking us for a 2 percent reduction for his GRF Fund. This came through committee yesterday, very supportive of the Treasurer's attempts to... to reduce his budget. Overall, the Treasurer's budget may seem large. It's nearly \$3 billion. Most of that is a pass-through for a number of items including general obligation bonds and \$8 million in Capital Litigation Funds. These will just... this 2 percent actually just affects those particular line items within his GRF obligations. And I ask for an 'aye' vote."

Speaker Lyons: "You've heard the Lady's explanation on House Bill 3848. Is there any discussion? Seeing none, the question is 'Should House Bill 3848 pass?' This Bill will require 71 votes. All those in favor signify by voting

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'yes'; those opposed vote 'no'. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Mike Bost, Mary Flowers, Frank Mautino. Mr. Clerk, take the record. On this Bill, there's 116 Members voting 'yes', 0 voting 'no', 0 voting 'present'. This Bill, having received the Constitutional Majority, is hereby declared passed. Representative Greg Harris, on page 4 of the Calendar, you have, under Senate Bills-Second Reading, Senate Bill 50. What's the status on that Bill, Mr. Clerk?"

Clerk Bolin: "Senate Bill 50, a Bill for an Act concerning liquor. 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 Lyons: "Representative, do you want to move that Bill to Third Reading or leave it on Second Reading?"

Harris, G.: "I believe there is a Floor Amendment coming, so can we leave this on Second?"

Speaker Lyons: "Mr. Clerk, we'll leave that Bill on the Order of Second Reading. Representative Costello, you have, on page 4 of the Calendar, Senate Bill 73. What's the status on that Bill, Mr. Clerk?"

Clerk Bolin: "Senate Bill 73, a Bill for an Act concerning criminal law. The Bill was read for a second time, previously. Amendment #2 was adopted in committee. No Floor Amendments. No Motions are filed."

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

Clerk Bolin: "Senate Bill 73, a Bill for an Act concerning criminal law. Third Reading of this Senate Bill."

Speaker Lyons: "Representative Costello, you're up."

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Costello: "Thank you, Mr. Speaker and Ladies of Gentlemen of the General Assembly. I rise before you to recommend passage of House Amendment 2 to Senate Bill 73. This is a Methamphetamine Precursor Tracking Act. This Bill makes a permanent statewide tracking program for pseudoephedrine and it replaces a pilot program that was in Williamson County and also a State Police pilot program that was a Precursor Tracking Act. I urge the Members..."

Speaker Lyons: "You've heard the Gentleman's explanation on Senate Bill 73. Is there any discussion? The Chair recognizes the Gentleman from Crawford, Representative Roger Eddy."

Eddy: "Thank you, Mr. Speaker. Would the Representative yield for some questions?"

Speaker Lyons: "I believe he's ready for your questions, Leader... Floor Leader Eddy."

Eddy: "With all do respect, Mr. Speaker. I'm not sure he's ready. I... I mean, take a look at him. He doesn't have a red jacket on. He's... "

Costello: "Ed, we're good."

Eddy: "He's attempting to pass his first Bill... well, first of all, Representative, is this your first Bill?"

Costello: "It is, Representative."

Eddy: "And this is your second day?"

Costello: "It's my second day."

Eddy: "It's pretty efficient. But we do have a long-standing policy related to first Bills and you are violating one of the cardinal rules and you're doing it on a day when the St. Louis Cardinals are hosting the World Series."

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Costello: "You're absolutely correct and I am a Cardinal's fan."

Eddy: "So, Representative, a lesson until the red jacket."

Costello: "Here we go."

Eddy: "There we go. Red letter jacket."

Costello: "There we go. See. Thank you, Representative."

Eddy: "Can you put your arms in it? Can you put your arms in the jacket?"

Costello: "I don't want to break the jacket, Representative, but thank you."

Eddy: "Okay. All right. Well, I guess we'll see whether or not that's good enough when it's time to vote. Can you give me a little idea of where this Bill originate... where did you come up with this?"

Costello: "I've worked with the AG's Office and Illinois State Police, Representative."

Eddy: "Wow."

Costello: "And like I said, this Bill is a... it's a tracking program for methamphetamine and there's been two pilot programs prior to this, the Williamson County pilot program and the Illinois State Police pilot program."

Eddy: "So what... what exactly does the Bill do? You say it's... it's a tracking Bill. Does... does this involve GPS? Does this involve you, personally, being available to track the precursor?"

Costello: "This... this Bill actually involves electronic tracking of the sale of pseudoephedrine whereas pseudoephedrine cannot be sold in more than a group of 7500

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milligrams in one month or two packages in 360 milligrams in one day."

Eddy: "How many pills is that?"

Costello: "That would be a package of pills in one day up to 360 milligrams. So, I assume, according to what distributor that the pills may be packaged differently."

Eddy: "So is it 1 pill, 5 pills, 12 pills, 15, 100?"

Costello: "Could be 1, 5, 15, 100, it's 360 milligrams... "

Eddy: "So it could be one... "

Costello: "...a day."

Eddy: "...360 milligram pill. Is that what you're telling me?"

Costello: "I believe so..."

Eddy: "Have you ever..."

Costello: "...Representative."

Eddy: "...known anyone to take one 360 milligram pill of pseudoephedrine?"

Costello: "No, no I don't, Representative."

Eddy: "Would you like to take the Bill out of the record 'til you know how many pills we're talking about? You know, people in this Body..."

Costello: "It's... it's..."

Eddy: "...who like data and facts. We like to have our details. This is an important Bill and unless we know how many pills, I'm not sure we should... I'm not sure you're real familiar with this."

Costello: "I'm very familiar with it, Representative. And it's 360 milligrams a day."

Eddy: "Okay. A day?"

Costello: "A day. Correct."

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Eddy: "So I could go back every day and get another 360 milligrams five, six, seven, eight days in a row?"

Costello: "Up to 7500 milligrams in one month."

Eddy: "In how long?"

Costello: "In one month."

Eddy: "In one month."

Costello: "Seven thousand and five hundred milligrams, Representative."

Eddy: "So, how many pills is that?"

Costello: "You would have to do the math."

Eddy: "Well, it's not my Bill. Why would I have to do the math? I think that you should do the math. Representative, one other question because this... this is an issue that's very important to our rural areas. We've passed legislation in this Body before related to tracking. Why is it so important that we track pseudoephedrine?"

Costello: "Pseudoephedrine is the key ingredient in meth making, Representative."

Eddy: "So really without pseudoephedrine you can't make meth, right?"

Costello: "Correct."

Eddy: "Okay. Final question and this is... this is going to determine whether or not, and you can't look down, you get support from me on this Bill. Spell pseudoephedrine."

Costello: "It's not going to happen without looking down, Representative."

Eddy: "You can't spell it?"

Costello: "It's p-s-e."

Eddy: "P-s-e."

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Costello: "PSE, that's the acronym."

Eddy: "PSE. Well, you got it started. By the time we're done with this debate hopefully you'll have a few more letters. You know, we'll take it slow with you. Good luck, Representative."

Costello: "Thank you very much, Representative."

Speaker Lyons: "Leader Lou Lang."

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

Speaker Lyons: "I guess he does, Lou."

Lang: "First of all, all of us colleagues on your side of the aisle appreciate the leather and we'd kind of like to know where you purchased that particular jacket 'cause it fits you so well."

Costello: "Thank you, Representative."

Lang: "Well, can you tell us where you got the jacket?"

Costello: "It was a hand-me-down, Representative."

Lang: "It was a hand-me-down, okay. So how long have you been in the House, Representative?"

Costello: "I was sworn in on July 25, Representative."

Lang: "And you inherited this Bill at that time?"

Costello: "No, I did not, Representative."

Lang: "When did you inherit the Bill?"

Costello: "Excuse me?"

Lang: "When did you take this Bill over, Sir?"

Costello: "I was involved in the construction of the Bill into new legislation approximately three weeks in."

Lang: "So, this is a serious problem in the State of Illinois. You've been studying it a total of three weeks. Do you think you're qualified to talk about the importance of this

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Bill on the floor of the Illinois House of Representatives?"

Costello: "Representative, I was a police officer for six years and from approximately '92 until about '97/'98 was very familiar with... with meth and the problems that it's created in our rural communities and in the State of Illinois. So, I... you know, I'm very passionate about law enforcement and also, you know, obviously criminal violations."

Lang: "So this is a Bill you sought to take over when you got to the Illinois House. Is that correct?"

Costello: "Absolutely."

Lang: "And it's a really important Bill to you."

Costello: "It's extremely important."

Lang: "And your first Bill."

Costello: "It is, Representative."

Lang: "So, when you pass this Bill, will that be the crowning achievement of your career?"

Costello: "I believe it will be my first achievement of hopefully many, Representative."

Lang: "Oh, you have other ideas. So, this is not the only idea you have for legislation as you move forward in your career?"

Costello: "Correct, Representative."

Lang: "What else do you have in mind?"

Costello: "Well, I could tell you there are several other issues in the law enforcement community. Number one, obviously, being heroine seems to be a... a growing drug unfortunately in Illinois and in many of our communities."

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Lang: "So, this Bill allows for law enforcement to get the information that's being tracked. Is that correct?"

Costello: "It allows law enforcement to electronically track the sale of pseudoephedrine."

Lang: "And... and who in law enforcement can get ahold of this? Let's say there's a rogue cop and a rogue cop wants to follow where this stuff is so, the rogue cop can do what rogue cops do. How do we keep that from happening?"

Costello: "Well, the Illinois State Police have... they keep the tracking system. And they would be the ones who would issue permission for... for the data."

Lang: "And is there a criteria set in the Bill?"

Costello: "Yes, there is and I would tell you.. "

Lang: "Let your staff in there, she'll be glad to help you."

Costello: "One second."

Lang: "Veto Session is over in about a week, Sir."

Costello: "Well, I would tell you, Representative, short, sweet, and to the point. Outside entities which are determined by the Illinois State Police, if they're determined to be a qualified entity then the information could be released."

Lang: "All right, so I see that..."

Costello: "I... I could look for further information if you need it."

Lang: "That's all right. She'll thumb through it and whisper in your ear in a second. So, this Bill preempts Home Rule, does it not?"

Costello: "It absolutely does."

Lang: "Right. So do you need a... "

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Costello: "It's a total preemption."

Lang: "So, do you need a Three-fifths Majority to pass this Bill?"

Costello: "Correct, Representative."

Lang: "In both chambers?"

Costello: "Yes, Representative."

Lang: "All right. You're correct, you do. All right. Well, I'm going to listen very carefully to the debate. It sounds like you are more prepared after three weeks than some of the other people around here are when they've been working on a Bill a very long time. Thank you, Sir."

Costello: "Thank you, Representative."

Speaker Lyons: "Representative Mike Fortner, you have questions of the Sponsor."

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

Speaker Lyons: "Sponsor yields."

Fortner: "Representative, I was looking at your Bill. It looks like it's got some pretty technical stuff in there. And I know... I noticed in your opening comments and in your response to Floor Leader Eddy, that you were... you were talking about pseudoephedrine. Is that the only thing this would regulate?"

Costello: "That'd be ephedrine and pseudoephedrine... "

Fortner: "E... "

Costello: "...Representative."

Fortner: "Are those the only two things that this would regulate?"

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Costello: "Correct. The sale of ephedrine and pseudoephedrine in the... as I said before the 75 milligrams a month and 365... or 360 milligrams a day."

Fortner: "Well, because when I'm looking at this it also says we would be tracking ephedrine, pseudoephedrine, their salts, or their optical isomers. Are you familiar with what those things would be and how we might track them?"

Costello: "I would defer to the Illinois State Police crime lab, Representative."

Fortner: "Well, I don't see any of their rep... the only person I see is you and maybe someone who's whispering in your ear who might be able to help you with the information here."

Costello: "Representative, what I can tell you is it's what's included in the packages in the ephedrine and pseudoephedrine."

Fortner: "And so... so, these other things these... these salts and... I mean, do you know what an optical isomer is? I mean, it's in the Bill."

Costello: "I understand and no, I don't have the exact description, Representative."

Fortner: "Well, don't... don't you think maybe we should find this out. Would you pull this Bill from the record so that we could..."

Costello: "No, I won't pull from the record and a pharmacist..."

Fortner: "...so we can clarify this?"

Costello: "...a pharmacist would be able to clarify it."

Fortner: "A pharmacist... are you a pharmacist?"

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

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Fortner: "So, we don't have someone from the Illinois State Police; we don't have a pharmacist. You know, I'm having a hard time 'cause I'm reading this language in your Bill. Well, maybe you'll have... we'll need to turn to something else then related to this. Do you know where ephedrine and pseudoephedrine come? Is this something relatively recent? You know, we've been very concerned about the last few years. Is this where this all comes from and how do we track this? This is... this is about tracking these products, so I want to make sure we understand.."

Costello: "Correct. And there was a pilot program in Williamson County, southern Illinois, that was first run and then after that the State Police have run a pilot program that expires in January of this next year and this program would make a permanent tracking system of pseudoephedrine."

Fortner: "So, does this only apply to those things that are currently sold in pharmacies, as far as tracking? So..."

Costello: "Yes."

Fortner: "So, what happens because originally this like so many other pharmaceuticals came from a plant, there's a plant that you can... originally grew in China, that you can extract ephedrine from. The question is, suppose someone's growing the plant. Do we have to track them?"

Costello: "No, Representative."

Fortner: "So it's only what would go to the pharmacies."

Costello: "It... it's at the pharmacies, Representative. Where..."

Fortner: "Well..."

Costello: "...where it's retailly sold."

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Fortner: "Well, I think, you know, if you're going to do these technical Bills, you really need to get the technical background on this. So, I'm going to have to think very carefully before I decide how to vote on this."

Costello: "Thank you, Representative."

Speaker Lyons: "Representative Dennis Reboletti."

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

Speaker Lyons: "I think so."

Reboletti: "Representative, I was taking a look at Amendment #1. Can you tell me what Amendment #1 did to the Bill?"

Costello: "It was the shell to the Bill, Representative."

Reboletti: "The shell. What does that mean?"

Costello: "It essentially did nothing to the Bill, Representative."

Reboletti: "Actually, it made the Bill nothing. Is that what you're suggesting?"

Costello: "No, Representative. I'm saying Amendment 1 essentially did nothing to the Bill."

Reboletti: "So, what did Amendment #2 do then?"

Costello: "Amendment ..."

Reboletti: "Is that your Amendment?"

Costello: "It is. And Amendment #2 effectively becomes the Bill, Representative."

Reboletti: "And so, what county are... what county are you working on with this tracking program?"

Costello: "This program would be the entire State of Illinois, Representative."

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Reboletti: "I know that there are some other precursor tracking before. Can you tell the Body how methamphetamines are made?"

Costello: "Methamphetamines are... are cooked, Representative. And one of the reasons that I'm extremely familiar with it, as I said I was a law enforcement officer in southern Illinois, and most of the time when methamphetamines are... are made or cooked they release a very strong odor so it tends to be made in rural areas instead of urban areas."

Reboletti: "Is methamphetamines made up north of I-80, do you know?"

Costello: "I believe so. There's actually a new method, Representative, called the shake and bake method."

Reboletti: "I was going to ask you about that. What is that?"

Costello: "It's actually a way that methamphetamines have been made recently and most of the time they're made in like a two liter bottle."

Reboletti: "What about the clandestine labs? Do those things still exist?"

Costello: "I believe so, Representative. They're extremely dangerous."

Reboletti: "Do you think this... that this will reduce the production of methamphetamines in our state?"

Costello: "I absolutely do, Representative."

Reboletti: "Do you know if the Illinois State Police still have their meth response team?"

Costello: "I believe they do, Representative."

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Reboletti: "Representative, whose Bill was this originally? Who did you borrow this Bill from? Was it Representative Harris?"

Costello: "No, Representative. This is my legislation. The first Bill was Representative Harris."

Reboletti: "Did... when you were working this Bill, I didn't have a chance to see if you came over here to talk to any Republicans. Did you get any Republican Sponsors on this Bill?"

Costello: "I... you know, I don't believe so, Representative. Although I will tell you, Representative Bost and I had a very nice talk about it yesterday."

Reboletti: "Representative Bost and you had a conversation. Well, I would hope, Representative, that you'd be more than glad to reach out to us on this side. I know that this Bill will probably fail, so you'll have another chance. So, good luck."

Costello: "Thank you, Representative."

Speaker Lyons: "Representative Costello to close. That means you can wrap it up, Representative."

Costello: "As I had said before with this Bill, House Amendment 2 creates the Methamphetamine Precursor Tracking Act which is a permanent tracking of methamphetamines electronically in the State of Illinois. I urge the Members of the General Assembly to vote for it. Thank you."

Speaker Lyons: "We've heard the Gentleman's explanation on Senate Bill 73. 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?"

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wish? Representative Burke, Colvin, Lilly, Riley. Yeah, Marlow. Mr. Clerk, take the record. On this Bill, Representative Costello, you've got 116 Members voting 'yes', 0 voting 'no', 0 voting 'present'. Representative Costello's vote... Bill, having received the Constitutional Majority, is hereby declared passed. Congratulations, Representative. Representative Bill Mitchell, for what purpose do you seek recognition, Sir?"

Mitchell: "Thank you, Mr. Speaker. I would like, on House Bill 3036, my switch wasn't working. I'd like to be... the Journal to reflect I would like to be a 'yes' vote."

Speaker Lyons: "The Journal will reflect your request, Representative. Representative JoAnn Osmond, for what purpose do you seek recognition?"

Osmond: "Thank you, Mr. Speaker. Could we show Representative Tracy is out for the next two hours?"

Speaker Lyons: "Mr. Clerk shall note for the record. Representative Dunkin, for what purpose do you seek recognition?"

Dunkin: "Thank you, Mr. Speaker. For House Bill 2860 I would have liked to have the Journal reflect a 'no' vote for me."

Speaker Lyons: "The Journal will reflect your request, Representative."

Dunkin: "Thank you."

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

Morrison: "Thank you, Mr. Speaker. On House Bill 3036 my intention was to vote 'yes'."

Speaker Lyons: "The Journal will reflect your request."

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Morrison: "Thank you."

Speaker Lyons: "Representative Hays."

Hays: "Thank you, Mr. Speaker. On House Bill 3036 my intention was to vote 'no'."

Speaker Lyons: "The Journal will reflect your request. Representative Mike Zalewski, on Senate Bills-Second Reading, on page 5 of the Calendar, you have Senate Bill 664. Read the Bill, Mr. Clerk. What's the status on 664?"

Clerk Bolin: "Senate Bill 664, a Bill for an Act concerning regulation. The Bill was read for a second time on a previous day. Amendment #2 was adopted in committee. No Floor Amendments. No Motions are filed."

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

Clerk Bolin: "Senate Bill 664, a Bill for an Act concerning regulation. Third Reading of this Senate Bill."

Speaker Lyons: "Representative Mike Zalewski on Senate Bill 664."

Zalewski: "Thank you, Mr. Speaker. Senate Bill 664 is a one-year extension of the Medical Practice Act. There's quite a few provisions in the Bill. I'd be happy take any questions if... if any Members have any."

Speaker Lyons: "You've heard the Gentleman's explanation on Senate Bill 664. Is there any discussion? Seeing none, the question is 'Should the Bill pass?' It will require 71 votes. All those in favor of the passage of Senate Bill 664 should vote 'yes'; those opposed vote 'no'. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Representative Burke, Morthland, like to be... Mr. Clerk, take the record. On this Bill,

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there's 115 Members voting 'yes', 0 voting 'no', 0 voting 'present'. This Bill, having received the Constitutional Majority, is hereby declared passed. Leader Barbara Flynn Currie, on page 5 of the Calendar, under Senate Bills-Second Reading, you have Senate Bill 1259. What's the status on that Bill, Mr. Clerk?"

Clerk Bolin: "Senate Bill 1259, a Bill for an Act concerning civil law. The Bill was read for a second time on a previous day. No Committee Amendments have been adopted. No 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 1259, a Bill for an Act concerning civil law. Third Reading of this Senate Bill."

Speaker Lyons: "Representative Currie."

Currie: "Thank you, Speaker and Members of the House. This is a measure that would provide that should a house be in a residential property be in foreclosure and the owner has been given a bona fide offer for a short sale, the bank, the mortgage holder, would have to look at that offer and make a determination within 90 days whether or not to permit the owner to accept that offer and thus end the foreclosure. Nothing in the Bill would delay the banks decision to go ahead and foreclose, but it would give the bank 90 days to decide whether or not they would accept the short sale offer. I know of no objections to the Bill and I'd appreciate your 'aye' votes."

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Speaker Lyons: "You've heard the Lady's explanation on Senate Bill 1259. Is there any discussion? The Chair recognizes the Gentleman from McHenry, Representative Jack Franks."

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

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

Franks: "Thank you. Representative, I think it's a great idea. What happens if they don't?"

Currie: "If they don't, there's no penalty. Well... but... there is not a penalty in the Bill, but it does say the bank should decide within 90 days whether or not to accept that offer."

Franks: "But there's no affirmative defense..."

Currie: "And if..."

Franks: "...if they don't to stay a proceeding for instance or to give..."

Currie: "It does not stay; it does not stay."

Franks: "Okay."

Currie: "It does not extend the foreclosure period, but it puts... puts the mortgage holder on notice that they have a responsibility... I mean, as you know a lot of people are not getting answers to questions about short sales, to questions about payment plans and this I would hope would help."

Franks: "And I guess for legislative intent, would this be before judgment actually entered or would it be aft... I think your... probably intent would be before the foreclosure would enter and it would not count during the time should they go to sale in confirmation or the redemption period."

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Currie: "It would... it would kick in after there has been notice of foreclosure."

Franks: "Okay. So, it would be if they've received a notice of foreclosure prior to an actual judgment entering?"

Currie: "Yes."

Franks: "Thank you."

Currie: "Yes."

Franks: "I think it's a very good Bill."

Currie: "Thank you."

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

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

Speaker Lyons: "Sponsor yields."

Moffitt: "Leader, currently is there no guideline, no time frame that there has to be a response? It's just open ended?"

Currie: "There is no requirement today that a bank look at that offer and make any determination about it. So this would say within 90 days, mortgage holder please have a look and make a determination whether you're willing to accept the short sale price and then end the foreclosure proceeding."

Moffitt: "I assume this is in response to some long time or just simply not responding or dragging on and on and on?"

Currie: "Exactly and what happens frequently is that homeowners can't get the bank, the mortgage holder to answer their questions to pay attention to what other options there might be than to foreclose."

Moffitt: "And this hopefully will move the process forward yet an owner that wants to assume the responsibility of that

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property make payments, keep it up, get it back... you know, be paying taxes I mean it's in the best interest of the public I think to have... whether they... whatever the answer is lets have the answers so negotiations continue. Would that be a fair..."

Currie: "Well, the idea is that a short sale may be better from the perspective of the mortgage holder than no sale at all. And you're right, the question about keeping up the property, obviously, it's better for the neighborhood to have a new homeowner in that property than to have it boarded up in a foreclosure action."

Moffitt: "Apparently it's rather widespread. I've had a constituent or two mention this. I think it's a good idea. Glad to see you advancing this. Thank you."

Currie: "Thank you."

Speaker Lyons: "Representative Rosemary Mulligan."

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

Speaker Lyons: "Sponsor yields."

Mulligan: "Representative, how does your Bill interact with anything that the Obama Administration has put out there recently?"

Currie: "I don't think it has anything to do with some of the proposals that we're seeing coming from Washington. This does not require a bank to accept a short sale. It does not delay the foreclosure process. All it says is, hey, mortgage holder, I have here a bona fide offer of a short sale. I'd like you to look at it and I'd like you to think about whether maybe this is in your interest rather than

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foreclosing on my property and having it sit empty, boarded up, and all the rest."

Mulligan: "Okay. Because I was pretty sure that at the beginning of the week they came out with some new rules for Washington which I thought were similar to this."

Currie: "Actually, my understanding of those, and they're not yet fleshed out, but my understanding is that there would be some federal money available to homeowners in foreclosure who have not missed payments to... if their mortgages are held by Fannie May or the..."

Mulligan: "For so many months."

Currie: "...whatever it is took over Freddie Mac and Fannie May that they would be able actually to get help in... in paying the loan. But this is... this is not... this is totally permissive. Mr. Mortgage Holder, Mrs. Mortgage Holder, look at my offer and make a decision whether this might be in your interest to accept."

Mulligan: "All right. So, the banks are in favor of this and you think it would be a good thing for the people of Illinois that are in this position."

Currie: "I think it would be a good thing for the people of Illinois and I think the reason the banks are not objecting is because there is not a... this Bill will not delay the foreclosure process and if a bank wants to say no, the bank can say 'no'."

Mulligan: "All right, thank you."

Speaker Lyons: "Representative Chapin Rose."

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

Speaker Lyons: "Sponsor yields."

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Rose: "Representative, just briefly, what form of notice... is it certified mail or how do we know that they actually received it?"

Currie: "The homeowner makes a written request of the bank to look at the bona fide offer and to make a determination within three months as to whether they'd like to accept that offer and end the foreclosure proceeding."

Rose: "Oh, okay, I see. Our... the use of our 'e's' and 'or's' to define the different parties in our analysis is slightly backwards. So you're saying... you're saying that the... that the homeowner in foreclosure is sending an offer to the bank..."

Currie: "No... that... that homeowner..."

Rose: "Right."

Currie: "...in foreclosure..."

Rose: "And then the bank has 90 days..."

Currie: "...got an offer..."

Rose: "Right."

Currie: "...got an offer..."

Rose: "Yeah. And then the bank has 90 days to respond."

Currie: "...but it's a short sale offer and the bank then if the homeowner notifies the bank, the bank should respond in 90 days whether or not they would accept that offer."

Rose: "Got it. And what is the penalty for failure to respond?"

Currie: "What? I'm sorry."

Rose: "What is the penalty for failure to respond?"

Currie: "There is no penalty and that perhaps also why the banks did not object to this Bill."

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Rose: "Well, I mean, I guess then what if they just don't do it?"

Currie: "There is no penalty."

Rose: "Okay. I... I mean, I guess that in"

Currie: "Maybe the committee will come back next year and see if we can work together to find an appropriate penalty, if the banks don't respond positively to this approach."

Rose: "I mean... I don't... it just seems... I mean, they can respond now on their own volition. And if they're not going to have an issue, a penalty attached for failure to response, but you know, maybe if some of them do, that'd be fine. I mean..."

Currie: "Yeah."

Rose: "...it certainly can't hurt anything. Thank you."

Speaker Lyons: "Representative Barickman."

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

Speaker Lyons: "Sponsor yields."

Barickman: "Representative, I, too, am trying to understand this legislation. I certainly understand the... the desire of many of our borrowers to have a response to a short sale request. What I'm concerned about it's been raised in this legislation as some of the specifics of how we do that and I question whether we're trying to rush through legislation that maybe doesn't address all the points. Representative Rose talked about the notice being sent to the bank. Where are these notices going to be sent? Take, for example, a Bank of America who has offices in our communities, they have offices around the state, they have a headquarters.

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Where are the notices to be sent and how does the bank know that they've actually received that notice?"

Currie: "I would imagine that the homeowner who's been the subject of a foreclosure action would know what mortgage holder was pursuing that action and I would think the homeowner would go to that address of that facility whether it's the local or whether it's the downtown branch."

Barickman: "Well, again, using Bank of America as an example, if Bank of America is pursuing a foreclosure, they've presumably hired attorneys. So, is the notice to be sent to the... the attorney, is it to be sent to the head... the national headquarters of the bank or to the branch down the street?"

Currie: "I would say whoever sent the notice is the person you'd send this information to and ask them to forward it if appropriate."

Barickman: "Okay. Well, that would be the attorney of record in the foreclosure suit. Maybe we could identify... I mean, again, I'm looking for an opportunity before we put... rush through legislation to make sure we've ensured this... some of the specifics are identified here. Let me take another example. I looked at the text of the Bill and it seems to identify a short sale as one where the mortgage amount exceeds the amount of the offer on the value of the property."

Currie: "Right."

Barickman: "How are we... how does this legislation deal with junior lienholders who maybe do not have a lien in an

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amount that exceeds the amount of the value of the property but is a short sale?"

Currie: "It doesn't address that, but it does address the main mortgage holder who's initiated the foreclosure proceeding."

Barickman: "Well, many times the junior lienholder's the one who's initiated the foreclosure proceeding though."

Currie: "And if it is, then that's the one that will be sent the notice of the short sale offer."

Barickman: "But again, I don't know that this legislation would include those junior lienholders again if the lien were in an amount, for example, \$10 thousand on \$100 thousand home that's a short sale, there's not enough proceeds from the sale of the home to pay all the expenses. Where does that junior lienholder fit in this Bill?"

Currie: "I think the junior lienholder's not in a position to say I accept the short sale. And the homeowner would be foolish to say the junior lienholder's assent is good enough because that homeowner is still going to be on the hook for the basic mortgage that is not covered in the offer made by the prospective buyer."

Barickman: "Well, yeah. I noticed the Banker's Association, the community banks are proponents of this legislation."

Currie: "Yeah, and I'm not sure..."

Barickman: "Can you explain..."

Currie: "...I'm not sure that's accurate. I know they're not... they do not object and I believe they don't object because there's not a penalty imposed under the Bill."

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Barickman: "Okay. Well, to the Bill. I guess I would remind all of us in this Body that we continue to talk about the negative business climate in our state and yet here we have, again, a piece of legislation that is presumably going to cost those who are doing business in our state money. It's additional people that they have to hire to fulfill this mandate that we're placing upon them. Undoubtedly, this drives up the cost to the consumers who borrow money in this state. And I certainly do not support that... this Bill and urge others to do the same."

Speaker Lyons: "Leader Barbara Flynn Currie to close."

Currie: "People are in foreclosure all across the state. There are people in the state who may not have to find that their houses are boarded up and that they are thrown out, evicted, sent out on the street, if people have the opportunity to get good answers from the people who hold those mortgages. There are short sale offers happening also across the state. But if I can't get an answer from the person who holds my mortgage whether they'll accept it in lieu of continuing to pay the full mortgage payments, then I'm stuck. This is only an effort to see to it that people who are in foreclosure, who have a bona fide short sale offer, have the opportunity to say, hello bank, hello mortgage holder, have a look at this, maybe, maybe you'll say yes. Neighborhoods will not fall to pieces, neighborhoods will not be filled with boarded up houses without the lawn being mowed, without the garbage being picked up. This is just a small little baby step toward helping our homeowners who are in trouble because the

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economy is not great and because their homes are in foreclosure. I urge your 'aye' vote."

Speaker Lyons: "Leader Barbara Flynn Currie moves for the passage of Senate Bill 1259. This Bill will require 71 votes. All those in favor of its passage signify by voting 'yes'; those opposed vote 'no'. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Mr. Arroyo, D'Amico. Mr. Clerk, take the record. On this Bill, there's 111 Members voting 'yes', 0 voting 'no', 4 Members voting 'present'. This Bill, having received the Constitutional Majority, is hereby declared passed. Representative Jim Sacia, for what purpose do you seek recognition, Representative?"

Sacia: "Point of personal privilege, Sir."

Speaker Lyons: "Please proceed, Jim."

Sacia: "Mr. Speaker, on a lighter note and then a more serious note, my good friend Representative Connelly ordered from Jimmy John's about an hour ago. The key word there is Jimmy John's and they're not here yet. I walked downstairs to try to understand why. And now the seriousness of the issue, you cannot move in this Capitol on the ground floor. There are so many people there, I cannot believe that the Fire Marshal is allowing this. It is literally impossible to get out of the Capitol so I can imagine what it's like to get in. And I share it, I know it isn't our obligation to keep the hallways open, but with all of the hallways being closed, I think it's a very detrimental situation."

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

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Clerk Bolin: "Committee Reports. Representative Currie, Chairperson from the Committee on Rules reports the following committee action taken on October 26, 2011: referred to Second Reading and approved for consideration is House Bill 500; recommends be adopted Floor Amendment #2 to House Bill 735 and Floor Amendment #4 to Senate Bill 1795."

Speaker Lyons: "On Supplemental Calendar #2, Ladies and Gentlemen, is Senate Bill 1918, override on a Total Veto. Mr. Clerk, post Senate Bill 1918. The Chair recognizes Leader Barbara Flynn Currie."

Currie: "Thank you, Speaker and Members of the House. I move to override the Governor's Amend... Veto of Senate Bill 1918. This was a measure adopted in the spring. The idea is to make sure that the incentive payments that McCormick Place and the Chicago Convention of... of Tourism Bureau are permitted to provide for conventions that come to McCormick Place or come to Rosemont to produce their shows are actually paid in a timely fashion. The experience has been that some of those receipts, after people have committed to... to these shows, are delayed as many as 18 months before the show organizers actually see the cash. There will continue... the Governor complained that this Bill will take away oversight from the Department of Commerce and Economic Opportunity and at a level that is true but that oversight is replaced with oversight by the Comptroller who can ask the State Auditor General to investigate spending. Any extra money will be returned to the State General Revenue Fund and the moneys in question will be organized through

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the Metropolitan Fair and Exposition Authority. So, we've had too many shows who say, wait a minute, you promised me at this incentive and how do I know I'll ever see the cash. For that reason, the Convention and Tourism Bureau, Rosemont, and McCormick Place have asked us to make for a streamline process so that these incentives, grants can be timely paid. I'd be happy to answer your questions and I'd appreciate your 'yes' vote on this Motion."

Speaker Lyons: "You've heard the Lady's explanation on Senate Bill 1918. Is there any discussion? Seeing none, Representative Currie moves that House Bill 1918 do pass, notwithstanding the Veto of the Governor. This Bill will require 71 votes. 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? There's a correction of the record. This is Senate Bill 1918 in case I mentioned House Bill 1918. Mr. Clerk, take the record. The Motion, having received the Supermajority vote of 115 Members voting 'yes', 0 voting 'no', 0 voting 'present', the Senate Bill 1918 is hereby declared passed, notwithstanding the Veto of the Governor. Representative John Bradley, on Supplemental Calendar #2, you have Senate Bill 2062, an override of an Amendatory Veto. Representative John Bradley on Senate Bill 2062. Representative Bradley."

Bradley: "This is an override of the FutureGen Veto. It passed unanimously out of the Senate just a few minutes ago. I would ask for an 'aye' vote."

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

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

Speaker Lyons: "Sponsor yields."

Eddy: "Representative, you mentioned FutureGen in this. This is a legislation I think that we worked on to come to some kind of agreement that would allow the implementation of that project."

Bradley: "Correct. Passed overwhelmingly, as I recall."

Eddy: "Okay. And the Governor's Veto message, what was the rationale?"

Bradley: "I didn't get the rationale and I don't want to speak for the Governor. He amendatorily vetoed part of the Bill with regards to the IPA and I don't agree with his Veto. Obviously, the vast majority if not all of the Senate didn't agree with that. We want to get the FutureGen project moving and so I would ask for an 'aye' vote."

Eddy: "Representative, I agree with you and I hope everybody supports this override so that project can move forward, a tremendous job producer for our state."

Speaker Lyons: "No one further seeking recognition, Representative Bradley moves that Senate Bill 2062 do pass, notwithstanding the specific recommendations of the Governor. This Bill requires 71 votes. 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? Beiser, Bellock, Kay Hatcher, Chad Hays, Mike Tryon, like to be recorded? Mr.

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Clerk, take the record. The Motion, having received the Supermajority vote of 99 Members voting 'yes' and 15 Members voting 'no', 0 voting 'present', Senate Bill 2062 is hereby declared passed, notwithstanding the specific recommendations of the Governor. The Chair recognizes the Gentleman from Jackson, Representative Mike Bost."

Bost: "Thank you, Mr. Speaker. I move to reconsider the vote on House Bill 3036 a Motion to Concur in Senate Amendments 1 and 2."

Speaker Lyons: "Representative Bost has moved to reconsider the vote on Motions to Concur on Senate Amendments #1 and 2 for House Bill 3036. Representative McCarthy moves to table that Motion to reconsider. All in favor of that Motion to Table say 'aye'; opposed say 'no'. The 'ayes' have it. In the opinion of the Chair, the Motion to reconsider is hereby tabled. Ladies and Gentlemen, we're going to be doing a Resolution to our fallen colleague, Mark Beaubien, one of the finest Gentlemen that ever set foot in this chamber on either side of this aisle. I will ask Members to please be in their desk; I'll ask staff to please retire to the rear of the chamber, immediately. Make sure all cell phones are on... off and that we have attention on the House Floor. Mr. Clerk on House Resolution 579."

Clerk Bolin: "House Resolution 579, offered by Representatives Cross and Gaffney.

WHEREAS, The members of the Illinois House of Representatives are saddened by the death of our friend and colleague, State Representative Mark Beaubien Jr. of Barrington Hills, who passed away on June 5, 2011; and

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WHEREAS, Mark Beaubien was born on October 30, 1942, in Waukegan; he married Dee Prola Beaubien on August 15, 1964, in Springfield; together, they raised 2 sons and have 5 grandchildren; Dee was his wife for 47 years, his best friend of over 50 years, and the source of much of his inspiration; and

WHEREAS, Representative Beaubien was an Assistant Republican Leader; he served as State Representative since his appointment in October of 1995 to fill a vacancy; after being elected in the 1996 primary and general elections, he was subsequently re-elected to seven additional two-year terms; and

WHEREAS, Prior to becoming a lawmaker, Representative Beaubien served as a member of the Lake County Board from 1992 to 1996, during which time he also served as Township Supervisor of the City of Cuba; he also enjoyed a successful career in both law and banking, quickly emerging as a community leader through his professional experience and civic involvement; and

WHEREAS, Representative Beaubien's expertise in law and finance proved to be a tremendous asset as the House Republicans' chief budget negotiator; in this role, Rep. Beaubien became a leading advocate for fiscal responsibility; and

WHEREAS, During his tenure in the General Assembly, some of Representative Beaubien's proudest moments included spearheading initiatives to make seatbelt enforcement a primary reason for law enforcement to stop a vehicle, voting with his convictions in support of the Human Rights

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Amendment and the recent Civil Union Bill, passing a bill that provides Municipal Pension Reform, leading the charge to save Round Lake Schools, and playing an active role in the Sportsman's Caucus and issues related to hunting and other open space issues; and

WHEREAS, Representative Beaubien was dedicated to community service throughout his life; his civic activities over the years includes his involvement with the Northwestern University Committee on Athletics and Recreation (1988-1992), the Board of Directors of Buehler YMCA in Palatine (1971-1993), the Board of Directors at Northwest Community Hospital (1978-1991); he was a member of the John Evans Club of Northwestern University (1988-2011), the Barrington Area Community Center Task Force (1993-1995), the Barrington Area Seniors Task Force (1994-1997), the Founders' Committee of the Ela Area YMCA (1994-1997), and the Lake County and Illinois State Bar Associations; he also coached Little League baseball and football for many years; and

WHEREAS, Representative Beaubien received his bachelor's degree from Northwestern University in 1964 and his Juris Doctor from the Northwestern University School of Law in 1967; and

WHEREAS, Representative Beaubien was revered for his knowledge, compassion, and sense of humor; his door was always open and he was often sought out for advice by members from both parties; and

WHEREAS, Representative Beaubien was a confident man who refused to limit his ideals to those of his generation,

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embracing the timeless values of honor, respect, loyalty, and integrity, while rejecting its occasional intolerance and prejudice; he knew instinctively that the fundamental rights that he both cherished and demanded were meaningless unless they were enjoyed by all men and women; his principled leadership made it easy for him to support issues and causes that were unpopular with some; and

WHEREAS, Representative Beaubien's easy wit, quick smile, and unpretentious wisdom made him well liked by even those with whom he disagreed; if asked why he was one of the few Republican supporters of the Civil Union Bill, he would respond with humility and simplicity that it was simply time and that we should all "live our lives and speak our own truths"; his legacy is in his conviction and his values; therefore, be it

RESOLVED, BY THE HOUSE OF REPRESENTATIVES OF THE NINETY-SEVENTH GENERAL ASSEMBLY OF THE STATE OF ILLINOIS, that we mourn, along with his family, friends, and constituents, the passing of Illinois State Representative Mark Beaubien Jr.; and be it further

RESOLVED, That a suitable copy of this resolution be presented to the family of Representative Mark Beaubien, Jr. as a symbol of our sincere sympathy."

Speaker Lyons: "Leader Tom Cross."

Cross: "Thank you, Mr. Speaker. This is a tough day for many of us. Mark was a friend, a close friend. I roomed with him along with Brent Hassert and went on trips with Vince Persico, and others, golf trips, et cetera. and he was a colleague, he was a Republican Legislator, he was part of

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our Leadership team, he was our budget negotiator, and for me it was even beyond that. Mark was not one to preach, Mark was not one to lecture but in his own quiet way he was a mentor. And we went through some transition times in our caucus a number of years ago and Mark was right there. And it was very helpful for me as we embarked on a new time for this caucus and he had an office a few feet down from me and from the beginning it would not be uncommon for him... and he always picked the right time. Mark had a very good touch, if you will, to use a sports' analogy, and would come down and would say just a few words, maybe a little tired or you know, people are concerned about this or maybe you want to do it this way. Again, never overbearing, never as a preacher, never to lecture but to give some guidance and some reassurance and some direction and was always extremely helpful and that never ended for me. He always was there in that way for me and it was always nice to be able to open my back door and walk down and see Mark and usually would listen to a joke or a crack and it was very comforting for me. So this makes this particularly difficult. I will caution all of us today, if you knew Mark Beaubien, he sat right here in front of me to the left, if I was speaking on a Bill and I went too long, he would look at me with that look that he had and if I went even longer than that, he'd turn around and roll his eyes and maybe give me the signal. And then if I went even longer it wouldn't be uncommon for him just to turn around and say, you need to shut up, it's time to move on. He didn't like long speeches, he didn't like long meetings, he knew things

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could be accomplished a lot shorter than we're all use to and he wasn't afraid to tell you that. And I was okay with that. I... and a lot of good things were said in that Resolution and what struck me about Mark and I can remember being around Mark with Brent or Vince and you know, almost a question was, why are you here? I mean, here's a guy that has a great life, successful at Northwestern, a great law practice, does very well in banking, has been the Cuba Township Supervisor, been the Lake County... a Lake County Board Member, he and Dee Beaubien from a civic standpoint, a charitable organization standpoint, did everything and you know, did it with gusto. And at a time in his life where most people would say who had the capacity to do this and the means to do it, I'm going to go hunt, I'm going to go golf, I'm going to spend all my time playing gin, I'm going to travel, Mark took a different route and a different journey and a different road and said, no, I'm not done yet. He did all these great things and he never bragged about anything he did, all right. That's not how Mark Beaubien was made. But you should have known and you should have picked up then when he came down here when many people would have taken more traditional route of doing the things I just mentioned, he said, no, I'm going to do something a little different because I have the capacity to do something different and I have the sensitivity to do it, and I have the intelligence to do it, and I want to offer something back in a bigger way to my state. And he was a gifted Legislator, he was a Republican, and to those on our side of the aisle, you may not know this but if we had an

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event coming up from a political standpoint... from a political perspective, an event maybe I had or our caucus had, the first guy in with a contribution and usually the biggest for our caucus was Mark Beaubien. But he also had that ability and a gift to go across to the other side of the aisle and say, how can we work together to get something done? And he was tremendously able and understood that old adage about it's better to attack an issue and not a person. Mark had a good wit, he could be extremely funny, he could give you the business, but he never took himself seriously. And he may have disagreed with you, and I know he did on issues, but he never... he never took that personally and he never expressed that to you. He was very comfortable in you having your position and he was very comfortable in his own right and his position. As I think about, maybe, all of the attributes and the wit, the intelligence, the ability to work with the other side of the aisle, were all good and they were extremely beneficial to be making him a successful State Representative. But above all, it was his courage and his ability to go beyond the norm and the traditional thought process and the voting process that will always stick out with me and be the lesson I learned from Mark Beaubien. The ability to speak from his heart for the convictions he believed in from his very core and to his very core. A lot of people talk about that, a lot of people go through thought processes on their own about that but to execute that and to carry it out when it's not always easy and it was not the norm, and it caused conversation, and it caused sometimes angst for him

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politically, he did it. He wanted to make sure that if you were poor, or you were oppressed, or you had mental or physical disabilities, or that there had been injustice to you, that he wanted to do what he could to correct that. And that's not what you would have expected with that background and that kind of... that résumé. You would have said, he's going to fit the traditional Republican mold and he did not and that's okay. That was what was so refreshing and beautiful about Mark Beaubien. I gave a speech at the city club a couple weeks ago and I reference two different quotes and they seemed to be applicable to Mark. One was... and it was more in the context of a budget discussion, but... and how difficult it was and one of them was Winston Churchill talking about right before World War II that it wasn't the action he was worried about, it was the inaction. And the other point of my conversation that day was Chris Christie talking again and within the context of a budget saying, we've got to get away from these comfortable conversations, they really aren't truthful and start having the uncomfortable conversations that really contain the truths. And Mark was willing to do that. Mark was willing to take the action. He didn't think inaction was appropriate when he saw an injustice. He was willing to take that leap to fix that injustice and he was willing to have that uncomfortable conversation on budget issues, on social issues, or on whatever the issue was that he felt needed to be corrected. And that to me is what was, again, the beautiful thing and the strength of Mark Beaubien and that's a good lesson for all of us. We are in a business

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where we struggle with doing the right thing and we think about the political consequences, we think about our friends, our families, our voters, our Party, and sometimes it keeps us from maybe doing what we really know deep down is the right thing to do. It doesn't mean that we have always agreed with Mark, we aren't going to, we didn't, no one expects that, he didn't. But the ability to have the courage to do what you felt was the right thing deep inside. Bob and Mark, I've thought about how incredibly lucky you were to have a father that taught you that, you watched that, you saw that and either at home or in the role he had here. Dee Beaubien, 50 years as his best friend, I don't think that's an exaggeration from what I have always seen and understood. You were very instrumental in his role in this Body and what he did and some would say that maybe the way he was is he was really afraid of going home to Dee if he didn't do the right thing. But it was a great partnership and we are all blessed, I have been blessed, to know an incredible man, an incredible Legislator, and great human being, and somebody that I will miss and miss greatly on a daily basis. So Mr. Speaker, thank you for the opportunity to talk about our friend and I hope at the right time and I know others will want to speak that we can include others, the rest of this Body on the Resolution as cosponsors. Thank you very much."

Speaker Lyons: "Representative Kent Gaffney."

Gaffney: "I met Mark back in 1997 and quickly found him to be truly a one of a kind individual. He would come through our offices on a regular basis, he would tell us jokes, he

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would ask us all about our families and our lives and he actually cared about everyone that worked here. In a place where time is often limited, he made the time and he treated everyone well. In 2003 he became the lead budget negotiator for our caucus. I was the Budget Director. We spent weeks, months, eventually years working together. We had our successes and being in the minority sometimes we had our frustrations. But regardless, he always treated everyone with respect and he had the respect of all those that worked with him. I will always miss him and there are times when words are not enough and this is one of those times. Thank you."

Speaker Lyons: "Representative JoAnn Osmond."

Osmond: "Thank you. Many of you are aware that Mark and I traveled for many years to and from Springfield as my late husband, Tim did. Our conversations were of our families. And it was clear to me that his first love was his wife, Dee and his two sons Mark and Bob. We shared stories of our grandchildren and their latest adventures always with a smile and love in his voice. Mark had a knack of telling a joke and leaving the vision in your head that as a widow, I really didn't want. In the early days, in the General Assembly when I was fulfilling my late husband's term, Mark would call every week. He'd refer to himself as the A team checking in; A team was Leadership. He always was very concerned about my family. He and Dee were always there for the sport of whatever the current issues were. We did not always agree but we respected each others views. I will

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miss his calls. I will miss his snoring between here and Dwight. And I will always, always miss my friend, Mark."

Speaker Lyons: "Representative Jim Sacia."

Sacia: "Thank you, Mr. Speaker. I'd like to start by thanking whoever wrote that Resolution. If you listened carefully to it, it truly summed up Mark Beaubien. I had the privilege of knowing Mark from a rather different perspective over these past nine years. I live in a very rural part of northwestern Illinois, a community called Pecatonica, hard to spell. Mark had a hunting lodge less than three miles from my home. Many of you know that he was a great hunter. On occasion, I would have the privilege of having dinner with he and Dee and I would often visit Mark when he would be out for the weekend and his love of nature, I guess, could only be exceeded by his love of his fellow person. He was such a remarkable, warm individual and I can't begin to comment with the eloquence of Tom Cross but he truly was a person that if you had the privilege of knowing Mark Beaubien, you loved the guy. Whatever side of the... your philosophy was, Mark was in no way adversarial. This summer after his passing I had the privilege of participating in a fundraiser for an organization that he was very, very involved in, the Max McGraw Foundation. And having that privilege, I got to know Bob and Mark a little better and I had the privilege of getting to know Dee over the past several years. But his family exudes that same friendliness, that same warmth, that same abilities that Mark possessed and that in itself is an unbelievable attribute. And the comments that I had the privilege of

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hearing that night from friends of Mark who knew him in a very different light than I had the privilege of knowing him, just reinforced everything that I had come to learn about Mark. And my greatest regret is... is this spring as we were nearing the end of Session, Mark didn't look well and I didn't take the time to really sit down and visit with him in his last days here in the General Assembly and I think it's something we all do. We always look back and say, gee, I wish I would have. But Mark left us a legacy that... that few of us can ever hope to leave. He truly was a man among men and he will not only be sadly missed in this Body, he will be sadly missed by anyone who had the privilege of knowing him. Thank you, Mr. Speaker."

Speaker Lyons: "Representative Jim Durkin."

Durkin: "I just can't help but look over my left shoulder and I see this empty chair, something that I will never get use to, not seeing Mark being part of this Body. But I think all of us have that same feeling that he's made such a profound impact upon this Body, not only through his friendship, but also through... I will say is a very welcome voice of moderation on a number of issues that we deal with. Mark never... never stopped him when he would talk to us on... on a number of issues, try to lobby us, can't say he worked... that I changed my vote based on what he was lobbying but the fact is he was sincere, he was a man of true conviction. But I can say that in all the years that I've known him, I never saw a frown on his face. I never heard him say any type of discouraging word about a colleague or anybody in this building. And it really is... he

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was truly an amazing man. But we will miss him. But I just wanted to say to Dee, Mark, and Bob I just want to thank you for sharing him with us for these years. Thank you very much. We love you."

Speaker Lyons: "Representative Mike Tryon."

Tryon: "Thank you, Mr. Speaker. As many of you know Representative Beaubien and I's districts were next to each other. He represented part of my county and on the weeks that JoAnn Osmond didn't drive him down here the last couple years I drove him down here and back in many cases and to dinner. And you get to know somebody on those long trips to Springfield and you get to know somebody just by recognizing their talents. And it was Mark actually who is responsible for recruiting me to run for the General Assembly. I was the County Board Chairman, doing just fine as the County Board Chairman and my predecessor announced she was going to retire and within 10 minutes Mark was on the phone and asked me to run for State Rep and I said, well, you know, what's involved? He said, well, you're County Board Chairman now he said, you know it's pretty rough for five months out of the year, but in the summer it's not too bad, you know, you get a couple phone calls a week, you know, you can handle this. And I haven't forgot... forgave him yet for that misinformation what it was like in the summers and he never told me that in the summer of '07 I would spend 48 days straight in Springfield. For those of you who were there, you know Mark Beaubien made it a little more pleasant to be here. I particularly remember a meeting where the... Mike Bost got up and said to the Speaker, you

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know, you guys... four of you guys are going over and meeting with the Governor and you know, we're tired of that; we're all Members of the General Assembly. And then Speaker Madigan said, well, why don't you all come to the Governor's Mansion and meet with the Governor. So, about half of us went, about 60 people showed up, I know Roger was there, I know many of you were there. And we got to watch the Speaker and the Governor have a little tay to tay and then we watched the Governor put out one of his financial plans and we got to witness Mark Beaubien share with the Governor, that's not going to work, that's not going to work, only in the way Mark Beaubien could get that message across and that's what he was known for. He was... he was truly a fiscally responsible individual. He wasn't against government having the resources it needed, he was against fiscally irresponsible decisions and he could be quite animated if we saw that. But the thing that mostly impressed me with Mark and back home in the district with Mark, you got Dee, they were a package deal. And not only was Mark my mentor but Dee in many ways a mentor to my wife. And some of our spouses don't actually like all the public fan fair that we have to go through. But Dee shows my wife how to do that and be better and I appreciate that to Dee for being a friend to my wife Cathy. And I look... I look at Mark as a mentor, a man who's thought strategically about Illinois, a man who believed that Illinois had great promise and had the best hospitals. I heard him say that in speeches in our district. He would say the best schools are here in Illinois and he made it an opportunity to solve the

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great problems that we face today. And I'm thankful to have known him and watched him be able to do that. But you know, Mark was... we had lots of talks about politics and Mark would, in my opinion, tell you, I'm a Republican, I'm a person for personal choice, I'm a person for personal rights, I'm a individual for personal freedoms, I'm an individual for less and limited government. That's what defined him politically. And he would tell you that's what a Republican was when the Republican Party was started. That's what I am today. And he made sure people knew that and he didn't always go with Party stances and he was proud of that because he always voted for what he thought was right. And there are so many things I know that I will miss about Mark and you will miss about Mark and I will miss his humor. To take him to dinner with a group of people made it a better dinner. I will miss that infectious laugh. If you sat in this row you could hear that infectious laugh when something happened that was really funny. I, like Tom, will miss Mark telling me it's time to shut up because he knew when to do that. But most of all I will miss Mark, my friend because he cannot be replaced."

Speaker Lyons: "Representative Deb Mell."

Mell: "Thank you, Mr. Speaker. Dee, Mark, and Bob, I know you know how much that... what Mark meant to me and it's not only for, you know, his vote on the civil unions or when he spoke up congratulating Kristin and I. I mean that was really something, but it was... there was more and we... my freshman year lived at the Pasfield House where he stayed and it was a hard year for me. And the Pasfield House is

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kind of small so we had a lot of time to chat and he was very comforting to me. And we would walk over together and he would advise me on a lot of things and he'd come over and be like, you know, that was a good vote for you, that was a good vote for you, or that was a bad Bill, or he'd use some choice words about a Bill. And I'm really grateful that I got to know him for a few years and it's... it's a big loss and I really hope the family is doing well. At the service it was so evident in the sorrow in everyone's faces is how much he meant to his family. So, you know, it's a big loss. That's all. Thanks."

Speaker Lyons: "Representative Sandy Cole."

Cole: "Thank you. It's really hard coming in today, yesterday, with an empty seat. I miss Mark tremendously, but as you all know, when you're a seatmate, you talk about lots of stuff to your seatmate. You know, there's lots of downtime, you're waiting for things to happen and Mark was not just a mentor. We just talked about stuff. I always had problems with my... my teenage children, Mark was always there to listen and you know you, just get into discussions. I said, you know, how did you meet your wife? So Dave hears this story, he said, you know Sandy, he goes, I was kind of a ruckus guy he said, but I asked her out and when she walked down the stairs I knew it, she was it. I was going to marry that woman. He knew from the minute he saw you that he was... just to see and hear him tell that story was just amazing. And I'll just... because he asked me to do this. To his sons, I was having problems with my son, Kevin, and I said, geeze, Mark, what am I going to do, it's like every time

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the phone rings I'm afraid to answer it. And he said, you know Sandy, you just got to lighten up, you got to give him the space he needs. And he goes, it was something I wish I had done with my boys. And he goes, I hope they know that someday and if you have a chance, tell them that. I should have been a little bit easier. But then he said, but you know what, they are what they are today because I wasn't, so. So all those things you share with a seatmate I'm going to miss. On a tough vote I'm going to miss the phone ringing 'cause I know that was Dee. I actually have been going like this all day today thinking I have to vote on that for Mark being in the back working on some budget problem, I was always pushing his switch one way or the other. I really will miss him. He was a wonderful, wonderful person and I always wondered why that last couple of weeks he had me drive him home. And now listening to everybody else speak, I think he thought he had to mentor one more person, and it was me and I'm feeling very lucky about that. To his grandkids, the last time that I took him back to Barrington we were talking about Bills, we were talking about budget, I was picking his brain about anything I could think of. And then he just got on the phone. The closer we got, he started to light up and he talked to each one of his grandkids and I got to see Mark as grandpa. It was wonderful and I will miss him. Thank you."

Speaker Lyons: "Representative Greg Harris."

Harris, G.: "When I first started, as some of you know, who were here was when my predecessor got ill and had to

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resign, so I came in the middle of things and in the middle of some tough times. And I just remember every day before Session trying to come here to the floor early to figure out what I was suppose to do during the day, you know, what were we doing, what were we going to be voting on. The other person who was always here was Mark. And he would take time, and I didn't realize it at the time that this was a man, who was in a Senior Leadership position in an opposite Party who had a lot of other responsibility.. There was a stuff he could be doing, but he would come every morning and say, let me tell you about some of the things that are going on today, let me give you some advice on how you might want to think about this. He was such a gentleman; he was such a gentleman, yeah, helping me through my first days which were really pretty difficult. And you know, Leader Cross was you know, so right when he said, all of us come here we're pushed and pulled in different directions, and different groups in our neighborhoods want something and different groups down here want something and our Party wants something and you know, all these different people want something. At the end of the day, you know, we each have to make some really key decisions based on what we feel in our heart and in our conscience is right and you know, Mark always did that. And when I had a chance to come out to the memorial, Dee and meet Mark and Bob and meet the grandkids, you know, I just realized how much everyone in this state and everyone in his community realized that he stood for what was right, and what was good, and what was true. When I walked out of

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that building and you guys were inside, you know, shaking hands and trying to be good that day, but as you looked on the highway, as far as the eye could see in every direction, there were lines of cars of people and you could see in every walk of life who were coming to pay their respects and to thank Mark for being the leader that he was and giving so much of himself to the people of our state. And thank you very much for sharing him with us, Dee. Thank you."

Speaker Lyons: "Representative Sid Mathias."

Mathias: "Thank you, Mr. Speaker. I don't know if I can say anything better than what was said in the eloquent Resolution or all of the previous speakers. I met Mark when he was actually still on the Lake County Board. I was the mayor of Buffalo Grove and we both went to events from the Lake County Municipal League. And even then, I didn't know him that well, but I always saw in him someone who, regardless of who the audience was, would tell it as it is. He would not play... he would never play to the crowd. He would always tell people straight on, whether you wanted to hear it or not, what the truth was and what was going on in our state, in the county. And then when I decided to run for this office, and that was 13 years ago, Mark, of course, was already a State Representative at that time, and I'll never forget it was a tough... my first race was a very tough race won by very small margin, but I would always remember Mark and Dee walking precincts with me in his former county board district where he knew everyone, they both knew everyone and I know that it really made a

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difference in my first election. So, he helped get me here but that wasn't the end of it. I, also, always felt that Mark was a... my first mentor down here, especially when it came to issues... you know, as a mayor, you know, you deal with certain issues the police, and fire, and garbage, but you don't deal with all of the issues that a State Representative, and I was a novice at it and he really taught me a lot. I think the main thing that he taught me was to do the right thing. Do what's in your heart. Don't, you know, listen to all of the reasons why not to do something. Do what you really believe in and don't... forget about the consequences, everything will turn out all right because you're doing the right thing. And I'll always remember Mark for that and I certainly also will miss him. I wish, you know, like I'm sure everybody in this chamber does that we really knew the extent of his illness. I think we all felt, yes, he was very sick and we knew because of how sick he was that of course he wouldn't look the greatest when he was down here, he was recovering, and we always hoped that, yes, he'll just keep getting better and of course, that wasn't to be, but I... and I think we all wished we kind of knew the circumstances but that was Mark, he was a private person. He never wanted us to know how sick he was or what eventually what would happen to him because he didn't want people to be concerned about him but to be concerned about why they're down here. So again, as a friend I will always miss Mark and I... again, I know that in my heart that a lot of things that I've done, and he's made

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me a better Legislator and I think he was just one of the best Legislators down here. Thank you."

Speaker Lyons": "Representative Camille Lilly."

Lilly: "Mark, my friend. Dee, Bob, Mark, the first day I arrived here Mark came down the aisle and gave me tenth degree. He asked me where I was from, who my family, my parents. He says, as I'm getting to know you, I want you to get to know everyone here. The next day he came by, he says, did you eat? I said, not yet. There's food in the back, go get you something. The next day Mark came by, he had a joke. He said, you're not smiling, you need to smile. This is your joke for the day. The next day he came by, he says, what are you doing? You should be up getting to know your colleagues. I would watch Mark. He would be on both sides of this room, talking, hand-shaking; now I know, expressing his feelings on different legislation. I never knew what Mark said. The time that I did learn what he said is the last time that I saw him, when he did not want to leave until I called my Senate Bill 3037. And this beautiful, well-dressed, petite woman came up to me and said, are you going to call your Bill? And I'm like, which Bill is that? And she said, your sex ed Bill. I said, I'm not sure. I said I'll be back with you in 10 minutes. And I scurried and came back, I'm not going to call my Bill. And she said, well, Mark can leave now because he was not going to leave until you called the Bill. So I said, let me go thank him. I still didn't know where he sat. So I walked around.. I walked across the side of the room for a good minute and said, where does Mark sit? And they showed me

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and he was sitting there very stately, very calmly and I share with him, I'm not able to sign the Bill... or call the Bill. And he says, well, that's too bad, but we're going to get this done. And I said, yes, we are. And Dee said, yes, we are. From that point on, actually Dee, I felt as if I was a part of your family. That was the first tough Bill that I had before me and he really wanted me to know he supported it. Mark is a friend, a statesman, a mentor, and just a good person. And I am proud to have known him and I'm proud to be an extension of your family. It makes a difference when we have State Legislators here in the General Assembly like Mark, our friend. God Bless."

Speaker Lyons: "Representative Patti Bellock."

Bellock: "Thank you very much, Mr. Speaker. We all know life is a precious gift and we learned that day how quickly that gift can be taken away from us, last June. So I just wanted to say thank you, Dee, Bob, and Mark for allowing Mark to come down that last week that we were in Session. We're all in the third row, we're all seatmates, we all have visions of him in his camel sport coat going back and forth in there and as Camille said saying, there's food in the back. But I know there were a lot of questions as to whether he should have come down that week. And you made the choice along with Mark to come on down and I think that was so important for him and for all of us. To be able to say as you said at that funeral, to be able to talk to him and for those of us that did not know that was the last time, to be able to allow us to share that time, that last week to share in his jokes, his sense of humor, his leadership, and

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to allow us to just be regular friends with Mark. We're down here every day when we're in Session. We see men and women in their professional status, but when we were at Mark's funeral mass, we saw the other side of Mark, the friendships, the love of his family, the love of his wife, the love of his grandchildren and most of all what a true man Mark really was on both sides, not just the professional side but the personal side that lots of times as Members down here we are not allowed to see and to share in. We want to thank you for that, for all of us that were his friends. And I just have one story as a friendship that Mark was to Susie, our good friend, who was here and obviously Mark took a lot of rides down with different people but on Suzie Bassi's last ride down she was feeling bad, he said he would give her a ride down. I'm not sure who was driving, but I happened to call in at the time and Mark was sitting next to Suzie with a box of Kleenex, just filling her Kleenex, as she was having a few tears about leaving the General Assembly, and I thought what a wonderful friend that he offered to do that for her. So, thank you, again, for sharing his wonderful, wonderful life with us. Thank you."

Speaker Lyons: "Representative Rita Mayfield."

Mayfield: "Hi Dee. As many of you know Mark was from Waukegan and his loss was deeply felt. At a recent Legislator's breakfast, we did actually honor him there because his roots went deep and he never did forget Waukegan. And as a new Legislator coming in, one of the first things he's like, oh, so you're from Waukegan. And he started telling

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me all types of stories about his time there and everything else and we just developed a really, really great friendship. He genuinely liked me and you don't get that that often down here where somebody really, you know, is just a true person, you know, and just everything from him just totally came from the heart. And he was just a great, great mentor for me. He would come by every day with two things. First thing he would always do was offer me something to eat whether it was in the back or candy. He always wanted to feed me for some reason. And the other would be he would look across the aisle and say, who did you talk to today? And I would sit and give him that look and he's like, no, this is your assignment, I want you to go meet x, y, and z. That is your assignment for today. And I would obediently get up and I would go meet those Legislators and he's like, see, it's not so bad, they don't bite. And then the following day, it'd be the same thing, who did you meet today? Until I started, on my own, getting up and then going over so that I could beat him to the draw when he would come to me and say, who did you meet? I could say, oh, well, I talked to this one, this one, and this one. And he's like, yes, you're getting it. You have to build relationships on both sides of the aisle. You need to know who these individuals are. You need to be able to work with everyone and when you have Bills, you need to be able to go to those individuals who are experts in that field regardless of where they sit. He was an absolute fabulous mentor. He was also my first guinea pig for one of my Bills. I was having a really hard time with it and I wasn't

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sure what to do, so I asked him, I said, well, what do you think of this Bill? And I ran it by him and he just looked at me and he's like, seriously? I'm like, well, yeah, you know. I was very passionate and he's like, no, that's not going to fly. And he proceeded to tell me why and what was wrong with my Bill and I actually had to go back and revise that Bill. But he was just truly honest and he was a wonderful person and I'm going to miss him because he was truly my friend. So and I want to thank you for giving him to us just for that short bit of time."

Speaker Lyons: "Representative Ken Dunkin."

Dunkin: "Hey, Dee. Mark Beaubien certainly was aptly described by a lot of us here as Members. I've been here for nine years now and to look at this chamber or to walk in this chamber and not know that Mark is sort of working the aisles, as I would say, always in a pleasant demeanor, always leaning over my desk having a male joke to say or to talk about. He kept me in stitches. He often, as you know, Dee, would call and say, hey look, we need tickets to see this performance and we're going to take the grandkids or his kids. When he first did it I said Mark, well, he said, hey look let me give you my American Express card number and this is what we want. I said Mark, you do know that I'm from Cabrini Green, right? And you're giving me your credit card number, your American Express card number. He said, so, I don't care, just do whatever you want to do. It's okay. So, he kept me in stitches. I recall, I just recall him always in good spirits, always had something positive to say. He was a giver, he was a man of his word. To see

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him vote for the civil unions legislation, without hesitation, to see him vote for and support the medical marijuana legislation, it really spoke to who he was as a, not just as a Legislator but as an individual who really thought long and hard about a part of us here in this state. He is certainly a person that I'll miss, will continue to respect and remember as a friend. So Dee, Mark, and Bob, thank you for the sharing, for the gift. Thank you."

Speaker Lyons: "Representative Rosemary Mulligan."

Mulligan: "Thank you, Mr. Speaker. I waited awhile to turn my light on because I didn't think I could do this. I was here a little bit before Mark. And Mark and I vote very similarly on a lot of issues particularly choice and gay rights, things like that and when Mark was running for office, a friend of ours said you're going to love it when he gets there because you will feel support in the issues where you're voting. And I did love it when he got here because I could always count on him without even looking over there to know that he and I were going to vote the same way. And Sandy and I were just talking today about how hard it is to turn to the empty seat. He and I were both sick at the beginning of the year. I had gotten a bad flu shot and I did not know he was out sick and a former colleague of ours, Beth Coulson called me up, did you that know Mark Beaubien is really sick? And I said no, I hadn't heard, nobody had told me. And we both returned at the same time and when he sat down at his seat I looked at him and I was like stunned at how thin he was and how sick he must

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have been and I felt so bad, but I thought, well, he'll be fine, you know, and he'll recover. It'll be... it's going to be all right. And Sandy and I would talk to him. If he wasn't here right away, we'd say, do you think we should go look for him? And then I kept saying, drink your water, here, you know, make your throat better, do this, do that. And we kind of looked at him and finally at the end of Session I kept saying, why don't you go home, why don't you go home, you know, we're just sitting here. And so when we all went home and there was a fundraiser that I chose that I decided I wasn't going to go to this time and somebody called me and said that Mark had died, I was stunned. I just hadn't planned for it and you know, over the years, he made the worst jokes and he gave me the hardest time. He used to always say to me, you're a good Republican woman, what are you doing down here? You should be home looking for a husband like a good Republican woman should be. And then he'd give me a whole big thing and I say, well, why, are you going to put an ad in the paper and look for one for me? What are you doing, you know, you're not helping me. And you never knew what kind of a funny joke he was going to make and sometimes it was hard to know whether to take him seriously or not because he would say them with such a straight face. And so, then he would give me a hard time and then I'd yell at him and say, oh, just... you're kidding, you're not... you're not telling me the truth. But I could always count on him to be there for the tough votes that we shared and for that I will always miss him and I still can't believe he's not here. Having been in a family

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where my kids lost their dad, the grandparents, you know. as grandparents some of our grandchildren don't know them. It's so hard to keep the memory alive and I think he has such a history here in the General Assembly that I hope that that history and the fact that he's in all these books and on all these Bills will be passed down to the grandchildren so they'll know for years to come how proud they should be of their grandfather and what a heritage they have to live up to. And I'm sure that will happen. But we miss him terribly and whenever we look over there, it's hard, so I try not to look that way. And I hope that everyone there will seriously recover in some form, I know it's hard to replace somebody that's that good in your family. I can remember walking in his back office, he had absolutely the most gorgeous pictures of his family there and I can still remember saying to him, my god, how did somebody like you get all these gorgeous kids in your family? Just needling him and joking with him and they were, the pictures were beautiful, his family's beautiful, you're all very lucky to have had such a wonderful father and grandfather. Even though he's not here any longer, there's such a legacy there and he was such a good guy as far as voting the way your heart tells you to vote and protecting the people of Illinois particularly those that sometimes cannot protect themselves. So, we will all miss him very much."

Speaker Lyons: "I'll ask all Members for a moment of silence to talk to Mark 'cause he can hear every one of us. Leader Tom Cross asks, with leave of the Body, that all Members be

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added to the Resolution. And on that Motion, all those in favor for the adoption of House Resolution 579 say 'aye'; those opposed say 'no'. In the opinion of the Chair, it's unanimously adopted. And may the soul of Mark Beaubien rest in peace, now and forever, Amen. Deputy Leader Lou Lang in the Chair."

Speaker Lang: "On page 5 of the Calendar, under the Order of Senate Bills-Second Reading, appears Senate Bill 1694, Representative Brady. Mr. Brady. Mr. Clerk, please read the Bill."

Clerk Bolin: "Senate Bill 1694, a Bill for an Act concerning civil law. The Bill was read for second time on a previous day. No Committee Amendments. No Floor Amendments. No Motions are filed."

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

Clerk Bolin: "Senate Bill 1694, a Bill for an Act concerning civil law. Third Reading of this Senate Bill."

Speaker Lang: "Mr. Brady."

Brady: "Thank you, Mr. Speaker and Ladies and Gentlemen of the House. Senate Bill 1694 seeks to amend the Code of Civil Procedure to allow a surviving spouse, or if there is no surviving spouse, a family member to access medical records of a deceased person when there is no executor or administrator of the estate and there is no power of attorney for health care. There's a criteria in which is set up for the next of kin that could do that without having to have an estate open or wait for an appointment of a personal representative. It's an initiative of a number

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of groups as well as the Illinois State Bar Association, the Illinois State Medical Society, the Illinois Hospital Association, and the Illinois Trial Lawyers Association supports the Bill. And I'd be happy to answer any questions."

Speaker Lang: "Gentleman moves for the passage of the Bill. There being no debate, this Bill requires 71 votes, those in favor of the Bill shall vote 'yes'; opposed 'no'. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Mr. Clerk, please take the record. On this question, there are 115 voting 'yes', 0 voting 'no'. And this Bill, having received the Constitutional Majority, is hereby declared passed. The Chair recognizes Mr. Pritchard."

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

Speaker Lang: "Please state your point, Sir."

Pritchard: "In the balcony, Ladies and Gentlemen, are some 60 students from Northern Illinois University who are down to the Capitol today to share information about the Monetary Assistance Program, the MAP Program. This is something that has been an important issue for this state but hasn't been increased since 2002. And as a result, students are getting less today and having to pay higher tuition and fees to cover their college expenses. These students up here that you see primarily have been able to go to college and to brighten their future and their careers because of the Monetary Assistance Program. So I hope you'll take a look at their faces and remember that as we talk about budget

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and as we talk about priorities that higher education and the Monetary Assistance Program are critical to the success, to the job creation, and to the successful futures of so many of our citizens. Let us welcome the students from Northern Illinois University."

Speaker Lang: "Thank you, Mr. Pritchard. Moving to page 11 of the Calendar, under the Order of Resolutions, House Resolution 558, Representative Howard. Representative Howard."

Howard: "House Resolution 558 is asking that we honor the City Colleges of Chicago that today are celebrating the 100th anniversary of existence. There are seven Community Colleges of Chicago under the umbrella of the City Colleges of Chicago. We were to have, in our midst today, the Chancellor, Cheryl Hyman. She wasn't able to come, but we should all remember Cheryl as someone who we've met as a representative of ComEd, she was a lobbyist. She is now the Chancellor of the City Colleges of Chicago. She herself was a graduate of Olive-Harvey College, but she has subsequently received several different kinds of degrees, including two masters. So we are very proud of Cheryl. We are very happy and honored that we've been asked to help with the celebration of the City Colleges of Chicago. I am understanding that this is an agreed upon Bill and that we will have the votes from everyone. Thank you very much."

Speaker Lang: "Those in favor of the Resolution shall say 'yes'; opposed 'no'. In the opinion of the Chair, the 'ayes' have it. The Resolution is adopted. Mr. Clerk, House Joint Resolution 41, Representative Chapa LaVia."

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Chapa LaVia: "Thank you, Speaker and Members of the General Assembly. House Resolution... Joint Resolution 41 proclaims the month of October as Dyslexia Awareness Month in the State of Illinois. Representative Roth and I are holding an event on November 1 at Saint Francis University from 6:30 to 8:30. It's free for anybody who wants to come, but a world renown doctor, Doctor Shaywitz will be coming and speaking about dyslexia. It's a very important issue in education right now. And I ask for its adoption."

Speaker Lang: "Lady moves for the adoption of the Resolution. Those in favor say 'yes'; opposed 'no'. In the opinion of the Chair, the 'ayes' have it. And the Resolution is adopted. On page 12 of the Calendar appears House Joint Resolution 42, Representative Chapa LaVia."

Chapa LaVia: "Thank you, Speaker and Members of the House. It urges school districts to improve support resources for involvement, appearance and education of their child. I'd ask for its adoption."

Speaker Lang: "Lady moves for the adoption of the Resolution. Those in favor say 'yes'; opposed 'no'. In the opinion of the Chair, the 'ayes' have it. And the Resolution is adopted. House Resolution 520, Representative Phelps."

Phelps: "Thank you, Mr. Speaker, Ladies and Gentlemen of the House. House Resolution 520 just urges Congress to ensure adequate funding for the United States Postal Service. As you know, there's going to be about 3700 locations that may close and this is just about saving jobs. And I just ask for its adoption."

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Speaker Lang: "Gentleman moves for the adoption of the Resolution. Those in favor shall say 'yes'; opposed 'no'. In the opinion of the Chair, the 'ayes' have it. And the Resolution is adopted. House Resolution 557, Mr. Durkin."

Durkin: "Thank you, Mr. Speaker. This Resolution would declare November 14 Diabetes Day in Illinois. And Representative Cross, I'm glad to present this on his behalf, but both Representative Cross and myself have something very much in common along with Mike Tryon. I'm the father of a young girl who was recently diagnosed with Type I Diabetes, as is Tom Cross's daughter. Mike Tryon is a diabetic as well. So, it's... it's an infliction which there... I think a lot of people don't understand, but what we're going to try to do is we've developed a caucus providing information for a lot of individuals because it is becoming a health crisis. So, I would ask for the adoption of this Resolution."

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

Clerk Bolin: "Committee... Committee Reports. Representative Currie, Chairperson from the Committee on Rules reports the following committee action taken on October 26, 2011: recommends be adopted Floor Amendment #1 to House Joint Resolution 44."

Speaker Lang: "On page 2 of the Calendar, under the Order of House Bills-Second Reading, appears House Bill 506. Mr. Clerk."

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Clerk Bolin: "House Bill 506, a Bill for an Act concerning revenue. The Bill was read for a second time on a previous day. No Committee Amendments. Floor Amendment #1, offered by Representative Currie has been approved for consideration."

Speaker Lang: "Majority Leader Currie."

Currie: "Thank you, Speaker and Members of the House. There are four provisions in this Bill. In fact it's identical to a measure that was adopted last spring and was stuck in the Senate. It provides that properties that are owned by a government and leased to another governmental unit will be property tax-exempt. We will continue the special valuation schedule that we created when the United States Navy sold some property in the Great Lakes area to a private developer to provide housing for Navy families. That special valuation means that there is some money coming into the school district and other local governmental units but because these were... had... earlier had no property taxes, it is a special kind of formula. There is a streamlined process for stipulated agreements before the Property Tax Appeals Board and this law would give assessors, county assessors, the opportunity to go after people who fraudulently and deliberately lie about their status in terms of having exemptions from the property tax, homestead exemptions, senior exemptions, and so forth. There are some people who have made a specialized life of crime out of deciding that they are eligible for many exemptions that, in fact, they are not eligible for. These are available only to a person who is... who owns a property and is living

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in that property but occasionally the assessor's office discovers that a single individual may have 12 or 15 exemptions at different addresses. We ought not allow that to happen and this measure would provide appropriate penalties when that does occur. So, I'd be happy to answer your questions. I'd appreciate your support for the Amendment and for the Bill."

Speaker Lang: "Lady moves for the adoption of the Amendment.

And at that question, the Chair recognizes Mr. Sullivan."

Sullivan: "Thank you, Mr. Speaker and Ladies and Gentlemen of the House. We might want to take a look and pay attention to this debate because this is a potentially serious matter. I've helped write some of the legislation and some of the parts of this Bill are very good and would be very good public policy for the State of Illinois. Unfortunately, there is one provision in this Bill that we have voted on in the past and everybody here has voted on but there has been some new information that has come to light that makes this provision a poison pill for this Bill and one where I... I think people should... should take a second look. The one provision that has to do with exempt property. The provision states that if there is a lease between a government entity and the state that that lease is not subject to property taxation. Unfortunately, what this does is potentially undo previous leases and could give cover for some liability that is owed in regard to property taxes thereby interjecting the General Assembly into potential litigation and certain leases. That provision in this piece of legislation is why I will be

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voting 'present' on the Bill and I suggest everyone else does too. Thank you very much."

Speaker Lang: "Representative Mayfield."

Mayfield: "Will the speaker yield?"

Speaker Lang: "Lady yields."

Mayfield: "I have a question in regard to the property at Great Lakes. That property is federal property so what are you saying, that they would then pay property taxes into that school district?"

Currie: "What happened was that the Navy sold a portion of the land to a residential private developer to make for housing for those Navy families. The school district and the other taxing bodies were concerned that the children were going to the schools, the families were protected from fire and bad behaviors through the local police and fire organizations. So, in terms of the sale of the change in use of that property, the developer and the Navy created a special valuation for property taxation that was set to expire. Under this legislation, that would continue. So the Navy families would not bear an insurmountable tax bill at the end of the day, but there would be an effort to make sure that the school districts and other local taxing districts are not left high and dry holding the bag."

Mayfield: "Okay. I'm not understanding because I know that property very well and Forest City is the developers who actually are renting that property out. They're renting it out, not just to Navy families but to consumers within the community as well meaning that I could go there and rent a home there. So, those individuals should be paying property

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taxes into the school. The north Chicago school system is broke and is on the point of maybe having to dissolve because we are not receiving any money from the Federal Government and I don't know if we can sustain this. So, I'm not exactly... my understanding was that this Bill would provide for property taxes to go into the school district, not continue to take money out of a already failing school district."

Currie: "There will be taxation as there is today, but it will be under a special formula reflecting the fact that this is leased property to a private developer."

Mayfield: "Okay. There is no money coming out as of today.."

Currie: "Yeah."

Mayfield: "...that's what I'm telling you."

Currie: "The school... the school district..."

Mayfield: "So what you're saying is that will continue..."

Currie: "Yes."

Mayfield: "...not to get any money."

Currie: "Yes, and without this Bill it would not continue. My understanding is that the school districts and local... other local taxing districts are for this measure."

Mayfield: "Okay. Well, then I can't support the Bill because I would want for them to pay taxes particularly to the school district. We're not getting federal impact aid in this community anymore and without the local property tax, that school district will be defunct and will have to basically close its doors and then those neighboring communities will have to take those children. So this is not something that we want. We want them to pay property taxes..."

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Currie: "And that's what..."

Mayfield: "...to the school district."

Currie: "...this Bill will do, Representative. They will pay property taxes and that is why Township High School District 113, Township High School District 112, Township High School District 225, North Chicago District Unit, the city of Highland Park, the city of Highwood, and the village of Glenview all support this."

Mayfield: "Okay, but your explanation did not say that. I just asked you would you be paying taxes to the school district and you said, no, that there would be the current agreement that they have now, and under the current agreement they don't pay property taxes."

Currie: "Yeah, they do... This particular parcel of property there are property taxes paid and they will continue to be paid if we pass this Bill."

Mayfield: "Thank you."

Currie: "If we do not, then they will not."

Speaker Lang: "Representative Cassidy."

Cassidy: "Thank you, Mr. Speaker. I rise in strong support of this Bill. The provisions addressing homestead exemption fraud and other exemption fraud are critically important. As all of our residents and neighbors are struggling to get by, the people that are unfairly taking exemptions that they don't deserve are passing those costs on to their neighbors. This is not victimless; this is not a small issue. There are people in Cook County taking... with 10 properties or more saving tens and tens of thousands of

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dollars passing those costs on to their neighbors. And I very strongly urge support for this Bill. Thank you."

Speaker Lang: "Leader Currie to close."

Currie: "Thank you. I just move adoption of the Amendment."

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

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

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

Clerk Bolin: "House Bill 506, a Bill for an Act concerning revenue. Third Reading of this House Bill."

Speaker Lang: "Leader Currie."

Currie: "Thank you, Speaker and Members of the House. We've just discussed the Bill on Second Reading. What I described is the Bill in the Amendment is, in fact, now the Bill and I just want to clarify on the question about governments leasing property to other governmental units. I believe that provision is declarative of existing law and in fact, let me read to you from the... from the statute that currently says. The current law, school property leased to municipality or not sold or leased or otherwise used with a view to profit is exempt. So, I believe this provision is declarative of the existing law. The school district surrounding this residential property near Great Lakes Naval Training Center depend upon passage of this Bill if they're going to be able to continue to educate the children in that residential development. I think that it is important for our assessors to have tools available to

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them if people are deliberately evading, deliberately defrauding the property tax provisions with respect to homeowner exemptions. So I'd be happy to answer your questions, which I think I've already done and I would appreciate your 'aye' votes."

Speaker Lang: "Lady moves for the passage of the Bill. There are currently seven people wishing to speak. Accordingly, we will use the two-minute timer. The Chair recognizes Mr. Eddy for two minutes."

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

Speaker Lang: "Sponsor yields."

Eddy: "Leader Currie, I understand what part of this Bill is attempting to do. I think to recover the rightful... revenue from taxpayers who had for whatever reason claimed an exemption that they were not entitled to."

Currie: "Fraudulently, indeed. Not people who accidentally are taking an exemption but people who are deliberately, deliberately defrauding the system."

Eddy: "Okay. And what... what establishes fraud? Is that done in... by the... the claimant against the..."

Currie: "This would presumably be done at the assessor's office. So, when somebody shows up with seven different pins, seven different properties, residential properties..."

Eddy: "Okay."

Currie: "...and claims a homestead exemption on each of them the reality is that that individual is not a permanent resident in each of those seven different houses. So, then the question is, is it possible it was an accident or is there

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reason to believe that somebody was deliberately defrauding the system."

Eddy: "So, there... "

Currie: "And the amounts of money at stake can run into the thousands, and the hundreds of thousands of dollars and as you know, in many property tax situations if somebody isn't paying a fair share... "

Eddy: "Somebody else..."

Currie: "...then the other people in that district pick up the slack."

Eddy: "Yeah, and I... I understand that the due process then for the difference between something that is not intended or fraudulent, where's the due process for the... is that contained?"

Currie: "That's in the Bill and there is an appeals procedure, so, that an individual can come forward and show how accidentally this happened. And I would imagine, in situations if there's a, you know, if you inherit the house from your mom and dad and maybe you're renting it out, you may not even notice that you're getting an exemption, a senior exemption you're not entitled to. I think if someone comes in and shows that then there's no reason to think that the assessor would go after them, but when you have example, after example it's much harder to plead ignorance of the law or lack of information."

Eddy: "Okay. And... and I think there's... "

Speaker Lang: "Mr. Eddy, please bring your remarks to a close, Sir."

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Eddy: "Yeah. I just have one other part of the Bill that I'd like to ask a question about. I think everybody is concerned about fraudulent claiming of exemptions, but there's a part of the Bill that I have a question about on page 8, line 16. And it seems to deal with something completely different than your intent related to those exemptions and it deals with property with the leasehold interest in that property of schools which is leased to the state, a unit of local government or school district to be used for governmental purposes on a not-for-profit basis.

Currie: "Yes."

Eddy: "What's the... what's the application of this part of the legislation to your intent related to the exemption fraud?"

Currie: "Well, remember that there are other items in this Bill as well including property valuation for the federally owned Great Lakes property that is now a residential development. This, too, deals with leasehold taxes and as I say, this is declarative of existing law which today says school property leased to a municipality or not sold or leased or otherwise used with the view to profit is property tax-exempt."

Eddy: "Well, this expands that from a municipality other government entities and that's quite an expansion... "

Currie: "Yes. It does. It does, but I see... I think, I would say that this is declarative of existing law."

Eddy: "Okay. It..."

Speaker Lang: "Mr. Eddy."

Eddy: "Thank you... thank you for the indulgence, Mr. Speaker. I think there are some real concerns about this clause and

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based on that, I will be voting 'no' hoping to have a cleaner Bill that meets the intent of the Sponsor, rather than adding things that seem not to have anything to do with it."

Speaker Lang: "Representative Berrios."

Berrios: "Thank you, Mr. Speaker and Ladies and Gentlemen of the House. To the Bill. I stand in strong support of this legislation because I don't believe it's fair for one individual to get various homeowners' exemptions and then other people in that community have to pay for that individual getting those exemptions. Just recently, they actually had someone go into the assessor's office with a check worth over \$40 thousand because this individual had exemptions on more than five properties for a set amount of years. So, it's a lot of money that will be collected that will help all of the counties throughout the state. And I urge an 'aye' vote."

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

Saviano: "Thank you, Mr. Speaker, Members of the House. I rise in support of this Bill. The people who worked on this Bill I commend, they did a lot of work on this. This is commonsense stuff, 99 percent of the... of the language in this Bill is good for our state, good for our towns, good for our communities. I... I would strongly urge an 'aye' vote. And I'd like to thank Representative Sullivan on doing a great job with the other side of the aisle and coming up with this fine piece of legislation. Thank you."

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

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

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Speaker Lang: "Leader Currie yields."

Moffitt: "A question, Leader, does this apply just to Cook County or is this statewide?"

Currie: "Yeah, the provisions applying to the homestead exemptions are statewide. The portion that deals with the Great Lakes Naval Base area that only applies to that part of the world. The provision that says that the parties before the Property Tax Appeals Board may stipulate to an outcome that also applies statewide."

Moffitt: "And any of the penalties, fines, paybacks that would be owed... "

Currie: "That applies statewide."

Moffitt: "Okay. And just a concern that I have, I mean, obviously, you've explained very carefully that it's fraudulently tried to get the exemption they weren't entitled to. There can be times there are errors. Would your... are we sure that the person that allegedly has done something that there are safeguards there that they can appeal or who would they take it to? I mean, I just... I mean, we know that errors occur with computers. We know that parking tickets are issued sometimes to people that weren't even in town. I just get concerned that when there's really an error does the person have a chance to prove that they're not guilty?"

Currie: "Indeed. There's a clearly set out appeals procedure in the Bill."

Moffitt: "Okay. Thank you."

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

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Sullivan: "Thank you, Mr. Speaker. I know I've said this before and then... under the Amendment, but this has some very good items that I actually helped to write in regard to the homestead provisions. But Ladies and Gentlemen, there is one provision in this Bill that is so erroneous that it's going to force me to vote against a Bill that I helped craft. Ladies and Gentlemen, there is a provision in here that is going to allow leases that have been negotiated on, and acted upon, and litigated that are going to undo those. So, once again, there is one provision in this Bill that is so onerous that... that it is going to cause many problems. So, with the strongest language I can, please vote 'present' or 'no'."

Speaker Lang: "Representative David Harris for two minutes."

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

Speaker Lang: "Lady yields."

Harris, D.: "Representative, there is indeed a Section... as was just referenced, there is indeed a Section of the Bill that many of us have concerns with. You tried to address that in the Revenue Committee and I'm not sure we got a completely open answer, but you just said previously here it is simply declarative of what's already in law."

Currie: "In the law there is today language specifically about schools."

Harris, D.: "Which begs the question, if it's already in law, why are we doing it again?"

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Currie: "Sometimes we need clarification in the law and that's exactly what this does, but I be... I'll read the language one more time for the record."

Harris, D.: "No, you don't have... you don't have to read.. "

Currie: "...I think it's helpful."

Harris, D.: "You don't have to read the lang.."

Currie: "I think it's helpful."

Harris, D.: "It's my two minutes."

Currie: "No, I'm happy to, I think it makes my point. School property leased to a municipality or not sold or leased or otherwise used with the view to profit is property tax-exempt. That to me is a sound, sensible, sane principle and in order, just to clarify that that really does mean what it says, we've added some language to this proposed statute."

Harris, D.: "Why not just amend the language that you just read, rather than put in an entirely new Section?"

Currie: "And that, actually, that's what is amended in the Bill. Representative, that's what's amended in the Bill."

Harris, D.: "Thank you, Mr. Speaker. We still have... we have a concern that this may impact as... as a previous speaker said... litigation which is in process and I believe you made reference to that in committee."

Currie: "You know, if you think that a governmental entity leasing property from another governmental entity should pay property taxes, then feel free to vote against this Bill. I believe that it doesn't make sense to say that a governmental entity ought to be paying property taxes. So,

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I'm just trying to clarify that... that principle in this section."

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

Zalewski: "Thank you, Mr. Speaker. To the Bill. Just a reminder to the Body that this... this exact language was in a Bill that was in the spring that we passed that was... received overwhelming support of the Body. It's a Bill that, in a time when we are doing everything we possibly can to ensure that local government can continue to function with limited resources, goes after those who choose to cheat the system and claim multiple exemptions that they are not entitled to. There was a Tribune story just a week ago detailing the numerous instances that were this... these exemptions were abused. There were instances where people are voluntarily bringing in checks to their assessors because they have a guilty conscience. If we... if we pass this Bill and allow assessors to go after those who choose to cheat the system and take away from our constituents, we're doing ourselves a service and we're doing a service to the State of Illinois and local governments that are striving to stay afloat in these times. I urge a strong 'aye' vote."

Speaker Lang: "Leader Currie to close."

Currie: "I think Representative Zalewski did a great close for me. Please vote 'aye'."

Speaker Lang: "This Bill requires 71 votes. Those in favor of the Bill should vote 'yes'; opposed 'no'. The voting is open. Have all voted who wish? Members, please record yourselves. Have all voted who wish? Have all voted who

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wish? Representative Hernandez. Please take the record. On this question, there are 63 voting 'yes', and 47 voting 'no', 6 voting 'present'. Representative Currie requests that the Bill be placed on the Order of Postponed Consideration. Chair recognizes Representative Morrison."

Morrison: "Thank you, Mr. Speaker. Just a short time ago I heard some sad news from our district. Our former State Senator Wendell Jones was ill and passed away yesterday. Senator Jones served in the State Senate representing Palatine and some of the other communities around Palatine for a couple of terms. He filled in for Peter Fitzgerald when Peter Fitzgerald moved up to the U.S. Senate. He filled out the rest of that term and then was reelected a couple of times. He was also a Palatine trustee. He served as mayor of Palatine and he is survived by his wife Jane of 51 years. He's also survived by two daughters and a son and two grandchildren. And so, if we could just have a moment of silence for Senator Jones, I'd really appreciate that. Thank you very much."

Speaker Lang: "Thank you, Mr. Morrison. Chair recognizes Mr. Rose."

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

Speaker Lang: "State your point, please, Sir."

Rose: "Ladies and Gentlemen, it's a true pleasure and joy today to have the Cub Scouts from Arthur, Illinois, with us, up here in the gallery. On behalf of Representative Brown and I, who split Arthur literally down the middle, can we give them a big welcome to Springfield."

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Speaker Lang: "Welcome to Springfield. Chair recognizes Mr. Rosenthal."

Rosenthal: "Thank you, Mr. Speaker. Point of personal preference."

Speaker Lang: "State your point, Sir."

Rosenthal: "With us today in the gallery, we have the Macoupin County Clay Busters. On behalf of myself and Representative Watson here, we'd like to welcome them here and the Clay Busters provide school-age participants with the opportunity to showcase their competitive shooting skills and earn state and national recognition. The program is designed to instill in participants safe firearms handling, commitment, responsibility, leadership and teamwork. The Clay Busters is a trained, supervised organization. And with that competitive spirit, I might mention that the high-school age won the state meet in June and the presub team, which is fifth-grade students, finished first in the national competition down at our Sparta complex in August. And I'd like to welcome them there and congratulate them."

Speaker Lang: "Congratulations and welcome to Springfield. Mr. Mitchell, for what reason do you rise, Sir?"

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

Speaker Lang: "State your point and take your time."

Mitchell, J.: "Thank you, Sir. Ladies and Gentlemen of the House, I'd like you to give a warm Springfield greeting to Mrs. Lynn Sotello, the eighth-grade teacher of a social studies class of thirteen boys and girls up on my right, as I look forward. They are from St. Mary's middle school."

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They're here with five chaperones. Mrs. Saltello was also the teacher of my youngest daughter, Emily, at onetime at St. Mary's. So, please give them a nice Springfield welcome. Thank you."

Speaker Lang: "Welcome to Springfield. On page 3 of the Calendar, under the Order House Bills-Second Reading, appears House Bill 909. Please read the Bill."

Clerk Bolin: "House Bill 909, a Bill for an Act concerning criminal law. The Bill is read for a second time on a previous day. No Committee Amendments. Floor Amendment #1 offered by Representative Kelly Burke has been approved for consideration."

Speaker Lang: "Representative Burke."

Burke, K.: "Thank you, Mr. Speaker. Floor Amendment #1 to House Bill 909 amends the Public Corruption Forfeiture Act in a very narrow manner to allow the offense of fraudulently obtaining a minority business certification or fraudulently obtaining any public moneys reserved for disadvantaged business to the list of offenses covered by the Act. The Public Forfeiture... the Public Corruption Forfeiture Act went into effect this year and there are currently three offenses listed. So, we'd like to make a... the minority business certification fraud the fourth. House Bill 909 is an initiative of the Attorney General's Office and would allow the office to more vigorously pursue fraudulently obtain moneys and return those funds to the taxpayers. Adding minority business certification fraud to the list of offenses will allow the Attorney General to freeze assets during the pendency of the fraud proceeding.

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Without this tool, the money or property can be dissipated or spent during the fraud proceeding and there's nothing left to return to the taxpayers if the Attorney General gets a conviction, Attorney General or state's attorney. House Bill... So, therefore move for adoption of Floor Amendment 1."

Speaker Lang: "Lady moves for the adoption of the Amendment. Those in favor say 'yes'; opposed 'no'. 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 for a third time."

Clerk Bolin: "House Bill 909, a Bill for an Act concerning criminal law. Third Reading of this House Bill."

Speaker Lang: "Representative Burke."

Burke, K.: "Thank you, Mr. Speaker. I just spoke to the... the... the substance of the Bill. And I believe House Bill 909 is a good Bill to help fight public corruption and return fraudulently obtained moneys to the taxpayers. I urge a 'yes' vote and happy to take any questions."

Speaker Lang: "Lady has moved for the passage of the Bill. This Bill will require 71 votes. 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? Mr. Connelly. Please take the record. On this question, 116 voting 'yes', 0 voting 'no'. And this Bill, having received the Constitutional Majority, is hereby declared passed. Chair recognizes Representative Hammond."

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Hammond: "Thank you, Mr. Speaker. On House Bill 3036 I was a 'yes' vote and should have been a 'no' vote. If you could let the record reflect."

Speaker Lang: "The record will reflect your intentions."

Hammond: "Thank you."

Speaker Lang: "The Chair recognizes the quite energetic Representative Chapa LaVia."

Chapa LaVia: "Thank you, Speaker and Members of the House. I..."

Speaker Lang: "See what I mean."

Chapa LaVia: "A point of personal privilege, please."

Speaker Lang: "Oh, state your point."

Chapa LaVia: "Thank you."

Speaker Lang: "And take your time."

Chapa LaVia: "I was wondering what time the World Series is tonight because my cousin who pitches for Texas, Mike Adams, will be playing against the Cardinals tonight and I want to make sure we get out of here on time, so I can watch him pitch."

Speaker Lang: "Representative, I am told on good authority that the game has been rained out."

Chapa LaVia: "So... "

Speaker Lang: "I was also told that Mr. Adams is optioned to triple AAA Iowa. Ladies and Gentlemen, on page 12 of the Calendar, on the Order of Resolutions, appears House Joint Resolution 44. Representative Chapa LaVia, who cannot watch the baseball game tonight, can present this Resolution now. Mr. Clerk."

Clerk Bolin: "Floor Amendment #1, offered by Representative Chapa LaVia, has been approved for consideration."

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Speaker Lang: "Representative Chapa LaVia."

Chapa LaVia: "Thank you Speaker, Members of the House. I... House Resolution 44 encourages the General Assembly promptly review and evaluate the State Board of Education's report on waivers. We must do this constitutionally. And I ask for its adoption."

Speaker Lang: "Lady moves for the adoption of the Amendment. Those in favor say 'yes'; opposed 'no'. The 'ayes' may have it. But Mr. Eddy waves, speaks... Are you speaking or not, Mr. Eddy? I see hand signals. Mr. Eddy."

Eddy: "Mr. Speaker, I'm sorry. Due to the long delay, I couldn't locate the button as quickly as I could have otherwise and after the devastating news that the Cardinal game has been canceled, I was in a... kind of a moment of mourning. So, could the Sponsor yield for just a second for some questions?"

Speaker Lang: "She will, but that wasn't as glib as you thought it was, Sir. Representative Chapa LaVia yields. Lady yields."

Eddy: "Representative, what... which of the waiver requests are denied, generally, not each specific but what's been the general practice of denial?"

Chapa LaVia: "We have denied Stockton. We have denied Keeneyville for four year, they get one year."

Eddy: "But Representative, I guess, I'm getting to the part, what... what we generally deny are amounts now above \$250 for drivers education. We just passed legislation last year that allow school districts to set it up to 250 without a

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waiver and we... we are also generally denying other issues related to the School Code for behind the wheel..."

Chapa LaVia: "Well, wait one second though."

Eddy: "...driver's education."

Chapa LaVia: "But if they already have it, we allow that. If it already was in play before we passed the legislation last year, it's already allowed."

Eddy: "So, we're being... well, this is a consistent denial based on what we've done in the past related to things like physical education waivers or driver's education waivers?"

Chapa LaVia: "Correct."

Eddy: "Okay. All right, thank you."

Chapa LaVia: "Thank you."

Eddy: "And... are there any in here that you disagree with or is this consistent with what you expect on these waivers?"

Chapa LaVia: "No. This is an agreement with the Senate side and I don't disagree with any of them."

Eddy: "Okay."

Chapa LaVia: "Thank you."

Eddy: "Thank you."

Speaker Lang: "Now those in favor shall say 'yes'; opposed 'no'. The 'ayes' have it. And the Amendment is adopted. And now, Representative Chapa LaVia on the Resolution."

Chapa LaVia: "Okay. So, listen up, this is one of the... this is the Resolution I say every year and people get confused. Voting 'yes' means you approve of the modifications and denials to the school district applications set forth by House Joint Resolution 44. Voting 'no' means you support

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the school district waiver applications without changes.
And I ask for a favorable vote."

Speaker Lang: "Those in favor of the Lady's Motion vote 'yes'; those opposed 'no'. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Mr. Franks, Mr. Gaffney, Mr. Ramey. Please take the record. On this question, there are 94 voting 'yes', 21 voting 'no'. And the Resolution is adopted. Mr. Clerk, Agreed Resolutions. Don't get too excited, we're not adjourning yet."

Clerk Bolin: "Agreed Resolutions. House Resolution 566, offered by Representative D'Amico. House Resolution 567, offered by Representative D'Amico. House Resolution 568, offered by Representative Dunkin. House Resolution 569, offered by Representative Reboletti. House Resolution 571, offered by Representative Tryon. House Resolution 572, offered by Representative Lang. House Resolution 573, offered by Representative Hernandez. House Resolution 574, offered by Representative Lilly. House Resolution 575, offered by Representative Mathias. House Resolution 576, offered by Representative Currie. House Resolution 577, offered by Representative Connelly. And House Resolution 578, offered by Representative Sacia."

Speaker Lang: "You've heard the Agreed Resolutions, Representative Lyons moves for the adoption of the Agreed Resolutions. Those in favor say 'yes'; opposed 'no'. The 'ayes' have it. And the Agreed Resolutions are adopted. Chair recognizes Representative du Buclet."

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du Buclet: "Thank you, Mr. Chairman. I'd like to amend my vote for House Bill 691 from a 'no' vote to a 'yes' vote, please."

Speaker Lang: "The record will reflect your intentions. Thank you, Representative. Mr. Ford, for what reason do you rise, Sir?"

Ford: "Thank you, Mr. Speaker. I rise in order of point of personal privilege."

Speaker Lang: "State your point."

Ford: "I would like the Body to join me in congratulating... Representative Howard reminded us all that we have a new Democrat. And that is the Black Caucus Leader Will Davis, has a new baby girl, Jana that was born 7lbs. 7oz. on the 10th of... of October and he has pictures and he will even vote for your Bill if you tell him how cute his baby is. So, I've already told him how cute..."

Speaker Lang: "Well, congratulations, Representative. And that is the cutest baby I have ever seen."

Clerk Bolin: "Attention, Members. Members should return to the chamber, Members should return to the chamber. The House will reconvene soon."

Speaker Lang: "On the Order of Supplemental Calendar #3, there appears Senate Bill 1652. On that order, Mr. McCarthy for a Motion."

McCarthy: "Thank you, Mr. Speaker. I make a Motion to override the Total Veto of the Governor on Senate Bill 1652."

Speaker Lang: "Representative McCarthy, moves that the House Bill... Senate Bill 1652 'do pass' notwithstanding the Veto of the Governor. There being no debate, those into this

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will require 71 votes. Those in favor of the Gentleman's Motion vote 'yes'; those opposed vote 'no'. The voting is open. Have all voted who wish? Record yourselves, Members. Have all voted who wish? Mr. Brauer, Mr. Brauer. Mr. Clerk, please take the record. On this question, there are 74 voting 'yes' and 42 voting 'no'. The Motion, having received the Supermajority vote, Senate Bill 1652 is hereby declared passed, not withstanding the Veto of the Governor. Mr. Clerk, committee announcements."

Clerk Bolin: "The following committees will meet immediately upon adjournment: Personnel & Pensions in Room 115, Insurance in Room 114, and Human Services in Room D-1. One committee will meet one-half hour following adjournment. Elementary & Secondary Education will meet in Room 114. That's one-half hour following adjournment."

Speaker Lang: "And now, leaving perfunctory time for the Clerk, Representative Lyons moves that the House stand adjourned 'til October 27, 2011 at 9:30 a.m. Those in favor say 'aye'; opposed 'no'. The 'ayes have it. And the Motion is adopted and the House stands adjourned 'til 9:30 a.m."

Clerk Bolin: "The House Perfunctory Session... House Perfunctory Session will come to order. Committee Reports. Representative Currie, Chairperson from the Committee on Rules reports the following committee action taken on October 26, 2011: recommends be adopted Floor Amendment #2 to Senate Bill 50 and Floor Amendment #1 to Senate Bill 1701. Representative McCarthy, Chairperson from the Committee on Personal & Pensions, to which the following measures were referred, action taken on October 26, 2011,

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reported the same back with the following the recommendations: recommends be adopted Floor Amendment #4 to House Bill 3813. Representative Chapa LaVia, Chairperson from the Committee on Elementary & Secondary Education, to which the following measures referred, action taken on October 26, 2011, reported the same back with the following recommendations: recommends be adopted Floor Amendment #2 to House Bill 606. Representative Harris, Chairperson from the Committee on Human Services, to which the following measures were referred, action taken on October 26, 2011, reported the same back with the following recommendations: recommends be adopted Floor Amendment #3 to Senate Bill 769. Representative Davis... Representative Monique Davis, Chairperson from the Committee on Insurance, to which the following measures were referred, action taken on October 26, 2011, reported the same back with the following recommendations: recommends be adopted Floor Amendment #1 to house Bill 355. Second Reading of House Bills. House Bill 500, a Bill for an Act concerning revenue. Second Reading of this House Bill. First Reading of Senate Bills. Senate Bill 634, offered by Representative McCarthy, a Bill for an Act concerning education. First Reading of this Senate Bill. There being no further business, the House Perfunctory Session will stand adjourned."