

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

133rd Legislative Day

5/9/2012

Clerk Hollman: "House Perfunctory Session will come to order. Committee Reports. Representative Barbara Flynn Currie, Chairperson from the Committee on Rules reports the following committee action taken on May 09, 2012: recommends be adopted, refer to the floor is Floor Amendment #7 to House Bill 3859, and Floor Amendment #9 to Senate Bill 1313."

Speaker Lang: "The House will be in order. Members will be in their chairs. We shall be led in prayer today by Father Thomas Moran, who is with the Our Lady of the Brook in Northbrook, Illinois. Father Moran is the guest of Representative May. Members and guests are asked to refrain from starting their laptops, turn off all cell phones and pagers, and rise for the invocation and Pledge of Allegiance. Father Moran."

Father Moran: "Blessed are You, Lord God, known by many names. Through Your goodness, we have been given the natural resources of our state. Blessed are You, Lord God, Lord of compassion. Through Your goodness, we have been given talents to serve You and the ability to aid one another. Blessed are You, Lord God, giver of all that is good. We come before You to ask Your blessing upon the Members of this assembly. Let them see and appreciate the talents and human resources of all who reside in our state. Let them learn from the shared wisdom of their colleagues in this House. Let them grow in the arts of governance and lawmaking. Grant them clear knowledge and und.. and understanding of the needs of the citizens of Illinois so they may act for the common good. Grant them strength and

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resolve to act a part from and above partisan concerns so that they may show the integrity of this House. Grant them compassion so they may act to alleviate the plight of the poor, and those who stand in need of society's support. Grant them the wisdom to recognize the priorities among the many issues that will come before them, so they may enrich the lives of all who dwell in our state, Amen."

Speaker Lang: "We should be led in the Pledge today by the entire Republican side of the aisle."

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

Speaker Lang: "Good work. Roll Call for Attendance. Leader Currie."

Currie: "Thank you... thank you, Speaker. Please let the record show that there's not a single excused absence among House Democrats today."

Speaker Lang: "Leader Bost."

Bost: "Thank you, Mr... Mr. Speaker. If you would, let the record reflect that my seatmate, Jim Durkin, is excused today."

Speaker Lang: "Mr... Mr. Clerk, please take the record. There are 117 Members present, and we do have a quorum. Mr. Clerk."

Clerk Hollman: "Committee Reports. Representative Dugan, Chairperson from the Committee on Agriculture & Conservation reports the following committee action taken on May 08, 2012: do pass as amended Short Debate is Senate Bill 3184. Representative Nekritz, Chairperson from the Committee on Judiciary I-Civil Law reports the following

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committee action taken on May 08, 2012: do pass Short Debate is Senate Bill 3204, Senate Bill 3810; recommends be adopted is Floor Amendment #1 to Senate Bill 3594. Representative Dunkin, Chairperson from the Committee on Tourism & Conventions reports the following committee action taken on May 08, 2012: do pass as amended Short Debate is Senate Bill 3631. Representative Jakobsson, Chairperson from the Committee on Higher Education reports the following committee action taken on May 08, 2012: recommends be adopted is Floor Amendment #6 to Senate Bill 1967. Representative Chapa LaVia, Chairperson from the Committee on Elementary & Secondary Education reports the following committee action taken on May 09, 2012: recommends be adopted as amended is House Joint Resolution 79. Representative Bradley, Chairperson from the Committee on Revenue & Finance reports the following committee action taken on May 09, 2012: do pass as amended Short Debate is Senate Bill 3619; recommends be adopted is Floor Amendment 33 to House Bill 4239. Introduction of Resolutions. House Resolution 1032, offered by Representative Senger, is reported to the Rules Committee."

Speaker Lang: "The Chair recognizes Representative Osmond."

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

Speaker Lang: "Please state your point."

Osmond: "Today, the Illinois Department of Transportation 2012 Work Zone Safety Calendar Contest was... the members were here, the top 12 finalists. And just to recall what this program is, a total of 94 schools submitted 526 drawings for this contest, and over 3450 students participated in

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the statewide contest. I'm very happy to announce that I have in the gallery today, Angela Kunkel, and her parents, Christopher and Crystal, and her daughter, Shea. Angela was one of the 12 finalists and got an award presentation today of honorable mention. Angela is right up here. Please give her a welcome."

Speaker Lang: "Thank you for joining us today. Welcome to Springfield. The Chair recognizes Representative Jerry Mitchell. Mr. Clerk, House Resolution 629."

Clerk Bolin: "House Resolution 629, offered by Representative Jerry Mitchell. Therefore, be it

RESOLVED, BY THE HOUSE OF REPRESENTATIVES OF THE NINETY-SEVENTH GENERAL ASSEMBLY OF THE STATE OF ILLINOIS, that we congratulate the Sterling All Stars on their outstanding season and on winning the title of World Series Champions; and be it further

RESOLVED, That a suitable copy of this resolution be presented to the players and coaches of the Sterling All Stars as a symbol of our respect and esteem."

Speaker Lang: "Mr. Mitchell."

Mitchell, J.: "Thank you, Mr. Speaker. Ladies and Gentlemen of the House, in the Speaker's Gallery just in front of you, you'll find the World Champion Sterling All Stars. These young ladies competed last summer for the championship in Little League World Series and brought back the World Championship to Sterling, Illinois. We're extremely proud of them. We've had the opportunity here to... to see the World Series Championship Trophy once by the White Sox and twice by the Cardinals since I've been down here, but I'm

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just as proud of these young ladies and what they've accomplished on the field of play for Sterling, Illinois. In their final game, they were down to Waco, Texas, by three runs. They came back and scored seven runs in the third inning, and finished out that game 7-5. Members that I have... I may not have all their names, I hope I do. They are Cheyenne Harrington, Emily Berogan, Kylie Burkett, Nadia Trujillo, Hannah Escamilla, Abrianna Hale, Alexis Staples, and Mya Pearson. Their coaches are Eric Staples, Ed Long, and Pete Trujillo. Please join me in giving a warm, Springfield welcome and hand to the Sterling All Stars."

Speaker Lang: "Congratulations, ladies. Big accomplishment. Mr. Riley."

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

Speaker Lang: "Please proceed, Sir."

Riley: "Thank you. You know, I'm glad my colleague mentioned the annual Illinois Work Zone Safety Calendar Contest award. A young man from my district, a fourth grader from Mohawk Intermediate School, John Hatcher, actually came in first place. So, I'd like congratulate my young person from Park Forrest, he's from. So, give him a round of applause."

Speaker Lang: "Congratulations. Representative May."

May: "Thank you, Speaker. I would like to welcome a wonderful company from Illinois, Frontier Communications. They're behind me, if they would stand now. Representative Dan Brady is also welcoming him. They are based in Bloomington. They are a fabulous success story of an Illinois business."

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They have invested \$70 million in capital this last year, out of a total of 167 million investments over three years. This year they added 100 towns in rural and central Illinois to add bro... broadbands to the citizens of the state. We have 10 of their leaders from around this state here. And even more good news, they were recently named a Fortune 500 Company. So, from Representative Brady, from their hometown, from me, from Telecommunications Committee, let's welcome and thank you for being such a good corporate citizen, Frontier Communications."

Speaker Lang: "Welcome to Springfield. Thank you for your investment in Illinois. The Chair recognizes Monique Davis."

Davis, M.: "Thank you, Mr. Speaker. I'd like this opportunity to read a Resolution to some of our guests who are in the gallery.

WHEREAS, Illinois State Representative Monique Davis and the members of the Illinois House of Representatives recognize that Mother's Day is celebrated nationally on Sunday, May 13, 2012; and

WHEREAS, Every mother wants her child to succeed; and

WHEREAS, A child's parents are the foremost authority in the needs of the child; and

WHEREAS, Every day, mothers and grandmothers stand up for the rights of their children and advocate for their needs; and

WHEREAS, Many of these parents and grandparents come to Springfield to advocate on behalf of legislation that supports their children's rights; therefore, be it

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RESOLVED, Mr. Speaker, BY THE HOUSE OF REPRESENTATIVES OF THE NINETY-SEVENTH GENERAL ASSEMBLY OF THE STATE OF ILLINOIS, that we designate Wednesday, May 9, 2012 as "Moms on a Mission Day" in the State of Illinois to honor mothers, grandmothers, and their families who stand up for children's rights; and be it further

RESOLVED, That we welcome the mothers and grandmothers present at the Illinois State Capitol on May 9, 2012, particularly those who are here for the first time, to join us in our efforts. Won't you stand and welcome our parents in the gallery. Thank you very much, Moms On A Mission."

Speaker Lang: "Thank you, Representative. Thank you, ladies in the gallery. We appreciate your attendance. The Chair recognizes Representative Flowers."

Flowers: "Thank you, Mr. Speaker. I'm one of the grandmothers that Representative Davis was talking about, and today is my granddaughter's birthday, and she's one-year-old. So, would you please join me in wishing my granddaughter, Madison Jolie Perry, a happy birthday. Thank you."

Speaker Lang: "Thank you, Representative. On page 4 of the Calendar, under the Order of House Bills-Third Reading, appears House Bill 5073, Mr. Phelps. Please read the Bill."

Clerk Hollman: "House Bill 5073, a Bill for an Act concerning the Secretary of State. Third Reading of this House Bill."

Speaker Lang: "Mr. Phelps."

Phelps: "Thank you, Mr. Speaker, Ladies and Gentlemen of the House. House Bill 5073 is initiative of the Secretary of State's Office. It's all clean up provisions. There is one new provision for... they're going to waive fees for I.D.

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cards, driver's license, and registrations for victims of a natural disaster. So, we'd appreciate an 'aye' vote."

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

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

Speaker Lang: "The Gentleman yields."

Reboletti: "Representative, are there any new fees in this Bill?"

Phelps: "There is. There is a fee of \$6. It's for the... it's a \$19 fee. They're going to move up a charge for \$25 for penalty on returned checks. But it's only \$6 and it's standardizes their \$25 fees across the board."

Reboletti: "And... and how would the... waiver of fees work in a disaster area? Something that happened down in Harrisburg, how would that work for your..."

Phelps: "So, if... if..."

Reboletti: "...constituents?"

Phelps: "Yes. So, if... say the tornado came like it did in Harrisburg and they lost their I.D., they could go to the Secretary of State's Office right there, or a surrounding one... office and they would waive their fees for a new I.D. and new driver's license."

Reboletti: "Thank you very much."

Phelps: "Thank you."

Speaker Lang: "Mr. Kay."

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

Speaker Lang: "The Gentleman yields."

Kay: "Representative, I see that the Secretary of State can cancel CDL licenses. Is that correct?"

Phelps: "Yes."



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Kay: "Are we talking about cancelations for reasons that would exceed the reasons that are cited in DOT 392?"

Phelps: "No, Sir."

Kay: "So, what reasons would they consist of then?"

Phelps: "Representative Kay, we're trying to get that information to you. Hang on."

Kay: "Okay. Thank you."

Speaker Lang: "Mr. Rose."

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

Speaker Lang: "The Gentleman yields."

Rose: "Representative Phelps, thank you for carrying this Bill, but I do have a couple good questions. First resolves around the... there's something in our analysis about cleaning up language for backseat belts. What does that do in regarding backseat belts?"

Phelps: "Backseat passengers will have to wear seatbelt with the enactment of this. All backseat passengers have to wear seatbelts regardless of the age of the driver. So, this language became unnecessary."

Rose: "Okay. And then, the other question I had revolves around the... allowing the use of prior criminal history at a suspension revocation hearing. Is that limited to just driving related prior criminal history, or is it any prior criminal history? Because I have a... I'm not sure why you'd care that when somebody was 18, you know, they got a... a trespassing ticket, why that would be relevant on whether they can drive a car when they're 45."

Phelps: "We tried again to voluntary disclose that, but it would be... it would be prior."

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Rose: "All prior criminal history."

Phelps: "All prior."

Rose: "Is there any way to res... is this here on Concurrence? No, it's not. Is there a way, Representative Phelps, to work to restrict that in the... in the... in the Senate to just traffic related prior history?"

Phelps: "Yes. We will do that."

Rose: "'Cause I... I mean, that would make sense."

Phelps: "Absolutely. Absolutely."

Rose: "Okay. Very good. Thank you, Mr. Speaker."

Speaker Lang: "Mr. Bost."

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

Speaker Lang: "The Sponsor yields."

Bost: "Representative, I notice that in there it... it actually eliminates a need of parental consent for obtaining a driver's license. Can you explain why that would... what would be necessary. I understand what we're trying to do, and I... I'm going to support the Bill. I'm... I'm just a little concerned about, you know, if all of a sudden we make a decision that we're not..."

Phelps: "Yeah. Representative Bost, that's by a court order. It would be and emancipated by the court order."

Bost: "All right. Thank you very much."

Speaker Lang: "Mr. Phelps to close."

Phelps: "Just ask for 'aye' vote."

Speaker Lang: "The Gentleman's moved for the passage of House Bill 5073. You... your point is well-taken. Mr. Kay had asked a question previously. Do we have his answer, Mr. Phelps?"

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Phelps: "Can you repeat the question, Representative Kay, again?"

Kay: "Yes, Representative. I'm curious about what additional reasons would eliminate or allow the Secretary of State to eliminate or rescind a CDL license from a driver, other than the reasons that are cited in 382 of Title 49."

Phelps: "Believe they would only be complied with the Federal Law, with the driver's medical certificate, and rescinded by the FMCSA, Representative Kay."

Kay: "Well, Representative, I'm still not clear. Are we... are we... are we trying to accomplish the very same things that the DOT statutes spell out, or some things additional?"

Phelps: "I gue... it's the same thing as what they've been doing with the Federal Law. You... we're going to give an opportunity to... to the driver to downgrade their DL before they cancel their CDL. So, actually, we think that's going to help..."

Kay: "Well, let me give you..."

Phelps: "...a person with a C..."

Kay: "Okay. Let me just say a couple of examples here. Supposing someone is a diabetic. May they drive?"

Phelps: "Yes."

Kay: "Okay. With regard to you question from Representative Rose, did I understand that we're doing no criminal background checks?"

Phelps: "Yeah. We do criminal background checks, Representative Kay."

Kay: "How far back would you go, Representative?"

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Phelps: "Right when they receive their license, Representative Kay."

Kay: "Back... back to the start of their driving..."

Phelps: "Yes."

Kay: "...privileges?"

Phelps: "Yes."

Kay: "Okay. Thank you, Representative."

Phelps: "Thank you, Representative."

Speaker Lang: "Those in favor of the... not quite yet. Representative Kosel."

Kosel: "Thank you. Would the speaker yield for a question, please? And I appreciate your indulgence, even though the... he has presented his closing."

Speaker Lang: "The Sponsor yields."

Kosel: "In reading your analysis, while we were waiting, I saw that this... and this may not be in the Bill anymore... this would take away a parents' right to... the parents' ability to give permission for a driver's license now for someone who is under 18? It's what our analysis says."

Phelps: "Only if their emancipated by the court, Representative Kosel."

Kosel: "Okay. Thank you..."

Phelps: "Thank you."

Kosel: "...for clearing that up. I really appreciate it."

Phelps: "Yeah. Thanks for the question."

Speaker Lang: "Those in favor of the Bill, shall vote 'yes'; opposed 'no'. The voting is open. Have all voted who wish? Have all voted who wish? Representatives Chapa LaVia, Feigenholtz. Please take the record. On this question,

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there are 116 voting 'yes', 1 voting 'no'. And this Bill, having received the Constitutional Majority, is hereby declared passed. On page 15 of the Calendar, under the Order of Concurrence, appears House Bill 3129, Representative Senger. Representative Senger."

Senger: "Thank you, Mr. Speaker. House Bill 3129 is a Bill that is, basically, correcting an error that was made when we extended the E911 fund that is... pays for emergency centers. What has happened here is that we found out we needed to separate two funds, and we also had to change the way we were collecting it for Chicago. So, again, this is a Bill that corrects something that was overlooked, and I ask for your support."

Speaker Lang: "The Lady moves that the House concur in Senate Amendments 2 and 3 to House Bill 3129. The Chair recognizes Representative Monique Davis."

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

Speaker Lang: "The Lady yields."

Davis, M.: "Representative, exactly what were those changes that we're going to concur to?"

Senger: "The specific changes had to do with one part of it that basically took the money and set it up in the Treasurer's Office for payment to Chicago. This is something Chicago wants. And the other piece had to do with how the money was coming in and what category it was being put in."

Davis, M.: "So..."

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Senger: "This is... this is... this had to be made in order for Chicago to be paid..."

Davis, M.: "It had to be what?"

Senger: "...their E91 (sic-E911). These changes had to be made in order for Chicago to receive their E91 (sic-E911) funding."

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

Speaker Lang: "Those in favor of the Lady's Motion will vote 'yes'; opposed 'no'. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Representative Cassidy, Mussman, Turner. Please take the record. On this question, there are 116 voting 'yes', 1 voting 'no'. And the House does concur in Senate Amendments #2 and 3 to House Bill 3129. And this Bill, having received the Constitutional Majority, is hereby declared passed. Mr. Clerk, please read House Resolution 977. Representative Saviano."

Clerk Bolin: "House Resolution 977, offered by Representative Saviano."

RESOLVED, BY THE HOUSE OF REPRESENTATIVES OF THE NINETY-SEVENTH GENERAL ASSEMBLY OF THE STATE OF ILLINOIS, that we congratulate Lieutenant/EMT Robert Beuse and Firefighter/Paramedic Tommy Thomson on the occasion of being awarded the Medal of Valor and wish them continued success and happiness in the future; and be it further

RESOLVED, That suitable copies of this resolution be presented to Robert Beuse and Tommy Thomson as a symbol of our esteem and respect."

Speaker Lang: "Mr. Saviano."

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Saviano: "Thank... thank you, Mr. Speaker. If we could have a little order in the chamber. Folks, I... we... we take sometimes our fire service for granted and... and I just want to highlight a couple of my courageous firefighters from my district. On April 27, at around 10:12 in the morning, Lieutenant/EMT, Robert Beuse, and Firefighter/Paramedic, Tommy Thomson were northbound on Rose Street in ambulance 2 when they noticed what appeared to be smoke coming from behind a 12-unit multifamily building. Even though the addressed building is actually Schiller Park, just one block north of the Franklin Park city... city limits, they continued to investigate. Upon arrival, they found heavy smoke and fire coming from a garden apartment window. As they pulled up to the building, Lieutenant Beuse immediately notified our com center reported the fire conditions. Once they donned their gear, they began alerting and evacuating the residents of the building. While the evacuation was in progress, the tenants stated that they heard someone yelling for help. Lieutenant Beuse and Firefighter/Paramedic Thomson forced entry into the apartment that was now fully involved and rescued a resident that was wrapped in a blanket and lying on the living room floor. They carried the victim from the garden apartment to the outside. The rescued victim was then transported to a local hospital where he was later released. All residents were accounted for once the fire was extinguished. This is something that, again, we don't always highlight in our... in our respective districts. But I thought on this occasion, it was a privilege and honor for

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me to bring this to the attention of full Body. And tonight... today, I have Lieutenant/EMT Robert Beuse and Firefighter/Paramedic Tommy Thomson with us, right above me, if we could give them a round of applause."

Speaker Lang: "Thank you for being here, and congratulations on your very well deserved recognition. Mr. Reboletti. Are... are you speaking on this..."

Reboletti: "No."

Speaker Lang: "...Resolution, Sir? All right. I'll get right back to you."

Reboletti: "Okay."

Speaker Lang: "Mr. Saviano moves for the adoption of the Resolution. Those in favor say 'yes'; opposed 'no'. The 'ayes' have it. And the Resolution is adopted. Mr. Reboletti."

Reboletti: "Thank you, Mr. Speaker. I rise on a Point of Order, and I... it's always nice to see you in the Chair. You haven't been there for a while. So, I wanted to do a special Motion to discharge because you're there. So, under House Rule 18(g), I move for the discharge of Senate Bill 3688 from the House Rules Committee. Under House Rule 54(a)(2), all Motions are assigned Standard Debate status, and I wish to debate my Motion. Upon conclusion of... of this... this debate, I ask for a recorded vote on the Motion to Discharge, and under Rule 49, in Article IV, Section 8(c) of the Illinois Constitution, any vote shall be a recorded vote whenever five Representatives shall so request. There are five Members on my side that wish for a



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recorded vote on the Motion to Discharge Senate Bill 3688 from the House Rules Committee."

Speaker Lang: "Mr. Reboletti, the Chair declares your Motion out of order. Under the House Rules, it requires a signature of three-fifths of each side of the aisle. Your Motion is out of order. Mr. Brown."

Brown: "Point of Order, Mr. Speaker."

Speaker Lang: "State you point, Sir."

Brown: "I rise in strong support of the Motion to Discharge Senate Bill 3688..."

Speaker Lang: "Mr. Brown..."

Brown: "...from the Rules Committee..."

Speaker Lang: "...I've already declared..."

Brown: "...so that the House..."

Speaker Lang: "...this out of order."

Brown: "...can pass the Bill on to the Governor for his signature. These enterprise zones are a great economic development tool that will create and retain jobs here in Illinois. Between 1984 and 2011, the zones created 350 thousand jobs, and retained well over half a million jobs in Illinois. Unfortunately, without action by the General Assembly today, Illinois's 97 existing enterprise zones will begin to expire next year. In fact, in my home county, Decatur... Macon County enterprise zone is set to expire in July of 2013. Today, we have the opportunity to act on legislation that will keep our enterprise zones working to protect Illinois jobs, and even the playing field with surrounding states. Senate Bill 3688 would extend the lives of Illinois's enterprise zones for an additional 25 years.

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Senate Bill 3688 passed the Illinois Senate unanimously last month, and I urge a vote on it today. Bring it out of House Rules Committee so that the chamber can vote on this Motion. Thank you, Mr. Speaker."

Speaker Lang: "Representative Roth."

Roth: "Thank you, Speaker. I rise on a point of personal privilege."

Speaker Lang: "Please state your point."

Roth: "I also rise in support of a Motion to Discharge Senate Bill 3688 out of Rules Committee. Illinois's economy has suffered as a result of the recent recession and from the tax increase last year. The Governor, last year, projected over \$2 billion more than where we are going to end up this year. A recent ranking of the state business climate by the Chief Executive magazine ranked Illinois as a dismal 48th out of 50 states. Even worse, our ranking has dropped 40 spots in 5 years. Our reputation went from one of the best businesses... business climates to one of the worst in just a few years. We need to do everything possible to help improve our business climate and create good paying jobs in Illinois's working... for Illinois working families. Enterprise Zones are critical to the creation and retention of Illinois jobs. It is actually, in my opinion, one of the few things we have going for us in Illinois. It helps my district tremendously. The Senate's already taken action to extend the lives of our enterprise zones, and the House needs to follow suit. I urge everyone in this Body to support our Motion to Discharge Senate Bill 3688 from Rules. We must pass this important Energi... enterprise zone

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extension legislation if we want to stop the death spiral of jobs leaving Illinois. Thank you, Mr. Speaker."

Speaker Lang: "Mr. Unes."

Unes: "Thank you, Mr. Speaker. Mr. Speaker, if it... if it seems like avoiding to place hundreds of thousands of Illinois jobs at risk, at a time when we have nearly double-digit unemployment, is a no-brainer; that's because it is. Enterprise Zones work. This is something that we are doing right in our state. The proof is in the pudding. It is working, and these zones begin to expire next year. In East Peoria alone... Mr. Speaker, in East Peoria alone, Caterpillar invested more than \$400 million in modernization that will keep hundreds of jobs competitive. There's no doubt that the location of this facility in the enterprise zone was a factor in their decision. This Bill has vast bipartisan support. It passed unanimously in the Senate. Mr. Speaker, I ask why can't we have an up or down vote on this Bill?"

Speaker Lang: "Mr. Kay."

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

Speaker Lang: "Please proceed, Sir."

Kay: "I... I can't be half as elegant... eloquent as the person that just spoke, but let me just say this. It seems to me like there's an old saying that procrastination is opportunity's natural assassin and I wish we'd start recognizing that, with all due respect to the Chair. Thank you."

Speaker Lang: "Mr. Reboletti."

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

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Speaker Lang: "Your point, Sir."

Reboletti: "You're saying that my Motion was out of order."

Speaker Lang: "Your Motion was out of order, Sir."

Reboletti: "I believe that that's a violation of my Constitutional rights and my rights as a Member of this House, and I would appeal the ruling of the Chair under House Rule 57(a), and I do ask for a recorded vote."

Speaker Lang: "Sir, this ruling is not appealable. The rule states clearly that you need a three-fifths signature from each side of the aisle to discharge. You do not have that and, therefore, your..."

Reboletti: "So, I have no due process..."

Speaker Lang: "...Motion is out of order."

Reboletti: "...on this floor, Mr. Speaker?"

Speaker Lang: "Why don't we proceed..."

Reboletti: "I don't even get an objection from the Lady..."

Speaker Lang: "...to the order of business, Sir."

Reboletti: "...from Hyde Park any longer?"

Speaker Lang: "Sir..."

Reboletti: "Now, you just rule the Motion out of order?"

Speaker Lang: "Sir, when you made your Motion, you cited three or four different House Rules, but the House Rule that applies is the one you did not read, and your Motion is out of order. Mr. Bost."

Bost: "Thank you, Mr. Speaker. On a point of personal privilege."

Speaker Lang: "State your point, Sir."

Bost: "My point is this, it can happen to you. Watch it. Look what just happened again. Under these rules... oh, sit there

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quietly. Sit there quietly. Under these rules that you blindly voted for, each of us as individual Members have had power taken away. At a time when we are in a crisis, as far as the state is concerned, budgetarily, as far as all of the issues that are out here that concern your constituents, you quietly sit there. You quietly sit there and you allow this to happen. Answer to your constituents. Ask them. Go ahead. Go... go and talk to them. Find out how they feel about the fact that you've got to sit there and follow... follow this rules that were put in place. Rules that... that they could even appeal in court. But no, you're going to sit there quietly, not stand up with us, and finally take charge. This Body is supposed to have 118 Representatives, not 1, 118. Do your job."

Speaker Lang: "On page 4 of the Calendar, under the Order of Senate Bills-Third Reading... Ladies and Gentlemen, we're going to proceed through these Bills for a while. Senate Bills-Third Reading, if you have a Bill on page 4 or 5, particularly, please be ready to proceed. The first one is Senate Bill 174, Representative Gabel. Please read the Bill."

Clerk Hollman: "Senate Bill 174, a Bill for an Act concerning government. Third Reading of this Senate Bill."

Speaker Lang: "Representative Gabel."

Gabel: "Thank you, Mr. Speaker. This Bill just changes the... the date for when the next state health improvement plan will be due. It gives us an extra couple years so that the previous plan can actually be implemented. Thank you. I'd appreciate an 'aye' vote."

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Speaker Lang: "The Lady moves for the passage of the Bill. There being no debate, those in favor vote 'yes'; opposed 'no'. The voting is open. Have all voted who wish? Have all voted who wish? Representative Hernandez. Please take the record. On this question, there are 117 voting 'yes', 0 voting 'no'. And this Bill, having received the Constitutional Majority, is hereby declared passed. Senate Bill 638, Mr. Biss. Please read the Bill."

Clerk Hollman: "Senate Bill 638, a Bill for an Act concerning education. Third Reading of this Senate Bill."

Speaker Lang: "Mr. Biss."

Biss: "Thank you, Mr. Speaker and Members of the General Assembly. This Bill makes a fairly technical fix regarding the alternative certification programs that the State of Illinois has for teachers. Specifically, we put in place a reform about a year ago that essentially shut down those existing programs so that they could be recertified under a new umbrella. The rule-making process for that new umbrella has been a bit slow and so under current statute, there would be a year-long period during which none of these programs could exist. Nobody wants that and so, what we've done is pushed back the sunset by one year until the rulemaking process is over. I know of no opposition, and I urge an 'aye' vote."

Speaker Lang: "The Gentleman moves for the passage of the Bill. There being no debate, those in favor vote 'yes'; opposed 'no'. The voting is open. Have all voted who wish? Have all voted who wish? Leader Currie and Mr. Fortner. Mr. Fortner. Please take the record. On this question, there are 117

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voting 'yes', 0 voting 'no'. And this Bill, having received the Constitutional Majority, is hereby declared passed. Senate Bill 639, Mr. Beiser. Please read the Bill."

Clerk Hollman: "Senate Bill 639, a Bill for an Act concerning education. Third Reading of this Senate Bill."

Speaker Lang: "Mr. Beiser."

Beiser: "Thank you, Mr. Speaker and Members of the House. Senate Bill 639 is an initiative of Landmarks Illinois, and it adds rehabilitation of aging buildings and rehabilitation of school buildings that are severe health and life safety answers... hazards to the statute."

Speaker Lang: "The Gentleman's moved for the passage on the Bill. And on that question, the Chair recognizes Mr. Reboletti."

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

Speaker Lang: "The Sponsor yields."

Reboletti: "Representative, what is Landmarks Illinois?"

Beiser: "Landmarks of Illinois is... their primary mission, as I would understand it, would be to look for historic buildings in Illinois that they would deem to be... need to be preserved."

Reboletti: "And... and this talks about a list of projects that are going to be prioritized. Is that... is there already a list, or are there just a group of... of buildings that need to be addressed, and those will be prioritized some other time?"

Beiser: "This would not alter a list. This is for the School Construction Law. And what the Landmarks is saying is rather than if a... if a building is deemed to be... have a

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health life safety hazard, rather than to be... replace it, there may very well be instances that rehabilitating that building may be in the best interest of the... of the local government and the local school district to rehabilitate it rather than, right now, they're only allowed to construct new buildings."

Reboletti: "Is this go back to the list of schools from the Capitol Construction from back in 2003? Would this include some of those?"

Beiser: "This would not change that list. This would be moving forward."

Reboletti: "Is there any fiscal impact on the state?"

Beiser: "I've... I've not been made aware of that."

Reboletti: "Thank you."

Speaker Lang: "Mr. Kay."

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

Speaker Lang: "The Sponsor yields."

Kay: "Thank you. Representative, can you tell me how the... the funding of these projects would take place?"

Beiser: "The funding... just like the normal school construction list is it... it's... it's established by the Capital Development Board now. It... it's... they're analyzed on their own merits. They're prioritized."

Kay: "Mr. Speaker, I'm sorry, I can't hear the Representative."

Speaker Lang: "Ladies and Gentlemen, Mr. Kay makes a good point. It's very noisy in here. Could we hold the noise down and let the Gentlemen have their conversation. Please proceed."



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Beiser: "Yes, if... if I understand your question, Representative Kay, this would not, as... as I understand the school construction list right now. Needs are put in to the Capital Development Board. The lists are analyzed on their own merits. They are prioritized, much like to the lists of Representative Reboletti alluded to. We had a... I know I had a school on that list. Right now, the... this would simply add they can rehabilitate an... an existing building, as opposed to, the only thing they could do is... is construct a new building. What we trying to say is, and I know we, in the City of Alton, not related to school, but through the city hall building, they analyzed replacement versus rehabilitation, and it was their determination that rehabilitating the current building would be a better value for the taxpayers because it would have a longer, useful life."

Kay: "Would... at any point in time, to finance this building, would it impose an occupational sales tax of one percent?"

Beiser: "This does not address that."

Kay: "It's not about that?"

Beiser: "No."

Kay: "Would the ROE's within the various districts oversee this construction?"

Beiser: "Would they oversee this?"

Kay: "Yes."

Beiser: "As I understand it, no. This... this does nothing other than add the rehabilitation to the... the ability to consider when you're asking for a new build... or, you know, a newer

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or replacement... or, new or a rehabilitation of an existing building."

Kay: "Thank you, Representative."

Speaker Lang: "Representative Kosel."

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

Speaker Lang: "The Gentleman yields."

Kosel: "In my reading of this Bill, it would seem to me that once a school district got this historic designation then it would move them up on the list. Is that true?"

Beiser: "In committee, we were asked about the list and I... it... that... I was told that it would not, but... that's the answer..."

Kosel: "It... it does appear that it moves them up on the list. So, once you have a school designated as a historical site, then it moves it up on the list ahead of other schools. The School Construction Grant Program has been one of the most fairly administered programs around, and I would not be willing to look at anything that would change that program. It's worked well for years and should continue. Can you tell me, would you have a school in your district that would be eligible for this?"

Beiser: "Do I have a school district in my building that... do I have a school in my district that would benefit from this? Is that what your..."

Kosel: "Yes, that's my question."

Beiser: "I've not been told that. No, I... not to my knowledge."

Kosel: "Do you have ones that would be... have historic building site in them?"

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Beiser: "None... none have been designated historic buildings that I'm aware of."

Kosel: "Thank you."

Speaker Lang: "Mr. Bost."

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

Speaker Lang: "Sponsor will yield."

Bost: "Representative, and... and I know your intentions are good here, but what I'm trying to figure out is each one of us pick up Bills and decide to carry them for different reasons. Who came to you with this Bill?"

Beiser: "This Bill was brought to me by Landmarks, but it... it..."

Bost: "But... but what is... what is the advan... there's got to be an advantage or a reason why they... they are pushing for this. What would that be?"

Beiser: "Their description to me... they did not ask for any ability to designate a building historic, therefore, moving up the list. That's not... was never brought to my attention nor, as I see it in our analysis, doesn't do that. What their intention was to say rehabilitation should be also one of the standards that they use when establishing whether to... to reconstruct and rehabilitate versus build new. Because, as they described to me in... in... is that if you build a new building, it may have a useful life of 40 years, as determined by the experts. Okay. And I'm not one of those experts. But when you rehabilitate a... a existing building, that useful life may be longer than, for less money or similar money, and that it was best... would better

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do that. And that's exactly what happened in the City of Alton."

Bost: "I... I understand that. But I was around here when we... when we crafted the law that put the pecking order in place of who would receive funds and when, and what those criteria are, and... and we almost... and I know this... this place is subject to change; that's what we do every day. But unfortunately, when we put that in place, we wanted to make sure that if a person... if a school district was in need and met the certain criteria, they were put on the list and then when the money became available that they were funded. Excuse me, but... but, I'd have to think that any tweaking we do endangers those of us who have been... have buildings on that list, who have school districts that are in need. And... and it's not against you, but it's... it is against the Bill as itself that I am concerned of the danger that can be moved forward that maybe some of those that... excuse me, are in my district might be dropped further down on the list, or not be able to get on the list. And I'm concerned for our colleagues when we spent so much time working on the language in the first place to make sure we were all in agreement, and now to come forward with something like this, I'm very concerned about it. What... what is... what..."

Beiser: "I... I guess... I guess, as I look at it, and maybe it's being viewed differently, obviously, we're simply adding another criteria for the locals to decide whether they want to re... build new or rehabilitate. There's not an attempt to place an historic landmark designation on a building,

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therefore, moving it up a list. That's not the intention of this Bill. I don't believe it's in the Bill, but I mean..."

Bost: "If..."

Beiser: "...if there's... if there's a different..."

Bost: "...there was... Representative..."

Beiser: "...analysis, yes."

Bost: "...right now, if a school was looking to try to figure out how to refurbish or construct a new school, under the existing criteria, they can remodel existing schools, can they not?"

Beiser: "Locals have that option."

Bost: "There... that option is available already, without this legislation. Am I..."

Beiser: "But I don't..."

Bost: "...am I wrong? I... if a school district decides to remodel, they can also remodel."

Speaker Lang: "So, while you're waiting for this answer, Mr. Bost..."

Bost: "Yes."

Speaker Lang: "...I haven't been using the timer and I've given you a lot of time..."

Bost: "I appreciate that..."

Speaker Lang: "...so if you could bring..."

Bost: "...very much."

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

Bost: "Yes, I will. Thank you."

Speaker Lang: "Thank you."

Beiser: "Leader Bost, why don't we do this. Let me get with your designates from your side of the aisle, get the list

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of questions and I'd like to have the answers to them,  
'cause these did not come up in committee."

Bost: "I..."

Beiser: "It's not an attempt to do anything. You know, these..."

Bost: "I appreciate that."

Beiser: "...questions are legitimate."

Bost: "Thank you. Thank you very much. I appreciate that."

Beiser: "Mr. Speaker, please take it out of the record."

Speaker Lang: "The Gentleman takes the Bill from the record.  
Senate Bill 681, Mr. Costello. Please read the Bill."

Clerk Hollman: "Senate Bill 681, a Bill for an Act concerning  
regulation. Third Reading of this Senate Bill."

Speaker Lang: "Mr. Costello."

Costello: "Thank you, Mr. Speaker and Members of the House.  
Senate Bill 681 amends the FOID Act. It is pro-business  
legislation. It makes a clarification to the mail order of  
ammunition by Illinois residents. Currently, the language  
in the legislation says that ammunition may be mail ordered  
outside of the State of Illinois. This changes that to  
within or outside the State of Illinois. Ammunition must be  
shipped by U.S. mail or by private carrier authorized by  
the Federal Law. And the purchaser of this ammunition must  
provide a copy of their FOID card and a copy of State I.D.,  
either a driver's license or Illinois State I.D. And the  
ammunition has to be shipped to the address on both of  
those. So, this gives Illinois residents parity with all  
other 49 states as far as where they can order ammunition  
to. Thank you. And I... I ask for an 'aye' vote."

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

Rose: "Thank you. I was talking to the Governor's excellent  
staff, Mr. Cameron Schilling. I apologize to the Speaker  
for my tardiness. Will the Sponsor yield?"

Speaker Lang: "Of course."

Rose: "Wait a minute. No, no, no. That was on the old Bill."

Speaker Lang: "So, after all that, you don't wish to speak on  
this Bill at all. So, we'll give Mr. Kay his opportunity  
next."

Kay: "Thank you, Mr. Speaker. I am ready. Will the Sponsor  
yield?"

Speaker Lang: "The Gentleman yields."

Kay: "Representative, I... I about... I think you've got a good  
Bill. I'm curious though, with respect to the FOID card,  
would this be something you'd have to e-mail somebody?"

Costello: "A... a copy could be provided by e-mail, correct."

Kay: "Well, that would be the only you could do it, isn't it?"

Costello: "Correct."

Kay: "Okay. Thank you."

Speaker Lang: "The Gentleman moves for the passage of the Bill.  
Those in favor vote 'yes'; opposed 'no'. The voting is  
open. Have all voted who wish? Have all voted who wish?  
Have all voted who wish? Mr. Brauer, Dunkin, Evans, Lilly,  
Mitchell, Riley. Record yourselves, please, Members. Mr.  
Riley. Please take the record. On this question, there are  
89 voting 'yes', 28 voting 'no'. And this Bill, having  
received the Constitutional Majority, is hereby declared  
passed. The Chair recognizes Representative Will Davis."

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Davis, W.: "Thank you very much, Mr. Speaker. I have Senate Bill 2934 that is currently on Third Reading. I need to move that Bill back to Second for the purposes of an Amendment."

Speaker Lang: "Mr. Clerk, did you get that number? Would you repeat that number, Sir?"

Davis, W.: "Senate Bill 2934."

Speaker Lang: "Senate Bill 2934 will be moved back to the Order of Second Reading at the request of the Sponsor. Thank you, Sir. Returning to Senate Bill 639, Mr. Beiser."

Beiser: "Thank you, Mr. Speaker. In meeting with our colleagues from the other side of the aisle, I think we have this worked out. It is not the intent of this legislation to... to bump anybody, be based on the category of rehabilitation over anybody else. It simply would add the ability of the Capital Development Board to... the Capital Development Board to include rehabilitation as an option. Currently, they do not have that option."

Speaker Lang: "Mr. Bost."

Bost: "Thank... thank you, Mr. Speaker, and we would like to thank the... our colleague on the other side of the aisle for... for clearing... for clarifying that, working with us to make sure that's the case and... and because of that, for... for purposes of legislative intent, that no one would be able to be bumped forward above... of another person already on the list. And we thank him for his coming over and working with us on that."

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



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Have all voted who wish? Have all voted who wish? Please take the record. On this question, there are 115 voting 'yes', 2 voting 'no'. And this Bill, having received the Constitutional Majority, is hereby declared passed. Senate Bill 820, Representative Gabel. Please read the Bill."

Clerk Hollman: "Senate Bill 820, a Bill for an Act concerning children. Third Reading of this Senate Bill."

Speaker Lang: "Representative Gabel."

Gabel: "Thank you, Mr. Speaker. This Bill will bring Illinois in compliance with new Federal Laws in the early intervention program for infants and toddlers. These rules were made last October and they haven't been updated... our... our laws haven't been updated in almost 10 years. It also adds a few people to the state inner-agency council on early intervention. I appreciate an 'aye' vote."

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

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

Speaker Lang: "The Lady yields."

Reboletti: "Representative, what federal mandates were passed along to us that we have to update?"

Gabel: "It says there were key requirements of the 2011 federal regulations... federal regulations."

Reboletti: "You're not... you're not aware of what those are, though?"

Gabel: "Let me look. Let me see if I have the actual numbers of them. I don't have the Federal Code itself, but the two things that it does is it... one second. Sorry. Okay. There's... it adopts standards for delivering quality

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services in the child's natural environment, so services could be delivered at home, as opposed to in a... in a doctor's office or other place. And it codifies a smooth transition to preschool programs for children receiving early intervention services. It requires that a plan is set for when a child, before their third birthday, gets a... a smooth transition to preschool."

Reboletti: "I... I appreciate that, Representative. The... then there's an early intervention or some kind of task force, or... or group. Why are we expanding that from 20 to 30 members? Is that part of the federal..."

Gabel: "It..."

Reboletti: "...mandate, as well or is that..."

Gabel: "It is."

Reboletti: "...something that's separate?"

Gabel: "It is. It's part of the federal mandate, as well."

Reboletti: "Is there..."

Gabel: "There have to be members on from the Child and Community Connections network."

Reboletti: "Is... is there any fiscal ramifications to our budget based on this?"

Gabel: "No. Those people are not paid."

Reboletti: "Thank you very much."

Gabel: "Thank you."

Speaker Lang: "Those in favor of the Lady's Bill will vote 'yes'; opposed 'no'. The voting is open. Have all voted who wish? Have all voted who wish? Barickman. Please take the record. On this question, there are 117 voting 'yes', 0 voting 'no'. And this Bill, having received the

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Constitutional Majority, is hereby declared passed. Senate Bill 1127, Representative Thapedi. Please read the Bill."

Clerk Hollman: "Senate Bill 1127, a Bill for an Act concerning corporations. Third Reading of this Senate Bill."

Speaker Lang: "Mr. Thapedi."

Thapedi: "Thank you, Mr. Speaker. Senate Bill 1127 is an initiative of the Illinois Institute for Business Laws at IIT Chicago-Kent College of Law. It cleans up many scrivener's errors, and it also harmonizes the Business Corporation Act and the general Not For Profit Corporation Act with respect to the right ind... of indemnification for corporate officers, directors, employees and agents consistent with the corporate bylaws and the Articles of Incorporation. There are no opponents to this Bill, and I ask for its passage today."

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

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

Speaker Lang: "The Sponsor yields."

Reboletti: "Representative, what is the position of the State Bar Association? Our analysis says that they have been contacted for a position, but we do not have that. I don't know if you are aware of theirs."

Thapedi: "You know, I... I wouldn't assume that they would have any opposition to this. I talked to Jim Covington on a consistent basis. This is the think tank at Chicago-Kent; you're a lawyer just like I am. They were cleaning up the Business Corporation Act on both sides to make sure that there was harmony and everything was clean after a lawsuit

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in Delaware that was unclear about the rights of indemnification."

Reboletti: "I... I support your legislation. I... I didn't realize that we had an Illinois Institute of Business Law. So..."

Thapedi: "We do, and they are at Chicago-Kent. Did you go to Kent?"

Reboletti: "I did not. I went to Valparaiso, Representative, but..."

Thapedi: "All right."

Reboletti: "...thank you."

Speaker Lang: "Now, Mr. Reboletti, there are good law schools right here in Illinois. Those in favor of the Gentleman's Bill will vote 'yes'; opposed 'no'. The voting is open. Have all voted who wish? Have all voted who wish? Please take the record. On this question, there are 117 voting 'yes', 0 voting 'no'. And this Bill, having received the Constitutional Majority, is hereby declared passed. Senate Bill 1617, Mr. Acevedo. Out of the record. Senate Bill 1691, Mr. Mautino. Please read the Bill."

Clerk Hollman: "Senate Bill 1691, a Bill for an Act concerning business. Third Reading of this Senate Bill."

Speaker Lang: "Leader Mautino."

Mautino: "Thank you. This is the initiative of the Secretary of State, and it's making the provisions uniform across all of the business Acts in Illinois. There are, specifically, the items that were going to be affected in here and made uniform for that law will be the Non For Profit Act, the Limited Liability Corporation Act, the Uniform Partnership Act, the Uniform Limited Partnership Act and basically... and

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this does do some changes to fees. It does not increase them. Right now, when you get some copies, there's a minimum fee level of \$25, and it would be for anything under 25 sheets. So, this just takes out the word, a dollar per page or a minimum of \$25 and makes it say \$25. Be happy to answer any questions."

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

Reboletti: "Not so fast, Mr. Speaker. Will the Sponsor yield?"

Speaker Lang: "The Gentleman yields."

Reboletti: "Leader, I'm looking at our analysis and it indicates that that are some fee increases. You're... you're saying that there are no fee increases, whatsoever?"

Mautino: "No. The fee for 22 pages, right now, under the current law, is \$25. The fee for 26 pages, under the current law, is \$25. Right now, it... the way the current statute reads, it's... the fee cannot be less than \$25. So this will make it uniform across both of those Acts, both of those fees."

Reboletti: "Are there any new fees in the legislation?"

Mautino: "No."

Reboletti: "Thank you."

Speaker Lang: "Those in favor of the Gentleman's Bill will vote 'yes'; opposed 'no'. The voting is open. Have all voted who wish? Have all voted who wish? Rep... Please take the record. On this question, there are 69 voting 'yes', 48 voting 'no'. And this Bill, having received the Constitutional Majority, is hereby declared passed. Senate Bill 2488, Representative May. Please read the Bill."

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Clerk Bolin: "Senate Bill 2488, a Bill for an Act concerning transportation. Third Reading of this Senate Bill."

Speaker Lang: "Representative May."

May: "Thank you, Speaker, Ladies and Gentlemen of the House. This is making technical changes to our Vehicle Code. As you are aware, right now, wireless telephones are not a used... are not allowed in school speed zone and construction maintenance speed zones. There was, perhaps, a loophole in the law that said that the construction or maintenance speed zone was... was defined as where the speed was reduced. There are actually some where it's not reduced. So, technical language, it does not give any new changes to using mobile telephone devices or hands-free. It is just a technical change in the law that will help our law enforcement better have people comply with the law. It's endorsed by IDOT, the AFL-CIO, General Contractors, the Illinois Road and Transportation Builders. The Village of Bannockburn was the one who brought this attention to my Senator... to my Senator and to me."

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

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

Speaker Lang: "The Lady yields."

Reis: "Representative, there were a number of 'no' votes in the Senate. Were there any Amendments over here in the House, or are we voting on what was voted on in the Senate?"

May: "No Amendments here in the House."

Reis: "Okay. Do you know what the opposition was over in the Senate?"

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May: "I really don't know. I think they're... the Senate Sponsor said there may have been some misunderstanding. This really is technical, allowing for the way we post our signs. I don't know that I'd have a good explanation why someone would vote against this. I know I've talked to several Members on your side of the aisle who are very aware it's very technical."

Reis: "We're under the unders... understanding that the Illinois State Police... we're still waiting from a position on them. Have they weighed in on this?"

May: "I have not heard from them. No."

Reis: "Are there any costs associated with this, with signage or anything?"

May: "No. No. That... I mean, in construction zones, municipalities, the state and everyone is already putting the signage out there."

Reis: "Okay. All right. Thank you, Representative."

Speaker Lang: "Representative Will Davis."

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

Speaker Lang: "The Lady yields."

Davis, W.: "So, did I hear you correct, Representative, that there is no provision in here to allow for hands-free use of cell phones?"

May: "There... there are provisions."

Davis, W.: "There..."

May: "I said it doesn't change the underlying law."

Davis, W.: "Does..."

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May: "It actually further clarifies the hands-free so that our police can enforce it."

Davis, W.: "Further clarifies hands-free so police can enforce it. Okay. And does it specify or get into detail about what a construction zone is or..."

May: "Yes. It... it really is where there are signs that are posted that it's approaching. And it... it really is technical. IDOT worked a long time on this. And I know in committee, I... I will just throw in since there are some questions here, that construction zones, if at all times as it is right now. In school zones, it's when students are present, as it is now."

Davis, W.: "So, is the only way to define a speed zone... a construction zone in that Bill relative to where the speed is reduced?"

May: "No. That was the original law, and that's what we felt was the loophole that needed to be changed because in some places construction zone... speed zones are not reduced. They're already low. That was the impetus of the Bill."

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

Speaker Lang: "Representative May to... excuse me. Representative Moffitt."

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

Speaker Lang: "The Lady yields."

Moffitt: "Representative, you and I had some discussion, and you just made reference to part of what we had talked about, just to be sure that... that I'm clear and everyone else. In a construction zone, all rules apply even if no construction workers are present, unlike a school zone



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which applies only when children are present. Is that correct?"

May: "You are correct, and that is the law now."

Moffitt: "So, we're not changing that at all."

May: "That's true."

Moffitt: "And so, even if it's 2:00 in the morning, there are no workers around, but all construction speed limits apply when you go through one."

May: "That is correct, and use of cell phones applies."

Moffitt: "And... and the use of cell phones is..."

May: "Yes, yes."

Moffitt: "Thank you for that clarification."

Speaker Lang: "Representative May to close."

May: "Thank you. I ask for an 'aye' vote."

Speaker Lang: "Those in favor of the Bill will vote 'yes'; opposed 'no'. The voting is open. Have all voted who wish? Have all voted who wish? Jackson. Mulligan. Mr. Jackson. Please take the record. On this question, there are 79 voting 'yes', 37 voting 'no', 1 voting 'present'. And this Bill, having received a Constitutional Majority, is hereby declared passed. Moving to page 9 of the Calendar, under the Order of Senate Bills-Second Reading, appears Senate Bill 1313, Speaker Madigan. Please read the Bill."

Clerk Bolin: "Senate Bill 1313, a Bill for an Act concerning insurance. The Bill was read for a second time on a previous day. Amendment #1 was adopted in committee. Floor Amendment #4... correction. Amendment #8 was adopted in committee. Floor Amendment #9, offered by Speaker Madigan, has been approved for consideration."

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Speaker Lang: "Speaker Madigan on the Amendment."

Madigan: "Mr. Speaker, could we adopt the Amendment, move the Bill to Third Reading, and then debate the Bill on Third Reading? I would move for the adoption of a... 9."

Speaker Lang: "Seeing no objection, 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."

Clerk Bolin: "Senate Bill 1313, a Bill for an Act concerning insurance. Third Reading of this Senate Bill."

Speaker Lang: "Speaker Madigan."

Madigan: "Mr. Speaker and Ladies and Gentlemen of the House, Senate Bill 1313 with House Amendment #9 is concerned with group health insurance for retirees. The Bill would allow the director of the Central Management Service to set the premiums that are paid by retirees into the group health insurance program every year. Today, the group health insurance program covers retired state employees, retired university employees, retired judges, retired Members of the General Assembly, and 90 percent of those retirees have no cost for their health insurance. Let me repeat that. Ninety percent of those retirees have no cost to their health insurance, but there is nearly an \$800 million cost to taxpayers. Let me repeat that. The cost for no-cost health insurance for retirees is \$800 million to the state budget. Under existing law, retired State Government and university employees receive free health insurance in retirement after 20 years of service. Retired Members of

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the General Assembly receive free health insurance in retirement after serving 4 years, and retired judges receive free health insurance after 6 years of service. Not only are these benefits unaffordable, given today's fiscal situation, but they are far more generous than those provided by other governments to their employees than those provided by the private sector. Let me give some examples of why Illinois has become an outlier among other states. Many other midwestern states do not provide any subsidy for retired employees, only access to the plan, which means the entire cost of the plan is paid by the retiree, examples of this would be Iowa and Minnesota. Other states offer only a limited subsidy. For instance, the State of Florida offers a monthly subsidy of \$150 for retirees and the rest must be picked up by the retired employee. Some states use a formula similar to ours where the amount of the subsidy is based on the years of service, but no state offers a 100 percent subsidy after only 20 years. This Amendment would eliminate all that and provide that the director of Central Management Services would set the rates, subject to consideration by JCAR. It would be an emergency rate and therefore, JCAR would be in a position to disallow what the director of Central Management Services is providing. The Amendment gives the director the authority to determine the amount the state shall contribute to the cost of basic health insurance benefits for annuitants, survivors and retired employees under SERS, SURS, TRS, GARS, and JRS on an annual basis. It mandates that rules to all through the contributions paid by the state, annuitants, survivors,

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retired employees, or any combination thereof shall be adopted by emergency rule. It mandates that contributions required of the annuitants, survivors, and retired employees shall be the same for all the retirement systems. And it mandates that contributions may not differ based on whether a member is a coordinated or an uncoordinated employee. And finally, the Amendment offers contribution levels to differ depending on whether an annuitant, survivor or retired employee is at an age where they are Medicare eligible or not, thus making the state coverage secondary. Mr. Speaker, I would move for the passage of the Bill."

Speaker Lang: "Speaker Madigan moves for the passage of the Bill. On that question, the Chair recognizes Minority Leader Cross."

Cross: "Thank you, Mr. Speaker. I, too, rise in support of this Bill as amended, and I'm pleased to be working with the Speaker and your side of the aisle on this issue. We have, for years, seen this state spend money we didn't have and make commitments that we could not keep. And we're at that point that if we do not address retired health care, pensions, Medicaid, the budget, we will find ourselves at a point where we can no longer fund schools. We will charge even more for higher education. We will not be able to protect our communities. We will not be able to keep our communities clean or safe. The list goes on, and on, and on of our inability to meet basic demands for those that are their most vulnerable to our kids, to our seniors, you name it, our roads, our schools. And this represents, as the

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Speaker said, an honest, long overdue assessment on the issue of retiree health care cost. It is no longer something we can give people free. It is no longer something we can give people free. It's a thing we need to do, and we need to do it now. A lot of misinformation has been disseminated about this Bill. It does not take away retiree health care benefits, does not. Retirees will still have access to health care, but they're going to have to contribute toward that benefit, otherwise, they risk losing it in its entirety. They risk losing all of it. We had a lot of concerns in our caucus about how we should do this, and I'm pleased that we were able to work through, I think, most all of those concerns. As you heard the Speaker talk about in his presentation of this Bill, CMS will negotiate the... the price you pay for your premium or towards your health care with AFSCME. It was important for those, I think, on this side, and I suspect on your side that there was consistency across the board. And this Amendment and this Bill does that for, as the Speaker said, for GARS Members, judges and university folks. In committee, there was some concern about a group of people out of SURS that had made a commitment to retire early in exchange for free health care. That is taken care of in this Bill, in this Amendment. One of the concerns was whether or not we would look at a means tested approach. The Governor's Office, through CMS, has supplied a memorandum to us today that outlines that they, yes, do indeed want to utilize a means test to determine what the cost will be. And if none of that satisfies your concerns, we, as a General Assembly,

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through the JCAR process, will have the final say on the negotiation. Safeguard after safeguard, after safeguard. The reality is we spend almost \$900 million a year for retired health care cost, \$900 million out of a \$33 billion budget. Seventy-eight thousand people pay nothing for health care, 78 thousand people. This is an issue like many more that we're about to face, I hope, in the next few weeks that those of you, many of you on this side of the aisle, have been saying we need to do for some time, along with pensions, along with Medicaid, along with reducing the budget. It's going to take bipartisan effort. It's going to take upstate, downstate, Republican, Democrats, suburbanites, et cetera, to fix these problems. This will be a difficult vote, and one that we don't like. But as we've said on this floor over the last few months, the time for the comfortable conversations that aren't truthful are beyond us. It's time for us to do the uncomfortable task, have the uncomfortable conversations, and be honest with retirees. Tell them, you know what, we can't afford to give it to you free. This is tough and we apologize, but if you want a system down the road that is viable, and you want a state that can provide services to those that need it, we need to make some alterations. We need to make some changes. And it would be unfair to you to tell you otherwise. So, Mr. Speaker, thank you for sponsoring this Bill. I am pleased to be a cosponsor on this. It is really a choice... we... we don't have any other choices. If we're going to face the reality of our bond rating and our credit worthiness, and divide the... the fiscal... the fiscal climate

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that we need for businesses to stay and come, we need to do things like this. If not, we're kidding ourselves. So, I intend to support this, and will provide support in any way I can as we continue to address issues like this 'cause as I said, we've been advocating for some time. So, thank you, Mr. Speaker."

Speaker Lang: "Mr. Tryon."

Tryon: "Thank you, Mr. Speaker. I rise to ask Speaker Madigan some questions, if he would yield."

Speaker Lang: "The Speaker will yield."

Tryon: "I agree, Speaker Madigan, to do nothing is not an option. The cost of health care for retirees is skyrocketing year after year, and placing a drain on our resources, but I do have some concerns, and while I think that we could apply these provisions to most of our retirees, my concern is for those retirees in State Government who were offered early retirement. And as an offering of early retirement, the state benefitted from hiring a lower paid employee, or eliminating a position. And at the time they made that decision, they did so based upon whatever was in the offering. So, understanding that the university system may have actually had a contract or a different process or provision, why would state employees who took an early retirement package be treated differently?"

Madigan: "Mr. Tryon, I'm sorry. I missed the last four sentences of your question."

Tryon: "Well, in your Amendment, you address the state university systems and the fact that there were retirees

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who had a contractual benefit to health care upon early retirement. And my... and my question is, if we held out an early retirement package as the State of Illinois to state employees and we said to those state employees, if you take early retirement, here's your annuity that you get as a pension system and this is the cost of health insurance. Why would that be different?"

Madigan: "Because, in the case of the general retiree population, there was no contractual relationship, no contractual understanding that the free health insurance would be there forever. So, you're right. There was an early retirement program and people who took advantage of that early retirement program did it at a time when the current language in the statute would provide that there would be no premium charge for the health insurance. But I think it's pretty well agreed, by everybody who's working on these issues, that in the case of retiree health insurance, there is no contractual relationship, there is no contractual obligation on the part of the state to continue to provide that health insurance. Said differently, the state is in a position to discontinue it at any time. That line of thinking is not universally accepted in the area of pensions. So, in the area of pensions, there's varying opinions, which are being advanced, but not in the area of health care."

Tryon: "So, it is the opinion of those working and putting this together that... that the statute wouldn't be interpreted as any kind of contractual benefit between an employee and... and... and the state."



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Madigan: "That's correct."

Tryon: "Okay. Thank you."

Speaker Lang: "Mr. Pritchard."

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

Speaker Lang: "He will."

Pritchard: "Speaker Madigan, you normally are very thorough in the legislation that you sponsor and that we deal with here on the House Floor. Why, in this particular case, do you seem to give, really, nonspecific authority to CMS to set the rates at whatever level and whatever process they deem appropriate? Why not spell that out as we might normally, and as we have done in the past?"

Madigan: "That was a concern that was raised in the drafting process, and we recognized that there would be a concern about giving so much authority to the director of Central Management Services. But we felt that the requirement that the action of that agency would be subject to consideration by JCAR was a sufficient check and balance to move forward."

Pritchard: "You indicated that this is not a contractual benefit that retirees have, but weren't they given that presumption when they retired and said here's your benefits, here's your salary that you'll get in retirement, and here's your health care benefit?"

Madigan: "Neither of us were privy to conversations that may have happened between a potential retiree and the supervisor on a job. What we know, what was in place pursuant to the statute, the statute authorized the early

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retirement. The statute provided for health care coverage, as I have set out, but I would come back and say what I said previously that although there are differing opinions in the area of pensions, there really is no disagreement in the area of health care. The health care is not contractually or constitutionally guaranteed and it can be changed or eliminated."

Pritchard: "Well, clearly, by the hundreds of people that have called my office since this Bill was revealed, don't have that same conclusion. They all are under the assumption that this was a benefit that they could rely upon, and they feel that the state has sold them out, personally. And I know, technically, what you just explained may be accurate, but there's still that perception and I think there will be fall-out in other things that the Legislature does because they felt there was a contract, maybe not written, but certainly a verbal commitment and that's going to impact their trust, if you will, in the state. On another area, there's a lot of state employees that don't have access to Social Security and Medicare. What guarantees are there that those individuals who, this is their only health care option, are going to have an affordable health care plan?"

Madigan: "In terms of affordability, why, my view would be that that's dependent upon state budget making. That's what we're involved with today, we're attempting to do budget making. We know there's a shortage of resources and we're being called upon to make difficult decisions all through the budget and this year, why that would apply to the cost of health care, and I would presume that would apply as we

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move forward. There's always the possibility that there would be a spectacular improvement in the national economy that would... would return Illinois to its condition where we would always have an abundance of tax receipts, but most economists in the country would disagree with that would say that for the foreseeable future, if there is any growth in the national economy, it's going to be minimal. It's not going to be the robust growth that we saw through the real estate bubble."

Pritchard: "I would tend to agree, but clearly they're looking at limited incomes. Some of them very modest forms of retirement and they want some assurance that that the premiums that are going to be expected to pay will be affordable and reasonable, and that's all I was looking for, if there was any confidence that we could give them or response to what they might expect."

Madigan: "I... I think maybe one matter that might help you would be the provision in the Bill which provides that the... the rate has to be the same for all groups and all categories. That was put in deliberately."

Pritchard: "As... as Leader Cross previously indicated, there is a letter that has come from Central Management Service about their intent to apply and how they'll determine the formulas and so forth. Can we replace... can we place any reliance on this, or might it be changed tomorrow in another letter issued?"

Madigan: "I'm not going to speak for the Department of Central Management Services."

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Pritchard: "Well, it... I mean, certainly what they've defined in this letter would answer a lot of the retirees' concerns and apprehensions, but that's why I asked. If it's simply a letter that may be changed tomorrow, there isn't much reliance that can be placed upon that. I... I applaud the efforts that you and Leader Cross and others have made with the Governor's Office in trying to deal with a very significant budget pressure for us. I just would hope that there could've been a little bit more detail and help for those retirees whose lives are being changed considerably by what we're doing today. Thank you."

Speaker Lang: "Mr. Dunkin."

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

Speaker Lang: "Speaker Madigan yields."

Dunkin: "Mr. Speaker, I, too, have a... a very strong respect for you and... and staff who put in a lot of extra heavy lifting for this legislation, given the fact that we are in a... a pretty dire financial circumstances, certainly looking at some of the years down the line as we project out and try to even spend for this fiscal year. My questions are along the line of the union negotiation with our government, our Governor in particular, where are they in light of this particular option or change that we're proposing?"

Madigan: "The bargaining is underway between the Governor's Office, through the Department of Central Management Services and the various unions that represent employees that work for the State of Illinois. The... the current law requires that health care for active state workers

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represented by AFSCME is subject to bargaining, but that's all. So, all the other aspects of health care, including for retirees, is not subject to bargaining."

Dunkin: "That's interesting because a number of my constituents feel that... they... They view it differently. They feel as if, maybe I'm misunderstanding as well, that the current AFSCME leadership who was at the negotiating tables are negotiating on their behalf, as well. That's certainly and has always been my understanding, as well. You're saying that's not true?"

Madigan: "Are they active or retired?"

Dunkin: "Retired."

Madigan: "I may be wrong, but my... my memory is that there's only one aspect of the health care which is mandated col... mandated collective bargaining and again, my memory is it's for active."

Dunkin: "For active members."

Madigan: "Active state workers."

Dunkin: "So, no one's representing the retirees that this particular legislation would impact directly?"

Madigan: "Again, I'm... I'm telling you what my memory is, and if we can find one of our staffers as we continue this dialogue, we can ask about that."

Dunkin: "So, with negotiations still being underway for even current employees, and possibly retired employees who, again, who have... who set their life course along the lines of what was negotiated, or at least what they had in their minds, what they should expect after 25 years, after 35

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years, we can potentially change that... what their expectations were healthwise."

Madigan: "Well, I would say what I said earlier that in the area of health care, there's no contractual obligation, there's no constitutional obligation. It's part of the budget making. So, it gets into competition with operating money for education, money for the Medicaid program, money for not-for-profit community service providers."

Dunkin: "Has there been... in light of these negotiations, has there been an assessment, a survey, or some level of high communication/low communication, with retired... current retirees on what options they would have? Let's say if CMS presented, maybe they'll... they paying \$50 a month, \$100 a month based off of you being retired X amount of number of years, 5 years since retirement, 10 years, 20 years. I know people are living longer. They're staying healthier. It's... it's impacting our... our finances directly, especially with the... with health cost, but have they been communicated with?"

Madigan: "Has there been a survey sent out to people?"

Dunkin: "Yes, some communication with those annuitants who are expecting for their health care to be sponsored by the state."

Madigan: "Not to my knowledge."

Dunkin: "Okay. So, again, no one, to your knowledge, no one is negotiating on... on their behalf. No one has given voice to the Governor, to you in this legislation, to CMS on any of the... the current retire... retirees who will be directly impacted with this legislation."

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Madigan: "I think that's part of the decision making that... that we do."

Dunkin: "Sure."

Madigan: "Again, taking all of the elements that are in competition in the budget making. So, we're not in a situation where we can say 'yes' to everybody. We're going to have to say 'no'. Sometimes 'no' in entirety or 'no'..."

Dunkin: "Partially."

Madigan: "...partial. Right."

Dunkin: "Understood. CMS, do they have a particular blueprint that we know of that they're going to at least base some of their calculations, their... their numbers of their cost, the impact that it's going to have, savings in the first year, in the fifth year, 10 years down the line?"

Madigan: "I would presume that CMS will work off of a budget. So, as I said, they're in bargaining with AFSCME on active health care costs. And they've already stated that they wish to save \$300 million a year by reduced health care cost for active workers. That's... that's a public statement. I would presume that they're taking that \$300 million goal of the reduction and working that into a budget. And then, working within the budget, they fashion different programs for different people. That's what they do."

Dunkin: "And the check and balance would be JCAR from our end."

Madigan: "Yes."

Dunkin: "Okay. I'm... to the Bill. Ladies and Gentlemen, this is... we are in very unfortunate on one end in very unique times, economically. Certainly looking at... at the pension pressure, health care cost that's impacting us. And I know

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we have to make some very serious decisions here. It's not fun being a State Legislator today given the fact that we are looking at cutting Medicaid, potentially, at \$2.7 billion. We're looking at reducing or stopping or severely impacting people who have put in 35 years, 20 years of their particular time. They've probably sacrificed going to the private sector or other jobs, maybe out of state and, yet, they haven't had a voice, or at least to present options, something that they may... they may agree on, maybe a graduated level of investment of their retirement, of their health care. I think they should be consulted. I think we should hear from some union that's representing the retirees. Also, I think it's inherently unfair for those people who put in 30-plus years of their lives, of their commitment, of their dedication, making a modest salary. We don't pay state workers a lot of money compared to some of the other... City or Chicago or Cook County, the private sector. But what they could rests assure on is that they are... they're going to have a respectful retirement making, on average, about \$30 thousand a year, that they're going to have a predictable health care assumption or cost, or no cost in this case. At the very least, I think we should hear from those who put in those 20 and 30 and 40 years, to have them educate us on what they possibly could pay or at least look at the options. We talk to the state university current employees and we engage with every state university that we have here in this state. So, I appreciate the hard work. I know these are extremely austere times, but at the end of the day, an agreement



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whether it was contractual or not, the level of expectations were there for people back in the '70s, people back in the '80s when they first started working here, in the '90s. And now it's time for us to do what we're supposed to do to be responsible, certainly on a budgetary end, but as well as keeping our commitment. And at the very least, we should communicate with them. Find that union, or that negotiating body to talk with those tens of thousands of retirees who left working for the state with a certain level of expectations. Thank you."

Speaker Lang: "Mr. Sacia."

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

Speaker Lang: "The Speaker will yield."

Sacia: "Speaker Madigan, if I could be allowed... Leader Cross made a very interesting observation, and this is a direct quote; this is an honest, long overdue assessment. And... and I... I certainly do not disagree with that. I've had the privilege of being here 10 years. In that 10 years, my estimation is there has been a long, overdue assessment that still exist of fraud and abuse in State Government not being addressed. Two years ago, I introduced legislation that would require highly qualified Inspector Generals in each position of State Government, and I couldn't even get it through committee. I... I have introduced the very legislation we're talking about right now, only I introduced it to start with new hires. I realize that that wouldn't get us down the road very far this year, but if I may digress, I think myself, like every Member of this Body, is greatly conflicted with this legislation. We

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recognize that it's a billion dollars, pretty close, that we could save if this becomes law. And yet, I think of my constituents and the constituents of all of us here, as so eloquently, alluded to by Representative Dunkin and Representative Pritchard, that are on a fixed income, some of them are older and infirmed, they literally are getting by. And I contrast that to the phone calls we've had this past week on daycare. And I know how badly abused that system is. It is fraught with fraud because there are many people who say they are out earning an honest living and they have to have their child at daycare, and they're sitting home watching soaps because we can't afford the investigators to verify what's going on. We have a welfare system that's totally out of control. For people that deserve it, God love them; I'm all in favor of them getting it. For those abusing it, it is costing this state unbelievable sums of money, as I know everyone in this Body agrees to. I find it so very interesting, and again, I'm not going to belabor it because my colleagues have already addressed how CMS is going to come up with a sensible response to what each retiree will pay. I can't help but believe, Speaker Madigan and... and Members of the House, as everyone of us agrees that our finances are a shambles, and we so desperately need a fix. But when all of a sudden, and we all know how this happens, all of a sudden our offices all start getting calls, 'where are you on 1313', 'please tell me you'll be a voice of reason on 1313'. And... and it... and it hits us quickly... and again, Representative Dunkin said it well when he said, you know, where is their voice

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coming before us. Where is their opportunity to address us. And I'm specifically speaking of those who are, again, on... on very close fixed incomes and now they're going to be paying, arguably, 2 to 5 thousand dollars a year additional, which they don't have. So, I remain very conflicted. I appreciate the comments of my colleagues. This will be one of those votes that probably determine our moral compass and moral courage, but I cannot vote on this Bill without a heart wrenching feeling of all of the people that we are directly affecting when we are totally overlooking those abusing, be it worker's comp, be it unemployment compensation, be it welfare, be it daycare. We are very, very, very poor stewards in Illinois of getting our house in order and now, it... it appears to me that we are cherry picking. The easiest thing in the world to go after is retirees. I strongly struggle with that. As I stand right now, I don't know how I'm going to vote on this Bill. I look forward to listening to my colleagues learned observations. This is a tough one, but don't lose sight of those that we have made promises to. Thank you."

Speaker Lang: "Representative Bellock."

Bellock: "Thank you very much, Mr. Speaker. Will Speaker Madigan yield?"

Speaker Lang: "The Gentleman yields."

Bellock: "Last year, we had quite a bit of discussion on this with COGFA and the retiree health care. I think Mercer did the report on this, talking about how few other states did have no people paying for their health insurance. But one of the suggestions they have, and I want to make sure that

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that's not in here, was that it was based on household income. And there was quite a bit of discussion amongst the retirees at that time, also, that it only be based on pension income."

Madigan: "That issue is not part of this Bill."

Bellock: "Okay. I just wanted to clarify that 'cause I received a couple of phone calls regarding that. Thank you."

Speaker Lang: "Mr. Mautino."

Mautino: "Thank you, Ladies and Gentlemen of the House, Mr. Speaker. The issue before us is part and parcel of a tremendously difficult Session that we are all going through. Senate Bill 1313, ironic number, was also the health insurance exchange Bill prior to this and I was a proud Sponsor of the Amendment for about two hours while that got changed over. In the course of that, I wouldn't have had... I wouldn't change these. I wouldn't have it any other way. I'm glad it worked out that way, because I did have about 8000 phone calls during the course of that period. Not e-mails, I'm not real technical. So, not e-mails. Not voice calls. That's about 8000 calls with concerns on this... the bouts... concerns about a contractual right, about a promise, about an obligation. So, this is my tenth term here. I've been here a while. I came in under the Emergency Budget Act of 1992. And then, again in 2002. And this issue has been here. In 1998, prior to that, if you worked for the state, once you vested in, you were guaranteed 100 percent health care for life. George Ryan and his folks realized that they could not continue at that level. So, for new employees starting in 1998 in January,

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it was 40 percent of once you've vested then five percent each year and that became the new standard that people went to work and made their decisions on. In 2002, we were in the next budget crisis and we had to do a... an Emergency Budget Act then, and an early retirement plan. A lot of the people in this room were here for that, as well. And part of the thought was it was more humane to allow an early retirement than to go and lay off the mass of numbers of people we were looking at. I had concerns on that Bill, which was House Bill 2671, actually, June 1 of 2002. And in that Bill, what was decided was that if people would choose to take the early retirement at that time, then they would be able to buy in time and retire for a longer period of time at a higher level of pay, with a COLA, and with a... and with health insurance. That Bill passed out of here 113 to 1. I was the 1 'no' vote. There were other things that were going on, the closing of Sheridan, but other concerns. But a lot of people then, from that point, 13 thousand, used that as their decision basis going forward on whether to leave State Government at the top of their earning time for those benefits granted. So, I do have those concerns that created in their thinking of contractual rights. And with that, I'll be voting 'no'."

Speaker Lang: "Representative Mulligan."

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

Speaker Lang: "Speaker Madigan will yield."

Mulligan: "Who appoints the director of CMS? Is it the Governor?"

Madigan: "The Governor."

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Mulligan: "And what gives him the qualifications of being able to set the rate?"

Madigan: "I would presume that when the Governor selects someone to head out that agency, since the agency will be called upon to do this work, that the Governor would look for someone with those qualifications. I... I do believe that the position is also subject to Senate confirmation."

Mulligan: "All right. So, I sit on JCAR and I don't know how soon this would come before us, but I'm presuming it would have to come before us pretty quickly if the Bill goes into effect at the end of this Session."

Madigan: "It's an emergency rule, and as you know since you're on JCAR, why JCAR could meet the day after the rule was filed."

Mulligan: "But then, we would be setting the rate on a rate that we're not necessarily, entirely sure is a correct rate or follows actuary tables, and as our retirees are living longer and retiring, it would probably have to be adjusted, I would presume yearly."

Madigan: "I... I think you're correct that something like this will be adjusted as we go forward. I'm not sure whether it's every year, every two years, every three years. I just have no idea what would happen in that regard."

Mulligan: "And what happens if the federal health care plan goes into effect and then you have different monitors, and the insurance companies have different positions in Illinois? How would it then work?"

Madigan: "Again, I don't know."

Mulligan: "It would have to be adjusted again."

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Madigan: "I would just presume that given the rise in health care cost that there'll be many adjustments."

Mulligan: "What if you were an... a retiree that moves, say, to Florida? What would happen then? Could you still collect... do your insurance back here even though you were going to, say, a hospital in Florida? Would you still have the rates set according to what the re... the rate is set for Illinois?"

Madigan: "I presume the answer is 'yes'."

Mulligan: "As someone who is about to do that, I'm very curious 'cause I've paid in my money over the years..."

Madigan: "Sure."

Mulligan: "...and I'll be a 20-year retiree. So, as my son, who's a CPA and a tax attorney said to me, gee, the best benefit you have there is your health insurance. I would hope that that... that would continue to be there, particularly, for other people and... and for retired teachers and their dependents; particularly, depending on what school district you work for and what part of the state you are. Some people chose to be part of a local district retirement system with health insurance, and some people chose to stay with the state plan. In our area, many of the people chose to stay with the school district's plan. And there would also be, I think, some accommodation for those of us who would be eligible for Medicare. I... I think to have... the director of CMS required to file premium on Emergency Rule would put a difficult task for JCAR to say that that's the right amount and what it would be, and how often we'd have to meet in order to change it. I think you would have to do

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it once a year because, otherwise, you wouldn't be able to gather the statistics to get the actuary... actuarial effect of what it would cost us. And so, I... I think it causes a problem to do it in this more simplistic manner. I also have a problem for some of the people that probably took lower pay and thought that they had a pretty good job and that the health care would be the benefit that they would receive. And so... and also, what happens when the union negotiates every year? Is it part of the negotiating for state employees that are under union contracts as to if that would be a change that year? Could it be... then be changed?"

Madigan: "The answer is 'yes'."

Mulligan: "So, then they would have to get someone to sponsor it again in the General Assembly to come back before us, or would you just go to JCAR and change it."

Madigan: "It... it all originates out of... out of CMS. Starts in CMS, then goes to JCAR. And of course, as you know, JCAR's in a position to reject it, tell CMS go back to the drawing board."

Mulligan: "Well, I would hope that the Senate would be vigilant in confirming someone for CMS because I think this is going to be a very lucrative position."

Speaker Lang: "Mr. Brady."

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

Speaker Lang: "Speaker Madigan will yield."

Brady: "Speaker, a couple questions I'd like to get clarified for the ben... for my benefit, and for everyone else's benefit. Under the... under the proposed Amendment to the



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Bill, the areas, individuals, groups affected are, across the board, all being asked the same thing, are they not? And by that I mean whether it's judges, whether it is Legislators, whether it's SERS, or state employees, we're all being asked under this legislation that the director of CMS will have the ability to negotiate premium cost in the future. Is that correct?"

Madigan: "The answer is 'yes'."

Brady: "Thank you. I think a previous speaker said that he was conflicted about this legislation and what he's going to do. I think we're all conflicted about this legislation and what we're going to do. But I think there might be a point that some of us are missing. A previous speaker said best benefit these people have is the health insurance the free health insurance. Has... has anybody noticed the state is not paying its health insurance claims? The Speaker's noticed that. I've noticed that. The seniors and others that call my office, frustrated, crying at times to no end, because they're being hounded because their health insurance is not being paid what they're owed to the providers. It's driving them out of their mind. So, the alternative is we either ask for some type of adjustment when it comes to paying to try and pay our claims, or... we either take some type of restructive... reconstructive action, or we're on a collision course for a bigger disaster. I represent an area where I hear from a lot of people that are part of having the health insurance benefit that they do. But on the flip side, I'm constantly approached and badgered at times, pay your damn bills down there. Pay my health insurance claim

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bill. Well, what are we going to do? Are we going to move on and hope for the best as been said many times, in many issues, kick the can further down the road? Are we going to have to draw a line in the sand and say for everybody's benefit, something has to change? I wish that wasn't the case. I wish there wasn't a Senate Bill 1313. Believe me. But that's not what is before us. And we are elected to try and be part of the solution, not continue with the problem. Thank you."

Speaker Lang: "David Harris."

Harris, D.: "Thank you, Mr. Speaker, and permit me to make a couple of comments about the Bill. Certainly, this is not an easy vote, but we are not taking a benefit away. We are diminishing a benefit, yes, but we are not taking a benefit away. But as I listen to the debate, I'd like to ask one question of all the Members of the House. Does anybody live, or represent a district, where there are people who don't work for State Government, where there are people who are in the private sector? Does anyone represent those people? You know, I did a quick Google search here, just a few moments ago, on major companies that have gone bankrupt over the past couple of years. And you can go Washington Mutual, and Revco, and Delta, and United Airlines, and WorldCom, and Global Crossing, and Enron, and Pacific Gas and Electric and guess what, those tens of thousands of private sector employees who worked for those companies, who probably had a pension, who probably had their health care paid for, now don't have anything because their private sector company went out of business. Private sector

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firms have been dealing with the issue of health care costs for employees for years. It is a serious problem, and they have made changes. And I did another Google search, and just very recently, the Federal District Court for the Eastern District of Wisconsin recently dismissed a challenge to an employer's right to modify its retiree health insurance plans. Now, I'm sure that there are facts in every case, but basically, the court rejected the claim that the benefits vested at retirement and reaffirmed the employer's rights with respect to changing the benefits. We are the employer. We have a problem and we have the opportunity, and quite frankly, the right, the need to change the benefits. We are not doing anything that isn't done in the private sector. Because you work for, or have worked for government, doesn't make you any better than anybody else, and I'm not being critical of any employee who works for State Government. But we, the Members of this chamber and the Members on the other side, have the responsibility to help run the state. There is only one other state in the union that offers a benefit like this, and that is Ohio's and there you have to work 30 years instead of 20. No, it's not an easy vote, but it is the right vote. And I commend the Speaker and the Minority Leader for putting this Bill forward."

Speaker Lang: "Mr. Reboletti."

Reboletti: "Thank you, Speaker. Will Speaker Madigan yield?"

Speaker Lang: "Speaker Madigan yields."

Reboletti: "Mr. Speaker, I was wondering what the average cost is per pensioner, right now, on maybe a salary of 30

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thousand or 50 thousand dollars. What does it cost the taxpayers of Illinois for that individual?"

Madigan: "I wouldn't have that available. I think I mentioned in my remarks that the overall cost to the state is \$800 million today. And I know that current retirees pay no premium. They'll pay some copays and they work under a deductible, but no premium."

Reboletti: "When the retirees entered into their retirement and they chose an insurance plan, did they have the option for free PPO and HMO so they could elect either one?"

Madigan: "I believe the answer is 'yes'."

Reboletti: "And so, we didn't even manage that part. We allowed them to take a PPO, which being a lot more expensive than the HMO. Is that fair to say, Mr. Speaker?"

Madigan: "I believe that's correct, yes."

Reboletti: "I do have a question from a legal perspective. If you're concerned that there may be a collateral attack on this legislation based on detrimental reliance of a person who is retiring, saying that they relied on the fact that that benefit would be there upon their retirement."

Madigan: "That's way above my pay grade."

Reboletti: "I'm not sure that is, Mr. Speaker. I know that you're a very wise and alert counsel. I would ask, and actually to the... to the Bill, is that we have had bad public policy covered up by good economies for many years, and if we do not act, we will simply fall into the abyss. And we talk about paying a \$9 billion backlog in bills. We talk about making cuts, and we talk about changing the way we fundamentally do business here in the State of Illinois."

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I've talked to many retired workers. They come into my office in Addison and I tell them that we can't keep promising people \$1.25 when we have 75 cents in our pocket. And I am hopeful that the economy will come back some day and that, again, prosperity will flourish here in the State of Illinois and in our country, but if we have these reforms in place, we might actually have something called a rainy day fund. Imagine that. We would actually be in the black instead of bleeding billions of dollars every year with no end in sight. I don't think anybody relishes this Bill, or relishes the impact it will have on retirees in our districts, but I don't think we came here to sit down at our seats, with our hands folded, and said somebody else figure this out. That's why I didn't... I came down here to try to help fix these issues, as all of you have and the time to do that is now. This is one of many other difficult votes we will take with cuts to facilities and to Medicaid and to the budget. There are going to be a lot of unhappy people, but sometimes the right answer is 'no'. And sometimes, we have to be brutally honest with our constituents because they would actually appreciate that. They want to know the real status of where we're at, not fill them with platitudes of how things could be; and if things turn around, maybe your bills will be paid in six months instead of nine months. We can't keep promising people insurance, either retirees or people on Medicaid, that yes you have insurance but we're not going to pay the providers. Why are we, as the State of Illinois, asking for our providers and our business people to extend this state

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lines of credit that we don't even pay them back? That's unfair to them. So, I guess the recovery starts today, Mr. Speaker. I will be supporting this legislation. I know it's very difficult. I would urge an 'aye' vote and look forward to working with the rest of you over the next 22 days to try to turn this ship of state around. Thank you very much."

Speaker Lang: "Representative May."

May: "Thank you. Will the Speaker yield?"

Speaker Lang: "Speaker Madigan..."

May: "I..."

Speaker Lang: "...yields."

May: "I just have a couple quick questions. Do we know how much this will save this year?"

Madigan: "The answer is no, but I would reference you to my earlier remarks that the program cost the state about \$800 million a year, right now."

May: "Okay, but it's not fleshed out. And then, do we know how much it would reduce our unfunded liability down the road?"

Madigan: "No."

May: "Okay. You know, those... those were the only two questions for now."

Madigan: "Now, Representative, when you use the term unfunded liability, were you referring to health insurance or the pensions?"

May: "Health insurance."

Madigan: "Okay."

May: "This Bill."

Madigan: "The answer..."

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May: "Thank you\*."

Madigan: "...is still 'no'."

May: "Okay. Thank you. I... I am really glad that you are, with your stature, moving this forward. I tried something similar a couple of years ago and got two votes in committee. It's not a very popular topic, but we definitely need to do something because of the rising health care cost. It's no one's problem. It's not that the employees have done anything wrong, the retirees have done anything wrong. It is the same rising health care cost that we are facing in Medicaid. My only tiny concern is lack of specifics in giving it to CMS, a matter of fairness for our annuitants and our current employees so that they might know what they are facing, and I think several other speakers mentioned that. I... I will just mention that I have been... since this failure a couple of years ago, I am working on a... this similar topic because I think fairness is imminent, that we want to make sure that the people who have served this state well for 25 or more years at a low salary, that we take care of them. Perhaps, there are people who... who earn more money or that they work for a short time. So, I do think that I am interested in... in getting a little bit more detail or something fleshed out, that the proposal that I'm working on really deals with years of service and the annuity payment so that those who have served us well can be treated well. Those who have a higher annuity payment can pay more. And I don't... I guess I don't know that I feel that comfort level with this Bill while it's needed. And I hate to negotiate, Mr. Speaker, in

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front of every Member, but is there any way that some of that can be fleshed out? I mean, is there any way or, what are your thoughts on that, on the specifics?"

Madigan: "I think all of that would be done by the Department of Central Management Services and the person who is the director of that agency. They have some experience in this and so, I just presume they would bring that experience to bear. As I said earlier, whatever they do is subject to approval by JCAR. So, if their work product is completely out of line, why the Legislature's in a position to reject it."

May: "Right. And those Members who have ideas of a grid system rewarding long-term employees at all, if they could present that to... to CMS, as we always can work with agencies, and then JCAR would approve it. That's... that's final, right?"

Madigan: "Yes."

May: "Thank you very much. This totally is something that is needed. Many of us have looked at it and tried to do the wrong thing. As the Speaker tells us, these votes we're facing this year are not for the faint of heart, but some... some things need to be done to stabilize the ship of state."

Speaker Lang: "Mr. Bost."

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

Speaker Lang: "Speaker Madigan yields."

Bost: "Speaker, I've been here 18 years, and probably this one along with others that we're going to have later on this year, are probably the hardest votes I've ever had to take as a Legislator. First off, it is, in this legislation, and



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I know you've already said it, that there are checks and balances that still allow us, as a Legislature... if all of a sudden CMS moves in a way that we don't feel is correct, we can do... there are certain safeguards in place. Is that correct?"

Madigan: "That's correct."

Bost: "We can respond with our JCAR committee?"

Madigan: "The answer is 'yes'."

Bost: "Mr. Speaker, is it your intention that we would remove health care entirely from these employees? That... that they would have to fund the full, entire amount?"

Madigan: "The answer is 'no'."

Bost: "Okay. Mr. Speaker, to the Bill. Each one of us have been sent here with a certain fiduciary duty, and I'd like to say that we can go and always make that popular, political vote. But folks, realize that we're up against the wall now, and if we don't start becoming very sensible with the operations of state, next month... not even next month, next week, we may have to cut services to those who are mentally ill or physically disabled because certain ones throughout the state who have a large pension don't want to fund part of their health care. I... I believe that we've sent a clear message to CMS to put clear rules in place that those who are most needy and... and have the lower pension level will have to fund less, and those that are at the higher pension level will have to fund more. I think that's the message that we've sent to them. It's not perfect; it's not. I wish it was. I wish I could do to... for those... many calls that I've got do nothing, do nothing. Really, do nothing? Should

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I do nothing then when all of a sudden it's time to pull the rug out from those who are the most needy, as we work on this budget or should I do my job I've been sent here to do? I will work with the retirees to... and... and to argue with CMS to provide the best that we possibly can. Right now, we're not providing the best that we possibly can, and whenever I say that... I heard one of our other colleagues say this, do you know... you know, a lot of people are calling my office and saying do you know my doctor won't take state health insurance anymore. They won't take it. How's that the responsible thing to do? Ladies and Gentlemen, we've... we've argued about a lot of things on this floor and I've agreed and disagreed with many issues with... with you on that side of the aisle and with Members on my side of the aisle, but today is the start of having to make some very tough decisions. I've heard the definition of a politician is one who votes for the next election, and a statesman is a politician. It's not... a statesman is a person who votes for the next generation. Ladies and Gentlemen, we'd better vote for the next generation, not only on this vote, but on the many votes you're going to see over the next three weeks."

Speaker Lang: "Mr. Verschoore."

Verschoore: "Thank you, Mr. Speaker. Would the Speaker yield for a question?"

Speaker Lang: "Speaker Madigan yields."

Verschoore: "Mr. Speaker, was it ever... in your discussions, was it ever talked about having a... like a graduated scale or something for people who are on pensions, you know, maybe

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for 10 years, 20 years, that are maybe only drawing, maybe, 10 thousand, 15 thousand, and then to have just a completely flat rate for everyone. I... I don't think that's a fair way of doing things. I think there should be some type of a graduated scale. Or for some folks like one person called into my office and says, I only... I only get \$12 thousand; she said, how can I afford 300 or \$400 a month for my insurance. And I said, well, I'll have to agree with you. But this is early on in the process I said, but I would think that there would have to be some type of a graduated scale or indexed in for those folks. Was there ever anything talked about on that?"

Madigan: "That type of arrangement would be permitted under this legislation."

Verschoore: "I thought you said JCAR would... would be... dictate the..."

Madigan: "Well, it would begin in Central Management Services, and if they were completely out of line in what they were proposing, it could be rejected by JCAR. To be more specific in the answer to your question, it would begin in Central Management Services and if Central Management Services did not adopt a plan, such as the one that you're referencing, then that could be rejected by JCAR."

Verschoore: "Yeah, but JCAR is just a... they're just, I guess, offer information. We... we'd have to vote on that. Wouldn't that be correct?"

Madigan: "No. No. JCAR votes on it. It's... it... those are Members of the Legislature, six from the House, six from the

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Senate. And the routinely reject proposals emanating from the agencies, and they could do that in this case."

Verschoore: "Well, I've talked to union members. I've talked to, you know, AFSCME members, correctional officers. I've talked to teachers. Everyone... everyone feel... thinks that there should be something done with this system, or they realize that something done. And everyone that I talked to, I told them, I said, you might as well plan on start paying something for your insurance. But the thing that they're most concerned with was what their premium was going to be and whether it would be, you know, moved around from year to year. So, I... I just was wondering on that. Thank you."

Speaker Lang: "Mr. Kay."

Kay: "Thank you, Mr. Speaker. Speaker Madigan, would you yield, please?"

Speaker Lang: "The Speaker will yield."

Kay: "Thank you. It seems to me that this is the quietest I've ever seen this Assembly. Now, granted, I've not been here as long as many of you, but this is the quietest I have ever seen it, and I think it represents the seriousness of the matter that we are dealing with today. This is... this is no laughing matter. This is a pretty serious matter for a lot of people. So, I want to share a couple of comments with the Speaker and the Body today. One of which goes back a year ago to an assembly of about 900 people I had in my district, where I invited people to come out and talk about their pensions and their health care. And a lot of Representatives were invited to come and the only two people that showed up were Representative Tom from...

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Holbrook from Representative Costello's district, and myself. And it was very interesting because the day went extraordinarily well and at the end of the day, most people on that assembly of 900 people said, you know what, Representative, we want to be a part of the problem because we don't want to lose. We don't want to lose the core benefit. I'm glad, of course, the core benefit would be the pensions that they enjoy. I was surprised to hear the response from a number of people in that assembly. I think Representative Holbrook, if he were here today he would concur with what I'm saying. Now, maybe my district is unique, but I don't think so. I have Southern Illinois University. I have a community college. So, I... I don't think it's... it's that much different than many of you folks in here that represent large groups of state workers. So, I think that's a positive. But I want to talk just a minute about what happens in the real world, because that's kind of where I come from. A lot of you in here know that I represent a very, very large teamster company. I go in and run that when I'm not here on a daily basis, and the teamsters have pretty tough contracts. And I've been able to work with them over the years, but they have a thing called health, welfare, and pension. and so, every week I'm obligated to fill a check out... make a check out, and send it in to the Teamsters International. And I want to tell you that if for some reason the teamsters don't meet their obligations, somebody is on the line to make sure that the pensioners get their money, the annuitants get their money at some point. And you know who that person is? Does

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anybody know who that person is? It's me. Do you know who pays the bill in this state if we can't make our obligations? It's the taxpayers. Now, I don't mean to suggest today that we have not covered a lot of bases, but I have not heard anyone talk about taxpayers in our state, the people that pick up the tab for everything that happens. Are we interested in protecting them? I think we are. You know, I'm not entirely happy with this Bill. It suggests to me that as Legislators and as people of responsibility in high places, we have come to a point of no return and we finally realized it. And I'm not sure that we've exhausted all possibilities that we need to before we do this, but I know this; that at some point in time we're going to have to do this as painful and tough as it is. So, today I'm just going to say this, I support the Speaker's Bill. I support Leader Cross's efforts in this Bill. And I think we need to recognize today that anyone, anyone, who does not consider the impact on the taxpayer when it comes to this reform or any other reform moving forward, needs to understand that those are the people that pay the bill. Mr. Speaker, I support your Bill. Thank you very much."

Speaker Lang: "Leader Cross."

Cross: "Thank you, Mr. Speaker. I'll try to keep my comments brief. There's been a lot of concern, and... and a... and rightly so, about how we handle this issue of what a retiree will pay when this Bill goes into effect. After our caucus yesterday, I reached out to Jerry Stermer with the Governor's Office and said, Jerry, how are you going to... what... what do you anticipate doing with respect to some

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guidelines. He said, well, we're going to do it on a... a means test based on pensions. I said, well, can you get me something in writing and he did, to his credit. And I certainly understand the concerns of this caucus and others about, you know, can we rely on that. I... in his memo... I just want to... two... two lines. The proposed retiree contributions will pay a percentage of their health care costs on a sliding scale, and the percent of cost the retiree will pay will also will be based on his or her pension level. The pension amounts will be broken into seven tiers. What I'd like to do with this memorandum from CMS, pursuant to House Rule 53(a) is to submit it to the Clerk's Office into the well and make it a part of the record, so people will know that this is... this is now part of the record, part of this Bill. I think it provides a little certainty for those of you that are concerned and again, I... I don't... I don't doubt and I understand your reason for concern. It is a very delicate, very delicate topic. On another point, and Representative Brady and... and Reboletti, and Bost, and Kay, and others have said some very important things. I... I want to maybe relay some concerns of our caucus, and... and they're legitimate also of... you know, Tom, we sat here for 10 years was... was programs were expanded, when spending went out of control, and borrowing was out of control, when pension payments weren't paid, and we didn't cause this mess. And why... why are we involved in this? And then... and I think that's a legitimate question for... for people that were in many ways, for a long, long time, completely excluded from this

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process. Completely excluded from this process, and who voiced concern at what was going on during those times, and... and were right on, and predicted this day would come. And to... to their credit, they were right. But I had my struggles with this, and I also wear a political hat. We don't really have a choice. And when you see credit agencies talk about the possibility of a double downgrade for the State of Illinois, that is, to say the least, not a good trend and that potentially occurs if we do nothing on retiree health care, pensions, Medicaid, and spending. If you are worried about what you're going to tell your retirees with this Bill, I would be very worried about what I was going to tell my retirees if we do nothing. If we go to a double downgrade and near a junk bond status, all bets are off. There won't be an issue of how much you pay for health care. There may not be a health care program. There may not be an issue about whether or not you're going to have to pay a little more for your pension. There is a good chance there would be no pension. And I think we fall into this trap of believing that that can't happen in this country, and that that will never happen in Illinois. Oh, that's what people talk about. That goes on in California. That goes on in Greece. That goes on in Spain. It very... there is a very likelihood if we do nothing that the situation gets worse, and worse, and worse. So, while we have an obligation to taxpayers, and we have an obligation to retirees, think about all those other services that people come into your offices to ask about, day in and day out, from substance abuse providers, to colleges, to



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schools, to daycare providers, to early childhood providers. You name it. I could go on, and on, and on. They won't be looking for more money; they'll be figuring out how to survive. So, we have no choice, as many have said, and I... this is by far the right thing to do, and it's the start of other things that we have said from day one have to happen. So, thank you, Mr. Speaker, for the opportunity to speak again. And I will submit that to the... to the record that... the memorandum. Thank you."

Speaker Lang: "The Clerk will accept your document, Sir.  
Speaker Madigan to close."

Madigan: "Mr. Speaker, Ladies and Gentlemen of the House, let me begin by correcting my earlier remarks in responses to questions from Mr. Dunkin. At that time, I stated that the... only the active health... only the health insurance for the active workers is negotiated by AFSCME. I've been corrected that AFSCME negotiates both the active and the retired health care plans for its members. Number two, let me correct what may be some misunderstanding. This Bill would apply to the Legislature. This Bill would apply to the Legislature. Number three, somewhat in response to some comments during debate where people were concerned about the increased cost to retirees, and I presume those are retirees of the State of Illinois. I think it's important to remember that for people that have been on retirement from the State of Illinois, they have been getting a three percent compounded COLA adjustment every year, three percent compounded adjustment every year. They've been ahead of the national inflation they've been ahead of it.

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But let me go to my concluding remarks. We are being called upon to administer some real tough medicine all through this Session, all through the budget making that we're involved in today. The Governor has called upon us to reduce expenditures in the Medicaid program by close to \$2.7 billion. That's real tough medicine. The Governor is calling upon us to make dramatic changes in pension systems, to go in and adjust that three percent compounded COLA, among other things. That's tough medicine. We're being called upon to adopt a budget which significantly reduces spending by the state, and we're working on that right now. And that's real tough medicine. And then that takes me to this Bill. As many have said, it's not an easy Bill. It's not an easy vote because you're taking away something that people have. But if you take this Bill and compare this Bill to the other matters that we're being called upon to do in this Session, I say if we can't do this Bill, what are we going to be able to do? The prescription on the table is huge. This is one small part of it. So again, if you can't do this, what in the world are we going to be able to do? I would recommend a 'yes' vote. Thank you."

Speaker Lang: "Speaker Madigan has moved for the passage of Senate Bill 1313. On that question, those in favor will vote 'yes'; opposed 'no'. The voting is open. Have all voted who wish? Have all voted who wish? Please take the record, Mr. Clerk. On this question, there are 74 voting 'yes', 43 voting 'no'. And this Bill, having received the

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Constitutional Majority, is hereby declared passed. The Chair recognizes Leader Lyons."

Lyons: "Thank you, Mr. Speaker, Ladies and Gentlemen of the House. On a much, much lighter note, today is Illinois Credit Union Day and we have had hundreds of employees and board of directors, and officers from the credit unions, many who are which... with us today, up in the gallery. Can we give a nice round of applause to our credit union supporters... They..."

Speaker Lang: "Mr. Sacia."

Sacia: "Mr. Speaker, personal privilege, please."

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

Sacia: "Ladies and Gentlemen, I have with me on the Democrat side of the aisle, my good friend and the mayor of Freeport, Illinois, northwest Illinois, George Gaulrapp; and three good aldermen from Silvis, Illinois, which is from Representative Morthland's district. So, if they'd please stand, and if you'd acknowledge them, I... I'd sure appreciate it."

Speaker Lang: "Thank you. Welcome to Springfield. Representative Tracy."

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

Speaker Lang: "Please state your point."

Tracy: "On House Bill 2488, I should be recorded as a 'no' vote. I think I was... or, excuse me. I was re... I wanted to be re... recorded as a 'yes' vote, and I was recorded as a 'no' vote."

Speaker Lang: "The record will reflect your intentions."

Tracy: "Thank you."

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Speaker Lang: "Mr. Clerk, Agreed Resolutions."

Clerk Bolin: "Agreed Resolutions. House Resolution 1030, offered by Representative Dugan. And House Resolution 1031, offered by Representative D'Amico."

Speaker Lang: "Leader Currie 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. The Chair recognizes Representative Mayfield."

Mayfield: "Thank you, Mr. Speaker. On Senate Bill 1313, it had been my intention to vote 'no'."

Speaker Lang: "The record will reflect your intention. The Chair recognizes Mr. Moffitt for an announcement."

Moffitt: "Thank you, Mr. Speaker. I'd just like to remind the Body that tomorrow we'll be recognizing fallen firefighters. The... the memorial service will begin out at the memorial at 9 a.m., out here at the southwest corner of the Capitol. That will be followed by the Medal of Honor Ceremony. It's the nineteenth annual Medal of Honor Ceremony at the Prairie Capital Convention Center. I hope you'll all try to work in some of those ceremonies, very touching. We have a lot to show our appreciation to our firefighters, those serving and the fallen firefighters. Thank you."

Speaker Lang: "Thank you, Mr. Moffitt. Representative May, would you like to scurry back to your Chair? Representative May, would you like to scurry back to your Chair and talk about the event you're producing this evening? Don't hurt yourself. Representative May."

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May: "Yes. After our very serious discussion on Senate Bill 1313, we really need a laugh. The Conference of Women's Legislators COWL event, our show is tonight at 6 p.m. at the Crowne Plaza. Majority Leader Currie is setting it off with Good Ship Illinois. It's a cruise theme. We have bipartisan participation. It's going to be awesome. Come laugh with us. Come help us raise money for our scholarship fund. Captain Pamela Altoff, cruise director, Karen May, will usher our acts on the stage. We've got a lot of talent. We would love to see you there. Thank you."

Speaker Lang: "Thank you, Representative. Mr. Clerk, committee announcements."

Clerk Bolin: "The following committees will meet at 3 p.m. this afternoon. Judiciary II-Criminal Law will meet in Room C-1 and Executive Committee will meet in Room 114. The following committees will meet tomorrow, Thursday, May 10. At 8:30 a.m., Elections & Campaign Reform will meet in Room C-1, Judiciary II-Criminal Law will meet at 10 a.m. in Room C-1. And at 10:30 a.m., the Special Investigating Committee will meet in Room 114."

Speaker Lang: "Ladies and Gentlemen, an important announcement. Ladies and Gentlemen, can I have your attention? The House will be in Session on Friday. Don't blame the messenger. The House will be in Session on Friday. And now, allowing perfunctory time for the Clerk, Leader Currie moves that the House stand adjourned until Thursday, May 10 at the hour of 12 noon. Those in favor of the Motion will say 'yes'; opposed 'no'. The 'ayes' have it. And the House does

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stand adjourned 'til Thursday, May 10 at the House of 12 noon."

Clerk Hollman: "House Perfunctory Session will come to order. Introduction and First Reading of House Bills. House Bill 6166, offered by Representative Sacia, a Bill for an Act concerning criminal law. House Bill 6167, offered by Representative Reboletti, a Bill for an Act concerning criminal law. House Bill 6168, offered by Representative Reboletti, a Bill for an Act concerning criminal law. Introduction of Resolutions. Senate Joint Resolution 63, offered by Representative John Bradley. And Senate Joint Resolution 73, offered by Representative Brown. First Reading of Senate Bills. Senate Bill 2491, offered by Representative Ford, a Bill for an Act concerning State Government. These are all referred to the Rules Committee. There being no further business, the House Perfunctory Session will stand adjourned."