

STATE OF ILLINOIS
96th GENERAL ASSEMBLY
HOUSE OF REPRESENTATIVES
TRANSCRIPTION DEBATE

63rd Legislative Day

5/28/2009

Speaker Turner: "The hour of 10:30 having come and gone, May 28, 2009. We shall be led in prayer today by Pastor C.D. Stuart, who's with Antioch Missionary Baptist Church in Decatur, Illinois. Pastor Stuart is the guest of Representative Flider. Members and guests are asked to refrain from starting their laptops, turn off all cell phones and pagers, and rise for the invocation and the Pledge of Allegiance. Pastor Stuart."

Pastor Stuart: "Let us pray. God of our Father, thank You for who You are of our awesome, adequate and aware God. We hallow Your name. Thank You for giving us the privilege of prayer and we pray now for the Representatives of this great State of Illinois. Thank You for all of the wisdom, the knowledge that are within these walls which are derivatives from You. In this day of urgency, our God, we ask that You will grant unto each one of these officials their necessities to fulfill their responsibilities to You and this great state. And God, we ask that You give unto them the comfort of accomplishment at the end of a workday and we give You all of the glory. Now, in the name of Jesus we pray, Amen."

Speaker Turner: "We shall be led in prayer today... I mean, the Pledge today by the Gentleman from Fulton, Representative Smith."

Smith - 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."

STATE OF ILLINOIS
96th GENERAL ASSEMBLY
HOUSE OF REPRESENTATIVES
TRANSCRIPTION DEBATE

63rd Legislative Day

5/28/2009

Speaker Turner: "Roll Call for Attendance. The Lady from Cook, Representative Currie."

Currie: "Thank you, Speaker. There are no excused absences to report among House Democrats today."

Speaker Turner: "And the Gentleman from Jackson, Representative Bost."

Bost: "Thank you, Mr. Speaker. Let the record reflect that Representative Cultra is excused on the Republican side of the aisle..."

Speaker Turner: "We have a..."

Bost: "...or we can just vote him 'no'."

Speaker Turner: "We have 116 Members present, a quorum is present and we shall proceed with business. The Clerk, Committee Reports."

Clerk Mahoney: "Committee Reports. Representative Howard, Chairperson from the Committee on Judiciary II-Criminal Law, to which the following measure/s was/were referred, action taken on May 28, 2009, reported the same back with the following recommendation/s: 'recommends be adopted' is a Motion to Concur with Senate Amendment #1 to House Bill 865; 'do pass Short Debate' is Senate Bill 1300, Senate Bill 1320, Senate Bill 1325, and Senate Bill 2024. Representative Franks, Chairperson from the Committee on State Government Administration, to which the following measure/s was/were referred, action taken on May 28, 2009, reported the same back with the following recommendation/s: 'do pass Short Debate' is House Joint Resolution Constitutional Amendment 31. Representative Nekritz, Chairperson from the Committee on Judiciary I-Civil Law, to

STATE OF ILLINOIS
96th GENERAL ASSEMBLY
HOUSE OF REPRESENTATIVES
TRANSCRIPTION DEBATE

63rd Legislative Day

5/28/2009

which the following measure/s was/were referred, action taken on May 28, 2009, reported the same back with the following recommendation/s: 'recommends be adopted' is Floor Amendment #3 to Senate Bill 1938. Representative Brosnahan, Chairperson from the Committee on Telecommunications, to which the following measure/s was/were referred, action taken on May 28, 2009, reported the same back with the following recommendation/s: 'recommends be adopted' is a Motion to Concur in Senate Amendment #1 to House Bill 2527. Representative Beiser, Chairperson from the Committee on Transportation, Regulation, Roads & Bridges, to which the following measure/s was/were referred, action taken on May 28, 2009, reported the same back with the following recommendation/s: 'recommends be adopted' is a Motion to Concur in Senate Amendment #1 to House Bill 353. Representative Verschoore, Chairperson from the Committee on Counties & Townships, to which the following measure/s was/were referred, action taken on May 28, 2009, reported the same back with the following recommendation/s: 'recommends be adopted' is a Motion to Concur in Senate Amendments 1 and Senate Amendments 2 and to House Bill 1322. Referred to the House Committee on Rules is House Resolution 468, offered by Representative Ford. House Resolution 470, offered by Representative Chapa LaVia. House Resolution 472, offered by Representative Acevedo. House Joint Resolution 62, offered by Representative Flowers. House Joint Resolution 63, offered by Representative May. Introduction and reading of Senate Bills-First Reading. Senate Bill 291,

STATE OF ILLINOIS
96th GENERAL ASSEMBLY
HOUSE OF REPRESENTATIVES
TRANSCRIPTION DEBATE

63rd Legislative Day

5/28/2009

offered by Representative Lang, a Bill for an Act concerning civil law. Senate Bill 292, offered by Representative Lang, a Bill for an Act concerning civil law. Senate Bill 932, offered by Representative Mulligan, a Bill for an Act concerning transportation. Senate Bill 1013, offered by Representative Nekritz, a Bill for an Act concerning criminal law. And Senate Bill 1381, offered by Representative Lang, a Bill for an Act concerning alternative treatment for serious diseases causing chronic pain and debilitating conditions."

Speaker Turner: "Ladies and Gentlemen, we're going to start on page 4 of the Calendar doing Senate Bills-Third Reading. The first Bill we're going to do today is Senate Bill 1467, Representative Reis. Out of the record. The next Bill is Senate Bill 1556, Representative Brady. Read the Bill, Mr. Clerk."

Clerk Mahoney: "Senate Bill 1556, a Bill for an Act concerning civil law. Third Reading."

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

Brady: "Thank you very much, Mr. Speaker. Ladies and Gentlemen of the House, Senate Bill 1556, as amended by the Committee Amendment, creates the Interscholastic Association Defamation Act. It states that any association who has its purpose promoting, sponsoring, regulating or in any manner providing for interscholastic athletics or any form of athletic competition among schools and students within the state is not liable for defamation except for actual malice. This was an agreed to Bill from the Illinois Trial

STATE OF ILLINOIS
96th GENERAL ASSEMBLY
HOUSE OF REPRESENTATIVES
TRANSCRIPTION DEBATE

63rd Legislative Day

5/28/2009

Lawyers Association, the Illinois High School Association and other related parties. And I'll be happy to answer any questions."

Speaker Turner: "Seeing no questions, the question is, 'Shall the House pass Senate Bill 1556?' All those in favor should vote 'aye'; all those opposed vote 'no'. Voting is now open. Have all voted who wish? Have all voted who wish? ...wish? The Clerk shall take the record. On this question, there are 117 voting 'aye', 0 'noes' and 0 'presents'. And this Bill, having received the Constitutional Majority, is hereby declared passed. On the Order of Senate Bill-Third Readings, on page 5 of the Calendar, Representative Nekritz, we have Senate Bill 2115. Read the Bill, Mr. Clerk."

Clerk Mahoney: "Senate Bill 2115, a Bill for an Act concerning revenue. Third Reading."

Speaker Turner: "The Lady from Cook, Representative Nekritz."

Nekritz: "Thank you, Mr. Speaker. Senate Bill 2115 is identical to House Bill 255. It passed earlier this year on a vote of 112 to 1. This is the legislation that would continue our 25-year practice of deferring Illinois's estate taxes until the death of a surviving spouse. I'd be happy to answer any questions."

Speaker Turner: "Seeing no questions, the question is, 'Shall the House pass Senate Bill 2115?' All those in favor should vote 'aye'; all those opposed vote 'no'. The voting is now open. Have all voted who wish? Have all voted who wish? The Clerk shall take the record. On this question, there are 117 voting 'aye', 0 'noes', 0 'presents'. And

STATE OF ILLINOIS
96th GENERAL ASSEMBLY
HOUSE OF REPRESENTATIVES
TRANSCRIPTION DEBATE

63rd Legislative Day

5/28/2009

this Bill, having received the Constitutional Majority, is hereby declared passed. Representative Rita, Senate Bill 1925. Out of the record. On page 5 of the Calendar, we have Senate Bill 1925, Representative Rita. Read the Bill, Mr. Clerk."

Clerk Mahoney: "Senate Bill 1925, a Bill for an Act concerning regulation. Third Reading."

Speaker Turner: "The Gentleman from Cook, Representative Rita."

Rita: "Thank you, Mr. Speaker, Ladies and Gentlemen of the House. Senate Bill 1925 is a Bill to upgrade and improve the current Landscape Architectural Title Act. This is an agreed Bill with all parties. Just ask for your favorable support."

Speaker Turner: "Seeing no questions... The Gentleman from Cook, Representative Miller, for what reason do you rise?"

Miller: "Will the Sponsor yield?"

Speaker Turner: "Indicates he will."

Miller: "Representative, in a couple places in the Bill you're adding landscape architect design professionals or landscape architectural design professionals as protected titles."

Rita: "Yeah, I got to read it."

Miller: "We already have design professionals defined in other Acts for architects and engineers, and firms that are not those services. What is this... What... That's not the same thing, is it?"

Rita: "No, Representative. This... the difference is is that we're amending... we're not amending any current law regarding the... the registration of the professional design

STATE OF ILLINOIS
96th GENERAL ASSEMBLY
HOUSE OF REPRESENTATIVES
TRANSCRIPTION DEBATE

63rd Legislative Day

5/28/2009

firm. What we're doing is... is... the intent is limited and we're just adding... to create a separate title for the landscape architect design professional."

Miller: "Representative, it's my understanding that this does not let anybody new register as a firm or other services they aren't licensed to engage in. Is that correct?"

Rita: "Correct..."

Miller: "Okay."

Rita: "...correct."

Miller: "It's also... the intent is limited to create separate and distinct titles to be used by landscape architects for protective... protect their ability to persuade or perform work currently done by landscape architects. Is that correct?"

Rita: "Cor... correct."

Miller: "Okay. So, essentially, it's... everybody's doing the same thing as before."

Rita: "Yes."

Miller: "Okay."

Rita: "Correct."

Miller: "Thank you, Representative. To the Bill, Mr. Speaker. The Sponsor has answered the questions that I have with and for further clarification. And I would ask and everyone to support the Bill and vote 'yes'."

Speaker Turner: "Seeing no further questions, the question is, 'Shall the House pass Senate Bill 1925?' All those in favor should vote 'aye'; all those opposed vote 'no'. The voting is now open. Have all voted who wish? Have all voted who wish? Burns. The Clerk shall take the record.

STATE OF ILLINOIS
96th GENERAL ASSEMBLY
HOUSE OF REPRESENTATIVES
TRANSCRIPTION DEBATE

63rd Legislative Day

5/28/2009

On this question, there are 117 voting 'aye', 0 'noes', 0 'presents'. And this Bill, having received the Constitutional Majority, is hereby declared passed. Representative DeLuca, we have Senate Bill 1783. Read the Bill, Mr. Clerk."

Clerk Mahoney: "Senate Bill 1783, a Bill for an Act concerning local government. Third Reading."

Speaker Turner: "The Gentleman from Cook, Representative DeLuca."

DeLuca: "Thank you, Mr. Speaker, Ladies and Gentlemen of the House. Senate Bill 1783, this is similar to a... Bills that were run in the past by Reboletti and Zalewski regarding regulating licensing landlords. But this Bill removes the generalities and is specific to prohibiting criminal activity in residential leases. Crime free housing allows municipalities to train and license landlords and attaches a crime free lease addendum to the rental agreement. This is about municipalities and landlords becoming partners in improving the quality of life. This is a good Bill. There is no opposition to the Bill. And I ask for a 'yes' vote. I'm available to take any questions."

Speaker Turner: "The Gentleman from Cook, Representative Zalewski, for what reason do you rise?"

Zalewski: "Mr... Thank you, Mr. Speaker. To the Bill. I just want to commend the Sponsor, Representative DeLuca, along with Representative Reboletti. This is a Bill that's important to my district, especially the Village of Lyons and the Village of Summit. It'll get them the necessary relief they're looking for to better regulate landlords and

STATE OF ILLINOIS
96th GENERAL ASSEMBLY
HOUSE OF REPRESENTATIVES
TRANSCRIPTION DEBATE

63rd Legislative Day

5/28/2009

ensure that they're abiding by the Criminal Codes. I urge an 'aye' vote on this legislation."

Speaker Turner: "The Gentleman from Crawford, Representative Eddy, for what reason do you rise?"

Eddy: "Would the Sponsor yield?"

Speaker Turner: "Indicates he will."

Eddy: "Representative, just for the record. Do the... the Realtors Association is okay with this. This is the result of a compromise with the Realtors Association."

DeLuca: "Yes, that's correct."

Eddy: "And this allows for an addendum basically on a lease that prohibits a... a defined set of 'criminal activities' as being allowable as that addendum in a lease?"

DeLuca: "That's correct."

Eddy: "And that's... that's the approach that everybody agrees can work in this situation and the Municipal League and realtors have come to an agreement on that?"

DeLuca: "Yes."

Eddy: "Okay. Thank you very much. To the... to the Bill. I also want to commend you. This is something, obviously, we've had several attempts at trying to solve between the two groups. You've done a good job of bringing forward a nice compromise. And I'd urge an 'aye' vote."

Speaker Turner: "The Gentleman from DuPage, Representative Reboletti, for what reason do you rise?"

Reboletti: "Mr. Speaker, my name was used in debate by two of my colleagues. I was a little disappointed that my friend from Crawford didn't mention my name, but to the Bill. This is an attempt that I've worked on for the last couple

STATE OF ILLINOIS
96th GENERAL ASSEMBLY
HOUSE OF REPRESENTATIVES
TRANSCRIPTION DEBATE

63rd Legislative Day

5/28/2009

of years. We're looking at potentially landlord licensing. I know that's been an issue in many communities, non-Home Rule communities. We've even dealt with some crimefree housing issues in the Village of Villa Park which I represent part of and this has been a great compromise between the realtors and the landlords and I think we're going to get... we're working on the root of the problem which is landlords having an opportunity to deal with public safety issues and criminals living in their housing and being able to address those concerns, remove those folks. And so, I would urge an 'aye' vote and thank the Sponsor for his work with all of us. Thank you."

Speaker Turner: "Seeing no further questions, the question is, 'Shall the House pass Senate Bill 1783?' All those in favor should vote 'aye'; all those opposed vote 'no'. The voting is now open. Have all voted who wish? Have all voted who wish? Flowers. Myers. The Clerk shall take the record. On this question, 102 voting 'aye', 15 voting 'no', 0 'presents'. And this Bill, having received the Constitutional Majority, is hereby declared passed. Ladies and Gentlemen, we're going to go to the Order of Concurrences. I'm going to start on page 14 and we're going to go down the Calendar on the Order of Concurrences. So, you should be prepared to move your legislation. There's quite a few Bills here today. On page 14, under the Order of Concurrences, we have House Bill 71. Representative D'Amico, the Gentleman from Cook."

D'Amico: "Thank you... thank you, Mr. Speaker. I just make a Motion to Concur with Senate Bill... House Bill 71

STATE OF ILLINOIS
96th GENERAL ASSEMBLY
HOUSE OF REPRESENTATIVES
TRANSCRIPTION DEBATE

63rd Legislative Day

5/28/2009

concurrency Senate Bill Amendment 1. It's pretty technical in nature."

Speaker Turner: "The Gentleman from Crawford, Representative Eddy, for what reason do you rise? I'm sor... Yeah."

Eddy: "Will the Sponsor yield?"

Speaker Turner: "Indicates he will."

Eddy: "Representative, I don't want to prolong the debate on this, but could you basically kind of... this was debated a long time over here in its original form. Minor technical change?"

D'Amico: "Yes, basically because... and we went through the debate, like you said before. What this is saying is if you're stuck... if you're stuck in traffic and you put your car in neutral or park, you are allowed to text."

Eddy: "Okay. So, Representatives wouldn't have any reason really to change. Maybe it would gain some support actually because of that change."

D'Amico: "It actually would probably pick up some support as well."

Eddy: "All right. All right. Thanks for the explanation."

D'Amico: "Thank you."

Eddy: "Appreciate it."

Speaker Turner: "Seeing no further questions, the question is, 'Shall the House concur in Senate Amendment 1 to House Bill 71?' This is final action. All those in favor should vote 'aye'; all those opposed vote 'no'. The voting is now open. Have all voted who wish? Have all voted who wish? Hatcher. The Clerk shall take the record. On this question, there are 92 voting 'aye', 25 voting 'no' and 0

STATE OF ILLINOIS
96th GENERAL ASSEMBLY
HOUSE OF REPRESENTATIVES
TRANSCRIPTION DEBATE

63rd Legislative Day

5/28/2009

'presents'. And the House does... the House does concur in Senate Amendments 1 to House Bill 71. And this Bill, having received the Constitutional Majority, is hereby declared passed. Representative D'Amico, we have House Bill 72."

D'Amico: "Thank you, Mr. Speaker. I make a Motion to Concur with House Bill 72, Senate Amendment 1. And basically, what this does is lets you use a hands-free phone while in a construction zone or in a school zone."

Speaker Turner: "Seeing no questions, the question is, 'Shall the House concur in Senate Amendment 1 to House Bill 72?' This is final action. And all those in favor should signify by voting 'aye'; those opposed by voting 'nay'. Voting is now open. Have all voted who wish? Schmitz. The Clerk shall take... take the roll. On this question, there are 96 voting 'aye', 21 voting 'no', 0 'presents'. And the House do concur... does concur in Senate Amendments 1 to House Bill 72. And this Bill, having received the Constitutional Majority, is hereby declared passed. Representative Bradley, not in his chair. Representative Ryg on House Bill 236."

Ryg: "Thank..."

Speaker Turner: "The Lady from Lake."

Ryg: "Thank you, Mr. Speaker. I move to concur on Senate Amendment 1 on House Bill 236. This underlying Bill addressed notice of the contractors had to provide residential property owners regarding liens. And this Senate Amendment is an initiative of the Illinois State Bar

STATE OF ILLINOIS
96th GENERAL ASSEMBLY
HOUSE OF REPRESENTATIVES
TRANSCRIPTION DEBATE

63rd Legislative Day

5/28/2009

who had their experts in lien perfection and so, they recommended this language. And I know of no opponents."

Speaker Turner: "Seeing no questions, the question is, 'Shall the House concur in Senate Amendment 1 to House Bill 236?' This is final action. All those in favor should vote 'aye'; all those opposed vote 'no'. The voting is now open. Have all voted who wish? Have all voted who wish? The Clerk shall take the record. On this question, 117 voting 'aye', 0 'noes' and 0 'presets'. And the House do concur in Senate Amendment 1 to House Bill 236. And this Bill, having received the Constitutional Majority, is hereby declared passed. Mr. Clerk, Rules Report."

Clerk Mahoney: "Representative Barbara Flynn Currie, Chairperson from the Committee on Rules, to which the following legislative measures and/or Joint Action Motions were referred, action taken on May 28, 2009, reported the same back with the following recommendation/s: 'approved for floor consideration' is... referred to the Order of Second Reading is House Bill 250; 'recommends be adopted' is Amendment #4 to Senate Bill 1483, Amendment #1 to Senate Bill 1739, Amendment #1 to Senate Bill 1984, and Amendment #5 to Senate Bill 2148. On the Order of Concurrence, 'recommends be adopted' is a Motion to Concur in Senate Amendments 1 and 2 to House Bill 3641."

Speaker Turner: "Representative Tracy, on the Order of Concurrence, we have House Bill 237."

Tracy: "Thank you, Mr. Speaker. I move to accept... adopt the concurrence. I move to concur."

Speaker Turner: "On Senate Amendment #1..."

STATE OF ILLINOIS
96th GENERAL ASSEMBLY
HOUSE OF REPRESENTATIVES
TRANSCRIPTION DEBATE

63rd Legislative Day

5/28/2009

Tracy: "With the Amendment. Okay, one more time. I move to concur with Senate Amendment #1."

Speaker Turner: "And what does Senate Amendment 1 do?"

Tracy: "It changes the underlying provisions which provided for a percent penalty for Medicaid bills paid on a cycle in excess of 30 days, but as amended, the Medicaid bills paid in excess of 60 days would be subject to a rate of percent interest. And additionally, it provides within the definition of good and services subject to the underlying Prompt Payment Act to include for those for the prevention, intervention, or treatment services and supports for persons with developmental disabilities, mental health services, alcohol and substance abuse services and rehabilitation services and early intervention services. So, I would welcome any questions."

Speaker Turner: "And there are none. So, the question is, 'Shall the House concur in Senate Amendment 1 to House Bill 237?' This is final action. All those in favor should vote 'aye'; all those opposed vote 'no'. The voting is now open. Have all voted who wish? Have all voted who wish? Graham. The Clerk shall take the record. On this question, 117 voting 'aye', 0 'noes', 0 'presents'. And the House does concur in Senate Amendment 1 to Senate Bill... House Bill 237. And this Bill, having received the Constitutional Majority, is hereby declared passed. Representative Winters, we have House Bill 353."

Winters: "Thank you, Mr. Speaker. House Bill 353 has Amendments to the Vehicle Code. The original Bill was on school bus signs talking about the behavior of the driver,

STATE OF ILLINOIS
96th GENERAL ASSEMBLY
HOUSE OF REPRESENTATIVES
TRANSCRIPTION DEBATE

63rd Legislative Day

5/28/2009

changing that. Senate Amendment 1 would provide that a county would have the same authority as a municipality to adopt the Vehicle Code by reference. Senate Amendment 2 provides for the issuance of a Distinguished Flying Cross license plate. I'd be happy to answer any questions."

Speaker Turner: "Seeing no questions, the question is, 'Shall the House concur in Senate Amendments 1 and 2 to House Bill 353?' This is final action. And all those in favor should signify by voting 'aye'; those opposed should vote 'no'. And the question... The voting is now open. Have all voted who wish? Have all voted who wish? McGuire. Jack. The Clerk shall take the record. On this question, there are 115 voting 'aye', 2 voting 'no', and 0 'presents'. And the House do... does concur in Senate Amendments 1 and 2 to House Bill 353. And this Bill, having received the Constitutional Majority, is hereby declared passed. Representative Soto, House Bill 363. Read... Representative Soto."

Soto: "Yes. Thank you, Speaker. Thank you, Speaker and Members of the House. I move to concur with Senate Amendment #2. Senate Amendment #2 makes the following changes. It makes technical changes to clarify the language in this Bill. It changes the name of the task force and it provides a task force to be created within 15 days of this Bill passing. And I'm open for questions."

Speaker Turner: "Seeing no questions, the question is, 'Shall the House adopt... the House concur in Senate Amendment 2 to House Bill 363?' This is final action. All those in favor should vote 'aye'; those opposed vote 'no'. The voting is

STATE OF ILLINOIS
96th GENERAL ASSEMBLY
HOUSE OF REPRESENTATIVES
TRANSCRIPTION DEBATE

63rd Legislative Day

5/28/2009

now open. Have all voted who wish? Have all voted who wish? The Clerk shall take the record. On this question, there are 117 voting 'aye', 0 'noes', and 0 'presents'. And the House do... does concur in Senate Amendment 2 to House Bill 363. And this Bill, having received the Constitutional Majority, is hereby declared passed. Representative Mautino on House Bill 372."

Mautino: "Thank you. I move the House concur with the Senate Amendment 1 to House Bill 372. The Design-Build Act is set to be repealed on July 1 of 2009, so next month, hopefully, while we're at home. And this will push that sunset date out to July 1, 2014. The Senate Amendment we're concurring in simply says that the... on both the design and build phase that they will observe the... the female-minority contractor language, keep those considerations. It's all agreed. Appreciate an 'aye' vote."

Speaker Turner: "See no... seeing no questions, the question is, 'Shall the House concur in Senate Amendment 1 to House Bill 372?' This is final action. All those in favor should signify by voting 'aye'; those opposed vote 'no'. The voting is now open. Have all voted who wish? Have all voted who wish? The Clerk shall take the record. On this question, 117 voting 'aye', 0 'noes', 0 'presents'. And the House does concur in Senate Amendment 1 to House Bill 372. And this Bill, having received the Constitutional Majority, is hereby declared passed. Representative Ford on House Bill 436."

Ford: "Thank you, Mr. Speaker and Members of the House. I move to concur in Senate Amendment #1 to House Bill 436."

STATE OF ILLINOIS
96th GENERAL ASSEMBLY
HOUSE OF REPRESENTATIVES
TRANSCRIPTION DEBATE

63rd Legislative Day

5/28/2009

Speaker Turner: "The Gentleman from Crawford, Representative Eddy."

Eddy: "Good morning, Representative. Would you yield for questions"

Ford: "Yes."

Eddy: "Can you give us a little more of a description of exactly what the... the Senate Amendment does?"

Ford: "The Senate Amendment takes away the previous guarantee of percent interest rate for the microloans and says that the individual making the loan has a right to set the rate."

Eddy: "So, the original legislation set the interest rate?"

Ford: "It had to be three percent, at three percent, yes."

Eddy: "And who... who is the beneficiary of the reduced rate, what... what individuals?"

Ford: "Well, the institution that's making the loan."

Eddy: "Well, but... but who is the rate for? Who... what group? Is it ex-offenders? Is it the same as it... when it went over to the Senate?"

Ford: "Yes. The Bill is identical. The only change is before it left the House there was a guarantee three percent interest rate. Now, there's no set interest rate for the microloan."

Eddy: "So... so, basically, the Bill, as amended, provides preferential interest rate treatment for ex-offenders?"

Ford: "No."

Eddy: "No?"

Ford: "Previously, it did. Now, it doesn't."

STATE OF ILLINOIS
96th GENERAL ASSEMBLY
HOUSE OF REPRESENTATIVES
TRANSCRIPTION DEBATE

63rd Legislative Day

5/28/2009

Eddy: "Okay. What does it do then if it doesn't do what the underlying Bill..."

Ford: "All right. Then I'm going to say it again. Previously there was a guaranteed three percent rate that they had to get. Now, there's no guarantee. The institution making the loan can set the rate at whatever they want."

Eddy: "So, how is this any different than what happens right now?"

Ford: "With what? With loans?"

Eddy: "Right. If the institution..."

Ford: "There's no difference, no."

Eddy: "There's no difference for institutions than they can do right now, why do we need the legislation?"

Ford: "Because this legislation is geared only for ex-offenders."

Eddy: "I understand that, but your previous explanation was that this doesn't do anything differently than what can be done right now, because really your intention was when you sent it to the Senate to allow for a three percent loan. The Senate changed that and the loan rate has to now be negotiated between the individual and the bank. And that's the way it is right now without this legislation at all."

Ford: "No. Previously, that was one of the benefits to have a low interest rate of a guaranteed three percent. Well, that luxury is no longer there, but the program is still set up for individuals with... that's formerly incarcerated. So, there's a program just for individuals with... that were formerly incarcerated to go to get loans."

STATE OF ILLINOIS
96th GENERAL ASSEMBLY
HOUSE OF REPRESENTATIVES
TRANSCRIPTION DEBATE

63rd Legislative Day

5/28/2009

Eddy: "Well, in a nutshell then, what advantage does this provide to ex-offenders, formerly incarcerated, that is not currently law? What is the advantage, if the three percent has been taken out, what advantage does this create for ex-offenders?"

Ford: "Well, there's a fund just for ex-offenders now and we can sort of, maybe draw funds from the Federal Government to put into an ex-offender fund like the Second Chance Act, which is one of the reasons why this legislation was drafted because there is almost a \$200 million federal Second Chance Act signed by President George Bush..."

Eddy: "So... so, this doesn't create the fund or does this legislation create the fund?"

Ford: "This does not create the fund. It provides a mechanism or place for the funds to go."

Eddy: "Okay. So, if Illinois then applies for those federal funds, this legislation would provide the statutory authority to set up lending just that money through..."

Ford: "For that."

Eddy: "...for that fund. It doesn't have anything to do with the interest rate anymore. It just is... is... your attempt is to set up a statutory mechanism to access those federal funds for Second Chance or for ex-offenders?"

Ford: "Yes."

Eddy: "There's no state money that would go into this. This is federal grant money only."

Ford: "Correct. No state money that will go in it."

Eddy: "Okay. Ladies and Gentlemen of the House, very quickly. I would urge you to... to keep an eye on this. As this left

STATE OF ILLINOIS
96th GENERAL ASSEMBLY
HOUSE OF REPRESENTATIVES
TRANSCRIPTION DEBATE

63rd Legislative Day

5/28/2009

the House, there was a considerable amount of... of opposition to this Bill. Check the vote history on this. I want to listen to the rest of the debate to see if the changes that were made in the Senate would remove that opposition, but there was considerable opposition to this Bill."

Speaker Turner: "The Gentleman from Champaign, Representative Rose, for what reason do you rise?"

Rose: "Will the Sponsor yield for a quick question? Representative, how much money under the Federal Stimulus Act was allotted for this?"

Ford: "It's not federal stimulus money."

Rose: "Okay. Well, our analysis says that this was a passed... this is a vehicle to allow for the pass-through of federal money allotted for the Second Choice (sic-Chance) Act."

Ford: "It's not..."

Rose: "It's not exactly, but it is... it's federal money but not stimulus money. Is that what you're saying?"

Ford: "That's right."

Rose: "Okay."

Ford: "It's money that was allocated specifically for Second Chance offenders."

Rose: "And how much money's available for the whole country?"

Ford: "There is 110 million in the fund right now."

Rose: "One hundred ten million. And how much of that would come to Illinois versus going somewhere else?"

Ford: "Well, of course, it's... you have all the different states that would have to apply for the money, so there no

STATE OF ILLINOIS
96th GENERAL ASSEMBLY
HOUSE OF REPRESENTATIVES
TRANSCRIPTION DEBATE

63rd Legislative Day

5/28/2009

definite amount. It's every state must apply for a... for the money to come to their state. So..."

Rose: "This is..."

Ford: "It's just..."

Rose: "First of all, Representative Ford, I want to compliment you for your... for this issue and I... and I know it's very important to you and you have... well, you've been around three or four years now and you... I know you've worked long and hard on this. And so to you, I want to compliment you on this. I don't know how I will... on your work on this. I don't know how I'll vote on this. It's very interesting. I know I've opposed your previous versions with state money. This is federal money and it's going to go somewhere else."

Ford: "You know, it's federal money for the program. This is not money that we're going to take from infrastructure to schools..."

Rose: "Right. Well, I understand this."

Ford: "...or infrastructure for new prisons."

Rose: "Right."

Ford: "The money is already there for programs like this, so why would we want to miss out on it in the State of Illinois."

Rose: "I understand that and that's why I'm complimenting you for the way you've done this, Representative Ford. I really respect... respect you on this issue. I just don't... I mean, the way I look at it though as I've said in the previous incarnations on this with the state money as well. You know, an average guy on the street wants to start up a

STATE OF ILLINOIS
96th GENERAL ASSEMBLY
HOUSE OF REPRESENTATIVES
TRANSCRIPTION DEBATE

63rd Legislative Day

5/28/2009

business he goes through the same hoops that everyone else goes through. Now, this is different. And I grant you that, because this would be the State of Illinois passing on an opportunity to bring our state tax dollars back to the State of Illinois and it's very interesting, but mainly, Representative, I just wanted to compliment you on this 'cause I know you're passionate on it. And I just don't know if I agree with the premise in general, but that says nothing about you..."

Ford: "I would like... I would like..."

Rose: "...'cause I know you're very passionate on this."

Ford: "...I would like for you to agree with the premise because it's not... we're not taking money from any other programs."

Rose: "I..."

Ford: "This is... I don't under..."

Rose: "...I know, but the premise is to the average guy on the street who's trying to start a business, he's got to go to a bank and get a loan and pay the regular rate of interest and... and..."

Ford: "Well, good, good. This guy has to pay the regular rate of interest now, too. The Bill was made, I guess, better in the Senate to make it on a level playing field for those applying for these loans. I think that if you just look at it and understand that we're not even giving a handout to anyone. You have to qualify. This is a good thing for the entire State of Illinois."

Rose: "I'm going to keep looking at it. It's very interesting. You've piqued my curiosity here, Representative. I don't know."

STATE OF ILLINOIS
96th GENERAL ASSEMBLY
HOUSE OF REPRESENTATIVES
TRANSCRIPTION DEBATE

63rd Legislative Day

5/28/2009

Ford: "And it's only..."

Rose: "But I'm going to read it. I'm going to look at it."

Ford: "...a... \$5 thousand, you know. It's a microloan."

Rose: "Well, that's for one loan. I mean, what... the total amount is much more than that though."

Ford: "No. You'll like the Bill."

Rose: "No, no, I mean for..."

Ford: "I think if you read it and pray on it, you'll like it."

Rose: "But it's not \$5 thousand for the whole State of Illinois. It's per an individual applicant."

Ford: "Right."

Rose: "Right, right."

Ford: "And the... they have to pay it back. It goes back in the fund, and guess what, they'll be paying taxes to Illinois. It's good."

Rose: "What happens if they default on the loan?"

Ford: "The same thing that happens if we default on our loans."

Rose: "I mean, are they... do they have to post any security or collateral?"

Ford: "Excuse me?"

Rose: "Do they have to post any security or collateral?"

Ford: "No, it's not a secure loan. It's an insecure... unsecured loan because it's so small."

Rose: "But that's... but I guess that's just it. I mean, I look and I think, if I was going to open up a business, I'd have to put up my home and I'd have to put up my car. I'd have to attach something with some... some sort of security."

Ford: "And... and you know, those... that's why they have..."

STATE OF ILLINOIS
96th GENERAL ASSEMBLY
HOUSE OF REPRESENTATIVES
TRANSCRIPTION DEBATE

63rd Legislative Day

5/28/2009

Speaker Turner: "Bring your remarks to a close, Representative Rose."

Rose: "I... if I could just hear his answer, I'll be done."

Ford: "Those are secure loans and we notice in the recent market, those secure loans, they repossess houses, they foreclose on them. But this is only a \$5 thousand microloan and even if you tried to get a \$5 thousand loan from a bank, you could get that unsecured."

Rose: "That's true on a credit card. I can easily do that on a credit card. You're right about that. I'll think about it some more here."

Ford: "Thank you."

Speaker Turner: "The Gentleman from Cook, Representative Burns, for what reason do you rise?"

Burns: "Will the Sponsor yield?"

Speaker Turner: "Indicates he will."

Burns: "Thank you very much, Mr. Speaker. Representative, I wanted to just go through some of the facts of your legislation, just for the purpose of the Body. And Mr. Speaker, if we could get a little bit of quiet. There's a lot... seems to be a lot of questions about this Bill and I want to make sure people understand what we're doing. Thank you, Mr. Speaker. Representative, can we... who's eligible? What kind... what kind of a thi... according to my analysis the only eligible offenders for this program are persons who are nonviolent offenders and who have only been convicted for a crime once. So, you can only have been convicted for a crime once and you have to be a nonviolent offender. Is that correct?"

STATE OF ILLINOIS
96th GENERAL ASSEMBLY
HOUSE OF REPRESENTATIVES
TRANSCRIPTION DEBATE

63rd Legislative Day

5/28/2009

Ford: "Yes."

Burns: "Is it also correct that your legislation requires the offender to provide \$200 to this fund as a revenue source?"

Ford: "House Amendment 1 took that out."

Burns: "Okay. All right."

Ford: "But you're right about the..."

Burns: "And... and let me just get a clarification on this. And I'm sorry, I read the wrong part of the analysis. The Federal Government will provide the funding for this program. Is that your understanding, Representative?"

Ford: "As long as the indi... Yes, as long as the individual qualifies."

Burns: "So, this is... this program will not be funded by state dollars."

Ford: "Correct."

Burns: "And the other question I wanted to ask is, part of the reason why you're doing this is because ex-offenders, even if they've been convicted of a nonviolent offense, right, simple drug possession, for example, they have difficulty finding employment. Is that correct?"

Ford: "That's correct, Representative."

Burns: "So, we have a number of State Laws that prohibit ex-offenders, convicted of nonviolent offenses, from ever... from being employed in certain jobs. Is that correct?"

Ford: "That's correct."

Burns: "So, if non... if these offenders would like to take care of themselves and their families, one path to doing that is through creating their own businesses. Is that also correct?"

STATE OF ILLINOIS
96th GENERAL ASSEMBLY
HOUSE OF REPRESENTATIVES
TRANSCRIPTION DEBATE

63rd Legislative Day

5/28/2009

Ford: "That's correct."

Burns: "Okay. To the Bill, Mr. Speaker."

Speaker Turner: "...Bill."

Burns: "Ladies and Gentlemen of the House, this is about making sure that folks who have committed one crime, one nonviolent offense, get an opportunity to take care of themselves and their families. They can't find work because we have laws that say that they can't be hired. So, we're giving them the opportunity, if they come up with a reasonable... reasonable business plan, to get federal loans, federal money to start businesses. This is about spurring entrepreneurship and microlending programs have been successful all over the world in terms of helping people... poor people no longer become poor. I want to commend the Sponsor for this fine piece of legislation. If we're about giving people a second chance, people who deserve a second chance and if we're about starting new businesses and starting entrepreneurship and creating new economy for Illinois, I commend... I ask all of you to vote 'aye'. Thank you."

Speaker Turner: "The Gentleman from DuPage, Representative Reboletti, for what reason do you rise?"

Reboletti: "Well, Mr. Speaker, I'm going to object to the leading nature of the questions from Representative Burns. But to the Sponsor, if he would yield for a question."

Speaker Turner: "He indicates he will. Yours won't be leading?"

STATE OF ILLINOIS
96th GENERAL ASSEMBLY
HOUSE OF REPRESENTATIVES
TRANSCRIPTION DEBATE

63rd Legislative Day

5/28/2009

Reboletti: "Mine... mine won't be leading. Representative, this doesn't cover crimes of violence, they're nonviolent crimes."

Ford: "I'm sorry. I didn't hear you."

Reboletti: "Could you be eligible if you're a nonviolent offender?"

Ford: "Only."

Reboletti: "Now, I've asked you this question before, and I've asked other Members. Do you believe that drug dealing is a nonviolent offense?"

Ford: "I'm sorry. Is drug dealing a nonviolent offense?"

Reboletti: "Yes. I know it's... it will be considered a nonviolent offense under your Bill, right?"

Ford: "Yes."

Reboletti: "And here's... here's... I've had this objection to that being classified as a nonviolent offense, 'cause I would submit to you that the act of somebody handing a bag of dope to somebody else is a nonviolent part, but if you look at tho... at the... the carnage at the border of people being killed, the people being killed on the streets of Chicago and everywhere throughout, a lot of it based off of drugs is part of a violent offense. But would this also be if with... if... do people have to go into custody into the Department of Corrections for them to be eligible?"

Ford: "You know, you lost me. And because you know what..."

Reboletti: "You... if I... if I'm..."

Ford: "...because you know why you lost me, you lost me because this is... I really... it's becoming bigger than what it is. And so, I don't want to get lost in..."

STATE OF ILLINOIS
96th GENERAL ASSEMBLY
HOUSE OF REPRESENTATIVES
TRANSCRIPTION DEBATE

63rd Legislative Day

5/28/2009

Reboletti: "I want to make sure that the people of the Body understand who is eligible for this. Do you have to go into the Department of Corrections into Stateville for reception and classification and then be released to be eligible or could you be somebody who was placed on probation in one of our counties for a drug offense, for a burglary, and then after you've served your period of probation would you be eligible for this loan?"

Ford: "You know, Representative, this is for nonviolent offenders and one-time offenders and you know, we could go on and on about what if, but I say just look at the basic premise of this Bill. And you are a lawyer, you know the answers to the questions that you're asking and this Bill was in..."

Reboletti: "Well, I don't..."

Ford: "This Bill, you know, you're a... and I like you too."

Reboletti: "...and that's why I'm asking you the questions, Representative."

Ford: "And the Bill was in the House. And we come here together to work together and you knew it that I was trying to get this passed and there's no reason at this point that you want to find reason and fault with the Bill."

Reboletti: "Representative, I voted 'no' on the Bill last time, so if I vote 'no' again you're... you..."

Ford: "Forty-three Senators over there voted for it and I really believe that if there's something that you found fault, you owe it to the people of Illinois to work with us."

STATE OF ILLINOIS
96th GENERAL ASSEMBLY
HOUSE OF REPRESENTATIVES
TRANSCRIPTION DEBATE

63rd Legislative Day

5/28/2009

Reboletti: "I'm... but let me ask... I'm just... I'm just asking you a simple question. Do you have to be incarcerated in the Department of Corrections to be eligible or could you simply be somebody who had probation and now served their time..."

Ford: "You don't have to be incarcerated."

Reboletti: "...and now you're eligible or both?"

Ford: "You don't... you don't have to... you don't have to be incarcerated and you... you should be free from any detention center that you may be held in, yes."

Reboletti: "All right. Representative Rose had begun to ask you about what happens if the person defaults. What... what mechanisms do we do to follow up on these loans because you and I have talked about this, is the money... that that money would then be depleted because we don't have this system, the money coming back in, to give to other folks, what is the collection mechanism for people if they default?"

Ford: "The collecting mechanism will be whatever the institution that's loaning the money have in place. What is the collect... collection mechanism for the failure of all the money that we spend in Illinois that doesn't work? This is an opportunity. Let's not look at ways that it might be bad. Let's look at all the positive ways that it will be good."

Reboletti: "But I'm saying is you want the... you want the... do you want this to pass, you want this to get the money to continue to come back in because you want to continue to help other ex-offenders down the road. So, that's what I'm saying is part of it is how do we guarantee that that money

STATE OF ILLINOIS
96th GENERAL ASSEMBLY
HOUSE OF REPRESENTATIVES
TRANSCRIPTION DEBATE

63rd Legislative Day

5/28/2009

gets back into the system, that we just don't get this money from the Federal Government and people aren't making payments back into it and then the program cannot continue because it lacks funds from people putting back into the system?"

Ford: "Well, whoever is going to administer the loans, obviously, they will have the mechani... mechanisms in place to collect, because they have to do the credit report and they have to do all..."

Speaker Turner: "Representative, bring your remarks to a close."

Reboletti: "I appreciate that. So, you're saying that you have to go to a regular credit check and it wouldn't... and be used... it's... it's a banking institution that would get this loan out, Representative, or would it be a state... a state department here would be giving it out? Is it Chase Bank that will be giving these loans out or is it the State of Illinois gives... gives the loan out?"

Ford: "There will be state agencies."

Reboletti: "Thank you, Representative."

Ford: "Thanks."

Speaker Turner: "The Gentleman from Cook, Representative Durkin, for what reason do you rise?"

Durkin: "Will the Sponsor yield?"

Speaker Turner: "Indicates he will."

Durkin: "Representative Ford, this is not unlike what the previous speaker just stated, but I want to know exactly what mechanisms are in place to ensure that the individuals who do acquire these loans use the money for the intended

STATE OF ILLINOIS
96th GENERAL ASSEMBLY
HOUSE OF REPRESENTATIVES
TRANSCRIPTION DEBATE

63rd Legislative Day

5/28/2009

purpose. The question I have is that I understand that this is federal money, that it is administered through DCEO and that they have to be preapproved by DCEO, but what mechanisms are in place to ensure that these individuals are using that money for the intended purpose after they get the loans?"

Ford: "You know, that's a good question. You know, that what mechanisms are in place for people that get loans every day? I mean, we could find fault..."

Durkin: "This is... this is taxpayer money. That's the difference. This is..."

Ford: "Okay."

Durkin: "...taxpayer money that's coming out of the Federal Government. If we're giving thieves, con men and embezzlers money to be able to use at their discretion or at least through some type of plan, I want to know that they're using this money, that DCEO is following up and has the resources and the ability to ensure that this money is being used for the appropriate purpose."

Ford: "Yes. I want to make sure that they use it for the purposes, also."

Durkin: "Where in the legislation does it state that there has to be some type of follow-up from DCEO to make sure that this money is being used appropriately?"

Ford: "They will have rulemaking. DCEO will have rulemaking."

Durkin: "Oh, by... I... I... All right. I understand it. It's not in the legislation. You know, we do well-intentioned things..."

Ford: "Yeah."

STATE OF ILLINOIS
96th GENERAL ASSEMBLY
HOUSE OF REPRESENTATIVES
TRANSCRIPTION DEBATE

63rd Legislative Day

5/28/2009

Durkin: "...but the fact is there are people who are deserving of this, I think are going to do it for the right reason, but again we're allowing thieves, con men and embezzlers who are one-time offenders to be able to access this money and I don't trust that they're going to use it for the right purposes. I'm voting 'no'."

Speaker Turner: "The Gentleman from Bond, Representative Stephens. I'd like to let the Body know. There's at least seven more people that want to speak on this Bill. I'm going to move the concurrence Motions for the rest of the debate, we're going to move to Standard Debate. I will proceed to let everybody speak on this Bill, but from future legislation, we're going to go to Standard Debate. Representative Stephens."

Stephens: "Mr. Speaker, an inquiry of the Chair, first of all. Why do you always make these editorial comments just before you recognize me?"

Speaker Turner: "Representative, it's just to give you a chance... You know, you and I've been around here for a while. It gives you a chance just to collect your thoughts. I know how impatient you are sometimes and you're so adamant on your feelings about some of these legislations. So, this just gives you a minute to..."

Stephens: "So, you are singling me out for these editorial comments. I appreciate your admission of your guilt and we'll talk about that later. Would the Gentleman yield..."

Speaker Turner: "Proceed."

Stephens: "...for a question? Representative, is this a loan to start a new business?"

STATE OF ILLINOIS
96th GENERAL ASSEMBLY
HOUSE OF REPRESENTATIVES
TRANSCRIPTION DEBATE

63rd Legislative Day

5/28/2009

Ford: "Yes."

Stephens: "That's not what your legislation says."

Ford: "Okay."

Stephens: "Your legislation says it's a loan to get somebody to help you write a business plan."

Ford: "No, it doesn't say that."

Stephens: "Well, excuse me, then I maybe misread it. Let me see. It says, for the awarding of grants to qualified ex-offenders or to entities or organizations assisting ex-offenders so that individual ex-offenders may develop a business plan to start up their own business. That's what your legislation says. You just told me that was not true. Which is right, my reading or your response?"

Ford: "You're reading part of the Bill, Sir."

Stephens: "I'm reading Section 2 of your Bill. Is there somewhere where... somewhere else in your legislation that nullifies that comment? Did you strike the language, develop a business plan to start up their own business? These grants are to be used for the sole purpose of acquiring a business plan. Is there somewhere else in your legislation? You just told me, that is not true. I just read it; I'm reading it in the English language and I would assume that it's taken out in the English language, if your response is a true response to my question."

Ford: "I don't know where you're going with it. I'm sort of confused by what you're asking because this is sort of off the wall to the whole deal."

Stephens: "I'm sorry, Representative, I didn't hear your response."

STATE OF ILLINOIS
96th GENERAL ASSEMBLY
HOUSE OF REPRESENTATIVES
TRANSCRIPTION DEBATE

63rd Legislative Day

5/28/2009

Ford: "What is the interest rate all about? The Senate Amendment took away the..."

Stephens: "Well, I'm glad you brought that up."

Ford: "Good."

Stephens: "In the... in the... were you part of the Senate debate? Did you listen in to the Senate debate?"

Ford: "At the debate? All right. So, see that's what I'm wondering. Are you... are you..."

Stephens: "Did you... did you hear the Senate debate?"

Ford: "...are you taking this legislation serious or are you joking about it, because it's very serious to me."

Stephens: "I'm going to forget..."

Ford: "You know, that I didn't when the part of it."

Stephens: "...I am going to forget that you made that remark, Representative. I choose to forget..."

Ford: "Well, then you know I wasn't in the Senate debating it."

Stephens: "I asked you if you heard or reviewed the Senate debate, I did."

Ford: "You said, was I a part of it. I was in negotiations."

Stephens: "I did review the Senate debate and the question wasn't, is should we have a three percent limit, the question was around the fact that maybe we would want it to be lower than three percent. I understand, Representative. I think you're a well-intentioned Legislator, but I'm trying to get across the point that a lot of the folks that we represent don't understand why we're going to reward, even if it's not state tax dollars, we're going to give money... the hardworking people that I represent are offended. They say, Ron, I'm trying to teach my family and

STATE OF ILLINOIS
96th GENERAL ASSEMBLY
HOUSE OF REPRESENTATIVES
TRANSCRIPTION DEBATE

63rd Legislative Day

5/28/2009

my children to lead a good, clean life and you're saying before you go to prison, before you commit that crime we're going to show you that there's an advantage to those who commit nonviolent crimes and go to prison. And we understand, you know what, I'm trying to teach my children to behave and to stay out of prison. And the folks that we represent say, you know what, I'm sorry, I don't care if it's only federal tax dollars. I don't care that we have to use state resources to administer this program, what I care about is the message that you're sending. We ask reasonable questions and you seem to be offended that we're not taking it serious. We're very serious, Representative. The people we represent demand that their voices be heard and that's why we ask these questions."

Ford: "Well, you know, I appreciate your questions, but when you ask me questions about that... that doesn't... that doesn't make sense. Ask me about if I was a part of the debate and you know I wasn't, so I'm thinking is you're making fun of the legislation."

Stephens: "Well, you... you assumed incorrect."

Ford: "So, if... if I took you wrong..."

Stephens: "And Mr. Speaker, to the Bill. The Gentleman assumed incorrectly. I was referring to the fact that there was a debate in the Senate and my information is that that Senate debate... I have that information, I assumed the Sponsor would have it also. My information is that when he brought up the issue on interest rates that it was... three percent was too high. We might want it to be lower than that. That's all I asked the question about. I stand on my

STATE OF ILLINOIS
96th GENERAL ASSEMBLY
HOUSE OF REPRESENTATIVES
TRANSCRIPTION DEBATE

63rd Legislative Day

5/28/2009

reading of the Bill. I think that the very basis of this legislation is wrong. I think it's... it's a shame that our country has seen fit to reward those who are, I believe, the least deserving among us."

Speaker Turner: "The Lady from DuPage, Representative Bellock, for what reason do you rise?"

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

Speaker Turner: "He indicates he will."

Bellock: "We had this in our committee and we asked a lot of questions to Representative Ford and I think for clarification, just to start back at the start, the Second Chance Act is a federal Act that was put in several years ago by President Bush, correct?"

Ford: "In 2008, yes."

Bellock: "Right. To help ex-offenders set up businesses, correct?"

Ford: "Correct."

Bellock: "Okay. And now, Senate... President Obama has put 25 million more into the Second Chance Act to get through the states, correct?"

Ford: "He plans to, yes."

Bellock: "Okay. So, DCEO is our state agency that is going to allow the federal pass-through of the grants to ex-offenders who are listed in the Bill as to who can apply for this grant. So, DC... DECO (sic-DCEO) is going to just be the agency to allow the federal pass-through of the grants to the ex-offenders..."

Ford: "Yes."

STATE OF ILLINOIS
96th GENERAL ASSEMBLY
HOUSE OF REPRESENTATIVES
TRANSCRIPTION DEBATE

63rd Legislative Day

5/28/2009

Bellock: "...correct?"

Ford: "Yes."

Bellock: "I've read through the text of the Bill now. I read it through when we were in committee. Maybe there's a little bit of a communication lag in a business plan, but it says in the Bill, to help individuals or the organizations or agencies that would help them form the business plan, which is a necessity for a lot of people, I would imagine, that are ex-offenders who would not know how to set up a business plan and that is in the terms of \$5 thousand. Is that correct, Representative Ford?"

Ford: "That's correct."

Bellock: "Okay. So, it's in the increment of \$5 thousand just for one individual that's the ex-offender."

Ford: "One individual, that's correct."

Bellock: "Right. So, I think if anybody was con... you know, there was a lack of communication about entities helping the ex-offender set up a business plan that is what most people do nowadays when they go to set up a small business if, especially, they have no experience. They may know how to be an electrician, but they may now... not know how to start up that business. So, to the Bill, Mr. Speaker."

Speaker Turner: "To the Bill."

Bellock: "I think that this Bill addresses the issue that all of us are looking for is to put people back to work and especially people who are ex-offenders who... it's extremely difficult for them to get a loan. Now, here we have the money being given to us by the Federal Government. They have all the requirements set in place for the people who

STATE OF ILLINOIS
96th GENERAL ASSEMBLY
HOUSE OF REPRESENTATIVES
TRANSCRIPTION DEBATE

63rd Legislative Day

5/28/2009

need to apply for this. DECO (sic-DCEO) gives out thousands of grants every year in different ways. I'm sure that they have a way of following up on the people that are applying for this grant and I would imagine, that there are extra checks in this because it is a federal grant set up by the Second Chance Act. So in this case, you not only have the federal Act checking up on the requirements and the amount of money and who's being given the grant, but you have DECO (sic-DCEO) also. So, I would support the Bill."

Speaker Turner: "The Gentleman from Cook, Representative Burke, for what reason do you rise?"

Burke: "Thank you, Mr. Speaker, Ladies and Gentlemen. I hate to interrupt the debate here, but if I'd take a moment I'd like to introduce the parents, teachers and executive administrators from the UNO charter schools are with us this afternoon in our gallery."

Speaker Turner: "UNO, welcome to Springfield, UNO."

Burke: "Led.. led by their executive director Juan Rangel. Bienvenidos, UNO."

Speaker Turner: "Welcome, again, UNO. The Lady from Cook, Representative Mulligan, for what reason do you rise?"

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

Speaker Turner: "He indicates he will."

Mulligan: "Representative, I'm probably going to ask you some leading questions, too, but this isn't a court and I think I can do whatever I want as far as that goes. But I.. I didn't support this Bill the first time around and I was going to trying through figure out why and I think the

STATE OF ILLINOIS
96th GENERAL ASSEMBLY
HOUSE OF REPRESENTATIVES
TRANSCRIPTION DEBATE

63rd Legislative Day

5/28/2009

reason I didn't is because originally I think it read or I thought it read that the money could go to community organizations that pass out the grant, but the way it's been amended, the money can only come through DCEO to the person, correct?"

Ford: "That's correct."

Mulligan: "All right. And if we don't... if we don't take this federal money, nobody else... some other state will get it, nobody else gets it; we're not taking any state money. This is federal money that we can accept that's exclusively for this program, nothing else. And so, if we don't take it, there won't be a program; it doesn't go to anybody else. The state doesn't get it for anything else, correct?"

Ford: "Correct. The federal money is for reentry programs. You're right."

Mulligan: "And how much are we eligible for, do you know?"

Ford: "No set amount. We could..."

Mulligan: "All right. So, DCEO is an agency that should be able to put out a grant, maybe they'll go through JCAR and set up the rules on how they're going to do this. They should be able to administer it and they should be able to go back and check if it was used appropriately. There should be some accounting. Would you not think that would be the case?"

Ford: "That will be the case."

Mulligan: "All right. So, in other words... I'm just going to talk to the Bill. There are certain people that can never get jobs or have a hard time getting jobs. Once you're

STATE OF ILLINOIS
96th GENERAL ASSEMBLY
HOUSE OF REPRESENTATIVES
TRANSCRIPTION DEBATE

63rd Legislative Day

5/28/2009

over 50 and you lose your job you're out priced, you have a hard time getting a job. Certainly, once you've been in prison... and my understanding when I asked... is the probationable offenses or somebody that's never gone to prison is not eligible. And it's pretty... pretty good a category as far as nonviolent. It's people that have been in prison that if you put down on your job application you've been in prison you're going to have a heck of a time getting a job and if you get a job, it's going to be menial and you're not going to be able to support your family. And one of the few ways that you can get ahead in this world is probably go out and start your own business. Now, I can understand the prosecutors in this Body, being upset about some things like drug dealers and whatever. I don't think everybody gets into crime with the thought that I'm going to get a loan for a business later. That's ludicrous, number one. Number two, some people get into crime 'cause they're addicted. There's al... other number of reasons why you go and maybe you've straightened out your life, but it's pretty hard to support a family or support yourself if you can't get a job. This seems to be thought out at the federal level of a way to put a country who has more people in prison than any place else to get these people back to work through a reasonable way. It's federal money; it doesn't cost the state anything. Actually, it will save the state money, because it should cut down on recidivism. It should cut down on other things where people cannot get jobs. They should... if they run a business... they start a profitable business, they're going

STATE OF ILLINOIS
96th GENERAL ASSEMBLY
HOUSE OF REPRESENTATIVES
TRANSCRIPTION DEBATE

63rd Legislative Day

5/28/2009

to pay income taxes. They're going to support their family. We don't get this money if we don't apply for it, so we're not taking it from anything else. It's already allocated, so the taxpayers aren't paying for it. So, why not take advantage of it for our population of people whether they're minorities, white, whatever, who have been in prison who can't get a job or have an idea of how they can support themselves better by taking this federal money and putting it back into our system. As long as it's going through DCEO, who will oversee it and not the local community agencies, I'm willing to support the Gentleman's Bill. I think it's a good Bill and I think we ought to have a good outlook about it."

Speaker Turner: "The Gentleman from Cook, Representative Dunkin, for what reason do you rise?"

Dunkin: "Will the Sponsor yield?"

Speaker Turner: "Indicates he will."

Dunkin: "Thank you. Representative, this program was funded by President George Bush, a couple years ago?"

Ford: "Yes."

Dunkin: "And it was to the tune of roughly \$55 million, initially?"

Ford: "Yes."

Dunkin: "President Obama wanted to have about \$110 million added to the Bill."

Ford: "He wanted to take it up to 110 million, yes."

Dunkin: "And this is a federal program, correct?"

Ford: "Yes."

STATE OF ILLINOIS
96th GENERAL ASSEMBLY
HOUSE OF REPRESENTATIVES
TRANSCRIPTION DEBATE

63rd Legislative Day

5/28/2009

Dunkin: "And DC... and the State of Illinois will not have to spend one red cent, correct?"

Ford: "Correct."

Dunkin: "And DCEO would merely administer the program as a pass-through, correct?"

Ford: "Yes."

Dunkin: "Thank you. To the Bill. Ladies and Gentlemen, as my colleagues have pointed out so eloquently, Representative Burns, Representative Bellock, Representative Rosemary Mulligan supports this legislation. Now, listen to that for ex-offenders who are nonviolent and it cost the state zero dollars. A program that is worthy enough for a Republican President to support and now a Democratic President from this state to support and again, it cost us zero dollars, no money. All we're doing is passing the money through an agency to help work out a business plan for those... for that population in this state that we sometimes want to forget or ignore or act as if they don't exist, even though it's grown exponentially: drug users, nonviolent offenders. This program merely tries to recapture someone's attention back into society by giving them a small upstart that comes from the Federal Government. We can run a model program here in the State of Illinois that the country can look up to and be proud of. We simply, also, cannot ignore, again, this burgeoning population of inmates from all across the state in southern Illinois, central Illinois, northern Illinois. So, let's take full advantage of this opportunity. Mr., Representative, the Sponsor, I commend you on taking the

STATE OF ILLINOIS
96th GENERAL ASSEMBLY
HOUSE OF REPRESENTATIVES
TRANSCRIPTION DEBATE

63rd Legislative Day

5/28/2009

need... the lead in this program. I commend the Senate for successfully passing this program. Let's continue to do the right thing in the State of Illinois by supporting all Illinoisans whether they came out of the penitentiary or not and give them, just like George Bush, just like President Obama is asking a second chance. I would ask for an 'aye' vote. Thank you."

Speaker Turner: "The Gentleman from Winnebago, Representative Sacia, for what reason do you rise?"

Sacia: "Thank you, Mr. Speaker. To the Bill. Ladies and Gentlemen, you'll notice on the board that I'm the number one cosponsor of Representative Ford's Bill. I had the privilege of spending 30 years in law enforcement, 28 of those years as an FBI agent. I was responsible for putting a lot of people in jail. When I retired from the FBI, I started my own business. I was fortunate; I had a great background. I didn't have to ask anybody for help. I didn't have to ask anybody for money. My business is successful today. Because of it, 12 people make good salaries. That being said, in my adult lifetime dealing with criminals one of the most interesting aspects of that experience was realizing that these men and women are just like all of us other than their criminal activity. They often have families; they have personalities. Very often, you even really like them, but you put them away because they did wrong. What we're talking about here is legislation to help people get back on their feet. I think the reason many folks on this side of the aisle are opposed to the legislation is there is no rulemaking direction. I

STATE OF ILLINOIS
96th GENERAL ASSEMBLY
HOUSE OF REPRESENTATIVES
TRANSCRIPTION DEBATE

63rd Legislative Day

5/28/2009

think for legislative intent it should be noted that JCAR should have a way of tracking the money so that we don't end up giving money to people that would use it as an ill-gotten gain, that would use it for the purpose that it is designated. Ladies and Gentlemen, notice that IDOC endorses this Bill. We have over 45 thousand men and women incarcerated in this great state, most of them will see the light of day, most of them will return to society. An opportunity to return to productive society is to support this legislation. Thank you, Ladies and Gentlemen and congratulations, Mr. Ford on your legislation."

Speaker Turner: "The Gentleman from Rock Island, Representative Boland, for what reason do you rise?"

Boland: "To the Bill, Mr. Speaker. I want to compliment my friend, Representative Ford, for his legislation. It's a well-thought-out Bill. I think all of us know that Representative Ford is a very successful businessman in his own right. He understands business; he knows what's needed to do... to be a success in business and I found it also interesting that he teamed with my neighboring district mate there, Jim Sacia, who is, as he pointed out, a long career in law enforcement and a lot of us respect his judgment in areas of law enforcement. So, I think that's a sign of how well-thought-out this Bill is. I think that many of us may have noted in a story, I think it was in the Sun-Times this last week, where U.S. Attorney Fitzgerald actually told a group of businessmen to hire ex-offenders, that this was the best way to protect society as well as help those individuals. So, it's good for taxpayers as

STATE OF ILLINOIS
96th GENERAL ASSEMBLY
HOUSE OF REPRESENTATIVES
TRANSCRIPTION DEBATE

63rd Legislative Day

5/28/2009

well as being a good humanitarian type of gesture. Now, you know, we're talking about first-time offenders. So, we're not talking about a habitual criminal, you know, your three-time loser and so forth, your professional criminal and we're talking about giving people a second chance. You know, there's all of us in life, we've made our mistakes; they may be little, thank goodness, for most of us. A few people in our society, they make a bad mistake and if they're nonviolent type, perhaps they ought to be given a second chance. You know, again, this legislation, remember, was not put forth by some far-out, left wing, liberal President. This was put out by President George W. Bush and of course, President Obama is following up and trying to make it a success. And I think one of the key things we can look at here is the fact that the Department of Corrections not only has to approve the loans, but they're actually in support of the Bill. Now, these are the people that are involved with those people that are in the... in the prison system. I might also add that there's no opposition that I saw in the computer from law enforcement agencies. The sheriffs or the police chiefs or none of those law enforcement groups, I see, have registered as opposition. I might also add that this type of legislation seems to be patterned, and I don't know if Representative Ford got this idea or not, but the idea of microloans which were promoted by I believe an Indian businessman who was a billionaire as a way of helping people in poverty help themselves. And so, I think that we should not only approve this Bill, but we should commend my

STATE OF ILLINOIS
96th GENERAL ASSEMBLY
HOUSE OF REPRESENTATIVES
TRANSCRIPTION DEBATE

63rd Legislative Day

5/28/2009

friend, Representative Ford for bringing in federal money. You know, this is what we always asked our Congressmen to do. You know, bring us federal dollars so that they can be spent here, so that people in..."

Speaker Turner: "Bring... bring your remarks to a close."

Boland: "Would close and ask the Body's approval."

Speaker Turner: "The Gentleman from Lake, Representative Washington, for what reason do you rise?"

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

Speaker Turner: "Indicates he will."

Washington: "Representative Ford, I want to thank you for bringing this piece of legislation to the front, because I think will help some people that need some help. What was your... what was your main focus to do this?"

Ford: "To reduce recidivism and to put more people on the tax rolls in Illinois."

Washington: "And that's an honorable mission. To the Bill. Mr. Speaker, you know, there's been a lot of comment said and I thank each and every one. I think to some of my colleagues, not all, but some need to take an example off of Mr. Fitzgerald's position because I was going to bring it up as well. But I want to humbly remind us historically that America was founded by the dregs of Europe, that they brought them here to the shores of America as a punishment and that's where you got the spring wheel of your forefathers of the country is from those that were offensive or found offending the British government at that time. So, let's keep that in mind. We're not talking about reparations. Surely, we'd be talking about more than

STATE OF ILLINOIS
96th GENERAL ASSEMBLY
HOUSE OF REPRESENTATIVES
TRANSCRIPTION DEBATE

63rd Legislative Day

5/28/2009

\$5 thousand, if we were and I think when we listen to the comments about nonviolent offenders, then I would honorably mention that Gandhi, Martin Luther King, would be nonviolent offenders and Jesus Christ himself. And then yet, we open up with prayer all the time, it's just borderline hypocrisy and it's scary to me that some of us have the same attitude that has set America back and kept Jim Crow very much alive in certain parts of America. And if you noticed at one point the people in the balcony, the majority of them, were black, Latinos with a few whites which reflect America and most of the people in jail are mostly black and Latinos, for the most part, but that doesn't make them criminal and the things that they do is not a signature of what they're self-worth is or what they can do if given a second chance. So, I wanted to just say that... that when you talk about following the money and making sure that something happens maybe we should get JCAR to follow Halliburton and follow GM and follow AIG. What happened to having somebody follow that money? See, so, it's a double standard and we should be very thoughtful historically that most time my intentions may be good, but when we stand up on something make sure that you're on solid ground that you can't just throw the rock and hide your hand, but you have to confess up with what's in your heart as well as in your mouth. And I really hope that the discussions like this brings us closer together rather than further apart and that we kind of relinquish this thing. And even about marijuana, you know, I mean, I couldn't believe some of the things that were said about that. You

STATE OF ILLINOIS
96th GENERAL ASSEMBLY
HOUSE OF REPRESENTATIVES
TRANSCRIPTION DEBATE

63rd Legislative Day

5/28/2009

know, right now, marijuana is an issue for people who need it for health reasons. And now, they talk about giving them background checks. A background check won't take away the fact that they have a medical need. Duh. You know, they kind of defeats the reasoning to say why would you want to have a background check of people who smoking marijuana because they're in serious pain and a doctor has approved it. So, it's a lot of thinking we've got to do. And I recommend an 'aye' vote for my colleague's legislation. Thank you."

Speaker Turner: "And the last speaker is the Gentleman from Vermilion, Representative Black, for what reason do you rise?"

Black: "Thank you very much, Mr. Speaker. To the Bill."

Speaker Turner: "To the Bill."

Black: "What an interesting discussion. It has ranged from the King of England to Jesus to marijuana. Wow. Can we just concentrate on a couple of issues that strike me of the things we fall into here? I've heard five people say, this is federal money; it's free. It doesn't cost us anything. Where do you think federal money comes from? It comes from you and me and all the taxpayers of the United States of America. Somebody else said, well, state money... state money's free, but this is freer. State money isn't free. We're going to find that out in the next six months. It's all taxpayer money. Why don't we just concentrate on that. And then I heard a lot about nonviolent offenders. A burglar is a nonviolent offender. You ever had your house burglarized? I have. Do you feel like who burglarized

STATE OF ILLINOIS
96th GENERAL ASSEMBLY
HOUSE OF REPRESENTATIVES
TRANSCRIPTION DEBATE

63rd Legislative Day

5/28/2009

your house may be a violent so and so? I'll guarantee you if you've gone through it you would think so. Bernie Madoff, stolen billions of dollars from Wall Street, nonviolent offender. Maybe he can move to Illinois when he gets out of prison, if he ever does and strike up a \$5 thousand loan so he can... so he can start his empire all over. Ladies and Gentlemen, there's a lot of things this Bill is, there's a lot of things this Bill is not, but just relax for a minute. Many of us who have been here a long time, we have served in this chamber with ex-offenders. I don't think it scared any of us. It didn't bother any of us. One of the members of my church is an ex-offender, a valuable member, kept his family together. I know the difficult times that that gentleman went through when he served his time to get back on his feet, but he did, he did. All of us in this chamber get a second chance, a third chance, a fourth chance; it's called elections. Sometimes the voters are very forgiving, sometimes they're not. I don't have a problem with giving somebody a second chance. I think it's a good investment of taxpayer's money to do this. We don't bat an eye at spending \$24 thousand a year to keep somebody in prison. Why wouldn't we want to make a taxpayer-funded investment of \$5 thousand to try and keep that individual back out of prison. It's a better investment all the way around. I think everybody ought to get a second chance. Third, fourth, fifth chances, I may have a little problem with. I don't see anything wrong with this Bill. There's a prison in my... my hometown. If we could reduce that population by 500 inmates, we could

STATE OF ILLINOIS
96th GENERAL ASSEMBLY
HOUSE OF REPRESENTATIVES
TRANSCRIPTION DEBATE

63rd Legislative Day

5/28/2009

save an awful lot of money for the people of the State of Illinois. I intend to vote 'aye'."

Speaker Turner: "Seeing no further questions, Representative Ford to close."

Ford: "I just want to thank all the people that spoke in favor and I think those that felt compelled to stand... to speak in opposition and willing to debate the issue, Jesus Christ forgives us seventy times seven. And I believe that this is a good Bill and I ask for a favorable vote. Thank you."

Speaker Turner: "So, the question is, 'Shall the House concur in Senate Amendment #1 to House Bill 436?' This is final action. And all those in favor should vote 'aye'; all those opposed vote 'no'. The voting is now open. Have all voted who wish? Have all voted who wish? The Clerk shall take the record. On this question, there are 78 voting 'aye', 38 voting 'no', 1 voting 'present'. And the House does concur in Senate Amendment 1 to House Bill 436. And this Bill, having received the Constitutional Majority, is hereby declared passed. As the Chair mentioned earlier in the debate, it is the intent of the Chair to go to the Order of Standard Debate on the rest of the concurrence Motions for the rest of the afternoon. So, we will hear from one... we will hear from the Sponsor and then hear from three and two. Representative Harris, we have House Bill 445 under the Order of Noncurr... I just... under the Order of Concurrence."

Harris: "On the Order of Nonconcurrence, Mr. Speaker, I would move that the House nonconcur with the Senate Amendment, I believe it is, 3... 3."

STATE OF ILLINOIS
96th GENERAL ASSEMBLY
HOUSE OF REPRESENTATIVES
TRANSCRIPTION DEBATE

63rd Legislative Day

5/28/2009

Speaker Turner: "That's good."

Harris: "And what this does is it adds a unrelated section to the Bill that would allow law enforcement to access, you know, individual prescription records in pharmacy databases to search out wrongdoing by pharmacists in, you know, writing false prescriptions. While it's a good idea, our attorneys advised me that the civil liberties protections and the HIPPA protections for Illinoisans need to be strengthened. So, we will continue to work on this particular Amendment."

Speaker Turner: "So, Representative Harris moves that we... the House nonconcur with Senate Amendment 3... He moves to nonconcur in Senate Amendment 3 to House Bill 445. And all those in favor should say 'aye'; all those opposed say 'nay'. In the opinion of the Chair, the 'ayes' car... and the Motion carries. And the House does nonconcur in Senate Amendment 3 to House Bill 445. The Gentleman from Champaign, Representative Rose, for what reason do you rise?"

Rose: "Well, it's too late now, but I wanted to ask a question of the Sponsor. So, I had my light on, Speaker, but that's okay."

Speaker Turner: "I apologize..."

Rose: "No problem."

Speaker Turner: "...Representative. On the Order of Concurrences on page 16 of the Calendar, Representative Berrios. Representative Berrios."

STATE OF ILLINOIS
96th GENERAL ASSEMBLY
HOUSE OF REPRESENTATIVES
TRANSCRIPTION DEBATE

63rd Legislative Day

5/28/2009

Berrios: "Thank you, Mr. Speaker, Ladies and Gentlemen of the House. I am looking to concur Senate Amendments 1, 2 and 3. Can I do them all together?"

Speaker Turner: "The Gentleman from Crawford, Representative Eddy."

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

Berrios: "Yes."

Speaker Turner: "She indicates..."

Eddy: "Representative, the underlying Bill, if I remember, passed and provided that the City of Chicago could issue a liquor license to a business that was located within 100 feet of a church as long as, I think, there were some factors that had to be met."

Berrios: "Yes."

Eddy: "Now, that's what went over to the Senate."

Berrios: "Yes."

Eddy: "In the Senate, Senate Amendment #1 adds a license for a ball... a bar called Lincoln Tap. Is that located within a 100 feet of a school or a church, as well?"

Berrios: "Line... that that's Amendment 2. But..."

Eddy: "Well, our analysis says Amendment 1..."

Berrios: "No, Amendment 1 was a Darrell's Liquors, which is a restaurant. And Amendment 2 added Lincoln Tap."

Eddy: "Okay. Whichever way around, our analysis has it the other way, but that's okay."

Berrios: "Okay."

Eddy: "I mean, those two Amendments add specific names of establishment. I think the Lincoln Tap is in Senate President Cullerton's district."

STATE OF ILLINOIS
96th GENERAL ASSEMBLY
HOUSE OF REPRESENTATIVES
TRANSCRIPTION DEBATE

63rd Legislative Day

5/28/2009

Berrios: "Yes."

Eddy: "And then, is it Alguiro Liquors?"

Berrios: "Yes."

Eddy: "And in those two cases... well, I guess, it'll go on with
3."

Berrios: "Right."

Eddy: "And it adds a fourth exemption from Maxim's Restaurant."

Berrios: "Right."

Eddy: "Are all of those also in the situation where they are
located within 100 feet of a church?"

Berrios: "They are located within 100 feet of a church and the...
they... the streets are perpendicular, though, so they aren't
on the exact same street to the church."

Eddy: "Goes... and so the church may be around the corner..."

Berrios: "Right."

Eddy: "...or even not within sight, but they happen to be within
the 100 feet."

Berrios: "Right. "'Cause boundary line's a boundary line in
the city. They can get really close, so it doesn't equal
the 100 feet."

Eddy: "Okay. Is there any objections by specifically those
churches involved?"

Berrios: "Not that I know of."

Eddy: "So, basically, this was used as a vehicle for similar
circumstance businesses in the City of Chicago in order to
make sure that they were in compliance. Are all these
existing businesses at this time?"

Berrios: "The... the Amendment 1's are. My original Bill was for
an establishment that used to be a restaurant..."

STATE OF ILLINOIS
96th GENERAL ASSEMBLY
HOUSE OF REPRESENTATIVES
TRANSCRIPTION DEBATE

63rd Legislative Day

5/28/2009

Eddy: "Right."

Berrios: "...but closed down, sold to a new person and the new person cannot get the liquor license for the restaurant."

Eddy: "Okay. Because... the..."

Berrios: "Because of the 100 feet."

Eddy: "Now, what about hi... to refresh our memory on that situation. In that situation, has there been discussions with the church related to the reestablishment of that business?"

Berrios: "The establishment owner has talked with the church and the church is okay because the restaurant will be open in evening hours more than when the church is actually in service."

Eddy: "Representative, I thank you for the clarifications. Obviously, this... this does exactly what the Bill did. It just does it three more times."

Berrios: "Exactly."

Eddy: "In three different locations."

Berrios: "Yeah, with specific locations."

Eddy: "Okay. I would just urge Members to take a look at their vote history on this and pay attention, because there was some opposition, not that you would be quadruply opposed, but if your original opposition had to do with what... what the original Bill did, do it three more times, you may also have that same opposition. Thank you."

Berrios: "Thank you."

Speaker Turner: "The Gentleman from Champaign, Representative Rose, for what reason do you rise?"

Rose: "A question of the... a question of the Sponsor, please?"

STATE OF ILLINOIS
96th GENERAL ASSEMBLY
HOUSE OF REPRESENTATIVES
TRANSCRIPTION DEBATE

63rd Legislative Day

5/28/2009

Speaker Turner: "She indicates she'll yield."

Rose: "Representative Berrios, in Senate Amendments 1, 2, and 3, you are moving to concur in all... all three, correct?"

Berrios: "Yes."

Rose: "Okay. I think in the past, Representative, I joined you on issues like this, local issues, but I guess what I'm looking at here now is the Legislature is starting to get in the business of granting piecemeal licenses, liquor licenses. I don't know why we, as a Body, anyone in this Body would want to start kind of de facto piecemeal issuing liquor licenses to individual restaurants and bars. We ought to have one rule and you'd either be in the rule or out of the rule, but have one rule. I mean, I... what we're seeing here essentially is the, I think, the tip of the iceberg. Once all the competitors to these people realize what happened, next year it won't be four bars, it'll be 20 and the year after that it'll be 40 and the year after that it'll be however many. I honestly don't know why this Body should be dealing with macro level issues of great importance to the State of Illinois at this juncture should be getting involved in the individual liquor license decisions of any community through the granting of exemptions. And I... at some point in time, I mean, and these four groups maybe all fine groups, I don't know, but this could be the tip of the iceberg. And I don't know why, I don't think we necessarily want to go down this street because by this time next year everybody and their brother will come running to Springfield asking for an exemption because they're too close to a church or too

STATE OF ILLINOIS
96th GENERAL ASSEMBLY
HOUSE OF REPRESENTATIVES
TRANSCRIPTION DEBATE

63rd Legislative Day

5/28/2009

close to whatever it is. And Representative, I can't support this and I think this Body needs to think long and hard about whether we want a business of creating individual exemptions to the liquor license law of the State of Illinois. Thank you, Mr. Speaker."

Speaker Turner: "The Gentleman from Cook, Representative Dunkin, for what reason do you rise?"

Dunkin: "Will the Sponsor yield, Representative?"

Speaker Turner: "Indicates she will."

Dunkin: "Representative, you have one of these establishments located in my district."

Berrios: "Yes."

Dunkin: "Has the city approved of this legislation?"

Berrios: "The city has no position on this legislation."

Dunkin: "Okay. Regarding the liquor establishment in my district, do you know if the aldermen has... if they approved of this?"

Berrios: "I'm not sure. I did not get a chance to talk to Senator Hunter."

Dunkin: "Okay. I know she and I... Senator Hunter and I... was... have been discussing this over the last week or so and our issue, our question simply was, was the aldermen onboard with this? And that's... that's really... that would be only my objection. And I agree in part with my colleague on the other side of the aisle, I mean, I think we are starting to do a little bit too many... too many local issues, quite frankly. Let me see if I can reach out to my aldermen in that respective area to see if... if they're okay with this legislation."

STATE OF ILLINOIS
96th GENERAL ASSEMBLY
HOUSE OF REPRESENTATIVES
TRANSCRIPTION DEBATE

63rd Legislative Day

5/28/2009

Berrios: "Well, I'm sure Senator Hunter had a chance to talk to them, I hope and 'cause it did pass the Senate 54-0, if I'm not mistaken."

Dunkin: "Okay. Well, I just text her, so I hope to hear back from her..."

Berrios: "Or 53."

Dunkin: "...on this because makes sense, 'cause he has to have that local control understanding as well. So..."

Berrios: "Okay. And then I..."

Dunkin: "...thank you, Representative."

Berrios: "...do know... I do know that they just found out the one in the 25th Ward, the alderman did have the okay and for the one that, my original Bill's intent..."

Dunkin: "Right."

Berrios: "...did have the okay by the aldermen."

Dunkin: "Well, Representative, can... while I... while I call out of my Senator and my... the aldermen, can you take it out of the record until they confirm this?"

Berrios: "Will they let me bring it back?"

Dunkin: "Mr. Speaker..."

Berrios: "I should be okay. I'm sure you'll get the answers you need for this one. I'm sorry, Representative."

Dunkin: "Okay. I just..."

Berrios: "I do want to just call it."

Dunkin: "I just..."

Berrios: "I'm sorry."

Dunkin: "Well, Representative, all due respect, you know, I've known you since I've gotten down here. You're one of my

STATE OF ILLINOIS
96th GENERAL ASSEMBLY
HOUSE OF REPRESENTATIVES
TRANSCRIPTION DEBATE

63rd Legislative Day

5/28/2009

favorite people. I mean, it's in my district and I don't know if the aldermen..."

Berrios: "Make the calls and let's hope we have enough questions in the meantime."

Dunkin: "Okay. But if... if I..."

Berrios: "Will that work?"

Dunkin: "If my alderman is not for this, I would like for at least that particular business to be stru... struck from the Bill, at least that Amendment."

Berrios: "They're all on here right now. They're all in each Amendment, so I really can't do that right now, unfortunately."

Dunkin: "Well, let me reach out to the aldermen and I'll call my... my State Senator."

Berrios: "And I don't think the Senator would have added that Amendment, if the alderman wasn't onboard."

Dunkin: "Well, you know how we say in politics, trust but verify, and that's what I like to do."

Berrios: "Make your calls."

Dunkin: "Thank you, Representative."

Speaker Turner: "Representative Berrios to close."

Berrios: "Oh. Okay, Representative. I'm very, very sorry. I am closing. I would like to have the Body's support on this. It was my original Bill and the Senate just decided to put..."

Speaker Turner: "Representative, first of all, Representative Acevedo..."

Berrios: "...specific..."

STATE OF ILLINOIS
96th GENERAL ASSEMBLY
HOUSE OF REPRESENTATIVES
TRANSCRIPTION DEBATE

63rd Legislative Day

5/28/2009

Speaker Turner: "...has a question. No. Dunkin, you're trying to say something? Yeah."

Dunkin: "Representative, can you take it out of the record and come to bring... and call the Bill in a few seconds or like 10 minutes..."

Berrios: "Okay."

Dunkin: "...10 minutes, until I get some confirmation, 'cause it was in my district..."

Berrios: "Exactly and..."

Dunkin: "...that's in this Bill."

Berrios: "...I'm sure they've talked to you already asking for your support on this then."

Dunkin: "Yes, but people ask us for support all the time down here and sometimes they don't do their due diligence and they try to get creative. I'm saying I simply want to do my due diligence and speak with my Senator..."

Berrios: "I understand..."

Dunkin: "...speak with my aldermen that this legislation affects directly as I would extend the courtesy to you, Representative."

Berrios: "I understand, but..."

Dunkin: "So, if you can ask the Speaker to call this Bill in another 10 to 15 minutes, since we're going to be here all weekend, I would appreciate it. I would extend that courtesy..."

Berrios: "Representative..."

Dunkin: "...to you, Representative."

Berrios: "...I understand, but you've also known about this Amendment and you could have called..."

STATE OF ILLINOIS
96th GENERAL ASSEMBLY
HOUSE OF REPRESENTATIVES
TRANSCRIPTION DEBATE

63rd Legislative Day

5/28/2009

Dunkin: "Okay."

Berrios: "...your aldermen before..."

Dunkin: "Okay. Well, I... well..."

Berrios: "...then. I'm very sorry."

Dunkin: "Well, here's... well..."

Berrios: "I am very sorry."

Dunkin: "...here's what I would ask. Here's what I would ask my colleagues here. Since this is... one of these restaurants is located in my district, I would respectfully ask my colleague... if my other colleague can't extend the courtesy to another colleague for 10 or 15 minutes, to vote 'present'."

Speaker Turner: "The Lady from Cook, Representative Berrios."

Berrios: "Okay. I'll give you five minutes."

Speaker Turner: "The Lady asks leave to take the Bill out of the record. The Gentleman from Cook, Representative Acevedo, for what reason do you rise?"

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

Speaker Turner: "State your point."

Acevedo: "I'd like to acknowledge some friends of mine up in the gallery today, the Velasquez family: Miss Shirley Velasquez, Maria Elena Hanson, Carmen Velasquez, Edward Velasquez, Mary Ann Velasquez, Nanette Zander, Renee Toger, Rosario Rabiela, Esther Corpuz, Ben Corpuz, and Mia Corpuz. Welcome to Springfield."

Speaker Turner: "Welcome to Springfield. Representative Hernandez, we have House Bill 489 on the Order of Concurrences."

STATE OF ILLINOIS
96th GENERAL ASSEMBLY
HOUSE OF REPRESENTATIVES
TRANSCRIPTION DEBATE

63rd Legislative Day

5/28/2009

Hernandez: "Thank you, Speaker. House Bill 489, Motion to Concur with Senate Amendment 1 and 2. The Amendment 2 makes changes to address the concerns CMS had regarding health provider... health providers providing... participating in the state deferred compensation plan. I ask to adopt."

Speaker Turner: "Seeing no questions, the question is, 'Shall the House concur in Senate Amendments 1 and 2 to House Bill 489?' This is final action. And all those in favor should vote 'aye'; all those opposed vote 'no'. The voting is now open. Have all voted who wish? Have all voted who wish? The Clerk shall take the record. On this question, there are 116 voting 'aye', 1 voting 'present', 0 'noes'. And the House does concur in Senate Amendments 1 and 2 to House Bill 489. And this Bill, having received the Constitutional Majority, is hereby declared passed. Representative Miller, we have House Bill 496. Out of the record. Representative Beiser, we have House Bill 4... 519."

Beiser: "Thank you, Mr. Speaker. Senate Amendment #1 is a Sen... is an Amendment that simply adds the Department of Revenue to this Bill, an investigator with the Department of Revenue. This Bill originally passed the House 114 to 0. With the Amendment, it passed the Senate 58 to 1. And we just simply found another investigator within that the Department of Revenue to add to it. So, I would move that we concur with Senate Amendment #1."

Speaker Turner: "The Gentleman from Cook, Representative McCarthy, for what reason do you rise?"

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

Speaker Turner: "indicates he will."

STATE OF ILLINOIS
96th GENERAL ASSEMBLY
HOUSE OF REPRESENTATIVES
TRANSCRIPTION DEBATE

63rd Legislative Day

5/28/2009

McCarthy: "Representative Beiser, like the underlying Bill, all cost incurred by this move will be incurred by the participant, correct?"

Beiser: "Yes."

McCarthy: "Thank you."

Speaker Turner: "Seeing no further questions, the question is, 'Shall the House concur in Senate Amendment 1 to House Bill 519, This is final action. And all those in favor should vote 'aye'; all those opposed vote 'no'. The voting is now open. Have all voted who wish? Have all voted who wish? Ford. The Clerk shall take the record. On this question, there are 116 voting 'aye', 1 voting 'no', 0 'presents'. And this Bill, having... and this Bill, having received... I should say. And the House does concur in Senate Amendments 1 to House Bill 519. And this Bill, having received the Constitutional Majority, is hereby declared passed. Representative Pihos on House Bill 547."

Pihos: "Thank you, Mr. Speaker. I move to concur on Senate Amendment 1 on House Bill 547. And what this does is it adds the word 'and'. It's a technical change in between application 'and' forms into the Bill."

Speaker Turner: "Seeing no questions, the question is, 'Shall the House concur in Senate Amendment 1 to House Bill 547?' And this is final action. All those in favor should vote 'aye'; all those opposed vote 'no'. The voting is now open. Have all voted who wish? Have all voted who wish? The Clerk shall take the record. On this question, there are 117 voting 'aye', 0 'noes', 0 'presents'. And the House does concur in Senate Amendment 1 to House Bill 547."

STATE OF ILLINOIS
96th GENERAL ASSEMBLY
HOUSE OF REPRESENTATIVES
TRANSCRIPTION DEBATE

63rd Legislative Day

5/28/2009

And this Bill, having received the Constitutional Majority, is hereby declared passed. Representative Beiser on House Bill 563."

Beiser: "Thank you, Mr. Speaker. House Bill 563 with Senate Amendment #1 for concurrence simply states that it would allow the department to suspend one of the regional testing sites if it is determined that the integrity of the exam has been breeched or is fundamentally deficient in the testing. So, I'd ask that we concur with Senate Amendment #1."

Speaker Turner: "Seeing no questions, the question is, 'Shall the House concur in Senate Amendment 1 to House Bill 563?' This is final action. And all those in favor should vote 'aye'; all those opposed vote 'no'. The voting is now open. Have all voted who wish? Have all voted who wish? The Clerk shall take the record. On this question, 115 voting 'aye', 0 'noes', 2 voting 'present'. And the House does concur in Senate Amendment 1 to House Bill 563. And this Bill, having received the Constitutional Majority, is hereby declared passed. Representative Eddy, House Bill 613."

Eddy: "Thank you, Speaker. House Bill 613 creates a competitive bid contract by Internet purposes. It passed the House unanimously. In the Senate, there were some concerns by construction groups that they would be prepared at this time to do that. So, we amended it to allow for us to work on that in the future. It mirrors exactly a community college competitive technology bidding process

STATE OF ILLINOIS
96th GENERAL ASSEMBLY
HOUSE OF REPRESENTATIVES
TRANSCRIPTION DEBATE

63rd Legislative Day

5/28/2009

that passed both Houses unanimously. And I'd appreciate your support on the Concurrence Motion."

Speaker Turner: "Seeing no questions, the question is, 'Shall the House concur in Senate Amendment 1 to House Bill 613?' This is final action. And all those in favor should vote 'aye'; all those opposed vote 'no'. The voting is now open. Have all voted who wish? Have all voted who wish? Colvin. The Clerk shall take the record. On this question, there are 117 voting 'aye', 0 'noes', 0 'presents'. And the House does concur in Senate Amendment 1 to House Bill 613. And this Bill, having received the Constitutional Majority, is hereby declared passed. Representative Osterman on House Bill 628."

Osterman: "Thank you, Mr. Speaker, Ladies and Gentlemen of the House. I ask for concurrence on Senate Amendment #2 to House Bill 628. This Amendment deals with accessibility to parents and qualified professionals in the assessment of children with special needs. The Amendment would require that visitations to schools and consulting with teachers and administrators would be done through written notification. The dates would be set up at a mutually agreeable time. This has been worked on with all the different groups that had issues prior. And I would ask for a Concurrence Motion."

Speaker Turner: "The Gentleman from Crawford, Representative Eddy, for what reason do you rise?"

Eddy: "Thank you, Mr. Speaker, very quickly to the legislation. I want to, first of all, thank Representative Osterman for working on this in the Senate. We had a discussion

STATE OF ILLINOIS
96th GENERAL ASSEMBLY
HOUSE OF REPRESENTATIVES
TRANSCRIPTION DEBATE

63rd Legislative Day

5/28/2009

regarding this Bill when it went over to the Senate. He... he did everything he said. He had all the groups come together. There is no cost now for school districts in this. The expert witnesses are... are really just gaining access to be able to help determine placement for students with special needs. The access is limited to what is agreed upon by the school district and the expert witnesses and I think it really has potential now to help provide information to school districts through expert witnesses that'll... that'll end up with better placement for special ed kids. And I... and I thank him for his work on this."

Speaker Turner: "Seeing no further questions, the question is, 'Shall the House concur in Senate Amendment 1 to House Bill 628?' This is final action. I'm sorry. Senate Amendment 2 to House Bill 628. This is final action. And all those in favor should vote 'aye'; those opposed vote 'no'. The voting is now open. Have all voted who wish? Have all voted who wish? The Clerk shall take the record. On this question, there are 117 voting 'aye', 0 'noes', 0 'presents'. And the House does concur in Senate Amendment 2 to House Bill 628. And this Bill, having received the Constitutional Majority, is hereby declared passed. Representative Berrios, we have House Bill 470."

Berrios: "As the Bill was previously discussed, I'd like to concur Senate Amendments 1, 2, and 3. And I'd ask for..."

Speaker Turner: "Seeing no further questions, then with the approval of Representative Dunkin, the House... The question is, 'Shall the House concur in Senate Amendments 1, 2, and 3 to House Bill 470?' This is final action. And all those

STATE OF ILLINOIS
96th GENERAL ASSEMBLY
HOUSE OF REPRESENTATIVES
TRANSCRIPTION DEBATE

63rd Legislative Day

5/28/2009

in favor should vote 'aye'; all those opposed vote 'no'. The voting is now open. Have all voted who wish? Have all voted who wish? The Clerk shall take the record. On this question, there are 63 voting 'aye', 53 voting 'no'. And the House does concur in Senate Amendments 1, 2, and 3 to House Bill 470. And this Bill, having received the Constitutional Majority, is hereby declared passed. Representative Monique Davis, we have House Bill 648 under the Order of Concurrences on page 17 of the Calendar.

Davis, M.: "Thank you, Mr. Chairman. I ask for concurrence on Senate Amendment #1 for House Bill 648. And what that Amendment did was put a timeline of 5 years on the traffic study. I commend President Cullerton, Senator Haine for working closely with us, Senator Millner and we reached a compromise and made it not forever, not 10 years, but a 5-year extension of the racial profiling study. And I would ask for your support in this Concurrence Motion."

Speaker Turner: "The Gentleman from DuPage, Representative Reboletti, for what reason do you rise?"

Reboletti: "A question of the Spe... the Sponsor?"

Speaker Turner: "She indicates she'll yield."

Reboletti: "Representative, I appreciate the fact that the Amendment's a little bit less time than what we had talked about. I know you and I had talked about maybe a 2-year extension. I know there's supposedly \$800 thousand available for this study. Will that be consumed throughout that 5-year period, then?"

Davis, M.: "There will probably be a little left over, because my understanding is we're spending less than \$200 thousand

STATE OF ILLINOIS
96th GENERAL ASSEMBLY
HOUSE OF REPRESENTATIVES
TRANSCRIPTION DEBATE

63rd Legislative Day

5/28/2009

per year, so maybe... about that. It'll... it'll take that up."

Reboletti: "And this came up before, but you wouldn't foresee this being... extended out again 5 years from now to come back or... Would you... would you agree with me that probably the 4 years we've had and the additional 5 years would be enough of a study..."

Davis, M.: "Well..."

Reboletti: "...to get the information together to make any appropriate changes?"

Davis, M.: "We would certainly hope so, Representative Reboletti. And as you remember, the reason that the extension was needed was because there was no task force assigned and we needed current data to make an analysis. So, I really appreciate your support on this issue and I appreciate your question."

Reboletti: "Thank you."

Speaker Turner: "The Gentleman from Crawford, Representative Eddy, for what reason do you rise?"

Eddy: "A quick couple questions for the Sponsor."

Speaker Turner: "She answered... she indicates she'll yield."

Eddy: "Representative, was any of the opposition removed as a result of the Amendment? I... I... I know there was opposition originally."

Davis, M.: "To my knowledge, all of the opposition has been removed. That was one of the reasons for the 5-year... you know, the reduction from the 10-year plan. It went over to the Senate with 10 years and it was reduced to 5."

STATE OF ILLINOIS
96th GENERAL ASSEMBLY
HOUSE OF REPRESENTATIVES
TRANSCRIPTION DEBATE

63rd Legislative Day

5/28/2009

Eddy: "Okay. So, the State Police, the Fraternal Order of the Police and the Illinois Association of Chiefs of Police, their opposition has been removed.."

Davis, M.: "Doesn't... doesn't..."

Eddy: "...because the time..."

Davis, M.: "Does Senator Millner work closely with those organizations?"

Eddy: "Senator Millner, I believe, works closely with those organizations."

Davis, M.: "But he's in support of the legislation."

Eddy: "Okay. Well, I just... I just didn't know if there were significant changes to the underlying Bill or if the time period was enough and obviously, your word is that... your understanding is they have removed it just based on the time period."

Davis, M.: "Well, that's correct, Representative Eddy. If you remember correctly, the original Bill had a... no sunset at all. It was just to be a continuing study the way Missouri and some other states have their legislation. And then, after committee hearing, we were asked to give some limit. So, we put in an Amendment to make it only 10 years. After it got over to the Senate and negotiations continued, of course, with Senator Millner, Senator Haine, Senator Cullerton, the compromise was to make it a 5-year study and I... and Rep... Senator Meeks and this took a great deal of negotiations, compromise, and I agreed to cut the time in half to 5 years and they were acceptable with that."

Eddy: "The... the cost of the study was originally paid for by federal grant."

STATE OF ILLINOIS
96th GENERAL ASSEMBLY
HOUSE OF REPRESENTATIVES
TRANSCRIPTION DEBATE

63rd Legislative Day

5/28/2009

Davis, M.: "That is correct which will continue."

Eddy: "So, any cost associated with this, the federal grant's been renewed or there's still money left from the original allotment?"

Davis, M.: "There is over \$800 thousand left in the Department of Transportation for the continuation of this study. The study pays... I think it's Northwestern University less than 200 thousand per year to do the analysis and provide the Illinois General Assembly with their compact report."

Eddy: "Thank you, Representative."

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

Speaker Turner: "The Gentleman from Jasper, Representative Reis, for what reason do you rise?"

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

Speaker Turner: "She indicates she will."

Reis: "Representative, when this was going through the House we had asked to, perhaps, those of us in areas where we just don't have the ratios of minorities, maybe if using our data up to this point that we could exempt certain counties. Was that taken up in the Senate?"

Davis, M.: "No, they didn't take that up and if that is the case, my imagination says that your police officials would simply send one sheet of paper stating we have stopped absolutely no minority drivers in our community and all of our drivers are Caucasian and we have no numbers to report."

Reis: "But they have to fill that report out with each stop and there's where the paperwork piles up. And you know..."

STATE OF ILLINOIS
96th GENERAL ASSEMBLY
HOUSE OF REPRESENTATIVES
TRANSCRIPTION DEBATE

63rd Legislative Day

5/28/2009

Davis, M.: "They have to do that already. That is already a requirement from every police district."

Reis: "Be..."

Davis, M.: "That was... that..."

Reis: "...because of your legislation."

Davis, M.: "No, not because... My legislation merely added different fields. My legislation added the race of the driver as perceived by the police officer. We added some fields... oh, and submitting the data, but that requirement already exists for your policemen. It's already on the citation. Who they stop and why is already a part of their documentation, every police district."

Reis: "So, why are we extending this then if it's already part of state statute that the... statute that's sunseting did not require? Why are... why do we need this?"

Davis, M.: "We're sun... the reason we're continuing is because the task force, whose job it was to analyze the data and make a recommendation to the General Assembly, they were never appointed by your former Governor."

Reis: "Well, your former Governor who you supported in both elections. I appreciate what you're doing, Representative, and I really feel that the data that we send you from our counties is hurting your cause because, you know, it shows up that a very, very, very, very high percentage of our traffic pullovers are Caucasian, so... and it allows our law enforcement officials who are strapped to the... to the bare bones and limited resources. We just feel, my sheriffs and local law enforcement officials feel, that they could better utilize their time with something that's really

STATE OF ILLINOIS
96th GENERAL ASSEMBLY
HOUSE OF REPRESENTATIVES
TRANSCRIPTION DEBATE

63rd Legislative Day

5/28/2009

pertaining to our counties, so that's why we asked for the exemptions..."

Davis, M.: "Well, I appreciate..."

Reis: "...when it left this chamber."

Davis, M.: "...your comments. I appreciate your comments. Thank you."

Speaker Turner: "The Gentleman from Vermilion, Representative Black, for what reason do you rise?"

Black: "Thank you very much, Mr. Speaker and Ladies and Gentlemen of the House. To the Bill. The Sponsor is sincere and works very hard on this issue, but we had an agreement. This study was to have been terminated in 2010. That was the agreement and as 2010 approached, suddenly it was going to be extended by 10 years. Now, admittedly and the Lady has, as she indicated, compromised and the study will go on for another 5 years. Police agencies feel they have complied with the original Bill or law, and have filled out accurately and completely all of the information required of them. And since we first debated the Lady's Bill before it went to the Senate, there have been two multiple shootings, killing five police officers. I believe, three in Pittsburgh and forgive me, I'm not sure where the other one was, maybe Oakland or somewhere, two police officers shot and killed. It's not to say that what the Lady wants isn't important, but I thought it had been completed. And I represent a different constituency than... than Representative Davis and I understand that. I don't have the population density. I don't, quite frankly, have the crime rate, but I also don't have the resources. In my

STATE OF ILLINOIS
96th GENERAL ASSEMBLY
HOUSE OF REPRESENTATIVES
TRANSCRIPTION DEBATE

63rd Legislative Day

5/28/2009

State Police district, District 10, I've even forgotten how many counties, 9, 10 counties, whatever it is, we're lucky to have two or three police officers on duty at night in that district. Our sheriffs are lucky to have three police officers, three sheriff deputies on patrol during certain shifts. Most of the communities in my district don't even have a full-time police officer, so they hire a part-timer to work 20 hours a week. All of this material takes time away from the duties that they were hired to do: patrol, check on locked doors, take a look at what's going on in the community. And I suppose, I wish we could have maybe amended it by population or whatever, but I realize that's very difficult to do. And again, I don't rise to question the commitment of the Sponsor. I would have liked to see this original sunset date be kept, but it looks like it's going to be extended for 5 more years. But one of these days, I hope we'll spend as much time trying to study why so many police officers are murdered today, not always in a shootout either, an ambush, a domestic violence case that went wrong, in the case, I believe, in Pittsburgh and suddenly three of them were... were murdered more or less in cold blood. I go to the police memorial in my hometown every year and it's remarkable the number of police officers who are killed or seriously wounded trying to carry out what I think is the most difficult job that society has. We ask them to do something that most of us could not do or would not be willing to do. There are a few in here that do it. Representative Sacia did it for years. I think, Representative Acevedo continues his work

STATE OF ILLINOIS
96th GENERAL ASSEMBLY
HOUSE OF REPRESENTATIVES
TRANSCRIPTION DEBATE

63rd Legislative Day

5/28/2009

as a law enforcement officer, but it's very, very difficult work and we tend to micromanage what they do. Yes, there are some bad apples, there are in every... every profession that you could name. But this is a real trick bag. I don't like this study to continue because we had an agreement it would stop in 2010. The Senate Amendment... and I congratulate the Representative... at least it shortens the... the new..."

Speaker Turner: "Bring your remarks to a close, Representative."

Black: "At least it shortens the new study to a 5-year period of time, but I still have serious concerns about even doing that. I thought we had an agreement that it would stop in 2010, but it appears that that is not to be."

Speaker Turner: "The Gentleman from Champaign, Representative Rose, for what reason do you rise?"

Rose: "Can I ask a question of the Sponsor, if I may."

Speaker Turner: "She indicates she'll yield."

Rose: "Representative, the previous comments from Representative Reboletti I was kind of intrigued. How... how long have... when was the original study started? How many years have we been doing the studies?"

Davis, M.: "First, let me say, Representative, this Bill has passed out of both chambers and the Motion on the floor is in reference to the Senate concurrence of..."

Rose: "I know. I may be voting for this. So..."

Davis, M.: "Okay. ...of reducing it to 5 years."

Rose: "But when did we start the study?"

Davis, M.: "2003. It started in the year 2003..."

STATE OF ILLINOIS
96th GENERAL ASSEMBLY
HOUSE OF REPRESENTATIVES
TRANSCRIPTION DEBATE

63rd Legislative Day

5/28/2009

Rose: "Okay."

Davis, M.: "...and in the Bill, the Governor was supposed to appoint a task force. He partially did."

Rose: "That's right..."

Davis, M.: "...and... and then..."

Rose: "...and then it actually got started a couple of years later or something."

Davis, M.: "...and then they... Yeah."

Rose: "Right."

Davis, M.: "Then they never met but once or twice, so they weren't..."

Rose: "But there had been a study 'cause I've seen the results."

Davis, M.: "Where you get the results, absolutely."

Rose: "Right."

Davis, M.: "You do get the results and I was..."

Rose: "And I guess, this is my question, because I remember seeing results in the last couple years of a study, but I haven't seen anybody act upon the results."

Davis, M.: "Well, the reason the task force..."

Rose: "And I guess what I'm getting at is... well, that's what I'm asking is, if we're going to extend this for 5 years, other than the study, what are we actually doing with the data? I mean, where is... where is the action step been with the data?"

Davis, M.: "Well, first of all, part of the task force responsibility would be to see if there are areas that have a propensity for what is called racial profiling. Just stopping a driver is certainly not racial profiling. And

STATE OF ILLINOIS
96th GENERAL ASSEMBLY
HOUSE OF REPRESENTATIVES
TRANSCRIPTION DEBATE

63rd Legislative Day

5/28/2009

as stated by Rep... the other Representative, most police officers are actually very honest, very dedicated to their work and do an excellent job, but you have a few who will continue to stop someone based on their race and then..."

Rose: "But... but I guess what the..."

Davis, M.: "...and then search the car, harass the person and then maybe not even enter a citation..."

Rose: "Representative..."

Davis, M.: "...maybe not even enter a ticket."

Rose: "...isn't the task force in place, though, to act on the data?"

Davis, M.: "They will be with the Governor appointing them. Governor Quinn will appoint a new task force and they will do their work and they have to have to have up-to-date information in order to do the work that they have to do."

Rose: "I'm... I'm... I know this is very bad. I'm just wondering why it is 6 years later we haven't acted on the data we had and it sounds to me like our Governor did not make appointments to the task force that was supposed to make the recommendations. Is that correct?"

Davis, M.: "That is correct."

Rose: "So, then we... we need to keep the data fresh so that we can see what's going on with the appointments to the new committee. Is that accurate?"

Davis, M.: "That is correct."

Rose: "And are we sure... 'cause I think Representative Black has a good point here... are we sure this time around that there will be a task force in place to deal with this data?"

STATE OF ILLINOIS
96th GENERAL ASSEMBLY
HOUSE OF REPRESENTATIVES
TRANSCRIPTION DEBATE

63rd Legislative Day

5/28/2009

Davis, M.: "Well, I trust that our Governor Quinn will not do what your Governor Blagojevich didn't do."

Rose: "Oh, oh, Representative, not my Governor. That's your team, Representative. Let's be clear on that point. Nonetheless, I... I think that... I think I will support your legislation, Representative. I... but I do share Representative Black's concern and my only point is that 5 years from now I don't want you coming back here saying we need to extend it another 5 years, because the task force never met."

Davis, M.: "I appreciate that."

Rose: "And... and to that end, I will support it."

Davis, M.: "Thank you."

Rose: "So, thank you, Representative."

Davis, M.: "Thank you, Representative Rose."

Speaker Turner: "The Gentleman from Cook, Representative Miller."

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

Speaker Turner: "The..."

Miller: "The recent... I just want to at least talk about or at least address some of the analysis of the... of the task force. Is it... is it the preview of the... of the task force to sort of analyze why was... why individuals were stopped, the race of the officer, the race of the individual who was stopped and the reason why?"

Davis, M.: "Well, they will analyze the occurrences in different communities. For example, Chicago, Illinois, even though it has a majority of African-American and Hispanic drivers, still appear to have a problem with

STATE OF ILLINOIS
96th GENERAL ASSEMBLY
HOUSE OF REPRESENTATIVES
TRANSCRIPTION DEBATE

63rd Legislative Day

5/28/2009

racial profiling in reference to traffic stops. What the task force will do will be to analyze the data in reference to communities. You may have one community with a very small African-American population, maybe like Highland Park, and then you may find that there's a propensity to only ticket that particular group. So, it'll be up to the task force to make those analysis and people who are, I would say knowledgeable in reference to statistical data and research, will.."

Miller: "So, are any of the... and forgive me if I... if any of the individuals who will be selected by the Governor, since have a history, track record, or experience in either law enforcement or being stopped or whatever the circumstance may be?"

Davis, M.: "Well, a number of them are police officials, some of them who were on the task force before were... well, a few of them... they're from different walks of life: community organizations, university research people, and from the supervisory area of policemen."

Miller: "And as far as, there's an incident that I saw this morning where a woman had abducted her own daughter and blamed two African-American males had basically carjacked her and a question came up, do you think that's racial profiling? It also reminds me of an incident back in the '80s where a gentleman had killed his wife and blamed, once again, African-American males and at the time, this is in Boston, when I was in school where African-American males were... were roused just because they fit a hypothetical description. Are there any thoughts or any circumstances

STATE OF ILLINOIS
96th GENERAL ASSEMBLY
HOUSE OF REPRESENTATIVES
TRANSCRIPTION DEBATE

63rd Legislative Day

5/28/2009

that the... under those conditions, that... that may provide a higher incidence of stoppage to those communities by the task force?"

Davis, M.: "Well, I'm not sure they would investigate those criminal acts. For those... for the young woman..."

Miller: "The false process. The false... the false..."

Davis, M.: "...false, those accusations..."

Miller: "...accusations."

Davis, M.: "...that created an awful lot of dollars spent looking for this couple or... and they did find the little girl and safe, thank goodness."

Miller: "Yeah."

Davis, M.: "But that, in my opinion would be a criminal offense..."

Miller: "Okay."

Davis, M.: "...and it does smack of racism to say that the perpetrator of the crime that didn't exist was an African American. And..."

Miller: "African-American male that you just..."

Davis, M.: "...and a male, at that, mostly, but this Bill will not address that."

Miller: "And last question, over... over this period, your new period, you had said that, I guess, the task force has met to some degree."

Davis, M.: "It met once or twice."

Miller: "And ha... and during this time, have you heard or any of the task force members, that you may know, heard any complaints in regards to undue..."

Speaker Turner: "Bring your remarks to a close."

STATE OF ILLINOIS
96th GENERAL ASSEMBLY
HOUSE OF REPRESENTATIVES
TRANSCRIPTION DEBATE

63rd Legislative Day

5/28/2009

Miller: "It's just undue paperwork."

Davis, M.: "Not... not one bit because, as I stated, these reports are already required and they merely added a few fields, you know, like a computer field, and you check, check, check, less than a minute's work. So, we have had no complaints along those lines, Representative."

Miller: "Thank you, Mr. Speaker. Thank you, Sponsor."

Speaker Turner: "So, seeing no further questions, the question is, 'Shall the House concur... The Gentleman from DuPage, Representative Ramey.'"

Ramey: "Thank you, Mr. Speaker. Is my light not blinking up there?"

Speaker Turner: "Representative, we're on the Order of Standard Debate and seven people have spoke already, but that's okay."

Ramey: "How many... how many do we get?"

Speaker Turner: "You're the last guy, but I mean you..."

Ramey: "You're very kind. That's why I like you, Speaker."

Speaker Turner: "See..."

Ramey: "Will the... will the Sponsor yield? Representative, did you make a commitment or agreement to sunset this legislation when you first introduced it a few years back?"

Davis, M.: "I think we... we've gone over that argument, Representative Ramey, and the answer was, it was based upon a task force being developed. Because your Governor Blagojevich did not..."

Ramey: "Mine?"

Davis, M.: "...did not do that."

Ramey: "Okay."

STATE OF ILLINOIS
96th GENERAL ASSEMBLY
HOUSE OF REPRESENTATIVES
TRANSCRIPTION DEBATE

63rd Legislative Day

5/28/2009

Davis, M.: "We don't have..."

Ramey: "She said that before."

Davis, M.: "...statistical analysis of current data."

Ramey: "Okay."

Davis, M.: "Therefore, it required, according to research theory, to have current data because the study has to continue. That's all."

Ramey: "And you said earlier there's no longer any opposition?"

Davis, M.: "To my knowledge, there's absolutely none."

Ramey: "All right. To the Bill. Ladies and Gentlemen, in making a few calls we find that the police chiefs are still opposed. The Fraternal Order of Police are not in agreement. And the State Police are just neutral. So, Representative, I'm sorry. I'm going to have to vote 'no' on your Bill."

Speaker Turner: "Representative Davis to close."

Davis, M.: "Thank you, Mr. Speaker. And thanks for my colleagues for their very concise questions. This legislation is... what shall I say... needed in order for the task force of the racial profiling study to do its work. And once they've done their work, we will know and they will analyze what to do to perhaps prevent, halt, or diminish the racial profiling that occasionally occurs when we're driving down our highways. This Bill passed with votes from both sides of the aisle and I ask for a concurrence vote. Thank you."

Speaker Turner: "So, the question is, 'Shall the House concur in Senate Amendment 1 to House Bill 648?' This is final action. And all those in favor should vote 'aye'; all

STATE OF ILLINOIS
96th GENERAL ASSEMBLY
HOUSE OF REPRESENTATIVES
TRANSCRIPTION DEBATE

63rd Legislative Day

5/28/2009

those opposed vote 'no'. The voting is now open. Have all voted who wish? Have all voted who wish? Joe, you're not voting. The Clerk shall take the record. On this question, there are 77 voting 'aye', 40 voting 'no', 0 'presents'. And the House does concur in Senate Amendments 1 to House Bill 648. And this Bill, having received the Constitutional Majority, is hereby declared passed. Representative Lyons in the Chair."

Speaker Lyons: "Representative Will Burns, on page 17 of the Calendar on the Order of Senate Bill... House Bill concurrences, you have House Bill 684. The Gentleman from Chi... from Cook, Representative Will Burns."

Burns: "Thank you very much, Mr. Speaker, Ladies and Gentlemen of the House. I move to concur with the Senate in Amendment #1 to House Bill 684. 684... the Amendment that the Senate added to this Bill makes a technical change to the existing Bill. It deals with some of the issues that the State Board of Education had. The underlying Bill remains the same. This is still the community schools grant program. It is subject to appropriation, so it is fiscally responsible. We had tremendous support for it when it originally passed the House and I look forward to having an 'aye' vote."

Speaker Lyons: "Is there any discussion? Seeing none, the question is, 'Shall the House concur with Amendment #1 to Senate... House... to Senate Amendment #1 to House Bill 684?' This is final action. All those in favor signify by voting 'yes'; those opposed vote 'no'. The voting is open. Have all voted who wish? Have all voted who wish? Have all

STATE OF ILLINOIS
96th GENERAL ASSEMBLY
HOUSE OF REPRESENTATIVES
TRANSCRIPTION DEBATE

63rd Legislative Day

5/28/2009

voted who wish? Sara Feigenholtz. Mr. Clerk, take the record. On this Bill, there are 117 Members voting 'yes', 0 voting 'no'. This Bill, having received a... this Bill.. The House does concur in Senate Amendment #1 to House Bill 684. And this Bill, having received the Constitutional Majority, is hereby declared passed. Representative Brosnahan, on page 17 of the Calendar, you have House Bill 699, a Motion to Nonconcur. Representative Brosnahan."

Brosnahan: "Thank you, Mr. Speaker. I would move to nonconcur on Senate Amendments #1 and 3 to House Bill 699."

Speaker Lyons: "The Gentleman's made a Motion to Nonconcur to Senate Amendments 1 and 3 to House Bill 699. Is there any discussion? Seeing none, all those in favor of his Motion signify by saying... by voting 'yes'; those... saying 'yes'; those opposed say 'no'. In the opinion of the Chair, the 'ayes' have it. And the Motion to Nonconcur... the House nonconcur with Senate Amendments #1 and #3 to House Bill 699. Representative Mike Fortner, you have, on page 17 of the Calendar, House Bill 723. The Gentleman from DuPage, Representative Mike Fortner."

Fortner: "Yes. I move to concur with Senate Amendment 1 to House Bill 723. The... this Amendment actually addresses a couple of questions that were raised during the House Floor debate. What it does is it sets the signature level to be the same as it is for any of the races as they would have been for the Primary and sets a 75-day period after the Primary for those petitions to be filled. Happy to answer any questions."

STATE OF ILLINOIS
96th GENERAL ASSEMBLY
HOUSE OF REPRESENTATIVES
TRANSCRIPTION DEBATE

63rd Legislative Day

5/28/2009

Speaker Lyons: "Is there any discussion? Seeing none, the question is, 'Should the House concur in Senate Amendment #1 to House Bill 723?' All those in favor signify by voting 'yes'; those opposed vote 'no'. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Mr. Clerk, take the record. On this Bill, there's 117 Members voting 'yes', 0 voting 'no'. And the House concurs with Senate Amendment #1 to House Bill 723. This is final action. And having received the Constitutional Majority, is hereby declared passed. Representative Graham, you have House Bill 740. The Lady from Cook, Representative Debbie Graham."

Graham: "Thank you, Mr. Speaker, Ladies and Gentlemen of the House. I move to concur with Senate Amendment #1."

Speaker Lyons: "Is there any discussion? Seeing none, the question is, 'Should the House concur in Senate Bill... Senate Amendment #1 to House Bill 740? All those in favor signify by voting 'yes'; those opposed vote 'no'. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Representative McAsey, Mautino, in the back row. Mr. Clerk, take the record. On this Bill, there's 117 Members voting 'yes', 0 voting 'no'. And the House does concur in Senate Amendment #1 to House Bill 740. Having received the Constitutional Majority, this Bill... this Bill is hereby declared passed. Representative Kathy Ryg, on page 17 of the Calendar, you have House Bill 751. The Lady from Lake, Representative Kathy Ryg."

STATE OF ILLINOIS
96th GENERAL ASSEMBLY
HOUSE OF REPRESENTATIVES
TRANSCRIPTION DEBATE

63rd Legislative Day

5/28/2009

Ryg: "Thank you, Mr. Speaker. I move to concur on Senate Amendment #1 to House Bill 751. This adds a provision in determining how funds from the closure of a mental health or developmental disabilities facility may be spent. The underlying Bill provided that the revenues generated from the sale of state-operated facilities would be reinvested in the trust funds to ensure that the revenues were used to support services. This Amendment provides that in addition to providing the services and support, the funds may also be used for construction of new facilities to serve the needs of persons with developmental disabilities and mental illness. And for legislative intent I'd like to state that the purpose would be for reinvesting so that we're balancing our system, meeting the needs of people primarily in community-based services."

Speaker Lyons: "Any discussion? The Chair recognizes the Gentleman from Peoria, Representative David Leitch."

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

Speaker Lyons: "Lady yields for questions, Sir."

Leitch: "Thank you. I just wanted to confirm that this Amendment that we're concurring in also accommodates community-based agencies. Was that what I heard you indicate or community... other than just simply state facilities?"

Ryg: "The revenues can only be... the revenues of the sale are from state-operated facilities. The intent of the legislation was to ensure that the proceeds from the sale, those revenues, would be deposited in funds for services."

STATE OF ILLINOIS
96th GENERAL ASSEMBLY
HOUSE OF REPRESENTATIVES
TRANSCRIPTION DEBATE

63rd Legislative Day

5/28/2009

And so, the services we would be looking to fund would be community-based."

Leitch: "Thank you."

Speaker Lyons: "Seeing no further discussion, the question is, 'Shall the House concur in Amendment #... Senate Amendment #1 to House Bill 751?' This is final action. All those in favor should signify by voting 'yes'; those opposed vote 'no'. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Mr. Clerk, take the record. On this Bill, there's 117 Members voting 'yes', 0 voting 'no'. And the House does concur in Amendment #1... Senate Amendment #1 to House Bill 751. This Bill, having received the Constitutional Majority, is hereby declared passed. Representative Lou Lang, you have, under Concurrences, House Bill 773. The Chair recognizes the Gentleman from Cook, Representative Lou Lang."

Lang: "Thank you, Mr. Speaker and Ladies and Gentlemen. When House Bill 773 left this chamber, it was... it dealt with the beer distributors and their dispute with some of the brewers and I indicated to you it was a work in progress. This Amendment is the agreement that was made in the Senate, so this is now a fully agreed Bill. I know of no opponents to it. If I may, before you go to any questions, Mr. Speaker, if I could yield to Mr. Jefferson. He and I are going to put something into the record for legislative intent."

Speaker Lyons: "The Chair recognizes the Gentleman from Winnebago, Representative Chuck Jefferson."

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

STATE OF ILLINOIS
96th GENERAL ASSEMBLY
HOUSE OF REPRESENTATIVES
TRANSCRIPTION DEBATE

63rd Legislative Day

5/28/2009

Speaker Lyons: "Sponsor yields."

Jefferson: "Representative, does this House Bill 773 restrict any party to the agreement from making any legal challenge that's in a provision of law?"

Lang: "No. Illinois law allows any party to challenge State Law."

Jefferson: "If a brewer contends that an agreement contains a provision or provisions to be determined, interpret or redefine any of the terms of provisions defined or contained in the Beer Industry Fair Dealing Act or State Law, does such contention take precedence over the Beer Industry Fair Dealing Act or the law?"

Lang: "No. State Law shall prevail in all such instances, regardless of what a brewer contends is included in an agreement."

Jefferson: "Representative, what agreements will be affected by this House Bill 773?"

Lang: "The Bill's provisions will apply to new agreements executed after the effective date of the Bill and existing agreements amended, renewed, or extended after the effective date of the Bill."

Jefferson: "And what does a wholesaler have... what right does a wholesaler have if it is presented with an Amendment to an agreement?"

Lang: "A wholesaler has the right to determine if the Amendment materially, substantially, or adversely affects the wholesaler's business and may refuse to agree or consent to such Amendment if the wholesaler determines that a

STATE OF ILLINOIS
96th GENERAL ASSEMBLY
HOUSE OF REPRESENTATIVES
TRANSCRIPTION DEBATE

63rd Legislative Day

5/28/2009

materialer... materially, substantially, or adversely affects its business. Thank you, Representative."

Jefferson: "Thank you, Representative."

Lang: "Be happy to answer any questions for this agreed Bill, Mr. Speaker."

Speaker Lyons: "Is there any discussion? Seeing none, the question is, 'Shall House... shall the House concur in Senate Amendment #1 to House Bill 773?' This is final action. All those in favor signify by voting 'yes'; those opposed vote 'no'. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Representative Deb Mell. Mr. Clerk, take the record. On this Bill, there's 117 Members voting 'yes', 0 voting 'no'. And the House does concur in Senate Amendment #1 to House Bill 773. This Bill, having received the Constitutional Majority, is hereby declared passed. Mr. Clerk, on the top of page 18, Representative Bob Rita has House Bill 786 on the Order of Concurrences. The Gentleman from Cook, Representative Bob Rita."

Rita: "Thank you, Mr. Speaker. I move to concur with House Bill 786. Which one? Senate Amendment 2, I believe it is... and 1 and 2."

Speaker Lyons: "The Gentleman makes the Motion to Concur with Senate Amendments #1 and #2 to House Bill 786. Is there any discussion? Seeing none, the question is, 'Shall the House concur in Senate Amendments #1 and 2 to House Bill 786?' Representative Black, do you have a question before we go into the Roll Call? The Gentleman from Vermilion, Representative Black."

STATE OF ILLINOIS
96th GENERAL ASSEMBLY
HOUSE OF REPRESENTATIVES
TRANSCRIPTION DEBATE

63rd Legislative Day

5/28/2009

Black: "Thank you very much, Mr. Speaker. The Sponsor yield?"

Speaker Lyons: "Sponsor yields."

Black: "Representative, it appears to me that this... this Bill now has nothing whatsoever to do with roofing contractors or roofing licenses, correct?"

Rita: "That's correct."

Black: "So, we've gone from roofing contractors to..."

Rita: "Boxing. It... it..."

Black: "...boxing. I see."

Rita: "It had to do with when some Bills went to the Senate, we had to put the roofing Bills all together and this was a... some..."

Black: "So, we..."

Rita: "...the Department of Professional Regulation had gone... it got mixed up in a deadline. It's agreed language and it clarifies some problems that they had with the... the amateur boxing and/or recreation boxing."

Black: "So, a local martial arts school cannot currently conduct a martial arts point competition between amateur karate schools without a State Law?"

Rita: "Under current law. And what we do... what we did here is to clarify the... to not include everybody: park districts and/or local karate or amateur boxing."

Black: "Yeah. I'll wait..."

Rita: "Two years ago we put that in there. And what this does is then clarifies what was original intent to the legislation to exclude them."

Black: "Did these..."

STATE OF ILLINOIS
96th GENERAL ASSEMBLY
HOUSE OF REPRESENTATIVES
TRANSCRIPTION DEBATE

63rd Legislative Day

5/28/2009

Rita: "The department thought that there was a... that this should have been done."

Black: "Do these... can you charge admission to these matches or..."

Rita: "I believe what... what it does is... yeah, but I believe my understanding is it was unclear when this went into effect through the rules and what it does is takes out the... the park districts, the local and... and not include it all into the amateur boxing, if that makes sense."

Black: "Not a great deal. So, if I remember the original Bill where we created mixed martial arts, I don't know, kickboxing, punching below the belt, gouging, whatever it was, somebody got up and said it was going to be a tourism factor for Illinois. Now, is... what is this mar... I mean, is this just karate like you see in the movies or..."

Rita: "Karate, martial arts, kickboxing, the ultimate fighting is what that... originally what they wanted to do..."

Black: "Oh. So, thi... but this doesn't have anything to do with ultimate fighting?"

Rita: "...to regulate the ultimate fighting."

Black: "Was... was ultimate fighting..."

Rita: "Regulate wasn't... it wasn't regulated and which in turn then brought in all these other amateur martial arts and/or boxing..."

Black: "Ahh."

Rita: "...into the Ultimate Fighting Act to regulate it."

Black: "I see."

Rita: "So, what this does is separates out the... the..."

STATE OF ILLINOIS
96th GENERAL ASSEMBLY
HOUSE OF REPRESENTATIVES
TRANSCRIPTION DEBATE

63rd Legislative Day

5/28/2009

Black: "It's becoming clear to me now, Grasshopper. Do you have a financial interest in any karate school?"

Rita: "No."

Black: "Did you ever wear Hai Karate aftershave?"

Rita: "Not recently."

Black: "All right. Well, all I can say about this Bill, it's about as clear as... well, as my grandson would say... ti ah."

Speaker Lyons: "Representative Careen Gordon."

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

Speaker Lyons: "Sponsor yields."

Gordon, C.: "Thank you. Representative Rita, we're now changing the term 'mixed martial arts' to 'full contact martial arts' in this Bill. Is that right?"

Rita: "Yes."

Gordon, C.: "And that means that mixed martial arts, those contests, there was no intent to injure, disable, or incapacitate one's opponent... one's opponent, whereas with full contact martial arts there is that intent, right?"

Rita: "Yes. Correct."

Gordon, C.: "So, have you ever seen a full contact martial arts contest?"

Rita: "No."

Gordon, C.: "Well, a very good friend of mine used to participate in these and they're basically knock-down-drag out street fights, in my opinion I guess. The only time you can't kick someone in the head is when they're laying down flat on the mat. And so, why are we now doing this in the State of Illinois and the only thing that we're doing, I guess, to ensure any type of safety is making sure that,

STATE OF ILLINOIS
96th GENERAL ASSEMBLY
HOUSE OF REPRESENTATIVES
TRANSCRIPTION DEBATE

63rd Legislative Day

5/28/2009

you know, there's medical staff there and equipment, trained officials, insurance coverage and I understand that and I know that there's boxing fans here and whatnot, but we're kind of allowing a more dangerous thing to go through than what we did in the past."

Rita: "No... yeah."

Gordon, C.: "Is there a specific reason for that or are..."

Rita: "We... we..."

Gordon, C.: "...or was there a request for this for you to do this?"

Rita: "This... this already is current law. This was done two years ago. What we're doing is cleaning up some of the unintended consequences and how it was written to take out some of these park districts and the amateur that... rather than what you're talking about. And this was already current law, what you're mentioning."

Gordon, C.: "Well, and I... I..."

Rita: "So, this just clarifies and defines..."

Gordon, C.: "Suppose I get..."

Rita: "...some of the terminology that was used, so it don't just put everybody all together into it."

Gordon, C.: "So, but you're changing a very clear definition in..."

Rita: "It's..."

Gordon, C.: "...in what this... what this..."

Rita: "...through..."

Gordon, C.: "...sport actually is."

Rita: "...through the de..."

Gordon, C.: "And so, I guess, that's what I'm concerned about."

STATE OF ILLINOIS
96th GENERAL ASSEMBLY
HOUSE OF REPRESENTATIVES
TRANSCRIPTION DEBATE

63rd Legislative Day

5/28/2009

Rita: "Through the Department of Professional Regulation is... came up with these terms to re... to define it even further what this is. To clarify it even further because there's been some unclear areas on how they originally wrote this Bill."

Gordon, C.: "So, you can give me that... your assurance that there have been problems with what... the Bill that we passed and this clears it up so that safety per... this actually makes more safe what we did in the past..."

Rita: "Yes."

Gordon, C.: "...by passing this Bill. That's the assurance that you're giving to this Body today."

Rita: "Yes, that's my understanding on it, yes."

Gordon, C.: "Thank you, Representative."

Speaker Lyons: "The Gentleman from DuPage, Representative Mike Fortner."

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

Speaker Lyons: "Sponsor yields."

Fortner: "Representative, as I understand this, before we passed, two years ago, the Bill to deal with bringing in professional open fighting championships, there were a great number of... were there park district programs or small schools, sometimes joined in federations, that trained people of all ages in different forms of martial arts, some of which were single martial arts, where it was just one pure thing like, say, judo. Sometimes their school did a mix of different styles, maybe mix in some tae kwon do and hakido together and those schools would regularly compete in tournaments just to have a chance for people to spar

STATE OF ILLINOIS
96th GENERAL ASSEMBLY
HOUSE OF REPRESENTATIVES
TRANSCRIPTION DEBATE

63rd Legislative Day

5/28/2009

with one another between different schools. And as I... we... we did that for many, many years. Is that correct?"

Rita: "Yes."

Fortner: "And when we wanted to deal with the question of ultimate fighting championships, we ended up having to take on the additional responsibility of really dealing with situations where your professionals, the level for safety concern became much higher and we wanted to deal with that particular area. And certainly, it was never our intent originally to stop all those small park district and other clubs from being able to have the kinds of tournament they already have, but as I understand it, one of the unintended consequences of the law we did pass left that open to some doubt. Is that right?"

Rita: "That's correct."

Fortner: "So, what we're really doing here is we are simply making it clear that the type of simple club activities whether it be park districts or other schools that had gone on and under the... the guidance of safety that had always been upheld in those types of facilities that that's not what we're regulating. Instead, we're making it clear that they're going to be able to continue doing the types of tournaments they already have."

Rita: "Yeah, that's correct. What it does is clarifies who needs a report, who needs to be... report with the Department of Professional Regulation and who does not."

Fortner: "I... I thank you for this legislation. I think this is a very good attempt to clear up for all the many programs throughout the state that have been doing a great job of

STATE OF ILLINOIS
96th GENERAL ASSEMBLY
HOUSE OF REPRESENTATIVES
TRANSCRIPTION DEBATE

63rd Legislative Day

5/28/2009

exposing a lot of people in Illinois to martial arts in an absolutely safe and amateur fashion and not trying to get in the way of what they have long done here. Thank you. And I would urge an 'aye' vote."

Speaker Lyons: "Representative Al Riley."

Riley: "Will the Sponsor yield?"

Speaker Lyons: "Sponsor yields."

Riley: "Representative, first of all, I must apologize because I've not heard all of the testimony 'cause it's a little noisy here in the chamber. A couple of years ago..."

Speaker Lyons: "Ladies and Gentlemen, if we could keep the noise level down somewhat. There's a discussion going on between Representative Riley and Representative Rita. If you could bring the noise level down just ever so slightly, Ladies and Gentlemen. Thank you."

Riley: "A couple of years ago when we had the... the sanctioning of mixed martial arts, that... that sport, if you will, was not as fully formed and regulated as it is today. And one of the things that I wanted to do then, and I still want to do the same thing now, is to make a distinction between mixed martial arts, UFC, those kinds of professional events and amateur martial arts or you know, point karate that's regulated by schools and normally the individual style of that school has an association. It's my understanding, looking on page 5 and 6 of this Bill, it says... or of the Amendment, it says 'that department authorization is not required for amateur full contact martial arts', but then it goes down and talks about how if one has a tournament and you know, we have tournaments... or these tournaments go

STATE OF ILLINOIS
96th GENERAL ASSEMBLY
HOUSE OF REPRESENTATIVES
TRANSCRIPTION DEBATE

63rd Legislative Day

5/28/2009

on all the time, that notification for the state must be made in advance of the tournament. Now, that kind of flies in the face of what I thought that this Bill was all about. Amateur karate has been, or karate or martial arts, has been around a long time. As I say, there are sanctioning bodies. There's a sanctioning body and there's an association for virtually each style that exists and they've been very good in terms of their own self-regulation. So, can you explain to me what this Amendment is doing.."

Rita: "What..."

Riley: "...to traditional point karate and martial arts?"

Rita: "In simple terms, what it does is clarifies what's amateur and what's professional."

Riley: "But here to fore we did not have to register every time we had a tournament."

Rita: "But full... full contact martial arts with the intent to injure."

Riley: "I'm sorry."

Rita: "And then the depart... them... those would have to be registered with the department or notified, rather."

Riley: "Okay. Because in a lot of traditional martial arts we have full contact..."

Rita: "And..."

Riley: "...and it goes on all the time. That full contact, however, is focused and the intent is not to injure."

Rita: "So..."

Riley: "So, I guess what I'm asking you..."

STATE OF ILLINOIS
96th GENERAL ASSEMBLY
HOUSE OF REPRESENTATIVES
TRANSCRIPTION DEBATE

63rd Legislative Day

5/28/2009

Rita: "...and the ones that wouldn't have to, just to clarify this thing, is karate, kung fu, judo and tae kwon do."

Riley: "Well, Representative, there's 10 million styles. For example, if this weekend, some Saturday, there's a kenpo or tae kwon do tournament going on where there is going to be contact, would that amateur association... would they... would they have to have had registered with the state under this piece of legislation prior to having to use in custom... in customary tournaments?"

Rita: "No, no, no."

Riley: "Okay. Thank you."

Speaker Lyons: "The Lady from DuPage, Representative Darlene Senger."

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

Speaker Lyons: "Sponsor yields."

Senger: "I just have a quick question, similarly along the lines of what has been asked. In a situation where you could have a co..."

Speaker Lyons: "Representative Senger."

Senger: "It's on. In a situation where you have a combination of an amateur event 'cause you have, let's say, for an example, park districts competing with each other, but you also have a event that now is to qualify for a state or national competition. So, you've got certain rules and whatever, the kids have an option whether they want to move on into a state competition or a national competition where they could also choose whether they just wanted to stay in the amateur event and compete between themselves. Would this be an exempt situation?"

STATE OF ILLINOIS
96th GENERAL ASSEMBLY
HOUSE OF REPRESENTATIVES
TRANSCRIPTION DEBATE

63rd Legislative Day

5/28/2009

Rita: "What... what it states in the Bill is that with full contact and intent to injure. So, these events that you're... that you've just mentioned would be... for kids and that... is not part of this. That's what we're trying to clarify with this Amen... with this Bill."

Senger: "What..."

Rita: "What is amateur, what is professional and with intent to injure is the key with full contact is the key words that defines it."

Senger: "But how these events work in the situation I'm referring to specifically has to do with park districts up and along the North Shore. The events are meant for amateurs, but at the same time they do qualify for a state and then a national competition."

Rita: "And it would depend..."

Senger: "And it is full contact, but it's not with the intent to, you know, kill another person, but it is with the intent of winning the match."

Rita: "Well, that's what would it be, if it's full contact with the intent to injure, would be the... what would define... what would be... but if you're talking about karate, kung fu, judo and tae kwon do, no."

Senger: "It's karate, Japanese karate."

Rita: "That's... yet that wouldn't be what you're stating that would have to register."

Senger: "Okay."

Speaker Lyons: "The Lady from Brown, Representative Jil Tracy."

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

Speaker Lyons: "Sponsor yields."

STATE OF ILLINOIS
96th GENERAL ASSEMBLY
HOUSE OF REPRESENTATIVES
TRANSCRIPTION DEBATE

63rd Legislative Day

5/28/2009

Tracy: "With all the debate going on, I was confused, Representative Rita. Does this Bill affect or apply to extreme fighting?"

Rita: "If extreme fighting is with intent to injure, then it would. Whatever the..."

Tracy: "Okay. When you..."

Rita: "And what we're doing is, you're looking at the current law and this is to clarify what that current law is."

Tracy: "Right. Because I do have YMCAs and the like that want to hold martial art tournaments for young children."

Rita: "Yeah, this separates it from... from that. And like I... we've been saying is the key word with the intent to injure."

Tracy: "But that still... I'm trying to clarify with all the debate I've gotten con... I don't understand if this Amendment what it does is allow martial arts, and you defined a certain group of those, that would be able to conduct a tournament without a license, if they meet the criteria of the on-site medical staff, and trained officials and the like."

Rita: "You know, could you clarify what you're as... what you're saying here?"

Tracy: "What I'm... I'm wondering is is, first of all, I had a concern because I didn't know if within the definition of marital (sic-martial) arts extreme fighting was included."

Rita: "Yes."

Tracy: "And then, is the purpose of your Bill to allow those types of martial arts..."

Rita: "To..."

STATE OF ILLINOIS
96th GENERAL ASSEMBLY
HOUSE OF REPRESENTATIVES
TRANSCRIPTION DEBATE

63rd Legislative Day

5/28/2009

Tracy: "...to hold a tournament if they have certain equipment, staff, trained officials, all the different points..."

Rita: "Yeah."

Tracy: "...insurance coverage, weight classifications, safety equipment. If this is... allows them to have a tournament without a state license."

Rita: "Yes, as long as it was for full contact that you would need all that criteria that you have mentioned. And what it does is to... it defines the 'professional' rather than the amateur even though they're amateur but don't have the intent to kill. So, it's trying to clarify these different events and what they would have to do and they would not have to apply with the department. Now, extreme fighting that you mentioned, I don't know exactly what that..."

Tracy: "Well, it seems to be a..."

Rita: "Is that the full contact kind?"

Tracy: "...a fairly new... It is full contact and I think that was what Representative Gordon was addressing is is that there's a new type of fighting that I did not think would be classified as martial arts that allow... it's become very popular among teens and the like that hold tournaments where it is a very extreme..."

Rita: "It..."

Tracy: "...that I believe it should be licensed."

Rita: "And that's what was done two years ago, but what happened was when they were licensing..."

Speaker Lyons: "Representative Tracy, your time has expired, but we'll let Representative Rita finish that question of yours."

STATE OF ILLINOIS
96th GENERAL ASSEMBLY
HOUSE OF REPRESENTATIVES
TRANSCRIPTION DEBATE

63rd Legislative Day

5/28/2009

Rita: "It... what we're trying to do here is clarify your amateur and/or your schools for karate from those dangerous events or you... dangerous full contact sport, is what we're trying to do is clarify what that meets and there's been... it's been unclear from the law that we passed two years ago."

Tracy: "Thank you."

Speaker Lyons: "Representative Rita to close."

Rita: "I'd ask for a favorable vote. Thank you."

Speaker Lyons: "The question is, 'Shall the House concur in Amendments #1 and 2 to House Bill 786. This is final action. All those in favor signify by voting 'yes'; those opposed vote 'no'. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Representative Beiser and Dunkin. Mr. Clerk, take the record. On this Bill, there's 116 Members voting 'yes', 0 voting 'no', 1 Member voting 'present'. And the House does concur in Amendments #1 and 2 to House Bill 786. This Bill, having received the Constitutional Majority, is hereby declared passed. Members, could you please be in your seats. Staff, I'm requesting that you please retire to the back of the chamber, please. Mr. Clerk, House Resolution 310."

Clerk Bolin: "House Resolution 310, offered by Representative Acevedo.

WHEREAS, The members of the Illinois House of Representatives are saddened to learn of the death of Arturo Velasquez, who passed away on April 17, 2009; and

WHEREAS, Arturo Velasquez was born in 1915 in Tototlan, Jalisco, Mexico; he came to the United States at the age of

STATE OF ILLINOIS
96th GENERAL ASSEMBLY
HOUSE OF REPRESENTATIVES
TRANSCRIPTION DEBATE

63rd Legislative Day

5/28/2009

eight; he graduated from Haines Elementary School and attended Crane Technical High School; he received an Honorary Doctorate of Public Service in 1981 from the National College of Education and a Doctorate of Public Service from Saint Xavier College in 1988; and

WHEREAS, In 1938, during the "Great Depression", Arturo Velasquez founded the Velasquez Automatic Music Company at 4539 South Ashland Avenue in the Back of the Yards neighborhood; for many years, he sold arcade games and Mexican music for jukeboxes to Latino restaurants; he was well known in his neighborhood as a generous supporter of programs and scholarships to help young people there; and

WHEREAS, Arturo Velasquez served his country with pride and distinction as a member of the United States Army during World War II; and

WHEREAS, Arturo Velasquez was the founder of the Illinois Federation of Mexican Americans in 1958; he co-founded in 1967 and served as charter president of the Azteca Lions Club; he also played key roles in founding the Mexican-American Chamber of Commerce of Illinois, the Federation of Mexican-Americans, the Spanish Speaking Study Commission, the Mexican Civic Society, and the Mexican-American Democrats of Cook County, among many others; and

WHEREAS, Arturo Velasquez served as a trustee of the City Colleges of Chicago for 10 years; in 2008, Richard J. Daley College rededicated and renamed its West Side Technical Institute the Arturo Velasquez West Side Technical Institute in honor of Mr. Velasquez and his work; and

STATE OF ILLINOIS
96th GENERAL ASSEMBLY
HOUSE OF REPRESENTATIVES
TRANSCRIPTION DEBATE

63rd Legislative Day

5/28/2009

WHEREAS, Arturo Velasquez gave more than fifty years of dedicated service to the Cordi-Marian Settlement House; he was the recipient of numerous awards in recognition of his outstanding contributions, including the American Legion Manuel Perez Post (#1017) 1964 "Man of the Year" award, the Counsel General of Mexico's 1967 "Man of the Year" award, the Boys and Girls Club of Chicago's Chairman of the Board and 1980 Volunteer of the Year awards, the City Colleges of Chicago Foundation's 1984 "Man of the Year" award, the Mexican Civic Society's 1986 "Man of the Year" award, the St. Augustine College's "Puente" Award, "The Ohtli" Award, Mexico's highest honor, The Chicago Historical Society's 2002 "Making History" Award, and the Illinois Hispanic Chamber of Commerce's 2006 "Pipila" Award; and

WHEREAS, Arturo Velasquez is survived by his wife of 72 years, Shirley; his children, Arthur, Edward, Carmen, and Maria Elena; his 11 grandchildren and 19 great-grandchildren; and his siblings, Marina, Eliseo, Josefina, and Elisia; therefore, be it

RESOLVED, BY THE HOUSE OF REPRESENTATIVES OF THE NINETY-SIXTH GENERAL ASSEMBLY OF THE STATE OF ILLINOIS, that we mourn, along with his family and friends, the passing of Arturo Velasquez; and be it further

RESOLVED, That a suitable copy of this resolution be presented to the family of Arturo Velasquez as an expression of our sympathy."

Speaker Lyons: "The Chair recognizes the Gentleman from Cook, Representative Acevedo."

STATE OF ILLINOIS
96th GENERAL ASSEMBLY
HOUSE OF REPRESENTATIVES
TRANSCRIPTION DEBATE

63rd Legislative Day

5/28/2009

Acevedo: "Thank you, Mr. Speaker. At this time, I'd like to add the entire Latino Caucus along with Representative Kevin Joyce to the Resolution. Thank you, Ladies and Gentlemen of the House. At the start of the Great Depression, a Mexican immigrant mother in Gary, Indiana, found herself with no job, no money, and no food, so she did the only thing she could think of. She decided to pack up her young son and move back to Mexico where they would at least have something to eat. Fortunately, for the City of Chicago, the Model T Ford he rode in overturned near Albuquerque leaving them stranded without money. The mother took a job as a farm worker and they began migrating between beet fields in the Black Hills of South Dakota and tomato farms in Minnesota and Iowa. Eventually, they landed in Chicago. Over the next seven decades, the little boy, Arturo Velasquez would become a civic treasure in Chicago, an entrepreneur, a philanthropist, activist, advisor to Chicago leaders and a patriarch of one of the city's leading Hispanic families. Arturo Velasquez was dedicated to his family, his church, his business, and the City of Chicago, especially the Mexican-American community of Chicago's south side. Mr... but Mr. Velasquez passed on at the age of 93, but his influence will live on in the people he inspired, the lives he helped change in the opportunity he helped create for so many. Mr. Velasquez was a gracious man. He was also humble. He used to describe himself as a jukebox operator, in fact, he owned one of Chicago... Chicago's largest music and game firms, Velasquez Automated Music Company, which he founded more

STATE OF ILLINOIS
96th GENERAL ASSEMBLY
HOUSE OF REPRESENTATIVES
TRANSCRIPTION DEBATE

63rd Legislative Day

5/28/2009

than 70 years ago. It's run today by his son, Ed and daughter Maria Elena. In 1970, Mr. Velasquez helped another son, Art, found Azteca Foods and Company, which supplies thousands of groceries to restaurants and tortillas and other food products. He played a key role in the establishment of the Mexican-American Chamber of Commerce, Azteca Lions Club, the Illinois Federation of Mexican Americans and many other business and civic groups. Formal education was a luxury for Mr. Velasquez as it is for many of his children of migrant workers. He attended 13 different grade schools and he never went to high school, but he was a strong advocate for education. He was determined that all of his children would graduate from college and they did. He also worked tirelessly for decades to provide other young people, especially Mexican Americans, with the educational opportunity he himself never received. He served as a trustee with two colleges: the City College of Chicago and National-Louis University. A year ago, Chicago City College's West Side Technical Institute, which Mr. Velasquez supported strongly, was renamed in his honor. Arturo Velasquez continues to help others even now. Two of his favorite causes: the first, in the City of Colleges the Chicago Foundation for Scholarships to Arturo Velasquez West Side Technical Institute; a scholarship fund for Latinos in the second year, two-year technical education program who went to go on to four years of college. His second cause is Alivio Medical Center, near and dear to his heart, a community health center founded by Mr. Velasquez's daughter Carmen

STATE OF ILLINOIS
96th GENERAL ASSEMBLY
HOUSE OF REPRESENTATIVES
TRANSCRIPTION DEBATE

63rd Legislative Day

5/28/2009

that provides... to provide free health care to thousands of Chicago families each in the mostly Latino Pilsen, Little Village and Back of the Yard Neighborhoods. I cannot tell you how impressed I am with Carmen and the work she does for Alivio. The fact that her father inspired her and now wants her to continue helping others, even in his passing, says a lot about the family. This is... Mr. Velasquez received well deserved accolades including an honorary doctorate from the public service of Xavier University and the Ohtli Award from the Mexican Government, the highest award to a Mexican who lives outside the country. In 2002, he was honored by the Chicago Historical with its Making History award. But that meant most... but what meant most to Mr. Velasquez was his family. He and his wife, Shirley, were married for 72 years. They were blessed with 5 children, 11 grandchildren and 19 great-grandchildren. As a young father, Mr. Velasquez dreamed of being able to provide for his family with a home of their own. It took a while. He bought an empty lot at 72nd Street and St. Louis Avenue in 1945, but he didn't build a house until 1950. Ms. Velasquez once told a reporter, every Sunday we would take our kids to the empty lot. He'd tell them, jump around, it's yours. And she would say, she couldn't think of any other place to go. In 1959, Mr. Velasquez covered the White Sox for a Spanish language newspaper. That year, the Sox won their first division pennant in 40 years only to lose in the World Series to the Los Angeles Dodgers. In '95, he saw his great-grandson, Willie throw out the first pitch during the second game of the division series. He

STATE OF ILLINOIS
96th GENERAL ASSEMBLY
HOUSE OF REPRESENTATIVES
TRANSCRIPTION DEBATE

63rd Legislative Day

5/28/2009

had tickets to every playoff game and he saw his beloved White Sox, at last, win the World Series, another dream come true for a man who made dreams of so many others possible. I want to express my deepest condolences to his wife, Shirley, her children, her grandchildren and her great-grandchildren. Arturo Velasquez was a gracious and generous man and truly a community leader. He will be so greatly missed."

Speaker Lyons: "Representative Acevedo asked for leave of the Body so all Members could be added as cosponsors. Seeing no objection, leave is granted. And the Chair recognizes the Lady from Cook, Representative Mendoza."

Mendoza: "Thank you, Mr. Speaker. Ladies and Gentlemen of the House, Arturo Velasquez was a man who we've heard time and time again won the award as 'Man of the Year'. I mean, I think at 93 years of age, from the moment he was born he'd been an influence upon many, particularly his family. I would venture to say that it's no stretch of the imagination that if anyone deserved 'Man of the Century' it's perhaps someone by the name of Arturo Velasquez. I am very proud to have the West Side Technical Institute, which is now known as the Arturo Velasquez West Side Technical Institute in my district. It's a... it's a naming or a renaming that is so worthwhile. He's a man who's inspired not hundreds but thousands of people to be better people and his family is living testament of what he encompasses as a human being. It's been my pleasure to know him. I'm certainly the luckier for having met him and spoken with him on so many occasions and just seeing him and what he

STATE OF ILLINOIS
96th GENERAL ASSEMBLY
HOUSE OF REPRESENTATIVES
TRANSCRIPTION DEBATE

63rd Legislative Day

5/28/2009

represents in action. It was my honor and certainly that of anyone who's ever come in contact with him and that memory, that spirit and that love for community and dedication to service lives on as his family and I think that's the greatest testament that any human being could ever hope to achieve. Thank you."

Speaker Lyons: "The Lady from Cook, Representative Lisa Hernandez."

Hernandez: "Thank you. I did have the opportunity to meet Arturo Velasquez, but I did not have a chance to really work with him. However, I do want to thank him because I do consider him the reason why I had the opportunity to be here. I have had, though, the opportunity and pleasure of working with his daughter on many health initiatives. And today, I want to, on behalf of Carmen, read to you a letter about her father. 'As a father, my dad was a person who led by example. He loved to be with people. He shared their struggles and their pain. If you went to him for help, he found a way to help whether it was to get a license, open a business, borrow money to pay a bill, get a loan from the bank, go to the Mexican consulate and yes, even gave advice on family issues. He helped the sons and daughters of his friends understand their parents and vice versa. If you can believe he gave of himself, there was nothing he would not do to help youth. He gave what sometimes he did not have. He valued family and was very proud to be a Mexican. He made sure that we knew where we came from and that we needed to give back to the community. My father would open doors and share his relationships.

STATE OF ILLINOIS
96th GENERAL ASSEMBLY
HOUSE OF REPRESENTATIVES
TRANSCRIPTION DEBATE

63rd Legislative Day

5/28/2009

Education and getting involved was important to him, whether it was helping the Cordi, the Marian sisters, the Chicago Boys and Girls Club, Alivio Medical Center, Trinity High School, the City Colleges, you could count on him. He loved the White Sox and Notre Dame. He was one of the last minims to survive. People continue to come up to me and say, you don't know me but my name is and I am the owner of Bienavista Restaurant and your dad helped me get a license and a loan to open my restaurant, without his help I would not be in business. Many people don't know this, but many years ago a friend, Rosario Rogella and I wanted to be entrepreneurs and open a restaurant. My dad really didn't think this was such a hot idea, but you know what, he helped me... helped us get a license, helped us financially and on May 7, 2009, the Decima Musa Restaurant in Pilsen celebrated its 27th year anniversary. Then there are my brothers and sisters. The Aztec Foods would not have been born. Velasquez Automatic Music gave life to his customers and his children and grandchildren. The four of us would never have been the first generation to go to college from major... from a major institution. I, Carmen, dropped out of college at Saint Xavier and after staying home for six months, rebelling of course, I went back to school to Loyola University's night school and my dad picked me up after a long day of work at 10 p.m. when I finished my classes. And by the way, I graduated Loyo... from Loyola University with a bachelors of science. There are so many stories that ought to be told, maybe one day we should collect all those stories about Arturo Velasquez."

STATE OF ILLINOIS
96th GENERAL ASSEMBLY
HOUSE OF REPRESENTATIVES
TRANSCRIPTION DEBATE

63rd Legislative Day

5/28/2009

Speaker Lyons: "Speaker of the House, Michael Madigan."

Madigan: "As part of the remarks of Representative Acevedo, he talked in terms of a vacant lot at 72nd and Christiana in the City of Chicago. Well, that lot became the Velasquez family homestead and that location has been in my legislative district for close to 40 years. I knew Art; I knew the family. I knew Art to be the typical, successful, American businessman. He started with little education, no money. He started a small, little business and did very well in that business and as others have said, as he worked in that business, why he helped many, many people also start businesses and they all became very successful Americans. This country should have more people like Art Velasquez. And he will be sorely missed and I want to offer my sympathy and condolences to the entire Velasquez family."

Speaker Lyons: "Ladies and Gentlemen, we're joined by the Velasquez family in the gallery. This was previously adopted, but in the memory of this great Chicagoan, this great Illinoisan, this great Mexican American, I'd ask for a moment of silence. Rest in peace, Arturo Velasquez. Thank you very much. Mr. Clerk and Ladies and Gentlemen, we will be moving some Bills on the Supplemental Calendar #1. So, I'll ask the Clerk to read the... what's the status of Senate Bill 1300?"

Clerk Bolin: "Senate Bill 1300, a Bill of an Act concerning criminal law. Second Reading of this Senate Bill. No Committee Amendments. No Floor Amendments. No Motions are filed."

STATE OF ILLINOIS
96th GENERAL ASSEMBLY
HOUSE OF REPRESENTATIVES
TRANSCRIPTION DEBATE

63rd Legislative Day

5/28/2009

Speaker Lyons: "Third Reading. What the status of House... of Senate Bill 1320?"

Clerk Bolin: "Senate Bill 1320, a Bill for an Act concerning criminal law. Second Reading of this Senate Bill. No Committee Amendments. No Floor Amendments. No Motions are filed."

Speaker Lyons: "Third Reading. Senate Bill 1325."

Clerk Bolin: "Senate Bill 1325, a Bill for an Act concerning criminal law. Second Reading of this Senate Bill. No Committee Amendments. No Floor Amendments. No Motions are filed."

Speaker Lyons: "Move that Bill to the Order of Third Reading. Senate Bill 2024, Mr. Clerk."

Clerk Bolin: "Senate Bill 2024, a Bill for an Act concerning civil law. Second Reading of this Senate Bill. No Committee Amendments. No Floor Amendments. No Motions are filed."

Speaker Lyons: "Move that Bill to the Order of Third Reading. Representative Mike Zalewski, for what purpose do you seek recognition, Sir?"

Zalewski: "A point of personal privilege, Mr. Speaker."

Speaker Lyons: "Please proceed, Representative."

Zalewski: "Ladies and Members of the... Ladies and Gentlemen of the House, I'd like to acknowledge the mayor of Berwyn along with the aldermen from the great City of Berwyn in my district: Aldermen Polashek, Boyajian, Santoy, Skryd, and Chapman. They've made their way down here today. I'd like to welcome them to the General Assembly."

STATE OF ILLINOIS
96th GENERAL ASSEMBLY
HOUSE OF REPRESENTATIVES
TRANSCRIPTION DEBATE

63rd Legislative Day

5/28/2009

Speaker Lyons: "Welcome, Berwyn public officials, great to have you at the Capitol. Representative Dave Winters, on page 18 of the Calendar, you have House Bill 793 on the Order of Concurrences. Do you wish to proceed with that, Representative?"

Winters: "Thank you, Mr. Speaker. I would move to nonconcur with Senate Amendments."

Speaker Lyons: "Ladies and Gentlemen, Representative Winters has moved to nonconcur with Senate Amendment #1 to House Bill 793. All those in favor of his Motion signify by saying 'yes'; those opposed say 'no'. In the opinion of the Chair, the 'ayes' have it. The Motion carries. And the House nonconcur with Senate Amendment #1 to House Bill 793. Representative Mike Fortner, on the Order of Concurrences, you have House Bill 809."

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

Speaker Lyons: "The Gentleman from DuPage, Representative Fortner."

Fortner: "Thank you, Mr. Speaker. I move to nonconcur with Senate Amendment 2 to House Bill 809."

Speaker Lyons: "Is there any discussion? Ladies and Gentlemen, you've heard the man's Motion to nonconcur with Senate Amendment #2 to House Bill 809. All those in favor of the man's Motion should signify by saying 'aye'; those opposed say 'no'. In the opinion of the Chair, the 'ayes' have it. The Motion carries. And the House nonconcur with Senate Amendment #2 to House Bill 809. Representative Lang, for what purpose do you seek recognition, Sir?"

STATE OF ILLINOIS
96th GENERAL ASSEMBLY
HOUSE OF REPRESENTATIVES
TRANSCRIPTION DEBATE

63rd Legislative Day

5/28/2009

Lang: "On House Bill... on House Bill 809, which we just did, what happened with Amendment #1, if I can ask?"

Speaker Lyons: "Mr. Clerk, inquiry on House Bill 809 on Senate Amendment #1."

Clerk Bolin: "Senate Amendment #1 was tabled by the Senate."

Lang: "All right. Thank you. Our analysis indicated it was adopted, so I just wanted to straighten that out. Thank you."

Speaker Lyons: "Thank you, Representative Lang. Representative Rich Brauer, you have House Bill 849 on the Order of Concurrences. The Gentleman from Sangamon, Representative Rich Brauer. The Gentleman from Menard, Representative Rich Brauer."

Brauer: "Thank you, Mr. Speaker. I move to concur on Senate Amendment #1 on House Bill 849. Senate Amendment #1 just states that the definition of 'active duty' is only applicable to the Section that was amended."

Speaker Lyons: "Any discussion? Seeing none, the question is, 'Should the House concur to Senate Amendment #1 to House Bill 849?' This is final action. All those in favor signify by voting 'yes'; those opposed vote 'no'. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Representative Feigenholtz and Dunkin. Mr. Clerk, take the record. On this Bill, there's 117 Members voting 'yes', 0 voting 'no'. And the House does concur in Senate Amendment #1 to House Bill 849. This Bill, having received the Constitutional Majority, is hereby declared passed. Don't sit down, Representative Brauer. You also have House Bill 853."

STATE OF ILLINOIS
96th GENERAL ASSEMBLY
HOUSE OF REPRESENTATIVES
TRANSCRIPTION DEBATE

63rd Legislative Day

5/28/2009

Brauer: "Thank you, Mr. Speaker. I'd move to concur on Senate Amendment #1 and #2 on House Bill 853. This basically extends the registration on fleet vehicles to three years. This is language from the Secretary of State's Office. And there's no opposition."

Speaker Lyons: "Is there any discussion? Seeing none, the question is, 'Shall the House concur in Senate Amendments 1 and 2 to House Bill 853?' This is final action. All those in favor signify by voting 'yes'; those opposed vote 'no'. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Mr. Clerk, take the record. On this Bill, there are 117 Members voting 'yes', 0 voting 'no'. The House does concur with Amendments #1 and 2 to House Bill 853. This Bill, having received the Constitutional Majority, is hereby declared passed. Representative Tracy, on page 18, you have House Bill 865. The Lady from Brown, Representative Tracy."

Tracy: "Thank you, Mr. Speaker. I wo... I move to concur with Senate Amendment #1."

Speaker Lyons: "Any discussion? The Lady moves for the... the House to concur with Amend... Senate Amendment #1 to House Bill 865. This is final action. All those in favor signify by voting 'yes'; those opposed vote 'no'. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Representative Franks. Mr. Clerk, take the record. On this Bill, there are 117 Members voting 'yes', 0 voting 'no'. And the House does concur with Senate Amendment #1 to House Bill 865. This Bill, having received the Constitutional Majority, is

STATE OF ILLINOIS
96th GENERAL ASSEMBLY
HOUSE OF REPRESENTATIVES
TRANSCRIPTION DEBATE

63rd Legislative Day

5/28/2009

hereby declared passed. Representative Connelly, you have House Bill 880. Representative Mike Connelly."

Connelly: "Thank you, Mr. Speaker. I move to concur with Senate Amendments 1 and 2 to House Bill 880. Amendment 2 becomes the Bill. It makes technical changes requested by the Department of Financial and Professional Regulation. I ask for a 'yes' vote."

Speaker Lyons: "Is there any discussion? Seeing none, the question is, 'Shall the House concur with Amendments #1 and 2 to House Bill 880?' All those in favor.. This is final action. All those in favor signify by voting 'yes'; those opposed vote 'no'. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Representative Bost and Biggins. Mr. Clerk, take the record. On this Bill, there are 116 Members voting 'yes', 0 voting 'no'. The House does concur in Amendments #1 and 2 to House Bill 880. This Bill, having received the Constitutional Majority, is hereby declared passed. Representative Mendoza, you have House Bill 881. Representative Mendoza on the floor? On the top of page 19, Representative Burke, under... under Sen... House Concurrences, you have House Bill 921. Representative Dan Burke."

Burke: "Thank you, Mr. Speaker, and Ladies and Gentlemen of the House. I move to concur with Senate Amendment #1 to House Bill 921. The Senate Amendment would provide that the emergency medical plan that dentists must create must be written and it must be... it must include staff

STATE OF ILLINOIS
96th GENERAL ASSEMBLY
HOUSE OF REPRESENTATIVES
TRANSCRIPTION DEBATE

63rd Legislative Day

5/28/2009

responsibilities and office protocol for emergency procedures. Be happy to answer any questions."

Speaker Lyons: "Is there any discussion? Seeing none, should.. the question is, 'Shall the House concur with Amendment #1 to House Bill 921?' This is final action. All those in favor signify by voting 'aye'; those opposed vote 'nay'. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Mr. Clerk, take the record. On this Bill, there are 115 Members voting 'yes', 1 person voting 'no', 1 person voting 'present'. The House does concur with Amendment #1 to House Bill 921. This Bill, having received the Constitutional Majority, is hereby declared passed. Representative Burke, you also have House Bill 926. Representative Dan Burke."

Burke: "Thank you, again, Mr. Speaker and Ladies and Gentlemen of the House. I would move to concur with Senate Amendment #2 to House Bill 926. Senate Amen... just 2. It's a gut and replace."

Speaker Lyons: "Is there any discussion on Amendment #2? Representative Roger Eddy."

Eddy: "Inquiry of the Chair."

Speaker Lyons: "State your inquiry, Sir."

Eddy: "Senate Amendment 1, was that... Could you check with the Clerk to see what happened to Senate Amendment 1?"

Speaker Lyons: "Mr. Clerk, what's the status of Senate Amendment 1 to House Bill 926?"

Clerk Mahoney: "Senate Amendment #1 was tabled in committee."

STATE OF ILLINOIS
96th GENERAL ASSEMBLY
HOUSE OF REPRESENTATIVES
TRANSCRIPTION DEBATE

63rd Legislative Day

5/28/2009

Eddy: "Okay. So, it was identical to 2, but it had a technical error and we're going to 2 as the concurrence. That's our understanding. Thank you."

Speaker Lyons: "Seeing no further questions... Representative David Reis."

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

Speaker Lyons: "Sponsor yields."

Reis: "Representative, just a few more seconds here, but there was some opposition to this Bill when it went through, originally, from the House. Did anything change in the Senate to remove the opposition from this?"

Burke: "You know, frankly, I don't recall the opposition, Representative. Would you remind me who it was?"

Reis: "Well, there was 26 'nays', when it went through the chamber the first time. So, I'm just wondering what changed in the Senate."

Burke: "I believe that the population, the increase to two million rather than the one million. So, it would pertain to Cook County only."

Reis: "Is there any fee increases or..."

Burke: "No."

Reis: "...anything like that with this?"

Burke: "Nothing, nothing."

Reis: "Okay. Inquiry of the Chair."

Speaker Lyons: "State your inquiry, Sir."

Reis: "Mr. Speaker, it said that this will preempt Home Rule. What will be the required vote total on this?"

Speaker Lyons: "Mr. Reis, we'll make the inquiry for you and get back to you within the moment."

STATE OF ILLINOIS
96th GENERAL ASSEMBLY
HOUSE OF REPRESENTATIVES
TRANSCRIPTION DEBATE

63rd Legislative Day

5/28/2009

Reis: "Okay."

Speaker Lyons: "Mr. Reis."

Reis: "I'd like to withdraw my request on that, but I do have one more question for the Sponsor."

Speaker Lyons: "The request is withdrawn. And what do you wish to do, Sir?"

Reis: "One more question for the Sponsor."

Speaker Lyons: "One more question of Mr. Burke. Go ahead."

Reis: "Basically, our understanding with the Amendment. This will only affect the City of Chicago and none of the south suburban suburbs."

Burke: "No. It would be all of Cook County."

Reis: "So, it'd be Cook County so that the..."

Burke: "Cook County only."

Reis: "Is there any opposition from the... the towns that are outside the City of Chicago?"

Burke: "Not that I'm aware of."

Reis: "Okay. Thank you very much. I withdraw my request for a veri... or a..."

Speaker Lyons: "Thank you, Mr. Reis. No further questions, the question is, 'Shall the House concur in Sen... Amendment... Senate Amendment #2 to House Bill 926?' This is final action. All those in favor signify by voting 'yes'; those opposed vote 'no'. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Mr. Black... Mr. Black, Mr. Davis. Tim Schmitz. Mr. Clerk, take the record. On this Bill, there are 89 Members voting 'yes', 27 Members voting 'no', 1 Member voting 'present'. This Bill... The House does concur in Senate Amendment #2 to

STATE OF ILLINOIS
96th GENERAL ASSEMBLY
HOUSE OF REPRESENTATIVES
TRANSCRIPTION DEBATE

63rd Legislative Day

5/28/2009

House Bill 926. This Bill, having received the Constitutional Majority, is hereby declared passed. Representative Frank Mautino, on page 19 of the Calendar under concurrences, you have House Bill 927. The Gentleman from Bureau, Representative Frank Mautino."

Mautino: "Thank you. I move to concur in Senate Amendments 1 and 2 to House Bill 927. This is the wellness Bill. It amends the State Employees Group Insurance Act. I know of no opposition. This Bill has passed out here under Representative Mathias or me unanimously two or three times. It got cost... got caught up in the... in the old JCAR rules language earlier. Ask for an 'aye' vote."

Speaker Lyons: "Any discussion? Seeing none, the question is, 'Shall the House concur in Senate Amendments #1 and 2 to House Bill 927?' This is final action. So, all those in favor signify by voting 'yes'; those opposed vote 'no'. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Mr. Clerk... Representative Rita. ...take the record. On this Bill, there are 117 Members voting 'yes', 0 voting 'no', 0 voting 'present'. The House does concur with Amendments... Senate Amendments #1 and 2 to House Bill 927. This Bill, having received the Constitutional Majority, is hereby declared passed. Representative Roger Eddy, you have House Bill 944. The Gentleman..."

Eddy: "Thank you, Mr. Speaker. Senate Amendment 1... I wish to concur with Senate Amendment 1 to House Bill 944. It changes the fiscal year when the reporting begins. ISBE had already filed the report and wanted to change the year

STATE OF ILLINOIS
96th GENERAL ASSEMBLY
HOUSE OF REPRESENTATIVES
TRANSCRIPTION DEBATE

63rd Legislative Day

5/28/2009

and that's fine with me. And this was unanimous when it went out. I'd appreciate an 'aye'."

Speaker Lyons: "Is there any discussion? Seeing none, the question is, 'Should the House concur in Senate Amendment #1 to House Bill 944?' This is final action. All those in favor signify by voting 'yes'; those opposed vote 'no'. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Mr. Clerk, take the record. On this Bill, there are 117 Members voting 'yes', 0 voting 'no'. This Bill does concur... this... this... The House does concur in Amendment #... Senate Amendment 1 to House Bill 944. This Bill, having received the Constitutional Majority, is hereby declared passed. Representative Chapa LaVia on House Bill 976."

Chapa LaVia: "Yeah. Speaker and Members of the House, I move to concur with Senate Amendment #1 on House Bill 976. It requires a recovery care center seeking to become licensed as a hospital, applied for the certificate of need permit within three years. It's agreed upon negotiation through the Illinois Hospital Association and I move for its adoption."

Speaker Lyons: "Is there any discussion? Seeing none, the question is, 'Shall the House... The Chair recognizes the Gentleman from Vermilion, Representative Bill Black.'"

Black: "Thank you very much, Mr. Speaker. Sponsor yield?"

Speaker Lyons: "Sponsor yields."

Black: "Representative, could you explain to me very briefly how a postsurgical center is magically going to become a hospital?"

STATE OF ILLINOIS
96th GENERAL ASSEMBLY
HOUSE OF REPRESENTATIVES
TRANSCRIPTION DEBATE

63rd Legislative Day

5/28/2009

Chapa LaVia: "Well, that's why they gave it three years to have this completed. What they're going to do is have one remain while they rebuild the hospital that they have right... the land behind them. They're going to add on. They need to do to a coup... a floor and a lot of... There's a lot of requirements. So, if they don't get it within three years, we need to come back to the table."

Black: "So, if they don't magically become a hospital within three years, they have to come back to the table and what, start all over?"

Chapa LaVia: "Yeah, they would have to do that, Representative Black."

Black: "Representative, do you have any idea how many counties don't even have a hospital?"

Chapa LaVia: "No, I don't, Sir."

Black: "I think there's... I may be wrong... it's either 23 or 24 counties in Illinois don't even have a hospital. Why... why the rush to let a... You know, if you want to be a postsurgical facility, fine, but evidently there isn't enough cream in that category so by some magic formula a postsurgical center, who evidently misread the market, can transform themselves into a hospital. Postsurgical centers are usually cherry pickers aren't they?"

Chapa LaVia: "Well, this... this only affects two postsurgical centers that were created about 17 years ago through legislation. So, in our di... in our... in Kane County alone, you know, coplex Hospital's expanding. There's... in Elgin they're expanding. So, the need out there is pretty great. So, they're just trying to change with the times as well."

STATE OF ILLINOIS
96th GENERAL ASSEMBLY
HOUSE OF REPRESENTATIVES
TRANSCRIPTION DEBATE

63rd Legislative Day

5/28/2009

Black: "But does a... does a postsurgical center take Medicaid patients? Something tells me down deep they don't."

Chapa LaVia: "Well, I know... there's been a lot of discussion on why they were created, you know and the discussion that we have a lot of times with hospitals cherry picking who they take and they don't take Medicaid, Medicare. In fact, they do a lot of services, pro bono services, so that's why they come to where they come. They can't it... they can't get Medicaid, Medicare 'cause they don't have the appropriate codes like hospitals do. So, all they'd like to do is get caught up with the times and be able to serve more people and actually get... get refunded for the money that they are putting into that... that category."

Black: "What does Sonny Bono have to do with a postsurgical center? Did you say Sonny Bono?"

Chapa LaVia: "No, I didn't say Sonny Bono, Representative Black. I said Cher."

Black: "That's what I thought. Pro bono."

Chapa LaVia: "Exactly. So, they do..."

Black: "If memory serves me..."

Chapa LaVia: "...they do a lot of work."

Black: "...that's... that's Latin for the 'public good', right?"

Chapa LaVia: "Yes. And I..."

Black: "So, these surgical centers do public good."

Chapa LaVia: "Correct."

Black: "In other words, they're going to take you after surgery, correct?"

Chapa LaVia: "Correct."

Black: "Is the surgery done at the postsurgery center..."

STATE OF ILLINOIS
96th GENERAL ASSEMBLY
HOUSE OF REPRESENTATIVES
TRANSCRIPTION DEBATE

63rd Legislative Day

5/28/2009

Chapa LaVia: "Right now..."

Black: "...or are you transferred there from someone else..."

Chapa LaVia: "No."

Black: "...from somewhere else?"

Chapa LaVia: "Right now, it's usually in and out services..."

Black: "Ahhh."

Chapa LaVia: "...things that are maybe two days stay or a three-day stay, not..."

Black: "Yeah."

Chapa LaVia: "...things that are lengthy. Bo..."

Black: "Sort... sort of a drive-through. You know, the ambulance comes through, they have a loading dock, they dump the patient off and then somebody comes picks them up in two or three days."

Chapa LaVia: "Well, actually, their facility is really nice where they do..."

Black: "Oh, I have no doubt that it is."

Chapa LaVia: "...have the patient stay over night."

Black: "I... it's so nice and I don't want to pick on you and I don't want to on the two surgery centers, but I've seen a lot of these things develop and they're generally a private developer or a development group and they are very nice. And they're going to pick those people who have insurance or able to reimburse. It's a short in and out stay, but then all of a sudden the market goes sour and so they want to become a hospital. And what all do they have to go through to become a hospital?"

Chapa LaVia: "Well, they would need to go through a certification of need. I mean, they'd have to go through

STATE OF ILLINOIS
96th GENERAL ASSEMBLY
HOUSE OF REPRESENTATIVES
TRANSCRIPTION DEBATE

63rd Legislative Day

5/28/2009

the same requirements that other hospitals have to go through. And on top of that, one of the other reasons that the Hospital Association came to us and said, you know, it needs to be, you know, sunsetted or at least three years is that, right now, at least the one in Kane County is looking into what ordinances they have to adhere to in order to start the process."

Black: "You say there are only two and they are located in..."

Chapa LaVia: "One's in Peoria..."

Black: "One's in Peoria..."

Chapa LaVia: "...and one's in Kane County."

Black: "...and the other one's where?"

Chapa LaVia: "In Kane County, St. Charles."

Black: "Same..."

Chapa LaVia: "And the reason I got involved in this, it's not just because I have a great admiration for Representative Schmitz, but also some of my constituents have used their services and I've actually toured the location and spoken with the physicians there and the nurses and you know, the quality of care that they are giving there is pretty outstanding and I didn't just hear it, like I said, from the staff. I heard it from constituents and that's when I started getting involved about two and a half years ago. So..."

Black: "Okay. All right."

Chapa LaVia: "I'm just fighting for my constituents in having quality care and being able to give them that quality care at a place..."

STATE OF ILLINOIS
96th GENERAL ASSEMBLY
HOUSE OF REPRESENTATIVES
TRANSCRIPTION DEBATE

63rd Legislative Day

5/28/2009

Speaker Lyons: "Mr. Black, if you could conclude your questioning."

Black: "That's fine. Thank you, Mr. Speaker."

Speaker Lyons: "Representative David Miller."

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

Speaker Lyons: "Sponsor yields."

Miller: "I just want to make sure that... Is the Hospital Association for or against this Bill?"

Chapa LaVia: "They're for it, Representative Miller."

Miller: "And what was the... I guess, what brought them to the table... Did they bring this to you?"

Chapa LaVia: "What brought... brought them to the... the table is that they didn't want them to become a hospital, but then when we showed them that they would go through the same hoops as the regular hospital and build up and do the elevator and make sure they had an emergency center and stuff like that, they were more than happy to sit at the table with us and say, okay, well, they have to go through the requirements. They thought that and originally in this legislation that they wouldn't have to go through special need... the... in front of the commission for CON, but they have to. So, we've been working with Mr. Peterson and it's... we've had a really good relationship with them. We, you know, through the committee I sit down and negotiate this out. I did. I was true to my word. And we come up with some good legislation that everybody's happy with."

Miller: "We had a Bill yesterday regarding Certificate of Need. Do you know the length of a hospital or someone to apply to

STATE OF ILLINOIS
96th GENERAL ASSEMBLY
HOUSE OF REPRESENTATIVES
TRANSCRIPTION DEBATE

63rd Legislative Day

5/28/2009

a Cer... to obtain a Certificate of Need and to approve this?"

Chapa LaVia: "I'm not too sure, Representative Miller. Through the regular chain, I mean, usually you know, you have to go through all the city ordinances and then make sure you're okay with application for CON and make sure you have all those requirements. So, it depends on which stage the hospital that's going to be put in is at whether they're at the beginning stage or not the beginning stage. What the location meant, I'm talking about... and I'm not going to talk about Peoria, maybe one of the Representatives from Peoria can talk about this one, but there is... the postsurgical center is already operational. They have a place, it's kind of more like a hotel attached that somebody would go to for a couple days to recover. So, they're going to keep the postsurgical center open while they build what they need to be classified as a hospital."

Miller: "My only... my concern is, is I can understand that the... that this facility may be hospital-ready quicker than starting from scratch; however, the Certificate of Need process, I believe, is more than just establishing a place where it's ready to see patients in terms... in a hospital setting. If I understand the language from yesterday's Bill, it was to sort of make a more comprehensive approach so that, as the Gentleman from Vermilion had talked about, so that entities don't cherry pick..."

Chapa LaVia: "Right."

Miller: "...who and what they see and where, you know, where they may feel is most profitable."

STATE OF ILLINOIS
96th GENERAL ASSEMBLY
HOUSE OF REPRESENTATIVES
TRANSCRIPTION DEBATE

63rd Legislative Day

5/28/2009

Chapa LaVia: "Right."

Miller: "So, the concern is, is that a) that there's no undue influence or undue pressure that this facility is already ready..."

Chapa LaVia: "Right."

Miller: "...versus a true Certificate of Need process is a true process because that wasn't the intent of this facility being built."

Chapa LaVia: "Right. And the other ones prior to this, Representative Miller, have been enveloped into hospitals that are already free-standing hospitals that have taken the postsurgical centers over and incorporated them into the existing hospital. There is only two left. We're trying to phase them out and this is one way. They already had to be approved for a CON just being a postsurgical center, so they've gone through the rigorous requirements of that and I understand your issue. In Kane County..."

Miller: "But I don't know what they're... Go ahead, go ahead."

Chapa LaVia: "...in Kane County we're one of the fastest growing counties in the state, so..."

Miller: "Yeah, but once again, you're saying because of... could talk about that the communities... some of the communities I represent are some of the highest need and to..."

Speaker Lyons: "Representative Miller, your time has expired. If you could conclude remarks, we'd appreciate it."

Miller: "Wrap it up. I just... not to sit and question and judge the intent of this; however, we just really had a contentious Bill dealing with the Certificate of Need process. I do not know all the ramifications of how a

STATE OF ILLINOIS
96th GENERAL ASSEMBLY
HOUSE OF REPRESENTATIVES
TRANSCRIPTION DEBATE

63rd Legislative Day

5/28/2009

facility is chosen or not chosen and at least... at least what you're saying is that through the process of this, it would occur within the three years, in addition, that it wouldn't have any unfair advantages in terms of... of any judgment being placed that this... this would have higher precedent than any other place. Is that... would that be correct?"

Chapa LaVia: "I don't know that to be correct. I don't know the answer to that."

Miller: "You don't know. You'll find out."

Chapa LaVia: "I'll find it to you. I can get it for you."

Miller: "All right. Thank you."

Speaker Lyons: "Representative Chapa LaVia to close."

Chapa LaVia: "I just request a 'yes' vote. Thank you very much."

Speaker Lyons: "The question is, 'Shall the House concur in Senate Amendments #1 to House Bill 976. This is final action. All those in favor signify by voting 'yes'; those opposed vote 'no'. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Representative Joyce. Mr. Clerk, take the record. On this Bill, there are 81 Members voting 'yes', 34 voting 'no', 3 voting 'present'. The House does concur with Senate Amendment 1 to House Bill 976. This Bill, having received the Constitutional Majority, is hereby declared passed. Representative Dugan, you have House Bill 1057 on the Order of Concurrences. Representative Lisa Dugan."

STATE OF ILLINOIS
96th GENERAL ASSEMBLY
HOUSE OF REPRESENTATIVES
TRANSCRIPTION DEBATE

63rd Legislative Day

5/28/2009

Dugan: "Thank you, Speaker. Yes. I would just like to concur with Senate Amendment #2 to House Bill 1057, which passed out of the House unanimously."

Speaker Lyons: "Are there any questions? Representative Roger Eddy."

Eddy: "Would the Sponsor yield, very quickly?"

Speaker Lyons: "Sponsor yields."

Eddy: "What... what does... what does it do?"

Dugan: "Senate Amendment #2? It... it... you mean, the Bill itself or...?"

Eddy: "Does it gut and replace the Bill..."

Dugan: "No, no."

Eddy: "...with a totally different concept? Is it a technical change? It is a..."

Dugan: "No, I'm sorry. No, it... what it does is it just explains a little bit more what the exemption is. This was an eavesdropping Bill as far as audio and video recording by law enforcement. And what this does, the Amendment technically just defines, I think, a little bit more the reason that an officer believes that he needs to use the video and the audio. It was... it was brought to the Senate Sponsor, I understand, from I think it was a judge, Representative."

Eddy: "Okay. It has nothing to do with Roland Burriss."

Dugan: "No."

Eddy: "Okay. Thank you."

Dugan: "You're welcome."

Speaker Lyons: "The Gentleman from Vermilion, Representative Bill Black."

STATE OF ILLINOIS
96th GENERAL ASSEMBLY
HOUSE OF REPRESENTATIVES
TRANSCRIPTION DEBATE

63rd Legislative Day

5/28/2009

Black: "Thank you very much, Mr. Speaker. The Sponsor yield?"

Speaker Lyons: "Sponsor yields."

Black: "Representative, Floor Amendment #2 according to our staff supersedes Floor Amendment #1. Oh, that's always good to know, but it provides that the eavesdropping exemption shall apply when an officer is using a Taser or similar weapon or device equipped with a camera. Now, I'm not a law enforcement expert, but I've never seen a Taser with a camera."

Dugan: "But... but they do have them, Representative. I was surprised to learn that too, but yes they do have them."

Black: "Mmmm. What would... what would a similar weapon be with a camera where the eavesdropping exemption would apply?"

Dugan: "Yeah. We're... and we're... we... that was in my House Bill, Representative. We're just talking about Senate Amendment #2."

Black: "Right. Well, it says Taser or similar weapon."

Dugan: "No, Representative, I'm... That... that's not what was changed with Senate Amendment 2. We had already voted and passed out of the House the House Amendment."

Black: "Oh, I'm sorry."

Dugan: "No problem."

Black: "You're right, Representative. I was looking at the Floor Amendment. You're right. It's... so, it's Senate #..."

Dugan: "Correct."

Black: "...Amendment #2 that you're asking to concur in?"

Dugan: "Correct."

Black: "Okay. So, in other words, the eavesdropping exemption means if I'm carrying out certain duties, I don't have to

STATE OF ILLINOIS
96th GENERAL ASSEMBLY
HOUSE OF REPRESENTATIVES
TRANSCRIPTION DEBATE

63rd Legislative Day

5/28/2009

have the consent of the other party. I... like if my in-dash camera or my in-car camera is recording a traffic stop, I don't have to get out and say, by the way, I am recording you visually and audibly, do I have your permission? I don't have to say that."

Dugan: "As long... Yes, as long as it's a uniformed police officer, I mean..."

Black: "Right."

Dugan: "...then you would assume that, yes, that..."

Black: "Okay. Well, you know, we eavesdrop in this chamber. We have cameras and audio devices and I don't know that that's a part of the eavesdropping agree... eavesdropping... Oh, to heck with it. I don't know if it's part of the exemption or not. I don't know that I've ever given my permission to be filmed and..."

Dugan: "Well, is there... if there... if there's a peace officer here, Representative, we could certainly then find out, but..."

Black: "Ahhh. I see Representative Sacia and the Speaker is also a peace officer. All right. And I apologize."

Dugan: "No, that's okay."

Black: "I was on the wrong Amendment and I just want you to let your young staffer know that he's very good at what he does and but he's not smiling again. There he goes. Okay."

Dugan: "There. Okay."

Black: "Now, I feel better."

Dugan: "Thank you very much."

Speaker Lyons: "Representative Chapin Rose, aren't you kind of busy back there, Representative?"

STATE OF ILLINOIS
96th GENERAL ASSEMBLY
HOUSE OF REPRESENTATIVES
TRANSCRIPTION DEBATE

63rd Legislative Day

5/28/2009

Rose: "Yes, thank you very much, Mr. Speaker. Will the Sponsor yield for a quick question?"

Speaker Lyons: "Sponsor yields."

Rose: "One of the problems and... oh, I don't think it's a problem... but one of the things we see quite a bit is motorists particularly citizens when they're stopped they take out, say, their cell phone and turn on their cell phone, it often has a microphone on it that records the conversation. Some people want protection, you know, assurance that what they're saying is being recorded so that it isn't perhaps misinterpreted on their ticket. And I've had a number of people tell me that when they get pulled over for a speeding ticket, they'd rather a cell phone, turn on the voice recorder and put it on the dash of the vehicle and capture the conversation between the police officer and them, you know, while the ticket's being written. And if I read this correctly, they would still be committing a felony offense, but the police officer is not."

Dugan: "Right. This is a law enforcement exemption is what this is."

Rose: "Right. And I guess my thing is, what's good for the goose is good for the gander and we ought to allow... I mean, this happens all the time. I mean, people get pulled over and they have no idea that Illinois's the only state in the country that has this two-party consent rule. And so, they think they're protecting themselves, when the reality of it is, they're actually committing a felony. There was a court case in Champaign County about a guy who...

STATE OF ILLINOIS
96th GENERAL ASSEMBLY
HOUSE OF REPRESENTATIVES
TRANSCRIPTION DEBATE

63rd Legislative Day

5/28/2009

there's was an arrest. He came out and videotaped, as a citizen in the neighborhood, came out and videotaped the arrest and because he had the audio on he was arrested and charged with a felony. Now, it was later dropped because it was silly, but the reality of it is that actually happened. And I think a lot of people don't realize what's going on and if we're going to... and I'm being completely and utterly serious here... if we're going to allow the police officers to record, we ought to allow the motorist, the citizen on the street, to have a backup of what happened in their instance. Is there any way we can handle that here because, quite frankly, I tried to do that three years ago and my Bill never came out of Rules."

Dugan: "Well, and... and certainly, Representative, I'd be glad to work with you on a Bill, if you'd like to do that. I... I looked, when I was asked to look into this particular piece of legislation, and why I did it originally, which again I want to remind you that this House Bill passed out of here unanimously to the Senate. I'm just trying to concur..."

Rose: "I understand that, Representative."

Dugan: "...with the Senate Amendment."

Rose: "I understand that."

Dugan: "But... but the reason that I did is this is protection also for the consumer. I mean, the fact that..."

Rose: "For the... Right. For the sentence and I agree with that."

Dugan: "...if you do want an audio. I mean, this does protect not only the law enforcement, but also the person that

STATE OF ILLINOIS
96th GENERAL ASSEMBLY
HOUSE OF REPRESENTATIVES
TRANSCRIPTION DEBATE

63rd Legislative Day

5/28/2009

they're stopping and that's why I think it is protection for us."

Rose: "And I agree with that, Representative. I guess my only point is though, there may be circumstances outside of this like, for example, the... what I just gave... the example I just gave where somebody comes out of their house. There's an arrest going down. They turn on their video camera and if the audio picks up anything, they have technically committed a felony."

Dugan: "Why..."

Rose: "And that to me seems a bit severe trying to be, from the fact, that they're just being a citizen thinking they're doing, you know, their duty."

Dugan: "And I agree with you, Representative. Like I said, I'll be glad to work with you on another Bill. If we'd like to address that, too, I'd certainly be glad to do that."

Rose: "Well, I will vote for this, but I think it's past time that Illinois more significantly reform its consent statute to remedy virtually every other state in the country and the Federal Law on this matter and more to the point, I think we have an awful lot of well-intentioned citizens who, under the current statute, are technically committing felony offenses and I just think that's wrong. So, thank you."

Dugan: "Thank you."

Speaker Lyons: "Representative Dugan to close."

Dugan: "Yes. I would just like to ask for an 'aye' vote."

STATE OF ILLINOIS
96th GENERAL ASSEMBLY
HOUSE OF REPRESENTATIVES
TRANSCRIPTION DEBATE

63rd Legislative Day

5/28/2009

Speaker Lyons: "You've heard the Lady's Motion. The question is, 'Shall the House concur with Amendment #2 to House Bill 1057?' This is final action. All those in favor signify by voting 'yes'; those opposed vote 'no'. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Mr. Clerk, take the record. On this question, there are 117 Members voting 'yes', 0 voting 'no'. This... the House does concur with Senate Amendment #2 to House Bill 1057. This Bill, having received the Constitutional Majority, is hereby declared passed. The Chair recognizes the Gentleman from Cook, Representative Michael McAuliffe. For what purpose do you seek recognition, Representative?"

McAuliffe: "Point of personal privilege. Actually, for you, Speaker."

Speaker Lyons: "Please proceed in my... my absence."

McAuliffe: "Up in the gallery, we have a school here named Beaubien School... no relation to Mark, but I'm sure they probably donated some money... Beaubien School from our Speaker, Joe Lyons' home district, the 19th District. Please have a big welcome for Beaubien School, Chrissy Rice and all the kids."

Speaker Lyons: "Welcome, Beaubien School. We're proud to see you down here at the Capitol. Enjoy your day. Representative Osterman, for what purpose do you seek recognition?"

Osterman: "A point of personal privilege."

Speaker Lyons: "Please proceed, Harry."

STATE OF ILLINOIS
96th GENERAL ASSEMBLY
HOUSE OF REPRESENTATIVES
TRANSCRIPTION DEBATE

63rd Legislative Day

5/28/2009

Osterman: "That high... that school is actually related to Mr. Mark Beaubien. I think his great, great, great, great-grandfather, one of the founders of Chicago is what the school's named after. But I also would like to acknowledge a group of fine young students involved in the alternatives youth program that are up in the gallery with Representative Greg Harris. Could we give them a round of applause."

Speaker Lyons: "Welcome to Springfield. Enjoy your day. Representative DeLuca, for what purpose do you seek recognition?"

DeLuca: "Personal privilege."

Speaker Lyons: "Please proceed, Representative."

DeLuca: "Thank you, Mr. Speaker. We have a group here on behalf of Senator Hutchinson and myself. I'd like to introduce, you know how I love my mayors, Mayor Lewis Towers, the new mayor of the Village of Sauk Village; the mayor's Chief of Staff, Brunetta Hill Corley; one of the trustees, Enoch Benson; and the First Lady of Sauk Village and also a member of the Board of Education for School District 168, Maxine Towers; and down here for the South Suburban Disproportionate Minority Confinement Organization for the Youth Democracy Day, Angela Greene, the director, and Javette Jones, the youth director. And there are also 40 students who are here, if you could please stand. Let's recognize the 40 students. Thank you very much."

Speaker Lyons: "Welcome to Springfield, Sauk Village. Enjoy your day. Proud to have you here. Representative Black, for what purpose do you seek recognition, Sir?"

STATE OF ILLINOIS
96th GENERAL ASSEMBLY
HOUSE OF REPRESENTATIVES
TRANSCRIPTION DEBATE

63rd Legislative Day

5/28/2009

Black: "Yes. Thank you very much, Mr. Speaker and Ladies and Gentlemen of the House. I rise to a point of personal privilege. I don't have any schools visiting here today or yesterday or any day because none of the schools in my legislative district have been reimbursed for school transportation since September. But when we get that federal stimulus money and we can put those school buses back on the road, by golly, I hope I can introduce a school district or two, assuming I have any left by the end of this budget year."

Speaker Lyons: "Back to the Order of Concurrences, on page 19 of the Calendar, Representative Beth Coulson, you have House Bill 1119."

Coulson: "Thank you, Mr. Speaker. House... I move to concur in Senate Amendment 2 on House Bill 119 (sic-1119). Senate Amendment 2 leaves the underlying Bill intact and adds language that outlines requirements for a person to renew a license, if they've had a lapse for less than five years. And I can answer any questions."

Speaker Lyons: "You've heard the Lady's Motion. Is there any questions? And the question now becomes, 'Shall the House concur in Senate Amendment #2 to House Bill 1119?' This is final action. All those in favor signify by voting 'yes'; those opposed vote 'no'. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Mr. Brady. Skip. Mr. Clerk, take the record. On this Bill, there are 116 Members voting 'yes', 0 voting 'no', 1 Member voting 'present'. And the House does concur with Senate Amendment #2 to House Bill 1119. This Bill,

STATE OF ILLINOIS
96th GENERAL ASSEMBLY
HOUSE OF REPRESENTATIVES
TRANSCRIPTION DEBATE

63rd Legislative Day

5/28/2009

having received the Constitutional Majority, is hereby declared passed. Representative Mike Tryon, you have House Bill 1142 on the Order of Concurrences."

Tryon: "Yeah. Mr. Speaker, House Bill 1142 actually was amended in the Senate to add modular home language. It simply says that modular homes that are imported into the State of Illinois have to meet the State of Illinois building construction codes, sets up some parameters for the revocation of their licenses. And many us have had problems when homes that are built out of the state are brought in and this will put some teeth behind IDPH's enforcement. And I would urge an 'aye' vote."

Speaker Lyons: "Is there any discussion? Seeing none, the question is, 'Shall the House concur to Senate Amendment #... Representative Ed Sullivan, you have a question on the... on the man's... on the Gentleman's Bill? Representative Sullivan."

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

Speaker Lyons: "Sponsor yields."

Sullivan: "Representative, it's my understanding that the language in Senate Amendment 1 has the support of the Illinois Manufactured Housing Association. This is their language that they've agreed to?"

Tryon: "It absolutely does and it also... the Home Builders were neutral on it as well."

Sullivan: "Okay. But the people that you're trying to regulate are in favor of this?"

Tryon: "That's correct."

Sullivan: "Okay. That's all I wanted to clarify. Thank you."

STATE OF ILLINOIS
96th GENERAL ASSEMBLY
HOUSE OF REPRESENTATIVES
TRANSCRIPTION DEBATE

63rd Legislative Day

5/28/2009

Speaker Lyons: "The question is, 'Shall the House concur in Senate Amendment #1 to House Bill 1142?' This is final action. All those in favor signify by voting 'yes'; those opposed vote 'no'. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Representative Collins. Mr. Clerk, take the record. On this Bill, there's 116 Members voting 'yes', 1 Member voting 'no'. And the House does concur with Senate Amendment 1 to House Bill 1142. This Bill, having received the Constitutional Majority, is hereby declared passed. Representative Susana Mendoza, you have House Bill 881. The Lady from Cook, Representative Susana Mendoza on the Order of Concurrences."

Mendoza: "Thank you, Mr. Speaker and Ladies and Gentlemen of the House. I move to concur with Senate Amendment #2 of House Bill 881. This is an Amendment at the request of the Clerk of the Circuit Court of Cook County Dorothy Brown, who was the lead champion actually on this issue when we first passed it. It would allow the court to waive the \$50 fee designated to the roadside memorial fund, if full restitution is complied with. And this would be absolutely at the discretion of the judge and voluntary. The clerk wanted to make sure that the offender would be able to meet his or her restitution requirements fully to the family first, before having to pay the \$50 fine. I would ask for your support."

Speaker Lyons: "Is there any discussion? Seeing none, the question is, 'Shall the House concur in Senate Amendment #2 to House Bill 881?' This is final action. All those in

STATE OF ILLINOIS
96th GENERAL ASSEMBLY
HOUSE OF REPRESENTATIVES
TRANSCRIPTION DEBATE

63rd Legislative Day

5/28/2009

favor signify by voting 'yes'; those opposed vote 'no'. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Mr. Clerk... Howard, Ryg. Mr. Clerk... Connie ...take the record. On this Bill, there's 117 Members voting 'yes', 1 Member voting 'no'. And the House does concur with Senate Amendment 1 on House Bill 881. This Bill, having received the Constitutional Majority, is hereby declared passed. Representative Beth Coulson, on the top of page 20, you have House Bill 1143. Representative Coulson."

Coulson: "Thank you, Mr. Speaker. I move to concur with Senate Amendments 1 and 2. And I can answer any questions."

Speaker Lyons: "Is there any discussion? Seeing none, the question is, 'Shall the House concur in Senate Amendments #1 and 2 to House Bill 1143?' This is final action. All those in favor signify by voting 'yes'; those opposed vote 'no'. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Representative Rita, Collins. Mr. Clerk, take the record. On this Bill, there are 118 Members voting 'yes', 0 voting 'no'. And the House does concur with Amendments #1 and 2 to House Bill 1143. This Bill, having received the Constitutional Majority, is hereby declared passed. Representative Tryon, you have House Bill 1322 on the Order of Concurrences."

Tryon: "Thank you, Mr. Speaker. House Bill 1322 was amended in the Senate to create the Transportation Development Partnership Act. And it essentially allows a county the ability to enter into an intergovernmental agreement with

STATE OF ILLINOIS
96th GENERAL ASSEMBLY
HOUSE OF REPRESENTATIVES
TRANSCRIPTION DEBATE

63rd Legislative Day

5/28/2009

IDOT on projects that exceed \$5 million, if they're part of the 5-year transportation plan and also are part of the Metropolitan Planning Organizations Designated Plan. In the absence of a capital Bill, this would allow counties the ability to enter into a 10-year interest-free loan to IDOT where they could construct a highway project. I would be more than glad to answer any questions. If not, I would urge an 'aye' vote."

Speaker Lyons: "Is there any discussion? Seeing none, the question is, 'Shall the House concur in Senate Amendments #1, 2 and 3 to House Bill 11... 1322?' This is final action. All those in favor signify by voting 'yes'; those opposed vote 'no'. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Representative Hoffman. Mr. Clerk, take the record. On this Bill, there are 118 Members voting 'yes', 0 voting 'no'. And the House does concur with Amendments #1, 2, and 3 to House Bill 1322. This Bill, having received the Constitutional Majority, is hereby declared passed. Representative skip Saviano, your House Bill 1293. Representative Saviano on the Order of Concurrences."

Saviano: "Thank you, Mr. Speaker. I would ask that we concur with Senate Amendment #2 on House Bill 1293. It's a minor cleanup. And I'd ask it be adopted and concurred with."

Speaker Lyons: "Is there any discussion? Seeing none, the question is, 'Shall Senate Amendment #2 be adopted to... amended to House Bill 1293?' This is final action. So, all those in favor signify by voting 'yes'; those opposed vote 'no'. The voting is open. Have all voted who wish?"

STATE OF ILLINOIS
96th GENERAL ASSEMBLY
HOUSE OF REPRESENTATIVES
TRANSCRIPTION DEBATE

63rd Legislative Day

5/28/2009

Have all voted who wish? Have all voted who wish?
Representative McGuire, Will Burns. Mr. Clerk... Jack
McGuire. Mr. Clerk, take the record. On this question,
there are 118 Members voting 'yes, 0 voting 'no'. The
House does concur in Senate Amendments #2 to House Bill
1293. This Bill, having received the Constitutional
Majority, is hereby declared passed. Representative
Schmitz, you have House Bill 1335 on the Order of
Concurrences. Representative Tim Schmitz."

Schmitz: "Thank you, Speaker, and Ladies and Gentlemen of the
House. I would move that we concur with Senate Amendment
#1 to House Bill 1335. The Senate added two provisions to
this Bill which we passed unanimously in committee the
other day. It would allow that press boxes built prior to
the passage of this Bill would be exempted from the
requirements in the accessibility code. And also, creates
the Illinois Accessibility Task Force so we can recommend
necessary revisions to the Illinois Accessibility Code. We
do have support from disability groups and CDB. I ask for
your passage."

Speaker Lyons: "Is there any discussion? Seeing none, the
question is, 'Shall the House concur in Senate Amendment #1
to House Bill 1335?' This is final action. All those in
favor signify by voting 'yes'; those opposed vote 'no'.
The voting is open. Have all voted who wish? Have all
voted who wish? Have all voted who wish? Mr. Clerk, take
the record. On this Bill, there are 115 Members voting
'yes', 2 Members voting 'no', 1 Member voting 'present'.
The House does concur in Senate Amendment #1 to House Bill

STATE OF ILLINOIS
96th GENERAL ASSEMBLY
HOUSE OF REPRESENTATIVES
TRANSCRIPTION DEBATE

63rd Legislative Day

5/28/2009

1335. This Bill, having received the Constitutional Majority, is hereby declared passed. Representative Ken Dunkin. Is Representative Dunkin on the floor? Representative Dunkin, on the Order of Concurrences on page 20 of the Calendar, you have House Bill 2266. The Gentleman from Cook, Representative Ken Dunkin, House Bill 2266."

Dunkin: "Yes. I move to concur."

Speaker Lyons: "Any discussion? Seeing none, the question is, 'Shall the House concur in Senate Amendment #1 to House Bill 2266?' This is final action. All those in favor signify by voting 'aye'; those opposed vote 'nay'. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Jim Brosnahan. Mr. Clerk, take the record. On this Bill, there are 118 Members voting 'yes', 0 voting 'no'. And the House does concur with Senate Amendment #1 to House Bill 2266. This Bill, having received the Constitutional Majority, is hereby declared passed. Representative Soto, you have on the Order of Concurrences, House Bill 2283. Representative Soto."

Soto: "Thank you, Speaker and Members of the House. Senate... I move to concur with Amendment #1 on House Bill 2283, which is a gut and replace Amendment which amends the Marriage and Dissolution Act. The Bill requires the court to consider for purpose of determining child custody. And I'm open for questions and I urge an 'aye' vote. Thank you."

Speaker Lyons: "Is there any discussion? Seeing none, the question is, 'Shall the House concur in Senate Amendment #1

STATE OF ILLINOIS
96th GENERAL ASSEMBLY
HOUSE OF REPRESENTATIVES
TRANSCRIPTION DEBATE

63rd Legislative Day

5/28/2009

to House Bill 2283?' This is final action. All those in favor signify by voting 'yes'; those opposed vote 'no'. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Mr. Clerk, take the record. On this question, there are 118 Members voting 'yes', 0 voting 'no'. And the House does concur in Senate Amendment #1 to House Bill 2283. This Bill, having received the Constitutional Majority, is hereby declared passed. Representative Will Davis, for what purpose do you seek recognition, Sir?"

Davis, W.: "A point of personal privilege, Mr. Speaker."

Speaker Lyons: "Please proceed, Representative."

Davis, W.: "Thank you very much. Ladies and Gentlemen, as many others have probably already done, I want to take this opportunity to recognize some young people. Please stand, who are in the gallery behind us who are representing the Jordan Center in Harvey, Illinois, but who are also here for Youth Democracy Day with the area council of... Council of Area Projects. Please give them a great round of applause."

Speaker Lyons: "Welcome to the Capitol. Have a great day. Proud to have you down. On the Order of Concurrences on page 20 of the Calendar, Representative Kay Hatcher, you have House Bill 2296. Representative Hatcher."

Hatcher: "Thank you for your attention. The Bill we have in front of us is... has gone through the House, gone to the Senate, back with an Amendment. It just simply asks for a written protocol on behalf of the Metra system. I would ask for contingent."

STATE OF ILLINOIS
96th GENERAL ASSEMBLY
HOUSE OF REPRESENTATIVES
TRANSCRIPTION DEBATE

63rd Legislative Day

5/28/2009

Speaker Lyons: "Is there any discussion? The question is, 'Shall the House concur in Senate Amendment #1 to House Bill 2296?' This is final action. All those in favor should signify by voting 'yes'; those opposed vote 'no'. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Representative May. Mr. Clerk, take the record. On this Bill, there are 118 Members voting 'yes', 0 voting 'no'. And the House does concur in Senate Amendment #1 to House Bill 2296. This Bill, having received the Constitutional Majority, is hereby declared passed. Representative Jim Sacia, you have on the Order of Concurrences House Bill 2322. Representative Jim Sacia."

Sacia: "Thank you, Speaker. Ladies and Gentlemen of the House, this is a very simple Amendment and I move for its adoption. It simply removes the Attorney General's name from the legislation. The AG's Office stated that they did not need to be named in there as far as anyone... as far as them being a necessary agency to approve the legislation. So, it simply removes the name of the AG."

Speaker Lyons: "Is there any discussion? Seeing none, the question is, 'Shall the House concur in Senate Amendment #1 to House Bill 2322?' This is final action. So, all those in favor signify by voting 'yes'; those opposed vote 'no'. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Jerry Mitchell. Fred Crespo. Mr. Clerk, take the record. On this Bill, there are 116 Members voting 'yes', 2 Members voting 'no'. And the House does concur in Senate Amendment #1 to House

STATE OF ILLINOIS
96th GENERAL ASSEMBLY
HOUSE OF REPRESENTATIVES
TRANSCRIPTION DEBATE

63rd Legislative Day

5/28/2009

Bill 2322. This Bill, having received the Constitutional Majority, is hereby declared passed. Representative Mark Walker, on the top of page 22 on the or... 21 on the Order of Concurrences, you have House Bill 2394. Representative Mark Walker."

Walker: "Thank you, Mr. Chair. I... I ask for concurrence on a Senate Amendment 2 on House Bill 2394. It is a technical change that clarifies terms, does not affect the underlying Bill."

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

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

Speaker Lyons: "Sponsor yields."

Eddy: "Representative, there was some opposition to the underlying Bill. Now, you mentioned that the Senate Amendment... is kind of minor, but can you tell us whether or not any of the Amendment removed opposition?"

Walker: "I would say no. That the Amendment simply clarifies the term 'project redevelopment costs'."

Eddy: "Okay. So, as a point to those who had some concerns with this, they need to pay attention to the fact that you didn't substantially change this and their opposition could remain. I just want to give you an opportunity if there is... is a change that's made over in the Senate that would remove some of that opposition as stated, but apparently there isn't and those that are probably opposed will stay opposed."

Walker: "That's correct."

Eddy: "Thank you."

STATE OF ILLINOIS
96th GENERAL ASSEMBLY
HOUSE OF REPRESENTATIVES
TRANSCRIPTION DEBATE

63rd Legislative Day

5/28/2009

Speaker Lyons: "Seeing no further questions, the question is, 'Shall the House concur in Senate Amendment #2 to House Bill 2394?' This is final action. All those in favor signify by voting 'yes'; those opposed vote 'no'. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Chapa LaVia. Mr. Clerk, take the record. On this Bill, there are 84 Members voting 'yes', 32 Members voting 'no', 1 Member voting 'present'. And the House does concur with Amendment #2 to House Bill 2394. This Bill, having received the Constitutional Majority, is hereby declared passed. Representative Al Riley, on the top of page 21 you have House Bill 23... 2425. Representative Riley."

Riley: "Thank you, Mr. Speaker, Members of the House. I move to concur with Amendment #... Senate Amendment #1 to House Bill 2425. Essentially, all the Amendment did was replace the number of lots to be included in the annexation with a metes bounds description."

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

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

Speaker Lyons: "Sponsor yields."

Eddy: "Representative, this has to do with the Metropolitan Water Reclamation District Act?"

Riley: "That's correct."

Eddy: "And this basically enlarges the corporate limits of that district through General Assembly action?"

Riley: "That's correct. To annex the Crawford Countryside area, unincorporated Cook County."

STATE OF ILLINOIS
96th GENERAL ASSEMBLY
HOUSE OF REPRESENTATIVES
TRANSCRIPTION DEBATE

63rd Legislative Day

5/28/2009

Eddy: "And... and that includes parts of Hoffman Estates?"

Riley: "In the... in the original... in the original Bill it did not. That was added as a prior Amendment."

Eddy: "Okay. But there... Let me ask you this question. Kind of refresh our memory. What... what... why does the annexation have to be completed? What is the purpose of taking this land?"

Riley: "Crawford Countryside is an area that consists of about 225 homes and it's an unincorporated area that lies between the villages of Matteson and Richton Park. And they voted to basically be included to the Metropolitan Water Reclamation District. This is something that they had decided and voted by referendum to be included. So, we're just essentially using our... our powers to be sure that they are included into the district."

Eddy: "Okay. I guess the question is, if... if it was done through a local referendum, why is it necessary the General Assembly to be involved at all in the detachment or the taking of the territory?"

Riley: "Well, it's usual and customary for us to... to do that when any municipality wishes to be included into the MWRD since the MWRD essentially was created by our actions down here in Springfield."

Eddy: "Well, I appreciate the answers. I just would make sure the Body is aware of the fact that when this did pass originally it... many Members here were not comfortable supporting this type of annexation or taking of land. And I would just caution you to check your voting record on

STATE OF ILLINOIS
96th GENERAL ASSEMBLY
HOUSE OF REPRESENTATIVES
TRANSCRIPTION DEBATE

63rd Legislative Day

5/28/2009

this, because this basically expands that territory and that opposition may remain. Thank you."

Speaker Lyons: "Seeing no further discussion, the question is, 'Shall the House concur on Senate Amendment #1 to House Bill 2425?' This is final action. All those in favor signify by voting 'yes'; those opposed vote 'no'. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Representative Yarbrough, Representative Lang. Mr. Clerk, take the record. On this Bill, there are 74 Members voting 'yes', 42 Members voting 'no'. The House does concur with Senate Amendment #1 to House Bill 2425. This Bill, having received the Constitutional Majority, is hereby declared passed. Representative Danny Reitz, you have House Bill 2440 on the Order of Concurrences. Representative Dan Reitz."

Reitz: "Thank you, Mr. Speaker. I move to concur with Senate Amendment #2 to House Bill 2394 (sic-2440). This Bill just extends the sunset date on the Orthotics and Prosthetics Act and adds language in recommended by the department just to update the Act. And I'd appreciate any questions."

Lyons: "Is there any discussion? Seeing none, the question is, 'Shall the House concur in Senate Amendment #2 to House Bill 2440?' This is final action. All those in favor signify by voting 'yes'; those opposed vote 'no'. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Mr. Clerk... Kathy Ryg... take the record. On this Bill, there's 118 Members voting 'yes' and 0 voting 'no'. The House does concur with

STATE OF ILLINOIS
96th GENERAL ASSEMBLY
HOUSE OF REPRESENTATIVES
TRANSCRIPTION DEBATE

63rd Legislative Day

5/28/2009

Amendment #2 to House Bill 2440. This Bill, having received the Constitutional Majority, is hereby declared passed. Representative Reitz, don't sit down. You've got House Bill 2443 on the Order of Concurrences. Danny Reitz."

Reitz: "Thank you, Mr. Speaker. On House Bill 2443, I move to concur with Senate Amendment #1. This was really a great Bill when it left the House and the Senate Amendment makes it a fairly good Bill."

Speaker Lyons: "Is there any discussion? The question is, 'Shall the House concur with Senate Amendment #1 to House Bill 2443?' This is final action. So all those in favor signify by voting 'yes'; those opposed vote 'no'. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Representative... Mr. Clerk, take the record. On this Bill, there are 118 Members voting 'yes', 0 voting 'no'. And the House does concur with Amendment #1 to House Bill 2443. This Bill, having received the Constitutional Majority, is hereby declared passed. David Miller. Representative Tom Holbrook. Representative Holbrook, in the middle of page 21, you have House Bill 2527. Representative Holbrook on the Order of Concurrences."

Holbrook: "Thank you, Speaker. This is a one-year extension of the sunset on the telecommunications. There's no changes made whatsoever. Just a one-year sunset extension."

Speaker Lyons: "Is there any discussion? Seeing none, the question is, 'Shall the House concur in Senate Amendment #1 to House Bill 2527?' All those in favor signify by voting

STATE OF ILLINOIS
96th GENERAL ASSEMBLY
HOUSE OF REPRESENTATIVES
TRANSCRIPTION DEBATE

63rd Legislative Day

5/28/2009

'yes'; those opposed vote... Mr. Bost, that was well into the close before you put your button on. I will respect you if you have a question for Mr. Holbrook."

Bost: "All right."

Speaker Lyons: "Please ask it."

Bost: "That's all right. You are within the call. All right. I'm sorry. I... Go ahead, run it."

Speaker Lyons: "Okay. The question is, 'Shall the House concur in Senate Amendment #1 to House Bill 2527?' This is final action. All those in favor signify by voting 'yes'; those opposed vote 'no'. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Did Danny Reitz... Representative Hannig. Betsy Hannig, want to be recorded? Mr. Clerk, take the record. On this Bill, there are 118 Members voting 'yes', 0 voting 'no', 0 voting 'present'. And the House does concur in Senate Amendment #1 to House Bill 2527. This Bill, having received the Constitutional Majority, is hereby declared passed. Representative Mike Bost."

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

Speaker Lyons: "Please proceed, Representative."

Bost: "Yes. Mr. Speaker, on the last Bill, not wanting to change a vote of anybody, I just wanted to make sure that we know and understand that once again we have moved forward the day for dealing with our telecomm communications and dealing with that Bill and I am in support of doing that to move things on. That being said, however, what we need to realize is in the State of

STATE OF ILLINOIS
96th GENERAL ASSEMBLY
HOUSE OF REPRESENTATIVES
TRANSCRIPTION DEBATE

63rd Legislative Day

5/28/2009

Illinois we have not went into an in-depth study of this issue and we are falling behind in other states and there are certain things that need to be dealt with. I do want to make sure that we get that on the record so that everybody knows. This is something that we need to encourage everybody involved here in the House and over in the Senate to set down and truly have a comprehensive study of where we're at on that particular issue. Thank you, Mr. Speaker."

Speaker Lyons: "Thank you, Representative Bost. Gentlemen, we're going to go back to page 4 of the Calendar on the Order of Senate Bills-Third Reading. Mr. Clerk, Representative Dan Reitz has Senate Bill 1483. Read the Bill, Mr. Clerk. What's the status of that Bill, Mr. Clerk?"

Clerk Mahoney: "Senate Bill 1483 is on the Order of Senate Bills-Third Reading."

Speaker Lyons: "Mr. Clerk, move that Bill back to the Order of Second Reading."

Clerk Mahoney: "Floor Amendments 2, 3, and 4, offered by Representative Reitz, have all been approved for consideration on that.. Senate Bill 1483."

Speaker Lyons: "Representative Reitz on Amendments 2, 3, and 4."

Reitz: "Thank you, Mr. Speaker. Amendment 2, 3, and 4, moving through this, deals with speech pathology and trying... We've been in negotiations with the interested parties. Amendment 2 and 3 are initiatives of the State Medical

STATE OF ILLINOIS
96th GENERAL ASSEMBLY
HOUSE OF REPRESENTATIVES
TRANSCRIPTION DEBATE

63rd Legislative Day

5/28/2009

Society and remove any objections they have. And Amendment 4 removes the objection from the Hospital Association."

Speaker Lyons: "Representative Reitz, I think we'll do just Amendment #2. So, explain Amendment #2 for adoption."

Reitz: "Amendment #2 just makes changes within the Speech Pathology Act."

Speaker Lyons: "You've heard the Gentleman's Motion to adopt Amendment #2... Floor Amendment #2 to Senate Bill 1483. Is there any discussion? Seeing none, the question is, 'Should Floor Amendment #2 be adopted?'" All those in favor signify by saying 'yes'; those opposed say 'no'. In the opinion of the Chair, the 'ayes' have it. And Floor Amendment #2 is adopted. What's further, Mr. Clerk?"

Clerk Mahoney: "Floor Amendment #3."

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

Reitz: "Thank you. Floor Amendment #2... 3 is a technical Amendment."

Speaker Lyons: "Is there any discussion on Floor Amendment #3? Seeing none, the question is, 'Should Floor Amendment #3 be adopted to Senate Bill 1483?' All those in favor signify by vot... saying 'yes'; those opposed say 'no'. In the opinion of the Chair, the 'ayes' have it. And Floor Amendment #3 is adopted. Anything further, Mr. Clerk?"

Clerk Mahoney: "Floor Amendment #4."

Speaker Lyons: "Representative Reitz..."

Reitz: "Thank you."

Speaker Lyons: "...Floor Amendment #4."

STATE OF ILLINOIS
96th GENERAL ASSEMBLY
HOUSE OF REPRESENTATIVES
TRANSCRIPTION DEBATE

63rd Legislative Day

5/28/2009

Reitz: "Floor Amendment #4 is an initiative of the Illinois Hospital Association. It just refers to a prior section and removes their objection."

Speaker Lyons: "Any discussion on Floor Amendment #4. Seeing none, all those in favor of its adoption signify by saying 'yes'; those opposed say 'no'. In the opinion of the Chair, the 'ayes' have it. And Floor Amendment #4 is adopted. Anything further, Mr. Clerk?"

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

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

Clerk Mahoney: "Senate Bill 1483, a Bill for an Act concerning professional regulation. Third Reading."

Speaker Lyons: "Representative Dan Reitz."

Reitz: "Thank you, Mr. Speaker. The Bill with the Amendments deals with rigid and flexible oringiscopes and allows speech pathologists to use those. And I have a statement for legislative intent, that a speech pathologist shall only use a laryngoscopes for therapy purposes upon the direct authorization of the referring physician as defined by this Section as far as the physician's medical management and treatment plan. And I'd be happy to answer any questions."

Speaker Lyons: "The Chair recognizes the Lady from Cook, Representative Beth Coulson."

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

Speaker Lyons: "Sponsor yields."

Coulson: "Representative, I know this has been a long discussion between the Medical Society and the speech and language pathologists. As we got to the final end of this,

STATE OF ILLINOIS
96th GENERAL ASSEMBLY
HOUSE OF REPRESENTATIVES
TRANSCRIPTION DEBATE

63rd Legislative Day

5/28/2009

it went from one committee to another and so that's why I'm asking you some questions just to make sure that the Illinois Speech and Language and Hearing Association has had a say in this last bit of language and that they are in agreement with this. Is that correct?"

Reitz: "As far as I know. Yeah. I've heard it... The only opposition we've heard of was from the Medical Society and had meetings with them and with all the associations and then at the end with the hospital Association and had the last of them had removed their objections."

Coulson: "So, the Medical Society now supports it as well as the Hospital Association..."

Reitz: "Correct."

Coulson: "...along with the original speech and language?"

Reitz: "Correct."

Coulson: "Okay. Thank you very much."

Reitz: "Yeah."

Speaker Lyons: "The Chair recognizes the Gentleman from McLean, Representative Dan Brady."

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

Speaker Lyons: "Sponsor yields."

Brady: "Representative, along the line of Representative Coulson's questioning, those Amendments did away with concerns from other agencies or associations, correct?"

Reitz: "Correct."

Brady: "And when this Bill was in Executive Committee, were you pre... who was presenting the Bill, then? Who had the Bill at that time? Do you know?"

STATE OF ILLINOIS
96th GENERAL ASSEMBLY
HOUSE OF REPRESENTATIVES
TRANSCRIPTION DEBATE

63rd Legislative Day

5/28/2009

Reitz: "I did."

Brady: "You did."

Reitz: "Yes."

Brady: "And so, we're certainly still with the Speech Therapy Association is very much... been at the table all along and is very happy with the final product of your legislation, it would seem."

Reitz: "Yeah. It was an initiative of the speech pathologists and the people that represent them, correct."

Brady: "Okay. Thank you very much for your efforts."

Reitz: "Thank you."

Speaker Lyons: "Representative Reitz to close."

Reitz: "Great Bill."

Speaker Lyons: "The question is, 'Should Senate Bill 1483 pass?' All those in favor signify by voting 'yes'; those opposed vote 'no'. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Barbara Flynn Currie. Representative Currie, like to be recorded? Representative Osterman. Mr. Clerk, take the record. And on this Bill, there's 118 Members voting 'yes', 0 voting 'no'. This Bill, having received the Constitutional Majority, is hereby declared passed. Mr. Clerk, on the Order of Senate Bills-Second Reading on page 7 of the Calendar, Representative Dan Beiser has Senate Bill 314. What's the status of that Bill, Mr. Clerk?"

Clerk Mahoney: "Senate Bill 314 has been read a second time, previously. Floor Amendment #2, offered by Representative Beiser, has been approved for consideration."

Speaker Lyons: "Representative Beiser."

STATE OF ILLINOIS
96th GENERAL ASSEMBLY
HOUSE OF REPRESENTATIVES
TRANSCRIPTION DEBATE

63rd Legislative Day

5/28/2009

Beiser: "Yes. House Amendment 2... #3 I wish to adopt and basically, this clarifies the conditions under which a penalty may be reduced. I'd be happy to discuss it now or if we would prefer once the Amendment's adopted and it's on Third Reading."

Speaker Lyons: "The Gentleman's moved the adoption of Amendment #3 to Senate Bill 314. Seeing no questions, the question is, 'Should the Amendment be adopted?' All those in favor signify by saying 'yes'; those opposed say 'no'. In the opinion of the Chair, the 'ayes' have it. And Floor Amendment #3 is adopted. Anything further, Mr. Clerk?"

Clerk Mahoney: "No further Amendments have been approved. No Motions filed."

Speaker Lyons: "Third Reading. Mr. Clerk, on the bottom of page 9, under the Order of Senate Bills-Second Reading, Representative Emily McAsey has Senate Bill 1369. What's the status of that, Clerk... What's the status of that Bill, Mr. Clerk?"

Clerk Mahoney: "Senate Bill 1369 has been read a second time, previously. Amendment #1 was adopted in committee. Floor Amendment #2, offered by Representative McAsey, has been approved for consideration."

Speaker Lyons: "Representative McAsey on Floor Amendment #2. We just need you to explain the Amendment, Representative."

McAsey: "Thank you. Floor Amendment #2, which was adopted in committee yesterday, is an Amendment to this legislation dealing with mandatory overtime. What Floor Amendment 2 does specifically is addresses emergency situations within state facilities, specifically adding language that in the

STATE OF ILLINOIS
96th GENERAL ASSEMBLY
HOUSE OF REPRESENTATIVES
TRANSCRIPTION DEBATE

63rd Legislative Day

5/28/2009

event of an unexpected... or unexpected absences at the end of a shift which could not be prudently planned for by the employer which would significantly affect safety or care that that would be an exception. And I would move for adoption of Floor Amendment 2."

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

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

Speaker Lyons: "Sponsor yields."

Eddy: "Representative, the underlying Bill with the Amendment that was adopted, the Committee Amendment, basically ended required or mandated overtime. Isn't that correct?"

McAsey: "Within state facilities."

Eddy: "Right."

McAsey: "So, the Department of Corrections, that's correct, would end mandated overtime except for in a specific set of instances which are excepted and in these specific emergency situation."

Eddy: "Well, so the Floor Amendment was an attempt to remove opposition from those who were concerned that there couldn't be mandatory overtime in emergency situations, but the Amendment simply states that this Act does not apply in the event of any declared national or state emergency, disaster, or other catastrophic event that affects and increases the need for state services. So, I guess my question is, as amended, the Governor's Office, I think, said they... they would veto this Bill. My question is, does this remove the Governor's opposition to this legislation?"

STATE OF ILLINOIS
96th GENERAL ASSEMBLY
HOUSE OF REPRESENTATIVES
TRANSCRIPTION DEBATE

63rd Legislative Day

5/28/2009

McAsey: "In committee yesterday, members of different state agencies as well as the Governor's Office did still file in in opposition to this Bill. However, this does go to address one of the concerns that committee Members had related to making sure that we are addressing this serious problem related to mandatory overtime, a problem where both workers in our state facilities as well as inmates in the Department of Corrections or residents in our veterans' homes or other state facilities that we need to make sure that we're providing for their safety and that's what this Amendment seeks to do, that it does go to this particular emergency situation to make sure that we are... are addressing safety concerns and that people are getting care and so on."

Eddy: "Representative, I think somewhere in there you answered my question, but I'm not sure. The answer I got was, the Governor's Office is still opposed?"

McAsey: "Yes."

Eddy: "The Governor's Office is still opposed. They feel like this should be a subject of collective bargaining, probably is their essential opposition to the fact that the General Assembly is getting involved in trying to state how and when overtime should be applied for workers in state agencies. That's probably their opposition, correct?"

McAsey: "That is correct."

Eddy: "Thank you."

McAsey: "Mmm mmm, yes."

Eddy: "That's all I need to know. Thank you."

STATE OF ILLINOIS
96th GENERAL ASSEMBLY
HOUSE OF REPRESENTATIVES
TRANSCRIPTION DEBATE

63rd Legislative Day

5/28/2009

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

Clerk Mahoney: "No further Amendments; however, a note has been requested and not yet filed."

Speaker Lyons: "Hold that Bill on the Order of Second Reading. Mr. Clerk, on page 11 of the Calendar on the Order of Second Reading, Representative Barbara Flynn Currie has Senate Bill 1739. What the status of that Bill, Mr. Clerk?"

Clerk Mahoney: "Senate Bill 1739 has been read a second time, previously. Floor Amendment #1, offered by Representative Currie, has been approved for consideration."

Speaker Lyons: "Majority Leader Barbara Flynn Currie."

Currie: "Thank you, Speaker, and Members of the House. This Amendment incorporates two measures that were reported by the Revenue Committee as separate Bills. The first reflects an agreement between the Department of Revenue and the broadcast industry with respect to the sourcing of income from advertising. And this has been a long-standing dispute and I think that the agreement between them is fair. It has to do where the viewers live rather than where the... just where the ads are bought. The second reflects another problem and that is that when the Federal Government began developing tax credits for the creation of low-income housing, of course, not-for-profits couldn't use a tax credit so many not-for-profits have... have formed

STATE OF ILLINOIS
96th GENERAL ASSEMBLY
HOUSE OF REPRESENTATIVES
TRANSCRIPTION DEBATE

63rd Legislative Day

5/28/2009

alliances with for-profit developers. One of those, Catholic Charities engaged in the building of a home for the homeless people, for people who were very much in need and there's a question whether, even though they operate the facility and even though all the people in the facility are low income, whether the charitable exemption applies. So, this measure would clarify that that relationship, since the operation is done by a not-for-profit, religious, and charitable organization could also fit the charitable definition when it comes to the imposition or the lack thereof of property taxes. So, those are the two items that are in the Amendment. And I would appreciate your support and I'd be happy to answer your questions."

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

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

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

Clerk Mahoney: "Senate Bill 1739, a Bill for an Act concerning revenue. Third Reading."

Speaker Lyons: "Majority Leader Barbara Flynn Currie."

Currie: "Thank you, again, Speaker. I think I pretty well explained the two portions of the Bill. The issue is the apportionment of the ad services to... to the... from the broadcast industry through advertising. And as I say, it's the compromise in the second here is an effort to make sure that the... that the charitable organizations that operate

STATE OF ILLINOIS
96th GENERAL ASSEMBLY
HOUSE OF REPRESENTATIVES
TRANSCRIPTION DEBATE

63rd Legislative Day

5/28/2009

low-income housing continue a property tax exemption even if the property was developed by a private entity eligible for the low-income federal tax credit. So, again, I'd be happy to answer your questions and I'd be grateful for your support."

Speaker Lyons: "Is there any discussion? Seeing none, the question is, 'Should Senate Bill 1739 pass?' Representative Dunkin on a question. The Chair recognizes the Gentleman from Cook..."

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

Speaker Lyons: "...Representative Ken Dunkin."

Dunkin: "Thank you, Mr. Speaker. Representative, I'm just trying to come up to speed with this here and I'm basing it off of my analysis here. Can you explain this in layperson's term?"

Currie: "Mmm mmm."

Dunkin: "Can you... can you explain this in layperson's term?"

Currie: "I can try. So, what this does is it tries to establish how income derived from other states gets apportioned to Illinois. So, the compromise that we had here is that if it's advertising revenue, the service is considered to be applicable to the Illinois income tax if the commercial home of the advertiser is Illinois and when programming is broadcast for a fee whether that fee is paid by the viewer, the person who provides the programming has to pay taxes on the portion of the services received in Illinois and there is no throw out rule."

Dunkin: "Okay. Let me see if I understand this here. See, that was a... that's a lot. I'm familiar with some tax

STATE OF ILLINOIS
96th GENERAL ASSEMBLY
HOUSE OF REPRESENTATIVES
TRANSCRIPTION DEBATE

63rd Legislative Day

5/28/2009

credit programs. So, we're working off Amendment #1, correct, where it adds into the provision of classification concerning property tax exemption.."

Currie: "No. There are..."

Dunkin: "...or..."

Currie: "Sorry. Sir, I was describing the first part of the Bill which is to... which has to do with the apportionment of income tax that will be payable in Illinois by the broadcast industry. And that's an agreement between the Department of Revenue and the industry that says that we'll tax it if the commercial domicile of the advertiser is Illinois."

Dunkin: "It stays in Illinois."

Currie: "The second portion of the Bill is a totally different issue and this has to do with whether or not a charitable organization, which if it operates low-income housing, for example, would be entitled to a property tax..."

Dunkin: "Credit."

Currie: "...exemption..."

Dunkin: "Okay."

Currie: "...because they're charitable, or they're religious, they're providing a charitable service. The issue developed when the Federal Government offered low-in... offered to developers, low-income housing tax credits if they developed affordable housing. Obviously, a tax credit would be of no value to the not-for-profit organization. So, the developer builds the house, but then the charitable organization operates and makes it available to low-income people. We never thought that the point of the federal

STATE OF ILLINOIS
96th GENERAL ASSEMBLY
HOUSE OF REPRESENTATIVES
TRANSCRIPTION DEBATE

63rd Legislative Day

5/28/2009

low-income tax credit was to take away the property tax exemption for the charitable operation. So, this measure seeks to clarify language in the statutes that tells the department when and whether to treat this entity as one that should continue to receive..."

Dunkin: "Exemption."

Currie: "...a charitable, religious exemption."

Dunkin: "Okay. So, what happens to that federal tax housing credit?"

Currie: "That would continue. So, if you're a developer and you get or you're entitled to the low-income federal tax credit, you get it, but then at the end of the day, if you're not operating this entity, if that really turns over to some other group like Catholic Charities or Lutheran Social Services or Mercy Support Services Housing, then they should continue to be eligible for the tax exemption because they're continuing..."

Dunkin: "The state tax exemption."

Currie: "The state... the state property tax exemption."

Dunkin: "Okay. All right. So, are they allowed to... whoever of that not-for-profit organization owns that particular property..."

Currie: "Well, they... it may be a... it may be a shared ownership, but they're the ones that are operating if they're the ones that are providing the service."

Dunkin: "Okay. And..."

Currie: "And that's the issue is to make sure that the provision of the charitable service is what triggers the property..."

STATE OF ILLINOIS
96th GENERAL ASSEMBLY
HOUSE OF REPRESENTATIVES
TRANSCRIPTION DEBATE

63rd Legislative Day

5/28/2009

Dunkin: "Exemption."

Currie: "...tax exemption."

Dunkin: "Exactly."

Currie: "Which is currently the way it operates. It only became complicated when the feds created the tax incentive to develop more affordable housing."

Dunkin: "Got you. I understand that part. I think that's an excellent component. I just need a little bit more clarification with the broadcast language. You're pointing out here that if that broadcast company is domiciled here in the State of Illinois, they then should pay a special... there's a provision in there that allows them to pay a special income tax... a corporate income tax provision?"

Currie: "It's... it's a... if the domicile of the advertiser is in Illinois."

Dunkin: "You know, Mr. Speaker..."

Currie: "If... if the home of the advertiser is in Illinois. So, it's not a question of the size of the audience, it's whether the advertiser, who's bringing in the revenue to the station..."

Dunkin: "To the state."

Currie: "...whether they're in Illinois... if they're in Wisconsin, then it's Wisconsin that gets the tax revenue."

Dunkin: "Okay. So, what kind of tax... so, are we trying to capture taxes here?"

Currie: "This is the income tax."

Dunkin: "Yes. The income tax of that respective broadcast company."

STATE OF ILLINOIS
96th GENERAL ASSEMBLY
HOUSE OF REPRESENTATIVES
TRANSCRIPTION DEBATE

63rd Legislative Day

5/28/2009

Currie: "Right. But no, it's a regular income tax. The question is, how do you apportion income derived from many states and there are general rules and then there are some specific rules. How do you apportion the share of the income that's... that should go to Illinois."

Dunkin: "Okay. So, how would the Department of Revenue..."

Currie: "So..."

Dunkin: "...discern?"

Currie: "In the case of advertising revenue."

Dunkin: "You know, Mr. Speaker, it's very difficult to hear her. She has a relatively soft voice."

Currie: "All right. So... so, the way... the way the agreement works is the service will be... will be taxed in Illinois if the home of the advertiser is in Illinois."

Dunkin: "Okay. All right. I got that part."

Currie: "Yeah. And that's basically the Bill."

Dunkin: "Sweet."

Currie: "There's another portion that has to do the... with the... with a fee broadcasting."

Dunkin: "So, to sum that up."

Currie: "And in that situation, the proportion of the people who are receiving the service who are in Illinois will trigger the amount of tax that is owed the State of Illinois."

Dunkin: "Okay. Is there a threshold..."

Currie: "No."

Dunkin: "...an amount that that broadcast company would have to..."

Currie: "I don't think so."

Dunkin: "...receive in revenue?"

STATE OF ILLINOIS
96th GENERAL ASSEMBLY
HOUSE OF REPRESENTATIVES
TRANSCRIPTION DEBATE

63rd Legislative Day

5/28/2009

Currie: "I don't think so."

Dunkin: "Is there... are there a number of employees?"

Currie: "No, no, no. This is the standard income tax, the corporate income tax that they're required to pay. So, this would be the film... the film industry, the..."

Speaker Lyons: "Representative Dunkin, your time has expired. So, if you could conclude your remarks, please."

Dunkin: "Thank you, Mr. Speaker. I'm just trying to get some clarification. It's, you know, I'm not a tax authority, but I have an interest in this particular..."

Currie: "Right."

Speaker Lyons: "You can finish your one line of questions here and then..."

Dunkin: "Okay. As the final... I'm just... I'm just trying to get a nutshell understanding of the broadcast income tax. Is it going to be a corporate income tax?"

Currie: "Yes. It's a corporate income tax and then we apportion depending on if you have... if you're operating in Illinois, there's no question what portion belongs to Illinois, but if you have income and you have operations in many states, there's a complicated formula that shows how the tax that comes to Illinois is figured out. So, this is a way of figuring out the advertising revenue that comes to these entities in the State of Illinois that gets then apportioned for our tax purposes rather than being paid to Wisconsin or Minnesota or California."

Dunkin: "Oh, I would think if they're domiciled here."

Currie: "Yes."

Dunkin: "Thank you, Representative."

STATE OF ILLINOIS
96th GENERAL ASSEMBLY
HOUSE OF REPRESENTATIVES
TRANSCRIPTION DEBATE

63rd Legislative Day

5/28/2009

Currie: "Thank you."

Speaker Lyons: "Representative Currie to close."

Currie: "Thank you. I appreciate your support."

Speaker Lyons: "The question is, 'Should Senate Bill 1739 pass?' All those in favor signify by voting 'yes'; those opposed vote 'no'. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Mr. Clerk... Mr. Clerk, take the record. On this Bill, there are 113 Members voting 'yes', 0 voting 'no', 1 Member voting 'present'. This Bill, having received the Constitutional Majority, is hereby declared passed. Representative Jack Franks, for a purpose of a... Representative Fra..."

Franks: "A per... of personal privilege."

Speaker Lyons: "Representative Jack Franks."

Franks: "Thank you, Mr. Speaker. I'd like our Body to welcome the seventh grade from the Northwood Middle School in Woodstock, Illinois, who've come down to see what we do here in Springfield. And they're sitting right behind us here."

Speaker Lyons: "Welcome to your Capitol, Woodstock. Enjoy your day in Springfield. Mr. Clerk, on the Order of Senate Bills-Second Reading, Representative Flowers has Senate Bill 807. What's the status of that Bill?"

Clerk Mahoney: "Senate Bill 807 has been read a second time, previously. Amendment #... Floor Amendment #1, offered by Representative Flowers, has been approved for consideration."

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

STATE OF ILLINOIS
96th GENERAL ASSEMBLY
HOUSE OF REPRESENTATIVES
TRANSCRIPTION DEBATE

63rd Legislative Day

5/28/2009

Flowers: "Thank you, Mr. Speaker, and Ladies and Gentlemen of the House. Amendment #1 was adopted in committee. And what it does is call for the implementation of the program to begin January 1, 2010. And also, it would allow the Department of Human Services to implement a five-year demonstration program known as the Differential Response Program. And I'll be more than happy to answer any questions you have in regards to Amendment #1."

Speaker Lyons: "You've heard the Lady's explanation. Is there any questions on Floor Amendment #1? Seeing none, all those in favor signify by saying 'yes'; those opposed say 'no'. In the opinion of the Chair, the 'ayes' have it. And Floor Amendment #1 to Senate Bill 807 is adopted. Anything further, Mr. Clerk?"

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

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

Clerk Mahoney: "Senate Bill 807, a Bill for an Act concerning children. Third Reading."

Speaker Lyons: "The Lady from Cook, Representative Mary Flowers."

Flowers: "Thank you, Mr. Speaker. Once again, Senate Bill 807 would merely require a differential response to the approach of child welfare with the Department of Children and Family Services. This is a proposal that was proposed by the department and there are certain categories where the family just might need some assistance as opposed to implementing a total investigation and after the investigation and there is the assessment and the family, as I stated, would need some intervention as opposed to the

STATE OF ILLINOIS
96th GENERAL ASSEMBLY
HOUSE OF REPRESENTATIVES
TRANSCRIPTION DEBATE

63rd Legislative Day

5/28/2009

separation of the family. So, this would... this is a Bill that would keep the family together and I'll be more than happy to answer any question you have in regards to it."

Speaker Lyons: "Is there any discussion on Senate Bill 807? Seeing none, the question is, 'Should Senate Bill 807 pass?' All those in favor signify by voting 'yes'; those opposed vote 'no'. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Mr. Black. Mr. Clerk, take the record. On this Bill, there are 95 Members voting 'yes', 23 voting 'no'. This Bill, having received the Constitutional Majority, is hereby declared passed."

Speaker Mautino: "Mautino in the Chair. On page 7 of the Calendar appears Senate Bill 314. Representative Beiser. Mr. Clerk, read the Bill."

Clerk Mahoney: "Senate Bill 314, a Bill for an Act concerning State Government. Third Reading."

Speaker Mautino: "Representative Beiser."

Beiser: "Yes. Thank you, Mr. Speaker, and Members of the House. Senate Bill 314, as amended, clarifies the condition under which a penalty may be reduced. The department must consider the fact that the facility do not benefit financially from committing or continuing a violation. Other existing factors include things... findings that the violation has not caused actual harm to a resident, the facility has made a diligent effort to correct the violation to prevent its reoccurrence and the facility has not rec... does not have a record of... or a

STATE OF ILLINOIS
96th GENERAL ASSEMBLY
HOUSE OF REPRESENTATIVES
TRANSCRIPTION DEBATE

63rd Legislative Day

5/28/2009

pattern of the same or similar violations. I'd be happy to answer any questions..."

Speaker Mautino: "The Gentleman has moved passage of Senate Bill 314. And on that question, the Gentleman from Cook, Representative Lang is seeking recognition."

Lang: "Thank you, Mr. Speaker. I rise in support of the Bill, but first, will the Sponsor yield for legislative intent?"

Speaker Mautino: "He indicates he will."

Lang: "Thank you. Representative, a few questions for you. Is this available if a resident is injured, is raped, or dies?"

Beiser: "No. The current law prohibits reallocation of a fine when a physical harm of any kind has occurred."

Lang: "Doesn't this Bill reward a bad facility?"

Beiser: "No. This current law pro... the current law prohibits a reallocation of a fine if a facility has a pattern of negative behavior, specifically a reallocation is prohibited if there's a pervasive pattern of past violations or the facility has not shown diligence in correcting the problems in preventing their reoccurrence."

Lang: "What consumer protections are included in the Bill?"

Beiser: "There are two: transparency and new eligibility criteria. The transparency... transparency, the Department of Public Health is required to provide an annual report of all reallocations they approved and to provide the information on request. And on the new eligibility criteria, it adds a fourth criteria that would prohibit the department from agreeing to a reallocation if a facility

STATE OF ILLINOIS
96th GENERAL ASSEMBLY
HOUSE OF REPRESENTATIVES
TRANSCRIPTION DEBATE

63rd Legislative Day

5/28/2009

had financially benefited from the violation or from allowing the violation to continue."

Lang: "I believe you mentioned loopholes. How are they addressed in the Bill?"

Beiser: "Well, there were... I had mentioned or alluded to loopholes. There's three things I'd like to mention on that. Current law does not prohibit a facility from appealing the amount of the fine imposed to try and limit it to the amount reallocated. House Bill 314, as amended, prohibits this practice... Senate Bill 314, as amended, prohibits this practice by requiring a facility to agree to not seek a reduction in the fine if they are awarded a reallocation. Secondly, current law does not preclude the department from awarding a reallocation in amount in excess of the fine, if the cost is to... the correct... if the cost to correct the problem is greater. Senate Bill 314, as amended, will prohibit the department from awarding an amount greater than the fine and lastly, current law does not require receipts and other documentation of actual money expended to correct the problem. This Bill, as amended, will require those to be submitted prior to an award being made."

Lang: "The nursing home industry has backed this Bill. What's in it for them?"

Beiser: "Really, the industry has sought a leveling... level playing field for individual facilities. This is achieved by standar... standardizing the application process."

Lang: "Thank you, Representative. To the Bill, Mr. Speaker and Ladies and Gentlemen. I know it appears that this is a

STATE OF ILLINOIS
96th GENERAL ASSEMBLY
HOUSE OF REPRESENTATIVES
TRANSCRIPTION DEBATE

63rd Legislative Day

5/28/2009

Bill that lets the nursing home industry off the hook, but in fact this is a Bill that encourages them to clean up their act. It encourages them to get their act together and make sure their facilities are safe, make their facilities sure their facilities comply with the law. Over a long period of years, fine or no fine, many of these fines have never been collected. The departments haven't done a very good job moving on those fines once they've issued them. And so, it's a good idea to say to these folks, why don't you just never mind paying us the money, keep the money, fix up your facilities and make sure that your residents are properly treated. I rise in support of the Bill."

Speaker Mautino: "Further questions? The Lady from DuPage, Representative Bellock."

Bellock: "Yes. Thank you very much. Will the speaker yield?"

Speaker Mautino: "He indicates that he will."

Bellock: "I want to thank the Representative for working with us on the Human Service Committee. There were some concerns over this Bill the first time it came and they worked with the advocates. And I just wanted to make sure that they were okay with this one... sorry... that they were okay with this Bill now, correct?"

Beiser: "That's correct, Representative."

Bellock: "Okay. And that this Bill does not affect personal care regarding the individuals in the nursing home as far as personal care, correct?"

Beiser: "That is also correct, yes."

Bellock: "Okay. Thank you very much."

STATE OF ILLINOIS
96th GENERAL ASSEMBLY
HOUSE OF REPRESENTATIVES
TRANSCRIPTION DEBATE

63rd Legislative Day

5/28/2009

Speaker Mautino: "No one else seeking recognition, the question is, 'Shall this Bill pass?' All in favor vote 'yes'; opposed vote 'no'. The voting is open. This is final action. Have all voted who wish? Have all voted who wish? Have all voted who wish? Representative Burns, Representative Coulson, Representative Davis. Mr. Clerk, take the record. 101 voting 'yes', 17 voting 'no', 0 voting 'present'. Senate Bill 314, having received the Constitutional number of votes, is declared passed. On page 12 of the Calendar, under Bills on Second Reading, appears Senate Bill 1918. Representative Flider. Read the Bill, Mr. Clerk."

Clerk Mahoney: "Senate Bill 1918 has been read a second time, previously. Amendment #1 was adopted in committee. Floor Amendment #2 and Floor Amendment #3 have both been approved for consideration."

Speaker Mautino: "Representative Flider."

Flider: "Yes. Thank you, Mr. Speaker, Ladies and Gentlemen of the House. Amendment #2 is actually the... becomes the Bill and this Bill's a product of several weeks of negotiations between the Attorney General's Office as well as representatives of utility and energy companies and generating companies, environmental concerns, and consumer concerns. And also, combines legislation that previously had been adopted... or excuse me... that had been introduced by Representatives Colvin and Osterman. And I'd ask for an 'aye' vote."

Speaker Mautino: "The Gentleman has moved adoption of Floor Amendment #2. And on that, Representative Reitz... No one

STATE OF ILLINOIS
96th GENERAL ASSEMBLY
HOUSE OF REPRESENTATIVES
TRANSCRIPTION DEBATE

63rd Legislative Day

5/28/2009

seeking recognition. All in favor say 'yes'; opposed say 'no'. Floor Amendment #2, having.. has been adopted. Any further Amendments?"

Clerk Mahoney: "Floor Amendment #3."

Speaker Mautino: "Representative Flider."

Flider: "Yes. Thank you, Mr. Speaker. Floor Amendment #3 is a technical Amendment. And I'd ask for an 'aye' vote. And we would like to perhaps address in depth, more in depth on Third Reading the actual legislation itself."

Speaker Mautino: "The Gentleman has moved adoption of Floor Amendment #3. No one seeking recognition, all in favor say 'yes'; opposed say 'no'. The 'yesses' have it. Floor Amendment 3 is adopted. Mr. Clerk."

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

Speaker Mautino: "Third Reading. Read the Bill."

Clerk Mahoney: "Senate Bill 1918, a Bill for an Act concerning regulation. Third Reading."

Speaker Mautino: "Representative Flider."

Flider: "Yes. Thank you, Mr. Speaker and Ladies and Gentlemen of the House. Senate Bill 1918 comprises a comprehensive piece of legislation that includes several reforms to the Illinois Commerce Commission that creates a natural gas efficiency program to reduce cost to customers in energy output. And these programs will be similar to electric efficiency standards that exist for electric utilities. This includes legislation that previously was introduced by Representative Osterman and the details were negotiated and included in this legislation. It creates the percentage of income payment plan which provides bill payment assistance

STATE OF ILLINOIS
96th GENERAL ASSEMBLY
HOUSE OF REPRESENTATIVES
TRANSCRIPTION DEBATE

63rd Legislative Day

5/28/2009

to low-income customers. This legislation or a component of the Bill was originally introduced by Representative Colvin who had worked with the energy companies and consumer groups to negotiate this final outcome included in this Bill. It also creates an unfind... on bill financing program whereby customers may purchase energy efficient measures with no up-front payment and the ability to pay for these through utility bills. And it also creates an automatic adjustment tariff for uncollectable expenses that would be created through the implementation of the gas efficiency on-bill financing and percentage of income payment plans. This... as I mentioned previously, this legislation is the result of several weeks of negotiation. The reform measures include several that would impact operations of the Illinois Commerce Commission. And I want to thank, in particular, Representative Black for his efforts and suggestions in terms of trying to not only make sure that consumers had an opportunity to present their viewpoints before the ICC, but also his ideas to stop the revolving door policies at the ICC. So, this is, I think, very good legislation as the Attorney General's representative, Susan Hedman, indicated in our committee meeting. It's really a remarkable coalition of support that I brought this legislation together. And I have to commend the Attorney General's Office... Representative... Attorney General Lisa Madigan and her representatives, in particular, Susan Hedman, for pul... working very hard for weeks on this legislation. Probably, unbeknownst to many here in the Capitol, there were representatives that had

STATE OF ILLINOIS
96th GENERAL ASSEMBLY
HOUSE OF REPRESENTATIVES
TRANSCRIPTION DEBATE

63rd Legislative Day

5/28/2009

worked for weeks on this legislation, negotiated at night and on weekends. It's a good Bill. I know of no opposition. It's jointly supported by all of the major energy groups and consumer groups who had input into this. And I'd ask for an 'aye' vote. Be happy to answer any questions."

Speaker Mautino: "Thank you. Let's see. Representative Fortner is seeking recognition, the Gentleman from DuPage."

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

Speaker Mautino: "He indicates he will."

Fortner: "Representative, I... I want to commend you on a fine and comprehensive Bill that includes so many important points that I know have been worked on by a lot of separate Members in separate Bills. One of the reasons I wanted to cover is something that we touched on in committee and I think it's worth bringing up to the full floor. Under the Natural Gas Efficiency Act, I think it's very important that what we've done here is establish programs by which we can improve our overall efficiency by getting reinvestment in those types of new processes or upgraded processes that will gain efficiency. One area that I had some interest in and had filed legislation earlier would have been to provide a mechanism to make sure that some of the larger buildings, your large commercial and large multifamily units would be able to get the resources that would encourage them to upgrade typically their burner-boiler systems, when they have a single heating plant, to improve their efficiency. One of the things that's in the Bill is a provision that would allow the... those very large

STATE OF ILLINOIS
96th GENERAL ASSEMBLY
HOUSE OF REPRESENTATIVES
TRANSCRIPTION DEBATE

63rd Legislative Day

5/28/2009

customers, over 4 million therms to have a self-directed fund so that they would be able to put that money aside and use that specifically for improvements. What I'd like to ask about is your sense of what do we do for those types of large buildings that maybe fall below that threshold where there might not be a lot of internal incentive. I can imagine a landlord of a large multifamily building might not have the incentive normally to put the kind of improvements into their central heating plant to get the kind of efficiency that we'd like to see and certainly that the u... utilities will be mandated to try to get under this legislation. So, if you'd like to comment on that."

Flider: "Well, I think that what this legislation particularly allows and authorizes is that a gas utility would go forward and present recommendations on what energy efficiency programs would be authorized by the ICC and through that ICC process there would be opportunity for interveners and those larger customers to participate in that process so that an energy efficiency program that could benefit them could actually be approved by the ICC under this legislation."

Fortner: "And I know that in some states, in fact, there's actually been separate groups, semipublic groups we'll call them, for a lack of any other term, that have been created to help facilitate that between the utilities and those entities that we'd like to see upgrade. Certainly, that would be possible, as I understand it, under this legislation and if necessary, we might even have to help

STATE OF ILLINOIS
96th GENERAL ASSEMBLY
HOUSE OF REPRESENTATIVES
TRANSCRIPTION DEBATE

63rd Legislative Day

5/28/2009

out to make those things happen. Is that what you would understand as well?"

Flider: "Certainly, my understanding that that would be the case, in fact, I know that there are many represent... there are representatives of building owners, for example, that have participated in cases before the ICC, have represented building owners..."

Speaker Mautino: "Could the Gentleman bring his remarks to a close."

Flider: "The answer is though is yes, absolutely. This process is designed to be inclusive and include anybody who wants to save energy, because we perceive that to be good for customers and good for the environment."

Fortner: "Right. Thank you. And again, I just want to reiterate that, you know, we certainly may have to find ourselves coming back to make sure that we create entities and... or help foster independent entities to reach out to groups that otherwise might not volunteer themselves as entities. Thank you very much."

Flider: "Thank you."

Speaker Mautino: "The Gentleman from Vermilion, Representative Black."

Black: "Thank you very much, Mr. Speaker and Ladies and Gentlemen of the House. I appreciate the efforts of the Sponsor and let me just say to people on either side of the aisle, neither Representative Flider or I want to misrepresent whatever we say. If you'll look at this, if you're an Ameren customer, it's an automatic rate increase of about a dollar... what... ninety-six cents a month on your

STATE OF ILLINOIS
96th GENERAL ASSEMBLY
HOUSE OF REPRESENTATIVES
TRANSCRIPTION DEBATE

63rd Legislative Day

5/28/2009

gas and electric bill service charge, but I think you will get efficiencies of scale to balance that out. Now, I can't give you any guarantees that this is going to be the answer to some of our problems. I know one of the problems I have in my district is a constant struggle to fund the Low-Income Heating Assistance Program and just as importantly, the low-income cooling assistance program. This, I think, takes that out of the realm of... of subjective financing and I hope puts it on a rather sound financial basis. When all is said and done, I thought the electric deregulation Bill of some years ago would have turned out better than it did. So, what we have here is a Bill that's agreed to by most every party. We think it will be... bring about some efficiencies that will benefit the consumer, but I'm not about to stand here and tell you that it's going to bring a substantially lower rate. All I can tell you is that natural gas at the wellhead price has gone down a great deal. I assume that the companies are taking advantage of this and storing natural gas. The Illinois Power Authority is beginning to kick in. Hopefully, we'll have a... a lower price per kilowatt in the near future. The bottom line is this, I think Representative Flider, all of the stakeholders in this have come together, tried to come up with as reasonably a good a Bill as could be expected. Most of the stakeholders, in fact, all that I'm familiar with, have signed on in agreement. I understand why some of you may not vote for it. But when all is said and done, I think this is something you can go home, tell your consumers you have

STATE OF ILLINOIS
96th GENERAL ASSEMBLY
HOUSE OF REPRESENTATIVES
TRANSCRIPTION DEBATE

63rd Legislative Day

5/28/2009

high hopes for. We think it will work; we hope it will be a positive Effect. I just want to thank Representative Flider, who has a long background in utilities and how they work, for his effort in putting this Bill together. I think it's worthy of an 'aye' vote. I hope you'll take a look at it. I certainly intend to vote 'aye'."

Speaker Mautino: "The Gentleman from Winnebago, Representative Winters."

Winters: "Thank you, Mr. Speaker. To the Bill. I also rise in support. This has been a long struggle in many cases to get the utilities together with the consumer groups around the state in looking at ways that our consumers can be incentivized to add energy-efficient appliances, to consider tightening up their homes to use LIHEAP funds for additional ways that we can reduce the fuel consumption of Illinois and every dollar that we can save in fuel is a dollar that goes to the bottom line of households and of businesses, making life better for the families, but also potentially adding jobs around the state. I realize that the negotiations have been long. I'm particularly happy that the on-bill financing proportion that allows consumers to get fairly large ticket energy-efficient appliances and then pay for them with the energy savings that they should see on their bill. That was a Bill that I've had for several years and certainly appreciated it being included in the legislation. Representative Black also mentioned that there... there may be some relatively small increases particularly in the central Illinois utilities, but the gains that we're getting from this I think is very

STATE OF ILLINOIS
96th GENERAL ASSEMBLY
HOUSE OF REPRESENTATIVES
TRANSCRIPTION DEBATE

63rd Legislative Day

5/28/2009

significant that all parties came together in agreement. The agreed Bill process on a major initiative like this is a tremendous that we really got agreement from all sides in this. And I do commend the Sponsor for leading the negotiations on this. Thank you very much."

Speaker Mautino: "Further questions? The Gentleman from Randolph, Representative Reitz."

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

Speaker Mautino: "He indicates he will."

Reitz: "I have some questions that you would like me to ask you. So, the first one is, is the intent of this legislation that that new natural gas and energy efficiency program requirements set forth in new Section 8-104 on pages 26 to 44 of this Bill apply only to public utilities as defined in Section 3-105 of the Public Utilities Act?"

Flider: "Yes."

Reitz: "That's correct. On the gas efficiency provisions, I'd like to make sure that all of us understand how the charges to customers will be calculated. There are some customers such as merchant electric generators who purchase all or part of their gas at wholesale and then transport that gas over to the distribution systems of the local gas utility. When the utility is calculating the charge to customers, will the utility include the cost of gas that is purchased by the user at wholesale?"

Flider: "No."

Reitz: "Stated differently, does the legislation intend to cover for the purposes of assessing charges, delivery

STATE OF ILLINOIS
96th GENERAL ASSEMBLY
HOUSE OF REPRESENTATIVES
TRANSCRIPTION DEBATE

63rd Legislative Day

5/28/2009

service revenues and retail gas commodity purchases, but exclude wholesale gas purchases?"

Flider: "Yes."

Reitz: "So, what is excluded is the wholesale commodity cost, the utilities cost for transportation for that wholesale commodity is included, right?"

Flider: "That's correct, yes."

Reitz: "And you were talking about excluding only wholesale commodity purchases, retail gas purchases from public utilities, and certified alternative gas suppliers are included, right?"

Flider: "Yes."

Reitz: "On gas efficiency and looking at Section m, specifically, page 38 line 19, does the word 'customers' there include entities with a common parent company?"

Flider: "Yes."

Reitz: "Good answer. Still on subsection (n) (sic-m), page 40 line 5, is the phrase 'energy efficiency measures' limited to gas efficiency measures?"

Flider: "No."

Reitz: "I have a few other questions off the top of my head. Does it include measures that reduce electricity consumption?"

Flider: "Yes."

Reitz: "Would it include measures that decrease the heat rate of a generation unit; for example, if an electric generator were able to decrease the heat rate by the installation of an energy efficient turbine and consequently use the same... a fuel amount to generate more electricity or less fuel to

STATE OF ILLINOIS
96th GENERAL ASSEMBLY
HOUSE OF REPRESENTATIVES
TRANSCRIPTION DEBATE

63rd Legislative Day

5/28/2009

generate the same amount of electricity, would that qualify?"

Flider: "Could you repeat the question? No. The answer is yes."

Reitz: "That would count as an energy efficiency under subsection (m)?"

Flider: "Yes."

Reitz: "What about banking of efficiency measures under this subsection? Is banking allowed?"

Flider: "Yes, provided the customer can demonstrate that the energy efficiency measure will produce savings in subsequent periods."

Reitz: "If, in the first year, an electric generator implemented an efficiency measure that satisfied the energy efficiency provisions of subsection (m) for seven years, the generator would be able to bank the measures and not have to implement new measures for seven years?"

Flider: "Yes."

Reitz: "Representative Bost had asked me to ask that regarding the Percentage of Income Payment Plan, usually referred to as PIPP, created in a new Section of the Energy Assistance Act 305 ILCS 20/18 found on page 107 of Senate Bill 1918, does this Section require every public utility that provides electric or gas service to more than 100 thousand customers in Illinois to participate in PIPP?"

Flider: "The answer is yes."

Reitz: "But this is... and he's happy you answered that... what... when does this PIPP program commence?"

STATE OF ILLINOIS
96th GENERAL ASSEMBLY
HOUSE OF REPRESENTATIVES
TRANSCRIPTION DEBATE

63rd Legislative Day

5/28/2009

Flider: "This program would commence no later than September 1, 2011."

Reitz: "Is there a sunset provision for PIPP created under the Energy Assistance Act?"

Flider: "No, it's a permanent program."

Reitz: "Representative Bost was also wondering it had... there is... and he said there's a Section 8-05 of Public Utilities Act, which appears on page 44 of Senate Bill 1918. Does this Section require all public utilities that provide... what was that... electric or gas service to more than 100 thousand customers in Illinois to implement an interim PIPP during the period before the PIPP created by the Energy Assistance Act is fully implemented?"

Flider: "Please advise Representative Bost that the answer is yes."

Reitz: "Was yes. Does this December 31, 2011, sunset provision in this Section of Public Utilities Act, that requires an interim PIPP, have any affect on the permanent PIPP created by the Energy Assistance Act?"

Flider: "No, it does not."

Reitz: "Are there any other questions that are pertinent to this legislation you would like me to ask you?"

Flider: "I believe we've exhausted the questions that I believe were important in... I believe that Representative Bost believes they're pertinent. Representative Bost has no other questions. Thank you."

Speaker Mautino: "The Gentleman has moved passage of Senate Bill 1918. And the question is, 'Shall this Bill pass?' This is final action. All in favor vote 'yes'; opposed

STATE OF ILLINOIS
96th GENERAL ASSEMBLY
HOUSE OF REPRESENTATIVES
TRANSCRIPTION DEBATE

63rd Legislative Day

5/28/2009

vote 'no'. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Mr. Clerk, take the record. 117 voting 'yes', 0 voting 'no', 1 voting 'present'. Senate Bill 1918, having received the Constitutional Majority, is hereby declared passed. The Gentleman from DuPage, Representative Ramey."

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

Speaker Mautino: "Proceed."

Ramey: "Thank you. Ladies and Gentlemen, today you may have seen many children and kids walking around with these shirts on. They're down here for their Youth Democracy Day representing the Illinois Council Area Projects. My good friend, Marlow Colvin knows in his area he has CAP, in my area we have DuCAP. So, up in the gallery we have representatives of Marquardt School. Kids, can you rise on up. We have Jimmy Spencer, Caesar Brindisi... or I'm sorry... Jimmy Barber, Caesar Brindisi, Colleen Hurst and Shannon Hester. Welcome them to Springfield."

Speaker Mautino: "Welcome to the House of Representatives. Page 12 of the Calendar appears Senate Bill 1919. Representative May. The Clerk... Mr. Clerk, read the Bill."

Clerk Bolin: "Senate Bill 1919, a Bill for an Act concerning safety. The Bill's been read a second time, previously. Amendment #1 was adopted in committee. Floor Amendment #2, offered by Representative May, has been approved for consideration."

Speaker Mautino: "Representative May."

STATE OF ILLINOIS
96th GENERAL ASSEMBLY
HOUSE OF REPRESENTATIVES
TRANSCRIPTION DEBATE

63rd Legislative Day

5/28/2009

May: "I move adoption of Amendment #2. Amendment 2 was an agreement between state agencies such as the EPA and the Department of Public Health and our Hospital Association and nursing home industry. And what it does, this Amendment makes it a freestanding Bill creating the Safe Pharmaceutical Disposal Act and it also divides up where any fines that might accrue will be distributed."

Speaker Mautino: "The Lady has moved adoption of Floor Amendment 2 to Senate Bill 1919. All in favor say 'yes'; opposed say 'no'. The Amendment is adopted, in the opinion of the Chair. Mr. Clerk, any further Amendments?"

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

Speaker Mautino: "Third Reading. Read the Bill."

Clerk Bolin: "Senate Bill 1919, a Bill for an Act concerning safety. Third Reading of this Senate Bill."

Speaker Mautino: "The Lady from Lake, Representative May."

May: "Thank you, Speaker, Ladies and Gentlemen. Senate Bill 1919, as amended, codifies best practices for the disposal of pharmaceuticals from health care facilities in the state. Basically, for hospitals they are approved and they can send them back to the manufacturer and the nursing homes and other facilities codify that they send them back to the pharmacies where they came from. This will reduce appreciably any pharmaceuticals that might be flushed down the drain and protect our drinking water. And I... It's supported by the Illinois Hospital Association, the... the county nursing home industry, the EPA. And I ask for an 'aye' vote."

STATE OF ILLINOIS
96th GENERAL ASSEMBLY
HOUSE OF REPRESENTATIVES
TRANSCRIPTION DEBATE

63rd Legislative Day

5/28/2009

Speaker Mautino: "The Gentleman from Vermilion, Representative Black is seeking recognition."

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

Speaker Mautino: "She will yield."

Black: "Representative, do you have any documented information that a health care institution or an employee of such institution has flushed unused medication or anything contained in an IV or a syringe or a transdermal patch? Has any of this actually happened? Have they flushed it down a septic system?"

May: "Representative, I do not have specific documented information of it, but you should know that syringes and patches and all are excluded from this Bill."

Black: "Does not apply to a medication contained in an IV... Well, let me ask you a question. I'm not a health care institution, although my medical bills may say otherwise. I have a small bottle in my apartment that my doctor gave me Tuesday. It's a cough syrup and it has a high percentage of codeine in it. I got that Tuesday morning, I've refilled it 19 times..."

May: "Since Tuesday?"

Black: "Yeah."

May: "I worry for your health, Sir."

Black: "Oh, listen, I... I tell you what, I've slept like a baby the last few nights. I just gulp that stuff down, but I think... no, I'm in jest... it's the little bottle and when I... when we adjourn here in the next two days or two months or whatever, I admit, I didn't know what to do with that

STATE OF ILLINOIS
96th GENERAL ASSEMBLY
HOUSE OF REPRESENTATIVES
TRANSCRIPTION DEBATE

63rd Legislative Day

5/28/2009

codeine. I don't want to throw the bottle out, but what should I do with it in my apart... I'm not a health care institution; I understand that."

May: "You are not a health care institution."

Black: "So, if I..."

May: "You're an institution around here..."

Black: "...if I had to put it down the drain..."

May: "...but not a health care institution."

Black: "...I could do that."

May: "Representative, as far as this Bill, it really doesn't cover you. If you would like me to advise you on what to do with your meds, I'd be happy to do that at some time."

Black: "If you'd like to what?"

May: "Advise you on proper disposition of meds."

Black: "You know, Representative, I've been waiting almost five years for you to say that. And now that you're going to advise me, I can... you're not going to tell me where to go, are you?"

May: "Absolutely not."

Black: "Okay. I..."

May: "But I... but I am concerned with your health. We do work you very hard here on the floor. I will admit that."

Black: "You're a very kind lady and I... I'm going to support your Bill. I think you've worked out every conceivable objection. The Hospital Association has no concerns and it is, in all seriousness, it is becoming a problem with disposing of unused meds into the sanitary sewer system. God forbid, a septic system. You've worked very hard on this and I appreciate the fact that you're going to advise

STATE OF ILLINOIS
96th GENERAL ASSEMBLY
HOUSE OF REPRESENTATIVES
TRANSCRIPTION DEBATE

63rd Legislative Day

5/28/2009

me. And I will revise my living will and power of attorney that you will now become my health care advisor. Would that be all right?"

May: "I relish it, but I can't take any money for it."

Black: "No, I... Are you kidding? Under the Ethics Law, I wouldn't even offer money. The only thing I'll offer is my deep and sincere thank you and I'm looking forward to our first advisement session."

May: "Thank you."

Black: "Thank you."

May: "And we have to thank the Hospital Association and the nursing home industry and the pharmacists who really came together to work this out. I..."

Black: "Well, I... I would thank them, but they've never agreed to be my advisor, you have. So, I'm... I'm saving my thanks for you."

Speaker Mautino: "Further questions? The Gentleman from Jasper, Representative Reis."

Reis: "I don't know if I can top that. Will the Sponsor yield?"

Speaker Mautino: "Indicates she will."

Reis: "Representative, at one time the pharmacists were opposed to the Bill. Can you tell us what their status is now?"

May: "Yes. They did not sign in opposition or neutral in anything for Amendment #2."

Reis: "So, that means they're still opposed or they're still neutral or no opinion?"

May: "I am advised that they have dropped any objection. I am advised, but I didn't hear it from them directly. They did not sign in."

STATE OF ILLINOIS
96th GENERAL ASSEMBLY
HOUSE OF REPRESENTATIVES
TRANSCRIPTION DEBATE

63rd Legislative Day

5/28/2009

Reis: "Okay. My next question is, does this do anything to address... we get calls from time to time from family members who their parents or grandparents or aunts, whoever the case may be, where they purchased at least a month's worth or sometimes up to three month's worth of medication and their loved one dies and they don't know what to do with all the medications. Does this Bill in any way, shape, or form address that?"

May: "It... No, it does not affect the individual people. It affects our health care institutions, nursing homes and other institutions and hospitals. Now, if you really are... I mean, I could explain that if it is a narcotic, many of the end of life medications such as the cocaine, the amphetamines, the opium, the morphine, have to be disposed of under the guidelines of the DEA. So, they are exempt even for health care institutions in this Bill because that's under federal guidelines. That's set up so that they are out... are not gotten... they aren't allowed to get in the hands of anyone who shouldn't have those controlled substances."

Reis: "And I appreciate that, but many times the family members take these medications home. So, they can't get reimbursed for them. They're no longer considered to be in the hands of a health care facility, so what's the family member..."

May: "Well, they're... they're never in the..."

Reis: "...supposed to do with them?"

May: "...hands of the nursing homes..."

Reis: "Right, but they're in the hands of the..."

May: "...because they're in the hands of the individuals."

STATE OF ILLINOIS
96th GENERAL ASSEMBLY
HOUSE OF REPRESENTATIVES
TRANSCRIPTION DEBATE

63rd Legislative Day

5/28/2009

Reis: "So, what are they supposed to do with them?"

May: "The individuals? Well, I believe that in nursing homes, typically the practice is to dispense it sort of one at a time, so they have the extras. If someone takes them, we have been, in the state, we've worked very hard. There are county health departments that collect them now. There are solid... solid waste facilities... hazardous waste collection facilities in Rockford, Naperville, Chicago, and Lake County. But actually, the... we're educating people, if you have prescription drugs that are not controlled substances, you should put them in kitty litter or dispose of them in that way. Do not flush them down the drain."

Reis: "Okay. Well, regardless of whether your..."

May: "But this Bill does not cover individuals."

Reis: "...legislation deals with this or not, I think that's something as a Body we might want to sit down and discuss because just two weeks ago I got a call from a family who their loved one had three month's worth of Medicaid or Medicare prescription drugs, which is oftentimes the case now, and they died three or four days into that three-month period and the family absolutely does not know what to do with all the medications and we have no drop-off points."

May: "Right."

Reis: "We're not close to any of those."

May: "And Representative, I have separate legislation on that where we try to re... you know, reuse or recycle drugs like that. It does get to be tricky. I was never able to solve that problem completely with individuals and how to recycle

STATE OF ILLINOIS
96th GENERAL ASSEMBLY
HOUSE OF REPRESENTATIVES
TRANSCRIPTION DEBATE

63rd Legislative Day

5/28/2009

drugs. You are absolutely right. In Wisconsin and other states, they do that."

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

Speaker Mautino: "Fur... further questions? The Gentleman from Bond, Leader Stephens."

Stephens: "Speaker..."

Speaker Mautino: "The Lady has moved passage of Senate Bill 1919. And on that question, the question is, 'Shall this Bill pass?' All in favor vote 'yes'; opposed vote 'no'. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Mr. Clerk, take the record. 118 voting 'yes', 0 voting 'no', 0 voting 'present'. Senate Bill 1919 is hereby declared passed. On page 13 of the Calendar... page 13 of the Calendar, Representative Hoffman, there appears Bill... Senate Bill 1955. Mr. Clerk, read the Bill."

Clerk Bolin: "House Bill 1955, a Bill for an Act concerning State Government. The Bill's been read a second time, previously. No Committee Amendments. No Floor Amendments. No Motions are filed."

Speaker Mautino: "Representative Hoffman. Did we... Third Reading. Read the Bill."

Clerk Bolin: "Senate Bill 1955, a Bill for an Act concerning State Government. Third Reading of this Senate Bill."

Speaker Mautino: "Representative Hoffman."

Hoffman: "Thank you, Mr. Speaker, Ladies and Gentlemen of the House. Senate Bill 1955 is a mirror to a Bill that passed unanimously, House Bill 820, out of the House and is over in the Senate. The Bill would make various alterations to

STATE OF ILLINOIS
96th GENERAL ASSEMBLY
HOUSE OF REPRESENTATIVES
TRANSCRIPTION DEBATE

63rd Legislative Day

5/28/2009

the Military Code provide the Adjutant General of Illinois, the National Guard personnel when they're active service for certain nonemergency functions that they would have to conform with federal rules. It also provide that personnel would receive medical and dental treatment for injuries incurred while on duty and lawfully performing the same. And this would also provide for state payment of private sector medical treatment. I ask for a favorable Roll Call."

Speaker Mautino: "The Gentleman has moved passage of Senate Bill 1955. No one seeking recognition, the question is, 'Shall this Bill pass?' All in favor vote 'yes'; opposed vote 'no'. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Mr. Clerk... Representatives Flider, Hannig, Washington, do you wish to be recorded? Mr. Clerk, take the record. 118 voting 'yes', 0 voting 'no', 0 voting 'present'. Senate Bill 1955, having receive the Constitutionally and required number of votes, majority, is declared passed. The Gentleman from Cook, Representative Burns is seeking recognition."

Burns: "Thank you very much, Mr. Speaker. I rise on a personal privilege."

Speaker Mautino: "State your point."

Burns: "In the gallery, right behind us on the Democratic side of the aisle, there are a number of everyday people and citizens who've traveled to Springfield and are engaged in a hunger strike in support for a budget for our state operations that protects our state safety net. You may

STATE OF ILLINOIS
96th GENERAL ASSEMBLY
HOUSE OF REPRESENTATIVES
TRANSCRIPTION DEBATE

63rd Legislative Day

5/28/2009

disagree with how they choose to fund the operations budget, but they have taken it upon themselves to suffer and deprive themselves of food and nourishment until May 31, to demonstrate their support for an operating budget that respects human services. I would like you to welcome them to Springfield."

Speaker Mautino: "Welcome to the House of Representatives. The Gentleman from Bond, Leader Stephens is seeking recognition."

Stephens: "Well, thank you, Mr. Speaker. A point of personal privilege."

Speaker Mautino: "State your point."

Stephens: "On behalf of many of the hardworking men and women that I represent, if we raise taxes, they're going to have to do without food."

Speaker Mautino: "On page 13 of the Calendar appears Senate Bill 1984. Representative Davis. Monique Davis. Out of the record. On page 13 of the Calendar appears Senate Bill 2148, Representative Hoffman. Read the Bill."

Clerk Bolin: "Senate Bill 2148, a Bill for an Act concerning State Government. The Bill's been read a second time, previously. Amendment #1 was adopted in committee. Floor Amendments 2, 4, and 5 have been approved for consideration. Floor Amendment #2 is offered by Representative Hoffman."

Speaker Mautino: "Mr. Hoffman."

Hoffman: "Yes. Mr. Speaker, I believe we may want to check with... with the staff, but I believe we want to withdraw

STATE OF ILLINOIS
96th GENERAL ASSEMBLY
HOUSE OF REPRESENTATIVES
TRANSCRIPTION DEBATE

63rd Legislative Day

5/28/2009

Floor Amendment #2 and withdraw all Amendments and do House Amendment #5 which is the gut and replace."

Speaker Mautino: "The Gentleman moves to withdraw Amendments 2 and 4. All those in favor say 'aye'; opposed 'no'. 'Ayes' have it. The Amendments are withdrawn. Amendment #5, Representative Hoffman."

Hoffman: "Thank you, Mr. Speaker. This Amendment would... would become the Bill. Essentially, it takes the Bill that passed the House and it combines several Amendments that the Department of Veterans' Affairs wanted. The Amendment contains language to address the concerns regarding a stay against spurious claims against the fund, the concerns of various Members expressed in the Veterans' Affairs Committee which I believe addresses the Jack... Representative Franks' issue as well as concerns expressed by the Department of Veterans' Affairs. This Amendment is supported by the Department of Veterans' Affairs, the VFW and the American Legion."

Speaker Mautino: "The Gentleman has moved adoption of Floor Amendment #5 to Senate Bill 2148. On that question, the Gentleman from Crawford, Representative Eddy."

Eddy: "Thank you. Inquiry of the Chair?"

Speaker Mautino: "State your inquiry."

Eddy: "What are the status of the Committee Amendment 1 and the other... the Floor Amendment 3 and 4?"

Speaker Mautino: "The Amendments, I believe, have been withdrawn. Let me ask from... the status from the Clerk."

Clerk Bolin: "Amendment #1 was adopted in committee. Floor Amendment #2 was withdrawn. Floor Amendment #3 remains in

STATE OF ILLINOIS
96th GENERAL ASSEMBLY
HOUSE OF REPRESENTATIVES
TRANSCRIPTION DEBATE

63rd Legislative Day

5/28/2009

the Rules Committee. And Floor Amendment #4 was withdrawn."

Speaker Mautino: "Representative Eddy."

Eddy: "So, Committee Amendment #1 with this Amendment becomes the Bill, basically?"

Hoffman: "Yes. Amendment #5 becomes the Bill. What we did is we combined all the various Amendments that were getting unwieldy. We put it all into one kind of engrossed Amendment, so everything is contained here."

Eddy: "How gross is it?"

Hoffman: "Engrossed."

Eddy: "Engrossed, okay. Thank you."

Speaker Mautino: "The Gentleman has moved adoption of Floor Amendment #5. All in favor say 'yes'; opposed say 'no'. Representative Hoffman."

Hoffman: "I think that maybe we would want to table Committee Amendment #1 before we move it to Third Reading. Then we would only need a concurrence in the Senate for Floor Amendment #5. I believe that that would be in order."

Speaker Mautino: "Representative Hoffman, can you take the Bill out of the record for a moment. We need to probably fill out a Motion to Table which would have to go to Rules."

Hoffman: "Okay. Okay. Thank you."

Speaker Mautino: "Mr. Clerk, take this Bill out of the record. Mr. Clerk, will you place Senate Bill 1906 on the board. Mr. Black. Mr. Clerk, read the Bill."

Clerk Bolin: "Senate Bill 1906, a Bill for an Act concerning State Government. The Bill's been read a second time, previously. No Committee Amendments. Floor Amendment #1

STATE OF ILLINOIS
96th GENERAL ASSEMBLY
HOUSE OF REPRESENTATIVES
TRANSCRIPTION DEBATE

63rd Legislative Day

5/28/2009

was referred to committee. Floor Amendment #2 was withdrawn. Floor Amendment #3, offered by Representative Black, has been approved for consideration."

Speaker Mautino: "The Gentleman from Vermilion, Representative Black."

Black: "Thank you very much, Mr. Speaker. Floor Amendment #3 becomes the Bill. It removes the provision of the underlying Bill that would have allowed the Illinois Finance Authority to finance out-of-state projects. There was some concern about that. What it does do is to authorize the Illinois Finance Authority to issue bonds for renewable energy product... or excuse me... projects, including battery projects that use technology to store renewable energy. I believe that's called Firefly and is a... an idea that's taking root in the Peoria area. It increases the bond authorization for financing clean coal and renewable energy projects. It provides that this authorization is in addition to the Illinois Finance Authority's total bond limitation and it also increases the Illinois Finance Authority's ability to issue agriculture-related loan guarantees from 150 mil... excuse me... by \$150 million to a new total of \$225 million. I know of no opposition to this Bill. I've received a great deal of help from Representative Leitch, Representative Gordon, from the Peoria area. Be glad to answer any questions that you have."

Speaker Mautino: "The Gentleman moves adoption of Floor Amendment #3 to Senate Bill 1906. All in favor say 'yes';

STATE OF ILLINOIS
96th GENERAL ASSEMBLY
HOUSE OF REPRESENTATIVES
TRANSCRIPTION DEBATE

63rd Legislative Day

5/28/2009

opposed say 'no'. The 'yeses' have it. The Amendment is adopted. Fur... Mr. Clerk, any further Amendments?"

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

Speaker Mautino: "Third Reading. Representative Black."

Black: "Thank you very much, Mr. Speaker. I... I'm sorry."

Speaker Mautino: "Read the Bill."

Black: "Read the Bill, Mr. Clerk."

Clerk Bolin: "Senate Bill 1906, a Bill for an Act concerning State Government. Third Reading of this Senate Bill."

Speaker Mautino: "Representative Black."

Black: "Thank you very much, Mr. Speaker and Ladies and Gentlemen of the House. In my introductory remarks about Floor Amendment #3, I told you now what this Bill does. Floor Amendment #3 becomes the Bill. I would ask for an 'aye' vote."

Speaker Mautino: "The Gentleman has moved passage of Senate Bill 1906. And on that, the Gentleman from Peoria, Representative Leitch."

Leitch: "Thank you very much, Mr. Speaker. I would like to commend the Sponsor. This Bill would permit the expansion, we hope, of Firefly Energy which is a Caterpillar spinoff and one day may be the most well-known battery in the... in the world, for that matter. It's an invention that we're very excited about in Peoria. I'd also be remiss if I didn't point out that this Bill will also, I should say, is intended to also make possible the biodiesel factory, a redo of a former CAT foundry in Mapleton, Illinois, using innovations from the USDA in Peoria, the Ag lab for pennycress. Pennycress has four times the oil that sodic...

STATE OF ILLINOIS
96th GENERAL ASSEMBLY
HOUSE OF REPRESENTATIVES
TRANSCRIPTION DEBATE

63rd Legislative Day

5/28/2009

that soybeans do. It can be done as a crop twice in one year and coordinate with the corn crops that are grown throughout our state. And the potential for that as well is very extraordinary, both to Illinois's economy and to the world. So, again, I'd like to congratulate Representative Black and urge approval for this important measure."

Speaker Mautino: "Further questions on the Bill? Representative Gordon, the Lady from Peoria."

Gordon, J.: "I, too, would like to commend the Sponsor for carrying this piece of legislation. The two companies in my area that stand to benefit from this piece of legislation are two companies that stand to bring hundreds of jobs to the Illinois state economy. They are the types of businesses that we need to be looking to support in this 21st century economy. It's economic development. It's good for our environment and it's the exact thing that we need to supporting in the Illinois General Assembly. And again, I'd like to thank the Sponsor for carrying this piece of legislation and I support this favorably."

Speaker Mautino: "Further questions? The Gentleman from Cook, Representative McCarthy."

McCarthy: "Thank you, Mr. Speaker. The Sponsor yield?"

Speaker Mautino: "He indicates he will."

McCarthy: "Representative, just to make sure our analysis is correct. This does not increase any bonding authority. Is that correct?"

Black: "I... I believe it does. It... it increases the bond authorization for financing clean coal and renewable energy

STATE OF ILLINOIS
96th GENERAL ASSEMBLY
HOUSE OF REPRESENTATIVES
TRANSCRIPTION DEBATE

63rd Legislative Day

5/28/2009

projects only by the Illinois Finance Authority to the... to... from the current 2.7 billion to 3 billion dollars and it also increases the agricultural-related loan guarantees from the current 150 million to a total of 225 million. So, there is some additional bonding authority for the Illinois Finance Authority in the Bill."

McCarthy: "About \$300 million, it sounds... does it increase, 2.7 to 3 billion."

Black: "It... I... Your math is a little better than mine at this point in the day. That's about it. And it's really aimed, and I think what Representative Leitch and Representative Gordon said, it's really aimed at capturing significant federal tax dollars to help this renewable energy plan, particularly some cutting edge battery technology in the Peoria area called Firefly. And it's the hope that by doing this renewable energy component and including batteries, we will be able to access as much as 300 to 400 million dollars of our federal tax dollars coming back to a, I think, a plant of this century in the Peoria area that will have tremendous benefits, but there is increased bonding authority."

McCarthy: "But is there a revenue source to pay for these extra bonds..."

Black: "The..."

McCarthy: "...down the line or is it... what is the revenue source?"

Black: "No. The Illinois Finance Authority is financed and run off of the returns on their investment. Now, I'm not going to kid you. All of the bonds we issue are the moral

STATE OF ILLINOIS
96th GENERAL ASSEMBLY
HOUSE OF REPRESENTATIVES
TRANSCRIPTION DEBATE

63rd Legislative Day

5/28/2009

authority of the United.. of the State of Illinois. But in all of my time here, I can't remember when we've had to ever had to pick up a payment from a bond that the Illinois Finance Authority has issued, because when they issue the financing, it's kind of like a mortgage broker, if you will, and that financing is returned to them.."

McCarthy: "Okay."

Black: "...as those bonds are paid off by their investment."

McCarthy: "So, would they issue a... that's laid out right there of how these things.."

Black: "Yes."

McCarthy: "...would be repaid."

Black: "It's my understanding that's correct."

McCarthy: "Okay. Thank you for your answers."

Speaker Mautino: "The Gentleman has moved passage of Senate Bill 1906. The question is, 'Shall this Bill pass?' Representative Black to close."

Black: "Yeah. Thank you very much, Mr. Speaker. I would just simply be remiss. This has taken a lot longer and was a lot more complicated than we ever dreamed. Without the Gentleman in the Chair, without the cosponsors, without Representative Gordon, without Representative Leitch, without Chris Meister of the Illinois Finance Authority, who literally worked around the clock, we wouldn't even be where we are now. I wished we'd been here a month ago because we really had to put some things in our federal application based on this Bill passing and we missed that deadline by a about two and a half or three weeks. I think this will make our application whole and again, as the two

STATE OF ILLINOIS
96th GENERAL ASSEMBLY
HOUSE OF REPRESENTATIVES
TRANSCRIPTION DEBATE

63rd Legislative Day

5/28/2009

Representatives from the Peoria area have said, and they know more about it than I do, with a break here or there, this Firefly project has the potential to be one of the great new technology innovations in Illinois with the possibility of a spinoff of literally thousands of jobs. And I encourage an 'aye' vote."

Speaker Mautino: "The Gentleman has moved passage of Senate Bill 1906. The question is, 'Shall this Bill pass?' All in favor vote 'yes'; opposed vote 'no'. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Mr. Clerk, take the record. 118 voting 'yes', 0 voting 'no', 0 voting 'present', Senate Bill 1906 is declared passed. On page 4 of the Calendar appears Senate... Representative Bost, the Gentleman from Jackson is seeking recognition."

Bost: "Thank you, Mr. Speaker. We need the record to reflect that Representative Winters is excused."

Speaker Mautino: "Mr. Clerk, please reflect that Representative Winters is excused. Thank you. Senate Bill 1511 appears on page 4 of the Calendar, Representative Gordon. Mr. Clerk, read the Bill."

Clerk Bolin: "Senate Bill 1511, a Bill for an Act concerning local government. Third Reading of this Senate Bill."

Speaker Mautino: "Representative Gordon."

Gordon, J.: "Senate Bill 1511 provides that county boards may require that an occupancy permit be obtained for each newly constructed residential dwelling outside the limits of cities, villages, and unincorporated towns. Senate Bill 1511 also prohibits county boards from charging a fee for

STATE OF ILLINOIS
96th GENERAL ASSEMBLY
HOUSE OF REPRESENTATIVES
TRANSCRIPTION DEBATE

63rd Legislative Day

5/28/2009

the residential occupancy permits described above. Senate Bill 1511 is an initiative of Peoria County and it's meant to keep residents of unincorporated areas from living in incomplete and unsafe structures. I'd also like to add that this Bill passed the Senate unanimously and it also passed out of Cities & Townships (sic-Counties & Townships) in the House Committee unanimously. And I'd like to open myself up to any questions, but I'd like to ask for an 'aye' vote."

Speaker Mautino: "The Gentleman from Crawford, Representative Eddy."

Eddy: "Quick question of the Sponsor. If the county already imposes a fee, can they continue to impose that fee?"

Gordon, J.: "Yes, they can."

Eddy: "Okay. This... this doesn't have any new ones, but the others are grandfathered in."

Gordon, J.: "Exactly."

Eddy: "Thank you."

Gordon, J.: "Thank you."

Speaker Mautino: "The Lady has moved passage of Senate Bill 1511. And the question is, 'Shall this Bill pass?' All in favor vote 'yes'; opposed vote 'no'. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Mr. Clerk, take the record. 117 voting 'yes', 0 voting 'no', 0 voting 'present', Senate Bill 1511 is hereby picked... declared passed. Mr. Clerk, page 4 of the Calendar appears Senate Bill 1560. Representative Gordon. Read the Bill."

STATE OF ILLINOIS
96th GENERAL ASSEMBLY
HOUSE OF REPRESENTATIVES
TRANSCRIPTION DEBATE

63rd Legislative Day

5/28/2009

Clerk Bolin: "Senate Bill 1560, a Bill for an Act concerning civil law. Third Reading of this Senate Bill."

Speaker Mautino: "The Lady from Peoria."

Gordon, J.: "Senate Bill 1560 creates the Industrialized Residential Structure Deed Restriction Act. This Act provides the deed restriction or restrictive covenant may not prohibit or restrict the erection of an industrialized residential structure. This Bill would not prevent municipalities from placing zoning restrictions on industrialized residential structures. Further, the Bill also applies to restrictions and covenants recorded after the effective date. The Homebuilders Association believes that the deed restriction and restrictive covenants were meant to regulate the aesthetic look of subdivisions and not prohibit the construction of certain types of housing. I'd also like to add that this Bill also passed out of the Senate unanimously and it also passed out of the House in... the House Committee Jud I unanimously. And I'd like to ask for an 'aye' vote."

Speaker Mautino: "The Lady now moves passage of Senate Bill 1560. All in favor vote 'yes'; opposed vote 'no'. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Mr. Leitch, do you wish to be recorded? Mr. Clerk, take the record. 117 voting 'yes', 0 voting 'no', 0 voting 'present.' Senate Bill 1560 is hereby declared passed. Mr. Clerk, page 4 of the Calendar is Senate Bill 1559, Representative Hernandez. Read the... Out of the record. I'll continue down through the Calendar on Third Readings. And with the time growing

STATE OF ILLINOIS
96th GENERAL ASSEMBLY
HOUSE OF REPRESENTATIVES
TRANSCRIPTION DEBATE

63rd Legislative Day

5/28/2009

short, if Members are ready to call their Bills, it'd be appreciated if they'd call them while we have time. Page 25 of the Calendar on... under Order of Resolutions, appears House Joint Resolution 5. Representative Will Davis. Read the Resolution. On the..."

Clerk Bolin: "Floor... Floor Amendment #2, offered by Representative Will Davis, has been approved for consideration."

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

Davis, W.: "Thank you very much, Mr. Speaker. The Amendment to House Joint Resolution is kind of a clarification Amendment to add that the task force include a member from the... the School Management Alliance."

Speaker Mautino: "The Gentleman moves adoption of Floor Amendment #2. All in favor say 'yes'; opposed say 'no'. The 'yesses' have it. And Floor Amendment #2 is adopted. Mr. Clerk, any further Amendments?"

Clerk Bolin: "No further Amendments."

Speaker Mautino: "Read the Resolution."

Clerk Bolin: "House Joint Resolution 5 creates the school success task force to examine issues and make recommendations relating to current state budget of education policies regarding suspensions, expulsions, and truancies."

Speaker Mautino: "The Gentleman from Cook, Representative Davis on House Joint Resolution 5."

Davis, W.: "Thank you very much, Mr. Speaker. I think the analysis that was stated, pretty much what the Clerk read, pretty much outlines what we're trying to do. Currently,

STATE OF ILLINOIS
96th GENERAL ASSEMBLY
HOUSE OF REPRESENTATIVES
TRANSCRIPTION DEBATE

63rd Legislative Day

5/28/2009

there are no statewide policies or procedures for school districts to follow regarding suspensions and expulsions which are sometimes a pervasive problem in some of our districts. And this task force is to try to come up with a remedy to... remedy to that and to deal with those young people once they have been suspended or expelled from school. Be more than happy to answer any questions."

Speaker Mautino: "The Resolution creates a task force, thus it requires a Roll Call vote. House Joint Resolution #5 has been moved... be adopted by Representative Davis. No one seeking recognition. All those in favor shall vote 'yes'; opposed vote 'no'. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Mr. Clerk, take the record. 117 voting 'yes', 0 voting 'no', 0 voting 'present', House Joint Resolution 5 pa... is adopted. Page 25 of the Calendar is House Joint Resolution 6. Representative Nekritz, you have an Amendment."

Nekritz: "I have an Amendment?"

Speaker Mautino: "No Amendments to this Bill. So, Mr. Clerk, read the Resolution."

Clerk Bolin: "House Joint Resolution 6 creates the school transportation task force to study the possibility of enacting legislation making changes to current transportation programs offered by the Illinois State Board of Education."

Speaker Mautino: "The Lady from Cook."

Nekritz: "Thank you, Mr. Speaker. House Joint Resolution 6 establishes a school transportation task force. The transportation formula within the State Board of Education

STATE OF ILLINOIS
96th GENERAL ASSEMBLY
HOUSE OF REPRESENTATIVES
TRANSCRIPTION DEBATE

63rd Legislative Day

5/28/2009

has not been reviewed in a couple of decades and in that time there's been a dramatic use... increase in the use of transportation and I think we would like to take a look at how we're utilizing those funds and if there are better ways to utilize them to actually get children to walk and ride their bike to school."

Speaker Mautino: "The Gentleman from Crawford is seeking recognition, Representative Eddy."

Eddy: "Thank you. I just want to clarify the Amendment was not adopted. There was an Amendment."

Nekritz: "I believe the Amendment was adopted in committee, though we can check with the Clerk."

Eddy: "Yeah, could we have a status of the Amendment?"

Speaker Mautino: "Mr. Clerk."

Clerk Bolin: "Amendment #1 was adopted in committee. There have been no further Amendments filed."

Eddy: "Okay. Let me... I just... if we could maybe correct the spelling on the board at some point, too, since it's a school board... the word transportation is misspelled up there."

Speaker Mautino: "Is there something wrong with the word transportation?"

Eddy: "It's just messed up a little. Thank you."

Speaker Mautino: "No one else seeking recognition. And while they're working on the board, the Lady moves... Excuse me. We have... Representative Coulson is seeking recognition."

Coulson: "Rep... Representative, this sounds like a great idea. Can... would they be able to also look at the issue of

STATE OF ILLINOIS
96th GENERAL ASSEMBLY
HOUSE OF REPRESENTATIVES
TRANSCRIPTION DEBATE

63rd Legislative Day

5/28/2009

seatbelts in school buses? Is that something that would be included in that transportation review?"

Nekritz: "Well, I suppose it could be, Representative, although the purpose of this is to get children out of school buses."

Coulson: "And actually, that's exactly what I would like to do and to make them safer and more... more physically active. I just..."

Nekritz: "I would agree with that goal."

Coulson: "Thanks."

Speaker Mautino: "The Gentleman from Winnebago, Representative Sacia is seeking recognition."

Sacia: "Thank you, Mr. Speaker. I just wanted to advise the Chair that the rural area I come from in Illinois that is the correct spelling of transportation'."

Speaker Mautino: "And following that is the Gentleman from Vermilion, Representative Black."

Black: "Oh, I miss the days when I used to drive a school bus in Mr. Sacia's district, transportation' those kids. Mr. Speaker, to the Bill. And I... I... or to the Resolution and I'm... I'm certainly not going to criticize the Sponsor of the Bill... of the Resolution. My concern is in a little different area. We aren't even paying school districts, right now, to transport children to meet all the rules and regulations that apply. My home school district is owed more than \$3 million, as we sit here. And the only thing I'm being told by ISBE is that we're going to use federal stimulus money to get caught up on categoricals: that's transportation, special education, gifted, all of the other

STATE OF ILLINOIS
96th GENERAL ASSEMBLY
HOUSE OF REPRESENTATIVES
TRANSCRIPTION DEBATE

63rd Legislative Day

5/28/2009

categorical programs. Well, that's interesting. That's two years of federal tax money and then when that runs out, then where are we going to get the money for transportation costs and other categorical expenses? What I find unusual about this Resolution is the Gentleman, I think Representative Beiser, on your side of the aisle has a Resolution simply asking for a task force to look at, not mandate, to look at a four-day school week, because many rural areas simply are not able to afford to run their school buses 500 or more miles a day under the current reimbursement rate. Now, I have a House Bill that has never gotten out of Rules and never will get out of Rules, that does basically the same thing as Mr. Beiser's Resolution, just asking to study. I don't know when this Resolution results will be in and what will become of it, but I can tell you the problem is right now we're not paying our school districts. School districts from one end of this state and the other are asking us, as many other states have done, at least get ISBE and other stakeholders together and see if a four-day school week, until we can get transportation costs under control, and until we can reduce the cost of diesel fuel, and the cost of new school buses, see if they can work out a four-day week. No mandate, just a task force. Representative Beiser's Resolution evidently isn't going to be released. My House Bill creating a task force isn't evidently going to be released, but we can release a House Joint Resolution three days before the end of Session to study what we should be doing and I... I commend her. We... we should always look at

STATE OF ILLINOIS
96th GENERAL ASSEMBLY
HOUSE OF REPRESENTATIVES
TRANSCRIPTION DEBATE

63rd Legislative Day

5/28/2009

what we should be doing. I just get frustrated because we can't do something that looks at what we are doing now and how to correct some of the financial inequities that result."

Speaker Mautino: "The Lady has moved adoption of House Joint Resolution #6. Representative Nekritz to close."

Nekritz: "Thank you, Mr. Speaker. To the Gentleman from Vermilion, I believe we share the same goal actually, because the goal of this is to reduce the amount... we're spending about \$800 million a year on transportation costs in the State of Illinois. The goal is to try to reduce that so that we can get those bills paid and we can use that money more efficiently and more effectively to make sure that the kids that need to get to school on a school bus can. So, I believe we share the same goal. I ask for your support."

Speaker Mautino: "The Lady has moved adoption of House Joint Resolution 6. This creates a task force; therefore, requires a recorded vote. All in favor vote 'yes'; opposed vote 'no'. Voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Mr. Clerk... Does Representative Senger wish to be recorded on this? Mr. Clerk, take the record. 116 voting 'yes', 0 voting 'no', 1 voting 'present', House Joint Resolution 6 is hereby adopted. Page 25 of the Calendar is House Joint Resolution 7, Representative Stephens, the Gentleman from Bond. Mr. Clerk, read the Resolution."

Clerk Bolin: "House Joint Resolution 7 resolves that the Illinois Department of Transportation study the issue of

STATE OF ILLINOIS
96th GENERAL ASSEMBLY
HOUSE OF REPRESENTATIVES
TRANSCRIPTION DEBATE

63rd Legislative Day

5/28/2009

crossover barriers of all kinds for the Martin Luther King Bridge and William McKinley Bridge and make a report no later than six months after the adoption of the Resolution."

Speaker Mautino: "The Gentleman from Bond."

Stephens: "Thank you, Mr. Speaker. Ladies and Gentlemen, we... we've discussed the... the issue of the Martin Luther King Bridge in St. Clair County just the other day. This... this Resolution addresses that and the McKinley Bridge and ask IDOT to report back to us any way that they can think of developing a crossover accident prevention system for each of those bridges."

Speaker Mautino: "The Gentleman has moved adoption of House Joint Resolution 7. On that question, the Gentleman from Cook, Representative Ford is seeking recognition. Out of the record. No one seeking recognition, the question is, 'Shall House Joint Resolution 7 be adopted?' All in favor vote 'yes'; opposed vote 'no'. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Representative May, Representative Saviano, do you wish to be recorded? Mr. Clerk, take the record. 117 voting 'yes', 0 voting 'no', 0 voting 'present', House Joint Resolution 7 is hereby adopted. Page 25 of the Calendar appears House Joint Resolution 14, Representative Joyce. Mr. Clerk, read the Resolution."

Clerk Bolin: "House Joint Resolution 14 creates the Usury Investigation Task Force to investigate creating new usury legislation and requires the task force to prepare a report to the General Assembly by July 1, 2010."

STATE OF ILLINOIS
96th GENERAL ASSEMBLY
HOUSE OF REPRESENTATIVES
TRANSCRIPTION DEBATE

63rd Legislative Day

5/28/2009

Speaker Mautino: "Out of the record. Page 26 of the Calendar appears House Joint Resolution 19, Representative Reis. Mr. Clerk, read the Resolution."

Clerk Bolin: "House Joint Resolution 19 resolves that the Governor should not use any funds obtained by Illinois through the American Recovery and Reinvestment Act of 2009 for new programs unless the program is created by the General Assembly and the General Assembly makes appropriations for the program."

Speaker Mautino: "The Gentleman from Jasper, Representative Reis."

Reis: "Thank you, Mr. Speaker. I filed this Joint Resolution right after the American Recovery and Reinvestment Act of 2009 was signed. And some of the states decided not to take money, federal stimulus money. I knew that probably would not be the case here in Illinois, and part of the money is going to be used for transportation projects, we understand that, but I also think that as we go through the final days of preparing the budget that if we create any new programs with the federal stimulus money that we should vote on those programs as a Legislature and have a corresponding sunset date with those federal funds. I ask for an 'aye' vote."

Speaker Mautino: "The Gentleman has moved passage... moved adoption of House Joint Resolution 19. All in favor say 'yes'; opposed say 'no'. The 'yesses' have it. And the Resolution is adopted. House Joint Resolution 27, Representative Monique Davis. Mr. Clerk, read the Resolution."

STATE OF ILLINOIS
96th GENERAL ASSEMBLY
HOUSE OF REPRESENTATIVES
TRANSCRIPTION DEBATE

63rd Legislative Day

5/28/2009

Clerk Bolin: "House Joint Resolution 27 shows the General Assembly is in support for the Children's Outdoor Bill of Rights and designates the month of June as Leave No Child Inside Month in the State of Illinois."

Speaker Mautino: "Representative Davis."

Davis, M.: "Mr. Speaker, Senate Joint Resolution House... Senate Joint Resolution 44 took the place of House Resolution 27, so I'm going to have to withdraw this and thank you very much."

Speaker Mautino: "Mr. Clerk, take this out of the record. House Joint Resolution 28, Representative Ryg. Mr. Clerk, read the Resolution."

Clerk Bolin: "House Joint Resolution 28 resolves that the Department of Human Services, Division of Developmental Disabilities, shall develop a seven-year plan with yearly benchmarks to enhance and expand access to quality community services and supports by December 1, 2009."

Speaker Mautino: "The Lady from Cook, Representative Ryg."

Ryg: "Thank you, Mr. Speaker, Ladies and Gentlemen of the House. House Joint Resolution 28 is a significant step toward addressing the state's failure to adequately plan for and fund services needed for persons with developmental disabilities. The Resolution requires the Department of Human Services Division of Developmental Disabilities to develop a seven-year plan informed by years of reports including the blueprint for system redesign, state funding of community agencies for services to Illinois residents with mental illness and/or developmental disabilities, the report of the community integrated living arrangement

STATE OF ILLINOIS
96th GENERAL ASSEMBLY
HOUSE OF REPRESENTATIVES
TRANSCRIPTION DEBATE

63rd Legislative Day

5/28/2009

nursing services work and the Illinois direct support professional workforce initiative. This is a very broad-based Resolution. The plan will require yearly benchmarks to enhance and expand access to quality community services and support to meet the needs of 17 thousand persons waiting for services and it requires that increases in resources available to the department be appropriated consistent with the benchmarks considering factors that would include fair and adequate wages and benefits, identification of new revenue sources, maximizing current revenues, creating opportunities for capacity building and new rate methodologies that will be designed to enhance quality service, quality assurance, crisis intervention and workforce development. The Resolution also requires a report back to the appropriate committees in the House and the Senate. This is a very significant measure which many of you have signed on as Sponsors and I appreciate that support. It's the leadership that we're looking for to really change the status of Illinois's level of services. So, I appreciate everyone's consideration."

Speaker Mautino: "The Lady has moved adoption of House Joint Resolution 28. And on that, the Gentleman from Vermilion, Representative Black."

Black: "Thank you, Mr. Speaker. The Sponsor yield?"

Speaker Mautino: "She indicates she will."

Black: "Representative, you're asking for a seven-year study?"

Ryg: "No. This is not a study. It requires that the Department of Human Services create a plan."

Black: "Oh, a seven-year plan?"

STATE OF ILLINOIS
96th GENERAL ASSEMBLY
HOUSE OF REPRESENTATIVES
TRANSCRIPTION DEBATE

63rd Legislative Day

5/28/2009

Ryg: "A plan that would cover a seven-year period so that we could have a vision for how we're going to rebalance the system of care."

Black: "That would be amazing in Illinois. We can't even develop a year-to-year budget."

Ryg: "Exactly."

Black: "But this is going to be a seven-year plan?"

Ryg: "Yes."

Black: "What. I'll tell you what, slap me on the rear and call me Betty. I hope I live..."

Ryg: "Well, Betty."

Black: "Ah, yeah. I hope I live long enough to see that. Let me ask you just one question. I know many of us have been contacted by people who are fearful because the Resolution suggests possible closure of some state institutions. I would assume that if that comes forth as a result of your Resolution that the clo... the actual closure of any state institution, would that come back to the General Assembly for action or would this task force or committee, whatever you want to call it, be given unilateral authority to close any or all of the five institutions?"

Ryg: "A couple things that require clarification. The Resolution does not lay out any details."

Black: "That's what I thought."

Ryg: "It requires the department to create the plan, to establish the plan."

Black: "Okay."

Ryg: "And be informed by reports, one of those reports talks about rebalancing our system of care and yes, recommends

STATE OF ILLINOIS
96th GENERAL ASSEMBLY
HOUSE OF REPRESENTATIVES
TRANSCRIPTION DEBATE

63rd Legislative Day

5/28/2009

that the state does not require nine state-operated centers; we could do with less. And we could use the reinvestment of dollars from those centers to provide capacity in community services. So, should that... should that be a direction the department would undertake, they... they've committed to a stakeholder group to make sure all positions are offered an opportunity for input and the existing process for state closure would be implemented. We're not making any kind of change there. We still have the COGFA process, where any indications that there... a state facility would be closed would have to go through the existing process, as we've just experienced with Howe in Tinley Park."

Black: "Representative, are you an attorney?"

Ryg: "No."

Black: "That was a very... that was an outstanding legalese answer. Let me... let me get to the hard... the heart of the issue."

Ryg: "Okay."

Black: "Will the General Assembly make the decision to close any state agency..."

Ryg: "No."

Black: "...or state institution?"

Ryg: "This does not... whatever the process is now, will stay in place. This does not address that. And right now, the General Assembly does not have a role in those announcements."

Black: "But we..."

Ryg: "The COGFA process..."

STATE OF ILLINOIS
96th GENERAL ASSEMBLY
HOUSE OF REPRESENTATIVES
TRANSCRIPTION DEBATE

63rd Legislative Day

5/28/2009

Black: "...but we can make it a role, correct, and have."

Ryg: "This Reso... this Resolution does not do that."

Black: "So, it doesn't change anything."

Ryg: "Right."

Black: "So, the General Assembly often gets involved in the closure of any state facility, i.e., the Lincoln Developmental Center. That didn't work, but of course, the previous Governor said, oh, don't worry, I'm going to reopen that. We spent all kinds of money and it never did reopen. But the General Assembly have ways to be involved in those decisions, correct?"

Ryg: "Well, I would suggest that that's one of the missions of this plan is to identify and provide the General Assembly and the Governor and the COGFA process..."

Black: "Okay."

Ryg: "...with information and data instead in a proactive way versus reacting to announcements without any preparation or understanding of the implications."

Black: "Okay. So, I guess the answer is that the people who have contacted me that are concerned, I can tell them that this committee, Resolution, task force, whatever you want to call it, does not have unilateral authority to say this center will close?"

Ryg: "I... I'd like to clarify. This does not establish a committee..."

Black: "What does it establish?"

Ryg: "...or a task force. It requires that the Department of Human Services Division of Developmental Disabilities

STATE OF ILLINOIS
96th GENERAL ASSEMBLY
HOUSE OF REPRESENTATIVES
TRANSCRIPTION DEBATE

63rd Legislative Day

5/28/2009

establish a plan with benchmarks and report back to the General Assembly."

Black: "Ohhh."

Ryg: "I have met with the families that, I'm sure, are contacting you..."

Black: "Right."

Ryg: "...and assured them that we are very interested in making sure that their concerns are heard and addressed throughout this process."

Black: "Well, Representative, I'm glad you clarified that. The Department of Human Services will... will engage in... in this multiyear, what do you call it, plan."

Ryg: "Yes."

Black: "I... I know... I'm sure you're as impressed as I am with the ability of the Department of Human Services ability to... to plan."

Ryg: "That's why we're requiring regular reporting back to the committees, the appropriate committees, it's not just a report..."

Black: "Okay."

Ryg: "...they have to actually..."

Black: "All right."

Ryg: "...appear before Members of the General Assembly."

Black: "All right. I wish you the very best. Thank you."

Ryg: "Thank you."

Speaker Mautino: "Further questions? The Lady from DuPage, Representative Bellock."

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

STATE OF ILLINOIS
96th GENERAL ASSEMBLY
HOUSE OF REPRESENTATIVES
TRANSCRIPTION DEBATE

63rd Legislative Day

5/28/2009

Speaker Mautino: "She indicates she will."

Bellock: "Well, first of all, I want to thank you, Representative Ryg, for all of the work that you've done on this Resolution. And a lot of us have had concerns about a lot of us are staunch supporters, as you know, of everything to do with human services in Illinois and we're all working towards the main objective as a lot of people would like in the blueprint of closing some of the institutions. We also know that that's a problem of relocating the workers in those institutions also and that we're all mindful of that too. I just wanted to clarify that in this Resolution there is nothing that mandates the closure of places like Misericordia and smaller places that are still considered institutions."

Ryg: "You're correct. There is nothing... there are no mandates. There are no details in this Resolution. And one of the issues that we'll be responding to is... is the opportunity for all the stakeholders to weigh in. There is legislation, a court settlement pending, that protects choice. So, we, who have worked on this Resolution, are interested in filling the gaps in services, not determining an individual or a family's choice. So, quality programs that offer quality care and are chosen by individuals and their families have nothing to be concerned about. They're... they're going to be part of our continuum of care. And in the work on this Resolution, we really did engage representatives from all aspects. It started out as the blueprint for system redesign and it was clear that the plan needs to be broader and the department could not

STATE OF ILLINOIS
96th GENERAL ASSEMBLY
HOUSE OF REPRESENTATIVES
TRANSCRIPTION DEBATE

63rd Legislative Day

5/28/2009

respond to just one report, so we're being... the Resolution calls for the department to be informed by every report we're aware of that talks about the existing level of care and how we can improve our status."

Bellock: "Thank you very much, Representative. And to the Resolution. I just want to say that when we talk about... especially on Disabilities Day last week... that we are 51st in the United States. That's regarding people living in institutions. It's not necessarily the community services that we provide, but it's that we are the last state in the United States to have so many people living in institutions. What this movement is about is about choice, what Representative Ryg said. The people should have the choice where they want to live. Some may want to live in an institution; some may want a community setting. And I support this totally, because that is what it's all about for people, a good quality of life for people with disabilities in Illinois. Thank you."

Speaker Mautino: "The Gentleman from Morgan, Representative Watson is seeking recognition."

Watson: "Thank you, Mr. Speaker. I move the previous question."

Speaker Mautino: "The previous question has been moved. House Joint Resolution 28, Representative Ryg to close."

Ryg: "Thank you. I just ask for your support."

Speaker Mautino: "The Lady has moved adoption of House Joint Resolution 28. This will require a Roll Call vote. All in favor vote 'yes'; opposed vote 'no'. The voting is open. Have all voted who wish? Have all voted who wish? Have

STATE OF ILLINOIS
96th GENERAL ASSEMBLY
HOUSE OF REPRESENTATIVES
TRANSCRIPTION DEBATE

63rd Legislative Day

5/28/2009

all voted who wish? Representative Bost, Representative Eddy, do you wish to be recorded? Mr. Clerk, take the record. 111 voting 'yes', 3 voting 'no', 3 voting 'present', House Joint Resolution 28 is hereby adopted. On page 26 of the Calendar appears House Joint Resolution 42, Representative Smith. Read the Resolution."

Clerk Bolin: "House Joint Resolution 42 resolves that the State Board of Education in collaboration with the Board of Higher Education shall prepare legislative recommendations to restructure school leader preparation and certification programs in this state."

Speaker Mautino: "Rep... Representative Graham is seeking recognition."

Graham: "Mr. Speaker, thank you. The question was called on House Joint Resolution #28 and I understand that the vote has been taken. But I would like to say that I do support the blow... blueprint plan, but I also want us to take in consideration we are asking for choice for that. But I do want this Body to realize, when we want to draw opposition to things or make people think differently, we use the word institution. We throw that word around and we make people say, oh, we don't want folks to live in an institution; when those people live in there, in residential facilities, don't feel all the time that they're living in an institution. And I would like for this Body to really take under consideration that people who live in residential facilities and if the closing of Howe, there's no other facility as close around that facility and there are people who are going to need that sort of care. I just wanted to

STATE OF ILLINOIS
96th GENERAL ASSEMBLY
HOUSE OF REPRESENTATIVES
TRANSCRIPTION DEBATE

63rd Legislative Day

5/28/2009

go on record with that, Mr. Speaker, and sometimes we call the question 'cause other people don't want to hear the debate or hear what people are saying, but we need to take in consideration what other folk's thoughts are as well. Thank you."

Speaker Mautino: "Thank you. The record will reflect your intentions. On House Joint Resolution 42, Representative Smith."

Smith: "Thank you, Mr. Speaker, Ladies and Gentlemen. This is a Resolution that would ask the State Board of Education in collaboration with the Board of Higher Ed to prepare recommendations back to the General Assembly on how we can restructure school leadership preparation and certification programs in the state and it asks that the state board report back to us by February of next year."

Speaker Mautino: "The Gentleman has moved adoption of House Joint Resolution 42. No one seeking recognition, the question is, 'Shall this be adopted?' This will require a Roll Call vote. All in favor vote 'yes'; opposed vote 'no'. Voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Mr. Clerk, take the record. 117 voting 'yes', 0 voting 'no', 0 voting 'present', House Joint Resolution 42, having received the Constitutional Majority, is declared adopted. The Gentleman from Menard, Representative Brauer."

Brauer: "Thank you, Mr. Speaker. I wish the record to show on House Joint Resolution I voted 'yes'. I inadvertently pressed the 'no' button and didn't realize it."

STATE OF ILLINOIS
96th GENERAL ASSEMBLY
HOUSE OF REPRESENTATIVES
TRANSCRIPTION DEBATE

63rd Legislative Day

5/28/2009

Speaker Mautino: "Representative Brauer, could you state the number of the Resolution?"

Brauer: "House Joint Resolution 28."

Speaker Mautino: "On House Joint Resolution 28 your intention was to vote 'yes'."

Brauer: "Yes, thank you."

Speaker Mautino: "The record will so reflect your intentions. Page 26 of the Calendar is House Joint Resolution 44, Representative Walker. Mr. Clerk, read the Resolution."

Clerk Bolin: "House Joint Resolution 44 resolves that special funds in the State Treasury that are dedicated for purposes concerning veterans shall not be subject to sweeps, administrative chargebacks, or any other fiscal or budgetary maneuver that would in any way transfer any funds from such special funds into other fund.. any other fund of the state."

Speaker Mautino: "The Gentleman from Cook, Representative Walker."

Walker: "The Joint Resolution is fairly straightforward. It says monies set aside for a use in veterans' programs should be used in veterans' programs and not swept for other purposes."

Speaker Mautino: "The Gentleman has moved adoption of House Joint Resolution 44. On that question, the Gentleman from Jasper, Representative Reis."

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

Speaker Mautino: "Indicates that he will."

Reis: "Representative, why did you use this as a Joint Resolution as opposed to a House Bill?"

STATE OF ILLINOIS
96th GENERAL ASSEMBLY
HOUSE OF REPRESENTATIVES
TRANSCRIPTION DEBATE

63rd Legislative Day

5/28/2009

Walker: "Because I believe it urges the practice."

Reis: "It urges or it mandates? Maybe someone from your side can check yours..."

Walker: "I'm not sure whether it mandates this practice."

Reis: "You don't know what your Joint Resolution does?"

Walker: "Yeah."

Reis: "Would you like to pull it out of the record? I mean, we were told time and time again that we cannot do legislation that stops sweeps. We can stop the administrative chargebacks, but that... it would only take a simple majority to overrule this. So, we've had a number of special funds that we've tried to protect over the last few years and we were told no, no, no. Now, we have one show up in a Joint Resolution and perhaps, you'd like to pull this out of the record and see what exactly your Resolution does."

Walker: "No. I believe you..."

Reis: "Can you tell me what your Resolution does? Does it urge them not to sweep or does it prohibit them from sweeping?"

Walker: "I will pull it out and find out the answer to that question."

Reis: "Okay. Thank you."

Speaker Mautino: "The Gentleman asks that the House Joint Resolution be taken out of the record temporarily. House Joint Resolution 45, Representative May. Mr. Clerk, read the Resolution."

Clerk Bolin: "House Joint Resolution 45 creates a task force to investigate how to retrofit three public schools in the State of Illinois to achieve leadership in energy environmental design certification."

STATE OF ILLINOIS
96th GENERAL ASSEMBLY
HOUSE OF REPRESENTATIVES
TRANSCRIPTION DEBATE

63rd Legislative Day

5/28/2009

Speaker Mautino: "The Lady from Lake, Representative May."

May: "Yes. Is there an Amendment that ha... has the Amendment been adopted?"

Speaker Mautino: "Mr. Clerk, what's the status of the Re... of the Amendment?"

Clerk Bolin: "Amendment #1 was adopted in committee. No further Amendments have been filed."

May: "Okay. Thank you. Thank you. To the Resolution. This is a very exciting public-private partnership with the Green Building Council. Through their largesse we are going to be able to retrofit three schools in the State of Illinois to LEED certification. This sets up a task force to decide which schools they should be and also ask them to give a report. Our goal would be that eventually we have a template so that we can retrofit every one of the schools in the State of Illinois. Our children's schools are their workplace and they deserve a healthy learning environment and doing the retrofitting can actually save up to \$100 thousand per year in energy costs. So, I'm very excited about the Green Building Council taking a lead on this and we've put together a task force of both Parties, both chambers and the appropriate agencies to set this. I'm very excited and ask for your support."

Speaker Mautino: "The Lady has... is seeking adoption of House Joint Resolution 45. No one seeking recognition, this will require a Roll Call vote. All in favor vote 'yes'; opposed vote 'no'. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Representatives Flider, Hannig, Feigenholtz, do you wish to

STATE OF ILLINOIS
96th GENERAL ASSEMBLY
HOUSE OF REPRESENTATIVES
TRANSCRIPTION DEBATE

63rd Legislative Day

5/28/2009

be recorded? Mr. Clerk, take the record. 117 voting 'yes', 0 voting 'no', 0 voting 'present', House Joint Resolution 45, having received the Constitutional Majority, is hereby adopted. Page 27 of the Calendar appears House Joint Resolution 46, Representative Coulson. Mr. Clerk, read the Resolution."

Clerk Bolin: "House Joint Resolution 46 requests that the State Board of Education and the Department of Human Services school health program and the Department of Public Health Division of Chronic Disease Prevention and Control establish a task force to study and compile a report on: one, identification of current student health needs and the level of health services required to address such needs; two, regulatory conflicts that limit delivery of school health services to students in need along with the possible solutions."

Speaker Mautino: "Representative Coulson."

Coulson: "Thank you, Mr. Speaker. This Resolution is really, I think, an important step in the direction of trying to coordinate the health issues of students. We've had many Bills over the years on asthma, on diabetes, on obesity, and we really just keep passing these laws and we've not had a task force look at how can we best coordinate the health care of students in... or the health needs of students in the schools. This task force would be charged with that. And I would encourage an 'aye' vote."

Speaker Mautino: "The Lady has moved adoption of House Joint Resolution 46. No one seeking recognition. This will require a Roll Call vote. All in favor vote 'yes'; opposed

STATE OF ILLINOIS
96th GENERAL ASSEMBLY
HOUSE OF REPRESENTATIVES
TRANSCRIPTION DEBATE

63rd Legislative Day

5/28/2009

vote 'no'. Voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Representative Boland, Representative Walker, do you wish to be recorded? Mr. Clerk, take the record. 117 voting 'yes', 0 voting 'no', 0 voting 'present', House Joint Resolution 46 is declared adopted. House Joint Resolution 47, Representative Pihos. Mr. Clerk, read the Resolution."

Clerk Bolin: "House Joint Resolution 47 designates April 28, 2009 as Pay Equity Day in the State of Illinois."

Speaker Mautino: "Representative Pihos."

Pihos: "Thank you, Mr. Speaker. House Joint Resolution 47 designates April 28 of 2009 as Pay Equity Day in the State of Illinois. And even though that day has come and gone, we had great support for this Resolution on that day because we have many people who support equal pay for equal work as a top priority for all women and for society at large."

Speaker Mautino: "The Lady has moved adoption of House Joint Resolution 47. All in favor say 'yes'; opposed say 'no'. The 'yesses' have it. House Joint Resolution 47 is adopted. House Joint Resolution 48, Representative May. Mr. Clerk, read the Resolution."

Clerk Bolin: "House Joint Resolution 48 designates September 15 as Carbon Day in the State of Illinois, urges individuals, organizations, schools, and communities to play a part in reducing the state's carbon footprint by planting trees on that day and organizing special programs to educate the state's citizens on steps that can be taken to reduce carbon emissions."

STATE OF ILLINOIS
96th GENERAL ASSEMBLY
HOUSE OF REPRESENTATIVES
TRANSCRIPTION DEBATE

63rd Legislative Day

5/28/2009

Speaker Mautino: "The Lady from Lake, Representative May."

May: "Thank you. The Clerk has read exactly what House Joint Resolution 48 does. It designates September 15 as Carbon Day, throughout the state. I know way down south we have Carbondale, a little bit further north we have Glen Carbon. We also have a Carbonville in the state; I'm not quite sure where it's located. So, for all these carbon towns and for the future of our state, I urge adoption."

Speaker Mautino: "The Lady moves adoption of House Joint Resolution 48. On that, Representative Fritchey."

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

Speaker Mautino: "She says she will."

May: "No."

Fritchey: "All right. Now, that we're getting to the important stuff of Session, I guess. Representative, let me ask you a question. Which is the point of this, we're talking about the role of trees in the environment, et cetera, et cetera. We already have Arbor Day, don't we?"

May: "Yes, we do."

Fritchey: "How does this really differ from Arbor Day?"

May: "This is Carbon Day."

Fritchey: "That could be one of the best responses..."

May: "Those are green... those are green..."

Fritchey: "...you've given since you've been here."

May: "We have a lot of designated days and I think that in this day and age, Carbon Day... There's a group in... there's a group in my district that is organizing this. And so, I support entirely what they're doing. I hope you will too. Is there a carbon town in your district that I missed?"

STATE OF ILLINOIS
96th GENERAL ASSEMBLY
HOUSE OF REPRESENTATIVES
TRANSCRIPTION DEBATE

63rd Legislative Day

5/28/2009

Fritchey: "Representative, today's not the day for this, I'm telling you. No. Okay. Here. What... so, what day is this supposed to be then?"

May: "September 15."

Fritchey: "How was that day picked?"

May: "I'm not sure."

Fritchey: "When's Arbor... Representative, do you know when Arbor Day is? Rep..."

May: "Representative... Representative, you can hug a tree either day."

Fritchey: "Do you know what day Arbor Day is?"

May: "It's in the spring. I don't know the exact day."

Fritchey: "Well... Because you..."

May: "Representative, you know... Never mind."

Fritchey: "Would... would... would it not maybe make sense to have this be the same day as Arbor Day be..."

May: "No, I don't think so. It's a slightly different purpose. Representative, this is a group in my district that is working to promote not only the planting of trees but also awareness... public awareness. It doesn't cost the state a dime. It's really a citizen group. And I support it wholeheartedly; I hope you will also."

Fritchey: "Well, I think... I think everybody supports the cause. You know, these are kind of... these are becoming kind of like honorary street signs and specialty license plates. You know, every day of the year is going to be designated for at least one thing or another. Obviously, it's a good cause. I'm not trying to make light of this and I'm not trying to pick on you at all. I just... You know, when I..."

STATE OF ILLINOIS
96th GENERAL ASSEMBLY
HOUSE OF REPRESENTATIVES
TRANSCRIPTION DEBATE

63rd Legislative Day

5/28/2009

when I look at something like this, I just think we, you know, at some point today we're going to wonder why we're doing these things, but okay. Thank you."

Speaker Mautino: "Further questions? The Gentleman from Jasper... Okay. He has withdrawn his question. The Lady moves adoption of House Joint Resolution 48. No one else seeking recognition. All in favor say 'yes'; opposed say 'no'. The 'yesses' have it. And House Joint Resolution 48 is adopted. Our next voice vote will be on Representative Coulson's Bill, House Joint Resolution 50. And I believe this will recall a... a recorded Roll Call vote. Mr. Clerk, read the Resolution."

Clerk Bolin: "House Joint Resolution 50 creates the Illinois Part C Early Intervention Task Force to partner with the Department of Human Services to undertake a comprehensive and thorough review of the early intervention system and develop recommendations and an action plan to address issues related to workforce, financing, monitoring, evaluations, service delivery and transitions."

Speaker Mautino: "The Lady from Cook, Representative Coulson."

Coulson: "Thank... thank you, Mr. Speaker. This Resolution, just as the Clerk read, is basically because it's been about 10 years since we've looked at the early intervention system. We've been getting calls and letters related to workforce, financing, monitoring, and service delivery. We have had several Bills and I would like to do a comprehensive review of how we need to make the system continue to work for the children of the State of Illinois. And I'd urge an 'aye' vote."

STATE OF ILLINOIS
96th GENERAL ASSEMBLY
HOUSE OF REPRESENTATIVES
TRANSCRIPTION DEBATE

63rd Legislative Day

5/28/2009

Speaker Mautino: "The Lady has moved adoption of House Joint Resolution 50. This will require a Roll Call vote. All in favor vote 'yes'; opposed 'no'. Voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Mr. Clerk... Mr. Clerk, take the record. 116 voting 'yes', 0 voting 'no', 0 voting 'present', House Joint Resolution 50 is declared adopted. Page 27 of the Calendar is House Joint Resolution 51, Representative Thapedi. There is a Floor Amendment."

Thapedi: "Thank you..."

Speaker Mautino: "Mr. Clerk, read the Resolution."

Clerk Bolin: "House Joint Resolution 51 creates the Interstate Gun Trafficking Task Force within the Illinois State Police. Floor Amendment #1, offered by Representative Thapedi, has been approved for consideration."

Speaker Mautino: "The Gentleman from Cook, Representative Thapedi on Floor Amendment #1."

Thapedi: "Thank you, Mr. Speaker and Members of the House. House Joint Resolution 51 does exactly what the Clerk said that it creates the Interstate Gun Trafficking Task Force. Amendment #1 is as a result of an agreement between myself, the National Rifle Association and the Illinois State Rifle Association to add 2 additional seats on to the task force making it a total of 13 and also, making a change in the body of the Resolution indicating that the number of Chicago Public School students that have died has increased from 29 to 36. And I urge its adoption, at least with respect to Amendment #1 at this time."

STATE OF ILLINOIS
96th GENERAL ASSEMBLY
HOUSE OF REPRESENTATIVES
TRANSCRIPTION DEBATE

63rd Legislative Day

5/28/2009

Speaker Mautino: "The Gentleman has moved adoption of Floor Amendment #1. And on that question, the Gentleman from Jasper, Representative Reis."

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

Speaker Mautino: "He indicates he will."

Reis: "Representative, you said that you added some positions on this Bill."

Thapedi: "Yes."

Reis: "Who did you add to the list of... of people that were in the original Bill?"

Thapedi: "The two additional seats... the two additional seats are one from the Illinois Association of Chiefs of Police and the second additional seat is the Illinois Sheriffs' Association. Those were both made at the request of the NRA and the ISRA."

Reis: "But the NRA is not in favor of your Joint Resolution as worded are... They were just made recommendations."

Thapedi: "Okay."

Reis: "Did they make additional recommendations for being on this task force?"

Thapedi: "No."

Reis: "Well, let me... Let's listen up, folks. Let's read who's on this supposedly uncommitted task force: the director of State Police, the Attorney General, Cook County State's Attorney, Cook County Sheriff, Superintendent of Chicago Public Schools, the police department, three appointees by the Governor, three appointees by the mayor of Chicago and executive director of the Illinois Association of Chiefs of Police and the director of the Sheriffs' Association."

STATE OF ILLINOIS
96th GENERAL ASSEMBLY
HOUSE OF REPRESENTATIVES
TRANSCRIPTION DEBATE

63rd Legislative Day

5/28/2009

Ladies and Gentlemen of the House, we know what the outcome of this task force is going to be with the makeup like that. I think that there should be some people who offer opposing views of maybe what's going to be recommended in this report, because with the people that are on this committee or task force, you know, they could say we got to ban guns and we recommend it. No. I mean, I think that there's... Representative Reboletti's going to talk about another Amendment we have to make this task force more balanced so that all sides can be heard and more of a accurate assessment of what really needs to be done can come from this task force."

Thapedi: "I can appreciate your comments, Representative, but I think that what you're missing here is that this is a law enforcement-based task force. So, if there are any..."

Reis: "All from Chicago."

Thapedi: "Well... It's not all from Chicago. If there are any other law enforcement agencies that you think that need to be included in the task force that will reflect the true value and nature of the State of Illinois, please let me know. That was the first thing that I did. I reached out to everyone on your side of the aisle as well as my side of the aisle to find out if we truly had included all of those individuals in law enforcement that needed to be there. And after speaking with the NRA and after speaking with the ISRA, they indicated there was not enough law enforcement representation as far as downstate is concerned. So, if they've created or at least gave some recommendations for

STATE OF ILLINOIS
96th GENERAL ASSEMBLY
HOUSE OF REPRESENTATIVES
TRANSCRIPTION DEBATE

63rd Legislative Day

5/28/2009

additional members and we picked up those two additional members which covers the entire state."

Reis: "But they're still opposed to your Resolution the way it is worded. They've contacted us and that's why we're standing up. I mean, most of these Resolutions are flying through so. With re... with... back to the Resolution, Mr. Speaker. I think this needs some more work before it leaves this chamber so that whatever comes out of this task force is more accurately reflective of what really needs to happen. And with that, I would ask for a recorded vote on this Resolution with verification of vote."

Speaker Mautino: "Further questions? The Gentleman from Cook, Representative Osterman."

Osterman: "I'm glad the previous Sponsor (sic-speaker) wanted a Roll Call vote on this. That's something that every person in the State of Illinois should watch and see. So, Representative, that's a great move and I'm glad that everyone in this state will know who would be against this. Now, Ladies and Gentlemen of the House, we argue these issues out time and time again and this is a task force to look at gun trafficking. Members on the other side of the aisle have gotten up time and again and talked about firearms coming from Mississippi, firearms coming from Indiana, firearms coming from everywhere else but Illinois. So... And I would recommend that one of the groups on here is the sheriffs' organization who, this year, has endorsed conceal and carry. Bottom line is that any recommendation before this task force will come back to all of us. So, we study issues left and right all the time, and all of us

STATE OF ILLINOIS
96th GENERAL ASSEMBLY
HOUSE OF REPRESENTATIVES
TRANSCRIPTION DEBATE

63rd Legislative Day

5/28/2009

should not be afraid of truthful information. We will all look at the data on this and all of us will make our recommendations on ultimately what comes out of this task force, but we should not be afraid of having people study a significant problem of... of what, bringing illegal firearms into our state. So, with that, I would encourage an 'aye' vote and I strongly recommend a recorded rote on... vote on this so that every member of the State of Illinois who lives here can see how people vote."

Speaker Mautino: "Excuse me. Don't hit your buttons yet. The Chair admonishes itself. A little quick on the trigger. The Gentleman from Champaign, Representative Rose."

Rose: "Representative... Mr. Speaker, may I ask some questions of the Sponsor?"

Speaker Mautino: "Certainly."

Rose: "Mr. Thapedi, first of all, in the few months that you've been here I've found you to be a very fair individual and a thoughtful individual and enjoyed serving with you on the Judiciary Committee. Is there a reason why we've left off, say, the State Rifle Association off the committee to ask the... the task force membership?"

Thapedi: "Yeah. But the... Yeah, Mr. Rose. Again, please understand that the concept here that this is a law enforcement based task force. These are the professionals that understand this better than any of us in the chamber and I think it's important for me to note that the ATF recently completed a study spanning and analyzing a five-year time period. And ATF found that 43 percent of all of the weapons seized in five police districts in the City of

STATE OF ILLINOIS
96th GENERAL ASSEMBLY
HOUSE OF REPRESENTATIVES
TRANSCRIPTION DEBATE

63rd Legislative Day

5/28/2009

Chicago came from Mississippi, so clearly we have a problem. And one of the things that I did that when we were first crafting the language here was and then I went to all of my colleagues that line I57 and line I55 to talk with them about this issue. And I got varying opinions as to whether or not this was a viable vehicle to conduct this study, but I don't think that there's any other way for us to do this. I mean..."

Rose: "Well..."

Thapedi: "...I gu..."

Rose: "...and my short... obviously, my humble suggestion, quite frankly, would be to add a couple slots for the gun owners of the State of Illinois to make sure they have fair representation at the table. I mean, I don't know that that is, again, out of line. I mean, you've got law enforcement on this and law enforcement, as you know, on some subjects like conceal and carry is all over the place. The Sheriffs' Association supports conceal and carry."

Thapedi: "Sure, sure."

Rose: "So, I guess my point is, if we're going to do this and I don't particularly have a objection of doing it. I think the data would be... would be useful. If for no other reason, then tracking and stopping the illegal trafficking in guns and... but we should have a fair process and a fair representation on this commission that... and have some gun owners at the table or some of the groups that represent gun owners and sportsmen in this state."

Thapedi: "Well, again, I think that this is not a matter of the progun, antigun lobby, that's... that's not what we're

STATE OF ILLINOIS
96th GENERAL ASSEMBLY
HOUSE OF REPRESENTATIVES
TRANSCRIPTION DEBATE

63rd Legislative Day

5/28/2009

talking about here today. We're talking about addressing an issue that we have a... a factual basis to recognize that we have a problem. And the only way to come up with a solution is not for us to battle, Representative Rose, it's for us to work together and the way that we work together is that we bring those law enforcement officials, in from all across the state, not just the City of Chicago, not Cairo, all over the state. That's why we agreed to include the other law enforcement agencies that were recommended by NRA."

Rose: "Well, Representative, well, what... what would it hurt to include a few sportsmen on the commission? I mean, look, well, we don't want illegal guns on our streets."

Thapedi: "Sure."

Rose: "We want to stop that. We want to help you stop the trafficking of illegal guns, so what... what does it hurt to have the Illinois State Rifle Association, say, at the table?"

Thapedi: "Because that's not the purpose here. If the Illinois Rifle Association wants a seat and the Illinois Council Against Gun Violence would want a seat, then everyone else. That's not the purpose here. The purpose here is to keep it law enforcement-based, and if you can identify another law enforcement agency for me that needs to be included, I'm all ears."

Rose: "Well, I have a few sheriffs who may be very interested in being on this, actually, but that's... that's beside the point. Representative, all I would say it is, if you want a solution, which I think is what you want, and like I said

STATE OF ILLINOIS
96th GENERAL ASSEMBLY
HOUSE OF REPRESENTATIVES
TRANSCRIPTION DEBATE

63rd Legislative Day

5/28/2009

I... I... in the, you know, in the five months you've been here I've developed an immense amount of respect for you as an individual... but if you want a solution, then you're going to need to have all the people at the table and that's my only thought, Sir. And obviously, it sounds like you want to proceed on this as is, but I just disagree with you. I don't think you'll get as good of a solution as you could otherwise get had you had some of the sportsmen of the state at the table looking to help you do what you want to do. So, with that, I'll conclude. Thank you, Mr. Speaker."

Thapedi: "If I may respond to that. I do appreciate that comment, but I guess as a freshman I'm a little bit more optimistic rather than pessimistic. So, we'll see how it goes."

Rose: "Try being here for seven years, Representative."

Speaker Mautino: "Further questions? The Gentleman from Winnebago, Representative Sacia."

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

Speaker Mautino: "He indicates he will."

Sacia: "Sadly, my seatmate, Mr. Thapedi, has a... I truly respect where his Resolution is coming from, but a Gentleman from Cook spoke a short time ago, a Gentleman that is well-known for being adamantly opposed to anything to do with the Second Amendment, and though I honestly believe, Representative Thapedi, that in no way do you want this to become an issue about progun or antigun, the line has been drawn in the sand, not by you, Sir, but it has been drawn in the sand. I would have previously supported your

STATE OF ILLINOIS
96th GENERAL ASSEMBLY
HOUSE OF REPRESENTATIVES
TRANSCRIPTION DEBATE

63rd Legislative Day

5/28/2009

Resolution. I now feel that I have to be a 'no' and again, as Representative Rose said, with profound respect for you, I know where you're going with this, but there is not enough people at the table. I can adamantly state, unequivocally, law enforcement in the Chicago area will absolutely be anti any type of movement of guns. Those of us in downstate Illinois, who are very pro-Second Amendment, are now going to be looking at this Resolution as a mandate for or against the Second Amendment. I... I don't... I know that isn't what you want this to be."

Thapedi: "No, no."

Sacia: "I absolutely know that..."

Thapedi: "No."

Sacia: "...but I see it happening, Sir. And for the sake of your... for the sake of your Resolution, I would respectfully ask that we somehow add some members. So, again, as Representative Rose so eloquently stated, we need someone on this committee to give it balance. And I really think that is a significant issue."

Thapedi: "Well, thank you, Mr. Sacia and you and I have developed quite a relationship in sitting next to each other and... and I would point out to you that the Governor has three seats that he can select. And you'll note that the Governor selects three individuals who represent federal, suburban, or downstate law enforcement officials. So, I would encourage you, that if we are successful this afternoon, to reach out to the Governor and as I've made that challenge, that if I've left out any law enforcement agencies to provide that balance that you're looking for,

STATE OF ILLINOIS
96th GENERAL ASSEMBLY
HOUSE OF REPRESENTATIVES
TRANSCRIPTION DEBATE

63rd Legislative Day

5/28/2009

those three selections by the Governor should be able to handle that."

Sacia: "I... I respect, again, where you're coming from. I respect the motives of your objective, but very respectfully, Sir, I will have to be a 'no' on your Resolution simply because it has grown, in no way because of your efforts, but it absolutely is becoming a pro or antigun issue. Thank you."

Speaker Mautino: "Members of the House, as interest has seemed to have grown on this Amendment exponentially, I'm seeking leave to turn on the timer. I will do that for the next, oh, dozen seats... speakers. Representative Reboletti."

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

Speaker Mautino: "Yes."

Reboletti: "Representative, when I joined you as a Chief cosponsor, it was for the purpose of looking at gun trafficking. And I think I join Representative Sacia and I should have seen that as an oversight that we should have some members from each caucus. And obviously, we have folks on both sides of the aisle that have served in law enforcement, that represent diverse areas of the state, and I think that they would bring a different mindset from law enforcement, but you also have three seats from the mayor of Chicago, you have Chicago schools. So, I think that maybe some other representation and I think maybe this could get close to a more unanimous consent here than potentially fail. And I think the bigger picture is that we want to deal with the issues of gun trafficking, as my friend from Cook County said earlier about the guns that

STATE OF ILLINOIS
96th GENERAL ASSEMBLY
HOUSE OF REPRESENTATIVES
TRANSCRIPTION DEBATE

63rd Legislative Day

5/28/2009

come from Mississippi and that come from Indiana and that come from other states, I just think it's something that we can all work on and it doesn't cost anything to add an additional eight members. So, I would.. I would urge you to consider that before this... this Bill is moved or this Resolution is moved. Would you consider... would you consider taking it out of the record and consider adding at least some members from each caucus?"

Thapedi: "Unfortunately, because of... For an example, yesterday, I was looking in the paper and four teenagers were shot and killed right around the corner from my house. Ultimately, we're going to have to come up with a solution. We're going to have to do that. And as a freshman looking at these issues again, again, and again, I'm seeing that, as Mr. Sacia said, that there's a line drawn. This is not to create a line of demarcation between the two Parties. That's not the purpose here. The purpose here is to get law enforcement involved and figure out what is going on. Why are 43 percent of the weapons seized in Chicago coming from as far away as Mississippi? Why is that? Why is that? I don't know the answer to that question. I don't think that anyone in this chamber knows the answer to that question. So, this is something that needs to be studied. We need to come up with a Resolution, not tomorrow, but now."

Reboletti: "Why, I appreciate that. We can... but before you were here other folks had opportunities to do the same thing and I spent eight years prosecuting gang crimes and gun crimes and I would think that if Leader Cross was to

STATE OF ILLINOIS
96th GENERAL ASSEMBLY
HOUSE OF REPRESENTATIVES
TRANSCRIPTION DEBATE

63rd Legislative Day

5/28/2009

appoint me and I would bring a suburban perspective, I would bring a law enforcement perspective in an opportunity to work with law enforcement and work with Chicago Public Schools. I don't want to see anybody killed on the streets of Chicago or of the State of Illinois, nobody does here. We're tired of seeing that. So, why don't we allow the Leaders, Speaker Madigan, Leader Cross, to be able to appoint some Members to this committee. I think it's pretty simple. Speaker Madigan could simply add people from Chicago or downstate, one from downstate, one from Chicago; it'd be his pleasure. I don't think it hurts the Resolution. I think it helps the Resolution and I think it brings more minds to the table that are prepared to deal with this issue."

Thapedi: "Once again, Mr. Reboletti, I am far more optimistic than I think you are on this issue. So, I guess we can continue with the debate and let's see how it goes."

Reboletti: "Well, that's fine, but I don't think the task force, if it passes out of here today, is not going to stop... stop gun violence on the streets of Chicago or the State of Illinois."

Thapedi: "Then what is? What is?"

Reboletti: "Well, law enforcement and I worked on it for eight years, Representative, and..."

Thapedi: "I'm waiting for a solution."

Reboletti: "Well..."

Thapedi: "I've been here now for five months and as we continue to fight, I continue to see children die in the streets. When are we going to come up with a resolution?"

STATE OF ILLINOIS
96th GENERAL ASSEMBLY
HOUSE OF REPRESENTATIVES
TRANSCRIPTION DEBATE

63rd Legislative Day

5/28/2009

Reboletti: "Representative, I dedicated..."

Thapedi: "It seems that anything that we propose on one side of the aisle is slammed by the other side of the aisle."

Reboletti: "I don't think it's a one side of the aisle issue Representative..."

Thapedi: "And whatever one side of the aisle proposes..."

Reboletti: "...with all due respect."

Thapedi: "...the other side slams it. Ultimately, we're going to have to come to an accord. We're going to have to do that and I'm not afraid to try to reach an accord. So, let's do that today. Let's do it."

Reboletti: "Well, these are illegal guns that we're looking at in the first place, so I don't understand why a couple more people at the table is going to make such a big difference. So, if this is not a partisan issue, Representative, with all due respect, there are Members on both sides of the issue... on both sides of the aisle that... that are concerned about the Second Amendment, that are concerned about the safety of our neighborhoods. I don't think it's one Party slamming the other Party. I don't... I think that's... that's a red herring here. I think it's a matter of letting Leadership appoint a couple more people. I think bringing more minds would be... would be helpful and I would prefer not to have to remove myself from this Resolution when I think that myself and other folks that have been prosecutors and police officers on this House Floor would be able to add some type of value. So, I would urge you to reconsider that, Representative."

Thapedi: "Okay."

STATE OF ILLINOIS
96th GENERAL ASSEMBLY
HOUSE OF REPRESENTATIVES
TRANSCRIPTION DEBATE

63rd Legislative Day

5/28/2009

Speaker Mautino: "The Gentleman's time has expired. The next speaker will be Representative Riley."

Riley: "Thank you, Mr. Speaker. Basically, just to the Bill and I think that the Sponsor has done a good job. And you know, I would attribute the whole thing about being a freshman, Representative, I don't think that you all of a sudden got smart just because you came down to Springfield. I'd like to think that you knew a lot about policy analysis prior to coming down here. I don't know why we're trying to sort of anthropomorphize some of these positions, but I can tell you... I can tell you that I knew at least two or three people who you've listed here and I can attest to you that their views on the Second Amendment were probably ones that some of the opponents of this Resolution would agree with, previous people sitting in these positions. I think this is a good Resolution and I do think that it's a great start. I do think we need to analyze what's happening with regard to these illegal guns coming into the... into the state. And I will wholeheartedly support your Resolution."

Speaker Mautino: "Further discussion? Representative Gordon."

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

Speaker Mautino: "The Gentleman indicates he will."

Gordon, C.: "Counselor, how are you?"

Thapedi: "I'm doing well, counselor, how are you?"

Gordon, C.: "Good. There's a couple things that I would like to make clear to you, first of all. You've indicated... you keep saying one side of the aisle or the other side of the aisle. I'm sitting on the same side of the aisle as you have, okay, and you're looking at me right now, but you're

STATE OF ILLINOIS
96th GENERAL ASSEMBLY
HOUSE OF REPRESENTATIVES
TRANSCRIPTION DEBATE

63rd Legislative Day

5/28/2009

looking at me as a Democrat with an A+ rating with the National Rifle Association. Okay?"

Thapedi: "All right. Well... well..."

Gordon, C.: "But I'm also going to tell you you're look..."

Thapedi: "Well, as a matter of clarification, I'm actually sitting on the other side of the aisle. I'm on my..."

Gordon, C.: "I understand that."

Thapedi: "...I'm on my own special island and I serve as a conduit between both sides of the aisle..."

Gordon, C.: "But al..."

Thapedi: "...that's why I didn't think that we were going to have this many problems."

Gordon, C.: "Right. But I also want to tell you, like Representative Reboletti, I was a prosecutor for many, many years and prosecuted the same type of criminals that he did. And I will tell you that I never prosecuted a gangbanger with a FOID card. So, it was all illegal guns, illegally owned guns who committed the crimes, who killed those children in Chicago over the weekend. It was the illegal guns in this state that committed those crimes. Do... Would you agree with me at this point?"

Thapedi: "All I can agree with are the findings that I've seen from ATF which I've cited, so I would have to agree with you that that is a big problem."

Gordon, C.: "Okay. And there's something else. You've also said that you're very optimistic as a freshman being down here. I love that. I love to see that. There's still some of us who've... who've been here for a shorter period of time and a very longer period of time, I'm not going to go

STATE OF ILLINOIS
96th GENERAL ASSEMBLY
HOUSE OF REPRESENTATIVES
TRANSCRIPTION DEBATE

63rd Legislative Day

5/28/2009

through those names because then they're all going to hit their button and we're never going to get out of here, but I will tell you that it is very, very odd, very odd, to form this type of a task force and not have the Leaders, both the Minority Leader and the Majority Leader, not have the ability to put people on this task force, to not have the Speaker and to not have Representative Cross have people at the table. Now, I can completely understand why the State Rifle Association, why the NRA, why the Citizens Against Handgun Violence may not have the ability to appoint members, but it is very, very odd to not give that ability to the Leaders in this chamber. And there are many, many examples of that. Okay? Now, would you want people... and because that truly would give a state view. Now, you do have the SheriffS' Association and we have sheriffs in all 102 counties, but you're also giving a special person from the Cook County Sheriff's office. Why is that?"

Thapedi: "Forty-three percent of the weapons that have been seized in five police districts come from out of state in Chicago. That's where all the murders are occurring, counselor."

Gordon, C.: "In my district..."

Thapedi: "You know that."

Gordon, C.: "...in my district and in Representative Dugan's district, this is about gun trafficking."

Thapedi: "Correct."

Gordon, C.: "We're losing sight of what this is about. This is about gun trafficking. In my district and in

STATE OF ILLINOIS
96th GENERAL ASSEMBLY
HOUSE OF REPRESENTATIVES
TRANSCRIPTION DEBATE

63rd Legislative Day

5/28/2009

Representative Dugan's district, and then it goes as far over as Representative Mautino's district, you have the main veins of where those tra... guns are being trafficked come from. I've got Ro... I55; I've got I80. We've got I39 that runs right into Rockford and then further over we've got I57. Those are the main veins that are running into your city. Why wouldn't you want the people that are coming from downstate running right through my district..."

Speaker Mautino: "The Lady's time has expired. Representative Colvin, the Gentleman from Cook."

Colvin: "Thank you, Mr. Speaker. To the Bill. Mr. Speaker, I guess one of the earlier speakers commented on the fact that he's been here seven years, well, so have I. And for seven years, seven Sessions, I've watched the same people debate the same Bills with the same outcomes. In fact, it's become sort of like a bad play that all of us miserably have to sit through and we know what the final act is going to yield year after year after year. Finally, we have an individual, a Gentleman, very smart, articulate, who is trying to move this debate in a different direction, trying to sit down and reasonably discuss the issue of illegal guns in a city that is a magnet for so many illegal weapons and used in so many disastrous ways that ruins families and communities, hurt schools, families, churches and all. I think what he's asking for here is well thought out and all very... all too reasonable. As I look at those who are appointing members to the task force, many of which are statewide organizations, I think he's done a very good job and has thought this out very well. However, I will

STATE OF ILLINOIS
96th GENERAL ASSEMBLY
HOUSE OF REPRESENTATIVES
TRANSCRIPTION DEBATE

63rd Legislative Day

5/28/2009

say that as I look at this task force, what is going to be their job but to advance legislation that will come back here that will be not argued among law enforcers, but lawmakers, lawmakers, and to that point, I think that some of the folks who have spoke today just may have a point. On the other side of the aisle, to my downstate colleagues who often participate in this seven-year play and actually it's been going on a lot longer than I've been here, but for the seven years I've done a... had a ticket to the play on gun debate down here, I think it is a little bit reasonable. That on the front end, the hassle of our colleagues who are lawmakers, not necessarily law enforcement, but who are lawmakers, to sit at the front end of this debate so that we don't come, once again, and add to another season of the tremendous play in 2009, and 2010, 2011 to have those individuals at the front end. So, it may be a reasonable request to allow those individuals who think that to have the opportunity to serve on such a task force so that we can take this play off of this stage, put it among those who are truly, truly interested in working on and developing a reasonable solution to try to come up with a way to stem the tide of illegal guns into the City of Chicago and Cook County where the problem is most acute. So, I would simply comment to the Sponsor. I don't think that's a request that's unreasonable, something that certainly is worth consideration, taken into light the time in debate of the Session. If it's something that can be considered and all parts can agree on, it's something that's certainly worth discussion, but to the point of what

STATE OF ILLINOIS
96th GENERAL ASSEMBLY
HOUSE OF REPRESENTATIVES
TRANSCRIPTION DEBATE

63rd Legislative Day

5/28/2009

he has done here, I think is a very good piece of legislation, very well-thought-out and very timely. Thank you."

Speaker Mautino: "The Gentleman from Bond, Leader Stephens is seeking recognition. A Roll Call on the Amendment has been requested and will be honored."

Stephens: "Well, thank you. Just a couple of things. First of all the Sponsor of the Resolution talked to us about this and went to some of the interested parties and I think there's a misunderstanding. He did make some changes in the Resolution and in the number of... and the membership, but my understanding is, at this point and I just shared this with him personally, that the Illinois Rifle Association is still in opposition. That is what it is. But I did want to recognize that he did try to work with them and... and they're... they're telling us even at this moment that they're still in opposition. I... I apologize for any misunderstanding. The Sponsor's an honorable man. I rise in opposition."

Speaker Mautino: "The Gentleman from... Representative Flider is seeking recognition."

Flider: "Yes. Mr. Speaker, will the Sponsor yield?"

Thapedi: "Yes."

Speaker Mautino: "Indicates he will."

Flider: "Representative, I know a lot of people are coming down and talking to you and trying to, you know, impart their wisdom and I was one of those people and... but I think that I want to share with you a perspective of something that's happened with me this Session with some legislation I had

STATE OF ILLINOIS
96th GENERAL ASSEMBLY
HOUSE OF REPRESENTATIVES
TRANSCRIPTION DEBATE

63rd Legislative Day

5/28/2009

that I think maybe I'd ask you to maybe take into consideration."

Thapedi: "Go right ahead."

Flider: "As I read your legislation, you're... or your Resolution, you're trying to get to the bottom of illegal gun trafficking. You're trying to stop that."

Thapedi: "Well, I'm not necessarily trying to... we're trying to study it. Don't put the cart before the horse. We're trying to figure out where these illegal weapons are coming from and we're doing an analysis of that, but..."

Flider: "Okay."

Thapedi: "...with that caveat, please continue."

Flider: "Okay. So, we're trying to find out where the illegal weapons are coming from. I had a piece of legislation this year that was brought to me by the family of a young man who was killed in a drive-by shooting in Decatur a couple years ago and I was a little concerned that their idea which would be trying to create a new law, which created a new offense of the use of a stolen firearm in the commission of a crime, that, you know, maybe some of the gun... the NRA and the State Rifle Association, so it might... might take offense to that, but in fact what they did was they supported that legislation. They came to committee and they supported that legislation and the reason that they supported that legislation because law-abiding gun owners above all else do not want to see weapons stolen. They do not support illegal use of weapons. Law-abiding gun owners above all else want to see people who use weapons in the commission of a crime, they want to see them

STATE OF ILLINOIS
96th GENERAL ASSEMBLY
HOUSE OF REPRESENTATIVES
TRANSCRIPTION DEBATE

63rd Legislative Day

5/28/2009

thrown in jail and they want to see, not only federal charges, but state charges. So, I guess the only point I'd say here is that you're trying to look at something that's illegal, the trafficking of firearms is illegal and the Rifle Association and the NRA have more at stake, more to gain because they represent gun owners whose weapons are being stolen. They have a lot at stake. They would want to help you with this, 'cause they would want to stop people from stealing weapons; they would want to stop the crime. And I really would encourage you, you could get probably every vote in this chamber if you would just be more inclusive in terms of your... of who you would like to be on this committee. And I would think you'd want every vote."

Speaker Mautino: "I would ask the Members to refrain or keep their comments on the Amendment that we're addressing as opposed to the underlying Bill."

Flider: "So, my request would be... I think it'd just be... if you'd take this out of the record, consider an Amendment to this to be more inclusive, you'll get every vote in this chamber. Please consider that. Thank you."

Speaker Mautino: "Our next speaker, the Gentleman from Fulton, Representative Smith. Representative Smith is seeking recognition."

Smith: "Thank you, Mr. Speaker. I move the previous question."

Speaker Mautino: "The previous question has been moved. There has been a request for a Roll Call on Floor Amendment #1. Representative Thapedi to close."

STATE OF ILLINOIS
96th GENERAL ASSEMBLY
HOUSE OF REPRESENTATIVES
TRANSCRIPTION DEBATE

63rd Legislative Day

5/28/2009

Thapedi: "Well, I can certainly appreciate the spirited debate that we've heard here this afternoon. This is, obviously, a very difficult issue. I've learned that... Mr. Speaker, if I could have a little order in the chamber, please."

Speaker Mautino: "Please give the Gentleman your attention."

Thapedi: "As I was saying, this is obviously a very difficult issue that we have been dealing with in Springfield for... for quite sometime and it appears that we're always going to have that line in the sand, but ultimately we're going to have to come to some type of an accord. Ultimately, we're going to have to come to some sense of resolution. And I simply ask you all to look at this Resolution for what it is and what it is is it's creating a task force and the purpose of the task force is very simple, to study the measures to reduce illegal trafficking of weapons into Illinois. That is the gist of it. There's nothing much more to it and I would ask you to vote 'aye' in favor of this Resolution. Mr. Speaker, on the advice of counsel, I'd like to pull this out of the record."

Speaker Mautino: "The Gentleman has asked the Bill be taken from the record. On page 27 of the Calendar appears House Joint Resolution 53, Representative Verschoore. Mr. Clerk, read the Resolution."

Clerk Bolin: "House Joint Resolution 53 creates the four-day school week task force to study the feasibility of a four-day school week in school districts in this state."

Speaker Mautino: "Representative Verschoore moves adoption of House Joint Resolution 53. Mr. Verschoore."

STATE OF ILLINOIS
96th GENERAL ASSEMBLY
HOUSE OF REPRESENTATIVES
TRANSCRIPTION DEBATE

63rd Legislative Day

5/28/2009

Verschoore: "Thank you, Mr. Speaker and Ladies and Gentlemen. Pretty forthright Resolution here. I come from a district that has probably two of the largest school districts area wise in the state and I had the superintendents asking me about the feasibility of a four-day work week... or four-day school week. And I... I had looked or have been reading in the paper, there's several areas of the country that already have a four-day school week."

Speaker Mautino: "Excuse me. I would ask the Members of the House to please give your attention to Representative Verschoore, keep down the conversations and would staff move the conversations to the back of the chamber. Representative Verschoore"

Verschoore: "As you can see on the... on the pres... on the analysis there who would be involved in discussing this feasibility of this. I think everyone knows that earlier last year when we had four dollar diesel fuel or above and most every school district their buses run diesel fuel it was quite a hardship on them and as we all well know we're not funding schools like we should be anyhow. So, I originally had this as a Bill. I couldn't get it out of committee, so I relined it and asked if we could do a... a Resolution to form a task force to study this and see if there would be a possibility, on a strictly voluntary basis, I know not all areas would want this, but with a voluntary basis it might... might be a good thing for rural areas. I'd be glad to ask any questions and be happy to answer those."

STATE OF ILLINOIS
96th GENERAL ASSEMBLY
HOUSE OF REPRESENTATIVES
TRANSCRIPTION DEBATE

63rd Legislative Day

5/28/2009

Speaker Mautino: "The Gentleman from Rock Island has moved adoption of House Joint Resolution 53. And on that question, the Gentleman from Vermilion, Representative Black."

Black: "Thank you very much, Mr. Speaker and Ladies and Gentlemen of the House. I appreciate Representative Verschoore letting me be a cosponsor of this Resolution. I have a... a Bill as well tied up in Rules. Ladies and Gentlemen of the House, this doesn't mandate anything. It doesn't say that they're going to go to a four-day school week. We'd have to come back to the General Assembly. We'd have to make sure we had everything worked out with the State Board of Education. But I can tell you, this... this needs to be studied. There are some smaller downstate rural districts that I don't believe are going to get through the traditional five-day week all of the next school year. I commend the Sponsor. He and I had similar Bills, but at least this is being voted on and we'll put it out there and we'll try to get you factual information so that we can make an informed decision. These schools aren't asking this because they don't have anything else to do. They are simply running out of money to be able to run their school buses up and down the rural roads two-, three- four hundred miles a day every day and if they can meet the curricular requirements and the student contact hours and everything that would be required of them and could do this in a four-day week, then perhaps the General Assembly and the state board will, in fact, decide that some could do that. Many states have already done this. Many private

STATE OF ILLINOIS
96th GENERAL ASSEMBLY
HOUSE OF REPRESENTATIVES
TRANSCRIPTION DEBATE

63rd Legislative Day

5/28/2009

businesses have already done this in order to save money. This doesn't commit you to anything but to try and find out what's going on and what might be a solution to a situation that's only getting worse the longer and longer we wait on it. I commend the Sponsor. I hope you vote 'aye'."

Speaker Mautino: "The Lady from Cook, Monique Davis is seeking recognition. Representative Davis."

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

Speaker Mautino: "Indicates he will."

Davis, M.: "Representative, did I hear you correctly that you are considering studying a four-day wo... school week for children in Illinois?"

Verschoore: "Yes."

Davis, M.: "Here we are, don't want to pass a tax increase, but we're willing to talk about decreasing educational opportunities for our children. If this Bill passes, this crap will spread all over the state. You need to be increasing the number of hours and days kids go to school. You don't want our children prepared, to compete. You don't want them to compete worldwide? Talk about, we don't have enough money to have a five-day school week. Some of the kids even go to school five and a half hours instead of six. It's a tragedy... it's a tragedy to put everything up before our kids and their education. You don't want to pass a tax increase, but you want to pass a four-day school day (sic-week). That is a tragedy to even think about it, to even consider it. Is that where this state is heading? Is that where we're heading? Now, you say this is just a study. Well, that's exactly what Mr. Thapedi had, a study.

STATE OF ILLINOIS
96th GENERAL ASSEMBLY
HOUSE OF REPRESENTATIVES
TRANSCRIPTION DEBATE

63rd Legislative Day

5/28/2009

Now, if his study is dangerous, this one is dangerous and it's more dangerous. The first place a four-day work week will land will be Chicago. This should not even be considered. Ladies and Gentlemen, where are your children compared to the rest of the world today in education? Japanese children are going to school more than four days a week. French children are going to school more than four days a week. Many of them are going eight hours a day and ours are not even putting in an eight-hour day. This is absurd. I urge a 'no' vote."

Verschoore: "Rep..."

Speaker Mautino: "Further questions? The Gentleman from Crawford, Representative Eddy."

Eddy: "Thank you, Mr. Speaker. I was not going to say a word on this Resolution until the previous speaker just absolutely misconstrued what this does. The Representative is bringing to this Body a task force that is going to study the possibility of a four-day week. There's nothing in this that recommends that we're going to go four days. There's nothing in this that has any mention or any desire to shorten the number of minutes children are educated. And to make a statement that this Resolution in any way, shape, or manner does that is disingenuous at best. There are parts of this state in rural areas that are struggling with diesel prices that they've locked into that are over four dollars a gallon. We're cutting services in education in vocational areas and special education to young people because we cannot afford to transport them and we haven't even received the reimbursement for transportation that's

STATE OF ILLINOIS
96th GENERAL ASSEMBLY
HOUSE OF REPRESENTATIVES
TRANSCRIPTION DEBATE

63rd Legislative Day

5/28/2009

due school districts this year. The Gentleman is bringing to this Body the possibility of studying that problem, that's all. To compare this to the education kids are getting in Germany and the number of hours kids are going to school in Japan, that is... that is every single red herring in the ocean in one place at one time. Support the Gentleman's Motion. This could turn out to be something that sounds good after we study the possibilities. You have to go to school five hours a day, five days a week, 174 days a year. This doesn't change that. Maybe there's ways to even increase educational opportunities doing this. The previous speaker is... just misconstrued the entire intent of this Resolution. Support the Gentleman's Resolution. If there's good legislation that comes from it, that's great; if it doesn't go anywhere, sometimes that happens, but this is a... this is a good start. We need to support it. Thank you."

Speaker Mautino: "Further questions? The Gentleman from Cook, Representative Fritchey."

Fritchey: "Thank you, Sponsor... Speaker. To the Resolution. Not surprisingly, I agree with Representative Eddy's comments when it comes to the arena of education. I have no problem and I don't think any of us should have a problem or concern about educators having a task force to study the impacts, positive and negative, of going to a four-day week. They may suggest going to a four-day week and going to a year-round schedule, for all we know. I've got schools in my district, right now, that are going to what's called Track E in the city which is going to put

STATE OF ILLINOIS
96th GENERAL ASSEMBLY
HOUSE OF REPRESENTATIVES
TRANSCRIPTION DEBATE

63rd Legislative Day

5/28/2009

them in a year-round school year and I think that's a positive thing. We should take a look at these. We should be open-minded on these issues. What is troubling, however, is that the Resolution and the four-day week is being contemplated because of fiscal shortfalls and budget deficits on school districts. Ladies and Gentlemen, we are going to have to realize and Representative Davis had it right, too, we are falling behind not only the rest of the country but the rest of the world when it comes to educating our youth. They are not keeping pace. We are not going to change pace on this in one year or two year or five years. We need to make a commitment and maybe study how we are educating our kids is a proper first step, but we need to step up. The state is going to need at some point in time to meet its obligation and to fund its share of education costs throughout the state so we are not 51st in the country when it comes to adequately funding our school districts. So, the answer is to fix the state's commitment, but a good first step along the way may well be to study what we're doing with our schools. The same thing that happened with Representative Thapedi's Resolution, which I'm still baffled by, that people are worried about a study is really beyond me. Representative Black indicated too that this would just simply be a study. Any proposals that would come out of it will come back to this Body for consideration, same thing would have happened with Representative Thapedi's Resolution. We don't need to over and pull it aside these things. We don't need to grandstand over task forces. Let's... let... let's let people

STATE OF ILLINOIS
96th GENERAL ASSEMBLY
HOUSE OF REPRESENTATIVES
TRANSCRIPTION DEBATE

63rd Legislative Day

5/28/2009

study these issues. Let's let people that focus and have a expertise in these issues come forward to us with their recommendations and deal accordingly. We can all be adults about this. Thank you."

Speaker Mautino: "Further discussion? The Gentleman from Bond, Representative Stephens."

Stephens: "Well, just briefly, Mr. Speaker. I... I think that some of us might have a problem with this because it's only about the four-day school week. It's not about year-round schooling. It's not about six-day a week schooling. It's not about what are the best ideas that we can come up with. It's just about one concept and so, unless you endorse that concept and if you do that's fine, but if you've got questions about maybe what's the best way to utilize the time and the day in the days of the week and the months of the year. Well, maybe we should look at all of that. And that's why I don't support the Resolution. I think it's a commonsense thing to... if we're going to look at new ways, let's look at all new ways."

Speaker Mautino: "Final question from the Lady from Cook, Representative Mulligan."

Mulligan: "Thank you, Mr. Speaker. To the Resolution. I passed a Bill like this several years ago, just a study and the study was also coordinated with the fact that at that time we were really looking into going a four-day work week. So, there are a lot of different issues around this and I think the study would look at, would a child be able to learn, would it only be good for, say, high school students, because that would give them an extra day to work

STATE OF ILLINOIS
96th GENERAL ASSEMBLY
HOUSE OF REPRESENTATIVES
TRANSCRIPTION DEBATE

63rd Legislative Day

5/28/2009

to earn money for college, would it save rural school districts or not rural school districts anymore, on busing, on heating, on the different things that went in there. This... this... the whole thing might happen that we say no, children can't absorb that much. I have one school that's year-round in my district. I think I agree with the fact that we should probably look at all ways of educating, but I think originally, when I brought this up, we were looking at what a four-day work week would do and a lot of the issues around this and I think there are a lot of things that are worth investigating in this. Some states are going to that. I certainly don't think it is to cut teaching time or to cut time that students are learning because I think that's really important. I do think the United States is falling behind and our state needs improvement in education, but I think we should look at all things that are viable."

Speaker Mautino: "Representative Verschoore to close."

Verschoore: "Well, I didn't mean to start a firestorm here. I was just trying to bring up something that I thought might be... might be useful to study. I mean, it's a... I can... I can sympathize if... I said it's strictly voluntary anyhow is what I would suggest. I mean, if it works in your area, fine; if it doesn't, fine. I would ask for an adoption of the Resolution."

Speaker Mautino: "The Gentleman moves adoption of House Joint Resolution 53. This will require a Roll Call vote. All in favor vote 'yes'; opposed vote 'no'. The voting is open. Have all voted who wish? Have all voted who wish? Have

STATE OF ILLINOIS
96th GENERAL ASSEMBLY
HOUSE OF REPRESENTATIVES
TRANSCRIPTION DEBATE

63rd Legislative Day

5/28/2009

all voted who wish? Mr. Clerk... Representative Brauer, Cultra, Davis. Mr. Clerk... Representative Cultra, do you wish to be recorded? ...take the record. 104 voting 'yes', 10 voting 'no', 1 voting 'present', House Joint Resolution 53 is adopted. Representative Joyce, on page 25 of the Calendar appears House Joint Resolution 14. Read the Resolution."

Clerk Bolin: "House Joint Resolution 14 creates a usury investigation task force to investigate creating new usury legislation and requires the task force to prepare a report to the General Assembly by July 1, 2010."

Speaker Mautino: "The Gentleman moves adoption of House Joint Resolution 14. And on the Resolution, the Gentleman from Cook, Representative Joyce."

Joyce: "Thank you, Mr... Mr. Speaker, Ladies and Gentlemen of the House. House Joint Resolution 14 would simply create a task force to look at whether or not usury legislation should be considered and a report would be submitted to the General Assembly by the... July 1 of 2010. Be happy to answer any questions."

Speaker Mautino: "The Gentleman has moved adoption of House Joint Resolution 14 and on that, Representative Golar. Representative Golar."

Golar: "Thank you, Mr. Speaker. On the previous Resolution for Representative Verschoore's, I was a 'yes'. I would like the record to reflect that I am a 'no'."

Speaker Mautino: "The record will reflect that on House Joint Resolution 53 Representative Golar had intended to be a 'no'. The question is, 'Shall House Joint Resolution 14 be

STATE OF ILLINOIS
96th GENERAL ASSEMBLY
HOUSE OF REPRESENTATIVES
TRANSCRIPTION DEBATE

63rd Legislative Day

5/28/2009

adopted?' All in favor vote 'yes'; opposed vote 'no'. The voting's open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Mr. Clerk, take the record. 116 voting 'yes', 0 voting 'no', 0 voting 'present', House Joint Resolution 14 is declared adopted. On the... page 28 of the Calendar is House Joint Resolution 54, Representative Soto. Mr. Clerk, read the Resolution."

Clerk Bolin: "House Joint Resolution 54 resolves that the Board of Higher Education working in concert with the Illinois Student Assistance Commission and the Illinois Community College Board shall undertake a study of college affordability and funding."

Speaker Mautino: "Representative Soto."

Soto: "Yes. Thank you, Speaker and Members of this House. Yes, I urge an 'aye' vote on House Joint Resolution 54. And I'm open for questions."

Speaker Mautino: "The Lady moves adoption of House Joint Resolution 54. No one seeking recognition, the question is, 'Shall this be adopted?' All in favor vote 'yes'; opposed vote 'no'. The voting's open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Mr. Clerk... Representative Dunkin, do you wish to be recorded? ...take the record. 116 voting 'yes', 0 voting 'no', 0 voting 'present', House Joint Resolution 54 is adopted. Page 26 of the Calendar, House Joint Resolution 44. Place that on the board. Representative Walker. Read the Resolution."

Clerk Bolin: "House Joint Resolution 44 resolves that special funds in the State Treasury that are dedicated for purposes

STATE OF ILLINOIS
96th GENERAL ASSEMBLY
HOUSE OF REPRESENTATIVES
TRANSCRIPTION DEBATE

63rd Legislative Day

5/28/2009

concerning veterans shall not be subject to sweeps, administrative chargebacks, or any other fiscal or budgetary maneuver that would in any way transfer any funds from such special funds into any other fund of the state."

Speaker Mautino: "Representative Walker."

Walker: "Thank you, Mr. Speaker and Members. I'm glad to reopen the discussion of House Joint Resolution 44 to cause the funds that are collected for veterans' programs to be, in fact, not swept and used for other programs. I thank Representative Reis for allowing me as a freshman some learning on the actual legal status of the Resolution. My intention was and I've had it confirmed that what I... I do this Resolution as a very strong recommendation as a communication to the administration that this is what we would like to happen, but not... would not have the force of law as would a Bill. So, I would urge the... that communication. And I would say if you want to join me in that urging, that these funds not be swept, then vote for this Resolution and if you would not, do not."

Speaker Mautino: "The Gentleman moves adoption of House Joint Resolution 44. And on that, all in favor say 'yes'; opposed say 'no'. The 'yeses' have it. And House Joint Resolution 44 is adopted. Representative Lyons... The Gentleman from Vermilion, Representative Black."

Black: "Thank you very much, Mr. Speaker. Let the record reflect that Representative Raymond Poe will be excused for the rest of the evening."

STATE OF ILLINOIS
96th GENERAL ASSEMBLY
HOUSE OF REPRESENTATIVES
TRANSCRIPTION DEBATE

63rd Legislative Day

5/28/2009

Speaker Mautino: "The Clerk will record that Representative Poe is excused for the rest of the evening. And in the Chair, Representative Lyons."

Speaker Lyons: "Mr. Clerk."

Clerk Bolin: "Committee Reports. Representative Currie, Chairperson from the Committee on Rules, to which the following measures were referred, action taken on May 28, 2009, reported the same back with the following recommendation/s: 'approved for consideration' is Amendment #2 to Senate Bill 1434 and Amendment #4 to Senate Bill 1938; also 'approved for consideration' are Motions to Concur. A Motion to Concur with Senate Amendments 1 and 3 to House Bill 2335 and Motions to Concur with Senate Amendment #1 to House Bill 3785."

Speaker Lyons: "Mr. Clerk, on page 10 of the Calendar under Second Readings of Senate Bills is Senate Bill 1434. What's the status of that Bill?"

Clerk Bolin: "Senate Bill 1434, a Bill for an Act concerning transportation. The Bill's been read a second time, previously. Amendment #1 was adopted in committee. Floor Amendment #2, offered by Representative Mautino, has been approved for consideration."

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

Mautino: "Thank you. I move adoption of Floor Amendment #2 to Senate Bill 1434. This represents an agreement on life cycle cough... costing to be used in determining how we choose road materials. I've worked through this negotiation with the Asphalt Paving Association who is now in favor of the Bill, the Concrete Association who is in

STATE OF ILLINOIS
96th GENERAL ASSEMBLY
HOUSE OF REPRESENTATIVES
TRANSCRIPTION DEBATE

63rd Legislative Day

5/28/2009

favor of the Bill and IDOT who worked with us is neutral on the changes. And I'd ask its adoption. And I'd like to move the Bill on Third Reading."

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

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

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

Clerk Bolin: "Senate Bill 1434, a Bill for an Act concerning transportation. Third Reading of this Senate Bill."

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

Mautino: "Thank you. The Bill now represents a... an agreement between the Asphalt Association and the Concrete Association. And it deals with how we choose the materials used to construct our roads. We will be going to using actual data as opposed to assumptions. This is going to represent the use of real data. It is supported by many groups throughout the State of Illinois and it will give us more information on how to better use the taxpayers' dollars. I'd like to leave also part of the statements to Representative Black who helped to negotiate this to final agreement this morning. But it is a great step forward for Illinois and for the taxpayers. Ask for an 'aye' vote."

Speaker Lyons: "The Chair recognizes the Gentleman from Winnebago, Representative Jim Sacia."

STATE OF ILLINOIS
96th GENERAL ASSEMBLY
HOUSE OF REPRESENTATIVES
TRANSCRIPTION DEBATE

63rd Legislative Day

5/28/2009

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

Speaker Lyons: "Sponsor yields."

Sacia: "Representative, just last evening, and you may have already answered it that maybe consensus was arrived at this morning, I got calls from two contractors in my district adamantly opposed to this. They are asphalt folks and they indicated that they were opposed. So, was the agreement just resolved this very day?"

Mautino: "Thank you for bringing that up. And I wanted to let you know that there was a ground force effort that was initiated this morning. So, you may have received those calls. The Asphalt Association is in support."

Sacia: "Great."

Mautino: "Because of the changes we made to the Bill, some which were recommended in Executive Committee the other day on the three remaining issues, they are now all in support of the Bill, not neutral, but supporting it and IDOT is going to institute the life cycle costing."

Sacia: "Thank you, Representative."

Speaker Lyons: "The Gentleman from Peoria, Representative David Leitch."

Leitch: "Thank you. Will the Gentleman yield?"

Speaker Lyons: "Sponsor yields."

Leitch: "What were the changes that caused the asphalt group to change their opinion? 'Cause like others, I heard some very adamant objection to the Bill."

Mautino: "The... the concern was the term of reconstruction of the roads would assume that roads then last forever as opposed to having a defined life cycle which we actually

STATE OF ILLINOIS
96th GENERAL ASSEMBLY
HOUSE OF REPRESENTATIVES
TRANSCRIPTION DEBATE

63rd Legislative Day

5/28/2009

had Senator Risinger, who is an engineer, in the negotiations with us and the IDOT engineers that do the planning. They have removed any language which the asphalt folks thought tied the hands of IDOT. And so we had the IDOT drafters, their engineers in the room along with the asphalt engineers and they agreed that the language that go forward which would be permissive and allow IDOT to make the best choice of what type of material without having the General Assembly decide how to build roads. We let the engineers and IDOT come to the agreement with both of the groups. That's the changes."

Leitch: "Well, I thank you, 'cause that was the primary objection was that the General Assembly rather than the engineers would make these decisions. So, you're suggesting that specific issue was addressed and to their..."

Mautino: "Yes."

Leitch: "...satisfaction?"

Mautino: "Yes. Representative Black and I along with the... with Senator Risinger sat this morning and conducted the negotiation, reached full agreement with all parties and with IDOT and everyone walked away in support of the Bill, not to the level of neutral."

Leitch: "Thank you."

Speaker Lyons: "Representative Black. Representative Mautino to close."

Mautino: "I simply ask for an 'aye' vote on this legislation. It's a long time and it's a great tool to help the taxpayers get the most value for their money and let the

STATE OF ILLINOIS
96th GENERAL ASSEMBLY
HOUSE OF REPRESENTATIVES
TRANSCRIPTION DEBATE

63rd Legislative Day

5/28/2009

true engineers decide what materials to use in our roads.
I ask for 'aye' votes."

Speaker Lyons: "The question is, 'Should Senate Bill 1434 pass?' All those in favor signify by voting 'yes'; those opposed vote 'no'. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Mr. Stephens, Ron. Mr. Clerk, take the record. On this Bill, there are 113 Members voting 'yes', 2 voting 'no'. This Bill, having received the Constitutional Majority, is hereby declared passed. Mr. Clerk, on the Order of Second Reading, on page 13 we have Senate Bill 1938. What's the status of that Bill, Mr. Clerk?"

Clerk Bolin: "Senate Bill 1938, a Bill for an Act concerning courts. The Bill's been read a second time, previously. Amendment #1 was adopted in committee. Floor Amendments 3 and 4 have been approved for consideration. Floor Amendment #3 is offered by Representative Mautino."

Speaker Lyons: "Representative Mautino on Floor Amendment #3 to Senate Bill 1938."

Mautino: "Yes. This is the judges' Bill which has been negotiated over the past two years. Amendment #3 adds in a resident judge for McHenry County and an associate judge in the LaSalle-Bureau-Grundy County Circuit. That has... that associate was removed from there in 1992, was never replaced. That's what this Amendment does. I move its adoption."

Speaker Lyons: "Is there any discussion? Seeing none, the question is, 'Should Floor Amendment #3 be adopted?' All those in favor signify by saying 'yes'; those opposed say

STATE OF ILLINOIS
96th GENERAL ASSEMBLY
HOUSE OF REPRESENTATIVES
TRANSCRIPTION DEBATE

63rd Legislative Day

5/28/2009

'no'. In the opinion of the Chair, the 'ayes' have it. And the Amendment's been adopted. Anything further, Mr. Clerk?"

Clerk Bolin: "Floor Amendment #4 offered by Representative Mautino."

Speaker Lyons: "Representative Mautino on Floor Amendment #4."

Mautino: "Floor Amendment #4 reflects a change or a technical mistake that the Republican staff found in our draft of the... in the last draft of the Bill where we had three ju... three judgeships in the subcircuits. The old language said we were going from four to six. This goes from four to seven. So, it corrects a wrong number."

Speaker Lyons: "There any discussion of Amendment #4? Seeing none, the question is, 'Should it be adopted?' All those in favor signify by saying 'yes'; those opposed say 'no'. In the opinion of the Chair, the 'ayes' have it. And Floor Amendment #4 is adopted. Anything further, Mr. Clerk?"

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

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

Clerk Bolin: "Senate Bill 1938, a Bill for an Act concerning courts. Third Reading of this Senate Bill."

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

Mautino: "This... this Bill creates judgeships throughout... in the subcircuits in Lake, also three subcircuit judges in Will County, resident judge in Kane County, DeKalb County, a resident in Kendall County, a resident judge in Boone County, a resident in Grundy County, McHenry County, an associate in Bureau and an associate in the DeKalb... DeKalb,

STATE OF ILLINOIS
96th GENERAL ASSEMBLY
HOUSE OF REPRESENTATIVES
TRANSCRIPTION DEBATE

63rd Legislative Day

5/28/2009

Kane and Kendall County Circuit, two associates in the DuPage County... in the circuit in DuPage. This has been ongoing for a couple of years. There's been great growth within the... within these regions. When the Bill came over, it had a problem with it where the Supreme Court, one of the judges, could not... one judge could fill vacancies by appointment, the other could not. That's been rectified. We worked between all four caucuses to come to an agreement. The Bill carries a... a cost to it about \$4.5 million and that money... these will be put in place, but that money would have to be funded. This authorizes the positions. It would have to be funded either now or in the future. Ask for 'aye' votes."

Speaker Lyons: "Any discussion? Seeing none, all those in favor of Senate Bill 1938 should vote 'aye'; those opposed vote 'no'. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Representative Joyce. Representative Currie. Shane Cultra. Mr. Clerk, take the record. On this Bill, there's 103 Members voting 'yes', 11 voting 'no'. This Bill, having received the Constitutional Majority, is hereby declared passed. Representative Lang."

Lang: "Thank you, Mr. Speaker. Pursuant to Rule 25, I move to suspend the posting requirements for the following Bills so that they might be heard today in committee: Senate Bill 291, Senate Bill 292, Senate Bill 932, Senate Bill 39, Senate Bill 1858, House Bill 4002, Senate Bill 78, Senate Bill 1050 and Senate Bill 1381."

Speaker Lyons: "The Gentleman's made a mo..."

STATE OF ILLINOIS
96th GENERAL ASSEMBLY
HOUSE OF REPRESENTATIVES
TRANSCRIPTION DEBATE

63rd Legislative Day

5/28/2009

Lang: "Sorry. Let me just alter the Motion. These will be heard on Thursday and on Friday in various committees."

Speaker Lyons: "Representative Lang has made a Motion to suspend posting... Representative Black. Seeing no... no objection, posting for those Bills has been suspended. All those in favor of the Motion signify by saying 'yes'; those opposed say 'aye' (sic-no). In the opinion of the Chair, the 'ayes' have it. And the Motion is... for the suspend posting is passed. Mr. Clerk, Agreed Resolutions."

Clerk Bolin: "Agreed Resolutions. House Resolution 463, offered by Representative McGuire. House Resolution 464, offered by Representative Stephens. House Resolution 465, offered by Representative Stephens. House Resolution 466, offered by Representative Stephens. House Resolution 467, offered by Representative Riley. House Resolution 469, offered by Representative Chapa LaVia. House Resolution 471, offered by Representative Holbrook. House Resolution 473, offered by Representative May. House Resolution 474, offered by Representative Arroyo. House Resolution 475, offered by Representative Hernandez. House Resolution 476, offered by Representative Davis Reis. House Resolution 477, offered by Representative Miller. House Resolution 478, offered by Representative Reboletti."

Speaker Lyons: "Representative Barbara Flynn Currie moves for the adoption of the Agreed Resolutions. All those in favor signify by saying 'yes'; those opposed say 'no'. In the opinion of the Chair, the 'ayes' have it. And the Agreed Resolutions are adopted. Committee announcements, Mr. Clerk. Ladies and Gentlemen, pay attention. We passed out

STATE OF ILLINOIS
96th GENERAL ASSEMBLY
HOUSE OF REPRESENTATIVES
TRANSCRIPTION DEBATE

63rd Legislative Day

5/28/2009

the raspberry colored sheet for committee announcements.
Mr. Clerk."

Clerk Bolin: "The following committees will meet immediately upon adjournment: the Executive Committee will meet in Room 118, the Vehicle Safety Committee will meet in Room 115, the Personnel & Pensions Committee will meet in Room 122B, the Judiciary I-Civil Law Committee will meet in Room C-1, Stratton. The following committees will meet one-half hour following adjournment: the Revenue Committee will meet in Room 122B, the Judiciary II-Criminal Law Committee will meet in Room D-1, and the Human Services... Human Services Committee will meet in Room 114."

Speaker Lyons: "Mr. Black."

Black: "Yes. Mr. Speaker, an inquiry of the Chair."

Speaker Lyons: "Please state your inquiry, Sir."

Black: "I'm one of a diminishing number of Legislators who served here when we could file Resolutions literally on the floor and have them immediately heard. Would that still be possible? That... that window of opportunity has been closed? Well, Mr. Speaker, let me just bring something to the Body's attention. This is an egregious abuse of power. We should not tolerate this in the State of Illinois. I'm going to try to get this Resolution drafted tonight and maybe you can join me tomorrow. But there comes a time when Republicans or Democrats, upstate, downstate, central Illinois, we need to stand together. This kind of thing should not happen in the State of Illinois or in the country in which we live. I've just been handed a bulletin from the Chicago Tribune and you know if anything happens

STATE OF ILLINOIS
96th GENERAL ASSEMBLY
HOUSE OF REPRESENTATIVES
TRANSCRIPTION DEBATE

63rd Legislative Day

5/28/2009

in this state, good or bad, it's going to be reported right off the top in the Chicago Tribune. Ladies and Gentlemen of the House, Carlos Zambrano was suspended for six games today, six games for a relatively... you better be careful, it could happen to you next... a relatively minor temper outburst. I hope you will join me in a Resolution tomorrow urging Major League Baseball to immediately reduce the suspension to one game. This is an outrage."

Speaker Lyons: "Yes. Mr. Stephens."

Stephens: "Mr. Speaker, what would Representative Black know about a minor outburst on the House Floor?"

Speaker Lyons: "Touchē. Representative Feigenholtz."

Feigenholtz: "Mr. Speaker, speaking of outrage. Representative Black, everybody in this chamber is ready to get one of those retirement paperweights of yours. Bring them out already."

Speaker Lyons: "Representative Brauer."

Brauer: "Thank you, Mr. Speaker. I think we should take an opportunity, Representative Poe is gone, but we certainly need to thank him for the chicken and for the ice cream from Coldstone Creamery."

Speaker Lyons: "Thank you, Raymond Poe and all those wonderful people that prepared that lunch. Mr... Mr. Clerk. Representative David Reis."

Reis: "Point of personal privilege."

Speaker Lyons: "State your point."

Reis: "I just want to make sure that Chief of Staff Mapes knows that not one piece of chicken was eaten on the floor today. We'd like to have Representative Poe back next year."

STATE OF ILLINOIS
96th GENERAL ASSEMBLY
HOUSE OF REPRESENTATIVES
TRANSCRIPTION DEBATE

63rd Legislative Day

5/28/2009

Speaker Lyons: "And now, Barbara Flynn Currie moves that the House stand adjourned until the hour of 11 a.m. tomorrow, Friday, May 29. So, allowing perfunctory time for the Clerk, we will adjourn until the hour of 11:00 tomorrow, on Friday, May 29. All those in favor signify by saying 'yes'; those opposed say 'no'. In the opinion of the Chair, the 'ayes' have it. And the House stands adjourned. Ladies and Gentlemen, for purposes of announcement even though we're adjourned, the sheet that we passed out said 10:00, but we will not come in until 11. So, you get an extra hour. We will be off until 11:00 tomorrow. Committees stand as... as printed."

Clerk Mahoney: "House Perfunctory Session will come to order. Committee Reports. Representative Bradley, Chairperson from the Committee on Revenue & Finance, to which the following measure/s was/were referred, action taken on May 28, 2009, reported the same back with the following recommendation/s: 'do pass as amended Short Debate' Senate Bill 78; 'recommends be adopted' Floor Amendment #3 to Senate Bill 1691 and Floor Amendment #3 to Senate Bills... Senate Bill 1909, a Motion to Concur with Senate Amendment #1 to House Bill 2470. Representative Howard, Chairperson from the Committee on Judiciary II-Criminal Law, to which the following measure/s was/were referred, action taken on May 28, 2009, reported the same back with the following recommendation/s: 'do pass as amended Short Debate' is Senate Bill 1050. Representative McCarthy, Chairperson from the Committee on Personnel & Pensions, to which the following measure/s was/were referred, action taken on May

STATE OF ILLINOIS
96th GENERAL ASSEMBLY
HOUSE OF REPRESENTATIVES
TRANSCRIPTION DEBATE

63rd Legislative Day

5/28/2009

28, 2009, reported the same back with the following recommendation/s: 'recommends be adopted' is a Motion to Concur in Senate Amendment #1 to Senate.. and Senate Amendment #3 to House Bill 2557, Floor Amendment #3 and Floor Amendment #4 to Senate Bill 39. Representative Fritchey, Chairperson from the Committee on Judiciary I-Civil Law, to which the following measure/s was/were referred, action taken on May 28, 2009, reported the same back with the following recommendation/s: 'recommends be adopted as amended' is House Resolution 66. Representative Jakobsson, Chairperson from the Committee on Human Services, to which the following measure/s was/were referred, action taken on May 28, 2009, reported the same back with the following recommendation/s: 'do pass Standard Debate' is Senate Bill 1381. Representative Burke, Chairperson from the Committee on Executive, to which the following measure/s was/were referred, action taken on May 28, 2009, reported the same back with the following recommendation/s: 'recommends be adopted' is Floor Amendment #2 to Senate Bill 268; 'do pass Short Debate' is Senate Bill 291 and Senate Bill 292. Representative D'Amico, Chairperson from the Committee on Vehicles & Safety, to which the following measure/s was/were referred, action taken on May 28, 2009, reported the same back with the following recommendation/s: 'do pass Standard Debate' is Senate Bill 932. Referred to the House Committee on Rules is Senate Joint Resolution 64, offered by Representative Bost. Introduction and reading of House Bills-First Reading. House Bill 4577, offered by

STATE OF ILLINOIS
96th GENERAL ASSEMBLY
HOUSE OF REPRESENTATIVES
TRANSCRIPTION DEBATE

63rd Legislative Day

5/28/2009

Representative Reboletti, a Bill for an Act concerning criminal law. House Bill 4578, offered by Representative Reboletti, a Bill for an Act concerning criminal law. House Bill 4579, offered by Representative Reboletti, a Bill for an Act concerning criminal law. Senate Bills-Second Reading. Senate Bill 78, offered by Representative Black, a Bill for an Act concerning housing. Second Reading of this Senate Bill. Senate Bill 1050, a Bill for an Act concerning criminal law. Second Reading of this Senate Bill. Senate Bills-First Reading. Introduction and reading of Senate Bills-First Reading. Senate Bill 177, offered by Representative Osterman, a Bill for an Act concerning civil law. Senate Bill 1180, offered by Representative Madigan, a Bill for an Act concerning appropriations. Senate Bill 1181, offered by Representative Madigan, a Bill for an Act concerning appropriations. Senate Bill 1182, offered by Representative Madigan, a Bill for an Act concerning appropriations. Senate Bill 1183, offered by Representative Madigan, a Bill for an Act concerning appropriations. Senate Bill 1184, offered by Representative Madigan, a Bill for an Act concerning appropriations. Senate Bill 1185, offered by Representative Madigan, a Bill for an Act concerning appropriations. Senate Bill 1211, offered by Representative Madigan, a Bill for an Act concerning appropriations. Senate Bill 1212, offered by Representative Madigan, a Bill for an Act concerning appropriations. Senate Bill 1213, offered by

STATE OF ILLINOIS
96th GENERAL ASSEMBLY
HOUSE OF REPRESENTATIVES
TRANSCRIPTION DEBATE

63rd Legislative Day

5/28/2009

Representative Madigan, a Bill for an Act concerning appropriations. Senate Bill 1214, offered by Representative Madigan, a Bill for an Act concerning appropriations. Senate Bill 1215, offered by Representative Madigan, a Bill for an Act concerning appropriations. Senate Bill 1216, offered by Representative Madigan, a Bill for an Act making appropriations. Senate Bill 1216, offered by Representative Madigan, a Bill for an Act making appropriations. House Joint Resolution Constitutional Amendment-Second Reading. House Joint Resolution Constitutional Amendment 31-Second Reading.

RESOLVED, BY THE HOUSE OF REPRESENTATIVES OF THE NINETY-SIXTH GENERAL ASSEMBLY OF THE STATE OF ILLINOIS, THE SENATE CONCURRING HEREIN, that there shall be submitted to the electors of the State of Illinois for adoption or rejection at the general election next occurring at least 6 months after the adoption of this resolution a proposition to amend Article III of the Illinois Constitution by adding Section 7 as follows:

ARTICLE III

SUFFRAGE AND ELECTIONS

SECTION 7. INITIATIVE TO RECALL GOVERNOR

(a)The recall of the Governor may be proposed by a petition signed by a number of electors equal in number to at least 15% of the total votes cast for Governor in the preceding gubernatorial election, with at least 100 signatures from each of at least 25 separate counties. A petition shall have been signed by the petitioning electors not more than

STATE OF ILLINOIS
96th GENERAL ASSEMBLY
HOUSE OF REPRESENTATIVES
TRANSCRIPTION DEBATE

63rd Legislative Day

5/28/2009

150 days after an affidavit has been filed with the State Board of Elections providing notice of intent to circulate a petition to recall the Governor. The affidavit may be filed no sooner than 6 months after the beginning of the Governor's term of office. The affidavit shall have been signed by the proponent of the recall petition, at least 20 members of the House of Representatives, and at least 10 members of the Senate, with no more than half of the signatures of members of each chamber from the same established political party.

(b)The form of the petition, circulation, and procedure for determining the validity and sufficiency of a petition shall be as provided by law. If the petition is valid and sufficient, the State Board of Elections shall certify the petition not more than 100 days after the date the petition was filed, and the question "Shall (name) be recalled from the office of Governor?" must be submitted to the electors at a special election called by the State Board of Elections, to occur not more than 100 days after certification of the petition. A recall petition certified by the State Board of Elections may not be withdrawn and another recall petition may not be initiated against the Governor during the remainder of the current term of office. Any recall petition or recall election pending on the date of the next general election at which a candidate for Governor is elected is moot.

(c)If a petition to recall the Governor has been filed with the State Board of Elections, a person eligible to serve as Governor may propose his or her candidacy by a petition

STATE OF ILLINOIS
96th GENERAL ASSEMBLY
HOUSE OF REPRESENTATIVES
TRANSCRIPTION DEBATE

63rd Legislative Day

5/28/2009

signed by a number of electors equal in number to the requirement for petitions for an established party candidate for the office of Governor, signed by petitioning electors not more than 50 days after a recall petition has been filed with the State Board of Elections. The form of a successor election petition, circulation, and procedure for determining the validity and sufficiency of a petition shall be as provided by law. If the successor election petition is valid and sufficient, the State Board of Elections shall certify the petition not more than 100 days after the date the petition to recall the Governor was filed. Names of candidates for nomination to serve as the candidate of an established political party must be submitted to the electors at a special primary election, if necessary, called by the State Board of Elections to be held at the same time as the special election on the question of recall established under subsection (b). Names of candidates for the successor election must be submitted to the electors at a special successor election called by the State Board of Elections, to occur not more than 60 days after the date of the special primary election or on a date established by law.

(d)The Governor is immediately removed upon certification of the recall election results if a majority of the electors voting on the question vote to recall the Governor. If the Governor is removed, then (i) an Acting Governor determined under subsection (a) of Section 6 of Article V shall serve until the Governor elected at the special successor election is qualified and (ii) the candidate who receives

STATE OF ILLINOIS
96th GENERAL ASSEMBLY
HOUSE OF REPRESENTATIVES
TRANSCRIPTION DEBATE

63rd Legislative Day

5/28/2009

the highest number of votes in the special successor election is elected Governor for the balance of the term.

SCHEDULE

This Constitutional Amendment takes effect upon being declared adopted in accordance with Section 7 of the Illinois Constitutional Amendment Act. This has been Second Reading of this Constitutional Amendment 31. There being no further business, the House Perfunctory Session will stand adjourned."