

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

65th Legislative Day

5/30/2009

Speaker Lyons: "Good Afternoon, Illinois. Your Illinois House of Representatives will come to order. And Members are asked to please be at your desks. We shall be led in prayer today by Lee Crawford, the Pastor of the Cathedral of Praise Christian Center here in Springfield. Members and guests are asked to please refrain from starting their laptops, turn off all cell phones and pagers. And our guests in the gallery are also ask to please rise for the invocation and the Pledge of Allegiance. Lee Crawford."

Pastor Crawford: "Let us pray. Most gracious and most sovereign God, we come before You this day with a spirit of humility and a heart of thankfulness. We ask You, Oh God, that... to bless this august Body. May You bless all of its members as well as their families. We pray that You will deliberate over the deliberations of this day. That there may be a spirit of compromise, a willingness to concede to that which is for the best and for the good of this great state in which You have blessed us to live in. May You grant each and every last one of them the grace and to be strong, the grace to be bold and the grace to be courageous in the face of challenging times. So, it is this day that we lift up our eyes and our hearts and we ask You, Oh God, for Your wisdom, we ask You for Your guidance, we ask You for Your direction this day. We pray in Your Son's name, Amen."

Speaker Lyons: "Representative Darlene Senger, would you lead us in the pledge."

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

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

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

Currie: "Thank you, Speaker. Please let the record show the excused absences of Representatives Flowers and Franks."

Speaker Lyons: "Representative Michael Bost, the GOP."

Bost: "Thank you, Mr. Speaker. Please let the record reflect that all Republicans are present on this beautiful Saturday afternoon and ready to do the work of the people."

Speaker Lyons: "Thank you, Representative Bost. Representative Flowers (sic - Currie), we have a correction, right?"

Currie: "A correction. I was wrong about Representative Franks. He's not excused, he's here."

Speaker Lyons: "Mr. Clerk, take the record. 117 Representatives are present. We have a quorum and are prepared to do the work of the people of the State of Illinois. Committee Report, Mr. Clerk."

Clerk Mahoney: "Committee Reports. Representative Barbara Flynn Currie, Chairperson from the Committee on Rules, to which the following legislative measures and/or Joint Action Motion were referred, action taken on May 30, 2009, reported the same back with the following recommendation/s: 'approved for floor consideration' is Amendment #3 to Senate Bill 321, Amendment #4 to Senate Bill 1602 and Amendment #5 to Senate Bill 1995. On the Order of Concurrence is a Motion to Concur in Senate Amendment #1 to House Bill 164. Representative Bradley, Chairperson from the Committee on Revenue & Finance, to which the following

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measure/s was/were referred, action taken on May 30, 2009, reported the same back with the following recommendation/s: 'recommends be adopted' is Floor Amendment #1 to Senate Bill 415, Floor Amendment #2 to Senate Bill 1623 and Floor Amendment #4 to Senate Bill 2252. Representative Beiser, Chairperson from the Committee on Transportation, Regulation, Roads & Bridges, to which the following measure/s was/were referred, action taken on May 30, 2009, reported the same back with the following recommendation/s: 'recommends be adopted' is House Joint Resolution 60. Representative McCarthy, Chairperson from the Committee on Personnel & Pensions, to which the following measure/s was/were referred, action taken on May 30, 2009, reported the same back with the following recommendation/s: 'recommends be adopted as amended', is House Joint Resolution 65. Representative Nekritz, Chairperson from the Committee on Judiciary I-Civil Law, to which the following measure/s was/were referred, action taken on May 30, 2009, reported the same back with the following recommendation/s: 'do pass Short Debate' is Senate Bill 177. Representative Jakobsson, Chairperson from the Committee on Human Services, to which the following measure/s was/were referred, action taken on May 30, 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 415."

Speaker Lyons: "Mr. Clerk, what's the status of House Resolution 55?"

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Clerk Mahoney: "House Resolution 55 has Floor Amendment #1, offered by Representative Turner, approved for consideration."

Speaker Lyons: "Representative Turner, you have an Amendment on House Resolution 55."

Turner: "Yes, Mr. Speaker, thank you. And Amendment #1 basically changes one word. It encourages versus saying must. It says it encourages. And so, I move for the adoption of the one word change."

Speaker Lyons: "Is there any discussion on the Amendment? Seeing none, the question is, 'Should the Amendment be adopted to House Resolution 55?' All those favor of the Amendment signify by saying 'yes'; those opposed say 'no'. In the opinion of the Chair, the 'ayes' have it. And the Amendment is adopted. Representative Senger, on the Order of Resolutions on page 20 of the Calendar, you have an Amendment for House Resolution 68. What's the status of that Resolution, Mr. Clerk?"

Clerk Mahoney: "Floor Amendment #2 to House Resolution 68 has been approved for consideration."

Speaker Lyons: "Representative Senger."

Senger: "Thank you, Mr. Speaker. And yes, the Resolution's been mentioned for adoption and I wish to have it adopted."

Speaker Lyons: "You've heard the Lady's explanation on the Amendment to Resolution... House Resolution 68. Is there any discussion? Seeing none, all those favor signify by saying 'yes'; those opposed say 'no'. In the opinion of the Chair, the 'ayes' have it. And the Amendment is adopted. Ladies and Gentlemen, if I could have your attention. Most

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of us should have received... should have in front of you at your desks a list of Agreed Resolutions. So, we're asking everyone to please go through... this is a list, this is not a complete list of all resolutions, there's some we will discuss individually, but this is a list of Agreed Resolutions. And as we usually do on all agreed lists, if there's something that you want to be voted 'no' on or something that you'd wanted to be voted 'present' for or whatever column, 'not voting', I don't know why you'd want to do that, but if you want to not vote or vote 'present' or 'no', please fill this out, sign it and print your name on the front of it and bring it to the well to the Clerk. Please do that as soon as you can. We will call on this for one roll call sometime later this afternoon. So, please get these things in... turned into the well as soon as you can. Thank you. Representative Tom Holbrook, on page 7 of the Calendar under Senate Bills-Second Readings, you have Senate Bill 321. What's the status of that Clerk Mr... what's the status of that Bill, Mr. Clerk?"

Clerk Mahoney: "Senate Bill 321 has been read a second time, previously. Amendment #1 was adopted in committee. Floor Amendments 2 and 3 have both been approved for consideration."

Speaker Lyons: "Representative Holbrook on Amendments #2. Representative Chapa LaVia on Amendment #2 to House... Senate Bill 321. Representative Chapa LaVia."

Chapa LaVia: "I just... hello, Members of the House and Speaker. I didn't get a chance to review it yet. I'm just asking for the adoption of House Amendment #3. It replaces

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everything, becomes the Bill. Amends the Emergency Medical Service Systems Act for the Bill. Thank you."

Speaker Lyons: "We're... Representative, we have for discussion on the floor now, House... the Floor Amendment #2. What's your pleasure with that Amendment?"

Chapa LaVia: "That we... oh, I'm sorry, I apologize. House Amendment #2 becomes the Bill. It amends the Emergency Medical Service Systems Act by changing the Freestanding Emergency Center section of the Act. Removes the date in the Act and states that the Department of Public Health may issue an annual freestanding emergency center license to any facility that is located in a county that does not have an acute care hospital, and whose application for the permit from the Hospital Health Facilities Planning Board has been deemed completed by the department by March 1, 2009. The same requirements still remain for these facilities. And I ask for its adoption."

Speaker Lyons: "Is there any discussion on Floor Amendment #2? Seeing none, all those 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 #2 is adopted. Mr. Clerk, anything further?"

Clerk Mahoney: "Floor Amendment #3, offered by Representative Chapa LaVia, has been approved for consideration."

Speaker Lyons: "Floor Amendment #3, Representative Chapa LaVia."

Chapa LaVia: "Now, procedure... for procedures, I'd like to table #2 and House Bill 3... House Amendment 3 now becomes the Bill. Amends the merg... Emergency Medical Service System

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and it strikes all the provisions of the original Bill. Provides instead of an Amendment to the Emergency Medical Service System Act to make two exceptions to the law providing for the establishments and licensure of Freestanding Emergency Centers, notwithstanding the current deadline of June 30, 2009, from the licensing of these type of facilities. One exception is provided for the Vista Health System adds an additional provision that if an applicant meets all of the other 17 requirements a license may be issued if the applicant files a letter of intent with the Illinois Health Facilities Planning Board by March 31, 2009 to establish a Freestanding Emergency Center. Vista filed a letter of intent with the Illinois Health Facilities Planning Board on March 14, 2009 and has an active application before the Illinois Health Facility Board. Vista believes that the establishment of such a center would extend the reach of the Vista Medical Center in Lindenhurst to ensure better access to emergency service of a resident. Another exception is provided by the Freestanding Emergency Center for Rush... Rush Copley Hospital, which is my hospital, in the proposal to build a Freestanding Emergency Center on the Rush Copley Health Center Care Campus in Yorkville. This facility will bring quality emergency care closer to home for the thousands of Kendall County patients they treat. Adds an additional provision that if the applicants meet all of the other requirements, the license must be issued for an applicant in location of the county that does not have a license gender... general acute care hospital and whose application

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for the permit for the Illinois Health Facility Planning Board has been deemed completed by the Department of Health by March 1, 2009. And I'll take any questions. Thank you."

Speaker Lyons: "Lady makes a Motion to adopt Floor Amendment #2 (sic-Floor Amendment #3), and on that we have questions from Representative Patti Bellock. Representative Bellock."

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

Speaker Lyons: "Sponsor yields. And before you ask a question, Representative Bellock... Ladies and Gentlemen, as usual when we first come on the floor the noise level is very high. Could we bring the noise level down, please. Can we bring the noise level on the floor down, please. Representative Bellock."

Bellock: "Thank you very much. Representative, with the Amendment, I was just wondering, is there opposition to this Bill now?"

Chapa LaVia: "I... I don't believe there'd be any opposition, Representative Bellock."

Bellock: "Because at one point, I think the Long Term Care counsel was opposed and I think at one point, I'm not sure, if the Hospital Association..."

Chapa LaVia: "That... what was the underlying Bill and that's why we... that was... Amendment #3 struck all that. So, the underlying Bill, prior to me... I had to read Amendment #2 to take it out..."

Bellock: "Right."

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Chapa LaVia: "...table it and read Amendment #3. Three becomes the Bill and there's no opposition to 3."

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

Chapa LaVia: "Amendment 3. Thank you."

Speaker Lyons: "The Chair recognizes the Lady from Lake, Representative JoAnn Osmond."

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

Speaker Lyons: "Sponsor yields."

Osmond: "Representative, could you just verify, because this came up so quick all of the sudden, is one of the freestanding emergency rooms in Lindenhurst, Illinois?"

Chapa LaVia: "Under this... if it passes, it will as long as it meets all the criteria's. I'm... I'm kind of doing a favor because they were added together. So, you'd probably know more about that location, but it will if they meet all the application requirements."

Osmond: "The other day when I spoke against the CON Board this is one of the answers that will help the situation in Western Lake County. This is greatly needed. It will cut down the response time for our men and women that work so diligently in the volunteer service. So, I would stand in strong support of Amendment #3."

Speaker Lyons: "Gentleman from Lake, Representative Ed Sullivan. Representative Sullivan, did you wish to... question on this Bill or no? You had your light on, you seek recognition?"

Sullivan: "Sorry about that, Mr. Speaker. Would the Sponsor yield?"

Speaker Lyons: "Sponsor yields."

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Sullivan: "Representative, this Bill has come up so quickly we're... we're trying to get a handle on the... one, what it does and I think Representative Osmond pointed that out, but we're trying to get a handle on the opposition because some of us have other hospital groups that have..."

Chapa LaVia: "Right."

Sullivan: "...just started calling us. And that it does seem like Advocate Hospitals are opposed to this?"

Chapa LaVia: "Not... not that I'm aware of. They were... they were opposed to the underlying Bill that now is no longer there. And now we have House Amendment #3 that takes over the whole entire language of the Bill."

Sullivan: "Well, whether you want to proceed..."

Chapa LaVia: "We haven't... I haven't heard from them."

Sullivan: "...whether you want to proceed with the Bill or not, I... I'm just... I literally just got off the phone with Advocate Hospitals that are in my district and they are adamantly opposed to Amendment #3."

Chapa LaVia: "Yeah, I... I haven't heard from them, Representative Sullivan."

Sullivan: "Okay. Just for clarification I just wanted to bring that up."

Chapa LaVia: "Thank you."

Sullivan: "So, you knew that... that Advocate Hospitals are adamantly opposed to this. Thank you."

Chapa LaVia: "Well... the amazing thing is I know especially these two centers they're in areas that are not being served right now. I know Edwards is getting ready to move into that area as well, but these are... these are areas that

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don't have hospitals or emergency... yeah, close enough by that if it was a heart attack, four minutes and you're dead. I mean, there are... there are certain issues that we have out in that area, the expansion, and they still have to go through all the requirements of the facility board. It's not like they can just... yeah... and... and during... coming back to advocate, during the application process there is hearings, so advocate can appear at any of these hearings and... and put forth their... their opposition."

Sullivan: "Certainly. And to the underlying Bill, that... that's fine. I just wanted to point out that clarification is all. Thank you."

Chapa LaVia: "Thank you."

Speaker Lyons: "Representative Kosel. Renée Kosel."

Kosel: "We're just trying to figure out exactly what is in this and... and I have a question for you. Would..."

Speaker Lyons: "Lady yields."

Kosel: "...would the Silver Cross Emergency Room that is under construction now be in here? And would under this legislation that helipads still be required?"

Chapa LaVia: "If it's already under construction, it's already been approved."

Kosel: "It has... it is under construction, been approved, but would the helipads still be required? Because the legislation that was out here before, that Representative Senger had..."

Chapa LaVia: "Right."

Kosel: "...actually removed that helipad requirement."

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Chapa LaVia: "This doesn't give a helipad; that's totally different legislation. We'll work with that, We can talk about what procedures we have to take for nonconcurrence or concurrence. And I'm sure the Sponsor's willing to work, but it... this only really deals with the dates for filing. This does not deal with the helicopter pad."

Kosel: "Okay. And as far as advocate hospitals, one of the biggest employers in northern Illinois, they did not contact you with their support for this?"

Chapa LaVia: "They haven't contacted me in opposition or for it. So, like I said, the great thing about especially the planning board facility and the process..."

Kosel: "So, we would..."

Chapa LaVia: "...is that, you know, opposition come forward and be heard. And it based... I mean a lot of that's based on whether they get the application or not."

Kosel: "So, the latest information we have is that the advocate system is still opposed to this? Thank you."

Speaker Lyons: "Representative Brosnahan."

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

Speaker Lyons: "Sponsor yields."

Brosnahan: "Representative Chapa LaVia, I know... I apologize beforehand if these questions have already been asked and answered. I know you talk... I know Representative Kosel talked a little bit about advocate and I... I thought you did mention that you thought there was no opposition to this legislation. I have been contacted by representatives from advocate. They have indicated to me that not only are they opposed to this Amendment... this legislation, but they were

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also told that... that it would not be moving. I think many Members on the floor here have some concerns and some questions about that opposition. So, I would respectfully ask, if you wouldn't mind just to clear that up, if you would take this out of the record, we could talk to the representatives from advocate to see exactly what their opposition is based on. And to clear up any maybe statements that were made to them that this Bill would not be moving until their concerns were addressed. And it doesn't seem that they have been addressed. Cause I've been contacted, they are in strong opposition to this."

Chapa LaVia: "Yeah, I... I understand, but this doesn't guarantee anyone a license. I understand their issue of opposition. They're a pretty big animal as far as, you know, out there in health care, but this only changes the dates. I mean, I think we're making... and I understand on the underlying Bill they were, but now this is not that underlying Bill. We've changed it so it only... it only has two applicants right now for freestanding emergency centers. You know, one in Lindenhurst, like my colleague on the other side of the aisle stated, that is desperately needed. And then also the Rush Copley one that's going to Yorkville, which is also desperately needed. And it's the dates."

Brosnahan: "They've indicated to me that it's not just the underlying Bill, but it's this Amendment as well that they are in opposition to. And that... what was this morning. So, that's why I'm just wondering if you could take it out of the record just so we could clear that up. I think it's early enough in... in the day where you'll be able to get

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this heard pretty quickly. And obviously, there's Members on both sides that have concerns about this. So, that's what I would... I would ask you to do."

Chapa LaVia: "Speaker, how many people are waiting to speak?"

Speaker Lyons: "Two."

Chapa LaVia: "Only two? Can I hear from the other ones and then we'll make the decision off that. Thank you."

Brosnahan: "Thank you."

Speaker Lyons: "Representative Karen May, you're the next person asking questions on the Amendment."

May: "Yes, thank you, Speaker. And will the Sponsor yield? Representative..."

Speaker Lyons: "Lady yields."

May: "...with... with due respect, I would like a few minutes to try to find out. I've got an emergency call last night from Lake Forest Hospital, which has a freestanding emergency center that we had to work on a couple of other years, and I'd ask them to send me something on it. But I'm frantically trying to find it and being a Saturday I can't find it."

Chapa LaVia: "But that's... that's an existing facility?"

May: "Yes."

Chapa LaVia: "Right."

May: "Yes. And so..."

Chapa LaVia: "And the underlying..."

May: "...I think the question is..."

Chapa LaVia: "...had to do..."

May: "...is this served already? This is for an emergency center not a hospital, is that correct?"

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Chapa LaVia: "No. You're right. It's not a hospital. These are freestanding. It's not a hospital."

May: "But what is the distance from the Lake Forest Hospital existing freestanding emergency center? We... we worked on legislation, Representative Sullivan and I, to take sure..."

Chapa LaVia: "It's about 15 to 20 miles, Representative May."

May: "It's 15 miles away?"

Chapa LaVia: "The distance is about 15 to 20 miles away."

May: "Because ambulances now can stop right in Mundelein?"

Chapa LaVia: "The... you know, the... the Health Facility Board Planning is the one that determines the need. You know, if there's no need... I mean, they're not going to build one on top of another if there's no need for it. And once again, this just gives them the ability to go in front of them and changes the date. It doesn't say they're assured that they're getting these."

May: "Right. But why are we doing this so quickly? I mean, I'm... trying to just."

Chapa LaVia: "I just got this. I mean, I just got this... this..."

May: "I know. I understand, but what was the impetus of the Senate?"

Chapa LaVia: "Well, my impetus is definitely Rush Copley. Okay? I just am privileged enough to carry the other House Members location on here as well. But Rush Copley has been trying to get things done out in Yorkville for a while, and that's quite a distance for an ambulance ride to the closest hospital, which is Rush Copley as well. So, in our area and the Kendall area around there and the Yorkville area, I mean, there's a lot of things they're not..."

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May: "Uh huh."

Chapa LaVia: "...developed on whether it's transportation or what have you. So, it's quite a ride to get to the hospital if something emergency or death threatening happened."

May: "What committee did this come... go to? I just..."

Chapa LaVia: "This... this... this particular Amendment came out of Rules Committee."

May: "So, it went straight to the floor?"

Chapa LaVia: "They took it in front, right and it went to the floor."

May: "You know, I... I just respectfully..."

Chapa LaVia: "I... I understand your concerns, but..."

May: "...suggest that it's a pretty... a pretty large Amendment to come straight to the floor..."

Chapa LaVia: "...and then once again, the baseline of this..."

May: "...on the day before we adjourn."

Chapa LaVia: "...please understand this. It does not guarantee their application to be approved."

May: "No, I do understand that."

Chapa LaVia: "This just gives them the ability to get an appointment with the facilities board."

May: "It's just that a lot of us are trying to get our arms around it. Thank you."

Chapa LaVia: "Right. And it's two facilities, so..."

Speaker Lyons: "Any further discussion? Representative Chapa LaVia to close. Representative David Miller."

Miller: "Will... will the Sponsor yield?"

Speaker Lyons: "Sponsor yields."

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Miller: "I'm... I'm... I apologize. I'm a bit confused on this, too. In our analysis it says, one exception will be provided for the Vista Health System adds an additional provision that if the applicant meets all of the other 17 requirements, a license must be issued to the... if the applicant files a letter of intent. I guess the word that sort of sticks out is 'must', and by... by March 31, 2009."

Chapa LaVia: "Right."

Miller: "Why 'must' be issued I guess... I think is the question on the table here."

Chapa LaVia: "If... if they meet the other requirements. They can't go around... the intent of this is to get them in front of the Planning Board Committee and let them make the decisions, not to give them a license automatically. What happened is they filled out their application prior to and as you can see it's already past May, what is it..."

Miller: "They..."

Chapa LaVia: "The day... date is the one thing that's in question. So, they weren't able to complete the application because, you know, they wouldn't... they wouldn't be licensed by June 30, so..."

Miller: "Well, I think... I... I... I guess, you know, the question is, is that if they meet all the other requirements why the statement that they 'must'... I mean... I mean that's sort of..."

Chapa LaVia: "Yeah."

Miller: "...that's... that is actually a huge problem probably for many Members who've asked for some clarification..."

Chapa LaVia: "Right."

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Miller: "...to pull this out of the... pull this out of the record..."

Chapa LaVia: "Well, if you... if you look, that's the way the law reads now. 'Must' is in the law, so they just took that from what is there. Their application has already been in."

Miller: "Okay."

Chapa LaVia: "There is a... it's the deadline in which they... they couldn't meet because for whatever time restraints. That's what we're extending."

Miller: "Okay. So, you..."

Chapa LaVia: "The deadline."

Miller: "So, let me get this straight. So you're saying that if... if a... a... a facility meets all 17 requirements, that the language that they 'must' be issued. So, there are not other issues that as opposed... as opposed to a... similar to a licensing exam that... that would be automatically issued if they fulfilled all the requirements. I guess, once again, the issue 'must' and why by a certain deadline because there may be other facilities or folks in front of the line and this sort of gives them an unfair advantage that may not..."

Chapa LaVia: "When... when we first enacted this, it was just for one facility. And now the extension... we're asking for an extension so the Rush Copley, just for a perspective... just respective to the date. There was just one applicant at that time. Okay. Now we have another one and we're just asking for time that they can qualify, so they can go in

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front of the board and... and see if they're deemed that license by... by June 30."

Miller: "I... I would stand with my other colleagues who's requested... cause... is it possible that we can pull this so we can just get some clarity here? I mean, not... it just seems real ambiguous (sic-ambiguous) at this point?"

Chapa LaVia: "So, what is your question still, Representative Miller?"

Miller: "Well, first I'd like to take a real hard look at this to make sure that there's... there's no favoritism if I could use a better word towards this group."

Chapa LaVia: "Right. But..."

Miller: "And I just think that it would..."

Chapa LaVia: "...this... we don't make a decision, Representative Miller, whether they get the license or not. They have to prove it to themselves and the board will review whether there's an a necessity, whether it's in a proper distance from a hospital, whether it meets all 17 requirements. This is only... it's like we're giving them the ability just to fill out the application. We don't make the decision on whether they get it or not. So... so, that's why I'm... I'm getting... with all due respect, I will... I will bring it back to be heard and we'll discuss this a little bit further. I would just hope that you understand. The bottom line is that we're just allowing them the ability to complete their application. We're not telling them that they're going to be in business. Okay? So, can we go ahead and pull it off the record for the moment? And I'll get back. Thank you."

Miller: "Thank you."

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Speaker Lyons: "Clerk, take this Bill out of the record. Representative Farnham, on page 7 of the Calendar, I believe you have Senate Bill 268. What's the status of that Bill, Mr. Clerk?"

Clerk Mahoney: "Senate Bill 268 has been read a second time, previously. Amendment #1 was adopted in committee. Floor Amendment #2, offered by Representative Farnham, has been approved for consideration."

Speaker Lyons: "The Gentleman from Cook, Representative Keith Farnham on the Amendment. Floor Amendment #2. Out of the record. Mr. Clerk."

Clerk Mahoney: "Committee Report. Representative Smith, Chairperson from the Committee on Elementary & Secondary Education, to which the following measure/s was/were referred, action taken on May 30, 2009, reported the same back with the following recommendation/s: 'recommends be adopted' is Floor Amendment #1 to Senate Bill 612; 'do pass as amended Short Debate' is Senate Bill 611."

Speaker Lyons: "Representative Jack Franks, on the Order of Second... Senate Bills-Second Reading, you have an Amendment for Senate Bill 1602. What's the status of that Bill, Mr. Clerk?"

Clerk Mahoney: "Senate Bill 1602 has been read a second time, previously. Amendment #1 was adopted in committee. Floor Amendment #4, offered by Representative Franks, has been approved for consideration."

Speaker Lyons: "Representative Franks on Floor Amendment #4."

Franks: "Thank you, Mr. Speaker. House Amendment #4, this is... this was Senate Bill 189 with some modifications. This had

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passed the House... I'm sorry. It passed the Senate previously unanimously. And what we're trying to do here is to codify what Governor Quinn is doing by making the Gubernatorial Boards and Commissions Act much more transparent. We require a creation of a database with information on the state's board and commission appointments and require a statement of economic interest to be filed. And that the meeting information be posted online. I'd be happy to answer any questions."

Speaker Lyons: "Is there any discussion on Floor Amendment #4 to Senate Bill 1602? Seeing none, 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 Amendment #4 is adopted. Mr. Clerk, anything further?"

Clerk Mahoney: "No further Amendments have been approved for consideration. No Motions filed."

Speaker Lyons: "Third Reading. Mr. Bill... Mr. Clerk, on Senate Bill 1602. Read the Bill, Mr. Clerk."

Clerk Mahoney: "Senate Bill 1602, a Bill for an Act concerning State Government. Third Reading."

Speaker Lyons: "Representative Franks."

Franks: "Thank you. We just had a discussion on what the Amendment does. I'd be happy to answer any questions."

Speaker Lyons: "Is there any discussion? Seeing none, the question is, 'Should Senate Bill 1602 pass?' All those in favor signify by voting 'yes'; those opposed vote 'no'. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Representative Hoffman. Mr. Clerk, take the record. On this Bill,

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there's 117 Members voting 'yes', 0 voting 'no'. This Bill, having received the Constitutional Majority, is hereby declared passed. Representative Walker, you have, on page 9 of the Calendar, Senate Bill 1623. What's the status of that Bill, Mr. Clerk?"

Clerk Mahoney: "Senate Bill 1623 has been read a second time, previously. Amendment #1 was adopted in committee. Floor Amendment #2, offered by Representative Mautino, has been approved for consideration."

Speaker Lyons: "Representative Mautino on Amendment... Floor Amendment #2 to Senate Bill 1623."

Mautino: "Thank you. I move adoption of Floor Amendment 2. This is an agreement between the Manufacturers Association, the Department of Revenue. And it addresses a problem at Owens, Illinois, where they'll be able to get their refile for some taxes that they had overpaid while in an enterprise zone. Everybody's in favor and I thank Nicor for working with us to get it worked out."

Speaker Lyons: "Any discussion on Floor Amendment #2? 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. Floor Amendment 2 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 1623, a Bill for an Act concerning State Government. Third Reading."

Speaker Lyons: "Representative Walker."

Walker: "I move adoption. No?"

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Speaker Lyons: "Representative Walker, you move for the passage of Senate Bill 1623. And on that, are there any questions? You've just heard the explanation on the Amendment. Representative Reis."

Reis: "Have we adopted the Amendment or...?"

Speaker Lyons: "Yes, Sir. The Amendment was just adopted."

Reis: "So, this is for final passage? Okay. Representative, can you tell us just a little bit after this Amendment what this Bill does? There's a lot of stuff in our analysis."

Walker: "Yeah. This Bill is... it... it will help specific manufacturers who mistakenly overpaid the State of Illinois in an enterprise zone during the period to November 1, 2005 through October 31, 2008 to have a process by which they can get a refund."

Reis: "I think we got a handle on it, Representative. Thank you."

Walker: "I think we got a handle on it, Representative. Thank you."

Speaker Lyons: "Representative Sullivan."

Sullivan: "Thank you, Mr. Speaker. To the Bill. Ladies and Gentlemen, this is an agreed Bill. You have a company that overpaid on a tax. It's just a way to get this company the tax revenue back that they overpaid. The Illinois Manufacturers Association is for this. This is a good Bill. Please everyone vote 'aye'."

Speaker Lyons: "The question is, 'Should Senate Bill 1620... Representative Fritchey, do you have a question on this Bill? Representative John Fritchey.'"

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

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Speaker Lyons: "Sponsor yields."

Fritchey: "Just a quick question then. If this is just a normal overpayment issue, why are we doing it through legislation?"

Walker: "Well, the parties, Nicor and the Department of Revenue, requested this be done. So that it's clearly defined it on a limited basis, it would be much more difficult to do it in general."

Fritchey: "Perfect. Thank you."

Speaker Lyons: "Representative Eddy, you seek recognition on this Bill? Representative Roger Eddy."

Eddy: "Thank you, Mr. Speaker. I think some folks on this side are having a little trouble hearing the answers, too. I think that's what they were referring to. If we..."

Speaker Lyons: "Ladies and Gentlemen, again, early in the day the noise level on this floor is tremendous. So, we're asking... we have a debate. People are asking questions. Some of the Republican Members cannot hear answers from Representative Walker. Can we bring the noise level down, please? Bring the noise level down, please. Thank you. Representative Eddy."

Eddy: "Thank you... thank you very much, Mr. Speaker. Representative, I... I think this is a lot simpler than it might appear, but maybe the way it's coming out real quick toward the end as an agreed Bill. Basically, there... there is a company that was deserving of a credit that they did not receive, is that correct?"

Walker: "My understanding is that the company overpaid their taxes."

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Eddy: "Okay. A credit was not applied to them, ended up overpaying and this just simply makes it right?"

Walker: "That's correct."

Eddy: "And it's agreed to by all parties. It's an attempt to fix a problem and a misapplication of current tax law?"

Walker: "That's correct."

Eddy: "Okay. I'd urge an 'aye' vote. Thank you for bringing this to the attention of the Body."

Speaker Lyons: "Representative Chapin Rose."

Rose: "Thank... thank you, Mr. Speaker. Representative, I... Representative Fritchey asked you a question, we could not hear the answer to that. Could you repeat that answer, please? I believe the question was something along the lines of why can't they do this already?"

Walker: "The answer to his question was that the parties... the parties to this problem, which are Nicor and the Department of Revenue, agreed that this was the best structure by which they could apply a refund. And that to do it in a normal fashion would be more difficult."

Rose: "How... how so?"

Walker: "Given that this Amendment was pro... preferred by Representative Mautino, I'd have him answer that question."

Rose: "Speaker, could we recognize Representative Mautino to answer the question for the Sponsor?"

Speaker Lyons: "Representative Mautino on the question."

Mautino: "Certainly. And I want to thank Representative Walker for allowing me to use his legislation to solve a problem within my district. Nicor voluntarily collects taxes on the gas tax. And there is in Streator, Illinois, actually

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one of my last manufacturing facilities that's left in Streator, had been in the enterprise zone, had not claimed the... had not claimed the proper tax rate. Nicor agrees it should be adjusted and modified as does the Department of Revenue. Both of them have internal policies that don't allow them to go back and refile the different tax rates for each of the open periods. So, when we sat down Nicor said, you know, if you put this authority right here and keep it on a limited basis, we can go ahead and do this. And it means \$600 thousand in overpaid taxes returned to Owens of Illinois."

Rose: "And it's limited to... to... to just this transaction?"

Mautino: "And it is... it's limited to this transaction."

Rose: "Okay. Thank you for your indulgence, Speaker."

Speaker Lyons: "Seeing no further discussion, Representative Walker to close."

Walker: "I urge an 'aye' vote on Senate Bill 1623 as amended."

Speaker Lyons: "The question is, 'Should Senate Bill 1623 pass?' All those in favor signify by saying 'aye'... 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'. This Bill, having received the Constitutional Majority, is hereby declared passed. Representative Jerry Mitchell on the Order of Second Readings you have Senate Bill 1612. What's the status of that Bill, Mr. Clerk? You have Senate Bill 612, my mistake. Mr. Clerk, Senate Bill 612."

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Clerk Mahoney: "Senate Bill 612 has been read a second time, previously. No Committee Amendments. Floor Amendment #1 was adopted to the Bill. No Motions filed. Floor Amendment #1, offered by Jerry Mitchell, has been approved for consideration."

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

Mitchell, J.: "Thank you, Mr. Speaker. Floor Amendment #1 is the Charter School Bill. And it has been approved in committee. I will be more than happy to discuss that on Third. I think it's time to move it to Third. Thank you."

Speaker Lyons: "Is there any discussion on the Floor Amendment? The Chair recognizes the Lady from Cook, Representative Monique Davis."

Davis, M.: "Representative Mitchell, do you want to tell us what the Amendment does?"

Mitchell, J.: "Do you want to hear it now and again on Third?"

Davis, M.: "I can't hear ya?"

Mitchell, J.: "Pardon?"

Davis, M.: "What'd you say?"

Mitchell, J.: "I'm just going to put it on and move it to Third and wait."

Davis, M.: "Thank you."

Mitchell, J.: "Uh huh."

Speaker Lyons: "Seeing no further discussion, 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."

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Speaker Lyons: "Third Reading. And read the Bill, Mr. Clerk. Move that Bill to the Order of Third Reading and leave it on Third Reading. Clerk, on page 11 of the Calendar under Senate Bills-Second Reading is Senate Bill 1959. What's the status of that Bill, Mr. Clerk? Representative Verschoore, I believe you have a Amendment being prepared? Mr. Clerk."

Clerk Mahoney: "Senate Bill 1959 has been read a second time, previously. Amendment #1 was adopted in committee. No Floor Amendments. No Motions filed."

Speaker Lyons: "Third Reading. Representative Pat Verschoore, we have Senate Bill 1959 on the Order of Third Reading. Read the Bill, Mr. Clerk."

Clerk Mahoney: "Senate Bill 1959, a Bill for an Act concerning regulation. Third Reading."

Speaker Lyons: "The Chair recognizes the Gentleman from Rock Island, Representative Pat Verschoore."

Verschoore: "Thank you, Mr. Speaker. This is a Stretcher Band Bill that I passed out of the House... the House Bill coming back from the Senate and there is an Amendment on it. But what the Amendment does was set up a fund that would, if there was any fees or whatever, they could have some money to operate on. And that's all that it does. Ask for an 'aye'... concurrence."

Speaker Lyons: "Well, I think you ask for its passage, Representative. We are at the Third Readings of Senate Bills. The Chair recognizes the Gentleman from Crawford, Representative Roger Eddy."

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Eddy: "Mr. Speaker, I want to... might be a little confusion on this. Our analysis indicates that as the Gentleman is presenting the Bill it's a shell Bill. I think the Committee Amendment that was adopted shelled this Bill."

Verschoore: "That was... that was the House Bill. This is the Senate Bill. I had the exact same Bill in the House that we passed over to the Senate. They didn't... they chose not to hear that Bill, they sent the Senate Bill over here."

Eddy: "Maybe we could... if we could check with the Clerk to see that status... the Amendment status?"

Speaker Lyons: "Mr. Clerk, what's the status with this Bill on the Amendments?"

Clerk Mahoney: "Amendment #1 was adopted in committee."

Eddy: "House... House Committee Amendment #1 or Senate?"

Speaker Lyons: "Mr. Clerk."

Clerk Mahoney: "Amendment... Amendment #1 was adopted in the House Executive Committee."

Verschoore: "It's a Senate Amendment though, correct?"

Eddy: "I don't... I don't think the Senate Amendment was adopted was it?"

Speaker Lyons: "Mr. Eddy, I believe... Representative Verschoore, let's take this Bill out of the record temporarily and we'll get this... the Amendment status cleared up."

Verschoore: "All right."

Eddy: "Thank you."

Speaker Lyons: "Representative Rose, you seek recognition? Mr. Clerk, on page 11 of the Calendar under Senate Bills-Second Reading, Representative Chapa LaVia has Senate Bill 1995. What's the status of that Bill, Mr. Clerk?"

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Clerk Mahoney: "Senate Bill 1995 has been read a second time, previously. Amendment #1 was adopted in committee. Floor Amendment #2 and Floor Amendment #5, both offered by Representative Chapa LaVia, have both been approved for consideration. Floor Amendment #2."

Speaker Lyons: "Representative Chapa LaVia on Floor Amendment #2 to Senate Bill 1995."

Chapa LaVia: "One... one second, Speaker. I'm sorry, I apologize. Amendment... Amendment #1, 2 and 3 replace... they're going to be replaced by Amendment 4 and 5. Amendment #4 adds in... adds back... the original Bill was supposed to be only..."

Speaker Lyons: "Representative, we were on Amendment #2 and I was told by the Clerk... Mr. Clerk, the status of Amendment #4?"

Clerk Mahoney: "Amendment #4 is still in the Rules Committee as is Amendment #3. Only 2 and 5 have been approved for consideration."

Speaker Lyons: "On the order of discussion is Floor Amendment 2."

Chapa LaVia: "I'd like to table 2 and go with Amendment #5."

Speaker Lyons: "I think the correct Motion would be to withdraw Amendment #2."

Chapa LaVia: "Yes. Or we will... yes, withdraw."

Speaker Lyons: "Is that your Motion? The Lady... the Lady makes a Motion to withdraw Floor Amendment #2. All those in favor of withdraw... of the Lady's Motion signify by saying 'yes'; those opposed say 'no'. In the opinion of the

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Chair, the 'ayes' have it. And Amendment #2 is withdrawn.
Anything further, Mr. Clerk?"

Clerk Mahoney: "Floor Amendment #5 offered by Representative
Chapa LaVia."

Speaker Lyons: "Representative Chapa LaVia on Floor Amendment
#5."

Chapa LaVia: "Thank you, Speaker and Members of the House.
Amendment #5 allows Lockport High School and Elgin
Community College District 509 only to extend their bonds
for 25 years. And I ask for its adoption."

Speaker Lyons: "Any discussion on Amendment #5? Chair
recognizes the Gentleman from Crawford, Representative
Roger Eddy."

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

Speaker Lyons: "Lady awaits your questions."

Eddy: "Representative, 5 takes care of Lockport High School for
25 years, it extends the bond limitation from 20 to 25.
Are there parts of the underlying Bill that... or does 5
simply become the Bill?"

Chapa LaVia: "Five becomes the Bill, Representative."

Eddy: "Okay. So, the original intention... your intention, if I
remember it correctly and I was cosponsor, was to just
generally allow, instead of 20 years, a 25-year bond period
for all school districts. And... and the decision was made
at a different..."

Chapa LaVia: "Level."

Eddy: "...pay level that probably we're not comfortable with just
doing it for all at this time. It may be better to

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continue a past practice of... of having Representatives come with those variances on an individual basis?"

Chapa LaVia: "Correct. I think we did this not too long ago on park districts. And we did a blanket sweep on all park districts allowing them to extend their bond period. So, this is what we have. I know it's very important to Senator A.J. Wilhelmi that we get this passed. But thank you for the original support and maybe we together can work on something that is for every school district in the state."

Eddy: "Well, I agree with that. I think we should look at that. I understand the hesitation right now. Maybe we can do that next year, but let's talk about the one school district. I understand it's important to Senator Wilhelmi. Are... are all the local... is it local school district okay? Has there been an indication that that's the intent of the board and the taxpayers? Is there a referendum involved?"

Chapa LaVia: "Not... not that I'm aware of. I have not gotten... I've got nothing but support from Lockport for the... for this Bill to be enacted."

Eddy: "Okay. I mean, that's normal practice when we do something like this, is to make sure that the local taxing body effected by the bond..."

Chapa LaVia: "Yeah."

Eddy: "...is... is okay with this."

Chapa LaVia: "Yeah, I wouldn't... I wouldn't understand why anybody would... wouldn't quiver..."

Eddy: "Okay."

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who wish? Mr. Clerk... Hoffman, Harris, Collins. Mr. Clerk, take the record. On this Bill, there are 86 Members voting 'yes', 31 Members voting 'no', 0 voting 'present'. This Bill, having received the Constitutional Majority, is hereby declared passed. Mr. Clerk, on page 11 of the Calendar Representative Julie Hamos has Senate Bill 2116. What's the status of that Bill, Mr. Clerk?"

Clerk Mahoney: "Senate Bill 2116 has been read a second time, previously. Amendments... Floor Amendments 1 and 2 have both been approved for consideration, offered by Representative Hamos."

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

Hamos: "Thank you, Speaker, Ladies and Gentlemen. This could be really considered another in the series of ethics reforms because this has to do with procurement policy for local school districts and local units of government. When purchasing or when trying to figure out how to do contracts for energy service... services and for reducing their energy costs and for making their buildings more energy efficient, we have learned that the potential bidders on a contract are often the ones who are helping to create the RFPs. And in an effort to tighten that, we are working with the Senate Amendment, sat down with the industry and figured out a good way to really put some policies in place and some procedures in place that local units of government and school districts would follow. And I believe that we have full support. It's a... it's a good plan that will guide everybody out there who is working with the private sector

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in doing this very important work. I seek an 'aye' vote and be glad to answer questions."

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

Eddy: "Thank you. Very quickly. Representative, this is the only Amendment, correct, that wasn't... this is the first and only, the underlying language is gutted by this?"

Hamos: "There's a second Amendment which is actually a technical Amendment because we failed to... in one place where it should say local school district it still said unit of government, that's all it does. It's technical."

Eddy: "Okay. And I'm aware of that one as well. We'll just wait until this gets on Third. We have no problem with the... both Amendments. Thank you."

Speaker Lyons: "Any further discussion on Amendment #1? Seeing none, the question is, 'Should Amendment #1 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 Senate Amendment #1 is adopted. Anything... anything further, Mr. Clerk?"

Clerk Mahoney: "Floor Amendment #2."

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

Hamos: "Thank you. And again, this is just a technical Amendment to catch a typo in one part of the Bill."

Speaker Lyons: "Any discussion? Seeing none, the question is, 'Should Amendment #2 be adopted?' All those in favor signify by voting 'yes'; those opposed vote 'no'. In the opinion of the Chair, the 'ayes' have it. And Floor Amendment #2 is adopted. Anything further, Mr. Clerk?"

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

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

Clerk Mahoney: "Senate Bill 2116, a Bill for an Act concerning local government. Third Reading."

Speaker Lyons: "Representative Julie Hamos."

Hamos: "Thank you. Again, Ladies and Gentlemen, I think this is really an excellent product that came about through a series of negotiations where local units of government and school districts who really do want to do energy conservation, a very important part of our whole effort now with green buildings, with... with the stimulus money, with all kinds of efforts. This is going to be another part of doing that. What this does is to bring accountability and transparency to the process of securing and... and procuring those kinds of contracts."

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

Eddy: "Thank you, Speaker."

Speaker Lyons: "... the Lady yields."

Eddy: "Very quickly, just to the... to the Bill, as amended. I... I want to commend Representative Hamos. This is a sticky issue. Performance contracting is a... is a kind of an area where you need a lot of expertise to set up the request for proposal because it... it's not kind of the normal process but there were some issues related to the transparency. She received a lot of input from a lot of people, came up with an agreed Bill that I think is going to add a lot of transparency to the situation and... and secure a competitive

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bid process even in a highly technical performance contracting world that we live in. I would just simply urge the Body to vote 'aye' on the legislation. This is a good improvement."

Speaker Lyons: "Seeing no further discussion, Representative Hamos to close."

Hamos: "Well, Representative Eddy said it way better than I did. I seek an 'aye' vote. Thank you."

Speaker Lyons: "The question is, 'Should Senate Bill 2116 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? Will Burns. Mr. Clerk, take the record. On this Bill, there's 117 Members voting 'yes', 0 voting 'no'. This Bill, having received the Constitutional Majority, is hereby declared passed. Representative Tom Holbrook, on page 10 of the Calendar under Senate Bills-Second Reading, you have Senate Bill 1909. What's the status of that Bill, Mr. Clerk."

Clerk Mahoney: "Senate Bill 1909 has been read a second time, previously. No Committee Amendments. Floor Amendments 3 and 4, offered by Representative Holbrook, have both been approved for consideration."

Speaker Lyons: "Representative Holbrook on Floor Amendment #3. Out of the record. Ladies and Gentlemen, we're going to start moving some of the concurrences. So, we'll start on page 13. Representative Miller, on the Order of Concurrences on page 13 of the Calendar, you have House Bill 496, Representative David Miller. Out of the record."

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Representative Susana Mendoza, under Concurrences you have House Bill 562. The Chair recognizes the Lady from Cook, Representative Susana Mendoza on House Bill 562 under the Order of Concurrences. Mr. Clerk."

Mendoza: "Thank you, Mr. Speaker, Ladies and Gentlemen of the House. I rise to concur with Senate Amendment #1 to House Bill 562. The Amendment provides that the Department of Children and Family Services may not discipline an Investigation Specialist, an Intact Family Specialist or a Placement Specialist for failing to report animal abuse if the specialist determines that making such a report would interfere with the performance of his or her child welfare protection duties. There is no opposition to this Bill. It's agreed upon. And I think it makes the Bill a little bit stronger even than it was to begin with. This is in reference to the cross reporting Bill that we passed unanimously just a few months back. So, I would ask for your support and be happy to answer any questions."

Speaker Lyons: "You've heard the Lady's Motion. Is there any discussion? The question is, 'Should the House concur in Senate Amendment #1 to House Bill 562?' 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 Colvin. Mr. Clerk, take the record. On this Bill, there are 117 Members voting 'yes', 0 Members voting 'no'. The House does concur to Senate Amendment #1 to House Bill 562. This Bill, having received the Constitutional Majority, is hereby declared passed.

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Representative John Fritchey, on the Order of Concurrences, you have House Bill 2246. Representative John Fritchey."

Fritchey: "Thank you, Speaker. I simply request an 'aye' vote."

Speaker Lyons: "You've heard the Gentleman's Motion on Amendment #1 to House Bill 2246. Is there any discussion? Seeing none... the Chair recognizes the Gentleman from Jasper, Representative David Reis."

Reis: "Would the Sponsor like to tell us real quick what his Bill does?"

Fritchey: "No. Representative, it's simply cleanup language that was requested by the Civil Justice League."

Reis: "Okay. Was there any opposition that came out of the Senate or anything?"

Fritchey: "Not that... not that I'm aware of. This... this Bill I think came out unopposed from this chamber initially. This Bill actually allows the Attorney General to act on the behalf of the people of the State of Illinois in antitrust actions as *parens patriae*. There was simply some additional explanatory language that was put in through the Senate Amendment that we're simply seeking to concur to here."

Reis: "Was Senator Dahl opposed?"

Fritchey: "Excuse me?"

Reis: "You don't need to answer that. Thank you for your explanation, Representative."

Fritchey: "Thank you."

Speaker Lyons: "Seeing no further discussion, the question is, 'Shall the House concur in Senate Amendment #1 to House

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Bill 2246.' 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 Froehlich. Mr. Clerk, take the record. On this Bill, there are 117 Members voting 'yes', 0 voting 'no'. The House does concur with Amendment #1.. Senate Amendment #1 to House Bill 2246. And this Bill, having received the Constitutional Majority, is hereby declared passed. Representative David Miller, on the Order of Concurrences on page 14 of the Calendar, you have House Bill 2448. Representative David Miller."

Miller: "Thank you, Mr. Speaker, Ladies and Gentlemen of the House. Senate Amendment #1 simply provides additional clarification for remote education in schools. I ask for favorable consideration."

Speaker Lyons: "Is there any discussion? Seeing none, the question is, 'Shall the House concur in Senate Amendment #1 to House Bill 2448?' 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 Jackson, Riley, Mike Smith. Mr. Clerk, take the record. On this Bill, there are 117 Members voting 'yes', 0 voting 'no'. This Bill, and the House does concur in Senate Amendment #1 to House Bill 2448. This Bill, having received the Constitutional Majority, is hereby declared passed. Representative Chuck Jefferson, on the Order of

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Concurrences, you have House Bill 2470. Representative Jefferson."

Jefferson: "Thank you, Mr. Speaker, Members of the House. I move to concur with Senate Amendment 1 as it relates to House Bill 2470. The Amendment makes a change to existing law to allow for 59 additional census tracks within the City of Chicago to be able to take part in the tax abatement program. I would ask for an 'aye' vote."

Speaker Lyons: "Is there any discussion? Seeing none, the question is, 'Shall the House concur in Senate Amendment #1 to House Bill 2470?' 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 114 Members voting 'yes', 0 voting 'no', 2 Members voting 'present'. And the House does concur in Senate Amendment #1 to House Bill 2470. This Bill, having received the Constitutional Majority, is hereby declared passed. Representative LaShawn Ford, you have House Bill 2537, on the Order of Concurrences. Representative Ford."

Ford: "I move to concur on Senate Amendment #1, 2 and 3."

Speaker Lyons: "Discussion on the Amendments, Representative?"

Ford: "Senate Amendment #1 prohibits the uploading of the image from one... It would apply only for the first uploading. That's Senate Amendment #1. Senate Amendment #2 provides that... prohibits on disseminating a video recording of an image of another from the underlying Bill of the initial dissemination of a video recording. It will not apply to a

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subsequent forwarding of an image. And Senate Amendment #3 provides that the image protects a free speech photo. That's what the Amendments does."

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

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

Speaker Lyons: "Sponsor yields."

Eddy: "Representative, when you sent this to the Senate your intent was pretty clear. It would make it a misdemeanor for a person to upload on the Internet an electronic nude image of another person without the written consent of the person. And in the Senate, they seemed to have applied some exemptions to your intent. Are you sure you're okay with the fact that in certain circumstances it's okay to transmit electronically a nude image? Is that what the Amendments do? It seems to."

Ford: "Well, if we could stop the first forwarding of the photo it would be fine. So, if we could prevent the first image from being sent out, then I think we won't have to worry about the second or third."

Eddy: "Well, then why is it necessary to add the Amendments if you take care of the first one, you don't have to... what this seems to be doing on the Amendment level is to allow your intent to only apply to the initial uploading of the image, but then once it's uploaded it doesn't apply to forwarding it. Wouldn't it be wrong to forward that image as well?"

Ford: "Well, it... it appears that it's okay... that you cannot forward the first upload. But... so for instance, if I

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forward something to you, that would be illegal. But if you forward it to someone else, it wouldn't be."

Eddy: "Okay. Well, I'm... I'm told it may have to do with the concept of criminal intent regarding forwarding and that you might be able to forward the image accidentally and you maybe didn't even open it or something like that. I... I don't know. I just... I just want to make sure here that we're not changing the intent and voting for something that actually provides for instances where it's okay to... to send those images. Folks can take a look at it. I... I would urge you to look at the language of this to make sure you're comfortable. And we can do that on Third. Thank you."

Speaker Lyons: "The Chair recognizes the Gentleman from DuPage, Representative Dennis Reboletti."

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

Speaker Lyons: "Sponsor yields."

Reboletti: "Representative, I... I... I thought your Bill was pretty clean and pretty clear when we sent it over to the Senate. I'm a little concerned that we're only going to deal with... as the Gentleman from Crawford was talking about, that initial upload. Because now we see the cases of in high schools about images being sent all over the high school. We deal with, obviously, the Internet and how quickly things can be uploaded. Why wouldn't any additional attempts to send that out, why wouldn't... why wouldn't that be considered part of the crime? I think this is probably what the concern of... of the Body is right now. Why... why would we... actually give a free pass after

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the first initial uploading? I know that's not your intent, but it seems to be the intent of the Senate Sponsor on the Amendments."

Ford: "Well, the first person would be the one that took the photo probably and they would have the intent to harm. The second person would not know that it was... they wouldn't have the intent to harm. I guess that's where they..."

Reboletti: "We... if you want to move it to Third, that's fine, but I would hope that maybe you would take it out of the record for a few minutes so we could... so we could talk about it. I mean take... take it out of the record for a few moments on the Concurrence Motion."

Ford: "So, we're going to take this Bill out of the record now. And we're going to move it back to nonconcurrence."

Speaker Lyons: "Just take it out of the record and get some of those questions answered, Representative Ford."

Ford: "And we want to nonconcur."

Reboletti: "Thank you."

Speaker Lyons: "Take the Bill out of the record, Mr. Clerk. Representative Skip Saviano you have Senate... House Bill 2335. The Chair recognizes the Gentleman from Cook, Representative Skip Saviano on concurrence."

Saviano: "Thank you, Mr. Speaker, Members of the House. Which... which... there we go."

Speaker Lyons: "You have two of them, Skip, on the same page. This is 2335."

Saviano: "Yeah. I would... I would ask that we concur with Senate Amendments 1 and 3 to House Bill 2335. This is an initiative of the Department of Professional Regulation as

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it applies to limited liability corporations that are set up by certain professions. There's no opposition to this. I would ask that we concur with Amendments 1 and 3 to House Bill 2335."

Speaker Lyons: "Is there any discussion? The Chair recognizes the Gentleman from Cook, Representative John Fritchey. The Gentleman is not seeking recognition. Any further discussion? Seeing none, the question is, 'Should the House concur in Senate Amendments #1 and #3 to House Bill 2335?' 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 Winters, Cultra, Shane. Dave Winters. Mr. Clerk, take the record. On this Bill, there are 89 Members voting 'yes', 28 Members voting 'no'. And the House does concur in Senate Amendments #1 and 3 to House Bill 2335. This Bill, having received the Constitutional Majority, is hereby declared passed. Representative Saviano, on the Order of Concurrences, you also have House Bill 2539. Representative Saviano on House Bill 2539."

Saviano: "Thank you, Mr. Speaker. I would ask that we concur to Amendment #1 on House Bill 2539. This is an initiative of the Public Guardian and Advocacy Commission, of which I'm a member of, Representative Ryg. This is part of their legislative package. It's an agreed Amendment and I would ask that we concur with Amend... Senate Amendment #1 to House Bill 2539."

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Speaker Lyons: "Is there any discussion? Seeing none, the question is, 'Shall the House concur in Senate Amendment #1 to House Bill 2539?' 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', 0 voting 'present'. The House does concur with Senate Amendment #1 to House Bill 2539. This Bill, having received the Constitutional Majority, is hereby declared passed. Representative Karen Yarbrough, on the Order of Concurrences, you have House Bill 2542. The Lady from Cook, Representative Karen Yarbrough."

Yarbrough: "Thank you... thank you, Mr. Speaker. I move for concurrence to add Senate Amendment #2 to House Bill 2542. The Amendment is a gut and replace and it retains all the underlying Bill and reinserts the former provisions. The Amendment also adds new exemptions and definitions to the offenses. Be happy to answer any questions."

Speaker Lyons: "Is there any discussion? Seeing none, the question is, 'Should the House concur in Senate Amendment #2 to House Bill 2542?' 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 in Amendment #2 to House Bill 2542. This Bill, having received the Constitutional Majority, is hereby declared passed.

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Representative Mark Walker, on the Order of Concurrences you have House Bill 2625. The Gentleman from Cook, Representative Mark Walker."

Walker: "Thank you, Mr. Chair and Members of the House. I ask for concurrence, on Senate Amendments 1 and 2 of House Bill 2625. Senate Amendment 1 is, in fact, a technical change that clarifies and is consistent with the original intention of the Bill. Senate Bill... Senate Amendment 2, however, adds a UAW license plate to this Bill, consistent with the regular practice of the other special license plates. And I ask concurrence."

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

Eddy: "Thank you. Representative, is this the... the Teamsters License Plate Bill that came through the Education Committee?"

Walker: "Yes, it is."

Eddy: "And there was some question in committee regarding the funds and what the... the fund would be used for. Can you elaborate to the Body the intention of the use of those funds?"

Walker: "Yes. The stated intention of the UAW, Representative, was that these funds had been used... from these... these funds had been used for and would be used for supporting the veterans' homes. The Bill requires that the funds be used only for charitable purposes."

Eddy: "So, I think it's important for legislative intent the... the fact that's it's not written in the Bill that the funds are to be used for veterans' purposes, but that is the

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intent. And that's your stated intent in committee and that's your intent on the floor."

Walker: "That is correct."

Eddy: "The specific charitable purpose is veterans?"

Walker: "Supporting the veterans' homes."

Eddy: "Okay. Thank you."

Speaker Lyons: "Any further discussion? Seeing none, the question is, 'Shall the House concur in Senate Amendments #1 and #2 to House Bill 2625?' 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 Cultra, Tryon, Jil Tracy. Mr. Clerk, take the record. On this Bill, there's 104 Members voting 'yes', 11 Members voting 'no', 2 Members voting 'present'. And the House does concur with Senate Amendments #1 and 2 to House Bill 2625. This Bill, having received the Constitutional Majority, is hereby declared passed. Representative Suzie Bassi on the Order of Concurrences you have House Bill 2660. The Lady from Cook, Representative Suzy Bassi."

Bassi: "Thank... thank you, Mr. Speaker. Amendment #1... Senate Amendment #1 add... reinstates provisions that were inadvertently left out of House Bill 2660. This is the trailer Bill that we passed unanimously from the House on the Cindy Bischof Law. And this reinstates the provisions that we inadvertently left out. It passed the Senate unanimously. And I would ask for concurrence."

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Speaker Lyons: "Is there any discussion? Seeing none, the question is, 'Shall the House concur with Senate Amendment #1 to House Bill 2660?' 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'. And the House does concur in Senate Amendment #1 to House Bill 2660. This Bill, having received the Constitutional Majority, is hereby declared passed. Representative Roger Eddy, on the Order of Concurrences, you have House Bill 2675."

Eddy: "Thank you, Speaker. I move that we concur with Senate Amendment #3. It becomes the Bill. It contains a couple of provisions. It outlines a process for districts to claim ADA in cases where there may be a health emergency by building rather than by district. And it also includes a provision on assessment for out-of-state certification. And I'd appreciate an 'aye' vote on the concurrence and answer any questions."

Speaker Lyons: "Representative Eddy, I believe it's Amendments #1 and #3? The Clerk wanted to make that clarification. Amendments 1 and 3?"

Eddy: "Yes, Sir. Thank you."

Speaker Lyons: "Is there any discussion? Seeing none, the question is, 'Shall the House concur in Amendments #1 and 3 to House Bill 2675?' 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

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voted who wish? Have all voted who wish? Representative Rose. Mr. Clerk, take the record. On this Bill, there's 117 Members voting 'yes', 0 voting 'no'. And the House does concur with Senate Amendment numbers 1 and 3 to House Bill 2675. This Bill, having received the Constitutional Majority, is hereby declared passed. Representative David Leitch, on page 15 of the Calendar under the Order of Concurrences, you have House Bill 2686. The Gentleman from Peoria, Representative David Leitch."

Leitch: "Thank you. All this Amendment does is cleanup the language to the underlying Bill and adds Northwestern and the Peoria College of Medicine for forensic psychiatric funds in the event they're ever appropriated. I know of no opposition."

Speaker Lyons: "Is there any discussion? Seeing none, the question is, 'Shall the House concur in Senate Amendment #1 to House Bill 2686?' This is final action. All those in favor should vote 'yes'; those opposed vote 'no'. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Representative... Mr. Clerk, take the record. On this Bill, there are 117 Members voting 'yes', 0 voting 'no'. And the House does concur in Senate Amendment #1 to House Bill 2686. This Bill, having received the Constitutional Majority, is hereby declared passed. Representative Suzie Bassi, you have House Bill 3325. Representative Bassi."

Bassi: "Thank you, Mr. Speaker. The Amendment in Senate Bill... House Bill 3325, the Senate Amendment becomes the Bill and was introduced at the request of the Secretary of State.

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It reinstates provisions that were virtually the same as the engrossed version of the Bill, makes the language a little clearer, the correspondent... makes some changes that correspond to another statute, cleans up the original language and prohibits those who conditions is such the protections from the direct rays of the sun can be adequately obtained by the use of sunglasses or eye protective devices from seeking a medical exemption would be... would not be included. And again, as I say, the Amendment came at the request of the Secretary of State. And I would ask for concurrence."

Speaker Lyons: "You've heard the Lady's explanation on the Amendment. Is there any discussion? Seeing none, the question is, 'Shall the House concur in Senate Amendment #1 to House Bill 3325?' 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 May, Sullivan, Monique Davis. 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 3325. This Bill, having received the Constitutional Majority, is hereby declared passed. Representative Brauer, you have House Bill 3641 on the Order of Concurrences. The Gentleman from Menard, Representative Rich Brauer."

Brauer: "Yeah. Thank you, Mr. Speaker. I move to concur on Senate Amendment 1 and 2 on House Bill 3641. And this is a

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pilot program in Hope School and the cost base will be based on the payment rate as opposed to FQHC."

Speaker Lyons: "Is there any discussion? The question is, 'Should the House concur in Senate Amendments #1 and 2 to House Bill 3641?' 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's 117 Members voting 'yes', 0 voting 'no'. And the House does concur in Senate Amendments #1 and 2 to House Bill 3641. This Bill, having received the Constitutional Majority, is hereby declared passed. Representative Jay Hoffman, you have House Bill 3658 under the Order of Concurrences. The Gentleman from Madison, Representative Jay Hoffman."

Hoffman: "Thank you, Mr. Speaker, Ladies and Gentlemen of the House. This is the annual IDOT Land Transfer Bill. Senate Amendment #1 simply adds additional land that needed to be transferred for road and various other purposes with the Illinois Department of Transp... from the Illinois Department of Transportation. All of the requisite legal requirements and statutory requirements have been fulfilled. I ask for a favorable vote."

Speaker Lyons: "Is there any discussion? Seeing none, the question is, 'Shall the House concur in Senate Amendment #1 to House Bill 3658?' 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

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May. 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 3658. This Bill, having received the Constitutional Majority, is hereby declared passed. Representative Emily McAsey, on the Order of Concurrences on page 15 of the Calendar, you have House Bill 3681. Representative McAsey."

McAsey: "Thank you. I make a Motion to Concur with Senate Amendment 1 to House Bill 3681. What the Senate Amendment does is to expand the scope of this from just violations of Section 11-501 of the Vehicle Code related to driving under the influence of alcohol to all Class A misdemeanors. It additionally speaks to speedy trial rights. And I just want to be clear that it is not... that there is no intent by this Legislator to create any additional speedy trial rights, and that this legislation would still require a defendant to make a demand for a speedy trial. And on that, I would ask that the House concur."

Speaker Lyons: "Is there any discussion? Seeing none, the question is, 'Shall the House concur on the adoption of Senate Amendment #1 to House Bill 3681?' 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, would you like to be recorded? Mr. Clerk, take the record. On this Bill, there are 117 Members voting 'yes', 0 voting 'no'. And the House does concur in Senate Amendment #1 to House Bill 3681. This Bill, having received the Constitutional Majority, is

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hereby declared passed. Representative Chapin Rose you have House Bill 3714 on the Order of Concurrences. The Gentleman from Champaign, Representative Chapin Rose."

Rose: "Thank you, Mr. Speaker. This is a Bill that passed the Senate 58-0. And it deals with... basically would disallow a FOID card eligibility for felony offenses or misdemeanor offenses if it involved intentional and knowing infliction of bodily harm or threat of bodily harm. And again it did pass the Senate 58-0. This on concurrence and I'd ask for a favorable adoption."

Speaker Lyons: "Is there any discussion? Seeing none, the question is, 'Shall the House concur in Senate Amendment #1 to House Bill 3714?' 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 Coulson, Representative Colvin, Representative Burns. Representative Burns. Mr. Clerk, take the record. On this Bill, there are 102 Members voting 'yes', 14 Members voting 'no', 1 Member voting 'present'. The House does concur in Senate Amendment #1 to House Bill 3714. This Bill, having received the Constitutional Majority, is hereby declared passed. On the top of page 16, Representative Coulson on the Order of Concurrences, you have House Bill 3767. The Lady from Cook, Representative Beth Coulson."

Coulson: "Thank you, Mr. Speaker. I move to concur in Senate Amendment #1. It essentially answers the questions that we had on the floor. It provides for three hearings instead of six for the Obesity Prevention Initiative. It's... it

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makes very clear what the purpose of those hearings are: to try to promote action to reduce obesity, improve nutrition and increase physical activity. It also adds members to the board and specifically makes it budget neutral by using money for... from public, private and contributed in-kind resources. So, it will not cost anything. So, I'd appreciate your 'aye' vote."

Speaker Lyons: "You've all heard the Lady's explanation. Is there any discussion? The Chair recognizes the Lady from Cook, Majority Leader Barbara Flynn Currie."

Currie: "Thank you, Speaker. Just to let... ask that the record reflect that I would prefer to have been voted 'no' on the Concurrence Motion on House Bill 3714."

Speaker Lyons: "Any further discussion? Representative Currie?"

Currie: "I just was asking the record to reflect that I would prefer to have voted 'no' on the Concurrence Motion on House Bill 3714."

Speaker Lyons: "Thank you, Representative. The Journal will so reflect. Any further discussion? Representative... Representative Nekritz."

Nekritz: "Thank you, Mr. Speaker. I would also like the record to reflect that I would have preferred to voted 'no' on the Concurrence Motion to 3714. Thank you."

Speaker Lyons: "The Journal will reflect your... your wishes, Representative. Anything further... anything on House Bill 3767? Seeing none, the question is, 'Shall the House concur in Senate Amendment #1 to House Bill 3767?' This is final action. All those in favor signify by voting 'yes'; those opposed vote 'no'. The voting is open. Have all voted who

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wish? Have all voted who wish? Have all voted who wish? Representative Nekritz, Connie. Mr. Clerk, take the record. On this Bill, there are 117 Members voting 'yes', 0 voting 'no'. And the House does concur in Senate Amendment #1 to House Bill 3767. This Bill, having received the Constitutional Majority, is hereby declared passed. The Chair recognizes the Lady from Champaign, for what purpose do you seek recognition, Representative Jakobsson?"

Jakobsson: "Mr. Speaker, please let the record reflect that I intended to vote 'no' on Senate Bill 3714."

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

Miller: "Thank you, Mr. Speaker. On House Bill 3714, on the Concurrence Motion, my switch inadvertently should have been voted 'no' as opposed to 'yes'."

Speaker Lyons: "The record will so reflect, Representative Miller. Ladies and Gentlemen, again, if I could have your attention. Members, we're waiting for several of you who have not turned in your orange colored supplemental agreement on Resolutions. So, if you would please... please bring in your... your signed and printed signature on the orange Agreed Resolution request form. We'd like to get to this shortly. Thank you, Representative Tracy. Thank you, Representative Zalewski. Keep them coming. We'd like to get this thing put behind this as soon as we can. On the Order of Concurrences, Representative Tryon, on page 16 of the Calendar, you have House Bill 3785. Representative Tryon."

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Tryon: "Thank you, Mr. Speaker. The... House Bill 3785 is an attempt to codify Supreme Court rulings regarding the residential placement of political signs. And this was amended and we had put a 45-day limit on it in the House, that no municipality could regulate a political sign within 45 days of the election. And I think we all know that some of the cities had 17 days out or 15 days out. And when we moved early elections to 30 days out, you could not... a resident could not put a political sign in their yard. Supreme Court ruling has ruled those types of restrictions as being unconstitutional. And this will simply put in state statute those Supreme Court rulings. And there would not be a time limit, only a size limit and a square footage limit, on political signs on residential property."

Speaker Lyons: "You've heard the Gentleman's explanation. Is there any questions? The Chair recognizes the Gentleman from Cook, Representative John Fritchey."

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

Speaker Lyons: "Sponsor yields."

Fritchey: "Representative, I'm looking at the analysis. I want to make sure I understand what you're trying to do here. This Bill would allow a municipality to restrict the size of a campaign sign put on private residential property?"

Tryon: "That's... well, that's correct. They could have... they can have a restriction on size, but they can't have a freedom a speech restriction on content or time that the content can be out there. And part of the problem that you have is when you have... when you're only regulating one form of speech such as political speech, but you can have a sign

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in your yard for a church outing or a sign in your yard for I support the troops and you can't have a political sign, it becomes a constitutional issue. Well, the Supreme Court has ruled on that and they said that you can't prevent political signs from being placed, but you could..."

Fritchey: "But this... but this..."

Tryon: "...regulate the size of the sign."

Fritchey: "...but this would allow a village board, for example, to say that no signs could be placed in excess of 8 inches by 12 inches on somebody's yard?"

Tryon: "That's correct. They have that..."

Fritchey: "And that would seem to have..."

Tryon: "...authority now."

Fritchey: "...that would seem to have the ability of stifling challenges to the incumbents, no?"

Tryon: "No. They... they have that authority now, John."

Fritchey: "Well, but it's the... but it's the incumbents that have the ability to determine what would be a reasonable restriction. Is that correct? It's the elected officials that are empowered that would be making the decisions as far as what's a reasonable size?"

Tryon: "Yeah, that would be correct."

Fritchey: "So... so, the incumbents would really be deciding how big their challengers signs could be and they could be placed on private property. So, if I'm... if I'm a challenger... if I'm any candidate that's running for office, I could be restricted on how big a sign I can put on my own front yard of my house under this Bill, is that correct?"

Tryon: "That's correct."

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Fritchey: "Inquiry of the Chair. If I read this correctly, this Bill preempts Home Rule? Does this Bill require 71 votes?"

Speaker Lyons: "Mr. Fritchey, we will... we will look into that and get you an answer on that question."

Fritchey: "Okay. To... to the Bill. The Sponsor, my fraternity brother, is well-intentioned. I'm kind of perplexed that the ACLU actually supports this Bill. But Ladies and Gentlemen, this is a direct intrusion on to personal property rights. This isn't about campaign signs. This is about allowing elected officials to decide how big and what type of campaign sign an individual can put on their private property, and that decision is going to be made... this Bill preempts Home Rule and makes it... the regulation a power reserved to the state and says that these authorities can... well, they cannot just prohibit the display of a sign, they can restrict the size of the sign which can in effect be the same thing as a prohibition. For my colleagues on the other side of the aisle who have always been understandably protective of private property rights, to give a wholesale conveyance to local authorities to decide how big and what manner of political sign can be placed on somebody's lawn seems to go directly against a lot of the personal freedoms that a lot of us fight for in this chamber on a daily basis. I'd urge you to look at this Bill carefully. I await the response of the parliamentarian. I do believe this requires 71 votes. I'm... I'm not going to ask for a verification, Mike. I

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would ask for everybody to think about what it is they're voting on. And I appreciate your answers. Thank you."

Speaker Lyons: "Mr. Fritchey, we will get back to you. There are several people asking questions. We will not vote on this until we get you an answer from the parliamentarian. The Chair recognizes the Gentleman from DuPage, Representative Dennis Reboletti."

Reboletti: "Inquiry of the Chair?"

Speaker Lyons: "State your inquiry, Sir."

Reboletti: "Does this preempt Home Rule?"

Speaker Lyons: "Representative Fritchey just asked that question, Dennis."

Reboletti: "I'm... I'm sorry. I couldn't hear."

Speaker Lyons: "We're finding out. We'll find out..."

Reboletti: "Okay."

Speaker Lyons: "...before we vote."

Reboletti: "Can I... will the Sponsor yield?"

Speaker Lyons: "Sponsor yields."

Reboletti: "Representative, so then the village or the city could then tell you you can't have a 4x4 for a mayoral race or for a State Rep race?"

Tryon: "Representative, the village can you tell you that today. And many villages do tell you that today, that you can only have 16 square feet of total sign space in your yard. They have the ability to do that. They set sizes for real estate signs, they set sizes for any kind of signs, they can do that, but they can't restrict your right to free speech. So, they cannot say that political signs are different than church bazaar signs or any other kind of

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signs. So, the Supreme Court has ruled it's an individuals right on their own property to have a political sign in front of their property for any length of time. This is codifying that ruling."

Reboletti: "Thank you."

Speaker Lyons: "The Chair recognizes the Gentleman from McHenry, Representative Jack Franks."

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

Speaker Lyons: "Sponsor yields."

Franks: "Representative, I... I supported you when this... when you did this Bill initially. And I'm looking at the Senate Amendment #1 and I don't think I've ever got up to question you on a Bill before, but I'm troubled by the language from the Senate Amendment that indicates that you can display an outdoor political sign with reasonable size restrictions. Can you tell me what those reasonable size restrictions are?"

Tryon: "Well, reasonable size restrictions would be up to individual municipality when they set the size restrictions. If you didn't like that and you felt it was unreasonable, you'd have to approach the municipality, but political signs generally are... are of... I mean, when you buy a political sign they have three or four sizes that you can buy."

Franks: "Well, they have them up to 4x8 you see as a sheet of plywood, you know, for those of us that make our own, you know. I don't know if that's going to be reasonable in some places. Because it might be reasonable where I live on the farm, but I've been to your house I'm not sure a 4x8

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made of plywood is going to look nice in your neighborhood."

Tryon: "Right. And I... I think that's what this Bill is attempting to do. Is to have a size limit so you don't restrict view in a corner and create an accident or something like that inside a municipality. But I will tell you this, Representative Franks, that every sign... and most municipalities regulate the size of signs for any kind of sign that may be out there. McHenry County, for instance, doesn't, but almost every village inside of our... our county actually has 16 square feet or as the total number of the size of sign you can have within a... in a municipality. So, we're... they have the right to do that. You... I... you can't take that away from them."

Franks: "I'm... I'm concerned on the First Amendment right to allow someone to put up a sign. I remember a few years ago there was a sign up in Harvard and I won't use the person's name, but they had a big sign and it said, 'I detest this person'. They had a big circle with his name with a slash through it. And this was a guy who was obviously upset with that elected official's position or... or actions. And I think that's sort of an American right to show your displeasure and use a sign on your own property. And it was certainly a political type of sign. I'd assume that that would not fit in a reasonable restriction 'cause it was much bigger than a 4x8, it might have been a 10x12. It might... even you know, it was almost a billboard. And I'm concerned that this would have a stifling effect on a First Amendment right. And I just think we're going to see a lot

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of challenges with this. Are there any other... is there any case law in this that you've seen? Are other states doing this?"

Tryon: "The... the content is what the Supreme Court ruling was, and that's all we're doing. We have almost every city in our community violating a Supreme Court ruling 'cause they have sign ordinances that say you can't have political signs up except 15 days before the election, but the election actually starts 30 days before the election."

Franks: "Right."

Tryon: "I mean, so if we don't change this we're... we're still going to have that problem of stifling people's political right... or right to free speech."

Franks: "Well, wouldn't it be better..."

Tryon: "Size is something they can regulate now. It's no different than the zoning ordinance that says you have to have a set-back requirement for your house. Maybe you don't want to have a set-back requirement, but they have the right to do that."

Franks: "I think that most sign ordinances are unconstitutional. I believe that McHenry County's is unconstitutional and we'll soon find out as there's a court case on that. Wouldn't it be easier if we were really worried about this to make sure it's constitutional to say that you can't put limits on... on political speech and you can't... if there's a campaign sign there's no limit for the amount of time or the size? And that way we wouldn't have that issue at all and we would know that it would be constitutional."

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Tryon: "Representative Franks, I think when you're looking at the potential for safety issues. Somebody that puts a, you know, 28 square foot billboard in the... in their front yard in a residential subdivision, that may restrict the line of sight for driving and may create other safety hazards. I can see that being an issue. And..."

Franks: "Well, how do you define political sign? I mean, I know what... you know, 'vote for Tryon' is certainly a political sign. But another one that says, 'I detest, you know, Jack Franks.'" "

Tryon: "It's a sign. They... they can't regulate freedom of speech. You can have a I support the troops, you can have any sign you want. They can't take your right away for that on a residential piece of property. And that's what the Supreme Court ruled. That's what this Bill is doing."

Franks: "I'm just concerned when you have this. I think it's another attack that I think it can make... make it a problem and I would much prefer you see a nonconcurrency on this... instead of a Concurrence Motion. I think the Bill the way we passed it, what you were trying to do, made perfect sense. I think this here convolutes it and makes it a much bigger problem."

Tryon: "Well, I think the discussion in the Senate was that cities inherent..."

Speaker Lyons: "Representative Franks, your time has expired. If you could bring this conversation to a conclusion? Representative Elaine Nekritz."

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

Speaker Lyons: "Sponsor yields."

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Nekritz: "Representative, do we... do we, as the... as the state regulate the size of signs right... political signs right now? Do we tell municipalities what they can and cannot do with regard to that?"

Tryon: "No, we do not."

Nekritz: "And so it's up to the municipality to regulate that and they have that right?"

Tryon: "They have the right to regulate the size of signs, not the content or not the timing on how long they can be out."

Nekritz: "But they currently have that capability?"

Tryon: "Yes. They currently have size capability, that's correct."

Nekritz: "So, it seems to me that... with all due respect to the Senate, that they just restated the obvious in this Bill in changing your Bill, but it doesn't effect the underlying Bill, which is to prevent municipalities from restricting free speech rights by contracting the amount of time you can have a political sign on your lawn. Now, the fact that we added in this... what I consider to be a superfluous phrase to say that they can also regulate the size... they can right now and we're sort of... again, with all due respect to the Senate, they're restating the obvious. Would that..."

Tryon: "That'd be correct."

Nekritz: "...be a fair statement? Okay. So, Ladies and Gentlemen, I think it's really... I mean, I represent a number of municipalities and every campaign season I get the letter from them saying, boy, we can't... you know you can't put up signs until two weeks before election day and

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you know, I've had some issues with that with... now with early voting. But I... you know, I think the underlying legislation is... is really important to set a standard that, you know, to keep the municipalities from doing... constricting free speech rights in the way that they have. And the language that's been added by the Senate, again, I think is superfluous, doesn't change the underlying Bill and doesn't change existing law. I'd urge an 'aye' vote."

Speaker Lyons: "Representative David Miller."

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

Speaker Lyons: "Sponsor yields."

Miller: "Representative, I sort of believe I think where you're going with this. We had a situation where a political adversary had put up signs in one of my communities and had restricted them from putting... the local municipality was saying we can't put up any political signs. Doesn't... doesn't this sort of center on the same... the situation was resolved... the situation was resolved when... when they did allow signs. My understanding is you can have any sign you want, any display you want whether it's something for a manufacturer or some product you may be selling at home or political as long as it's not obtrusive within the community or within, you know, within... for safety reasons. Isn't that... isn't that correct?"

Tryon: "In many of the cities throughout a suburban area primarily, regulate size, amount of square footage and they regulate the days that you can have a political sign out. You can't regulate the number of signs or the square footage or the amount of time, that is a restriction of

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your right in this country for free speech, but they can say you can't have a sign on your yard bigger than so many square feet. And they have that right. I mean it could be a right under safety issue. It could be an issue of concern that you're blocking the view of... of something that's..."

Miller: "But wouldn't the municipality... for instance, near where I live there's a tree that blocks a stop sign from one of the residences. It doesn't mean that the citizen, the person can't have additional trees in their house. The location just has to be moved. I mean, so the... the size and... doesn't matter in... in this case."

Tryon: "I'm not following you there, Representative."

Miller: "You know what I'm saying? It doesn't... the size... the size of the tree does not matter, it's the location versus... versus the loc... similar to... similar to the location of the sign. That's what you're trying... you're trying... to me, jumble these arguments."

Tryon: "What we're... I'm not trying to take away a right that the city has to say a real estate sign has to be this big, a yard sale sign has to be this big; they regulate that now. And the problem is you can't just regulate one form of speech. You can't say, political signs don't have any square footage, but the other signs do. I mean, you... they would... they wouldn't be able to defend that."

Miller: "Is... is there a definition of political signs in this? Because then it gets into other... other issues that can be deemed political, whether you're for something or against something?"

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Tryon: "You can't... you can't regulate the fact that I put a sign out on my lawn that says, vote for somebody, don't vote for somebody, I support the troops, withdraw the troops, stop the war now. All those things could be political, but they can't regulate that and they're trying to regulate election signs. Signs that are placed out advertising a candidate prior to election. Most municipalities in the suburbs are trying to prevent that kind of free speech. You can't do that. And this is codifying that Supreme Court decision so that every community is treating election signs the same."

Miller: "All right. I'll listen to if there's further debate on this. Thank you, Representative."

Speaker Lyons: "Representative Ramey."

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

Speaker Lyons: "Sponsor yields."

Ramey: "Thank you. Representative, did you mention earlier that they cannot restrict how many signs you put in the yard?"

Tryon: "That's correct."

Ramey: "Well... well, I would disagree cause some villages are restricting how many signs you can put in."

Tryon: "This is going to fix that."

Ramey: "This Bill fixes that?"

Tryon: "That's correct."

Ramey: "Very good. Thank you."

Speaker Lyons: "Representative Black. Representative Bill Black."

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

Speaker Lyons: "Sponsor yields."

Black: "Representative, has there been a definitive court decision on whether or not a municipality can regulate the placement of political signs, 'cause that's the ultimate arbiter of this question?"

Tryon: "A United States Supreme Court decision."

Black: "All right. Well, I live in a subdivision that has a subdivision ordinance that prohibits signs and I've never challenged that, just didn't think it was worth it quite frankly. If... I mean there are all kinds of deed restrictions that certain subdivisions have. And it just seems like with the Senate Amendment the only thing we're arguing about is size."

Tryon: "That's correct."

Black: "Size of the sign."

Tryon: "That's correct."

Black: "But if a city wants to restrict... I... it seems to me, maybe somebody who lives in Springfield can correct me, it seems to me and over the years Springfield has been one of the great political sign towns I've ever seen. I mean, they are everywhere. All different sizes, all different shapes, every place and I... I thought even Springfield had tried to regulate the proliferation of political signs in the last few years. But... Mr. Speaker, to the Bill. I don't see anything in the Senate Amendment that communities can't already do. They can regulate where you put your sign as far as a corner or an intersection, on the right of

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way. They can and often do regulate the size, the total size of the political sign. The City of Danville tried to regulate them about two years ago and... and had to back off because of a threat of legal action. They didn't want them to be displayed except a few days before and two days after, something like that, but I think the municipality can do what the Senate Amendment is... is attempting to do. And when you start to... when you start to infringe upon Home Rule, you can open up all kinds of things. I... I thought the Bill was a good Bill when it left the House. I think the Senate Amendment, quite frankly, confuses the issue and just puts a... some difficulties in the Bill that I don't think we really need to have. It's been an interesting debate, but I... I just don't see where Senate #1... or Senate Amendment #1 adds a great deal to the Bill. In fact, I think it makes it a little more complicated. Reasonable restrictions have always been accepted by most campaigns. I've participated in some where candidates will put it... if it doesn't move, they put a sign there. Particularly along right of way, which is the most frequent violation. And as we all know vandals sometimes tear them down as fast as we can put them up. Maybe we ought to concentrate on that law. But I... I'm just not comfortable with Senate Amendment #1. I thought the Gentleman had a good Bill when it left the House. I don't think the Senate has added a great deal to it. I intend to vote 'no'."

Speaker Lyons: "Representative Fritchey and Representative Reboletti, the parliamentarian will answer your question regarding Home Rule."

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Parliamentarian Ellis: "Representatives Reboletti and Fritchey, on behalf of the Speaker in response to your inquiry House Bill 3785, as amended by the Senate Amendment, denies Home Rule powers on a power that is not exercised by the state. And therefore, under Article 7 Section 6(g) of the Illinois Constitution, it requires 71 votes for passage."

Speaker Lyons: "Representative Will Davis. Representative DeLuca, your button is on to speak? You seek recognition, Representative?"

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

Speaker Lyons: "Sponsor yields."

DeLuca: "The majority of my questions have already been answered. I just wanted to make a point in regards to the municipalities being able to handle this and regulate it themselves. First of all, there's going to be a level playing field depending on the municipality. They set their own guidelines; they have code enforcement within their own... within their own government to regulate these signs. And I don't think that the state should be... I urge a 'no' vote. Thank you."

Speaker Lyons: "Representative Fortner and then Representative Fritchey and then we'll close with Representative Tryon. Representative Fortner."

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

Speaker Lyons: "Sponsor yields."

Fortner: "In all this debate, I think we've lost sight of both what the original Bill did, that we voted for unanimously, as well as what changes were put on it by the Senate. In the original Bill, Representative, all you were doing was

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basically making it clear in statute what already existed in U.S. Supreme Court decisions and a series of other Federal Court decisions over the last 15 years. Is that correct?"

Tryon: "Actually, what we were trying to do in the first Bill was set the date at 45 days. What the Supreme Court says is you can't do that. So, our Bill was going to be unconstitutional until it was amended in the Senate. You can't tell a community they can't regulate size. They can regulate the size of signs. That is within their rights. They can't regulate the content; they can't treat speech differently from one to the other."

Fortner: "Right."

Tryon: "So, essentially, the Senate Amendment actually is what is compliant with the Supreme Court decision."

Fortner: "And... and that's what my point was going to be. That they added the language about sizing, which would as you say comply with the Supreme Court decision, removing the time and complying with the Supreme Court decision. And since it, the Supreme Court decision makes no distinction between regular or Home Rule authority, by the Senate adding in the Home Rule authority preemption, again, I see that as just making it consistent with the actions of the Supreme Court."

Tryon: "That's correct."

Fortner: "So, to... to the Bill. What the Senate has done is taken the Bill we passed unanimously and made the appropriate corrections. Saying that municipalities can regulate appropriately the size of the signs. But the

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ability to regulate because it's a federal decision cannot be differentiated between Home Rule or non Home Rule. I think the Senate was appropriate in saying this is a Home Rule preemption issue because we are following the Federal Law in that case which does not make that distinction. I support the... the Concurrence Motion."

Speaker Lyons: "Representative Tryon to close."

Tryon: "Here's the situation in Illinois today. Municipalities are trying to regulate away your free speech. If you want incumbent protection, vote 'no'. Because if you want a time limit so your opponent can't put their sign out before 17 days, that's incumbent protection. I'm not here trying to protect myself, I'm trying to make sure that everybody gets the same rights in an election cycle. If the Supreme Court says you can't regulate political signs, you can't... if you... you can't regulate them. If a community has the right to regulate size, you can't take that away from them. But if you want... if you're going to talk about incumbent then vote 'no' because that's what you're doing. If you're for free speech and you're for a uniform political cycle where everybody gets to put out their election signs at the same time, then vote 'yes' because that's what this Bill does. So, I would urge an 'aye' vote."

Speaker Lyons: "You've heard the discussion, we've heard the parliamentarian's ruling on this thing. It requires 71 votes. The question is, 'Shall the House concur in Senate Amendment #1 to House Bill 3785?' 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?"

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Have all voted who wish? Have all voted who wish?
Representative Hamos. Representative Nekritz. Have all
voted who wish? Mr. Clerk, take the record. On this
question there are 58 'yes', 59 Members... 58 Members voting
'yes', 59 Members voting 'no'. And the Motion to concur
fails. Mr. Clerk."

Clerk Mahoney: "Rules Report. 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 30, 2009,
reported the same back with the following recommendation/s:
'approved for floor consideration' is Amendment #2 to House
Joint Resolution 65 and Amendment #3 to Senate Bill 1984."

Speaker Lyons: "The Chair recognizes the Lady from Champaign,
Representative Naomi Jakobsson. For what purpose do you
seek recognition, Ma'am?"

Jakobsson: "Mr. Speaker, thank you. Earlier I rose and ask to
have the record reflect a vote that I took. And I'm not
sure... I might not have been clear that I intended to say
House Bill? It was kind of blurred. It might have come
across as a Senate... it's House Bill 3714 should show that I
intended to vote 'no'."

Speaker Lyons: "The Journal will so reflect. Continuing on the
Order of Concurrences, Representative Mautino, you have, on
page 16 of the Calendar, House Bill 3832. The Gentleman
from Bureau, Representative Frank Mautino."

Mautino: "I move the House concur with Senate Amendment #1 to
House Bill 3832. Senate Amendment on here takes out the
uniform intermodal exchange and facilities access

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agreements. And the underlying Bill was an initiative of the Midwest Truckers Association. It went out of here unopposed; it is unopposed now. It's had unanimous votes. Happy to answer any questions. I'd ask for... that the House concur."

Speaker Lyons: "Is there any discussion? Seeing none, the question is, 'Shall the House concur in Senate Amendments #1 to House Bill 3832?' 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 Dugan. Mr. Clerk, take the record. On this Bill, there are 116 Members voting 'yes', 1 Member voting 'no'. The House does concur in Amendment #1 to House Bill 3832. And this Bill, having received the Constitutional Majority, is hereby declared passed. Representative Dan Reitz, on the Order of Concurrences, you have House Bill 3854. The Gentleman from Randolph, Representative Danny Reitz."

Reitz: "Thank you, Mr. Speaker. I would move for the concurrence... that you concur with Senate Amendments 1 and 2. The... Senate Amendment 2 will become the Bill. It sets up a task force for carbon sequestration. And I'd be happy to 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 3854?' 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?"

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Representative McGuire. Representative Hannig. Careen Gordon. Representative McGuire. Mr. Clerk, take the record. On this Bill, there's 117 Members voting 'yes', 0 voting 'no'. And the House does concur in Amendments #1 and 2 to House Bill 3854. This Bill, having received the Constitutional Majority, is hereby declared passed. Representative Mike Zalewski, on page 16 of the Calendar you have House Bill 3872 on a Motion to Nonconcur. The Gentleman from Cook, Representative Mike Zalewski."

Zalewski: "Thank you, Mr. Speaker. I'd make a Motion to Nonconcur in the Senate Amendment to House Bill 3872. Ask for an 'aye' vote."

Speaker Lyons: "Is there any discussion? The question is, 'Shall the House refuse...' The question is, 'Shall the House Nonconcur with Senate Amendment #1 to House Bill 3872?' All those in favor signify by saying 'aye'; those opposed say 'no'. In the opinion of the Chair, the 'ayes' have it. And the Motion carries. And the House nonconcur with Amendment #1 to House Bill 3872. Representative Harris, you have, on page 16 of the Calendar, House Bill 3922 on the Order of Concurrences. The Gentleman from Cook, Representative Al Harris."

Harris: "Thank you, Mr. Speaker. I move that the House concur with Senate Amendments #1 and 2. What this legislation does is it clarifies the authority between the Illinois Department of Public Health and the Illinois Emergency Management Agency in the case of the accidental release of nuclear material or the explosion of a nuclear device."

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Speaker Lyons: "Is there any discussion? Seeing none, the question is, 'Shall the House concur with Amendments 1 and 2 to House Bill 3922?' 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 Mulligan. Mr. Clerk, take the record. On this Bill, there are 117 Members voting 'yes', 0 voting 'no'. And the House does concur with Amendments... Senate Amendments #1 and 2 to House Bill 3922. This Bill, having received the Constitutional Majority, is hereby declared passed. Representative Walker, you have, on the Order of Concurrences House Bill 3970. Representative Walker."

Walker: "Thank you, Mr. Chair, Members of the House. I ask concurrence on Senate Amendment 1 of House Bill 3970. The underlying Bill is unchanged. This Amendment allows for processes to implement a program established in the 95th General Assembly in the Department of Veterans' Affairs."

Speaker Lyons: "Is there any discussion? Seeing none, the question is, 'Shall the House concur with Senate Amendment #1 to House Bill 39...' Representative Bill Black."

Black: "Sorry for the late notice, Mr. Speaker. The Sponsor yield?"

Speaker Lyons: "Sponsor yields."

Black: "Representative, what is the one cent in the... now let me get it here, the One Cent Veterans Advocate Per Dollar Match Grant Program? How does that work? The Senate put that Amendment on?"

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Walker: "Yes. That is a... that is a program established in the last General Assembly by... whereby veterans' service officers could be established by veterans' organizations to help the veterans with claims with the VA. And they would receive a one cent compensation for that advocacy, one cent per dollar of new funds received by the veterans from the VA in a given year."

Black: "So, instead of the veteran... let's say the veteran got an additional dollar, the veteran ends up with 99 cents. And then take that out mathematically, the commission is getting a one percent override on what the veteran receives?"

Walker: "No, they... what happens is the veteran receives a dollar."

Black: "Right."

Walker: "The veteran service officer for his advocacy on behalf of the veteran will receive one cent from the Illinois Department of Veterans' Affairs."

Black: "That appropriation to the department is subject to appropriation in the Senate Amendment or do we actually appropriate money to do that in the Amendment?"

Walker: "It is subject to appropriation. It's an established... it was established in the previous General Assembly."

Black: "Did we... did we fund it last year? Do you know?"

Walker: "The program was not instituted last year. So, I don't believe we funded it."

Black: "Okay. Fine, thank you."

Speaker Lyons: "The Gentleman from Bond, Representative Ron Stephens. Any further discussion? Seeing none, the question

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is, 'Should Amendment #1... should the House concur with Amendment... Senate Amendment #1 to House Bill 3970?' 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's 117 Members voting 'yes', 0 voting 'no'. And the House does concur in Amendment #1 to House Bill 3970. This Bill, having received the Constitutional Majority, is hereby declared passed. Representative Cynthia Soto, on the top of page 17, you have House Bill 3974."

Soto: "Thank you, Speaker and Members of the House. I concur with Senate Amendment #1. I am sorry. House Bill 3974 creates an advisory council on youth with HIV prevention messages within the Department of Public Health. And I urge the support of this General Assembly. Thank you."

Speaker Lyons: "Is there any discussion? Seeing none, the question is, 'Shall the House concur with Amendment... Senate Amendment #1 to House Bill 3974?' 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... Representative Nekritz, Representative Walker... take the record. On this Bill, there are 116 Members voting 'yes', 0 voting 'no'. This Bill, having received the Constitutional Majority, is hereby declared passed. This Bill, having received the... with 100... this Bill, having received the Constitutional Majority, is hereby declared passed. Representative Julie Hamos, under the Order of

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concurrences, you have House Bill 3990. Representative Hamos."

Hamos: "Thank you. Ladies and Gentlemen, this is the Local Food, Farms, and Jobs Act. The only changes made by the Senate were with discussion with the Auditor General's Office as well as with the Department of Agriculture. I would consider that the changes that were put in in the Senate are more technical than not. And I'll be glad to answer any questions."

Speaker Lyons: "Chair recognizes the Gentleman from Bond, Representative Ron Stephens."

Stephens: "Thank you. Would the... I'd like to address the Bill. Mr. Speaker, to the Bill. I appreciate the Lady's..."

Speaker Lyons: "To the Bill."

Stephens: "...kindness. When I... when we last dealt with this legislation I was the lone 'no' vote. I made some remarks about communism. She had a wonderful response that would have rightfully put me in my place, but as dignified as she is she chose to use it off camera. And I appreciate her dignity and I rise in support."

Speaker Lyons: "The question is, 'Shall the House concur in Senate Amendment #1 to House Bill 3990?' 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... 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 to House Bill 3990. This Bill, having received the Constitutional Majority, is

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hereby declared passed. Representative Beth Coulson, you have House Bill 3991. The Lady from Cook."

Coulson: "Thank you, Mr. Speaker and Members of the House. I move to concur in Senate Amendment #1 to House Bill 3991. This is an agreed Amendment that basically specifies what can be done after the time period of a protective order in a domestic violence case can... when it... what can be done with the gun when that is over. And I can answer any questions."

Speaker Lyons: "Is there any discussion? Seeing none, the question is, 'Should the House concur with Senate Amendment #1 to House Bill 3991?' 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 Golar. 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 3991. This Bill, having received the Constitutional Majority, is hereby declared passed. Representative Pat Verschoore, on the Order of Concurrences, you have House Bill 3994. The Gentleman from Rock Island."

Verschoore: "Thank you, Mr. Speaker. This is the Bill that I thought I was passing a minute ago. It's the House Bill 3994; it's a stretcher van Bill. And I would asked concurrence on Senate Amendment #1. What it does is it on a stretcher van licensure fund, as a special fund in the State Treasury, it provides that the licensure fee received by the Department of Public Health in connection with the

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licensure of stretcher vans. This passed the House with 106 votes and got a 59 votes in the Senate. So, I would ask concurrence on it."

Speaker Lyons: "Is there any discussion? Seeing none, the question is, 'Should the House concur in Senate Amendment #1 to House Bill 3994?' 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? Mr. Clerk... Sullivan, Sommer, Connelly. Mr. Clerk, take the record. On this Bill, there are 96 Members voting 'yes', 21 voting 'no'. This Bill... the House does concur with Senate Amendment #1 to House Bill 3994. This Bill, having received the Constitutional Majority, is hereby declared passed. Representative Marlow Colvin, on the Order of Concurrences you have House Bill 4011. Representative Colvin."

Colvin: "Thank you, Mr. Speaker. I move to concur with Senate Amendments #2 and 3 to House Bill 4011, which amended the Residential Mortgage License Act. The Bill passed earlier this spring out of the House in a unanimous fashion, and it makes two changes. It further defines the terms of 'residential mortgage license' and 'mortgage loan originator license'. And Senate Floor Amendment #3 removes a certain nonprofit organization from the definition of exempt person or entity. With these Amendment, the Bill passed out of the Senate unanimously. I ask for concurrence of Senate Amendments #2 and 3."

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Speaker Lyons: "Is there any discussion? Seeing none, the question is, 'Should the House concur in Senate Amendments #2 and 3 to House Bill 4011?' 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? Al Riley. Mr. Clerk, take the record. On this Bill, there's 117 Members voting 'yes', 0 voting 'no'. And the House does concur in Senate Amendments #2 and 3 to House Bill 4011. This Bill, having received the Constitutional Majority, is hereby declared passed. Representative Frank Mautino. Representative Mautino, on the Order of Concurrences you have House Bill 4021. The Gentleman from Bureau, Representative Frank Mautino."

Mautino: "Thank you, Mr. Speaker. I move the House concur with Amendment #2... Senate Amendment #2 to House Bill 4021. This Bill is in two parts. The original... the original Bill impacted the notice rights and the EPA's right to know provisions to effect the public. Whereas that... where the public is at risk due to the release of contaminants. Second, and this was added by Senate Amendment #2 that I ask we concur in, is language that was worked out between the EPA and the Attorney General. And it deals with the Pollution Control Board and specifically to what happened with the Village of Crestwood. Under this, the new Section would allow... would require that owners or operators of public water supplies to maintain their premises for the agencies inspection, all records, reports and other documents. In addition to that, it would require the

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agency provide public notice within two days via press release and posting information on the agency's web Sites. There are a number of provisions with the Bill. I'd be happy to answer any questions. I know Mr. Rita wanted to make some comments about its impact on... on Crestwood. And I also talked with Representative Durkin in the committee that we may need to do something as far as a Veto Session cleanup Bill for some of the concerns that the cities have. Be happy to answer any questions."

Speaker Lyons: "Is there any discussion? The Chair recognizes the Gentleman from Champaign, Representative Chapin Rose."

Rose: "Thank you. Representative, as I indicated in committee, I have a great deal of unease with equating the Class 4 felony in this situation with an underlying civil matter. This would be the functional equivalent of an obstruction of justice charge where you'd be obstructing justice based upon a criminal proceeding. And that would be a Class 4 felony, but in this case it'd be a civil proceeding. That troubles me to a large extent, one. Two, as somebody who represents a lot of rural Illinois we often have communities that maybe don't have the best water supplies. When the EPA guy shows up and says, what's going on. And everyone in the town council says, I don't know. When they know what's going on, but the reality of it is they don't have the money to fix it. They'd love to fix it, but they can't and everyone in town knows that. I mean, I can envision a scenario where suddenly a bunch of well-intentioned local officials end up getting felony offenses because they don't want to... I mean, that would be the end

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of their town. And that last thing, Representative, and I don't... can't take credit for this, Representative Durkin pointed it out in committee. What's good for the goose is good for the gander. And these felony provisions in here don't apply to anybody in EPA. And I respect you immensely, Frank, I know you know that, but I can't vote for this because I think it's onerous, I think it's... goes too far. I think the unintended consequences of this are numerous. We're going to be in a situation somewhere down the road where somebody gets lit up because they're afraid the EPA man's going to shut down the town water supply. In the meantime, the EPA itself isn't subject to the same provisions. And you know, I know we had this conversation in committee. I know you probably want to address the concerns, but I think I'm still going to vote 'no'."

Mautino: "I appreciate your... your comments on that. And I would like to... now, we do agree on the notice provisions and what happened in Crestwood. This is trying to address where they lied time and time and time again in each of their reports and put their people at risk and poisoned their water supply."

Rose: "I... I don't disagree with you, Representative."

Mautino: "On those, we don't... we're not disagreeing on that."

Rose: "Right."

Mautino: "The notice provisions and protections, I think we do need to work out because when the municipal attorneys look at some of the language from the... from the Attorney General that they... in the Senate Amendment, they're going to want to have some protections. And I think we can probably do

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that in a trailer Bill in the Veto Session. This is final reading."

Rose: "I mean I hear you."

Mautino: "So, I can appreciate your concerns and where you stand for now."

Rose: "And... and... you know, the... the incident brought us... you here today is unforgivable, there's no doubt about that. The problem with this whole situation, though. You know, you send a notice out to the town of whatever, there's 200 people in the town that goes to a post office box. They probably check that post office box once a month. In the meantime, the EPA guy shows up and says, is... you guys got a problem? The mayor, who is the only person they can find to go the job, says, no and now he's got a Class 4 felony. But for the fact that if he would opened his mailbox he'd have known differently? I think there's a lot of unintended consequences here, Representative. And it gives me a lot of discomfort primarily because not every town has a city administrator who's there every day to keep track of these things. And I agree with you, in this situation totally different. Everybody in the town knew everybody in town essentially conspired to... to lie about this. I would feel much better if you'd make this come sort of conspiracy as opposed to the way it's currently written. I just... I... I think there's a hundred ways that... that people in small towns of 200 can get inadvertently dinged on this. And at the same time, I just, again, I... I think it's amazing how we always exempt ourselves out of these things 'cause the EPA is not subject to the same... the same requirements. So,

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with that, I'll sit down, but that's why I'll be voting 'no'."

Speaker Lyons: "Any further discussion? Representative Rita."

Rita: "Will the... will the Sponsor yield?"

Speaker Lyons: "Sponsor yields."

Mautino: "Sure."

Rita: "In Amendment #2, from my understanding, this was brought up about Crestwood?"

Mautino: "Yes. That was the impetus for looking at reporting and giving the public notice when contamination exists."

Rita: "I'd like to... you know, I represent Crestwood and I'm very familiar with the situation that happened in Crestwood. And I'm in support of this Bill because I believe that the people of Crestwood, if this was in effect at the time, would have been notified if there was anything or if anything is in there on the notification. I believe that anyone living in a municipality or a town who is providing the water should be notified. And I'm in full support of this Bill. I urge an 'aye' vote."

Speaker Lyons: "No further discussion, the question is, 'Shall the House concur with Amend... Senate Amendment #2 to House Bill 4021?' 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 Acevedo. Mr. Clerk, take the record. On this Bill, there's 103 Members voting 'yes', 14 voting 'no'. And the House does concur in Senate Amendment #2 to House Bill 4021. This Bill, having received the Constitutional Majority, is

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hereby declared passed. Representative Mautino, don't sit down. On the top of page 18, you have, on the Order of Concurrences, House Bill 4237. Representative Frank Mautino."

Mautino: "I would move that the House concur in Senate Amendment #1 to House Bill 4237. This was an initiative of the Department of Veterans' Affairs. The Senate Amendment came back with basically the same provisions of the Bill, deals with the IDBA offset and provides that the director of Public Health shall issue the declaration to the director confirming citations and levels of violation that may exist. I know of no opposition to it. Veteran groups are in favor. Be happy to answer any questions."

Speaker Lyons: "Is there any discussion? Seeing none, the question is, 'Shall the House concur in Senate Amendment #1 to House Bill 4237?' 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's 117 Members voting 'yes', 0 voting 'no'. And the House does concur in Senate Amendment #1 to House Bill 4237. This Bill, having received the Constitutional Majority, is hereby declared passed. Representative Mautino, you have House Bill 4241 on the Order of Concurrence, Representative Mautino."

Mautino: "I move that the House concur in Amendment #1 to House Bill 4241. Thanks."

Speaker Lyons: "Is there any discussion? Seeing none, the question is, 'Shall the House concur with Amendment #1 to

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House Bill 4241... Senate Amendment #1 to House Bill 4241?' 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'. And the House does concur in Amendment... Senate Amendment #1 to House Bill 4241. This Bill, having received the Constitutional Majority, is hereby declared passed. Representative Walker on page 17 of the Calendar you have House Bill 4120. Gentleman from Cook, Representative Walker."

Walker: "Thank you, Mr. Chair, Members of the House. I ask concurrence on Senate Amendment 1 to House Bill 4120. It is a simple change. It limits the available tax abatement from five years back to two years. It is... this is the Bill that allows the incubation of new small companies in vacant commercial space."

Speaker Lyons: "Is there any discussion? Seeing none, the question is, 'Shall the House concur in Senate Amendment #1 to House Bill 4120?' 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... Mr. Clerk, take the record. On this, there's 116... on this question, there's 116 Members voting 'yes', 0 voting 'no', 1 Member voting 'present'. And the House does concur in Senate Amendment #1 to House Bill 4120. This Bill, having received the Constitutional Majority, is hereby declared

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passed. Representative Kathy Ryg, for what purpose do you seek recognition? Ladies and Gentlemen, last call, we're looking for the few remaining Agreed Resolutions sign-offs. If you could please bring those up we'll be calling them very, very shortly. So, if you want to be recorded on the Agreed Resolutions list, please bring that up immediately in case you haven't already done so. Thank you."

Speaker Mautino: "Mautino in the Chair. Mr. Clerk, on page 16 of the Calendar is House Bill 3874. Representative Lyons on a Motion to Concur."

Lyons: "Thank you, Mr. Speaker, Ladies and Gentlemen of the House. I ask for your favorable consideration on Senate Amendment #1 and Senate Amendment #2 to House Bill 3874. The underlying Bill, if you recall, did deal with the right of those who work in the public sector to have the same qualifications of those in the private sector to sit for the examination for a private alarm contractor. Senate Amendment #2... Senate Amendment #1 was a technical Amendment asked for by the State Fire Marshal who worked out on that. So, it was technical. Senate Amendment #2... Senate Amendment #2 requests that... that... and rightfully so, that as emergency communication and mass notification systems to the definition of alarm systems under the Act. What this basically does in keeping up with the technology is included in the original Act. And also for the purpose of legislative intent, when we talked about the definition of operate, of course we mean somebody who is truly an operator of a system and not somebody who merely flips a

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switch. So, I ask for your favorable consideration. And would be happy to answer any questions."

Speaker Lyons: "The Gentleman has moved the House concur with the Senate Amendments 1 and 2 to House Bill 3874. And on that question, all voted... all who wish vote 'yes'; others 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 having voted 'yes', 0 voting 'no', 0 voting 'present', the House does concur with Senate Amendments 1 and 2 to House Bill 3874. This Bill, having received the Constitutional Majority, is hereby declared passed. Mr. Clerk, page 15 of the Calendar appears House Bill 3649. Representative Ryg."

Ryg: "Thank you, Mr. Speaker. I move to concur in Senate Amendment #1 to House Bill 3649. The underlying Bill establishes criteria for the reporting and investigation of patient abuse or neglect in hospitals. And the Amendment strictly makes it subject to appropriation."

Speaker Mautino: "The Lady has moved that the House does concur with Senate Amendment #1 to House Bill 3649. And on that, 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 Acevedo, Representative Black, Representative Burns, do you wish to be recorded? Representative Lyons, do you wish to be recorded? Mr. Clerk, take the record. 117 voting 'yes', 0 voting 'no', 0 voting 'present', this Bill, having received the Constitutional Majority, is hereby declared passed. On

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page 14 of the Calendar appears House Bill 2557.
Representative Bradley."

Bradley: "Ask for a concurrence on this. It's just a Bill that we've been working on, it came out of the Senate unanimously, came out of committee unanimously. It encourages the pension systems to invest in Illinois where it doesn't harm the systems to do so. It's supported by the TRS. I ask for an 'aye' vote."

Speaker Mautino: "The Gentleman has moved the House do concur with Senate Amendments #1 and 3 to House Bill 2557. All in favor vote 'yes'; opposed vote 'no'. This is final action. Voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Representative Colvin, Representative Ford, Representative Ryg, do you wish to be recorded? Mr. Clerk, take the record. 117 voting 'yes', 0 voting 'no', 0 voting 'present', the House does concur with Senate Amendments 1 and 3 to House Bill 2557. This Bill, having received the Constitutional Majority, is hereby declared passed. Ladies and Gentlemen of the House, earlier today everyone received Supplemental Calendar #1, which were the Agreed Resolutions. The Clerk has tallied those. They've all been turned in at this point. The... in order to be adopted... this does not include House Resolution 352 of those packets which has been return... taken off the list at the request of the Sponsor. We'll move now to adopt these Resolutions. 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 Burns, Representative May, Representative

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Osterman, do you wish to be recorded? Mr. Clerk, take the record. With a vote of 117 voting 'yes', 0 voting 'no', 0 voting 'present', the Agreed Resolutions are hereby adopted. The Gentleman from Bond, Representative Stephens, is seeking recognition. Leader Stephens."

Stephens: "In... inquiry of the Chair."

Speaker Mautino: "State your inquiry."

Stephens: "So, if I voted against your Resolution by signature, but I voted for it on the board, how will it be recorded?"

Speaker Mautino: "For those Resolutions, and this is true for all Members, for those Resolutions where you indicated to the Clerk that you wish to vote 'no', the records.. the individual records will show that you voted 'no'."

Stephens: "For the purpose of future votes, if I would submit a letter saying that I vote 'no', but electronically vote 'yes', would it have as much validity as the process we just completed?"

Speaker Mautino: "No, it would not."

Stephens: "That's depressing."

Speaker Mautino: "Mr. Clerk, Senate Bill... on Supplemental Calendar #1, Mr. Clerk, you'll find Senate Bill 177. Place that on the board."

Clerk Bolin: "Senate Bill 1... Senate Bill 177, 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 Mautino: "Third Reading. Mr. Clerk, place Senate Bill 611. Mr. Clerk, read.. read the Bill."

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Clerk Bolin: "Senate Bill 611, a Bill for an Act concerning education. Second Reading of this Senate Bill. Amendment #1 was adopted in committee. No Floor Amendments. No Motions are filed."

Speaker Mautino: "Hold that Bill on Second. The Gentleman from Crawford, Representative Eddy, is seeking recognition."

Eddy: "Inquiry of the Chair."

Speaker Mautino: "Yes, Representative?"

Eddy: "On Senate Bill 177 that was moved to Third, I think Representative Osterman indicated that that was being held on Second. Did he inform that Chair?"

Speaker Mautino: "Mr. Clerk, would you place Senate Bill 177 on the board and move that Bill back to Second Reading."

Eddy: "Thank... thank you."

Speaker Mautino: "On page 13 of the Calendar, under the Order of Concurrence, appears House Bill 177. Representative Riley has filed a Motion that the House do concur with Senate Amendments 1 and 2. Representative Riley."

Riley: "Thank you, Mr. Speaker and Members of the House. I move to concur with Senate Amendments #1 and 2. Essentially, Senate Amendment #1 becomes the Bill. It's basically an amalgamation of the underlying Bill that I carried which dealt with repurchase agreements. What was added to it was the ability for the Treasurer to invest in commercial paper with corporations that have an asset value over \$500 million. Basically, what it did was extend the time of maturity from 180 to 270 days. Senate Amendment #2 basically clarifies the definitions of what an instrumentality is. And essentially, that's just a federal

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agency that has marketable securities that can be invested in that has the full faith and credit of the U.S. Government, but basically does not have direct obligations from the U.S. Government like the Federal Home Loan Bank Board. So, I move concurrence with Senate Amendments #1 and 2 and I'll answer any questions you may have."

Speaker Mautino: "The Gentleman has moved the House do concur with Senate Amendments #1 and 2 to House Bill 177. And on that, the question is... and this is final action, 'Shall the House concur?' 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 Collins, Representative Brady, Representative Golar, do you wish to be recorded? Mr. Clerk, take the record. 116 voting 'yes', 1 voting 'no', 0 voting 'present', the House does concur with Senate Amendments 1 and 2 to House Bill 177. This Bill, having received the Constitutional Majority, is hereby declared passed. On page 4 of the Calendar, under Senate Bills-Third Reading, appears Senate Bill 1268. Representative Franks. Out of the record. On page 5 of the Calendar, under Senate Bills-Third Reading, appears Senate Bill 1917. Representative Dunkin. Mr. Clerk, read the Bill."

Clerk Bolin: "Senate Bill 1917, a Bill for an Act concerning regulation. Third Reading of this Senate Bill."

Speaker Mautino: "The Gentleman from Cook, Representative Dunkin."

Dunkin: "Thank you, Mr. Speaker, Members of the Illinois House here. Senate... House Bill... Senate Bill 1917 simply amends

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the Nursing Home Care Act. And it provides that a notice of penalty sent to a facility must contain a detailed computation showing how the amount of the penalty was derived, including the number of days and the number of residents on which the penalty was based. I ask for a favorable vote."

Speaker Mautino: "The Gentleman has moved passage of Senate Bill 1917. And on that question, the Gentleman from Crawford, Representative Eddy."

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

Speaker Mautino: "He indicates that he will."

Eddy: "Representative, I see this came out of the Senate unanimously, but, that doesn't mean anything, really. I have a question regarding the Department of Human Service. Are they still opposed to this?"

Dunkin: "No."

Eddy: "They are not?"

Dunkin: "No."

Eddy: "Is there a fiscal impact? According to our analysis it's a... the change is going to possibly impact the calculation to about \$100 thousand and that was the basis of their opposition. Do you not have that in your..."

Dunkin: "Yeah. I'm looking at my analysis right now. And my analysis reads, you know, current law and related regulations included... include the basics for... basic elements for copulating penalties as well as provisions for the notice of the specific violations and the related amounts. Although there is not an expressed provision that requires the notice to include the detailed computation."

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Eddy: "Okay. So... so basically, what the underlying Bill does is that the notice of penalty has to contain some detailed computation rather than just an amount? They have to show how the amount... and I'm curious as to why that might have a fiscal impact?"

Dunkin: "Yeah, you know, I'm curious as well. Because what we're simply doing is giving notice or laying out details... reasons as to... and day... you know, just accounting for the days and the et cetera, too..."

Eddy: "Okay."

Dunkin: "...as it relates to the penalties of a particular facility."

Eddy: "Okay. I mean, it seems like it's something that you're trying to provide the homes with more specific information."

Dunkin: "Exactly."

Eddy: "I don't know why that would cost more unless it just takes a little bit more time to do the job right which I... I don't see the additional cost. I think it's something we need to do and support it. I just don't understand why the Department of Human Services would... would come in opposition of this kind of clarity. Thank you."

Dunkin: "You're welcome."

Speaker Mautino: "Further questions? The Gentleman from Vermilion, Representative Black."

Black: "Thank you very much, Mr. Speaker, and Ladies and Gentlemen of the House. I rise in strong support of the Gentleman's Bill. It wasn't long ago that we had a list handed to us by those in the nursing home business and it..."

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I think it clearly pointed out what I had feared for the last two or three years. The fines against nursing homes had increased exponentially under the former Governor. And I always thought it wasn't based on the fact that these homes had suddenly become less of a good institution. I was in some of those who were fined \$10 thousand, \$5 thousand, \$20 thousand, whatever the amount was. And I knew these homes to be operating in... in good faith. My mother-in-law was... was in a nursing home the last year and a half or so of her life and I... I got to the point where I thought, under the former Governor, some of these fines were being leveled... levied for no reason other than revenue. You could go out and make up some inspection and levy a huge fine. Then you have a hearing with an administrative law judge that is sometimes not quite the due process rights we'd all like to see. And if you'll look at that sheet, you'll notice that fines against nursing home... nursing home operators were going up at 75, 100, 125, 150 percent a year. And I don't think there was any sound reasoning behind that. I think it was simply what the former administration did. They found some people that they could get revenue from. That's not to say that all of those fines weren't levied because of... of real problems. But this Bill says if you're going to give an operator a fine, you're going to spell out exactly why. And so when they go into a hearing they have more facts to defend their position or to understand what violations they may have committed and why the fine was levied. I think it adds a great deal to the due process rights that we all

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often take for granted. And I think we're abused quite noticeably under the previous administration. I think the Gentleman's Bill will go a long way to clear this up. And I intend to vote 'aye'."

Speaker Mautino: "Further discussion? The Lady from DuPage, Representative Bellock."

Bellock: "Thank you very much, Mr. Speaker. We had quite a bit of discussion on this in committee. And it's exactly what Representative Black was saying. That they felt it was only fair that the nursing homes be advised as to how their fines were assessed on them. The objection by Public Health was just fiscal, that it would cost them some amount of money to do it, but in all fairness, we felt it was only the right thing to do so that they would know why they were assessed for that fine and how it was divided up. Thank you."

Speaker Mautino: "This Bill is on Third Reading. 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? Representative Bassi. Representative Myers. Rep... Mr. Clerk, take the record. 117 voting 'yes', 0 voting 'no', 0 voting 'present', Senate Bill 1917, having received the Constitutional Majority, is hereby declared passed. On page 5 of the Calendar appears Senate Bill 2057. Representative Mathias. Mr. Clerk, read the Bill."

Clerk Bolin: "Senate Bill 2057, a Bill for an Act concerning public safety. Third Reading of this Senate Bill."

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Speaker Mautino: "The Gentleman from Lake, Representative Mathias."

Mathias: "Thank you, Mr. Speaker. Senate Bill 2057 requires emergency service providers to create a database of people with special needs or disabilities. The purpose of the program is to afford people with special needs or disabilities to the same access to public safety services provided to all our citizens. The program is intended to offer guidance and direction to public safety workers responding to emergencies involving those with special needs or disabilities. The program, I believe, is now going to be called the Premise Alert Program and it is based on the availability of funding. And I... I ask for your 'aye' vote."

Speaker Mautino: "The Gentleman has moved passage of Senate Bill 2057. And on that question, the Gentleman from McLean, Representative Brady."

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

Speaker Mautino: "He indicates that he will."

Brady: "Representative, just a quick question. Is this through dispatching with law enforcement or something or... or is it..."

Mathias: "Yes. It would be something so that there would be an alert program when someone is dispatched they'd know that somebody with disability... with a disability is at the premises."

Brady: "Okay. Thank you. 'Cause we have a similar program in... in my legislative district that was implemented for the

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same purpose of individual special needs and to alert law enforcement as well as the individuals that they're going to assist on what they may be encountering for everybody's safety. So, I certainly intend to support it. Thank you."

Speaker Mautino: "Further discussion? The Lady from Cook, Representative Graham."

Graham: "Thank you, Mr. Speaker. To the Bill. I want to commend Representative Mathias for bringing this piece of legislation forward. I have a couple of constituents in my district who have talked about this and it's very important. So, when an emergency situation happens the police and fire know that there's someone in there who needs services. I respectfully ask that you add me as a cosponsor to this measure. And thank you so much for introducing this. Thank you."

Speaker Mautino: "The Gentleman has moved passage of Senate Bill 2057. This is Third Reading. All those 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 Bellock, Representative Smith, do you wish to be recorded? Mr. Clerk, take the record. 117 voting 'yes', 0 voting 'no', 0 voting 'present', Senate Bill 2057, having received the Constitutional Majority, is hereby declared passed. Mr. Clerk, on page 7 of the Calendar appears Senate Bill 351. Mr. Burke. Read the Bill."

Clerk Bolin: "Senate Bill 351, a Bill for an Act concerning government. The Bill has been read a second time, previously. No Committee Amendments. No Floor Amendments

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have been approved for consideration. No Motions are filed."

Speaker Mautino: "Third Reading. Read the Bill for a third time."

Clerk Bolin: "Senate Bill 351, a Bill for an Act concerning government. Third Reading of this Senate Bill."

Speaker Mautino: "The Gentleman from Cook, Leader Burke."

Burke: "Thank you, Mr. Speaker, Ladies and Gentlemen of the House. This Bill very simply would eliminate the cure period after a contract... a state contract is left particularly with the Department of Transportation. This would deal with minority subcontractors who would have... that would have the ability to gain contracts through the state. Be happy to answer any questions."

Speaker Mautino: "The Gentleman has moved passage of Senate Bill 351. And on that, the Gentleman from Crawford, Representative Eddy."

Eddy: "Thank you, Speaker. Inquiry of the Chair?"

Speaker Mautino: "State your inquiry."

Eddy: "There are a couple of Floor Amendments filed. Could you give us the status of the Floor Amendments on the Bill?"

Speaker Mautino: "Mr. Clerk."

Clerk Bolin: "Two Floor Amendments have been filed and they both remain in the House Rules Committee."

Eddy: "Okay. The intention of the Sponsor to proceed without the Floor Amendments, obviously..."

Burke: "That's right."

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Eddy: "...on the underlying Bill? Okay. Representative, on... on the Bill then as filed, were the Floor Amendments intended to address any concerns in the underlying Bill?"

Burke: "This... Representative, it's been an ongoing discussion with regard to this Bill. And at the last moment those that were intending to clarify some language decided to withdraw the Amendment."

Eddy: "Okay. So..."

Burke: "So, basically the Amend... with the Amendment, the language would not have changed, the intent of the legislation would have been identical."

Eddy: "So those... those folks who want to submit, excuse me, a bid for a state contract, under the underlying Bill those individuals are not going to be giving a period after the bid or proposal is submitted to cure any deficiencies in the bid or proposal unless it's mandated by a Federal Law or regulation. So, once they... they have provided the state with a con... a bid it's over? They're... they're not able to amend it?"

Burke: "Would you repeat that, please?"

Eddy: "Yeah. I... I think what the underlying Bill did was, once a state contract bid has been received there will not be a period for deficiencies or changes for a proposal that they've made to be amended?"

Burke: "Yes, Sir, that is right."

Eddy: "Now..."

Burke: "And the reason for that is to preclude the activity that's commonly known as shopping. Where a contractor would begin to approach subcontractors asking them for what

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would be their lowest price, so indeed this activity goes on. This legislation would hope to preclude that. If the award did not go to the first bidder, it would then proceed to the second lowest bidder."

Eddy: "Now, the Capital Development Board and the Associated General Contractors both oppose this version. I'm assuming that the two Amendments were some attempt to... to work on their opposition, but we couldn't come to an agreement?"

Burke: "Again, I don't believe it was a question of coming to an agreement. They didn't like this language to begin with. And I don't think anything they could have offered in an Amendment would have satisfied their concerns."

Eddy: "Well, I appreciate that. And... and... I'm going to listen to the rest of the debate, if there is any on this issue. I understand what you're trying to do. I... I... I hope that there isn't an unintended consequence here whereby bids could be amended to a lower amount, but I understand the concern is... I mean, we want to save money if we can by allowing just in time type bids. So, that if prices go down during proceeding time shortly after a bid maybe someone could reduce the bid amount. I don't think that's your intention, but how to stop that without allowing other changes is where the problem lies."

Burke: "I don't believe that this legislation would preclude those other types of changes. And it's interesting that our Illinois Department of Transportation is the only entity that engages in this type of... this practice currently. This cure period. CTA, RTA, Pace, Metra, all

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of the other major transportation entities do not engage in the 7-day cure period."

Eddy: "Okay. So..."

Burke: "So, that immediately raises my antenna to wonder what and why?"

Eddy: "Why it's allowed there and it works without this kind of thing other places?"

Burke: "Correct."

Eddy: "Thank you, again."

Speaker Mautino: "Further questions? The Gentleman from Vermilion, Representative Black."

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

Speaker Mautino: "He indicates that he will."

Black: "Representative, on page 9 of the Bill there's language that says, seeks to encourage vendors to increase business enterprise participation. What is the intent of that language?"

Burke: "It is certainly not the intent of this legislation to increase the MBE, DBE goals of the agency, beyond the goals outlined already in bid documents."

Black: "So, there's... there's... no one should read into this that we are mandating an increase in the MBE or DBE set aside?"

Burke: "Certainly not."

Black: "What prohibits the awarding agency from encouraging vendors to increase their participation level even if they have not... even, excuse me, even if they have meet the goals set by the agency?"

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Burke: "Nothing. It's not the intent of this legislation to force any contractor who has been awarded the contract to increase their MBE, DBE goals."

Black: "Would the agency..."

Burke: "But they can encourage."

Black: "All right. Would the agency still award a contract even if no contractor met the goals set by the awarding agency?"

Burke: "Yes, indeed, the bid would be let to the lowest qualified bidder."

Black: "Let me just ask you one other... what often happens is a contractor gets the bid, issues contracts or performance goals to subcontractors. The subcontractor then comes back after an examination, says I don't think I can do this. I don't think I can meet the timeline, I don't think I have the equipment, so I am going to withdraw. Can the contractor then substitute?"

Burke: "Yes, the contractor would be... would have every opportunity to substitute. Nothing..."

Black: "All right."

Burke: "...in the legislation would preclude that subcontractor from being replaced."

Black: "Okay. Is there specific language in the Bill that prohibits bid shopping? In other words, if the... if the sub bids come in a little higher than the general thought, is there anything that prohibits the general from going out in that usual grace period and say, you know, I think... I think \$750 thousand for seeding work is a little high. Can... can you do it lower?"

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Burke: "Representative, that is the whole point of this legislation, to preclude that type of activity. It puts the subcontractor at a very distinct disadvantage. When..."

Black: "What..."

Burke: "...go ahead."

Black: "...what if the general has information or looks in the record and says, uh oh, this subcontractor did not perform adequately on the last two jobs, but he... he's the low bidder. What recourse does the contractor then have to say, look, the last two grading of shoulder work or seeding work on the bridge abutment or whatever this... this subcontractor had liens filed against him or her, did not do the work in a timely fashion and did not meet specs. What... what recourse would the general have at that time?"

Burke: "This legislation would certainly not intend to insist that a contractor use the services of a subcontractor who performed inadequately. There is nothing in the Bill that would suggest that. And I would say in common business practice if the contractor was not satisfied with the work of a subcontractor he would not use that subcontractor in future projects."

Black: "So, with the Amendments is it my understanding that on page 2, line 18 this language has been added. Those who submit bids or proposals for state contracts shall not be given a period after the bid or proposal is submitted to cure deficiencies in the bid or proposal under this Act unless mandated by Federal Law or regulation. So, that prohibits bid shopping as is often the practice today?"

Burke: "Yes, Sir."

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Black: "All right. Thank you."

Speaker Mautino: "Further discussion? The Gentleman from Cook, Representative Burns."

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

Speaker Mautino: "He indicates that he will."

Burns: "Representative, I'm just curious if you have any data on whether or not the state is meeting its goals currently with regards to... to minority and female participation on construction contracts?"

Burke: "Yes, Representative, generally they are meeting and in some cases they probably exceed."

Burns: "Okay. But... but that might not be for every agency. There's some agencies that have done a better job than others."

Burke: "The... the problem that we are addressing in this legislation is the problem with IDOT."

Burns: "Right."

Burke: "Specifically."

Burns: "Right. And... and my understanding is that we just passed, earlier in this Session, a major... two capital programs: a mini capital program for \$1.5 billion or so and another major capital program where billions of dollars are going to be spent in road construction and road repair throughout the state. Is that your understanding as well?"

Burke: "That is right."

Burns: "So, unless we cure this problem... unless we address this problem there is a potential for billions of dollars of work to be performed all over this state that would exclude

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all the citizens of the state. Is that your understanding as well?"

Burke: "That is right. That is the intention of this legislation, to preclude that type of activity."

Burns: "Mr. Speaker, to the Bill. I'd like to commend Representative Burke for bringing this Bill forward. Many of us in the Africa... in the Black Caucus have been working on procurement reform for a number of years. I appreciate Representative Burke's efforts to make sure that our state capital program includes businesses owned by citizens throughout the state. And that all of us who are paying our taxes and contributing to the state have an opportunity to participate and generate economic activity in our communities. I plan to vote 'aye' and encourage all to do the same."

Speaker Mautino: "Further discussion? The Gentleman from Lake, Representative Sullivan."

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

Speaker Mautino: "He indicates that he will."

Sullivan: "Rep... Representative, we're having a discussion over there with... about this Bill. I know what your intent is and it's laudable. We're trying to see if there's an unintended consequence here and I'll just give you an example. And this came to me from one of my contractors back home. And... and... and I just hope that this isn't the case. But the unintended consequence is this, let's say that a contractor bids on 50 contracts and he... and he gets 40 of them. He goes to a subcontractor and the subcontractor says, I can only help you with half of those.

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So, he can only help him with 20. What does he do with the other 20? Because under this language it sounds like you can't cure the deficiency. So, you can't go in and say, well, I need a new subcontractor. Is that... is that an unintended consequence?"

Burke: "I... I wouldn't necessarily describe it as an unintended consequence. What I would say to you that this legislation would require that general contractors to the best of their good faith efforts to have their subcontractors in place at the time the general contractor submits their bid."

Sullivan: "Can... can you tell me where in the legislation it says exactly what you just said? Because I... I don't see that anywhere in the legislation. And if that is the intent then I... I agree with you, but it says you cannot cure deficiencies. If you cannot cure deficiencies, means you cannot come back for any reason. And one reason might be your subcontractor just can't do all the work. And so, in that case, you would want to find another subcontractor to finish the..."

Burke: "Exactly."

Sullivan: "...the contracts."

Burke: "If that were the case..."

Sullivan: "But it doesn't say that in the legislation..."

Burke: "No, no."

Sullivan: "...is the problem."

Burke: "There's no need for it."

Sullivan: "Okay. So..."

Burke: "For... for legislative intent, this is why we're discussing what the intent of the proponent of the

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legislation is intending to accomplish here. So, in the scenario that you have just described that subcontractor who was unable to perform for whatever reason is eliminated from the consideration. They then move to the next subcontractor."

Sullivan: "Okay."

Burke: "Who... who very likely would be charging the same amount."

Sullivan: "So, the due diligence has to be on the front end where you would list multiple subcontractors and they can sure the deficiency by going to the next one."

Burke: "That is absolutely right."

Sullivan: "That is your legislative intent?"

Burke: "That is... that is absolutely right."

Sullivan: "Thank you very much."

Speaker Mautino: "Further discussion? Representative Davis, Will Davis."

Davis, W.: "Thank you very much, Mr. Speaker. To the Bill. The scenario that was posed by the previous Gentleman I think really gets to the heart of what we're trying to do here. Often and we try to pass legislation to increase minority participation on contracts and... and other things and... and sometimes there are... it's a constant fight in order to do so. While I do recognize the need for members of particularly the Black and Latino Caucuses to work very hard to bring along other organizations, to bring along other contractors and to grow other businesses so that there are a number of businesses available to try to participate on these contracts. But for those that do

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exist, those that are... are operating in good standing, what this... what this is essentially trying to do is just encourage the prime vendors... the prime contractors to come in the door with the minority vendors already there. Having done the due diligence and reached out, done appropriate due diligence and... and found subcontractors that can perform and can do various types of work, we just want them to... to act on the front end of things and not necessarily try to cut deals and do some back door stuff the other way. Now, I understand some of the challenges with this Bill because it does somewhat seem like you're eliminating the opportunities to cure deficiencies as they say and to increase those goals. Now, mind you, they're just goals. Unfortunately, we can't demand or put in law that certain percentages be met. We have to say they are goals. And sometimes the goals are met and sometimes they're not met, but nevertheless, all we're simply asking is that those prime vendors walk in the door with those vendors already ready to go. To me that would be the right way. And that's the way a company should operate, above board, open, transparent. So, come in the door with the minority vendors having vetted... having been vetted and... and ready to perform on these particular jobs. And again, that's what I think the intent of this Bill is. And I want to commend the Sponsor for his work and his efforts. Again, this is an initiative supported by both of these caucuses as well as contracting organizations that support both of these caucuses in particular. And I would encourage every Member to vote for it. Thank you."

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Speaker Mautino: "Further discussion? The Gentleman from Cook, Representative Dunkin."

Dunkin: "Thank you. To the Bill, Mr. Speaker. I am very, very excited and proud of the Sponsor for carrying such a legis... piece of legislation. Finally, you know, we're moving into the 21st century with all of our state agencies doing the right thing as it relates to disadvantaged businesses, people with disabilities and minorities, et cetera. This is a great first step. I think anytime you have the opportunity to close some of the gaps as it relates to the state awarding of contracts is a plus for us. Again, with us having new leadership at the Illinois Department of Transportation who has spent years in this Body and understands and is aware of the issues as it relates to spreading some of the resources of the state to all Illinoisans is exactly what this Body should and I believe is all about. So, I would strongly encourage an 'aye' vote. Congratulations, Representative Burke and thanks for being open for the Amendment. And let's do the right thing and vote for an 'aye'. Vote this up. Thank you, Sir."

Speaker Mautino: "The Lady from Kankakee, Representative Dugan."

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

Speaker Mautino: "He indicates that he will."

Dugan: "Representative... and I want to certainly also commend you on this. I do have a question as far as especially like if there's a minority general contractor. And let's just say that they can't get together enough, you know, of the minority subcontractors in order to submit a bid. So,

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I, maybe like some others, I don't want to have some unintended to where maybe we... we think we're going to hinder some more than help. I mean, do... do you see that as a problem at all?"

Burke: "I... I certainly can understand your... your concern in that regard. And I would say this issue has come up with respect to the discussion of this piece of legislation. And I believe that there would be no fault or no one held to the fire when we do have areas of our state that don't have sufficient population of minorities. And in that case the agency would intend and make every good faith effort to try to find the numbers to meet the... the goals, but I don't believe that there's anything specific that would impede the agency from continuing the letting of these contracts."

Dugan: "Okay. I appreciate that and I stand in support of this particular Bill. I think as contractors, and I've been in the construction business for 30 years, when you do bid a project and there's some that have talked about the fact that it will make it hard for contractor... general contractors to get bidders and that's why that 7 days was in there. When you bid a project, the way I'm looking at it, Representative, you build a project... you bid a project and you're going to use and try to use what we have in this state as far as the hiring of minorities and using that as part of your effort to get a bid then I think it's on that contractor and they should have plenty of time to make sure that they go out and find the minority owned businesses that can provide the subcontracting work in enough time. If they want to take advantage of the program we have in

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the state, then they need to do the extra work to go out prior to the bid and make sure that they have the minority subcontractors online. So, I, again, also thank you. I think it's certainly a step in the right direction. And it's certainly something that can be done if the general contractor truly wants to do what they're expected to do. So, I really encourage an 'aye' vote for this particular piece of legislation. Thank you."

Speaker Mautino: "Further discussion? The Gentleman from Cook, Representative Farnham."

Farnham: "Thank you, Mr. Speaker. I stand in support of the Bill today. I think that... do I think it's a perfect Bill? No, I don't think it's perfect, but I think it is a move in the right direction. As a subcontractor over the years I understand, you get in the bid process, you put a bid in on a job and then the general contractor comes back after the job's been awarded either awards it to somebody else or negotiates with you to get a price lower. I just think that we need to protect these contractors. The whole minority subcontracting and participation program needs work. And I think this is a move in the right direction."

Speaker Mautino: "No one else seeking recognition, Representative Burke to close."

Burke: "Thank you, again, Mr. Speaker, and Ladies and Gentlemen. I believe this is a very legitimate issue. There's nothing strange or uncomfortable about this that would put contractors in an awkward position. It is a fair, equitable approach to providing subcontractors a fair and equal level playing field for their goals and that is

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to certainly engage with our state in gaining the contracts that are necessary to keep our economy running. And certainly I think it's an important initiative. And I stand ready to work with the state agencies and the contracting industry to remedy anything that would become uncomfortable over the next few months. And as we know, we are now in that very busy season. So, it's important to get a head start, be fair to those who are engaged in business in our state. And I would certainly ask my colleagues for a favorable consideration of this matter."

Speaker Mautino: "The Gentleman has moved that Senate Bill 351 pass. And on that question, 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. 70 voting 'yes', 46 voting 'no', 1 voting 'present', Senate Bill 351, having received the Constitutional Majority, is hereby declared passed. Mr. Clerk, read House Joint Resolution 66."

Clerk Bolin: "Introduction of Resolutions. House Joint Resolution 66, offered by Representative Burns."

Speaker Mautino: "On page 6 of the Calendar appears Senate Bill 78, Representative Black. Mr. Clerk, read the Bill."

Clerk Bolin: "Senate Bill 78, a Bill for an Act concerning housing. The Bill has been read a second time, previously. Amendment #1 was adopted in committee. No Floor Amendments. No Motions are filed."

Speaker Mautino: "The Gentleman from Vermilion, Representative Black."

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Black: "Thank you very... thank you very much, Mr. Speaker and Ladies and Gentlemen of the House. We made an agreement in committee that we would keep this Bill on Second Reading for discussions throughout the summer. So, please leave the Bill on Second Reading."

Speaker Mautino: "The Gentleman's intentions will be granted. On page 8 of the Calendar appears Senate Bill 1265, Representative Lang. Read the Bill. Out of the record. The Gentleman from Madison, Representative Beiser is seeking recognition."

Beiser: "Thank you, Mr. Speaker. Please let the record reflect that on Senate Bill 351 I need to be recorded as a 'no'."

Speaker Mautino: "The record will reflect your intentions. Mr. Clerk, place Senate Bill 2024 on the board. Read the Bill."

Clerk Bolin: "Senate Bill 2024, a Bill for an Act concerning civil law. Third Reading of this Senate Bill."

Speaker Mautino: "The Gentleman from Cook, Representative Lang."

Lang: "Thank you, Mr. Speaker, Ladies and Gentlemen. This is an initiative of the Clerk of the Circuit Court of Cook County. And it does a couple of things. First, it takes... it adds penalties to unpaid fines, those penalties to be distributed into certain funds that the court has previously put into place. And it also redistributes the dollar amounts for other fines into given funds that the clerk has. Many clerks have these funds where they distribute things for emergency response crime lab analysis fees, et cetera. So, this is mostly just a redistribution

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of the fees they're already collecting. I would ask your passage on this."

Speaker Mautino: "Gentleman moves passage of Senate Bill 2024. And on that question, the Gentleman from Cook, Representative Fritchey."

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

Speaker Mautino: "He indicates that he will."

Fritchey: "Representative, if you can just explain to the Body the opposition of the Cook County State's Attorney, the Illinois Chiefs of Police and the Illinois Sheriffs Association?"

Lang: "To my knowledge, they did not testify in committee."

Fritchey: "So, you're not sure why they are listed as opponents?"

Lang: "No, Sir."

Fritchey: "Thank you for shedding light on that."

Speaker Mautino: "Further questions? The Gentleman from Crawford, Representative Eddy."

Eddy: "Thank you, Mr. Speaker. Based on the questioning by Representative Fritchey which was why there's opposition and the sterling answer that he's not sure why, I guess that tells the whole story. Because that was my question."

Lang: "So, is that another question, Sir?"

Eddy: "Well, I... I really find it almost impossible to believe that there's no stated reason for their opposition. I guess they... they just walk around opposed."

Lang: "Is this my first Bill? I... I could be remembering this wrong, Sir, but I don't recall anyone from any of those organizations telling me they were opposed to the Bill."

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Eddy: "Thank you."

Speaker Mautino: "Further questions? Representative Reboletti, the Gentleman from DuPage."

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

Speaker Mautino: "He indicates that he will."

Reboletti: "Representative, I... there... I don't recall any opposition to the Bill, there wasn't any slips. I... I... I'm... I don't think I'm mistaken on that. If it would... it was unanimous in committee, no opposition, no slips filed. Is that your recollection?"

Lang: "That is my recollection. And I recall that you voted for it, Sir. And sometimes you're tough to convince."

Reboletti: "Well, I... I know it's not your first Bill and I appreciate your... your kind comments to me. And I would just urge its support. I know there's... there is an opportunity for delinquency fee which many counties already use, but otherwise there's fund redistribution. It's just correcting some inadequacies in the current statute. So, I would urge an 'aye' vote."

Lang: "Thank you, Sir."

Speaker Mautino: "Further questions? The Gentleman from Vermilion, Representative Black."

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

Speaker Mautino: "He indicates he will."

Black: "Representative, it's my understanding of in talking to staff that the... this particular Bill would allow Cook County to not follow the current fee distribution process of several different court fees. And our staff couldn't determine where then the fees would go. So, what programs,

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agencies, entities, et cetera, might not get money they have gotten in the past and what entities might get more money than they had in the past? And I... I pose that question simply because we don't know the answer."

Lang: "Well, Representative, I think some of the redistribution of the fees, particularly of the penalties that would be assessed on unpaid fees, stays with the Clerk of the Court for administrative purposes. But some of the redistribution of the fees would be as follows. On DUIs, some of it would go to emergency response expenses for the county, some would go to crime lab analysis fee when it's assessed. In school speed zone... where there are violations in school speed zones some of the fine goes to the school district where the offense occurred for school safety purposes, certain of the fees go to the drug court and certain fees go to... from youth diversion, child advocacy and victim impact panels, when assessed, are dispersed to support the court system. That's what I have. And beyond that, I have nothing for you."

Black: "Thank you, Representative. I... I appreciate that. This Bill only affects the fee distribution in Cook County. The... the other 101 counties are not impacted by your Bill, is that correct?"

Lang: "The new distribution of fines applies only to Cook, but the penalties on delinquent and unpaid fines would be statewide. I'm sure your clerk would appreciate that."

Black: "My clerk would appreciate it a great deal more if we could just figure out a way to collect the delinquent fines and fees. The last time I checked, we could probably get

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out of debt if we could collect those fees. If you have any suggestions on that, my clerk would be more than happy to talk with you."

Lang: "Why don't you have your clerk call me, Sir."

Black: "I'll... I'll do that. So, this is a... a... a fee language Bill, but I think it's important, you know how it is around here, there are no new fees in this Bill."

Lang: "So, just in the interest of full disclosure, there are a couple..."

Black: "And transparency."

Lang: "Yes."

Black: "Yes."

Lang: "There are a couple of small new fees in here that apply to Cook County only."

Black: "That apply to Cook Count... how small is small in Cook County?"

Lang: "I think there's a new \$20 fee that applies in DUI cases and there may be one other in here and I can't find it at the moment."

Black: "Does that additional \$20 go to... will that accrue to... I know Secretary White was concerned about the lack of money in the Driver's Education Fund. So, that \$20 addition to the DUI ticket, does that... will that be distributed to Secretary White's Driver Education Fund or does it go in another direction?"

Lang: "All right. I was incorrect, it's a \$50 fee."

Black: "A \$50 fee."

Lang: "And for... for school zone violations and it goes to the school district where the violation occurred for their own

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safety purposes. So, it's not... that is not kept by the Clerk of the Court nor does it go to the court system."

Black: "So, there... there is no additional fee then on a DUI?"

Lang: "I don't think so."

Black: "Okay. All right. Thank you very much."

Speaker Mautino: "Further discussion? The Gentleman from Cook, Representative Joyce."

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

Speaker Mautino: "He indicates he will."

Joyce: "Thanks. Representative Lang, just following up on Representative Black's questions. I'm glad you corrected it was \$50, but I also see there's an additional \$125 fee?"

Lang: "Well, let me see if I can find that. Do you know what Section of the Bill that's in, Sir?"

Joyce: "It looks like page 15 or 16. Yeah. I... I'm sorry on page 14, page 3. When a fine for a violation of Section 11-605.1 of the Illinois Vehicle Code is 250 or greater the person who violated that Section shall be charged an additional \$125 as provided by for... by subsection(e) of Section 11-605.1."

Lang: "Yes, I see that. And I apologize for missing that. And that... those... that particular fee would be disbursed by the Circuit Clerk to a State or County Transportation Safety Highway Hire Back Fund."

Joyce: "What's the Hire Back Fund?"

Lang: "I don't think I have an answer for you, Sir, but I'll try to get you one."

Joyce: "Would you mind pulling this out of the record until you get us that?"

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Lang: "I'll do that for you."

Joyce: "Thanks."

Speaker Mautino: "Mr. Clerk, take this Bill out of the record at the request of the Sponsor. The Gentleman from Sangamon, Representative Poe is seeking recognition."

Poe: "Personal... a point of personal privilege."

Speaker Mautino: "State your point."

Poe: "Yeah, I would like for the Body to recognize Cody Collier, he's up here on my... over my right shoulder. He's graduating tomorrow from Lutheran High and he's the winner of the Lutheran Christian Leadership Award. So, let's give him a big welcome."

Speaker Mautino: "Mr. Clerk, place Senate Bill 1928 on the Board and read the Bill."

Clerk Bolin: "Senate Bill 1928, a Bill for an Act concerning State Government. The Bills been read a second time, previously. Amendment #1 was adopted in committee. No Floor Amendments. No Motions are filed."

Speaker Mautino: "Third Reading. Mr. Clerk, read the Bill a third time."

Clerk Bolin: "Senate Bill 1928, a Bill for an Act concerning State Government. Third Reading of this Senate Bill."

Speaker Mautino: "The Gentleman from Cook, Representative Lang."

Lang: "Thank you, Mr. Speaker, Ladies and Gentlemen. This Bill is a... is a idea of the Department of Human Rights. When someone, anyone wants to do business with the State of Illinois, they fill out some paperwork and there's whatever check is done on their company. These audits of these

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companies to make sure they follow human rights laws cost the state a significant amount of money. And the department's been assuming these costs for some time. This Bill would impose a \$75 registration fee, which would be good for five years. So, in essence, it's a \$15 a year registration fee just on companies that want to do business with the State of Illinois, so the Department of Human Rights can do these checks. These are checks that I believe are required by the Federal Government so they must be done. I would ask your support."

Speaker Mautino: "The Gentleman has moved passage of Senate Bill 1928. The Gentleman from Jasper, Representative Reis is seeking recognition."

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

Speaker Mautino: "He indicates he will."

Reis: "Representative, thank you for on the... making the Body aware of the \$75 fee on this, but my question pertains to the special fund. Does this special fund exist right now?"

Lang: "No."

Reis: "And we also see here and it's... our analysis is kind of contradicting each other on separate lines, but it... One line it says the special funds are not subject to transfer to the General Revenue Fund. And then another one says it's just administrative chargebacks are not subject to transfers. Which one is that?"

Lang: "Thank you for the question. This fund would be subject to sweeps, but not subject to administrative chargebacks."

Reis: "Okay. Thank you for clearing that up."

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Speaker Mautino: "Further questions? The Lady from Will,
Representative Kosel."

Kosel: "Will the Sponsor yield, please?"

Speaker Mautino: "He indicates he will."

Kosel: "Can you tell me what the current fee is?"

Lang: "There is no current fee."

Kosel: "And why is there no current fee?"

Lang: "The department's been assuming these costs on their own
up until now and it's become cost prohibitive for them do
it. These are only for companies that want to do business
with the state. And it's a pretty small fee for a five
year period of time."

Kosel: "Wasn't there a commitment made when this piece of
legislation was originally passed that said that we would
not charge a fee for this?"

Lang: "Not that I recall, Representative."

Kosel: "There was. There was originally a commitment made that
we would do this and we would not charge a fee for it.
This would be a service of the State of Illinois."

Lang: "Well, I don't recall that, but even if it were the case,
times change. I don't know when that law was passed. I
don't know who made the commitment, but that kind of a
commitment cannot be forever."

Kosel: "I would disagree. Strongly disagree. A word is a word
is a word. Thank you."

Speaker Mautino: "The Gentleman has moved passage of Senate
Bill 1928. And on that question, the Lady from DuPage,
Representative Bellock."

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Bellock: "Thank you very much, Mr. Speaker. To the Bill. We spent quite a bit of time on this when Representative Lang came to committee and the Human Rights Commission people were there. They said the cost of this has gone up. So, we figured that even though most of us don't like to implement a fee, this is a fee that helps the State of Illinois bring in money. And we're providing a lot of services to these businesses that want this service from the state. So, that's why we thought it was an idea that the State of Illinois could actually bring some money in for the services that they were providing."

Speaker Mautino: "The Gentleman has moved passage of Senate Bill 1928. No one else 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, take the record. 63 voting 'yes', 54 voting 'no', 0 voting 'present', Senate Bill 1928, having received the Constitutional Majority, is hereby declared passed. Mr. Clerk, place Senate Bill 1984 on the board and read the Bill."

Clerk Mahoney: "Senate Bill 1984 has been read a second time, previously. Floor Amendments 1 and 2 were both adopted to the Bill. Floor Amendment #3, offered by Representative Monique Davis, has been approved for consideration."

Speaker Mautino: "The Lady from Cook, Representative Davis on Floor Amendment #3."

Davis, M.: "Thank you, Mr. Speaker. I would like to table Amendment #1 and Amendment #2 and adopt Amendment #3."

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Amendment #3 becomes the Bill. The items in Amendment #1 and the item in Amendment #2 all become a part of Amendment #3. Mr. Speaker, both Amendments were adopted on the floor."

Speaker Mautino: "One minute, please. The Lady moves to table Floor Amendments 1 and 2. All in favor say 'yes'; opposed 'no'. The 'yesses' have it. Floor Amendment 1 and 2, in the opinion of the Chair, are tabled. Mr. Clerk, further Amendments?"

Clerk Mahoney: "Floor Amendment #3."

Speaker Mautino: "The Lady from Cook, Representative Davis on Floor Amendment #3."

Davis, M.: "Thank you, Mr. Speaker. Floor Amendment #3 becomes the Bill. And what Amendment #3 for Senate Bill 1984 states is that contractors and administrators of instructional services of a school district, they are a part of or covered under the Illinois Education Labor Relations Act. Included in this is special education facilities that may not be a public school, they are not covered under this Act. And it states that the employees of charter schools are eligible to be organized under the... well, of course, the National Labor Relations Act and the Illinois Education Labor Relations Act. And we are merely providing information in the law that employees are capable and they can be under the Illinois Education Labor Relations Act. And I ask for an adoption of Amendment #3."

Speaker Mautino: "The Lady moves adoption of Floor Amendment #3. And on that question, the Gentleman from Lee, Representative Jerry Mitchell."

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Mitchell, J.: "Thank you, Mr. Speaker. I'll withhold my questions until the Amendment's been adopted, if that's all right?"

Speaker Mautino: "No one else seeking recognition, the question is... the Lady moves adoption of Floor Amendment #3. All in favor say 'yes'; opposed 'no'. The 'yesses' have it. In the opinion of the Chair, Floor Amendment #3 is adopted. Mr. Clerk, any further Amendments?"

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

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

Clerk Mahoney: "Senate Bill 1984, a Bill for an Act concerning education. Third Reading."

Speaker Mautino: "The Lady from Cook, Representative Monique Davis."

Davis, M.: "Thank you, Mr. Speaker. Senate Bill 1984, excuse me, is an agreement that was reached by a number of parties in reference to our charter schools, our contract schools and our labor unions. And I think we have a great agreement here. Amendments 1 and 2 are included in Amendment #3 and I stand ready to answer any questions."

Speaker Mautino: "The Gentleman from... the Gentleman from Lee, Representative Mitchell is seeking recognition."

Mitchell, J.: "Thank you, Mr. Speaker. Ladies and Gentlemen of the House, 1984 is... is about a nine-month piece of work that was... that really came through the Charter School Bill, which you'll hear later today. These two Bills are moving in tandem. The agreement between all parties that negotiated the charter school reform agreed to allow 1984

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to come to a vote prior to the Charter School Bill. Everyone agreed to that. There's still some concerns out there. If you were around in '95, and there's still a few of us that were around then, we did pass a Charter School Bill back then. And the question was asked at that time if charter schools would fall under the Illinois Labor Relations Act and the answer to that was a definite yes by Representative Cowlshaw. We have that transcript. I've checked it and that's exactly what was said as far as the intent of this Bill. Basically, this Bill allows the charter school to move forward which you'll hear later today. Will the Lady answer some questions?"

Speaker Mautino: "She indicates she will."

Mitchell, J.: "Representative, I have a couple of questions for legislative intent. In respect to charter schools, which Labor Act covers the employees?"

Davis, M.: "I'm sorry, I can't hear."

Speaker Mautino: "Excuse me. Could the House bring the level of noise down please so we can get the legislative intent on the record."

Mitchell, J.: "In respect to charter schools, which Labor Act covers the employees?"

Davis, M.: "Employees of charter schools and instructional employees of charter schools that are operated by subcontractors statewide are covered by the Illinois Education Labor Relations Act."

Mitchell, J.: "In respect to contract schools and contract turnaround schools, which Labor Act covers these employees?"

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Davis, M.: "Representative Mitchell, in Chicago employees of contract schools and contract turnaround schools are covered by the, excuse me, Illinois Educational Labor Relations Act. Instructional employees who work for subcontractors of contract schools and contract turnaround schools are also covered by the Illinois Educational Labor Relations Act."

Mitchell, J.: "To the Bill, Mr. Speaker."

Speaker Mautino: "To the Bill."

Mitchell, J.: "There's been several people that have worked on this Bill, several subcontract private entities which have... have come exemptions. The alliance had some concerns with the language and late last night we worked out the language so that they are no longer opposed to this Bill. And I know of no strong opposition to 1984. And I certainly advise an 'aye' vote. Thank you, Mr. Speaker."

Speaker Mautino: "The Gentleman from Menard, Representative Brauer."

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

Speaker Mautino: "She indicates she will."

Brauer: "Representative, I'd like to clarify for the record that the language exempts Hope Institute from the definition of education employer as defined in this Bill?"

Davis, M.: "The Hope Institute, is that... they provide what kind of service?"

Brauer: "Well, they... they provide service to the DD community."

Davis, M.: "Okay. They are not covered."

Brauer: "Okay. They... they are..."

Davis, M.: "They are exempt from this legislation."

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Brauer: "Thank you."

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

Speaker Mautino: "Further questions? The Gentleman from Crawford, Representative Eddy."

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

Speaker Mautino: "She indicates she will."

Eddy: "Representative, as you've worked on this, it was... it was part of an agreement, a negotiation, that also will... I think very soon we'll be dealing with a Bill that I know you and Representative Mitchell and especially Representative Mitchell has been working on for a long time that will increase the number of charter schools for the City of Chicago by 40, I believe?"

Davis, M.: "That's correct."

Eddy: "And it will increase charter schools in, we'll just call it downstate because right now there are... there's a distinction between suburban and downstate charters. But this... this agreement to come will add 30 additional charters for areas outside the City of Chicago?"

Davis, M.: "That is correct."

Eddy: "And... and this was... this is one of two Bills that we're going to see on this subject. So, this supports... this was necessary in order for the agreement to take place on the... the current cap on charters to be lifted?"

Davis, M.: "That is correct, Representative. There was an attempt to satisfy the concerns of all groups. Some people were concerned with the increase in charter schools, but with certain protections, we have agreed to support that Bill also."

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Eddy: "Okay. You know, charter... charter schools... and I think some of this goes back to the inception of charter schools and some of the intent and I think you and Representative Mitchell were around then and Representative Smith was also around when that... when that initial legislation was passed. Probably one of the great disappointments that I have regarding charter schools is the fact that we've never come forward with a specific list of revisions that we recommend for all schools based on the charter school 'experiment' or pilot that we did. We... we really haven't lived out the true doctrine of the establishment of charter schools."

Davis, M.: "Well, I would certainly agree with that, but I think Jerry Mitchell's Bill, 612, will help to establish a task force and perhaps... I don't know if it's advisory. I think it's advisory. But they will look at the accomplishments and the true accomplishments of charter schools and be able to report to this Body. And also to make a decision as to whether there should be a growth... a further growth and those... that cannot take place until after the conversations of 2013."

Eddy: "So, the Illinois Education Labor Relations Board is... is kind of the go to governing body for labor relations for public schools and I guess the... the big part of this legislation is to bring charter schools under their umbrella as well. So, for example, not every single public school in the state has a local union that negotiates for them. There are some that do not. This does not mandate that every charter school have a union that negotiates. This just brings them under the same type of umbrella that

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if they organize, they organize, if they don't, they don't, just like public schools."

Davis, M.: "That's absolutely correct. They have... they have the opportunity if they choose to, but they're not mandated to and they're not prohibited from."

Eddy: "Okay. I know the Civic Committee still has a bit of a problem with this. They... they sure don't have a problem with the cap being lifted. And the cap wouldn't be lifted if we wouldn't have come to this agreement. So, I know they're tied together. I... I am going to support the legislation. I think it's important that we get the cap lifted. And I... I think that this is the way to do it. I want to commend you and I want to commend Representative Mitchell. This was a long, difficult process with lots of people pulling in different directions and I think once we get both of these Bills passed, you've come to a nice negotiated settlement 'cause everybody's just a little angry about this. There are people that it just... a little bit upset and I think when you get all the party's just a little bit upset, you've probably reached the best conclusion that you can."

Davis, M.: "Well, not one group got everything they wanted."

Eddy: "My point exactly."

Davis, M.: "Thank you."

Speaker Mautino: "Further questions? The Lady from DuPage, Representative Bellock."

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

Davis, M.: "Yes."

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Speaker Mautino: "She indicates she will."

Bellock: "I'm sorry. In part of that conversation I missed whether this Act still allows for a car check process rather than the secret election for the charter school groups?"

Davis, M.: "Yes it does, Representative."

Bellock: "It does allow for a car check..."

Davis, M.: "Yes, it does."

Bellock: "...so there's no secret election? Thank you."

Davis, M.: "Yes, okay."

Speaker Mautino: "The Lady has moved passage of Senate Bill 2984. Representative Davis to close."

Davis, M.: "I would just urge an 'aye' vote. I think we've reached an agreement, a compromise and I think this will help to put to rest a number of questions in reference to the intent of the original legislation. In the original legislation I think Representative Cowlshaw answered the questions of Representative Ryder in reference to the intent of charter schools being under the Illinois Education Relations Board. So, I would just ask for an 'aye' vote. Thank you."

Speaker Mautino: "The Lady has moved passage of Senate Bill 1984. Representative Davis to close."

Davis, M.: "I would just like to urge an 'aye' vote. I think we've reached an agreement, a compromise and I think this will help to put to rest a number of questions in reference to the intent of the original legislation. In the original legislation, I think Representative Cowlshaw answered the questions of Representative Ryder in reference

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to the intent of charter schools being under the Illinois Education Relations Board. So, I would just ask for an 'aye' vote. Thank you."

Speaker Mautino: "The Lady's moved passage of Senate Bill 1984. And the question is, 'Shall this Bill pass?' 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? Representative Beaubien, Cavaletto, Mitchell, do you wish to be recorded? Mr. Clerk, take the record. 102 voting 'yes', 14 voting 'no', 0 voting 'present', Senate Bill 1984, having received the Constitutional Majority, is hereby declared passed. Mr. Clerk, place Senate Bill 612 on the board. Read the Bill."

Clerk Mahoney: "Senate Bill 612 has been a Bill for an Act concerning education. Third Reading."

Speaker Mautino: "Representative Mitchell."

Mitchell, J.: "Thank you, Mr. Speaker and Ladies and Gentlemen of the House. Senate Amendment 1, which is the Charter School Reform Act of 2009, changes dramatically the landscape for charter schools. Floor Amendment 1."

Speaker Mautino: "Mr. Clerk, what's the status of the Bill?"

Clerk Mahoney: "Floor Amendment #1 was adopted to this Bill. There are no further Amendments."

Speaker Mautino: "Mr. Mitchell."

Mitchell, J.: "Basically, I'll give you an overview of... of the discussion and... and what transpired and what is in Committee Amendment #1... Floor Amendment #1. First of all, it increases the total number of charter schools operating under Article 27 of the School Code to 120. Chicago may

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operate up to 70 charters, previously that was 30 charters. Downstate may operate up to 45 charters and previously that was 15 charters. In addition to those 40 charters in Chicago, there's an additional 5 charters that are strictly for dropouts. There are some administrative requirements for this. One of the problems that we've had with... with charter schools is a feeling that there was never the sunshine on the charter schools. They weren't under the same reporting requirements as the public schools, and that's always been a sticking point with both the IFT, the CTU and the IEA. We worked extensively on that problem and now have a report card an apples to apples comparison. It will be done on an annual basis. And you, in the General Assembly, will get a copy of that report so that you know exactly how charter schools are... are doing. There's also a requirement for teacher certification that's going from 50 percent now up to 75 percent by the year 2013. That's on a phase-in. That was agreed to by the charter school folks as well as... as the labor unions. In addition to these things, we... we do have an Independent Charter Authorization Task Force. The charter schools have long asked for an independent authorizer. Right now, the state board or Chicago Public Schools or our local Boards of Education are the only ones that can authorize a charter school. The labor unions have agreed to serve on a task force to look at this issue and this was taken off the table and basically may come back to you in the next few years. There's 16 members to be appointed by this task force. There will be one member from each of the four chambers...

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two chambers, both sides of the House and Senate. There will be no compensation for this committee, but they can be reimbursed by ISBE for expenses such as travel."

Speaker Mautino: "The Gentleman has moved passage of Senate Bill 612. And on that, the Gentleman from Cook, Representative Osterman."

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

Speaker Mautino: "He indicates that he will."

Osterman: "Representative, I want to congratulate you on your hard work over many, many years on this very, very important educational piece of legislation. One of the major upsides to this is that the State Board of Education is going to have more time to review and approve new charters and have more of a stake in monitoring and working to see the effectiveness of these charters. The question for legislative intent is that, the reporting of the school data and financial data will be individual charter campuses to the State Board of Election, is that correct?"

Mitchell, J.: "Could you repeat your question?"

Osterman: "That the reporting data that the State Board of Election... Education will collect will be based on the individual charter campus and not if a charter's got more than one campus?"

Mitchell, J.: "That... that's absolutely true. And..."

Osterman: "Okay."

Mitchell, J.: "...and we will be able to look at each and every one of those charter schools and see how they're doing on their own merit."

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Osterman: "And then, we'll obviously, over time, as policymakers be able to look as you said as an apples to apples comparison to see what charters are working, what charters are not working and you know, take from the good and work on the bad. As you've talked about, this gives the City of Chicago a great deal of flexibility. As Ron Huberman, the CEO of the Chicago Public Schools talked to us when he meet with the joint Education Committee, there's many innovative ways that we have to educate the young people of Chicago as well as the rest of the state. This is going to give them flexibility in doing that. One of the arguments against charters schools for many years is the fact that many of them were not certified teachers. What this will require is that over a period of time they will... in many cases the number of certified teachers in those schools will grow. So, this will also help with dropouts, which is something that is... affects every corner of the state. So, Representative Mitchell, I, again, applaud your efforts on this. It's a significant step in the right direction at a very challenging time in our state."

Mitchell, J.: "Thank you."

Speaker Mautino: "Further discussion? The Gentleman from Crawford, Representative Eddy."

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

Speaker Mautino: "He indicates he will."

Eddy: "Representative, I want to congratulate you also for bringing together the staff of both sides to... I'm not sure it's because you need two people to help you or this is a

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cooperative effort, but I do congratulate you on having double staff there."

Mitchell, J.: "They've both agreed to be independent staffers at this point."

Eddy: "They're independent. Okay. Can you define a contract school? What... what is a... I've had that question asked. What is a contract school?"

Mitchell, J.: "Basically, what happened in Chicago was as the need for charters increased dramatically and the charters ran out, we gave Mayor Daley and the Chicago Board of Education some latitude to solve educational, instructional problems in the State of Illinois. Once we had a situation where you have something special, such as there is a... a school for unwed mothers, there's another for young men and women that are in trouble with the law. These contract schools have some of the same provisions that we gave the charter schools. In other words, a lot of the mandates were dropped for them. They were under the 50 percent certification rule, for instance. So, they're very, very similar to a charter school. They just don't fall under the charter school umbrella."

Eddy: "And these... these students probably would not be in school if... if there weren't some type of special contract school."

Mitchell, J.: "In most cases, you're probably right."

Eddy: "Now, there's one yet undefined, I think, contract type school that they're continuing to finalize and that's the turnaround?"

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Mitchell, J.: "The... yeah, we have defined the turnaround schools in this language as well. And they're... they're now called experimental turnaround schools. And basically, there's 5 of those in... in the legislation. One of the things we have to remember is that we... although there was an agreement that would have 30 charter or contract schools and 5 experimental turnaround schools, there is a cap after that. Now, cap is different. On this entire... there's an agreement from everybody that we will have a moratorium on charter school language till 2013, but the cap is a hard cap. The City of Chicago has to come back to the General Assembly if they've used all these contract schools, if they've used all the experimental turnaround schools, then they have to come back to us with a request for more."

Eddy: "Final question. Who... who has agreed, Representative, to the memorandum of understanding that we will not see additional charter school legislation until 2013?"

Mitchell, J.: "The Illinois Federation of Teachers, the Illinois Education Association, Chicago Teachers Union, Inc. and all of the charter school initiatives... all of the charter school people that... that are working on the charter schools. Some of the subcontractors that were in the meeting, such as Hope Schools and they provide special education services for many of the charters. Basically, everyone in the room."

Eddy: "Well, that may be the best news of all in this Bill, that we won't see this issue again."

Mitchell, J.: "This is the Civic Committee of Chicago, the Chicago business round table."

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Eddy: "All agree?"

Mitchell, J.: "They all agree."

Eddy: "Okay. Thank you, Representative. I also want to add my congratulations. This has been hard work. You've done a good job. And I, again, would urge an 'aye' vote on this important legislation."

Mitchell, J.: "Thank you."

Speaker Mautino: "Majority Leader Currie, the Lady from Cook, is seeking recognition."

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

Speaker Mautino: "He indicates that he will."

Currie: "Can contract schools and contract turnaround schools have more than one campus under this legislation?"

Mitchell, J.: "No, Representative, they can't. Contract schools and contract turnaround schools are single campus. They... there's no ability to replicate."

Currie: "And is there a cap on contract and contract turnaround schools and contract and contract turnaround school look-alikes that might be providing instructional purposes under Section 34 of this Act?"

Mitchell, J.: "Yes, Representative. This legislation will place a hard cap on schools created for instructional purposes under Article 34, Section 18, paragraph 30."

Currie: "Thank you. And to the Bill. It's, I think, a very sound Bill and I think the Sponsor and many others have worked very hard to make this happen. So, congratulations, one and all."

Speaker Mautino: "The Gentleman from Fulton, Representative Smith."

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

Speaker Mautino: "He indicates he will."

Smith: "Representative Mitchell, I have a couple of questions for you. As you know, I've been working on the legislation that creates the longitudinal data system for the State Board of Education, Board of Higher Ed and so forth. Would the new charter schools, the contract schools and the contract turnaround schools have the same reporting requirements under that new system of longitudinal data?"

Mitchell, J.: "That's a very good question, Mike. And... and it's absolutely vital that we get that data system up and running because they will fall under that same reporting process, which will make it easier for us to compare school to school to school."

Smith: "And for the charter schools will that be by each individual campus?"

Mitchell, J.: "It will be each individual school campus, correct."

Smith: "Okay. Thank you. To the Bill, Mr. Speaker. I want to commend Representative Mitchell for the hard work I know that he has put into this legislation and the others who have participated in the discussions over the last year. And I think they've come a long way as someone said on Representative Davis's Bill. Every group is a little bit unhappy, which is probably a sign that this may be the right thing. I, philosophically, have a problem with charter schools in that I don't think they've lived up to what they were supposed to as Representative Eddy said in his comments on a previous Bill. My understanding when we

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passed charter schools originally was that they were going to allow us to experiment with some innovative ideas in our public schools. And we've never seen any type of report... any type of results coming back to our public schools as to what's going on good in our charter schools. And unfortunately, I think as well-intentioned as the Sponsor is and the group working on this, I think we're just adding to the number of charter schools without really addressing those concerns. I know Representative Mitchell feels that we will be able to get that data and we will be able to know what's working well in charter schools and be able to turn that around to our... the rest of our public schools. But I do have a concern that we have allowed to create basically over the last 15 years a system of publically funded private schools and that concerns me. I know there are a lot of good charter schools out there that are doing good things and improving student achievement, but I'm worried about those students who are left behind in the public schools who don't have the parents who are involved enough to try to get their kids into a charter school who maybe are special needs students who have... require special education and the charter schools are not necessarily equipped nor do they want to serve the special ed students. So, I think there are some real concerns. And for that reason, I will probably be opposing your legislation, Representative Mitchell, although I... I realize the work you have done and I know it's been very well-intentioned."

Speaker Mautino: "Further questions? The Gentleman from Cook, Leader Miller."

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Miller: "Thank you, Mr. Speaker. Will the Sponsor yield? I want to commend you, first off."

Mitchell, J.: "Thank you."

Miller: "It's something that's been very difficult, I know. Has there been any discussion regarding virtual charter schools? Or does that... does... does this Bill address anything like that?"

Mitchell, J.: "Well, certainly when the charters are available virtual schools can apply for those same charters just like anyone else, but... but there was no independent discussion of... of virtual charter schools."

Miller: "Okay."

Mitchell, J.: "We do have one virtual high school, I believe, in Chicago."

Miller: "Yes."

Mitchell, J.: "There are plans for some more. If they go through the same process, along... the state board now has 60 days rather than 14 days to take a look at that and... and make a good solid decision on whether or not they should progress."

Miller: "The purpose I bring it up because as you know in committee there's been conversations about virtual schools. I am actually a supporter of virtual schools. I think it's where we need to go as a society. It helps increase access and things like that. However, there may be certain different requirements of a virtual... establishment of a virtual school versus a normal charter. Does the charter schools will take that into consideration based on rules

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and regulations from the Illinois State... from the Illinois State School Board?"

Mitchell, J.: "There... there's nothing in this Bill... nothing in the Charter School Reform Act of 2009 that will explicitly hurt the virtual school movement."

Miller: "Okay. Going to application and admitting process is within that particular. As you know, many of the virtual schools, excuse me, many of the charter schools you have to apply. And oftentimes that even though the charter was set up to help those in the community, you have students who wish to attend charter schools get in from a... from a further distance. Is there anything in this language that would make sure that no impropriety or no preferential treatment was given to students based on either who they know or... or... or any of that kind of nonsense?"

Mitchell, J.: "No, there is not. And... and we did not change the original charter school language that dealt with that issue. It's... it's by lottery. There's no special preferential treatment given to anyone, but I believe there are several thousand requests for charter school applications from students that have had to be denied because we simply have had the cap on charters. So, without moving this cap, that list will continue to grow."

Miller: "Okay."

Mitchell, J.: "Now, we have the same kind of list, to be fair, David, for two... for the magnet schools in Chicago. So, it's a problem there as well."

Miller: "Well, you know, opening up... we just want to make sure if any of these were dealt... these are just questions. In

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terms of any... so, therefore, no penalty is discussed in this if there is impropriety either?"

Mitchell, J.: "That... that's correct."

Miller: "Okay. To the Bill. I want to congratulate Representative Mitchell. I, too, and I heard discussion on an earlier Bill, talked about no one was really happy and then no one was really sad about it. I know Representative Monique Davis, Representative Mitchell, others have worked very hard and very contentious at times dealing with this issue, as long as myself and others. And so you've got to feel that this is at least is a step in the right direction on... on trying to make sure that there's quality and have alternatives for children here in the state who feel they can do better under different environments, which, I believe, that's the goal of all of us."

Speaker Mautino: "The Gentleman has moved passage of Senate Bill 612. And on that Motion, 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? Does Representative Wait wish to be recorded? Mr. Clerk, take the record. 115 voting 'yes', 0 voting 'no', 2 voting 'present'. Senate Bill 612, having received the Constitutional Majority, is hereby declared passed. Mr. Clerk."

Clerk Mahoney: "Rules Report. Representative Barbara Flynn Currie, Chairperson from the Committee on Rules, to which the following legislative measures and/or Joint Action Motion were referred, action taken on May 30, 2009,

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reported the same back with the following recommendation/s:
'approved for floor consideration' is Amendment #5 to
Senate Bill 1909, 'recommend be adopted'."

Speaker Mautino: "Majority Leader Currie for a Motion."

Currie: "Thank you, Speaker. I move to suspend the posting
requirement so that House Resolution 421, House Joint
Resolution 57, Senate Joint Resolution 64 can be heard
today in the Committee on Agriculture. House Resolution
444, Senate Joint Resolution... in Higher Education, Senate
Joint Resolution 4 in Environment, House Resolutions 411,
420, 424, 425, 437, 443, 468 and House Joint Resolution 62
in State Government. House Resolutions 413 and 428 in
Veterans' Affairs. House Resolution 447 in Elementary &
Secondary. House Joint Resolution 63 in Environmental
Health. House Joint Resolution 66 in Revenue. House
Resolution 431 in Vehicle Safety. House Resolution 417 in
Human Services. House Joint Resolution... I already had
that. So, we'll skip it. House Resolution 470, House
Resolution 472, House Joint Resolution 56 in Human
Services. And House Resolution 418 in State Government. I
know of no opposition to the Motion."

Speaker Mautino: "The Lady moves posting requirements be
waived. Seeing no objection, all those in favor say 'aye';
opposed 'no'. The 'ayes' have it. And the postings are
waived. The Gentleman from Cook, Representative Osterman
is seeking recognition."

Osterman: "It's a point of personal privilege. I'd like the
Clerk to record that I was a 'no' on House Bill 3714."

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Speaker Mautino: "The record will so reflect. Mr. Clerk, please place, from the Order of Concurrence, House Bill 415 on the board. And read the Bill. On the Motion, Representative Lang."

Lang: "Thank you, Mr. Speaker. I move to concur in Senate Amendment #1. It does two things. It requires that the computation of rates for the nursing component of our nursing facilities be adjusted on a quarterly rather than annual basis. And it also requires the department to adopt rules establishing reimbursement rates for person on ventilators. Also permits the department to adopt emergency rules on both of these. There was no opposition in committee."

Speaker Mautino: "The Gentleman moves that the House do concur in Senate Amendment #1 to House Bill 415. The Lady from Cook, Representative Hamos is seeking recognition."

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

Speaker Mautino: "He indicates he will."

Hamos: "Why is this needed?"

Lang: "It's been reported that the current... the current MDS methodology being computed on an annual basis rather than a quarterly basis is not timely enough to recognize fully the severity of certain patients relative to the ventilators. The payments for ventilator dependent patients had not been adequate in relation to the costs."

Hamos: "Well, Mr. Lang, do you contemplate that this year in the midst of this budget crisis that we're having that the nursing homes are going to be receiving a rate increase

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using their... whatever was three years or four year or five year plan?"

Lang: "Well, it appears unlikely that they're going to get substantial new dollars and that there may have to be some delays in the MDS. However, this is not for new rate increases. It is to... well, I guess in part it is... but it's to establish that rather than adjusting annually we would adjust quarterly. We get to the same place anyway in the end, Representative."

Hamos: "But is this going to..."

Lang: "And... and today they're not getting adequate reimbursement for people on ventilators. And as you know there are more and more people in nursing homes that are very serious debilitating illnesses that require ventilators."

Hamos: "No. I think that what I really asking was whether this is going to... this particular Bill is going to result in a rate increase or if you are negotiating to get a rate increase when we're in the midst of this tough budget year?"

Lang: "Well, I'm involved in any negotiations involving rate increases for the nursing homes, if that's what you're asking."

Hamos: "And does this Bill... will this Bill result in a rate increase? I mean, will this Bill result in additional dollars going to that line item from some place?"

Lang: "I am presuming that relative to the ventilators, once rules are adopted to establish reimbursement rates there

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will be some additional dollars to cover those... those particular issues."

Hamos: "But you're not only intending to do this for people on ventilators? This is a quarterly instead of an annual for everybody, no?"

Lang: "Well, this... there's two parts to this. One deals with the ventilators. One deals with the implementation of the MDS, which this General Assembly has recognized, approved and voted for several times. Yes, there would be some slight increases along the way, but in the end we're only going to adjust... we're going to adjust quarterly instead of annually. And so, in the end, the annual rate would be whatever the annual rate was, but certainly there would be a bump along the way. However, we may not be appropriating money for that purpose, in which case, it will be moot."

Hamos: "Okay. Well, I just wanted to really double-check this. Because you know we are sort of asking everyone to do some belt-tightening this year. And I know that the nursing homes have been coming around during the Session. And I under... I appreciate that they were on a plan. They had a plan to improve their rates using the MDS methodology, but this is the year and we're getting ready to take billions of dollars out of the budget, sadly. And I just wanted to make sure that we weren't inadvertently voting for a Bill that was going to add to that nor... well, we'll be looking at that 'bimp' very closely 'cause I think in the past few years the rate increases for MDS have come through the 'bimp'. And I just wanted to just clarify that. Thank you."

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Speaker Mautino: "The Gentleman has moved the House do concur with Senate Amendment #1 to House Bill 415. And the question is, 'Shall the House concur?' All in favor vote 'yes'; opposed vote 'no'. This is final passage. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Representative Howard, Representative Sullivan, do you wish to be recorded? Mr. Clerk, take the record. 117 voting 'yes', 0 voting 'no', 0 voting 'present', the House does concur with Senate Amendment #1 to House Bill 415. This Bill, having received a Constitutional Majority, is hereby declared passed. The Lady from Lake, Representative Cole is seeking recognition."

Cole: "Thank you, Mr. Speaker. Mr. Speaker, I intended to vote 'yes' on House Bill 3714. Could you have the record reflect? Thank you."

Speaker Mautino: "The record will reflect your intention. On page 17 of the Calendar under Concurrence, House Bill 4099. Representative Biggins on a Motion."

Biggins: "Thank you, Mr. Speaker. I'd like to move to nonconcur, if possible for it."

Speaker Mautino: "The Gentleman moves to nonconcur with Senate Amendments 1 and 2 to House Bill 4099. All in favor say 'yes'; opposed 'no'. The 'yesses' have it. And the House does nonconcur with Senate Amendments 1 and 2 to House Bill 4099. House Joint Resolution 51. Mr. Clerk, please place that on the board. Representative Thapedi. What is the status, Mr. Clerk?"

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Clerk Mahoney: "On House Joint Resolution 51, Floor Amendments 1 and 2 have both been approved for consideration."

Speaker Mautino: "The Gentleman from Cook, Representative Thapedi."

Thapedi: "Thank you... thank you, Mr. Speaker and Members of the House. With respect to House Amendment #1, I would like to withdraw that and proceed..."

Speaker Mautino: "Gentleman withdraws House Amendment #1."

Thapedi: "Thank you. Mr. Speaker, with respect to House Amendment... Floor Amendment #2, this reflects an agreement. We had considerable debate on this issue. And I want to reach out to my colleagues and thank them all for working with... working with us together to come to a resolution. I think at this point based upon Floor Amendment #2 that we have an agreement, including myself, the National Rifle Association, the City of Chicago and all of the other involved parties. One of the major..."

Speaker Mautino: "The Gentleman moves adoption of Floor Amendment 2. And on that, all in favor say 'yes'; opposed 'no'. The 'yesses' have it. The Amendment is adopted. Mr. Clerk, further Amendments?"

Clerk Mahoney: "No further Amendments."

Speaker Mautino: "Read the Resolution."

Clerk Mahoney: "House Joint Resolution 51 creates the Interstate Gun Trafficking Task Force within the Illinois State Police."

Speaker Mautino: "Representative Thapedi."

Thapedi: "Thank you, Mr. Speaker. This Resolution at this point this actually proves that regardless of what the

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media thinks about what we do here in Springfield, this proves that we can work together on both sides of the aisle, anti or competing lobbies. We can, in fact, work together and come to an agreement. And I'm very pleased to have this, especially with some of my colleagues, my seatmates that had some issues with the crafting or the language and the composition of the members of the task force that we've now worked together to do it. And I want to thank everyone for working with me. And I'd appreciate an 'aye' vote on this."

Speaker Mautino: "The Gentleman from DuPage, Representative Reboletti."

Reboletti: "Thank you, Mr. Speaker. And.. and to the Resolution. I have to commend the Sponsor for taking the Bill.. or taking the Resolution out of the record after there was a great deal of debate as to the amount of people that would serve on the task force. And I think the other day we came up with some bipartisan solutions. I think we have a fair balance of suburban, Chicago, upstate and downstate. The people to work on what I believe is the real problem of gun trafficking and staying focused on illegal guns and how they're used in crimes. I would also suggest that maybe the same folks who met in the backroom in the conference room will be the same folks that will put a budget together. Because nobody left there until we had an agreement. And I think we would all be able to get out of here tomorrow on time with a budget if we were able to put the same working group together. So, I will leave that as a standing invitation to all the folks that came in to

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get this budget taken care of. Thank you very... thank you very much, Mr. Speaker."

Speaker Mautino: "Representative Reitz."

Reitz: "Thank you, Mr. Speaker. Just to the Bill... or to the Sponsor, mostly. Appreciate you working with everyone, taking this out. So, on behalf of Representative Osterman and myself we appreciate your hard work."

Speaker Mautino: "Mr. Thapedi to close."

Thapedi: "As I said before, I think that we've had extensive debate on this issue. I think that there's nothing more that I can say other than to thank everyone for working with me on this important issue. I think that with the creation of the task force, I think that we'll at least begin to move in the direction of coming up with solutions... solutions. I have here in my hand a list of 36 Chicago public school students who have been killed by gun violence. I think this is the beginning to coming up with a solution. And I encourage all of the Members of this Body to vote 'aye' in favor of this Resolution. Thank you."

Speaker Mautino: "The Gentleman moves adoption of House Joint Resolution 51. 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... Representative May, Representative Mitchell. Take the record. 117 voting 'yes', 0 voting 'no', 0 voting 'present', House Joint Resolution 51 is adopted. Mr. Clerk, read House Joint Resolution Constitutional Amendment

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#31. Read the Bill. Place this Bill on Third Reading.
Now, read the Bill."

Clerk Mahoney: "House Joint Resolution Constitutional Amendment
31.

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 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
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

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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 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

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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 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."

Speaker Mautino: "Representative Franks."

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Franks: "Thank you, Mr. Speaker. And I want to thank the Speaker for allowing us to call this Bill and I want to thank my cosponsors of the Bill as well. Recently, we've taken strong steps towards reforming State Government here in Springfield, including the passage of reform measures such as FOIA reform and changing the way we do procurement. And I commend my colleagues on their firm actions, but our work is far from done. Illinois needs to join the 18 other states that have a recall provision in their State's Constitution, such as the Midwestern states, our neighbors up in Wisconsin, Michigan and Minnesota. We need to give the voters the option of adding to the Constitution a way to recall our Governor. We must give the citizens the right to take their government back. The Illinois State Constitution currently only allows the Legislature to impeach elected officials. Illinois voters deserve to have their own means to remove an incompetent, elected official. For the General Assembly to impeach the former Governor, we needed an indictment to spur us to action. Some of us had called for an impeachment long before Governor Blagojevich was indicted, but were rebuffed. Recall would allow citizens a real voice without having to rely on the United States Attorney or the General Assembly. In Illinois, right now, there are more federal agents investigating corruption than any other state. People have lost faith in their government and in their elected officials and deservedly so. We need to give them the means to take their government back. If any state needs to give voters the power of recall, it's Illinois with our long history of

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malfeasance in office. Now, our Resolution gives the voters in Illinois the opportunity to have a California-style recall system. Voters will have the ability to remove their elected Governor if they feel that he or she is not fulfilling the demands of the role in the best interests of the people. The numerous failings of our former Governor are indisputable examples of why a recall provision is necessary. Chronic mistakes and broken promises and mismanagement are justifiable reasons for recalling a Governor who is clearly not working in the best interests of the State of Illinois. If Illinois had a recall provision, I believe, when George Ryan was Governor, I don't think that we would have seen the abuses of the Blagojevich administration. Illinois voters deserve the right to fire inept lawmakers. Those... this legislation was inspired by the performance of our former Governor. This issue is about more than one person's performance. This fundamentally comes down to whether we believe in the people's right of self governance or whether we believe this is as good as it gets. Now, our legislation provides that the people would need to collect petitions equal to 15 percent of the voters in the last election within 150 days of filing for a recall election of a sitting Governor to take place. Also it has the additional safeguard requiring at least 20 House Members and 10 Senate Members to also sign those petitions and at least half have to be... they have to be at least 50 percent from one Party. Now, history has shown that voters use recall power responsibly. Only two Governors have been recalled in American history:

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North Dakota in 1923 and Gray Davis in 2003. Recall legislation is a grass roots way for people who are unhappy with their elected officials to make a real change. And this a real check in balance. This is not about partisan politics. Governor Pat Quinn supports this recall provision. His leadership on this important issue has been impressive and his willingness to work together is really helping on this Bill. Illinois will not have a recall process because the people are temporarily unhappy with one decision or a few decisions a Governor makes. Recall will only be used as an extreme solution to an extreme situation. I'd be happy to answer any questions."

Speaker Mautino: "Ladies and Gentlemen of the House, we're proud to welcome our Governor, Pat Quinn, who's joined us today. Governor Quinn, welcome to the House of Representatives. The Gentleman has moved adoption of House Joint Resolution Constitutional Amendment 31. 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'm not going to berate the process. I... I appreciate Representative Franks at least picking up the ball that I was afraid we had lost and couldn't find. At least we're doing something. But this is not what I envisioned recall to be. It isn't the Amendment I had filed. I wanted true citizen initiative recall. This is not that. In fact, if you read this carefully and I'm not even sure it's the Sponsor's intent, I guess both of us at this point will take what we can get,

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but if you read this carefully, it would appear to me that either caucus any of the four caucuses could stop a recall in its tracks by re... by not having its Members sign the necessary petitions. That's not citizen initiative recall. That starts in the political Body and it is only reasonable to assume in a political Body that two or three years ago and to... to Representative Franks credit, and there were others in here who that long ago were calling for the possible recall of the former Governor, but it could have been easily stopped by the political process of getting 'x' number of Democrats and 'x' number of Republicans to sign the petition. Then it goes to the citizenry and they then have to get thousands of signatures in, I think, what is a reasonable period of time. So, I'm not going to go on and on about what we could have had or what I think we should have had or what we might have been able to do. This is it. It is better than what we had a year ago. It's not what we could have done, but at some point and I thought we were almost there yesterday, Ladies and Gentlemen, you and I, the individual Members of this chamber are going to have to demand real reform and we're going to have to move it from our seats up to the top. It is not... it's not going to be handed to us from the top down and I think this is a classic example. And I'm not blaming Representative Franks. I... I think down deep he and I share probably the same feeling. This is the best we can do at this time. Perhaps later on we can refine it. It's too late now to get it done this Spring Session anyway and that's a shame. All of the time we've wasted, all of the rhetoric we've

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heard during the impeachment process, during a very embarrassing chapter of Illinois and we come forward with what I think is a politically influenced decision. It isn't true citizen recall and it only involves the Governor, but it's what we can do at this time. It's better than walking away doing nothing. I look forward to working with Representative Franks and any of you in this chamber on either side of the aisle to start demanding reform. Our current Governor wants it, the people have demanded it and we've not really delivered the way we can. We came close yesterday. Maybe when we come back for Veto Session or heaven knows we may be here later in the summer, I hope not, but we might. If we really and truly want reform, we're going to have to bring it from each individual Member seat up to the Leadership and say, we want to vote on this and that and this issue. That will not be easy. It's never easy to go to the respective Leaders in your caucus and say, I don't think we're moving fast enough, I don't think we're moving far enough. I know that's not easy. I've been there, done that, been there. It can be very, very disconcerting to have somebody tell you that your office is going to be moved to the bathroom in the Stratton Building. Well, be that as it may, as I told a Leader once, I'll be glad to have a press conference and explain why my office is suddenly moved to a bathroom in the Stratton Building. Representative Franks, I appreciate you picking up the ball. I didn't think we'd even have the opportunity, but you and I both know and everybody in this chamber knows we could have done better.

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We should have done better, but the hour is late and this is the only opportunity we have. And at least it's a beginning of recall. But I hope you don't go home and say, this is a major, major victory. It's kind of like winning the game in the bottom of the ninth on a wild pitch. I would have rather hit a grand slam. We didn't do that. That's our fault. Let's try again. But this is what we have. My congratulations to Representative Franks. I'm sure it will pass, but I hope we come back in the fall convinced that we can do better than what we're doing today."

Speaker Madigan: "Speaker Madigan in the Chair. And we're going to interrupt the debate because we have the second most powerful man in the United States Senate, a native of Illinois, native of Springfield, native of East Saint Louis, from Jay Hoffman's neighborhood, let me give you the Honorable United States Senator, Dick Durbin."

Senator Durbin: "Thank you very much, Speaker Madigan, Leader Cross. Governor Quinn, it's an honor to see you here as well. President Cullerton is here as well? Well, it looks like the principals are all gathered at the right moment. And I wish I could have brought you billions more in federal money, but I want to tell you that our friend and our great Illinois President Barak Obama has been working to send money back to the states to help you in your time of need. I know you need more, but we believe this economy has to get turned around and we have to do our part to make it happen. I want to thank all of you for your public service. I have dear memories of working in this General

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Assembly for 14 years before I was elected to Congress. I worked across the rotunda, but felt that it was part of the same family operation that entire period of time. I was here just momentarily to make sure the recall Bill did not include federal officials. And since I've learned that it doesn't, I just want to thank you all for your consideration. Good to be with you today."

Speaker Mautino: "Representative Mautino in the Chair. Further discussion? The Gentleman from Jasper, Representative Reis."

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

Speaker Mautino: "He indicates that he will."

Reis: "Representative, I... I... I rise in support of the concept of recall. In fact, as I travel around the district the last year and even the year before that, people could not even believe that we did not have that provision in our Constitution. So, I think it's important that we move forward with that. But I... I wanted to bring up something... It's obvious that this is not going to pass because it has to be read in the Senate for three days. So, it's going to get some time for the public to weigh in on this. And I asked this question in debate in committee, what happens if a Governor is recalled? Who takes his or her place?"

Franks: "There... there is a... there is a line of succession. And should the Governor be recalled and assuming that the Lieutenant Governor position is filled, the Lieutenant Governor would temporarily swell to the powers of the Governor. And would take over that position until the successor election."

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Reis: "And how long... is there a time frame for that successor election to be required to take place?"

Franks: "Well, this is how it's set up, Representative. It's a California-style at the recall provision. What would happen is there would be two votes on the day. So, let's assume that this passes and one wishes to recall a Governor. The first question on the ballot, Should Governor 'X' be recalled? If that does not pass, you never get to the second question. But assuming it does pass, then there would be a... it would be a Primary on that same date, Who should be the nominee of the Democrat, Republican, whether... the Green Party, whatever those might be? Then within 60 days the winners of those Primaries that would be held simultaneously with the recall would square off within 60 days."

Reis: "Well, the thing I brought up is that the State Board of Elections estimated that a Special Election would cost about \$71 million. And I... I think it's something that the public should weigh in on this summer as this Bill and this Joint Resolution moves forward. Is if we want to have a Special Election and incur those costs or just allow the Lieutenant Governor to take over. And I think that's a proper debate to have this summer. And I hope the media gets that out 'cause that's a lot of money. And Lieutenant Governor Pat Quinn would not have become Governor if we didn't have that provision for impeachment. So, I think if it was good for him, it should be good for this. And I... I just want to make sure that we get that out. My next question is, can you give us the time frame so that the

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people know, once this passes the Senate, what will be the process that will take place after that?"

Franks: "Sure. And I... and I appreciate your question there. And I... I want to correct something. I think we can still get it passed in this Session. Today's Saturday, assuming we pass it today and we send it over to the Senate. And they read it today once and they can read it tomorrow on Sunday for a second time. And let's assume we get done late tomorrow, they'd still be... then they'd be able to gavel then... they could either do it Monday morning at 12:01 for the Third Reading or if they come in to do appointments, as they do often, that would be another day that they could do it then. So, I think we can get this done, you know, very quickly. So, assuming that we pass this and this would be on the ballot in the next General Election, which would be next November and it would be the first question on the ballot next November on whether we should amend the Constitution to put in a recall provision for the Governor."

Reis: "And how many of the voters would need to vote in the affirmative?"

Franks: "The numbers that would be needed to vote in the affirmative, I believe, is... majority of those voting on the question or 60 percent of those voting in the election."

Reis: "Okay. Thank you very much for clearing those up, Representative."

Speaker Mautino: "Further questions? The Gentleman from Jackson, Representative Bost."

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Bost: "Thank you, Mr. Speaker. Will the Sponsor yield? Representative, I... I'm needing to ask, you know specifically because I also agree with... with Representative Black. It... I really believe that this should be for all Constitutional Officers. You brought up Governor Ryan. I... I think some of the questions that occurred, occurred during the time of Secretary of State. And I believe that there has been times that... that... that a Constitutional Officer regardless should have beyond this and included in this. And if you talk to my constituents, that's where they're at."

Franks: "And... and listen, I agree with you. And we... that's the Bill we passed last year, but yet remember that the Senate hijacked it. And they killed it."

Bost: "Right."

Franks: "This is the agreement that we can get passed."

Bost: "Okay."

Franks: "Now, I think it's a great start because if you look at the... at the real abuses that's happened in our government, it's been at the executive level. I'd like to be able to extend it, but this is... let's worry about that later. Let's get this one passed now because as you know recall's only been used twice in the last 80 years. And it ma..."

Bost: "I... I understand that."

Franks: "And it ma..."

Bost: "And that... that's going to lead to my next question. Of those states that have recall, do any of them have the mechanism by which we're saying to initiate this that you

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actually have to have Members of the Legislature sign off before it happens?"

Franks: "I'm... I guess some states do..."

Bost: "Really."

Franks: "...will allow either a citizen initiative or Members of the General Assembly. I learned of it, quite frankly, a few days ago. And the Governor had put that in the Bill. And I thought it was ingenious for this reason. There were some questions we had in committee yesterday about this being used politically to attack someone that, you know, whether a union put something on or a business group, but this way there would be real checks and balances. There would have to... it would have to be done correctly. And this way, if people are really clamoring for a recall and you... and the Representative or the Senator wouldn't sign-off, they'd also be accountable. So, I think it's an extra level of accountability on us and I also think it's... it's a check and balance on this being abused. And I had never thought of it. I thought it was pretty ingenious."

Bost: "And... and I'm going to tell you that I... I disagree, but that's fine. I'm going to support the Bill, but I do disagree and here's why I disagree. Because you say it's a grass root initiative and I can't see where it's a grass roots initiative if it has to come through the Legislature and there's a safety catch by that. I... I think it's something that the people themselves should initiate. And as you said, over the years, the states that have it only two have... have actually used it. And I... I think that it has enough safeguard in itself when you put the numbers of

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petitions and the... and the short time frame that's required to circulate those petitions."

Franks: "It is an extraordinary remedy. And... and that's why we have 150 days to get this very large amount of signatures. I mean, it's... it's intentionally drafted this way because this is not a frivolous type of Motion. This is not something you want abused."

Bost: "Right."

Franks: "You want this used in the most dire circumstances. And I firmly believe that if we would have it during the last administration, we would have used it. There's no doubt. Because you and I know..."

Bost: "Right."

Franks: "...we both called for impeachment and we couldn't get any... we couldn't get it done."

Bost: "Right."

Franks: "Until there was an indictment."

Bost: "Right."

Franks: "So, I... I understand your concerns. I had them initially when I read the Bill. When I think about it though, I think it works. As I think there are the safeguards. Is it the perfect Bill? No. But I think it does what we need it to do and if we need to change it later, we can do it. But I really think that this will give the citizens the voice they so desperately need and don't have now."

Bost: "Thank you. And Mr. Speaker, to the Resolution. I do agree that this is a step in the right direction. Two concerns I do have is the question on the... bringing it

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through the Legislature before the citizens make their choice and... and put their names on that petition. The other concern is that it does... I think it goes far enough as far as our State Constitutional Officers, all of them should be included. I do support the Bill. I just wish that was all in it. And I do also hope that the Senate will react quickly and move it through before we're done here this weekend."

Speaker Mautino: "As is our wish as well. The Gentleman from Bond, Leader Stephens."

Stephens: "Mr. Speaker... Mr. Speaker, we are... this is a very special place this evening. And I wondered if among the invitees was one Roland Burris?"

Speaker Mautino: "I didn't get that memo, I don't know."

Stephens: "We were... we are most anxious to see the junior Senator, especially, on our side of the aisle. Speaking of elections, we... we still support a Special Election. And I wish the Senator would step forward and take a position on whether he would like to face a Special Election. I think probably we're not going to hear from him on that. The... Mr. Speaker, a few weeks ago Republicans and... because we were denied a Committee of the Whole, met with some of the members of the... of the Collins Commission, the Governor's Commission. Which he didn't quite support, Governor Quinn didn't quite support all of their recommendations, But Brad McMillan said, here's what's going to go. He said, there are forces at work in the Capitol. I wonder which forces he refers to. Forces that work in the Capitol to tweak the system. Call it reform and call it a day. And isn't it a

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shame, isn't it a shame that the Democrat Party... the Democratic Party of the State of Illinois that controls every statewide office and each Body in this Assembly has failed us once again. Failed the people of Illinois once again. You're going to call this reform. Oh, it's... when you're right on time for the 5:00 or 6:00 news on... in Chicago and I'm sure you're going to brag about this. We're going to recall, we got a recall... a recall function for... of our State Constitution and it's not frivolous, it's not frivolous. What about the other statewide officeholders? What about the powers that be in this General Assembly? What about the Speaker of the House? What about the President of the Senate? What about recalling them? What about the Attorney General? What's wrong with having a recall provision for the Attorney General of the State of Illinois? Gee, I wonder why that was left out? Tweak the system, call it reform and call it a day. I'm sick of it. The people of Illinois are sick of it. And we will not forget."

Speaker Mautino: "Further discussion? The Gentleman from Cook, Representative Fritchey. Further discussion? The Gentleman from Winnebago, Representative Winters."

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

Speaker Mautino: "He indicates that he will."

Winters: "Representative, one of the questions I had and I know you research your... your Bills and your Constitutional Amendments particularly well, but how many other states have recall? I know only two have used it, but how many

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other states have recall for their... their Constitutional Officers?"

Franks: "There are about... there are 18 other states that presently have recall."

Winters: "Representative..."

Franks: "Wisconsin... In our area, we have Wisconsin, Michigan, Minnesota, Kansas. New Jersey recently added as well."

Winters: "And do any of those other states limit it to the Governor, as far as recall?"

Franks: "I had LRU do a whole thing on this. I'm not sure if it's just to the Governor."

Winters: "You don't remember any other states that you can..."

Franks: "No, not off the top of my..."

Winters: "...you can cite?"

Franks: "Right."

Winters: "So, they all put all Constitutional Officers at risk of recall?"

Franks: "No. No... no, they don't. Some of them don't, I just don't remember which ones."

Winters: "Okay. Would you... would you say that the majority..."

Franks: "Yes."

Winters: "...put at risk all of their Constitutional Officers?"

Franks: "Right."

Winters: "And are their Members of their Legislature all subject to... also subject to recall?"

Franks: "It... it varies. It's about 50/50."

Winters: "Okay. But in many cases... I want to make sure that Illinois isn't an outlier, that we only put the Governor on and I think you've pretty much stated that that is the

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case. That most of the states require all people who hold public office of great power in their state to be at risk. If the... if the citizens say this job performance is not happening, if they are in fact engaged in corruption, they can recall not only the Governor but the other statewide officials and in many cases the General Assembly in their states."

Franks: "Yeah."

Winters: "Are there any other states that require the House and Senate, both... both chambers and both Parties to endorse the... the recall before it goes to the voters in their chance to get signatures out there?"

Franks: "Yes, there are. And some of them the recall can be instituted through the Members of the General Assembly as well. I... I think that's probably where the Governor came up with the idea to have the Legislature, at least 20 House Members and 10 Senate Members. My understanding is..."

Winters: "In... in those cases, does it require Members of both Parties to initiate it or can it be done by Members from one Party?"

Franks: "We're checking, but I believe it's both Parties."

Winters: "We believe that in... that in committee you stated that this was a unique element to the Illinois recall? That it's not normally done by other states."

Franks: "Well, the com... no, the com... It was different. I mean, it's a combination what we're doing. And I believe in the other states where they have it, the... it's an either/ or. I don't believe it's a... it's a combination."

Winters: "Either or what? Either what?"

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Franks: "Either the citizens or the Legislature."

Winters: "Okay."

Franks: "Ours... ours is a combination."

Winters: "And that's the point I'm trying to make. We're trying to empower the voters of this state. When we have corruption in this state, our voters currently are completely powerless 'cause there is no recall. We... we are giving them some with this, but it really is a sham."

Franks: "I do... not at all. I would totally disagree with that."

Winters: "Well..."

Franks: "Totally disagree with that for this reason. Many of the questions we received in committee where people were worried that they would institute a recall provision because they were upset, for instance..."

Speaker Mautino: "The Gentleman's time has expired. Can you bring your remarks to a close, Mr. Winters."

Winters: "To the Bill... to the Bill. I... I..."

Franks: "Wait a second."

Speaker Mautino: "Mr..."

Winters: "I feel this is a sham, very quickly."

Speaker Mautino: "Mr. Winters..."

Winters: "That we are not empowering the voters of this state. We already have a succession in place, I also question it. Unfortunately, I think the timer was very quick. Did... did not allow me to address the issue of the succession. Why do we have to have an immediate election? We have a roll of succession in this state that's already set out in the Constitution. I think that should have been followed."

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With that, I will support the Constitutional Amendment, but I think it could have been done better than it has been. Thank you."

Speaker Mautino: "Thank you. Further discussion? The Gentleman from Cook, Representative Miller."

Miller: "Thank you, Mr. Speaker. Will the Sponsor yield? I have a question just regarding the... the list of 5 thousand voters, Jack, and wanted to sort of know the genesis of how did that... how was that number obtained?"

Franks: "I'm not sure what you're referring to when you say 5 thousand voters? We're talking about 15 percent of the voters who voted in the last..."

Miller: "No, no, no. No. Let me just maybe... I... I just wanted some clarification."

Franks: "Well, I think..."

Miller: "This is..."

Franks: "We're you asking about the fact that we need at least 100 signatures from at least 25 counties to show broad based support?"

Miller: "No, no. On our analysis it says here, election candidate petition."

Franks: "Oh, okay."

Miller: "That's what I'm trying to get at, Jack."

Franks: "It's the same number that we already have for established Parties."

Miller: "Okay. For... for... for a gubernatorial candidate?"

Franks: "Right. Correct."

Miller: "Okay. And my understanding when, is that if someone... the previous speaker had mentioned the Collins Commission."

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Franks: "Yeah."

Miller: "That all members of the Collins Commission did not uniformly decide on recall..."

Franks: "Correct."

Miller: "...in their report. Therefore, it wasn't addressed in their report because all of the committee members didn't agree with that, is my understanding."

Franks: "That's correct. The Collins Commission, and... and I appreciate their hard work and what they came up with, but the fact of the matter is it wasn't comprehensive. It didn't include, for instance, dealing with the boards and commissions. So, we passed that Bill earlier today, 1602, Senate Bill 1602. So, though they did good work, they certainly didn't address everything."

Miller: "Okay. And in terms of the 150 signatures, is that correct in each county?"

Franks: "The signatures would be... would be 15 percent of those voters in the last election. Plus, out of those, you'd need 100 signatures... excuse me, 100 signatures from at least 25 counties."

Miller: "At least 25 counties. Okay. And do you know... have a rough estimate of what those figures would be?"

Franks: "Well, let's assume that there was 5 million voters in the last gubernatorial election, 15 percent would be 750,000 signatures."

Miller: "Boy, you're good at math, aren't you? Thank you."

Speaker Mautino: "Further questions? The Gentleman from Cook, Representative Will Davis."

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

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Speaker Mautino: "He indicates he will."

Davis, W.: "As I was reading the analysis of the Resolution it speaks to the process by which someone can be removed, correct?"

Franks: "Correct."

Davis, W.: "So, nowhere in the analysis does it really get into why you'd want to do something like this, does it?"

Franks: "Right. It doesn't. That's a very good question. And when we passed one last year as well, but we... we didn't require that because then I think people get bogged down. And the fact is, this is only going to happen if people are just absolutely fed up with what's going on and that's the only way you're going to get these signatures. So, the question is going to be, should the Governor be recalled? And I guess if we look at our recent past... and Governor Quinn when he came to our committee yesterday testified that he had gotten a few initiatives on the ballot and they took large amounts of... of signatures to get done and it was because of voters really being upset. And one of them he talked about was changing how Legislators are paid. It used to be that Legislators would get their entire pay for two years on the first day of Session. And then if they left halfway through or whatever or didn't show up, you know, they'd get this money. So, it took a lot there to make that happen. So, we... the question... I didn't want to get bogged down in putting a reason because then there'd be objections and it could be slowed down. The question is, should the Governor be recalled? Yes or no. I mean, people could come up with their own reasons. There might

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not be just one reason. I could have thought of at least five reasons for our previous administration, I'd hate to put just one on a... on a petition."

Davis, W.: "But... but doesn't this kind of make it very subjective in some kind of way. I mean, you just stated yourself there could be numerous reasons why."

Franks: "Well, elections are subjective."

Davis, W.: "But doesn't this just make it very subjective?"

Franks: "All elections are subjective."

Davis, W.: "You know, hey, I just don't like that guy. So, maybe we should get rid of him."

Franks: "That's exactly what elections are. They're subjective. I mean, in a perfect world they'd be based on facts and on issues."

Davis, W.: "But then... And we... and we have a... and we have a process by which elections happen."

Franks: "Right. And so would... and this, too."

Davis, W.: "And every... at various intervals."

Franks: "And this would be the same type of process because it would be such a high threshold, unless there was absolute voter disgust. Unless the people really wanted a change, there's no way you're going to get 750 thousand signatures in 150 days."

Davis, W.: "Now, you and I both know in the game of politics messages can be misconstrued, construed, twisted, what have you. It's... it's possible. So, does this open the door for somebody with a lot of money to put together a campaign to get rid of a Governor?"

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Franks: "You have that right now. Anybody with a lot of money could pour it in against you if they want to knock you out in your next election or me or anybody else."

Davis, W.: "Well, I... I'm clear on that. That they have an election cycle that should do it."

Franks: "Well, hopefully we'll pass... hopefully we'll pass real campaign finance reform and we won't have that problem anymore. But you wouldn't... you know, we were working on that yesterday. We... we voted, you know, with the Representative Osterman."

Davis, W.: "Well, how does... how does campaign finance reform stop someone from bankrolling such an effort?"

Franks: "If we pass this Bill or any caps Bill, anyone who tried to finance this would be subject to the same caps because it would be... it would be part of our campaign finance. So, you're making a very strong argument to have campaign finance reform in this state. And hopefully, we'll pass that today."

Davis, W.: "If at all... if at all possible. Again, I just had some challenges. And I know you said you don't want to bog the voters down, but to me this is when you'd want to try to educate them more. And to let them know more know about how this process or criteria by which... or I mean things like this can happen. So, that... that was just my concern, Representative. So, thank you very much for your time."

Franks: "No, I appreciate it."

Speaker Mautino: "And now, no one else seeking recognition, Representative Franks to close."

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Franks: "Thank you, Speaker. And I... I appreciate the spirited debate and... and the drop in from Senator Durbin and the Governor. What a great time. I want to respond to some of the criticisms of this Bill. Is it a perfect Bill? Absolutely not. But to say that it's a sham, that's disingenuous and it's just a political attack. This may be the most important Bill we pass this year. This really is the nuclear option. This gives the citizens the rights that they do not have, the rights they so desperately need to keep our government honest and to take government back. We should have passed this a long time ago. This will make a huge difference in the future of politics in this state because whoever Governor will always know that the people will ultimately have a chance to hold that person accountable. Not just on Election Day, but every day. I encourage an 'aye' vote. It'll be the most important vote you make this year."

Speaker Mautino: "The Gentleman has moved adoption of House Joint Resolution Constitutional Amendment 31. This requires 71 votes. All in favor vote 'yes'; opposed vote 'no'. The voting is open. Representative Davis. Representative Jackson. Representative Thapedi. Mr. Clerk, take the record. 109 voting 'yes', 6 voting 'no', 2 voting 'present', House Joint Resolution Constitutional Amendment 31, having received the Constitutional Majority, is hereby declared passed... adopted. Mr. Clerk... Mr. Clerk, on page 5 of the Calendar appears Senate Bill 2024. Read the Bill."

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Clerk Mahoney: "Senate Bill 2024, a Bill for an Act concerning civil law. Third Reading."

Speaker Mautino: "The Gentleman from Cook, Representative Lang."

Lang: "Thank you, Mr. Speaker, Ladies and Gentlemen. We were debating this Bill previously when Representative Joyce asked me a question. Turns out, in our research, we discovered there are no new fees in this Bill. All they're doing is bringing other statutes in that talk about additional fees. But there are no new fees in this Bill whatsoever. And I would ask passage."

Speaker Mautino: "The Gentleman has moved passage of Senate Bill 2024. 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? Representative Burns, Representative Miller, do you wish to be recorded? Mr. Clerk, take the record. 104 voting 'yes', 12 voting 'no', 0 voting 'present', Senate Bill 2024, having received a Constitutional Majority, is hereby declared passed. On page 12 of the Calendar appears Senate Bill 1595. Read the Bill. One moment, please, Mr. Clerk. Representative Winters. Out of the record. Mr. Clerk, on page 12 of the Calendar appears Senate Bill 1595. Place that on the board. Representative Winters on a Motion."

Winters: "Thank you, Mr. Speaker. This Bill concerns the off-track betting parlors. The change is that we're basically codifying the way the racing board has typically considered schools, where daycares or colleges are not considered

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public... public schools. I think I... That is the primary purpose of the Bill. And I'd be happy to answer any questions."

Speaker Mautino: "The Gentleman from DuPage is seeking recognition, Representative Reboletti."

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

Speaker Mautino: "He indicates he will."

Reboletti: "Representative Winters, do you think this will be the most important Bill we'll vote on this year?"

Winters: "I... I didn't catch the full question."

Reboletti: "Do you think this will be the most important Bill we'll vote on this year?"

Winters: "I'm certain it is not."

Reboletti: "Thank you, Representative."

Speaker Mautino: "No one seek... excuse me. Representative Burns, the Gentleman from Cook is seeking recognition."

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

Speaker Mautino: "He indicates he will."

Burns: "There you go. How you doing Representative? The question I have for you is, I just want to make sure that the Body understands this, that under current policy the racing board interprets schools to mean elementary schools..."

Winters: "K-12."

Burns: "...and high school. K-12."

Winters: "K-12. Yes."

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Burns: "So, all... so all your Bill does is codify the racing board's interpretation of the rule to mean that you can't have OTBs near K-12?"

Winters: "Correct. And the... and the reason for the distinction between daycares and colleges is they are not regulated by the Board of Ed; they are regulated by DCFS. A completely different standards that are set. And the other point of it is, is that kids that are coming back and forth to public schools are on the sidewalks, on the public roads and typically are independent. Whereas, children that are going to daycares are almost always taken by their parents. So, that the influence of... of gaming in a neighborhood is not as accessible to kids going into a daycare."

Burns: "Okay. Thank you very much."

Speaker Mautino: "The Gentleman has moved Senate... the passage of Senate Bill 1595. 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. 59 voting 'yes', 56 voting 'no', 1 voting 'present', Senate Bill 1595 is hereby declared lost. Representative Eddy."

Eddy: "Mr. Speaker, is there any provision for a photo finish on that?"

Speaker Mautino: "I believe that's a reloadable Motion."

Eddy: "I mean, down the stretch it was close, you have to admit. Down the stretch it just... I don't know. I think a..."

Speaker Mautino: "On Supplemental Calendar #1 is House Joint Resolution 65. Mr. Clerk, read the Resolution."

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Clerk Mahoney: "On House Joint Resolution 65 Amendment #1 was adopted in committee. Floor Amendment #2, offered by Representative McCarthy, has been approved for consideration."

Speaker Mautino: "Representative McCarthy."

McCarthy: "Thank you, Mr. Speaker, Ladies and Gentlemen of the House. Floor Amendment #2 to House Joint Resolution 65 is a very technical Amendment that basically makes it clear that the business members and the labor members of the task force will be appointed by the Governor. We unfortunately left that out of the original draft. So, it just states in three different places these appointments are made by the Governor. So, I'd ask for the adoption of the Amendment."

Speaker Mautino: "The Gentleman moves adoption of Floor Amendment 2 to House Joint Resolution 65. All in favor say 'yes'; opposed 'no'. The 'yesses' have it. The Amendment is adopted. McCarthy on the Resolution."

McCarthy: "Thank you, Mr. Speaker, Ladies and Gentlemen of the House. I'm proud to present House Joint Resolution 65. I'm proud of the bipartisan sponsorship we have. I thank the Republican side for its cooperation in getting this moving forward. This will set up the Pension Modernization Take Force, allow us to have hearings over the summer so that we can look at our pension systems and judge them as far as their validity and solvency going into the future. We're including groups from labor, we're including groups from business, we're including two Members of every caucus here, an extra person appointed by the Governor as chairman and also two members who are annuitants. There are no

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known opponents of this. Everybody studying this issue through our Pension Committee has admitted that it is time to really review the systems and see if any necessary changes should be made. So, I'd appreciate your favorable consideration."

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

Eddy: "Thank... thank you, Mr. Speaker. A question or two of the Sponsor, very briefly."

Speaker Mautino: "He indicates he will."

Eddy: "Representative, I think you'll agree the purpose of this committee is to really take a hard look at the data and really clearly determine the cost of the pension systems, see how that compares with the private sector. Right now we don't have all the data we need really to accurately make the assessment on this issue. It's really too important to rely on all the rhetoric that we've heard. We... we need to put numbers behind the words that we've heard, like affordable or unaffordable or unsustainable. Those terms we've heard constantly used the past few months, but without details. Of course, on the other side there's the argument that the state already will pay less for the pensions than... than private sector employers pay for Social Security. Some of have even said that Governor Quinn's plan would have made the employee pay the entire cost of the pension systems. We... we simply don't know that. The data needs to be thoroughly investigated. We need to put more input and analysis from the pension systems into this equation and from the private sector.

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Changes to the pension systems will affect taxpayers, teachers and state employees for decades. And I think we agree that we need those facts before we move on?"

McCarthy: "I agree with you completely."

Eddy: "The other thing I want to make sure the... that you... you... we've talked about the possibility of the Management Alliance having some input to this. And... and you had said that they certainly would be welcome to be at the meetings. We're not sure about a spot, I know there's an open spot. Maybe we could even push for that, but at some point or another the Management Alliance, those who may be affected on the employer side would... would have some input."

McCarthy: "I agree with you on that. We certainly are going to invite them and I will encourage their participation on the task force."

Eddy: "Thank you, Representative McCarthy, for your work on this. And I would urge everyone to support this. This is the right way to get the job done."

McCarthy: "Appreciate your support."

Speaker Mautino: "Further questions? The Gentleman from Cook, Representative Thapedi."

Thapedi: "Thank you, Mr. Speaker. Will the Sponsor yield for a question?"

Speaker Mautino: "He indicates he will."

Thapedi: "Representative, I was looking at the composition of the members of the task force. And my question to you is, does the NRA have a seat on the task force?"

McCarthy: "Not on my task force, no."

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Speaker Mautino: "The Gentleman from Jasper, Representative Reis."

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

Speaker Mautino: "Indicates that he will."

Reis: "I... I wanted to stand up and ask for the previous question, but I just couldn't bring myself to end this debate, Representative. In all seriousness, this task force will study the Teachers Retirement System, the State Universities Retirement System and the State Employees Retirement System. What about the judicial and the legislative? Why are we being excluded from this task force?"

McCarthy: "Well, actually, you know, we are part of SRS. So, we thought with the inclusion of the State Employees Retirement System, we'd be able to look at GARS and also the Judges Retirement System as well."

Reis: "But they're really not going to look at ours?"

McCarthy: "Pardon me?"

Reis: "So, they're not going to take a look at our retirement system?"

McCarthy: "Oh, yes, we are. We definitely are. We... we consider that as part of the State Employees Retirement Systems since they oversee all three."

Reis: "Okay. I rise in support of this Resolution as well. And you know, I thought it was terrible if we would have come to a vote on a two-tier system this quickly in this General Assembly just because we were looking for a number, a number to fill a hole in our budget. So, I look forward to watching your task force meet this summer and see if

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they can come up with some... some recommendations that everyone can live with and perhaps reduce our pension costs, but at the same time not create a system where teachers... or students do not want to get into the industry or we can't keep guards at our prisons and things like that. So, I congratulate you on this and look forward to watching your progress."

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

Miller: "I just have a question for the Sponsor on the composition of the board... or the composition of the task force. Was there any consideration of having financial experts or anybody with a background dealing with... that would actually be on the task force?"

McCarthy: "Not as members, but we certainly are going to have access to them. We're going to be staffed by COGFA. And we've also plan on bringing in actuarial from the different pension system."

Miller: "And that would be from the... I assume, from the private sector, I think a previous speaker talked about. 'Cause I think if you're going to look at any particular pension system you've got to certainly compare it with public, private and all entities."

McCarthy: "We... we have that in the Resolution that we are going to look at the private sector and what's available in there compared to the public sector as well."

Miller: "Thank you."

Speaker Mautino: "The Gentleman has moved adoption of House Joint Resolution 65. All in favor vote 'yes'; opposed vote

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'no'. The voting is open. 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 65, having received the Constitutional Majority, is adopted. Mr. Clerk, place House Joint Resolution 60 on the board. Representative Saviano."

Saviano: "Thank you, Mr. Speaker, Members of the House. House Joint Resolution 60 is a Resolution which would name the Grand Avenue Railroad underpass in Franklin Park after Jack Williams. Jack Williams was a longtime Member of this chamber and also a longtime mayor of the Village of Franklin Park. This project he started back in the mid-70's. He enlisted my help back in 1989 and finally about two years ago we finally were able to complete the project. And we just saw it fitting that it should be named after a former Representative, former Mayor Jack B. Williams. And that's simply what this Resolution does. And I ask it be adopted. Thank you."

Speaker Mautino: "The Gentleman has moved adoption of House Joint Resolution 60. And on that question, 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', the Res... House Joint Resolution 60 is adopted. Representative Jerry Mitchell for the purposes of a Motion."

Mitchell, J.: "Thank you, Mr. Speaker. I make the Motion to reconsider the vote on Senate Bill 1595. I voted on the... on the affirmative side... prevailing side."

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Speaker Mautino: "The Gentleman having voted on the prevailing side of Senate Bill 1595 and the question is, 'Shall we reconsider Senate Bill 1595... the vote by which Senate Bill 1595 The question is, 'Shall the House reconsider the vote on Senate Bill 1595?' And on the question, the voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Mr. Clerk, take the record. 65 voting 'yes', 47 voting 'no', 0 voting 'present', the Motion carries. Now, Mr. Clerk, place Senate Bill 1595 on the board. Representative Winters."

Winters: "I'm not talking on the Bill anymore. I'd appreciate a 'yes' vote."

Speaker Mautino: "This is a Third Reading Roll Call. And the Gentleman from Vermilion, Representative Black is seeking recognition."

Black: "Does this mean the third time it's been voted on or it's on Third Reading?"

Speaker Mautino: "It's on Third Reading and it would be both."

Black: "Sponsor yield?"

Speaker Mautino: "He indicates that he will."

Black: "You know, I don't like this kind of stuff. I've got to be honest with you. Most Bills get one bite of the apple, not two, not three. There's Motions to reconsider that's been on the Calendar for two and a half months, but evidently those Motions don't have the backing of some powerful individuals in the State of Illinois. Representative Winters, what's the definition of a school in the Bill?"

Winters: "It's a public school, I believe is the definition."

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Black: "And..."

Winters: "That's one regulated by the State Board of Education."

Black: "So, is the OTB in question within 500 feet of a public school?"

Winters: "I don't believe there's any particular OTB in question. What we're trying to do is the Racing Board has had before it at several times a question of whether or not a day-care center is a public school. They have ruled in each case that it is not a public school and therefore, have granted OTB status."

Black: "The daycare was granted OTB status?"

Winters: "This is... this is simply... this is codifying what the Racing Board has done in the past. It's putting it into statute."

Black: "Why do we need to codify if the... if the Racing Board supported the position of Arlington, Balmoral and Maywood Park and the Illinois Racing Board and why do we need to put it in statute?"

Winters: "I believe the Racing Board feels that it has a stronger argument if what they are interpreting is actually put into statute. Community groups who are trying to block OTBs have used this as an argument that there happens to be a day-care center near a proposed site. And they are saying, let's... let's get the question out here on the public and answer it definitively by putting it into statute."

Black: "So, evidently the OTB in question is within 500 feet of a day-care center, right?"

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Winters: "I don't think there's any specific OTB that is in question. There... it is coming because the Racing Board has faced the issue in the past. They asked for the Legislature to give them some definitive grounds on how they should be ruling to back up what their council has already recommended to the board and the board has then done. But they're... they're feeling the... they want the ground to be absolutely secure that they are following and this is the result. The legislation is the result."

Black: "So, there's no school near an OTB? There's no day-care center within an OTB? There's no OTB currently located with any of the things in this Bill, but we have to put it in statute. That would indicate to me that somebody's going to put an OTB within 500 feet of a day-care center. Where... where is that location?"

Winters: "I believe actually the genesis of this came from a OTB in Rockford that was going to be close to a college that is a college of record only, that it... the administrative offices of the college, which is Rasmussen College, I believe. They don't hold classes there, but they have their office and their address. The question before the Racing Board would be, is this considered a public school? And they're... before they move ahead with zoning with an actual request they said, let's get the definitive answer from the Legislature. It was not concerning a daycare as far as I know. It was a... an institution of higher education which is not a K-12 school."

Black: "All right. So..."

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Winters: "It was not a daycare that was involved."

Black: "...so... so, what I was told earlier isn't necessarily true? This is just being proactive. Nobody in the State of Illinois has ever been this proactive. Evidently, you just said zoning... evidently there's a lot somebody wants to put an OTB on that might be within 500 feet of an administrative center of a college."

Winters: "That is one of... that's what's been referred to me. I... and that came from Senator Syverson. I have never talked to the proponent of that particular location. It's simply secondhand from Senator Syverson."

Black: "So, in other words, it's what I thought. Somebody has a piece of land that they probably paid a great deal of money for and then one day they woke up and said, oh, oh, there's some kind of school within 500 feet of our piece of land."

Winters: "My under... my understanding is they don't own the parcel in question. They have never invested no dollars. They're saying should we proceed with this possibility of making a lease on a portion of a building. They don't have any ownership rights in it right now, but they're saying before we invest dollars, why don't we find out for sure whether or not we'll be able to go forward with it."

Black: "No, it's not why don't we find out for sure. It's let's change the law so we can move forward."

Winters: "Let's get a definitive answer. We're not changing the current... it's not addressed directly in the law. So, we're trying to get a direct answer."

Black: "Why don't... why don't they go to court?"

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Winters: "I don't believe they have standing until they have a financial interest. They don't want to sign a lease or buy a building in case they would not be able to prevail. They're trying to get the answer ahead of time."

Black: "So, there's no option on the land? No..."

Winters: "I don't know any of the details of the... I have no idea of the details. I've been told that it was a particular corner that I'm aware of. It's an old bank that has lost its... its... it was bought out and merged and the... the building is no longer needed as a bank building and..."

Black: "There's a lot of those buildings around today."

Winters: "Pardon?"

Black: "There's a lot of those buildings around today that are no longer needed as a bank."

Winters: "And they're trying to find an alternative use."

Black: "And the alternative use might be an OTB?"

Winters: "Yes."

Black: "But doggone it, there must be a college within 500 feet of the alternative use? What's the college name again?"

Winters: "I believe it's Rasmussen College. It's one of... since we don't have any public institutions of higher education in Rockford, we have a lot of small universities. I believe Rasmussen is headquartered in Iowa. This is one of their many offshoots that they put an administrative headquarters, you know, offices that can handle the students, but much of their learning is online. But they need to have an actual physical presence. That's the reason for them to have an office and I think it's within 500 feet."

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Black: "What... what does this college do? I mean, are they a baccalaureate school?"

Winters: "Yes, they're a baccalaureate school."

Black: "I see. Well, hey, look at it this way. Maybe the people who work at this college and if it's an administrative office, they aren't students. So, maybe the people who work there can hit the trifecta and the college won't... won't have to ask their alumni for money. I mean, they might get lucky and... and win a million dollars. So, in effect, I see what this is now. I should have seen it. I apologize, Representative. This is economic development."

Speaker Mautino: "The Gentleman has moved passage of Senate Bill 1595. This Bill is on Third Reading. 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. 61 voting 'yes', 56 voting 'no', 0 voting 'present', Senate Bill 1595, having received the Constitutional Majority, is hereby declared passed. Mr. Clerk, on the Calendar appears Senate Bill... Mr. Clerk, on page 10 of the Calendar appears Senate Bill 1909. Read the Bill."

Clerk Mahoney: "Senate Bill 1909 has been read a second time, previously. Floor Amendments 3, 4 and 5 have all been approved for consideration. Floor Amendment #3, offered by Representative Holbrook."

Speaker Mautino: "The Gentleman from St. Clair, Representative Holbrook on Floor Amendment #3."

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Holbrook: "I move to table Floor Amendment #3 and 4. And adopt #5 which becomes the Bill."

Speaker Mautino: "The Gentleman moves to withdraw is your Motion, Sir?"

Holbrook: "To withdraw."

Speaker Mautino: "To withdraw Amendments 2 and 3?"

Holbrook: "No, 3 and 4."

Speaker Mautino: "Excuse me. The Gentleman wishes to withdraw Amendment 3 and 4. Mr. Clerk, place Amendment 5 on the board. Representative Holbrook on Amendment #5."

Holbrook: "Number 5 becomes the Bill. I'd like to adopt this, move it to Third and debate the Bill."

Speaker Mautino: "The Gentleman moves Floor Amendment #5 be adopted. All in favor say 'yes'; opposed 'no'. The 'yesses' have it. The Amendment is adopted. Mr. Clerk, any further Amendments?"

Clerk Mahoney: "No further Amendments have been approved. And all notes have been filed."

Speaker Mautino: "Third Reading. Read the Bill."

Clerk Mahoney: "Senate Bill 1909, a Bill for an Act concerning economic development. Third Reading."

Speaker Mautino: "Representative Holbrook."

Holbrook: "Thank you. Thank the Body, also. I know this has been a very long, drawn out program on this Senate Bill. Anytime you have change, people always are very cautious and should be when we're dealing with the public money. Senate Amendment #5 becomes the Bill and I believe has satisfied many of the concerns that were raised by local government, many of my fellow Legislators, maybe not all. I

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know Representative Hoffman now, I believe, is okay with the Bill in this fashion and so is Senator Haine. What it does, it uses star bonds. Star bonds are another economic tool the state will have to help economic development. In our area, we have a project coming onboard that does a \$1.5 billion development. It will have over 10 thousand construction jobs and over 3200 permanent jobs. Their... the program we have set up for these star bonds is different than other states. It has much more transparency, a lot more accountability and a lot more of oversight and local input. It does not and I'll repeat that, does not restrict us to the only project. The director of Revenue has that option to allow that on other programs even within the market area. The Illinois Chamber of Commerce, the St. Louis... the Metro East Leadership Association, a business laborer group, the AFL-CIO, the SEIU, all our transit districts are in support of this, our park districts are in support of this and our levy district is in support of this. We've set in oversight on this program to where they cannot double-dip, you cannot overlay a TIF, you can't overlay an enterprise zone. I think this is a fabulous program and it sets extensive sets of public hearings on anytime a project is done and gives the state complete and total control on what and how can be approved for these bonds. There is no, and I'll repeat that, no obligation on the state for these bonds. They're privately held. So, if the... for some reason if the project does not make it for whatever reason, the state's not on the hook for anything, the private bondholders would be. I'd be glad to take any

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questions. I know this is a major change for Illinois, but this is tough times. We need jobs. Right now the county that this is going to go in is on the poverty watch list, Madison. And I'd be glad to take any questions and move for its passage."

Speaker Mautino: "The Gentleman has moved passage of Senate Bill 1909. And on that, the Gentleman from Lake, Representative Sullivan."

Sullivan: "Thank you, Mr. Speaker. To the Bill. Ladies and Gentlemen, many times we have discussed on how we can create or grow business in Illinois. This is a very unique project for Illinois and one way that I think can generate a lot of tax dollars and... but... but jobs. What we're looking here is future growth of tax dollars. So, we're not taking away tax dollars from social services as of today. We're taking and using tax dollars to grow business in the future and... and that's... that's the premise of these star bonds. But what are we going to get when this development is... is done? We're going to get up to \$16 million projected in local tax revenue, property tax revenue. These are your local jurisdictions, you local schools that are going to benefit from the added growth that will take place with this development. We're also going to be creating over 3 thousand full-time jobs and 10 thousand construction jobs. By doing that we're going to increase the tax dollars to our coffers here in the State of Illinois and when this is eventually paid off, there will be a large bonanza of state tax dollars that will come to the State of Illinois down the line. So, many of us

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have talked numerous times about how do we grow business in Illinois. This is a perfect example to do it. I commend the Representative for working diligently on this, to get all the groups together, to come to an agreement. We do have an agreement. Let's pass this out over to the Senate and... and let's move Illinois forward. I appreciate an 'aye' vote. Thank you."

Speaker Mautino: "The Gentleman from Madison, Representative Hoffman."

Hoffman: "Thank you, Mr. Speaker, Ladies and Gentlemen of the House. I rise in support of... of Senate Bill 1909. And I had some initial trepidation. And as you probably know and you've received correspondence from me as well as Senator Haine and Representative Stephens and Senator McCarter, this is in our area. And there were some initial concerns regarding the impact that this Bill as it was introduced would have on surrounding communities, surrounding jobs, potential job creation in the entire area and the entire region. However, over the last 24 hours we have sat down and we worked very diligently with the Sponsor as well as the proponents of this project. And now this Bill provides for an impact study that will provide for an economic impact study to help reduce any negative potential impact on our area and the surrounding communities. In addition, it ensures that the Department of Revenue's director will be the ultimate arbiter as to whether or not these type of unprecedented incentives will move forward. Is this everything that the proponents would say that it is? I wouldn't say that. There are some issues about the policy

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and some concerns that I may have, but ultimately I believe that when this Bill as it is currently drafted would provide for the necessary safeguards to ensure that this project can move forward with a destination project, will bring jobs, economic development and be a pilot project that we can look at throughout the state to make sure that these type of star bond incentives can work. There are necessary impact studies and economic impact studies in the Bill; there is job creation in the Bill. And the Department of Revenue will be the ultimate determiner as to whether or not this is a good idea to move forward and whether or not it will have a positive impact on the state and the local communities. So, even though I had initial concerns, many of those concerns have been addressed. And I urge an 'aye' vote on Senate Bill 1909."

Speaker Mautino: "Further discussion? The Gentleman from Bond, Leader Stephens."

Stephens: "Thank you, Mr. Speaker. Would the Gentleman yield?"

Speaker Mautino: "He indicates he will."

Stephens: "Representative, is it your intention that the projects in this development are destination projects?"

Holbrook: "Absolutely. Couple of the developers speaking to two people right now, two large entities that only have four units in the entire nation and they want to bring a fifth one to the St. Louis area. And we'd like to have it on the Illinois side of the river rather than see it in Missouri. This location is about seven miles from Missouri. And in the case of Kansas, over half of their sales were for out of state. We think this will be a huge

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draw within a huge market area. It's proved it throughout... at their other ones throughout the nation."

Stephens: "And... and I appreciate your response. And... and that portion of this development I strongly endorse. I believe that... that destination projects and are... are valuable in... in the first part and secondly, to find a unique way to fund them I think is encouraging. But is this development limited to destination projects?"

Holbrook: "No, it's not. The majority is... will be to try to make this a little more compatible with the area. They're going to be doing some retail... normal retail that you would see. I know in my area there are seven Target stores within seven... seven miles of each other on one of the local roads, Frank Scott Parkway. So, they may put a Target down there. What they've found through their research at the other locations is, the biggest problem with this is they needed people to stay there. So, there'll be some development... housing development around it. This is a massive project that is very environmentally friendly to prevent storm water issues because part of it is being reclaimed from the flood plain."

Stephens: "I appreciate your response, Representative. And Representative Hoffman, Representative Holbrook, the Sponsor, and others including Senator McCarter and Senator Haine have worked with us to... to try to alleviate some of our concerns. The mayors in the small towns that I represent are still very much concerned, Ladies and Gentlemen, that... that the retail businesses that they have now or that they're currently trying to attract are going

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to be cannibalized by this project. I hope that that's an un... unjustified fear. That is my hope, but it is a fear that I share with these small towns that I represent. And for that reason I'm going to vote 'no'. I would... I would ask that each of you look at this based on the merit of the... the concept of the star bond, which I think is... is unique. I believe that the concept of having destination projects funded by those star bonds is... is very valid. My concern is with the commercial and retail development that might be stripped away from other parts of our... our very fragile economic area. So, I rise in reluctant support, Representative. I know you understand that. And I... I wish this project the best. And I hope my fears are unfounded."

Speaker Mautino: "Further discussion? Representative Holbrook."

Holbrook: "Thank you, Representative Stephens. And... and I share those concerns, too and that's why there's a lot of the public meetings that we have set up and the economic studies are so extensive. And I hope, too, that that doesn't happens because that's one of the things I don't want to see. And I... I share your concerns. We love our area and we don't want to anything to go wrong. Thank you."

Speaker Mautino: "Further discussion? Representative Dugan."

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

Speaker Mautino: "He indicates that he will."

Dugan: "Representative, is... are there any... when we look at the different economic tools like TIF that we have in... in many of our areas, I know it's a little bit different than the

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TIF, but TIF has some guidelines, not that they're not being abused I think at this point, but I mean where they have to be blighted areas. The reason for them is to help communities with economic development. Is there any kind of like regulations as to where these types of programs can be used like there is with TIF?"

Holbrook: "Yeah. Yeah, this provides for state oversight, where TIFs don't have to. And we have drawn up on the star bond purposes. They're even more restrictive than TIFs are. So, yes, it's even more restrictive and there's full state oversight for it for the projects..."

Dugan: "Okay."

Holbrook: "...for each project."

Dugan: "Okay. And I... I also know that you said that there would be hearings. And I, too, have concerns about what it might do to the community surrounding it, but it said it had to have hearings before the state would agree to it. Is there... is that saying that if communities around a proposed star bond product, not necessarily your area, but since this can be used in other places in the state, would those regional hearings, if there was enough opposition, does... is there something that then says DCEO would not approve it?"

Holbrook: "DCEO... DCEO reports this back to the director of Revenue and he has full discretion whether or not to approve this project or not in each individual case. And these regional hearings are mandated under this program. And even the impact study has full discretion by DCEO and by Revenue on who can do that study, that it's qualified.

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And that when the local municipality provides that it's... they have full oversight on that report where they do even another hearing. Yes."

Dugan: "Okay. And just one other question, if I could. Is there anything to prohibit one community or one of these star bond projects to develop and take a business away from another community? And I use, for example, in TIF districts we see it all over this state, one community sets up a TIF districts and takes a major retailer from the community that's right next door because, of course, they get a special break being in this new TIF. So, is there anything here... that certainly isn't your intent, I'm assuming?"

Holbrook: "Absolutely not. And in fact, we've strengthened the TIF language which says you can't relocate a business within 10 miles; we've changed that to 25 miles. And... for this area, to help protect the existing businesses, we've really done much more than even the TIFs do now. Plus, the Department of Revenue and DCEO has that as part of their hearing that they can take into account when any project comes in. And if they find that any project has come in that has not meet that criteria, then that money then is barred from the star bond revenue stream and isn't allowed to be used."

Dugan: "Okay. Well, and I... I certainly thank you for your responses."

Holbrook: "Thank you."

Dugan: "You've certainly have addressed I think some of the concerns we've had. I still have a little bit of a

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concern, but with some of these things you've told me today as we've talked about this, then I... I believe certainly anything we can do to bring jobs and help the economy kick start is something we need to do. So, thank... thank you for your work on this. And I, too, hope that this works the way that we all want it to. Thank you."

Holbrook: "Thank you."

Speaker Mautino: "Ten Members seeking recognition. The next to speak will be the Gentleman from DuPage, Representative Fortner."

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

Speaker Mautino: "Indicates he will."

Fortner: "And I apologize, I don't have analysis for Amendment 5, which I understand is our current Amendment before us. There are a couple areas I saw in the previous version of Amendments. There are certainly some parallels with TIF district structure, you've commented some of the additional restrictions. One of the provisions I saw is that there is a possibility of an extension from 23 to 35 years, but what I saw in previous drafts is that only required the assent of the director of the Department of Revenue where normally for a TIF extension we would be requiring the full General Assembly to weigh in on any extension from 23 to 35. Is that still there in this final version?"

Holbrook: "Under the Act now as... as it's written, besides the municipality having to approve it the Department of Revenue also has to approve it."

Fortner: "Right."

Holbrook: "Which TIFs don't even have to."

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Fortner: "I understand that. But no... TIFs have to have the approval of the General Assembly to go from 23 to 35 years."

Holbrook: "Yeah."

Fortner: "And I would think particularly with this being state money more so even than with TIFs one would want to see that this Body weigh in, that was really worthwhile because this is more so than just local TIFs. This is specifically the state's money that we're looking at. The second area I wanted to ask about has to do with our overall exposure. Normally when we work to support new development throughout the state, through DCEO or whatever, we typically have some limit to the grants. I like the idea that this is going forward. I think that's a plus for development. However, I'm very concerned at what I see as... as an open-ended checkbook for what could be up to 35 years. Again, I understand that the Department of Revenue has the ability to approve or deny the individual projects, but I also have seen throughout the state in many well-intentioned TIF districts that start up where if there's a windfall, perhaps not even related to the projects that were specifically attracted by the initial investment, that there could then be a lot of additional new money generated. And I think it's just the nature that people overseeing them to tend to find projects to fit the funds that become available. We'll start saying, hey, we can now... we've got all this money rolling in, let's do this, let's do this and with such a long time scale suppose you'll... certainly nothing I would ever hope for, but suppose that

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we went through a period of inflationary growth such as we saw in this country in the late 1970s. We could be seeing really a tremendous windfall. I recognize that the Bill has language whereby the project could be terminated. Say the bonds, we've got so much money we could pay them off. I just fear, we've seen it in other cases, where money has piled up to such an extent in some... some local agency in some special fund and we keep finding things to do rather than say, hey, we were successful, we achieved our goals. Let's stop it at that point and now be able to return the good investment that we would have made back to the people of Illinois. So, I have a real concern about our ability to... to say no and cut it off should those conditions arise."

Holbrook: "I share that concern also and that's why we put some very restrictive language in there, even greater than TIFs on what they can even do with the money. They can't even do a... a vertical construction on these items. Unlike other states and unlike TIFs, we don't even allow it. So, that should really be restrictive. Plus, again, the Department of Revenue has complete oversight before they issue them. And actually in... what has happened at the... this similar development in Kansas is they're paying the bonds off seven or eight years early."

Fortner: "Well and... and I again..."

Holbrook: "Yes."

Fortner: "...I would certainly hope that we would see that in Illinois. Again, based on what I have seen in some of the TIFs I look at, well, the fight that we saw a few years ago

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in this Body over what to do with the excess revenue the DuPage Water Commission where this Body got drawn in on that thing because they found themselves with far more sales tax revenue than they had ever originally anticipated. It drew us in. I would have liked to see someone just say, here's... here's what our exposure is and be able to... to somehow better control that or at least have the Body play a role much as we do with TIFs where things go from 30... if there's going to be an extension beyond a certain date, we really have to come back to this Body. I'd have been much comfortable with that. I think I'm going to have to reluctantly oppose this legislation. But I... other than that I think it's... it's interesting and a good idea and direction..."

Speaker Mautino: "The Gentleman from Madison, Representative Beiser."

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

Speaker Mautino: "Indicates that he will."

Beiser: "Representative, you mentioned earlier the proximity that our districts have to the State of Missouri. Isn't it your impression that if this type of project would not occur in the State of Illinois it would happen in Missouri?"

Holbrook: "Yes."

Beiser: "You also mentioned earlier, jobs. The number of jobs this would create both in construction and in permanent. Talk a little bit briefly about how in our areas, your area, my area, Representative Hoffman, Representative Jackson, why it's... why those jobs are needed?"

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Holbrook: "Well, just recently our steel mill which is less than a couple of miles from here was idled and 2500 people were put out of work. That... we have a... a high poverty level and we have a high unemployment level. And as I mentioned earlier, the Heartland Institute, now is putting us on the watch list in Madison County for the poverty watch list. That's how serious it is."

Beiser: "Thank you very much. To the Bill. Ladies and Gentlemen of the House, rarely have I seen such an effort of compromise and the ability to work with those that have raised concerns as I have in this case. I commend Representative Holbrook and all those who brought the concerns forward and the developers and everyone working together to try to find some common ground, recognizing the importance to the men and women in our area from organized labor, from business that are hurting because just of the economy and just things out of their control. So, I would urge all Members of this Body to vote favorably for this Senate Bill. And again, I commend the Sponsor for his efforts in this Bill."

Speaker Mautino: "Further discussion? The Gentleman from Cook, Representative Dunkin."

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

Speaker Mautino: "He indicates that he will."

Dunkin: "Representative, can you speak to us the minority and women business participation in the star bond project in this proposal for the university town center?"

Holbrook: "Yes, I can. The developer has signed off on probably the highest percentage minority participation of

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any project I've even seen in the Metro East. It's even higher than our state road projects. It's over... I believe it's 15 percent is the goal that they have there and we have signed memorandums of understanding on that also. And I commend you for being very active in bringing that to us."

Dunkin: "Thank you. To the Bill, I, too, Ladies and Gentlemen, support this legislation. Representative Holbrook has done his due diligence in speaking with the Black Caucus in particular. And he came up with an agreement that was... that is very..."

Speaker Mautino: "I'd ask that the House give their attention to the speakers in this debate. The noise level is too loud. Mr. Dunkin."

Dunkin: "Again, I appreciate and really commend the Sponsor, both sponsors, Senator Clayborne over there in the other chamber in coming up with a major economic development program here in the State of Illinois. It's a... it's a great thing to know that in this economic climate you have a project that is taking place in one of the major portions of our state where economic development is needed. And a project of this magnitude with the high level of high-paying jobs and of the real intention to really even exceed expectations as it relates to minority participation. So, this is going to have tremendous economic impact in a number of ways for a number of years on a number of people in our state. And again, my hat goes off to you and to your community in working out this agreement and being

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committed to doing the right thing with putting Illinoisans back to work. Let's support this measure. Thank you."

Speaker Mautino: "Further discussion? The Gentleman from Vermilion, Representative Bill Black."

Black: "Thank you very much, Mr. Speaker. I would simply join in some of the things that people have said that you always look for creative ways to finance new projects and new jobs, but as I go through this Bill I don't see that in here. On page 6 of the Bill, Representative, to become an eligible area for star bond financing that language is so narrowly defined: any improved or vacant area, contiguous or not, in the aggregate, less than 600 acres, which must include only parcels of real property directly and substantially benefit... benefitted by the proposed star bond project which is located adjacent to the intersection of at least two highways, one of which is an interstate highway, which area must be comprised of land which is at least 90 percent vacant and at least 30 percent of which is located in the 100 year flood plain and it goes on and on and on about being bisected by streets, highways, roads and alleys. Now, how many parcels of land in Illinois do you think are going to qualify for a star bond project with that kind of restrictive language? Yeah, I know of one. One. And how in the world can you get by the Federal EPA and the Illinois EPA and the wetland requirement? How in the world can you get by developing land 30 percent of which must be in the 100-year flood plain? You can't build anything in a flood plain, it's against the law."

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Holbrook: "These areas are... that are on the flood plain is what has made this property almost unmarketable. So, part of the..."

Black: "Well, I can understand that since you can't build on it."

Holbrook: "...so, part of the thing is these will be brought out of the flood plain with massive retention programs for storm water control, which should aid our area in flooding in this area which floods. We think that a lot of this can be managed."

Black: "And how are you going to get around the wetlands protection portion of the law?"

Holbrook: "Well, we feel by bringing it out of the flood plains, we'll be fine. We don't know there are wetlands in this area."

Black: "You've got a flood plain, you have to have wetlands."

Holbrook: "Well, this has been protected..."

Black: "You know..."

Holbrook: "...and never flooded."

Black: "Well..."

Holbrook: "Even during the flood of '93 it never flooded."

Black: "That's why it's called a 100-year flood plain."

Holbrook: "Yeah."

Black: "The point I'm trying to make is, this isn't for statewide development. The sales tax and revenue bond is unique and I... I like that idea."

Black: "Yeah."

Black: "But to say that this could be used anywhere in the State of Illinois is a stretch."

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Holbrook: "Oh, I... right now there is a site that's eligible for this and there are probably some other sites eligible. But we would be more than willing at anytime, if there are projects for this, we'd be willing to come in and be able to make some changes for this. Let's... let's see how one works. Let's make sure that it works."

Black: "Well, yeah, let's see how one works."

Holbrook: "Do a pilot program, yeah."

Black: "But the language... the language isn't going to let another one develop... be developed."

Holbrook: "We have several areas that are in the Bluffs area that probably could fit this criteria along the interstates."

Black: "Well, let me... look on page 11."

Holbrook: "And by the way, it does allow further... the issuance of more than one. It's specific in the language on page... let me get the right page for you here... page 23, line... starting at line 23 through line 26. And I... it says, the director may approve additional star bond districts in the single projected market area provided that the director finds that the additional star bond district will not throughout the purpose of the Act. That's left up to the director's discretion."

Black: "Well, I... and that's wonderful, but how does the director get around all of the restrictive language that you find on page 11 and 12 and 13?"

Holbrook: "Well, again, there... there are several sites in our area. We're crisscrossed with interstates and have flood plain areas. And I... I can't answer. There may be areas in

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Peoria that meet this criteria or people... places in Rockford or... I... I don't know if Danville has an interstate or flood plains around the river? And again, this is a pilot program. This is going to be the first one. And..."

Black: "Well, in all due respect..."

Holbrook: "...this type of language can be eased for anything that... other projects as they come forward."

Black: "In... in all due respect, Representative, I think this is going to be the only one. Look on page 11. In further restrictive language, the master developer or its affiliate must have ownership or control of the parcel on May 26, 2009. Now, how's a master developer in my area going to meet that requirement? That's on page 11, line 6."

Holbrook: "That was in response to demands of many of the people that were afraid this property would be flipped and the developer would just use this as a quick profit motive. That... that was put in at their request at many of the local and the regional folks wanting guarantees that the people that say what they're going to do there are going to do it."

Black: "I understand that."

Holbrook: "That was put in there for that."

Black: "But why didn't you just put in an anti-flip language? Why do you have to have a qualifying date in the statutory language creating a star bond project?"

Holbrook: "They just felt that it was very extreme to have a property owner to where he couldn't sell his property and since we were taking away the... the personal property rights because it was involved with this project it was... it was a

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pilot program. Yes, other... other areas of the state can do this. I mean, this... this can be revisited at anytime."

Black: "Okay. I... I won't belabor the point. There's also some language in there that quite frankly would indicate if some of this land, I... I don't remember the percentage, it's a small percentage, I think 20 percent has dwellings on it. It appears to me if the dwellings are not in compliance with what you're trying to do, the dwellings are going to come down. Now, it doesn't say by what standard. It doesn't say by eminent domain, it doesn't say by buyout. I assume that there's a protection there, I think Representative Dugan was asking the same thing. But it certainly appears that if there are parcels in there that don't meet the criteria of the develop... development, somehow the language is a little unclear. But I get the distinct impression those are... those are coming down. They aren't going to stay there because it doesn't fit the master development plan. So, Mr. Speaker, thank you for your time. Ladies and Gentlemen of the House, I... I think the sales tax and revenue bond idea is great. Anything you can do to finance a project to me makes sense and... and maybe there will be some place in east central Illinois or central Illinois. My concern as you go through the Bill the language is so restrictive, by highway, by flood plain, by this, by that, by this, by the light of the moon and a June swoon, it... I... I just don't see how any other... any other place is going to qualify. I... I take the Gentleman at his word. If this works, I would... knowing he's a man of... of honor, that he would perhaps help Representative

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Sullivan who said this might work in his area. Although, up north they usually don't like us to build in flood plains. If it works and works well and I hope it does. Development is good, whether it's in my district or your district. Anything we can do. But I just hope that when the time comes, we can at least have language that would enable a developer to use a star bond concept for development perhaps without such stringent language. Thank you very much."

Speaker Mautino: "Further discussion? The Lady from Cook, Representative Mulligan."

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

Speaker Mautino: "He indicates that he will."

Mulligan: "Representative, in Amendment 5 it says that it exempts taxes for the Metro East Mass Transit District, Parks and Recreation District and utility and hotel taxes from the tax issues to finance star bonds. It prohibits use of the star bond district auto dealership minor league baseball stadiums. All the environmental groups are against this, why would that be? And if DCEO is the one that works as the development coordinator for this, would an environmental group, if they did not like what was going on in that particular piece of land, would they have to sue the state in order to stop that development in an area that might be inappropriate for that particular piece of land?"

Holbrook: "Well, I'd like to address two issues. First to my friend Representative Black, sometimes star bonds have eminent domain in them. I wouldn't have eminent domain in this. I'm not going to take anyone's property if they're

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not willing sellers. It's going to be their property. Next, Representative Mulligan, on the last slip we didn't... time we heard this in committee no environmental group slipped against it. But I will tell you the developer has been working with the group... our environmental groups there and he's offered to continue to work with them and try to... I understand the local Sierra Club is neutral on this, even. I mean, we've meet with the people there. And I can tell you that this is a very environmental friendly project. There's a lot... a lot of green space tied to all of this and..."

Mulligan: "Well, I understand that you don't need eminent domain because the developer already owns the property. And since the property is so designated, as Representative Black said, that's the only property that can be used. So, who would be the one that would sell the \$300 million worth of bonds? Who would make the commission on it? And can they sell it before the project's approved.. moving forward? When do we decide that? Does the state decide how much bonding they can use? Who would sell it? Who would be the bond council? Things like that. This could be quite a bit of an investment for our... or money make for somebody that was selling the bonds."

Holbrook: "The municipality or county can issue the bonds, but they're... they are not any liability to the local government or to the state. They're to the bondholders alone."

Mulligan: "Why does Department of Revenue estimate that if this went forward they'd lose \$15 million in sales tax and they've repeatedly said they're against it?"

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Holbrook: "Well, overall there's going to be literally hundreds of millions of dollars in property tax, income tax and sales taxes just on the construction materials alone. The construction sales tax will be about \$34 million."

Mulligan: "At this particular point, when developments are going up and standing empty because of the economy, what's the benefit to moving forward with this now for a developer that already owns the property? And it's so site-specific it seems to me that there could be a lot of different things that go on and who is the overseer of what happens to that property?"

Holbrook: "Because our existing economic tool for development just won't work on this massive of a scale. This is enormous."

Mulligan: "So, doesn't it increase the value of his property considerably for this legislation to pass with the anticipation that they can bond out any kind of a project that would be on his property and then entice additional people to invest in this project? And how long has he owned that land?"

Holbrook: "The... the bonds can only be used to develop the property, unlike a TIF that can do even vertical construction. So, is this property worth more after this? Probably. Because it's... as an economic development tool, it's eligible."

Mulligan: "And why are we seeing this on the last of... or the second to the last night of Session, when these kinds of Bills go through and it's really difficult to spend the time to really take a look at them? And if we put full

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faith of the state behind this, how many other projects can we do that with this kind of economy? So, what other projects that may be more viable will fall by the wayside?"

Holbrook: "This Bill's been moving for over three and a half months. And there have been continual meetings, both regionally and here in the state... the Statehouse on this and with all state departments. This has just taken so long to finally come to an agreement with the major... vast majority of the parties meeting their concerns and my concerns that this be a better Bill than what came from the Senate. So, this has been going on for several months and it's been... I think everyone has received a letter on it. It's been pretty open on what we're doing on this trying to meet those demands."

Mulligan: "All right. So lastly, for legislative intent, would you go back over who can sell the bonds and who would get the... the fee..."

Speaker Mautino: "The Lady's time has expired. I will allow the Gentleman to answer and then we will move to the next of the eight speakers remaining."

Holbrook: "To answer Representative Mulligan's question, the political subdivision, city or county, would sell the bonds and the bondholders would be responsible, not the municipality."

Speaker Mautino: "Our next speaker is the Gentleman from Jasper, Representative Reis."

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

Speaker Mautino: "He indicates he will."

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Reis: "Representative Holbrook, this is not just a study. A study is a component of actually creating this, is that correct? I think I found that out as other people have asked questions."

Holbrook: "The feasibility and impact studies, is that what you're addressing, for the projects?"

Reis: "But that isn't all that your legislation does. It actually sets up the parameters for these star bonds in addition to the study, right?"

Holbrook: "Yes. There cannot be a star bond issued or a project approved without DCEO and the Department of Revenue approving... having the hearings and having the regional and local hearings and the... and reporting back to the state on these issues for each of these projects, yes."

Reis: "Will we get another bite at the apple here in the Legislature based on that study, as to whether or not we want to move forward with this?"

Holbrook: "It'll be the director's decision, both at DCEO and Department of Revenue. Department of Revenue will do it in consulting with them. And there'll be a full and open process of the hearings with transparency and accountability."

Reis: "How does this... how does this compare to, I think you have Southwestern Illinois Economic Development whatever... a bonding area, how does this fit in with that? And why isn't that working over there?"

Holbrook: "Well, that's just a... a development authority that is used to help finance some programs. They get them a little lower interest rate and they work with them. I don't..."

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Reis: "How is this different then?"

Holbrook: "Well, this deals with the incentive that compared to a TIF or an enterprise zone, which we're not allowing to overlay on this STAR bond district. So, they're... they're just an entity that can help issue bonds and they're... that was one of the many hearings we had. They said, we would like to be a part of this if we can. We're not sure we can, but at least allow us the opportunity. And again, this is a very active group that helps develop projects in our area throughout the Metro East and it has an appointed board and they've been around for quite awhile and have done a lot of good work."

Reis: Well, I guess what... you have TIF districts now, we have enterprise zones, you have the south... SWIDA. What will this area have over and above that that would be such a great incentive for these businesses to move in?"

Holbrook: "Well, again, if we create the STAR bond district we do not allow an overlay of a TIF. So, the developer can't get a second dip. We don't allow an enterprise zone to give them a second dip at benefits. So, really the STAR bonds will be the incentive in that area."

Reis: "Well, our mayors are concerned that this is going to create a donut hole. You're going to have this 500 acre little spot and I've seen it on the map, and then everything around it is going to suffer because there's going to be so many incentives in that one little pocket that within a 50 or 75 mile radius or 100 mile radius around that they're going to suffer."

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Holbrook: "Act... actually, just the opposite is true is what happened in Kansas City. What turned out was, with this as a magnet that drew things in everything for 15, 20 miles around them developed, expanded and it was a huge economic engine for bringing new... new development to this entire region. And that's what the Kansas audit showed. In fact, they were... they showed this as being a valuable tool when they used this for the Kansas City project for the entire county and the state."

Reis: "Well, I... I'm just telling you what I hear from our economic development directors from the various counties that are surrounding around this. I don't know that they've had time to weigh in on Amendment #5. But to the Bill. I would like for this to be a study so that we can truly find out what's going to happen. Even more importantly, Illinois is ranked 48th in the nation in job creation. We've lost 737 thousand people in the last 10 years. Our revenues are in the tank, our EAVs are shrinking in our districts. Why can't we sit down and have a meaningful conversation about workman's comp and taxes and fees, the legal liabilities that our businesses face in this state, so we don't have to create special programs like this. We would create environment through the whole State of Illinois from Chicago to Cairo where businesses would want to come to Illinois and we wouldn't have to be dreaming these things up to try to bring someone in. It... it just... it frustrates me to no end that we can't do this. And I'm going to vote in opposition to the... the Gentleman's Bill based on my economic development folks and on my

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mayors. But come on, folks, we're... we're battling a budget deficit here. We all know where we rank with job creation. Our kids leave our communities after we educate them. Other states that are prospering that aren't talking about STAR bonds and aren't taking about larger TIF districts and more enterprise zones have a business climate that attract jobs and businesses. It's plain to see. I think that's where we should spending... be spending the most of our conversation and not just creating small little pockets of economic development. Thank you."

Speaker Mautino: "Further discussion? The Lady from Lake, Representative May. Here she is, the Lady from Lake, Representative May."

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

Speaker Mautino: "He indicates he will."

May: "Yes. First of all, I... I just want to state I am open to the idea of creative financing. Who owns this land?"

Holbrook: "Several... there are several private owners now and it's under control through contracts to a major developer."

May: "And are those owners known or is it some sort of a blind trust?"

Holbrook: "It's a LLC, a corporate entity."

May: "Are the owners known?"

Holbrook: "Yes. They fully vetted their interest and did that over..."

May: "Okay."

Holbrook: "...in the Senate. I saw letters out to several Senators over there about people involved in the development."

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May: "Okay. Thank you. I... I want to address something that came up. You said that part of it is being reclaimed flood plain. How do you reclaim flood plain? Flood plain means that it floods and you shouldn't build on it."

Holbrook: "This area has not flooded in the last 100 years that I know of, or 200..."

May: "But it's still..."

Holbrook: "...even during the major flood. There are levies that protect it. In fact, one of the taxes they're going to be paying into is to maintain those levies and we exempted that tax."

May: "And this is... you know, this is not in my area of the state, but I've got a lot of relatives who live down there who have a lot of flooding problems."

Holbrook: "They're on the high ground."

May: "You do have the Storm Water Management Authority in your area?"

Holbrook: "Yes."

May: "Is that correct?"

Holbrook: "Yes."

May: "Will... will the Storm Water Management Authority have to review any flood mitigation efforts for this project?"

Holbrook: "It in the core, if it's involved they'll meet the letter of the law and go beyond it to make sure this is an environmental friendly project. And the levy districts that do... that are part of this are in full support."

May: "But will the Storm Water Management Authority review the impact of this and where you're building and anything additional?"

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Holbrook: "It's part of their mandate."

May: "Okay. So, it's local and it won't be through DNR or anything. Now, we talked about wetlands, too. You weren't sure there, if there were wetlands as part of this flood plain?"

Holbrook: "I don't know if there is. I mean, it's mainly horseradish fields and corn fields. I mean, it just... that's about all that's there. There's a, I think, a gas station and landscaping outfit, but you know the... I think the part that's down in Representative Beiser's area, down by where the... 270 and 111 come together, they farm it constantly. I don't know there's wetlands there. I don't... I mean, they plow all of it... 99 percent of this is plowed and put into horseradish and corn."

May: "And how... how many acres is this total project?"

Holbrook: "Nine hundred, I believe."

May: "Nine hundred? So about 300 are in the flood plain?"

Holbrook: "I would assume that, if it's about a third."

May: "That's, I mean, that's just... it's really..."

Holbrook: "And again, flood plain that has never flooded in my lifetime. Even during the flood it didn't flood. They're protected by levies."

May: "And the... as part of this star bond project they are going to give extra moneys to the levies so that we don't have levy breakage and all or they will be being into that?"

Holbrook: "This... this will enhance the quarter cent tax fee down there. This will be a... hopefully a windfall that will help them meet these issues, yes."

May: "Mmm mmm. Okay."

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Holbrook: "As we've exempted that tax and this... all the sales from this will go to it. Plus, all sales tax that's been raised in this area before the few little businesses are there, that's hold harmless. They get that anyway. And the rest will be in addition to it, yes."

May: "Okay. Thank you for your clarification."

Holbrook: "Thank you."

Speaker Mautino: "The Gentleman from Iroquois, Representative Cultra."

Cultra: "Will the Sponsor yield?"

Speaker Mautino: "He indicates he will."

Cultra: "What exactly does star bond mean? What's star stand for?"

Holbrook: "STAR is an acronym for Sales Tax Revenue."

Cultra: "All right. So, the bonds are sold. What's the investment going to be from private money?"

Holbrook: "They will buy the bonds. They're going to be the people that buy the bonds. In the cases of Kansas City, the people building the facilities bought their own bonds."

Cultra: "All right. How... how are the bonds going to be retired? In what..."

Holbrook: "It would... it would be just like any other public bonding done where it's privately held bonds, Representative."

Cultra: "All right. Where's the money come from for retiring the bonds?"

Holbrook: "The sales tax revenue is given back. The... the additional sales tax that's raised above what was generated there before this went in."

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Cultra: "All right. So, the sales tax revenue is used to retire the bonds for a private company?"

Holbrook: "Correct. Just like TIFs use property taxes to retire the bonds."

Cultra: "Yeah, but usually TIFs are used to improve roads and sewers and things."

Holbrook: "That's exactly what this is allowed for, even though more restrictive than a TIF. We've put more restrictions on them than what a TIF can do even."

Cultra: "So, you're saying the building portion of... of the retail establishment will not be part of this mortgage?"

Holbrook: "No. Vertical construction, unlike a TIF, is banned under this Bill."

Cultra: "So, any... any private development other than roads, sewers will not be paid for by the sales tax?"

Holbrook: "The... the roads, the sewers, the storm water mitigation, those things will be the type of things that would be done similar to a TIF. But they will not be able to do all the functions a TIF do 'cause we've restricted them."

Cultra: "Okay. How about the... the buildings themselves that... for the retail establishments? Will they... will they be bonded through this and paid for by sales tax?"

Holbrook: "No. One minute. On page 17, line item (i), the cost of construction of buildings that are privately owned or owned by a municipality on lease to the developer or retailer used for nonentertainment retail uses. So, it's much more restrictive than a TIF."

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Cultra: "All right. So, it's only the infrastructure that would normally... that will be paid for and retired through sales tax?"

Holbrook: "Yes. That... to develop the property. I mean, they may have to run a water line in like a TIF does or they may have to run sewers or they may have to pave a parking lot, but just like a TIF they can do those type of things."

Cultra: "And these bonds are for what length of period?"

Holbrook: "They could go up to 35 years if the Department of Revenue approves it but the initial is... 35 maximum is the cap. There could be less than that."

Cultra: "All right. Is there any requirement as far as how much private development money is going to have to be put in?"

Holbrook: "I... I couldn't hear you. I'm sorry."

Cultra: "Is there... is there any requirement as far as the amount of money that will be invested from private money... from private development for... rather than from, I mean, if we're going to spend..."

Holbrook: "What they put in..."

Cultra: "...all this money on infrastructure, what are we going to get for it?"

Holbrook: "They have to have at least \$300 million to even be eligible. And this project's estimated at 1.5 billion."

Cultra: "All right. The 1.5 billion would include all the infrastructure also?"

Holbrook: "It would include all the improvements on the property including all the private construction. And again, the minimum for each of these projects, this may be

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done in phases, is a minimum of \$300 million in new construction. So, I mean, that would mean like them coming in and building that big of a building."

Cultra: "Okay. Who... who will own the roads and the infrastructure at the... in the end when it's paid off?"

Speaker Mautino: "The Gentleman's time has expired. Please bring your remarks to a close. Mr. Cultra."

Holbrook: "I'd like to answer the Representative's question."

Cultra: "Please do."

Holbrook: "It would be like any other development right now. Some of it may be private, it's like in their parking lots and in front of their buildings. Some of the municipality may decide to take over. It would be up to the master development plan which is allowed for review by DCEO and by the Department of Revenue, but that would be something that most likely the municipality, just like any other development, would decide which... which roads they want and which ones they don't."

Cultra: "Well, it just seems like if we're going to be using public tax dollars that it shouldn't, you know, that the public ought to own. When it's paid for, the public should own it. It should go to local municipalities or rather than have a private developer have it."

Holbrook: "Some... some of it could be like that. But I don't believe that's the case even on a TIF where public money is used to, you know, pave a parking lot in front of a Target."

Cultra: "All right. Thank you."

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Speaker Mautino: "Further questions? The Gentleman from McHenry, Representative Tryon."

Tryon: "Thank you, Mr. Speaker. I would like to ask the Gentleman... Representative Holbrook if he would yield for some questions and allow me to ask them."

Holbrook: "Feedback."

Speaker Mautino: "He says he will."

Tryon: "Okay. Representative Holbrook, and I think I heard this earlier in debate that the risk is with the bondholders, that the state isn't guaranteeing repayment in case a default of the bonds, is that correct?"

Holbrook: "The bondholders are responsible. If for some reason this project doesn't make it, it's the bondholders that are left holding the debt."

Tryon: "Okay. Well, I have to tell you, Ladies and Gentlemen of the House, I'm pretty sympathetic with Representative Holbrook. He represents an area that borders another state. And in this state when you represent a county and the neighboring states have far more mechanisms in order to attract businesses into their states, it's a little hard for the State of Illinois to compete. We continue to have businesses leave our state; we continue to lose jobs. And when we look at what Missouri does, we do tax increment financing districts off of residential... or off of real estate taxes by freezing them. In Missouri, they do TIF districts off of sales tax. In Missouri, they have the ability to do this. And I wouldn't want to see this project leave and go across the river. And I'll tell you what, in my community we did a TIF district and allowed

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commercial development and we got a Kohl's store there and when you went in and shopped at the Kohl's store, they asked everybody that came in what their zip code was. And they found out that 48 percent of the people that shopped at that Kohl's store were from the State of Wisconsin. That's a great windfall for the State of Illinois who had no skin in the game, it was all local taxpayers, but when you're competing with a state that has the ability to do this exact same thing, it's a little difficult for Representative Holbrook and the neighboring counties to be able to have TIF districts to compete with the State of Missouri. We need to be more aggressive in how we're going to attract business to the state, how we're going to create jobs, how we are going to keep our businesses here. I have a business in... in Crystal Lake, 89 employees in a manufacturing firm and the State of Wisconsin offered them free land if they wanted to come there and build. We don't have a program that could do that. So, I look at this as a leveling the playing field between Illinois and Missouri. I would like us to come back and make this type of a thing viable statewide, especially in the border counties because this will go a long way to create jobs, create sales tax revenue and allow us to compete with other states. So, I'm hoping this passes so we can come back and do what Representative Black said, make changes so it applies throughout the state. I think this is a good concept; I think it needs to be explored. And... and I think we need to expand it. So, I'm going to support Representative Holbrook in his efforts because I think Illinois is just as

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good a place for a business to locate as Missouri and this will help that happen. And I hope you will support him, too. Thank you."

Speaker Mautino: "Further discussion? The Lady from Cook, Representative Nekritz."

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

Speaker Mautino: "He indicates that he will."

Nekritz: "Representative, it's a requirement in this legislation that the property be in a 100 year flood plain, right?"

Holbrook: "Correct. Thirty percent... 30 percent of it."

Nekritz: "And how are we going to... how are we going to... build that up so that it doesn't flood?"

Holbrook: "Well, right now, the elevation difference is... in putting it in a flood plain runs from a few inches to a maximum in the one corner, a very small portion of it, of 3 feet. It's... it doesn't take many walking paths and lakes to make up that extra difference. And again, this is the flood plain that has not flooded in 200... 100, 200 years, my lifetime cause they're protected by levies. We would..."

Nekritz: "And I... and I have to tell you, Representative, that my district had never flooded until 1986 and since then we've probably had five or six 100-year floods. So, it's... when... when you start building, it will, believe you me, it will come. I mean and I think that that's a real concern because we spend tens of millions of dollars not only of government money, but of private money addressing these flooding concerns and doing not only remediation, but when the... when my district goes under water, it costs everybody

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a lot of money. So, I think it's a, you know, it's just... it seems crazy to me that we would... that we would proactively require that... that a project be built in a 100-year flood plain and then... and then go ahead and build there with no... with... and I'm not sure what, you know, I'm not sure that I understood your discussion of the remediation."

Holbrook: "Well, I will tell you the developer will work with any and all people, but our levy districts, our storm water people are in support of this Bill because they see this as a positive to have retention areas and have this type of green space that will be an asset to them to prevent the flooding. And again, we had a 500-year flood back in '93 and none of this got wet. It didn't get wet then. I don't say it'll never... You know, there's acts of God, I... you know, He's in charge, but most of this property is just at the most 3 feet below the flood plain. Most of it's a matter of inches."

Nekritz: "Well, I understand, Representative, but it's just... I... just from, you know, the... the flooding that I see every... at least two or three times a year in my area, those inches do make a difference. And when you're... when you're building, and I would assume that this is going to continue to... that this will foster additional development, you know, not addressing that issue up front and having a plan for it I think is... is really problematic. Thank you."

Speaker Mautino: "Our final speaker this evening will be the Gentleman from Williamson, Representative Bradley."

Bradley: "I can't move the previous question then, right?"

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Speaker Mautino: "Go right ahead."

Bradley: "Actually, I stand in strong support of this Bill.

The Sponsor of this Bill has worked diligently with many different groups to try to work out issues on this. I've been involved in many of these discussions and negotiations. There's been a good faith effort to address as many problems as possible. This passed out of the Revenue Committee. I strongly supported it then. As Representative before me, whose name I won't mention, said, this is another tool for the State of Illinois and in at a time when we need to be giving our communities tools for economic development this is a tool for economic development. And the fact that others states had this and we don't, just means that we're going into this with one arm tied behind our back. So, let's do something. If this works, there'll be other opportunities in other parts of the state to do the same thing. And so let's not cut our noses off despite our faces in this particular case. Let's support the Representative, let's support this. Let's see if it works and if it does, let's do this in other areas, other border areas, throughout the State of Illinois."

Speaker Mautino: "Representative Holbrook to close."

Holbrook: "Thank you, Speaker. This is a good project. This is a good start for us here in Illinois. It's economic rough times right now. This is 10 thousand construction jobs, 3 thousand permanent jobs. It's... it's a net gain to the state for revenue. This is something we have to do. We have to make jobs in our state to keep all the people

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working. We've made this the most restrictive and fiscal responsible STAR program in the nation. Vote 'aye'."

Speaker Mautino: "The Gentleman has moved passage of Senate Bill 1909. 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... Does Representative Davis wish to be recorded? Mr. Clerk, take the record. This Bill, having received 78 'yes', 39 'no', 0 voting 'present', Senate Bill 1909, having received the Constitutional Majority, is hereby declared passed. The Gentleman from Bond, Representative Stephens is seeking recognition."

Stephens: "Mr. Speaker, I demand my rights. And you said that Representative Bradley would be the last speaker of the evening. I move to adjourn."

Speaker Mautino: "Representative Stephens."

Stephens: "I believe an appropriate response is, Representative, you're not recognized for that purpose."

Speaker Mautino: "Actually, I was just about to say that. Mr. Clerk."

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 30, 2009, reported the same back with the following recommendation/s: 'approved for floor consideration' is Amendment #4 to Senate Bill 1825."

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Speaker Mautino: "Mr. Clerk, place House Bill 2491 up on the board. The Gentleman from Fulton, Representative Smith, for a Motion."

Smith: "Thank you, Mr. Speaker. I move to nonconcur with Senate Amendment #1 to House Bill 2491."

Speaker Mautino: "The Gentleman moves the House nonconcur with Senate Amendment #1 to House Bill 2491. All in favor say 'yes'; opposed 'no'. The 'yesses' have it. And the House nonconcur in Senate Amendment #1 to House Bill 2491. Mr. Clerk, place Senate Bill 932 on the board. Senate Bill 932. Read the Bill."

Clerk Bolin: "Senate Bill 932, a Bill for an Act concerning transportation. Third Reading of this Senate Bill."

Speaker Mautino: "The Gentleman from Cook, Representative Fritchey."

Fritchey: "Thank you, Speaker, for the acquiescence in calling this Bill. Ladies and Gentlemen, oftentimes good laws come from bad situations. Some time ago there was a situation up in the northern suburbs in Representative Mulligan's district, actually. And before I continue, let me thank Representative Mulligan for her assistance and cooperation with this. But we had a situation where an individual's child... autistic child was left on a school bus toward the end of the day and that bus driver then went to the Dollar Store to go do shopping. And there was no way to track that bus down or that bus driver down, in turn, no way to track that child down. This legislation comes after negotiation out of the Senate. What it does simply is, prohibits school bus drivers from using cell phones at

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anytime while they're in possession of the bus. Now, the law already is that they cannot use a cell phone while they're operating the bus. There's obviously exceptions in here for medical or mechanical emergencies, but what the Bill does is more important. It requires that there be a working two-way radio on these buses for a very commonsense reason. We want to be able to track down a bus or a bus driver if need be. We want that bus or bus... that bus driver to be able to call in to dispatch should there be a problem with that bus. And it also requires them to do an end of run inspection. Walk through the bus, make sure you're not inadvertently leaving a student on the bus. This is a safety issue. We think it's good common sense; we think it's good policy. We've seen some near tragic stories happen in the past and we're simply trying to avoid that. We know of no opposition to this Bill. I'd ask your favorable consideration for some commonsense legislation. Thank you."

Speaker Mautino: "The Gentleman moves passage of Senate Bill 932. And on that, the Gentleman from Madison, Representative Beiser is seeking recognition."

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

Speaker Mautino: "He indicates that he will."

Beiser: "John, you mentioned that there was a... added a requirement on a two-way radio. That is in addition to what it... already required of a school bus driver, is that correctly? As far as pre... the pre-use of that bus for that particular period?"

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

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Beiser: "Well, Ladies and Gentlemen, to the Bill. When I was a school teacher, albeit at a small school, we had to wear many hats. And one of those that all of us that taught at this facility we had to drive a small school bus for the students in that area. Let me reiterate that this Bill strengthens those requirements. We were not allowed to take that bus out if we had not performed a pre.. predrive inspection. This adds the post inspection; it adds two-way radio. I think for too long school bus safety was kind of put on the back burner and thought as something that was not necessary, at the very least, it wasn't a priority. I commend the Sponsor for bringing this to us. And I know for a firsthand how important this is and how much good it can do. So, I commend the Sponsor for bringing it to our attention. And I urge everyone to vote 'aye'."

Speaker Mautino: "Further discussion? The Gentleman from Bond, Leader Stephens."

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

Speaker Mautino: "Yes, he will."

Stephens: "Representative, does the.. what kind of radios are you putting in here?"

Fritchey: "Two... just radios capable of two-way communication."

Stephens: "All right. That... that just doesn't sound like the modern technology that I would expect from you 'cause I... it just seems like we..."

Fritchey: "Well, I mean, we... we could have them Twitter. I just don't know if that would accomplish the same thing."

Stephens: "The... no joke, it just seems like that is a little antiquated. I don't know... I..."

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Fritchey: "Well, I don't... the... the idea..."

Stephens: "A two-way radio."

Fritchey: "No. And I don't mean to make light of it and I respect the question. The idea here is to make sure that we have a means of communication between dispatch and the vehicle itself. While you... some may say, well, a cell phone would seem to accomplish that. Except that the drivers may not have their cell phone, may not have a cell phone, may not have a cell phone on. We want something that will provide constant communication between the bus and dispatch to avoid these types of situations."

Stephens: "And the dispatcher is, whom?"

Fritchey: "Well, the... you know, these buses are usually taken out of the bus barn or the bus shelter at the beginning of the day and you know there's a pre-route inspection. They go through the bus making sure things are working, make sure the radio is working. And they would go out and they'd take those buses back at... at the end of the day. But you're going to... you're going to have basically a central command that's in charge of the buses, knowing where those buses are, knowing that they're operating, knowing that they've been brought in at the end of the day."

Stephens: "Excuse my... excuse my ignorance on this. But in... is that the way it currently is? Do we... do we have dispatchers for every school bus in every school district in Illinois now?"

Fritchey: "Representative, I'm... I'm not..."

Stephens: "I don't know."

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Fritchey: "I'm not going to speak to every school district. All the ones that I am aware of have a situation where the buses are, in fact, coming out of a cen... out of a central area."

Stephens: "How do they communicate now?"

Fritchey: "They... oftentimes they don't. That... that's the issue. In the... in the story that I told you about at the beginning of this, the... the concern was that at the end of the shift the bus driver went to go shopping. And I'm sure she did not go to go shopping with any malice. She did not intentionally, as far as I could believe, leave a child on the bus."

Stephens: "I... I understand."

Fritchey: "But nobody could find the driver, nobody could find the bus, which is an avoidable situation."

Stephens: "Under... under your Bill, would that bus driver leave the radio on the bus or would they have to take it with them?"

Fritchey: "Well, no. I'm... I'm... we're talking... I would envision a two-way radio, like actually we probably used to see when we were younger, a two-way radio actually mounted as part of the vehicle. And you know..."

Stephens: "Okay. But if she left to go to the store and the radio is on the bus..."

Fritchey: "Well, number one, that... that would... that would hopefully be thwarted by the other part of this legislation which is at the end of her route she is supposed to do a pre... or, you know, a postroute inspection to make sure that there are no children left on the bus. Right now, school

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districts in Illinois are required to maintain a policy ensuring that no passengers are left behind on the bus. This Bill expands the policy that the driver walk to the rear of the bus before leaving the bus at the end of route or shift. So, it would seem to think that the best way to enforce a policy that you haven't left a child on the bus is to actually have that driver do nothing more than walk to the back of the bus, look in the rows of seats, make sure there's not a child on the bus."

Stephens: "The... Representative, I have the utmost respect for you and... and you... you often find great ideas, but sometimes those great ideas are similar to this one. And we had one instance where one person failed to inspect their bus and they got off. And now as I look at this, we're talking about a possible \$400 or \$500 cost per bus. I don't know that the school districts that I represent currently have a radio communication system and a person responsible for that communication. So, I think that there's an additional cost that could be literally tens of thousands of dollars for someone who will sit in this... at a console, while the school buses are out to maintain... I mean, somebody's got to be there, right? Somebody's got to be able to respond. And so, I think maybe we're talking about creating a... a system that in many districts that I represent is going to be extremely costly. And it brings up the question, is this going to be paid for by the local school districts, or will this be paid for with state appropriation?"

Fritchey: "Well, there... there would be no state appropriation here. With all due respect, I think your cost figures are

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askew. I think you're looking at a cost of an additional two-way radio as may be under a couple hundred dollars and probably no more for a base radio as well. And I... I don't mean to..."

Stephens: "Okay. We got our numbers from the State Board of Education. Estimated cost for a two-way radio system is \$325, an antenna \$50, installation \$65 for a total cost of a minimum of \$440 per bus. Added to that would be the cost of the console and the... the appropriation that's going to be necessary to man or woman this."

Fritchey: "Representative Stephens, let... let... let me say it this way, and I... and I know that you're... the issues that you raise are sincere ones. My statement..."

Speaker Mautino: "The Gentleman's time has expired. You may go ahead and complete your answer."

Fritchey: "Thank you and I appreciate Representative Stephens questions. Will there be a cost associated here? Sure, there will. But I will say, as a father as well as a Legislator, I think that it is a deminimis cost and a very reasonable cost for us to bear... for the school districts to bear to protect the safety and well-being of either one child or a bus load of children to make sure that they can be contacted, located in case of emergency. This is something that we think is tailored well to not address a speculative situation, but something that has happened on numerous occasions and will unfortunately happen again, absent these actions."

Speaker Mautino: "Our next speaker is Representative Bassi."

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

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Speaker Mautino: "He indicates that he will."

Bassi: "Okay. Representative, did you say that the driver of the bus left the bus and went shopping and left the child on the bus?"

Fritchey: "The... the... the driver of the bus went shopping..."

Bassi: "So, in the bus or out of the bus?"

Fritchey: "Out of the bus."

Bassi: "Out of the bus. And the child was?"

Fritchey: "On the bus. So, had that driver performed a post route inspection, the driver would have seen the child on the bus."

Bassi: "Is that currently part of the state board direction or school board direction?"

Fritchey: "It... the... the... the present... the present directions are that districts are required to maintain a policy. So, what we are simply saying to do then..."

Bassi: "So... so in other words..."

Fritchey: "Part of that... part of that..."

Bassi: "...the driver did not maintain the policy that the school board required?"

Fritchey: "What we are trying to say is that that policy should include the driver walking to the back... the driver may very well followed the policy. What we are saying is that the policy is insufficiently clear. It should be clarified to say..."

Bassi: "So..."

Fritchey: "...that to ensure that no passengers are left on the bus, walk to the back of the bus and back."

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Bassi: "So, how would a... would a two-way radio to the tune of \$440 minimum, which is an unfunded mandate on school districts, in a year when we are not going to provide sufficient funding for education all the way around anyway and we are cutting back on a number of different issues and there are 30 thousand school buses in the State of Illinois. This unfunded mandate, how would a two-way radio, that the bus driver did not have in her hands while she was shopping and the child was on the bus, have helped find that one child?"

Fritchey: "The major... first of all, this one story is about one child and this one story is not an isolation."

Bassi: "That's..."

Fritchey: "Additionally, a large number of the school buses that you referenced are not owned by school districts, they're owned by private companies. And a private company will bear this and private companies in my opinion will gladly bear this because... because they... because..."

Bassi: "In this... at the... the private companies that are trying..."

Fritchey: "...if I may finish."

Bassi: "...to maintain their funding."

Fritchey: "Because a private company would much rather incur a few hundred dollars to safeguard the well-being of the kids than incur the defense of just simply one lawsuit for not doing it."

Bassi: "Spoken like a true lawyer. Okay. The... in other words, they're going to get sued by you because they left the

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child on the bus. I would rather see the school district or the bus company..."

Fritchey: "Yes, Representative... Representative, I believe they open themselves up for negligence suit..."

Bassi: "...the bus company... Representative, I'm going to finish my sentence."

Fritchey: "...if they leave the child on the bus."

Bassi: "I would much rather see the bus company..."

Speaker Mautino: "Representatives, I would ask that you speak one at a time so we may hear your discussion."

Bassi: "It would make much more sense to incur a change in the direction to the bus company to make sure that they double-check the bus, double- and triple-check the bus and perhaps make sure that there are no children left on the bus every single time that they get off the bus, as opposed to in this day and age with the... the hole that we have in this budget and the fact that we are no longer funding the school districts as well as we ought to nor should be put the impetus on private companies when they are struggling as well, make sure that the company, the bus driver has the instruction to do that as opposed to continuing another unfunded mandate on school districts. Thank you."

Fritchey: "Rep... Representative, let me point out that the School Transportation Alliance is actually a proponent of this legislation."

Bassi: "Is that... I still... it's still an unfunded mandate that they are not going to have the fu... the finances to be able to fulfill."

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Fritchey: "That they... the School Transportation Alliance would actually likely be the folks that are bearing this unfunded mandate that they believe is a worthwhile cost here to protect these kids. Representative, there may be a legitimate difference of opinion as to whether or not this is..."

Bassi: "Yes, there may be a legitimate difference of opinion. You're right."

Fritchey: "...the money. If I... if I... Representative, can I finish? I let you finish, I'd ask for simply the same."

Bassi: "Barely."

Fritchey: "There may... there may be a difference of opinion as to whether this cost is worth safeguarding the life of a child. It's worth the cost to safeguard the life of mine, I think any parent feels the same way. The School Transportation Alliance supports the legislation. The idea of having a two-way radio or having the bus check, it's not simply a school policy that they have to see that the bus is empty, it's also having that two-way radio. If you have a driver with a problem on a bus and that driver doesn't have a cell phone, they have no way of calling in to say, we have a medical emergency, we were in an accident, whatever that may be. These drivers are not required to carry cell phones. In fact, they're required not to use them while they operate the bus. Having a means of communication... my gosh, when I was on a school bus a whole lot of years ago, the drivers has radios on the bus way back then in case there was ever a problem."

Bassi: "I... I... I still urge a 'no' vote."

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Speaker Mautino: "Our next speaker will be Representative Tracy."

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

Speaker Mautino: "Indicates that he will."

Tracy: "Representative Fritchey, we talked about this in committee and I along with Representative Stephens have a concern that even having a two-way radio on this bus would not have prevented the situation in which you have... the genesis of this Bill."

Fritchey: "I... I... I believe that having a two-way radio would have been able to give the... the bus company the ability to communicate with that driver either before she left to go on her personal errand or immediately when she got back. There... there was a significant search going underway for a missing autistic child, a school bus and a school bus driver, none of which could be found without communications to reach them. The initial form of this legislation, which I thought was a good idea, too, actually looked at having GPS units on these buses. That may be, well, cost prohibitive and doesn't provide the ability for bus drivers to communicate outward as we like to do, too. This isn't simply about the missing child on the bus, that was the genesis of this."

Tracy: "But wouldn't you..."

Fritchey: "But... it's about... it's about providing a mechanism for communication between bus drivers and a central communication system."

Tracy: "That presumes that every bus has a central communication system."

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Fritchey: "I apologize, Representative."

Tracy: "I said that assumes every bus has a... a central communication system."

Fritchey: "Well, if you go..."

Tracy: "What if there is not central dispatch?"

Fritchey: "...if... if you are going... if you are going to have a two-way system they're going to provide that you're actually communicating with somebody. So, the... the... the bus company that owns the buses is going to have a dispatch or whether it's a school district, they're going to have a dispatch. These buses presently are dispatched on a centralized system. They're not all out here freelancing. I'm not being facetious. So, there is a coordinated system for controlling school buses right now in every school district. This simply says we should be able to communicate with those buses in case of emergencies or needing to notify the buses about something. Another example being, a bus heading to a school where there's an emergency situation at that school and they say, no, don't bring the bus in there's been a problem at the school. Do not come in. We're going to give you a change of plans."

Tracy: "Do... do you if... I mean, if there's approximately 30 thousand buses operating in Illinois, school buses that is, and I mean, do any of these already have two-way radio systems in place?"

Fritchey: "Man... many of them already do."

Tracy: "But we don't know how many?"

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Fritchey: "Those... those are... those are the ones that are being proactive and recognizing this would be a good policy on their own."

Tracy: "So, we have no idea..."

Fritchey: "No, Ma'am."

Tracy: "...how many?"

Fritchey: "No, Ma'am."

Tracy: "Okay. 'Cause I'm just wondering how much this is going to cost?"

Fritchey: "Under... understood and I... we hit numbers which are not objective pegging the cost of a two-way radio about \$300. I think it's lower than that, but I'm not going to say that 300 is unreasonable."

Tracy: "Well, with installation and everything and most likely..."

Fritchey: "I've got to tell you what, putting a \$500 price tag on a busload of buses carrying 50 kids that's about \$10 a child and a one-time expense."

Tracy: "But if there's 30 thousand buses that's a major, major expense. I don't... I don't know where that's going to come from?"

Fritchey: "Again, the Transportation Alliance that oversees most of these buses supports this legislation as being the right policy. That's the best I can tell you coming from the industry experts."

Tracy: "Well, then they will charge the school districts that amount. And... and as I said, I think the reason for the Bill was this particular situation when the most important thing that the... the bus driver could have done was to do a

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body check, to go through the bus and make sure there wasn't a child. I don't see that a two-way radio could have or that we can be sure it would prevent, most likely the driver would not take the..."

Fritchey: "Well, but..."

Tracy: "...the radio."

Fritchey: "...but here... here's what could have happened as well.

With a two-way radio that driver's got to be on that bus to be reachable. With her cell phone, she may feel she can go... he or she, in this case it was a she, could go feel that she could be wherever and still be reachable and off the bus. If she had a two-way radio and knew that she was responsible, she would have come right back in. And had she not come right back in, as she did not in this case, one call on the radio would have been, you know, bus #12 where are you? And if she knows she's subject to getting that call, she's not making a detour. And again, I can give you a litany of reasons why it makes good public policy sense to have bus drivers be able to communicate with a central dispatch and why... and why it's good to be able to reach these buses and bus drivers wherever they can be. A two-way radio gives you that flexibility that a cell phone doesn't. I understand your objection to it, I believe that is a cost that is well worth bearing for these companies. And they do as well."

Tracy: "Okay. Let's presume that 30 thousand buses in Illinois, school buses, and at a cost of \$440 each that works out to be \$13 million and 200..."

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Speaker Mautino: "The Lady's time has expired. I'll give you one minute to address the Bill."

Tracy: "Certainly, thank you. As I said, it would amount to about \$13 thou... million, \$13,200,000 and that's not even counting the cost of the central dispatch thing. Also, part of this Bill is that if an individual school bus driver is caught without the two-way radio three times on the bus, he will lose his license and his ability to work. And I think that's a very onerous burden. Certainly, school bus drivers have a very heavy duty, but they then become responsible for making sure that their employer bears the cost of the... the radio. So, I mean, it's... it's like a two-way step. And as I said, yes, this is a very serious problem that occurred. I think we have a safety issue that might need to be addressed, but I think this knee jerk reaction is not a proper way to address it until it's further studied and looked at just with the cost in mind, especially at this time. I don't think the downstate Illinois buses can afford it. I'm not sure any school bus district can... or school district..."

Speaker Mautino: "The Lady's time has expired. Our next speaker will be Representative John Bradley. We have ten people seeking recognition. Our next speaker will be Representative Bradley. Sir, you will have the opportunity to address these in your close. Your time has expired. Representative Bradley."

Bradley: "Representative Fritchey, I've got a couple of technical questions about this Bill. And I know what you're trying to do here. But what about the situation

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where you have like a school charter where you're taking kids to a ball game and so technically the way this law is written, you're taking them to a ball game, you haven't returned possession of the school bus back to the school depot or however it goes. You're going to have two or three hours there layover, you wouldn't be able to use a cell phone technically under this. Also, you know if somebody got lost in that scenario where they pull over and say, hey, I'm lost, I need to make a call. It's not provided for under your language. So, I think you need to go... I think you need to look at that technically."

Fritchey: "Oh, no. Emergencies are already provided for under existing law."

Bradley: "Well, I don't know that..."

Fritchey: "Well, being... being... being lost I think would fall under that regulation. No, nobody's ever..."

Bradley: "But it's..."

Fritchey: "...we're not... but John, we're not changing that portion of the existing statute."

Bradley: "But... but you are. When you... when you... when you go from operation of a school bus to possession of school bus, so the way I read the law that would entail somebody's got a charter, they're taking a basketball team to another town. The bus driver goes and picks up the school bus, okay. There's an hour trip to the other community. The ball game lasts two hours, three hours. Then there's an hour trip home. The school bus operator would not be able to use a cell phone during the entire period of time because he has not returned the school bus back to the

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school bus place. That's the way the law reads. Couldn't call home and say, hey, tell their husband that they're, you know, made it there or whatever. Couldn't call home and tell their wife or kids, hey, we're going to be such and such time. That's the way... because I see what you did, you tried to jam it in there and I understand that, but the way it's written it's the possession of the school bus. And that would include the entire time until you take it back. And so the entire time of the ballgame, entire time of a school trip... field trip, we go to the Field Museum, kids come up, right? They drop them off at the Field Museum, drop them off at Shedd's Aquarium. School bus driver cannot use a cell phone the entire time they were in the City of Chicago."

Fritchey: "I... I disagree with your interpretation."

Bradley: "Well, that's... it's what it says. You're... you're counselor is nodding, too, I think. Can you suspend my time while he confers with Representative Eddy?"

Speaker Mautino: "No."

Bradley: "So, anyway, I... I think there's problems with that, John. I think it needs to be fixed."

Speaker Mautino: "Further discussion? Mr. Bradley, did you have further questions or are you just waiting on the answer?"

Bradley: "No, he won't answer them, so I have no others."

Speaker Mautino: "And we'll get you that answer by the close, hopefully. You'll have plenty of time. Eight people seeking recognition, Representative Mulligan."

Mulligan: "Thank you, Mr. Speaker. To the Bill."

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Speaker Mautino: "To the Bill."

Mulligan: "Representative Fritchey knows the people there and they're also from my district and this is not the first time something like this has happened. But neither the wonderful Republican nor the wonderful Democrat staff drafted this Bill. Unfortunately, it came to us from the Senate. If we had drafted it, it might be a little better. What I would suggest basically is... oh well, are there any Senators over here complaining? What I would suggest is perhaps an Amendatory Veto that would make this apply only to buses that work with disabled children, initially, to see what happens. We had wanted GPS systems. The bottom line is, the last time this happened in my district and they couldn't find the bus, the parents scold the district because it was also an autistic child and they now pay for someone to ride with that child every single day, back and forth in the bus which is very expensive. This child was a nonverbal autistic child. We're not sure if the child got off the bus and the driver saw the child get off the bus and he got back on or he was just on or what happened, but the bottom line is if you have a child that's nonverbal, that's 4 years old, the school calls and says the child is not in school and he's not at home, you panic. Anyone of us that have had kids or been on a field trip where we're in charge of kids or have grandchildren would be terrified. So, I guess what we tried to do, and maybe they made the Bill just a little too general, is we tried to solve the situation of how would you have found the bus. Is this just an accident that the driver didn't realize the child

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was still on the bus and went shopping or is this some horrible person that has taken your child? And in the length of time it took for a police car to track them down and find it, it was terrifying. And actually the school district could have been sued, the bus company could have been sued. I don't know if they're asking to have somebody ride with that child at the expense of special education in our district again. So, actually this Bill could be drafted better. I think you could do Amendatory Veto on it to look at it, to just do the buses that take the special needs kids, some of whom aren't verbal and can't tell you exactly what happened or can't tell someone they're on the bus still or don't... if they don't show up there's a problem or if the bus driver has to stop and take off a handicap child and so the bus is late for the parents. They don't know where the kids are when it's just actually something that happened. We're trying to address that situation. Was the Bill drafted well? Absolutely not. Obviously, there's a lot of problems with this Bill. And when you're emotionally involved with it, it's your friends or you know the child or it's your district, it gets to be a really big deal. Could it be better? Yes, I think we could make it more of a minimum 'til we see how it works, but I think this particular issue, particularly when you have special needs children that ride these buses back and forth, it's a really big deal, particularly when they're preschoolers or they're small children who you can handle. So, I would guess that... I think the Governor could probably do a good job in doing Amendatory Veto; I think Rules could

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straighten it up. I think you could limit it to a little narrower Bill. I don't know if Representative Fritchey would be open to that. I gave it to him when he asked me for it. We were not real happy with the way it read. Some people had come to me before it even got out of the Senate. But I think the issue is these are kids that can't take care of themselves, they need extreme care and you want the people that take care of them to be extremely careful. And that's what we're trying to solve here. And the bottom line is, in situations before this, it cost the school district a lot more money than what the radio is costing or maybe to require that new buses have GPS systems, some way where they could find them if the child does not turn up at school or after school on the way home."

Speaker Mautino: "The Gentleman from Fulton, Representative Smith is seeking recognition."

Smith: "Thank you, Mr. Speaker. I move the previous question."

Speaker Mautino: "The Gentleman has moved the previous question. All in favor say 'yes'; opposed 'no'. The 'yesses' have it. Question's been put. Representative Fritchey to close."

Fritchey: "Thank... thank you, Speaker, Members of the Body. I... I appreciate Rosemary..."

Speaker Mautino: "The question has... the question has been put. Representative Fritchey to..."

Fritchey: "Mr. Speaker, I vote... Representative, why don't you let me finish? I've always welcomed a full and fair debate. I'd love to hear what you all have to hear... what you have to say."

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Speaker Mautino: "The... at the request of the Sponsor, we will allow debate. Representative Black, the Gentleman from Vermilion. Yes, Sir."

Black: "Mr. Speaker, at the request of the Sponsor, my big toe. That Motion to cut off debate did not pass and even if you were partially deaf, you knew that. Now, you're not going to start ramming that stuff down our throat. I don't care whether it's Saturday night. That Motion did not pass. There's no question about that."

Speaker Mautino: "In the opinion of the Chair, the Motion passed."

Black: "It did not. You know it did not. Then by God, we'll have a Roll Call on every Motion. We'll have a Roll Call on every Motion. If that's the way you're going to do it. You've kicked us around enough. We're not going to sit here and take it on the last hours of Session. If you want to have a Roll Call on every Motion, that's what we'll do. You'll treat us fairly or we're not going to sit here and take it."

Speaker Mautino: "I have always treated you fairly."

Black: "Yes, you have. But you're in the Chair now and that puts an additional burden on you. That Motion to shut off debate did not pass."

Speaker Mautino: "In my opinion, it had passed. However, the Gentleman has said he would like to reopen the debate and allow the... at the request of the Sponsor. In the opinion of the Chair, the Motion had passed. Representative Fritchey, would you like to continue?"

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Fritchey: "Mr. Speaker, as always, I'll defer to the Chair,
I'll defer to the will of the Body."

Speaker Mautino: "The Gentleman from Jasper, Representative
Reis."

Reis: "Point of personal privilege before we go to the
questioning, if the Sponsor will yield."

Speaker Mautino: "State your point."

Reis: "Those Motions should have never been made. This is
serious. Most of the people in this Body don't even have
school buses in their district. We're asking legitimate
questions. Far as I'm concerned, the Bill should be pulled
out of the record and reworked. Mr. Fritchey has asked
countless Members to pull Bills out of the record and try
to make them right. So..."

Speaker Mautino: "Mr. Reis, are you addressing the Bill or your
personal privilege?"

Reis: "I said a point of personal privilege and then I..."

Speaker Mautino: "State your point."

Reis: "...then I have questions."

Speaker Mautino: "Now, to the Bill."

Reis: "Representative, is it true that the bus driver loses his
license if a radio is not put in the bus? That is a
legitimate question. Where are you ever going to find a
school bus driver that's going to be willing to work under
those circumstances? Yes or no. Does the bus driver get
the ticket if there's not a radio in the bus?"

Fritchey: "The bus driver..."

Reis: "Or lose his permit?"

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Fritchey: "...the bus driver that understands the law, he will not take that bus out to start with nor would the school bus company providing buses without the required radios."

Reis: "Why isn't it up to the school district to be penalized if there's not a radio in the bus?"

Fritchey: "Repeat the question, please?"

Reis: "Why isn't it up to the school district to be penalized if there's not a radio on each bus should this Bill pass, instead of the bus driver?"

Fritchey: "Well, because now... because... if... if... if I were to have proposed that or the Senate were to have proposed that, then you would have been questioning me as to why school districts would be on the hook if a private bus company did not have radios on the bus. The obligation here... the obligation when that bus goes out is on the school bus driver. The obligation for safe operation of the bus, the obligation for getting that bus to and from where it's supposed to be, the obligation for making sure that there's no kids left on the bus. Those onuses are already all on the bus driver, today."

Reis: "Is there an effective date for your legislation? And is there an effective date for compliance should it become law?"

Fritchey: "The Bill would become... the Bill would take effect upon becoming law."

Reis: "Is there a grandfathering period in one year, two year for bus driving... or for school districts to become in compliance?"

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Fritchey: "I find it hard to believe that it would take a year or even two months to put radios on to the buses."

Reis: "So, technically they have to be in compliance the day the Bill comes law?"

Fritchey: "Again, Representative, all of the interested stakeholders were involved in the negotiations and revisions of this Bill on the Senate side and were all satisfied with the final product, which is why there were no objections to the Bill in the Senate or House."

Reis: "I don't think most people comprehend... does the radio have to work? I mean, these crystals go bad from vibrations. I'm a farmer, I've had these radios. They're going to cost more than \$500, but a lot of times the crystals go bad. Who's going to be responsible for checking that and make sure that every unit is working?"

Fritchey: "This... this does provide for operable radios. Representative, I'd like to do this for one reason and one reason only... if I can finish. A committee schedule has been distributed. In... in the interest of time right now and the fact that we have to go to committees and come back here tonight and out of deference to the schedule of the Body right now, I want to take this out of the record to allow us to go to committees and then continue with the work of the Body, Speaker."

Speaker Mautino: "Mr. Clerk, at the request of the Sponsor take the Bill out of the record. Representative Osmond."

Osmond: "Thank you, Mr. Speaker. The Republicans will caucus in Room 118, please."

Speaker Mautino: "How long will you need?"

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Osmond: "One half hour."

Speaker Mautino: "Mr. Clerk... Mr. Clerk."

Clerk Mahoney: "Committee announcements. There have been time changes on the committee announcements to adjust for caucus. The time changes, the first set of committees will meet at 8:45 p.m. The first set of committees at 8:45... that's Agriculture & Conservation in Room 122B, Education in Room 118, Higher Education in Room 115, Environment & Energy in Room 114, State Government Administration in Room D-1 and Veterans' Affairs in Room C-1. The second group of committees will meet at 9:15 p.m. 9:15 p.m., the second group of committees. Those are Appropriations-Elementary & Secondary Education in Room 118, Elementary & Secondary Education in Room C-1, Environmental Health in Room 122B, Revenue in Room 114 and Human Services in Room D-1. A correct... one correction to the committee schedule. At 8:45 p.m. it's the Executive Committee in Room 118, not Education. Executive Committee in Room 118 at 8:45 p.m."

Speaker Mautino: "Members of the House, Republicans will be in caucus, then we'll go to committee and we will return to the House Floor at... at 9:45 p.m. The House will recess to 9:45 p.m."

Speaker Madigan: "The House shall come to order. The Chair recognizes the Clerk."

Clerk Mahoney: "Committee Reports. 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 30, 2009, reported the same back with the following recommendation/s:

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'approved for floor consideration' on the Order of Concurrence, a Motion to Concur in Senate Amendment #2 to House Bill 574 and a Motion to Concur in Senate Amendment #2 to House Bill 3795. Representative Phelps, Chairperson from the Committee on Agriculture & Conservation, to which the following measure/s was/were referred, action taken on May 30, 2009, reported the same back with the following recommendation/s: 'recommends be adopted' Senate Joint Resolution 64, House Joint Resolution 57 and House Resolution 421. Representative Jakobsson, Chairperson from the Committee on Human Services, to which the following measure/s was/were referred, action taken on May 30, 2009, reported the same back with the following recommendation/s: 'recommends be adopted' is House Joint Resolution 56 and House Resolution 470. Representative May, Chairperson from the Committee on Environmental Health, to which the following measure/s was/were referred, action taken on May 30, 2009, reported the same back with the following recommendation/s: 'recommends be adopted' is House Joint Resolution 63. Representative McAuliffe, Chairperson from the Committee on Veterans' Affairs, to which the following measure/s was/were referred, action taken on May 30, 2009, reported the same back with the following recommendation/s: 'recommends be adopted' is House Resolution 413 and House Resolution 428. Representative Bradley, Chairperson from the Committee on Revenue & Finance, to which the following measure/s was/were referred, action taken on May 30, 2009, reported the same back with the following recommendation/s: 'recommends be adopted' is Floor Amendment #3 to Senate

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Bill 1825 and House Joint Resolution 66. Representative Holbrook, Chairperson from the Committee on Environment & Energy, to which the following measure/s was/were referred, action taken on May 30, 2009, reported the same back with the following recommendation/s: 'recommends be adopted' is Senate Joint Resolution #4. Representative Boland, Chairperson from the Committee on Higher Education, to which the following measure/s was/were referred, action taken on May 30, 2009, reported the same back with the following recommendation/s: 'recommends be adopted' is House Resolution 444. Representative Franks, Chairperson from the Committee on State Government Administration, to which the following measure/s was/were referred, action taken on May 30, 2009, reported the same back with the following recommendation/s: 'recommends be adopted' is House Floor Amendment #2 and House Floor Amendment #3 to Senate Bill 52; House Joint Resolution 62, House Resolution 411, House Resolution 418, House Resolution 420, House Resolution 424, House Resolution 425, House Resolution 437, House Resolution 443 and House Resolution 468."

Speaker Madigan: "The Chair recognizes Mr. Franks on Senate Bill 1609. Mr. Franks. And Mr. Clerk, what is the status of the Bill?"

Clerk Mahoney: "Senate Bill 1609 has been read a second time, previously. Amendment #1 was adopted in committee. Floor Amendment #2 was filed today, but has not been approved for consideration."

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

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Clerk Mahoney: "On the Order of Agreed Resolutions: House Resolution 490, offered by Representative Rose. House Resolution 491, offered by Representative Rose. House Resolution 492, offered by Representative Rose. House Resolution 493, offered by Representative John Bradley. House Resolution 494, offered by Representative John Bradley. House Resolution 495, offered by Representative John Bradley. House Resolution 496, offered by Representative Osmond. House Resolution 497, offered by Representative Feigenholtz and House Resolution 498, offered by Representative Howard."

Speaker Madigan: "Representative Currie moves the adoption of the Agreed Resolutions. You've all heard the Motion. Those in favor say 'aye'; those opposed say 'no'. The 'ayes' have it. The Agreed Resolutions are adopted. Mr. Clerk."

Clerk Mahoney: "Additional Committee Reports. Representative Burke, Chairperson from the Committee on Executive, to which the following measure/s was/were referred, action taken on May 30, 2009, reported the same back with the following recommendation/s: 'recommends be adopted' is Floor Amendment #2 to Senate Bill 1197, Floor Amendment #2 to Senate Bill 1433, Floor Amendment #2 to Senate Bill 1609; 'do pass Short Debate' is Senate Bill 1180, Senate Bill 1181, Senate Bill 1182, Senate Bill 1183, Senate Bill 1184, Senate Bill 1185, Senate Bill 1211, Senate Bill 1212, Senate Bill 1213, Senate Bill 1214, Senate Bill 1215, and Senate Bill 1216. Representative Chapa LaVia, Chairperson from the Committee on Appropriations-Elementary

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& Secondary Education, to which the following measure/s was/were referred, action taken on May 30, 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 314."

Speaker Madigan: "Mr. Franks on Senate Bill 1609. Again, Mr. Clerk, what's the status of the Bill?"

Clerk Mahoney: "This Bill's read... 1609 has been read a second time, previously. Amendment #1 was adopted. Floor Amendment #2, offered by Representative Franks, has been approved for consideration."

Speaker Madigan: "Mr. Franks on the Amendment."

Franks: "Thank you, Mr. Speaker. House Floor Amendment 2 would be... would become the Bill. And we just left Executive Committee. And what I explained to the committee then, for those of you that are saying or have said that we should run government more like a business, this is your Bill. This is an excellent opportunity for the State of Illinois to take advantage of the historical low levels of our interest rates. We have never had interest rates at this... at this level. What this Bill will do, will actually shorten the debt time for our bonds for... by 10 years. And will take advantage of the rates that are anywhere from .55 basis points to .89 basis points below what we're paying now. This will authorize the state to issue \$2 billion in refunding bonds. And in the first year it's estimated that we will save the state \$607 million and over the 16-year time of these bonds, the state will have a savings of \$237 million. There's more flexibility for the principal

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payments and it also allows for a negotiated process, which we haven't had. I'd be happy to answer any questions."

Speaker Madigan: "The Gentleman has moved for the passage of the Bill. The Chair recognizes Mr. Eddy."

Eddy: "Mr. Speaker, we'll wait 'til Third if... to debate the Bill, to discuss it. Thank you."

Speaker Madigan: "Mr. Franks, did you wish to move for the adoption of the Amendment?"

Franks: "Yes. Yes, Mr. Speaker."

Speaker Madigan: "All right. Mr. Franks moves for the adoption of the Amendment. Those in favor say 'aye'; those opposed say 'no'. The 'ayes' have it. The Amendment is adopted. Mr. Clerk, are there any further Amendments?"

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

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

Clerk Mahoney: "Senate Bill 1609, a Bill for an Act concerning finance. Third Reading."

Speaker Madigan: "Mr. Franks."

Franks: "Thank you, Mr. Speaker. You've heard the description of the Bill. I'd be happy to answer any questions."

Speaker Madigan: "Mr. Eddy."

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

Speaker Madigan: "Sponsor yields."

Eddy: "Representative, you mentioned the fact that in the first year there is a little over \$600 million in savings projected. What... what are the interest rates that you are working off of? What's the current rate on those bonds that you are retiring?"

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Franks: "The current rate, we're paying between 5 to 5.3 percent on the General Obligation Bonds. Now, on the Build Illinois Bonds there's a much greater difference. The.. the current rates are between 3 all the way as high as 7.4 percent."

Eddy: "And what's your anticipated rate?"

Franks: "We're looking at a... at a percentage rate of 4 percent."

Eddy: "Four percent and you're the total amount that you're bonding you said is about 2..."

Franks: "That we've the ability to bond \$2 billion."

Eddy: "Up to two billion. So, there are years in this where it may cost a little bit more, but over the.. you're taking most of it up front for next year..."

Franks: "Right."

Eddy: "...based on the issues related to the budget. But over the 16-year refunding period the net savings is still two hundred and thirty seven or so million dollars?"

Franks: "That's correct. And we have savings in the first two years and approximately the last seven years as well. So, there'll be savings both in the front and also at the end."

Eddy: "Okay."

Franks: "And also, Mr. Eddy, we'll also cut 10 years off the life of these loans."

Eddy: "And... and you mentioned a couple of different sources of the bonds that are being paid off. You said... are these... some of them are GO Bonds for Illinois FIRST, some... what... what... so we know what we're voting on, where... what are we paying off?"

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Franks: "There's two... there's two separate funds. There's the General Obligation Bonds and then the second individual bonds are the Build Illinois Bonds."

Eddy: "Okay. Do you have it... do you have a breakdown as to how much..."

Franks: "Sure."

Eddy: "...each of those categories?"

Franks: "Yeah. Right... right now, the current GO Capital Debt Service for the fiscal year 2009, I'm sorry 2010, the principal payment is 589, the interest is 559 for a total debt service of \$1,149,000,000. The impact of the restructuring next year just on the GO Bonds would be reducing the principal payment, we'd save 431 million there, in interest of 44 million as well for a total of \$475,000,000 just on the GO. Now, on the Build Illinois debt service we're... for 2010 fiscal year, the total debt service would be \$273 million, but our savings projected next year would be \$132 million."

Eddy: "Now, there's been some talk about the bond rating for Illinois. Can... can these savings be assumed safely based on our bond rating?"

Franks: "Yeah. Well, I... we're double A rated. And that's what we're basing this on. I think it will put us on a much firmer financial ground with the bond houses as well because our... our debt service will fall for the next few years as our anticipated revenue falls as well. I think it's a very sound fiscal maneuver. And one that we really should have been looking at previously."

Eddy: "Appreciate that."

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Franks: "But I think this is also a unique opportunity if you look at the Treasury Bond returns right now."

Eddy: "I appreciate that. And... and I actually agree with everything. I... I just want to do one other quick question. The revenue realized from this will go toward general revenue to fund the deficit? There's no other..."

Franks: "Correct."

Eddy: "...intention for this funding? Thank you. Thank you, Mr. Speaker."

Speaker Madigan: "Representative Mulligan."

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

Speaker Madigan: "Sponsor yields."

Mulligan: "Representative, where did they get those rates?"

Franks: "Where did they get those rates?"

Mulligan: "Right."

Franks: "On the bond markets. I mean, we're going to... we would have to... to float these bonds to do it now. And... and if you've seen the inversion in the bond market lately I have never seen these in my lifetime."

Mulligan: "All right. So, are they..."

Franks: "The way they..."

Mulligan: "...are they predicated on our bond rating and was the bond rating predicated on if we pass an income tax?"

Franks: "No."

Mulligan: "Were they using that figure? It was just..."

Franks: "No. Our bond rating is double A right now."

Mulligan: "Right now?"

Franks: "It's not predicated on any... on any income tax increase."

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Mulligan: "So, this is if we go out very shortly for the bonds, this is the rate we can get?"

Franks: "Right."

Mulligan: "And it's not predicated on the capital Bill that we have revenue sources in there?"

Franks: "No, Ma'am."

Mulligan: "All right. So, they came up with that rate and we have to go out within a certain length of time I presume?"

Franks: "It'd be shorter length of time because we're looking.. the way we've written the Bill, we'd have to pay them back within 16 years. And we would shorten the bond time by 10 years."

Mulligan: "A number of years ago, because of what went on in the Blagojevich administration at some point, we passed some reforms in what would happen on who would be able to bid on the bonds and how they would get paid. Can you go over that a little bit?"

Franks: "Yeah, that's still there. We haven't changed anything. That law has been changed because of the abuses of the prior administration. So, all those procedural safeguards are still maintained."

Mulligan: "All right. And that's the way they would go about purchasing the bonds this time?"

Franks: "Yes, Ma'am."

Mulligan: "Thank you."

Speaker Madigan: "Mr. Franks to close."

Franks: "Thank you. I appreciate the informed questions. Ladies and Gentlemen, this Bill will help go a long way towards filling the budget holes that we have in GRF to

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help fund our vital state functions without a tax increase. This is one way that we can save the State of Illinois over \$600 million next year alone. I urge an 'aye' vote. It's the responsible thing to do. It's the proper business thing to do."

Speaker Madigan: "The Gentleman moves for the passage of the Bill. Those in favor signify by voting 'yes'; those opposed by voting 'no'. Have all voted who wish? Have all voted who wish? Have all voted who wish? The Clerk shall take the record. On this question, there are 117 people voting 'yes', 0 voting 'no'. This Bill, having received a Constitutional Majority, is hereby declared passed. Mr. Mautino on Senate Bill 1433. Mr. Clerk, what is the status of the Bill?"

Clerk Mahoney: "Senate Bill 1433 has been read a second time, previously. Amendment #1 was adopted in committee. Floor Amendment #2, offered by Representative Mautino, has been approved for consideration."

Speaker Madigan: "Mr. Mautino on the Amendment."

Mautino: "Yes, Speaker Madigan, this is the Fund Sweeps Bill and it provides revenue toward the budget coming up. I would move adoption of Amendment #2. It contains \$356,038,973. These are the surplus funds and we have provided in the Bill that they may be only transferred on a quarterly basis. And under page 11 of the Amendment, there is a clawback provision that says, if the agencies do not have the moneys in these funds to pay bills this, can be paid back in. There's a mechanism which then allows the

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Treasurer and the Comptroller to draw that money back. And I would stand to answer questions."

Speaker Madigan: "On the Amendment, the Chair recognizes Mr. Eddy."

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

Speaker Madigan: "Sponsor yields."

Eddy: "Representative, we're just trying to catch up a little bit to find out specifically what funds. There's a concern on our side regarding sweeps to the fire fund, the fire safety fund? Do you... do you know if that's been... which one... fire?"

Mautino: "One moment."

Eddy: "Yeah. We're looking for the Fire Prevention Fund. If we could just have a..."

Mautino: "That's ten... \$10.4 million."

Eddy: "So, there is... there's a \$10.4 million sweep to the Fire Prevention Fund?"

Mautino: "Yes, sweep of the surplus funds."

Eddy: "Okay. Representative, I... I think we just have some folks who are real concerned about that specific one, I wanted to point that out. And we'll continue to debate this on... on Third. Thank you."

Mautino: "Okay."

Speaker Madigan: "The question is, 'Shall the Amendment be adopted?' Those in favor say 'aye'; those opposed say 'no'. The 'ayes' have it. The Amendment is adopted. Are there any further Amendments?"

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

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

Clerk Mahoney: "Senate Bill 1433, a Bill for an Act concerning
finance. Third Reading."

Speaker Madigan: "Mr. Mautino."

Mautino: "Ladies and Gentlemen of the House, this Bill has been
explained on Second Reading. This is the... during the
Amendment phase, this is the Fund Sweeps Bill. And I would
stand ready to answer any questions."

Speaker Madigan: "Mr. Brady."

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

Speaker Madigan: "Sponsor yields."

Brady: "Representative, I asked this in committee, I just want
to clarify it again if I could. Regarding some of these
funds, it shows that the actual balance in the funds as of
today are insufficient for some of the sweeps that you've
indicated here. In other words, there is more money you're
sweeping and not enough in the fund... in a lot of these
funds. Can you explain what the clawback was clause that
you had in the transfer funds?"

Mautino: "Yes, and thank you for asking. The agencies
appropriate a number of funds. And what you have before
you right now is a static picture of those funds.
Throughout different points of the year people will either
pay their license fees, they will pay fines and these funds
rise and fall throughout the course of the year. And if
there... we put the clawback provision in if the monies need
to be transferred then... then they can be transferred. But
at any given time these will rise and fall. Now, we've

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studied these over the past four years because... the staffs have, actually, to know what numbers that we could reasonably expect from each of these lines."

Brady: "So, it's... it's really based on past performance and it's also in assumption that the money will be there at some point in time, but in essence in a lot of these funds were actually sweeping more than is presently in there, definitely at the time, but it's anticipated that the money should be there down the road?"

Mautino: "And it is... that's correct. It is anticipated down the road that these funds will reach the amounts that they have historically reached."

Brady: "And of course if they don't reach the fund level they've historically reached, then there's insufficient amount of money in there to sweep?"

Mautino: "You would have... you'd have a revenue shortfall, a GRF shortfall if they didn't."

Brady: "Yeah. Thank you very much."

Speaker Madigan: "Mr. Moffitt."

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

Speaker Madigan: "Sponsor yields."

Moffitt: "Representative, on... and there'll be several I think we'd have some questions about it, but on the Fire Prevention Fund it's 10... 10.4 million, is that correct?"

Mautino: "That's correct."

Moffitt: "Okay. Can you tell me what's not going to get funded in... for fire prevention?"

Mautino: "Actually the... under that fund they will receive their full appropriation. So, there's nothing which will not be

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funded. These would be the account... the dollars that they do not expect to draw down from that fund within the next fiscal year."

Moffitt: "And that's based on information from who?"

Mautino: "From the agencies."

Moffitt: "Do you know like on the zero percent fire truck loan there's usually quite a few more applicants than what there is money... so, if we're taking money out of it looks to me like there are going to be fewer fire truck loans. We've started a new ambulance loan fund. We have a Bill going through this year to start a zero percent revolving loan fund to build fire stations, create jobs across the state, improve public safety. Ten million dollars would go a long ways to, you know, funding several of those loans. Aren't those loans that are not going to be made now?"

Mautino: "I appreciate your... your comments on that. We are trying at this point, very desperately, to put together a budget in the face of a \$12 billion deficit. And these fund sweeps are moneys the agencies have identified that they expect they will not be using for the next year. And this is something that has been done for years and especially in tough budgetary times. If we don't provide some new revenue, then we can't close down that gap to try and do the things that we altogether want to do. Keep people in their homes, make sure that GRF dollars can get over to support those programs. It's a tough year. And these are very tough things, but it's not something we haven't done in the past. And it's not money the agencies

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have told us they are going to be using for next year. That's why we're making those hard choices."

Moffitt: "I know they're hard choices, but Representative, when did we last sweep the Fire Prevention Fund and for how much?"

Mautino: "That number I don't know. Specifically on the funds, I do know that this is one that's been identified that we can sweep from it. And the original numbers that came from... I credit our staff and the Governor's staff. The original numbers that came from the Governor's Office was \$440 million. We've looked through and found funds that we know would be very difficult to sweep and it's a tough decision to do. And we brought that down to \$356 million to keep our state budget going and to try and close that gap in a very difficult time. So, do... do I know if it'd been swept in the past? I don't. Do I know if it is available from that agency? That I do. They've told us it is."

Moffitt: "I... I don't believe it has been swept. There was a real... it almost was swept the last time funds sweeps were done. But this Body agreed that should not happen, that there's some things that should not be swept. It had not been swept in the past. And we put an Amendment on to exempt that. I mean, I think in sweeping this... and I... I appreciate these are very difficult budget times, but we need to point out, your local fire departments when they go to the University of Illinois for training they get reimbursement. It comes from the Fire Prevention Fund. This may reduce or curtail or eliminate some training to

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protect our firefighters who in turn protect all of us. There are some things that it comes down to priorities and I think saving lives and helping firefighters have the best training and the best equipment is extremely high on that list. So, Representative, would you entertain either a trailer Bill or an Amendment to exempt this fund?"

Mautino: "The Bill and the fund is in the form that it needs to be and so I won't be doing any trailer Bills unless there's a dramatic improvement in the State of Illinois and what's going on with our GRF Fund because this fund will get it's full appropriation. It doesn't have to cut, this is what they have asked us for and this is the amount of money and it's true for any line. I've worked together in the past to help protect some of these lines from being swept. We worked on this very line, but we find ourself in a situation where without new revenues we can't fund the community services. And these have been identified as surplus funds, once the agency gets 100 percent of what they asked for."

Moffitt: "I think it's important that we know who says these are surplus funds. We have more applications for the fire truck loans than what we have money. That does not sound like a surplus. We have a small equipment grant program that puts small equipment in fire departments around the state. There are more departments needing those grants than what there's money. That is not a surplus. We have a new program to build fire stations that will also create jobs around the state in building those. That is not a surplus. So, who is it that says this is a surplus?"

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Mautino: "The agencies under the Governor actually provided us a list of \$440 million. From that, we've looked at those which could not be swept or should not be swept and this is the list that we have come down to. And I understand about tough times. I mean, we've got... I have an empty steel mill as of two months ago. I have an empty factory which closed which was a manufacturer of concrete. My counties have 16 percent unemployment, the highest unemployment. People are hurting out there and what we're talking about are the dollars that are over and above what the agencies asked for. I don't like to do this, I would like to protect everyone of these funds, but I also have the choice of not taking oxygen from someone's grandmother, not forcing someone to a nursing home or making it a little bit easier. And that's what we're doing today."

Moffitt: "Representative..."

Speaker Madigan: "Mr. Moffitt, could you bring your remarks to a close."

Moffitt: "Certainly will, Speaker. A minute or two or what are you thinking?"

Speaker Madigan: "Yeah, sure. Proceed."

Moffitt: "Representative, I... I appreciate and I... I know your commitment to public safety, too, I really do. We work together all the time."

Speaker Madigan: "Mr. Lyons in the Chair."

Moffitt: "But we're talking about... there are some things... you... you used example of oxygen. We're talking about the people that have to wear oxygen every day to come in and try to protect our property and our lives and rescue people out of

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buildings and we're cutting funding to them. We're reducing their chances of being properly trained. This is not a place that should be cut. You talk about problems, the day you call 9-1-1 and well, the fire truck's broke down. Didn't get the loan to get the good truck. I mean, we're talking serious problems and more so downstate. So, I just think this is one that should not have been cut. There's another one, wireless carrier reimbursement 13,650,000. I believe that was going to go to our local 9-1-1 boards to get better equipment to bring them... give them the technology they need. And if... if that's swept, I'm concerned that there's not going to be enough there. So, I just think we should have a trailer Bill to either exempt this even with an Amendment or of the trailer Bill. Priorities, I can't think of anything higher priority than to... to try to improve public safety, save lives and save properties."

Mautino: "I... I know you're concerned..."

Moffitt: "I'd urge you to reconsider that."

Mautino: "...for the fire services as the rest of us do. And I hope the economy allows us to do that."

Moffitt: "Thank you."

Speaker Lyons: "Chair recognizes the Gentleman from Cook, Representative Will Davis."

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

Speaker Lyons: "Sponsor yields."

Davis, W.: "Representative, just very quickly. Obviously, on the analysis there are a number of funds that are swept."

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So, just so I understand, does the sweep take the fund to zero? Does it... does it take the fund to zero?"

Mautino: "No. And thank you for asking that. The agencies and the Governor has supplied us a list of the funds and we have millions of dollars in... that are held in these funds. We have funded 100 percent of the requests from those funds in this year. So, this does not take them to zero. You have a picture right now of the funds, but these refill and they empty throughout the year as people get fined, as people pay their licenses. Their dedicated funding sources do that. So, thank you for that question. It does not take them to zero. In fact, they all have 100 percent. And if we sweep too much, there's a mechanism to take that money back automatically."

Davis, W.: "Okay. And my... my last question is, is this and I'll use the term... is the... is the Bill fund specific? And what I mean by that is, as we've gone through this General Assembly many of us, myself included, have passed Bills to create additional funds. Now, while there's no money in that fund or may or may not be appropriated to that fund, but if beyond, in the beginning of the next fiscal year, if there's money appropriated to... to any of these funds that were created, does it automatically include those funds individually or is it just specific to the list of funds that you have here?"

Mautino: "Also another good question. If it was a new fund that has been created, there wouldn't have been a balance. So, that would not have been identified by the agency or the Governor's Office."

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Davis, W.: "And it won't get swept, excuse my terminology, swept into this list..."

Mautino: "Only... only the funds..."

Davis, W.: "...in the future, will it unless... that will take another Bill, correct?"

Mautino: "Yes, that's correct. And only the funds that are listed on this... on the Amendment itself are what you're voting on today."

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

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

Eddy: "Thank you, Mr. Speaker. Very quickly, to the Bill. Ladies and Gentlemen of the House, we could go through this... we could go through this list of fund sweeps and find something wrong with just about every one of them. You can look at... you can look at the Diabetes Research Check Off Fund, the Ticket for the Cure Fund, the Mental Health Fund. They're all egregious. The whole idea of taking money from dedicated funds to solve budget problems is an egregious thought because we know that it doesn't work. This is the same old tired song again and again and again. This is Filanomics, it's just another year. It's just another disingenuous way to fund State Government. Instead of facing our problems, we're just going to take money from dedicated funds. Representative Moffitt made a very good case for the fire service fund. You can make a good case for every single one of these funds, but the best case is to be made for the fact that this is the wrong approach. And the best proof that this is the wrong approach is that

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we've been doing it for 6 years. We keep digging the hole deeper and deeper, we don't do anything to fill it. And we come back every year and we take money from what are mistakenly called dedicated funds. There's nothing dedicated about these funds. We tell the people that there's are dedicated when they pay the fund. We lie to the people of the State of Illinois when we collect the fund and then we stick our hand in their pocket, we take it away and we pay for things that they weren't intended to pay for. That's what this does. You look through the list. There are funds here that every single one of you would be against sweeping. There's tourism funds, there's nursing funds, there are funds that every one of you on the other side of the aisle have fought for, but today it's going to be okay. You're going to rationalize and justify this practice. And you're going to do it because you're told we have to do it. There's another option. The option is to face this thing in an honest, forthright manner. But that's not Filanomics. Filanomics is fund sweeps, one-time revenue, smoke, mirrors, dogs, ponies. This doesn't... we can argue every single one of these. We shouldn't take the time to do it. Everybody knows where they are on fund sweeps. You're either for fund sweeps or you're against fund sweeps. If you're for fund sweeps, you'll vote for the Bill. If you're against taking money from funds that are supposed to be dedicated, vote 'no'."

Speaker Lyons: "The Lady from DuPage, Representative Patti Bellock."

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

Speaker Lyons: "Sponsor yields."

Bellock: "I wanted to ask about the Mental Health Fund because the Mental Health Fund, if I remember correctly, just in September was swept also. And this is double.. the amount here is double the amount of any other fund on here, \$24 million?"

Mautino: "I believe we didn't do funds sweeps last year. They didn't have authorization."

Bellock: "Oh, no. There was a fund sweep in the fall 'cause those of us who were in Human Services drove down here that day to try to restore the fund sweeps."

Mautino: "Your... would you be talking about the FY09 Budget Relief Fund?"

Bellock: "Yes."

Mautino: "If that is... if that is accurate, yes. And these funds have been identified as over and above 100 percent of their requests for this year."

Bellock: "Which of the Mental Health Funds has been swept?"

Mautino: "That would be... that is the Mental Health Fund is the proper legal name and description of that fund."

Bellock: "Well, there's the 718 Fund in that. Is this the 718 Fund?"

Mautino: "That I would have to hear from the agency who identified this fund."

Bellock: "Well, we would certainly like that information if possible? So..."

Mautino: "I'll get that to you."

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Bellock: "Thank you. How much is left in the Mental Health Fund that has been swept by \$24 million?"

Mautino: "Again, the... whatever is in those funds on today is a snapshot because they refill and they empty throughout the course of the year. That is the structure of these funds. And that's the ebb and flow. We've taken what has been utilized from those funds over the past 4 years, studied what the need is, the Governor identified that, it tracked with our numbers and this is what was determined as surplus. If this is too deep of a sweep into that fund, then there's an automatic drawback contained in page 11 of the Amendment."

Bellock: "So, you can't tell me how much is left in there and what percentage of the fund was taken?"

Mautino: "This would be the amount... and at this point, nothing from the fund has been taken. This would authorize quarterly increments, so it'd be 6 million per quarter... 6,100,000 per quarter from that fund over the course of the next four quarters. And that fund will refill and empty as it does. This is the money that has been identified as surplus dollars over what the agency requested."

Bellock: "I'd like to just ask one more question about the Tobacco Settlement Fund."

Mautino: "Yes?"

Bellock: "I think there's still something like \$230 million coming into the state every year in the Tobacco Settlement Fund? How much of that is left with just 10 million out of that? Is the rest of that all going to the Circuit Breaker Program? Has any of that been swept?"

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Mautino: "The dollars that have been identified here have not been swept. So, that's 2.5 million per quarter from that amount. As that... as that fund is requested, that will go on a quarterly payment. But the agency and the Circuit Breaker are getting 100 percent of their request. And if it goes below 100 percent of their request, then page 11 kicks in, the triggers kick in and that money is put back into the fund to pay those bills as they accrue."

Bellock: "Can I just ask one more, please?"

Mautino: "Certainly."

Bellock: "The Drug Treatment, is that the Addiction Fund that we've been receiving phone calls on for a week, that all of their money was being taken?"

Mautino: "I don't know the calls that you've been receiving, but that fund has been what's been identified. They have received 100 percent of their requested appropriation and this is the item that was left within the fund itself. So, the..."

Speaker Lyons: "Representative Bellock, your time has expired. He'll finish answering that question. Representative Mautino, if you want to finish your thought on that question."

Bellock: "Thank you very much. I appreciate your information."

Speaker Lyons: "The Chair recognizes the Gentleman from Winnebago, Representative Dave Winters. Representative Winters, you're up."

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

Speaker Lyons: "Sponsor yields."

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Winters: "Representative Mautino, I guess I've got one question. I don't know if you have the answer to this. But if we look at these funds in general, in the global sense, do you have any kind of a picture of what the total balance is, so that we can figure out what kind of percentage we're taking out of these? The total is 356 million, maximum that could be swept. Do we have an indication of what the overall balance? That's the question. And I... I know it fluctuates, I see the hand motion. It fluctuates throughout the year."

Mautino: "I'm getting that down pretty good."

Winters: "Yes."

Mautino: "Because the answer's always the same."

Winters: "We don't know at any certain... but there's got to be some kind of end-of-year balance that the Comptroller or the Treasurer would be able to tell us on these funds."

Mautino: "You can get a daily balance from the Treasurer and you can get them on the Web site actually right now. If each of the funds here... and as I said, has been identified once we have given them 100 percent, their full appropriation, what they've asked for, these are the amounts over and above. And..."

Winters: "Okay."

Mautino: "...that's... that's how we came up with them. And actually we put about 60 million as untouchable because... realized those would be a problem."

Winters: "Okay. The quest... what I'm trying to drive at is, how much revenue is coming in to refill these funds? Are we taking a full year's refill? And what do we do next year?"

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What I'm trying to get at is, what do we do next year? Is... is the refill of these funds each year going to be... amount to this or are we going to find at the end of this fiscal year, you swept all these funds, you've driven the balance down to where what is left is what is necessary to operate that fund, which I believe is what you said. You've got clawbacks in here, so that if we draw down too much, money can be put back into replenish that particular fund if it's necessary for that fund's purpose. What do we do next June 30 if we've driven the balance... the budget down, there's no more balance available, what do we do in next year's budget?"

Mautino: "These funds will refill themselves as they have done. And we will look at the appropriation level from each of the agencies that utilize them. And then if they identify less surplus next year, we will use less surplus. If they identify no surplus, then funds sweeps would not be option then."

Winters: "All right."

Mautino: "That's... that's just..."

Winters: "Are these..."

Mautino: "...a function of the economy. These funds produce \$440 million more than they'll be using this year, all of them taken together."

Winters: "Okay."

Mautino: "And there's actually more funds than that, but those are the ones that the Governor wanted to make sure that we didn't have adverse reactions or implications on other dollars."

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Winters: "If... if what I understand you to say then, in summary, we're getting \$440 million new addition, round numbers, to these funds that we've selected, out of that, we're going to pull about \$350 million out and transfer to GRF?"

Mautino: "That's not correct."

Winters: "Okay. Correct me."

Mautino: "The surplus, the money over and above 100 percent of what the agencies have requested is a number over \$440, million."

Winters: "Okay. Then let me rephrase it. What you're saying is we are putting on fees and taxes on these specific segments of our... of our state economy that raises \$440 million in this next fiscal year over and above the needs of those industries that would be appropriated out of these dedicated funds? And that 440 million is flowing in, is more than is necessary for those funds, so we we're going to take 80 percent of it, rough numbers, 80, 85 percent of it and transfer it into GRF. We're putting fees on funeral homes, on hunters and sportsmen, on all of these, you know, hundred different elements of our society. We're saying, you need to pay this fee. You need to pay this license, you need to pay this tax and that's raising \$440 million more than is necessary for the purpose of that dedicated fund?"

Mautino: "And to your question and the representation, these are not all fees. There are some fees, there are fines, there are other streams of revenue that are out there."

Winters: "Okay."

Mautino: "And..."

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Winters: "There are transfers from the pocketbook of a citizen into the pocketbook of State Government and it is for some specific purpose. If it's a fine, it goes into that fund."

Speaker Lyons: "Representative Winters, your time has expired. If you want to conclude your remarks in a minute or so, please. We'd like to move on."

Winters: "Thank you, Mr. Speaker. Very quickly. What I'm trying to point out is that we're transferring funds from the public... from the private citizens to the public for specific purposes and then we sweep it every year. We should be reducing the fees, reducing the fines, reducing the license. Let people keep that money in their pocket instead of every year coming back and reaching in under the subterfuge that we're doing it for that specific purpose when, in fact, all we do is we want to build government with the money out of their pocket. Thank you."

Speaker Lyons: "The Lady from Cook, Representative Mulligan. Rosemary."

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

Speaker Lyons: "Sponsor yields."

Maution: "Yes."

Mulligan: "Representative, I don't envy your job tonight. The Nurses Dedicated and Professional Fund, which is \$9.9 million, a few years ago we made a deal with the nurses to raise their fees and more money would go towards scholarships. Is there any money left in that fund for scholarships?"

Mautino: "Yes. Whatever they requested was funded."

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Mulligan: "Whatever scholarships were requested? How about the coming year? I don't understand why you don't know..."

Mautino: "What... whatever anticipated expenditures from that fund that they requested were... that were accounted for to it were funded."

Mulligan: "So, what's left in that fund?"

Mautino: "The day to day balance, I couldn't tell you. It's on the Web site of the Comptroller. But what we're talking about is the amounts over and above that. And this has been identified as surplus. If we sweep too much, there's a trigger mechanism on page 11 that will draw that money back in."

Mulligan: "Don't you think it would be appropriate for tonight's presentation for you to know what's in the fund, what you've swept and what's left?"

Mautino: "I... I actually know what these line items are for it and the categories as they're detailed within our budget Bills as they've been identified by the Governor and by the agencies through their requests. And this is what they've told us is over and above what they need in one of the most difficult years since the 1930s."

Mulligan: "Do you know if this hampers the signing bonus for the nurses that we were trying to get into the veterans' homes?"

Mautino: "Excuse me?"

Mulligan: "Last year..."

Mautino: "Apologize, someone was..."

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Mulligan: "...we looked at having signing bonuses for nurses that would work at the veterans' homes. Does this sweeping of these funds hamper that?"

Mautino: "If they have requested that in their budget or appropriation requests, it would not. I don't know whether that is in there or not, but my guess is we probably... given the \$8 billion shortfall in general... in the Human Service General Fund appropriation lines that'll need to be cut if we don't locate new revenue. I'm guessing they're not asking for signing bonuses."

Mulligan: "On the Diabetes Checkoff money, don't you think it's illegal to take taxpayers' money that they took off their income tax on a checkoff fund that they expected to go to diabetes research? Who is going to use a checkoff any longer if we sweep the fund?"

Mautino: "Again, this is suggested by the Governor's Office at a level above what they plan to appropriate and use for this year."

Mulligan: "Do you think you'd like to pass for the Bears? That's pretty good passing off. Ticket for the Cure, is that..."

Mautino: "I'm a southpaw anyway, but go ahead."

Mulligan: "Yeah, they could use a lefty. Ticket for the Cure, is that the lottery for the breast cancer, \$1.2 million?"

Mautino: "That is one of the lines within the lottery that they're... is over and above what they're expecting for payouts."

Mulligan: "Well, since it didn't go to school funding and a lot of us were concerned about changing lottery tickets, but

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they went because it was breast cancer and now we're sweeping the fund, I think it's pretty hard then to say how concerned you are about breast cancer if you vote for this. How about the Marine Corps Scholarship Fund? That was swept also, which seems strange from the Governor's..."

Mautino: "Excuse me, could... I apologize. Joe, could you wrap the gavel there? I can't hear the specific funds."

Speaker Lyons: "Ladies and Gentlemen, a lot of noise on the floor. If we could bring the noise level down, please. Ladies and Gentlemen, bring the noise level down. Thank you."

Mulligan: "You swept the Marine Corps Scholarship Fund?"

Mautino: "The amounts that were over and above what they were going to give out this year. And these lines, like all other lines... and Representative, there are no comfortable lines within that budget nor are there any comfortable cuts anywhere. We have done our best and funded 100 percent of the requests, as we've done throughout the years. This is available; it's been identified to help fund some of the needed human services."

Mulligan: "Fine. We've run out of time and certainly the state has, too."

Speaker Lyons: "The Chair recognizes the Gentleman from DuPage, Representative Reboletti."

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

Speaker Lyons: "Sponsor yields."

Reboletti: "Representative Mautino, to the right. Thank you, Sir. The Auditor General is going to lose about \$6 million. Has anybody from your side of the aisle talked to

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him to see what his thoughts were on cutting money from his budget or taking money out of his with this funds sweeps?"

Mautino: "I chair the Audit Commission and have been on there for 15 years and have run that and I know that function better than... than most the Members in this House, other than my comembers. That, again, is a difficult.. all these are.. are difficult. That is money over and above what he will use for the audit expense fund for this coming year. He's identified an amount and that's a surplus. Do I like to take it? No. However, if our needs are as great as they are and we're looking for revenue sources and we fund 100 percent, everything that's been requested, this is where we are. So, I do know the Auditor General. I know this fund better than most. It is surplus and if we cut too far, the triggers will put it back."

Reboletti: "Representative, I... I appreciate your response and I know that these are very difficult, but to the sweeps, Mr. Speaker. I... I think some of these sweeps are.. are extremely breathtaking in their nature; money from child abuse, from domestic violence funds, from the Illinois State Police, for law enforcement. We've debated tires on this floor and then we sweep \$8 million from the tire fund from the EPA. So, it's amazing at some of this things that we do here. We've obviously taken care of the drug problem, four and a half million dollars. I have serenity House in my district, the halfway house, and they were very concerned about their funding, but it doesn't matter. We'll sweep these funds. Obviously, we have too much money. We'll just use it for something else. I think this

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is a disgrace. But... and for those of you who are concerned about FOID cards and if they're in the wrong... if people can buy guns and they're not... you know, they're not valid cards, we don't need an extra \$250 thousand to make sure that the FOID cards that people have are valid. So, with that, I would urge a 'no' vote, Mr. Speaker."

Speaker Lyons: "The Lady from Cook, Representative Suzie Bassi."

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

Speaker Lyons: "Sponsor yields."

Bassi: "Representative, I noticed that you're... you're sweeping \$46 million out of the tourism fund? We have four tourism funds: the Illinois Tourism Tax, International Tourism, Tourism Promotion and Local Tourism. Does that mean that..."

Mautino: "That's a... that's a total of four funds. I apologize, just the level of the noise."

Bassi: "Yeah. It's four funds and the total..."

Speaker Lyons: "Ladies and Gentlemen, if we could please bring the noise level down. Representative Bassi's asking questions and Representative Mautino... Representative Mautino can't hear them. Suzie, wait a minute. Shhh. Chuck Hartke taught me that 10 years ago. Representative Bassi."

Bassi: "Thank you, Mr. Speaker. Yeah. Representative, I'm looking at four different funds that affect the tourism industry. It's \$46 million and I'm... I recall that that... that amount, generally speaking, is used in order to make additional dollars. Every dollar that the tourism industry

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spends brings in several times that amount in tourism industry. Is that over and above what they've requested?"

Mautino: "Thank you for the question. Yes, it is."

Bassi: "Okay. Thank you very much."

Speaker Lyons: "Anyone further seeking discussion? Representative Frank Mautino to close."

Mautino: "Thank you. Ladies and Gentlemen of the House, I'd appreciate an 'aye' vote on Senate Bill 1433."

Speaker Lyons: "Ladies and Gentlemen, the question is, 'Should Senate Bill 1433 pass?' All those in favor signify by voting 'yes'; those opposed vote 'no'. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Mr. Clerk, take the record. On this Bill, there are 66 Members voting 'yes', 51 Members voting 'no', 0 voting 'present'. This Bill, having received the Constitutional Majority, is hereby declared passed. Clerk, what's the status of Senate Bill 1197?"

Clerk Bolin: "Senate Bill 1197, a Bill for an Act concerning appropriations. The Bill has been read a second time, previously. No Committee Amendments. Floor Amendment #1, offered by Representative Currie, has been approved for consideration."

Speaker Lyons: "The Chair recognizes Democratic Majority Leader, Representative Barbara Flynn Currie."

Currie: "Thank you, Speaker. Earlier in the season we appropriated education money so that we could capture federal stimulus dollars, Medicaid money for the same reason, bare bones operations so we can keep the doors of government working on open... on July 1 and thereafter,

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funding for the work force and federal funds, including special funds. Those Bills have now passed the State Senate. When we finished that activity, we were \$10.5 billion short of the budget level that was introduced by the Governor. And we had available to spend, 3.5 billion. That left us with a \$7 billion hole in our budget and in fact, that hole would have meant that we'd have been lucky to be able to fund the rest of State Government at 32 percent of the Governor's introduced level. Because of our action today on the last two Bills, because we decided to use proceeds from funds that didn't need those dollars and because we decided to restructure State Government debt, 600 million for the one program, 350 for the other and some additional federal funds that are available, instead of being stuck at a 32 percent appropriation level for all the others agencies of State Government, we are now in a position to say we can at least... at least provide them with 50 percent of the Governor's initial offering. That's what Amendment 1 to Senate Bill 1197 would do. It would provide funding for those agencies of State Government, not good enough by any means, but better than 32 percent and better than nothing. I urge your approval of Amendment 1 to Senate Bill 1197."

Speaker Lyons: "Is there any discussion? Representative Hamos, you have your light on, would you like to move the... can we move the Bill to Third and discuss it on Third or do you have a question on the Amendment? Okay. No one seeking recognition, the question is, 'Should Floor Amendment #1 to Senate Bill 1197 be adopted?' All those in favor signify

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

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

Clerk Bolin: "Senate Bill 1197, a Bill for an Act concerning appropriations. Third Reading of this Senate Bill."

Speaker Lyons: "Representative Barbara Flynn Currie."

Currie: "Thank you, Speaker. I think I explained it pretty well on Second. And I'm happy to answer your questions now that we're on Third."

Speaker Lyons: "Representative Hamos."

Hamos: "Yes. Question of the Sponsor... questions."

Speaker Lyons: "She awaits your questions."

Hamos: "So, Representative Currie, this funds our vast education and human services network at what percent, about 50 percent?"

Currie: "Well education much of that money already has been approved by us and by the Senate, but... and Medicaid of course because we've added money to that program so we could capture federal stimulus. But for the rest of the activities of State Government, we're talking 50 percent of the Governor's introduced level. Not good enough, but all that we have available to spend at this moment given that we were able to add some almost billion dollars to our general funds availability just a few moments ago."

Hamos: "Well, wait... but... but can I also ask a question about education? Because as I read one of the voluminous forms

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or memos that we got from the Leadership in the past week, education grants actually for State Board of Ed... Board of Higher Ed, Community College Board and the MAP Program, a grand total of those were 1.7 billion. So, we haven't funded those yet. What percent of those would be funded under this, about 50 percent also?"

Currie: "Yes. As I understand it, we're talking about 50 percent of those things left unfunded after the first round of budget bills."

Hamos: "Okay. So, Representative Currie, there seems to be a little bit of confusion that if we fund our entire education, well again, education's a little bit different I understand that, but if we fund the human services system at 50 percent only today, that somehow that means that we have a 6-month budget?"

Currie: "That is not the intent behind this measure. The intent is to say, if this is all we have to spend in the next fiscal year, here it is. I am hopeful we can do better before we finish the Spring Session, but it would be irresponsible to walk away leaving nothing in the state coffers. The Governor would presumably have to manage these dollars. It would be no easy task, but it is not the intent to say this is half of your funding. This is all the funding that today we have available to spend in the next fiscal year."

Hamos: "Well, again, so this is not a 6-month budget, Ladies and Gentlemen. This means that I would assume by the beginning of the fiscal year every one of the human service agencies that get grants from the state will receive a

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notice that their budget has been reduced by 50 percent for the coming year and that will in fact create a major crisis throughout our state. Now, this is May 30. Does this budget that we're about to vote on presume... why are we doing this before we've even tried to do an income tax? Let me ask that question."

Currie: "I would say we're doing this in part of the Governor's behest and in part to make sure that we actually put something on his desk before we leave this Spring Session. I don't think we can afford to wait. I don't know how many caucuses we're going to see tomorrow in this chamber and I would say this is a way of putting something in the bank in case chaos prevails on Sunday."

Hamos: "Well, chaos... chaos. Okay. So, let me talk about chaos for just a moment. Because we never know what the agenda will necessarily be from one minute to the next, one of the Bills that we have not yet voted on are the leftover capital funds that might have about a thousand earmarks in them for our individual capital projects for our districts. Is that right?"

Currie: "I believe that's accurate."

Hamos: "So, at the same time, Ladies and Gentlemen, that we are going to be voting on a Bill, right now, that completely decimates our human services system, seemingly, it is our intent that we're going to vote on a Bill that... that... that authorizes a thousand earmarked projects for our own districts. And I would say to you, Ladies and Gentlemen, that that is not appropriate at this time. It's unseemly and I believe that we should consider this whole agenda

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together before we vote on this Bill. And I would actually encourage people to vote 'present' at this time until we have a better sense of what other possibilities there are before we send a message back home that the most vulnerable citizens in our state might be left truly high and dry in one.."

Speaker Lyons: "The Gentleman from Crawford, Representative Roger Eddy."

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

Speaker Lyons: "Sponsor yields."

Eddy: "Representative, I want to take a crack at the education stuff again to characterize it. Last... last week or the week before we passed a Bill that would fund the foundation level... it would fund the foundation level at \$231 and mandated categoricals..."

Currie: "Above..."

Eddy: "...at 100 percent?"

Currie: "...yes."

Eddy: "And it was made up a lot of federal stimulus money that was back filled, maybe to about a billion dollars of that, was back filled with federal stimulus. So, this does not in any way affect education regarding general state aid payments for foundation level or mandated categoricals?"

Currie: "You are correct."

Eddy: "So, what's left in the education portion of the budget, I believe, is about \$920 million worth of programs to be funded, grant and other and we have, I think, in here about \$500 million to apply toward the nine hundred-plus million?"

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Currie: "That's... that's close. Four hundred and fifty million, more likely, but you're close."

Eddy: "Okay. So, there's nothing in here that specifies that the... the percentage that is calculated by what's available and what's needed that that percentage is applied to every single one of those line items..."

Currie: "No, this is not a line item budget. This is lump sum budgeting because we are looking at such a serious reduction in funding, it seemed especially important to give maximum flexibility to the managers of our state agencies."

Eddy: "So, in the case of the education budget and likely the rest of the budgets, it's really kind of going to be up to the Governor's Office and the state board in this case, I guess, in collaboration to decide which of those line items will be funded and to what percent?"

Currie: "Yes. But I would also think that Legislators might want to be in discussion with those agencies to give a sense of our individual priorities."

Eddy: "Well, and probably in some cases because of federal matching funds that I can think of in education, career and technical education line item, they're probably going to want to fund at a certain level to get the federal match. Depending on what it is, that approach is probably going to be taken. I'm guessing they don't want to give away federal money?"

Currie: "Exactly. And that's why we're giving them that flexibility."

Eddy: "Okay."

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Currie: "We would hope that they would want to spend money in those programs that would bring back money to Illinois."

Eddy: "Okay. So, the characterization that I... that I just laid out for the education budget exists in all of the other departmental budgets to the same degree?"

Currie: "Yes, to the same degree."

Eddy: "We... we simply are approaching this, at this point, this Bill's approaching the problem as here is how much revenue we believe there is and do with it as you will, but without additional revenue sources. Does this include the funds that we just voted on?"

Currie: "Yes, it does."

Eddy: "Okay. So, the fund sweep..."

Currie: "In fact, that's how we were able to go as high as 50 percent."

Eddy: "Okay. The fund sweep money and the bond authority or the... refunding of bonds kind of created the percentage?"

Currie: "Yeah. We believe that was about 600 million and then the sweeps were worth more."

Eddy: "Okay. Thank you. I appreciate the answers to the question. Very, very quickly to the Bill. Ladies and Gentlemen of the House, the fact of the matter is this is where we are. This is, as the kids say, is what it is. Now, I don't like how we got here. I don't think anybody likes how we got here. We've been standing and talking about this day for a long time. We've talked about the day coming when we weren't going to be able fund programs because we grew those programs beyond our ability to pay for those programs. We have used one-time revenues, we've

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used fund sweeps, we've used budget gimmicks for 6 years. We've talked about the cliff, we've talked about the fact that we were going to get to the point where we could not fund our government at the rate that it was growing. The day is today. This budget reflects 6 years of irresponsibility, 6 years of budgets that were not balanced, that were gimmicks, they were tricks. And we've got to this day because of... of a... a basic problem with... with budgeting, not being able to govern, not being able to put together a budget that was balanced. The chickens have indeed come home to roost. We are here tonight because of the budget problems of the last 6 years. This is a terrible place to be, but it is what it is."

Speaker Lyons: "The Gentleman from Lake, Representative Sullivan."

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

Speaker Lyons: "Sponsor yields."

Sullivan: "Representative, we were having a discussion on this side. Did we hear that... what position has the Governor of the State of Illinois taken on this very piece of legislation?"

Currie: "It... the... this is not the budget he proposed, but he was... his people were in committee this evening supporting this effort."

Sullivan: "So, the Governor through his staff in committee filed a slip in support of the measure we have before us right now?"

Currie: "Proponent."

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Sullivan: "Thank you. In committee we talked a little about this and I want to bring it to the Body's attention. You've decided that we're going to fund things at 50 percent 'cause we have certain moneys that we just passed and so that's the general idea. Now, that includes what we passed last week on the supplemental moneys that included some federal pass-through and some federal stimulus money, is that correct?"

Currie: "That's correct."

Sullivan: "So, it just seems a little odd that we would just pick this arbitrary 50 percent for every agency. So, we're not actually going in to see where the... where the fluff is, where the fat in the budget is, we're just saying, go ahead and here's 50 percent, you make it up on your own."

Currie: "No. What we're doing is 50 percent of the level the Governor would have funded each agency."

Sullivan: "And that agency is just the grants. We're not talking about staff right now are we?"

Currie: "We're talking about the... the other funds, grant funds, not federal funds, not basic work force funds."

Sullivan: "So... so, we've protected every union job, every state agency job..."

Currie: "No."

Sullivan: "...at this point? And I realize that the Governor could choose to not fund..."

Currie: "Yeah, exactly."

Sullivan: "...those positions."

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Currie: "Exactly. And that's a very important item. We did that so that we, again, gave the Governor maximum flexibility."

Sullivan: "At this point there's been no union..."

Currie: "He's got total..."

Sullivan: "...no union negotiations to change any union contracts in trying times like this?"

Currie: "He... but he still has total authority to do layoffs and certainly he is able, if the union is willing, to reopen the contract."

Sullivan: "Thank you. To the Bill. Ladies and Gentlemen, in committee we talked about who's responsible for this debacle we see before us. The reality is and the... and the speaker before us said that... the Sponsor I should say, said that the Republicans were at the table when these negotiations were going on. Well, Ladies and Gentlemen, being in the same room and at the table are very, very different phrases and have very, very different meanings. We were not at the table at this. This is not something that we have knowledge of. This is something that has been rammed down our throat like every year, year in, year out. This is what we're going to pass, sign on, don't sign, on we don't care. That's what's going on right now. We don't care. Thank you very much."

Speaker Lyons: "The Chair recognizes the Lady from Cook, Representative Rosemary Mulligan."

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

Speaker Lyons: "Sponsor awaits your questions."

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Mulligan: "Representative, so by doing the lump sum to the Governor, what do you hope to obtain? You say you're giving them flexibility?"

Currie: "Yes."

Mulligan: "Doesn't that kind of sound like last year?"

Currie: "Excuse me?"

Mulligan: "Last year you gave... let's go to the Bill. In the words of the great Yogi Berra, déjà vu all over again. I mean, quite frankly, this is what happened last year. The evil Darth Vader or Blagojevich was handed a budget off by the Speaker that was unbearably bad. It overspent and then they let him cut so that he would look bad as opposed to maybe the House Democrats or the Senate Democrats or the rest of us. And then what happened was, that was actually a flaw in how we would do budgeting. And then we had a bad economy. This year we're doing the reverse. We're handing off a budget to the agent Luke Skywalker or the new Governor Quinn saying, here, it's too little; now, you figure out what to do. All of this to protect politics as opposed to the people of Illinois. This is a really bad budget. If we had started working on it together at one point where everybody had been involved and invested we might have been able to come up with something a little better. And people that were more invested in voting for things that would have solved the problems of the state. But since it's not the goal of some of the Leaders here to solve the problems, but they only create political problems for Governors, as we move forward, this is a really bad budget once again. It throws into this Governor's lap.

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And now we have all kinds of Bills here, there and everywhere coming out of the Senate and coming over. And the people that are suffering are the lump sum people who are not going to get their grants, whose contracts will be up. If there's no other money, the fiduciary responsibility of non for profit boards will be to cut the services and not have those agencies stay open. We've done it to DASA, not we're moving to other areas: the developmentally disabled, the mentally ill, the aged, people that take care of the aged. This is really a really bad way of doing budgeting, but I take it that it's a way of dumping it in the Governor's lap and making him look bad instead of taking everybody together to work on a budget to come up with something that's tenable for everybody that helps the people of the State of Illinois. It really is déjà vu all over again."

Speaker Lyons: "Representative Ron Stephens."

Stephens: "Thank you, Mr. Speaker. I yield my time to Representative Hamos."

Speaker Lyons: "Representative Elaine Nekritz."

Nekritz: "Thank you, Mr. Speaker. There's a lot of discussion about human services in this debate and I don't want to... I certainly don't want to... I have no intention to minimize that, but there's lots of other things in this... in this... in these cuts as well that will be impacted. And that... that's... there's something in here that I think Members on both sides of the aisle care a lot about. And it's not... in the grand scheme of things it's not that... not all that much money, but it does provide a lot of economic development

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for communities all around this state and that's the AMTRAK service that runs. And we do subsidize that through a grant program. And cutting that \$28 million out will essentially end that service. We'll go back to where we were four years ago where we had one train a day round trip to Quincy, one... one train a day round trip to Carbondale and only two to St. Louis. So, I think that's a significant loss. There's also grants in here for the elderly, handicapped and students for... through the Regional Transportation Authority, another transportation hit. There are tax rate refunds in here. So, it isn't just about human services. But... but the human services component is, I think, the most... the most significant and where... where it... it hits the most at... at our hearts. These programs for just... let me give you just one example, which is grant funding for the developmentally disabled. There are 15 thousand citizens of the State of Illinois who are developmentally disabled right now who are awaiting services, they get no services at all right now. And by further cutting these grants we are going to be forcing agencies to close and we will have... I can't even bear to imagine what would happen for those... with those people that are getting the services when they are put back out on the streets. I... I... this is such a serious matter that I can't imagine... I just... I hate to see what the State of Illinois will look like if we do this. I urge a 'no' vote."

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

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

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Speaker Lyons: "Sponsor yields."

Winters: "And I've... I've just been engaged in across the aisle debate with Representative Davis. So, the... the question I have is, as I understand the Bill, laymen that we're appropriating here about 5.565... five and a half billion dollars spending authority for the Governor. My understanding in conversations last week with the Speaker was that we only had unappropriated revenue of approximately three and a half billion?"

Currie: "That is right. And that would have funded these same programs at about 32 percent of the Governor's introduced level. Because of the decision to use available funds... special funds and the decision to restructure state debt we can now appropriate up to 50 percent of the Governor's introduced level."

Winters: "So, the way I understand it though we... we swept about 350 million and we got roughly 200 million in the refinancing."

Currie: "Six hundred million."

Winters: "Six hundred million. I... okay."

Currie: "And apparently there were some federal funds that we had not properly accounted for in the Governor's introduced budget."

Winters: "Okay. Well, I'm just doing round numbers. Five and a half spending, we had three and a half available revenue, we added three hundred and fifty from the sweeps, another six hundred million through the refinancing. It's about a billion; just to get it in round numbers. We're still a billion dollars short?"

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Currie: "Yes."

Winters: "So, we don't have the revenue to match this Bill?"

Currie: "Well, I think if... I think if you..."

Winters: "Is one of the sources..."

Currie: "...if you take... if you take the... the federal funds, and again these are all estimates, but we think we do have close to that... close to..."

Winters: "You think there's a billion dollars of... you've identified of federal funds that we had not accounted for in the Governor's budget? That's an awful big discovery. I would have thought there'd be headlines in the paper. We've got a billion dollars more."

Currie: "This is... this is up to that amount and we think that there will be that much money available. After all, the capital plan will go to work, bring people to work, fill the state coffers. We think there may be more money out there than... than just what we did a few minutes ago."

Winters: "I... I... I'm sorry. Could you... could you... I missed that all. I couldn't hear any of your words."

Currie: "Okay. What I said was that we have some of these additional federal funds and it may well be that because of the capital stimulus we will end up having more money in our usual funds than we had so far anticipated."

Winters: "Is that basically the... the capital stimulus coming from the Federal Government that we're going to have more..."

Currie: "Well, no and from..."

Winters: "...employment... employment taxes, things like that is what you're accounting for?"

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Currie: "And... and from the capital measure that has passed this Assembly."

Winters: "Okay. Well, I guess what I was worried, when I initially thought that you might be considering a trailer Bill or a... a Bill that would come down the pipe tomorrow, since that's kind of the end of the Spring Session, that would short the continuing appropriation that we have for our pensions. Is... can I take it that that is not your intention? That you..."

Currie: "It is not my intention."

Winters: "That we would anticipate making the full pension payment this year?"

Currie: "That is my understanding. We voted that way just the other day and of course it is a continuing appropriation, if we do nothing it will happen."

Winters: "Right. That's... that reassures me to some extent, but believe me if I find out tomorrow that we're shorting the pensions, I will be very disappointed. That is one of the... the elements that we have used repeatedly in the last 6 years. And I would point out to the public that we again are shorting or excuse me, we are sweeping dedicated funds. We're looking under every rock that we can find in the State of Illinois and we keep hoping to find dollar bills under there. What I'm afraid of is we're not going to find it when we go back there in the... when the stimulus Bills, the stimulus package from the Federal Government disappears. We're going to turn over every rock in the State of Illinois and we're going to come up \$2 billion short. It's a cliff that is looking us in the face, we

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basically pushed it off to the future. We're counting for enormous growth in the economy when at the same time proposals coming from the Senate raise taxes on Illinois corporations, it raises taxes on Illinois businessmen. Those taxes that we're taking out of their dollar... out of their back pocket would have been used to create new jobs in Illinois. We have seen this state rank almost at the bottom of the state tables as far as job creation. We've seen out migrations, 75 thousand people a year over the last decade. Three quarters of a million people are... have left our state, net out migration because of our tax policies, our antibusiness policies. We're building our budgets on a foundation of sand. It's not a solid foundation. This budget will collapse just like last year's did. And I simply... I bow my head..."

Speaker Lyons: "Representative Winters, your time has expired. The Chair recognizes the Gentleman from Vermilion, Representative Bill Black."

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

Speaker Lyons: "Sponsor yields."

Black: "Yes. Representative, there is a amount of money being spent in here, I'm not sure I understand perhaps you can enlighten me, as you often do? We appropriate \$1.9 million to Healthcare and Family Services for legal fees associated with Caro V. Blagojevich lawsuit? Is that the lawsuit on FamilyCare or KidCare?"

Currie: "It... it is and that was in fact the... the... this is part of the supplemental spending that is part of Senate Bill

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1197. It also includes full funding for the Court of Claims for a line of duty claims involving people who... who have been killed in the adventures..."

Black: "Well, those... yes."

Currie: "...in Iraq and Afghanistan. So..."

Black: "I understand that. That was an excellent..."

Currie: "Right."

Black: "...program and I'm glad that it's fully funded. Those people have earned and deserve our respect and their benefits. How much more are we going to have to pay for this lawsuit created by our former Governor? Do we have an upper limit?"

Currie: "I believe this is it. I believe this is full funding."

Black: "Oh, okay. Okay. He's kind of the gift that gives on giving, you know? Let me... let me just ask you a question about HFS. The budget as introduced by the Governor was almost \$4 billion and they're going to get about 50 percent of that. And I don't remember, the Governor has said something... my fear is... two questions. My fear is, number one, there are 15 people in that department that make more than \$100 thousand a year. Has the Governor or can the Governor freeze those salaries?"

Currie: "Well, the Governor we know is in a position to make decisions about maintaining or not retaining some of those employees, but I believe some of those salaries are set by statute."

Black: "Would you entertain a... an Amendment on its face to change the statutory level of some of those figures?"

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Currie: "No."

Black: "I didn't..."

Currie: "No, but I'd welcome... invite you to introduce a Bill that might do just that."

Black: "I will run down to LRB as soon as you and I are through. The Department of Human Services has several people also making over \$100 thousand a year and as I remember from the appropriation figures some of them were in line for 6, 8, 9 thousand dollar salary increases. So, the second part of my question is this, of the \$1,981,000,000 going to Healthcare and Family Services, how much of that is just to operate that bureaucracy and how much of it will be handed off to community based organizations that generally get into providing the actual services?"

Currie: "Much of it goes to community service agencies. Let me just say that... that when it comes to the salaries we do not appropriate those separately. And while the secretary, the cabinet level person and maybe the assistant is set by statute, the rest are not. And I think the Governor would have quite a lot of flexibility should he decide to make some changes in pay scales."

Black: "Okay. I know we're in a difficult position and you may not be able to answer this because of so many variables. The largest human service agency in my legislative district serves 5 thousand clients. Mental... those with... who are mentally ill, those with developmental disabilities, family problems, alcohol, drug abuse, all kinds of issues and they do a very good job and they have wonderful audits. Last

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year they had contracts with state agencies, I may be off a little bit, but I think they totaled around 7 million. Of course, they didn't get all of that money because of the slow down and slow pay, but what could I tell them tomorrow to expect, half of what they go the year before?"

Currie: "I think that we will be letting agencies know, community agencies know that they can expect exactly that and that we are hopeful that those agencies will have private funding, insurance funding that will enable them to keep their doors open. But I can't guarantee with funding at this level that we can guarantee those doors will stay.."

Speaker Lyons: "Representative Black, your time has expired. We'll give you another minute to conclude your... your question."

Black: "Yes. If I could just ask two other questions? And I... I don't understand either one of these. When you look on this breakout list, you see IDOT on the list for about 66 million. Is that GRF dollars that... that help to operate the agency?"

Currie: "I believe some of it is and there may also be some grant programming in there."

Black: "Okay. Maybe that's something you and I could work on to wean them from some of that GRF money. The last question I have, and I remember this debate coming up over the years, the Chicago Teachers Pension will receive 37 million which is half of what they are eligible for. Is that because of the change in the law we made for letting them draw down some of that pension contributions for health care?"

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Currie: "No. Traditionally, we've given them 65 million which I would say is not what they are owed. The statute actually suggests we might give them more than that. And then there is additional money that they do automatically get as a result of statute when we made a change in the benefit formula some years ago."

Black: "Okay. I... thank you very much, Majority Leader and... and Mr. Speaker, I won't take any more time, you've been very kind. But I... I just looking at the people who signed into committee. And... and she has already answered. The only person who signed in in favor was the office of the Governor. But some of these, if you'll just bear with me for 30 seconds, who did not: the AIDS Foundation of Chicago, the Ounce of Prevention Fund, the SEIU Health Care Organization and I could go, you get the idea. The Primary Healthcare Association, obviously, I think they're concerned about what the grant levels will be for the actual... that's where the rubber meets the road. That's where the people deliver the services and if those cuts are dramatic and drastic then it's people in all of our communities who will come to our district offices and say, what... what do I do now? I know we're in a difficult time. I know that a lot of this was not of our... our making. Some of us last year tried to say where we were headed. And so we'll... we'll see what happens. Thank you."

Speaker Lyons: "Representative Ramey."

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

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

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Ramey: "Thank you. Just a couple things, just kind of clarify. I think a lot of the questions I had have been answered. I just want to just clarify in my own mind. What we're doing here this evening with this Bill is kind of covering the rest of the Governor's proposed budget 'cause we passed some Bills last week?"

Currie: "What we're doing, Representative, is spending what we have left."

Ramey: "What we have left? So... and what you're..."

Currie: "We are... we're spending all that we as of today to fund State Government in the next fiscal year."

Ramey: "Correct. So, and we're about 50 percent funding, correct?"

Currie: "Fifty percent of what the Governor proposed."

Ramey: "And do you have any plans to make up that... the rest of that funding?"

Currie: "Well, I'm hopeful that there will be opportunities for additional revenue generation on this House Floor tomorrow. There are several proposals that are alive and well that would deal with... with helping precisely the agencies Representative Black expressed concern about."

Ramey: "Absolutely."

Currie: "Do a better job for them. And I'm hopeful you'll agree with me that we need to find those revenues so we can do a better job for the elderly, for the disabled, for mass transit and for rail. But in the meantime..."

Ramey: "Did the Governor propose a balanced budget?"

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Currie: "I believe that when he introduced it, it was thought to be balanced because he proposed some additional revenue as well."

Ramey: "Cause that was an agreed.. I mean, that's our law, right? We have to have a balanced budget? Did that cover the 12 billion that's shorted from last year's budget and proposed next year's budget, the \$12 billion shortage?"

Currie: "I'm sorry, I didn't understand that?"

Ramey: "The.. there has been estimated \$12 billion short.. budget shortfalls."

Currie: "Yeah. So, there.. there was a shortfall in the current year as well."

Ramey: "Correct. So, that budget didn't cover any of that, is that correct?"

Currie: "I'm not quite sure the import of your question?"

Ramey: "Well, do we still have a \$12 billion hole somewhere?"

Currie: "Well, we're talking today about a \$7 billion hole."

Ramey: "Okay. Seven... okay. Well, I.. I understand the Senate just passed a tax increase, are we going to hear that tomorrow?"

Currie: "Well, Representative, I'm hopeful there'll be opportunities to vote for new revenue tomorrow."

Ramey: "Which would include..."

Currie: "But in the meantime we haven't.. in the meantime this is how much we have to spend. And I propose that we get on with spending it so that at least we are able to promise something to the people back home."

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Ramey: "So, with... with lacking that 50 percent of their asked for funding, somewhere down the line they're going to run out of money?"

Currie: "I'm sorry?"

Ramey: "You can't hear me?"

Currie: "No."

Ramey: "Okay. It's... a lot of people not paying attention anymore, I guess."

Speaker Lyons: "Ladies and Gentlemen, please, if we could lower the noise level in the chamber. It'd be very much appreciated for the people that are having the discussion. Shhh."

Ramey: "Thank you, Mr. Speaker. The question was, apparently with only 50 percent funding, they're either going to run out of money or they're going to be... have some changes, I guess, you're asking the Governor to do?"

Currie: "They're going to have to manage it. It will not be an easy task. I invite you to join me tomorrow in voting 'yes' for additional revenue."

Ramey: "In a tax increase?"

Currie: "That's one way of... yes. I would invite you to join me in voting for a tax increase."

Ramey: "Thank you for the request. I will probably have to deny that request. What about the gaming expansion they passed in the Senate?"

Currie: "That may be a possibility as well, but in the meantime tonight I'm asking you to help me spend all that we today have available to spend. I would not argue, it is adequate to the task. But I would argue that it's all we have and

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we have a responsibility to send the Governor the money that is available. And try tomorrow to find a way to make sure he's got enough to do the job for the seniors, the children and all the other items of concern we have described."

Ramey: "That... that's pretty good. And do you think some of the requests that I made about savings would be heard tomorrow?"

Currie: "We'll see."

Ramey: "I appreciate that. To the Bill. Quickly, Ladies and Gentlemen, I mean after 6 years of erratic spending without matching revenues, just willy-nilly going out there saying we're helping people. And of course, due to the ex-Governor's photo opportunities on these issues, I think now that we've come to the biggest tax increase in Illinois history, biggest gaming expansion in Illinois history, I think we have a bigger problem. And I don't think a lot of this is going to get solved by tomorrow. Thank you very much."

Speaker Lyons: "Shhh. Thank you. The Lady from Cook, Representative Sara Feigenholtz."

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

Speaker Lyons: "Sponsor yields."

Feigenholtz: "Representative Currie, I was not in the Executive Committee and I did not hear all of the witness slips in opposition to this Bill. Do you... can you just tell me briefly who some of them were?"

Currie: "There were many people who signed in against the Bill; the only one who spoke was a representative from SEIU."

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Each of them could have described that the inability to fund the budget at the level the Governor proposed will cause hardship. I think no one would dispute that. No one would disagree. I would argue this is not adequate to meet our responsibilities, but again, this budget, the one I'm offering today, spends all we have today to spend."

Feigenholtz: "Ladies and Gentlemen of the House, to the Bill. I understand that we're in a very, very difficult situation, but something unique has happened this evening. The other chamber has sent over an unprecedented piece of legislation and I believe that there are many Members in this Body who are having a discussion about considering that Bill. Along with that, and I... I just want to alert many of my colleagues who sit on the Human Services Appropriations Committee that just today many of us got a letter from a DD provider in our community about exactly what this budget means to his DD facility. If... if this Bill passes, even though it is funded at 50 percent, given what's going to happen with all these cuts, he's going to be laying off 79 professional employees. This is the Anixter Center. So, this... Anixter Center would no longer have purchasing power in the community, they would eliminate paid work... paid workers: 175 workers who are working people living with disabilities, 16 young adults with disabilities would have no meaningful day support, 17 individuals with mental illness will become homeless. And people with mental illness will no longer be receiving community services. You know, it's late, but we still have 24 hours. I... with all due respect to the Sponsor and to

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the budget staff, who's worked very hard on trying to get a solution, I really believe that we should be continuing in the next 24 hours to try and address these problems. It is absolutely unfathomable what is going to happen to the most vulnerable people in the State of Illinois if this is to be the final solution for the FY10 budget. The final solution. The... the ramifications of this are absolutely apocalyptic. The... the speaker from Vermilion County was right when he said we're in difficult times. The people who are going to lose in this budget are going to be at each and every one of your doors. So, I encourage my colleagues, with all due respect to this process, to give it another few hours and let's continue to discuss other solutions before we vote on this Bill. Either vote 'present', vote 'no'. We can revisit this. With all due respect to the Sponsor, I really think we need to continue to fight for more solutions."

Speaker Lyons: "The Gentleman from Morgan, Representative Jim Watson."

Watson: "Sponsor yield?"

Speaker Lyons: "Sponsor yields."

Watson: "Leader Currie, there... you had said earlier that the... this Bill appropriates the remaining \$5.5 billion that the state in essence has?"

Currie: "Yes."

Watson: "Do you know the status of Senate Bill 1186?"

Currie: "I don't know which Bill that was."

Watson: "Inquiry of the Chair?"

Speaker Lyons: "Sir, state your inquiry."

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Watson: "Does the Clerk know the status of Senate Bill 1186?"

Speaker Lyons: "Jim, repeat your question, please?"

Watson: "Senate Bill 1186?"

Speaker Lyons: "Clerk? Representative Currie."

Currie: "Thank you, Speaker. I'd like to take this Bill out of the record."

Speaker Lyons: "Sponsor is taking the Bill out of the record. Representative Watson, do you still want an answer on the status of the Bill? No. Mr. Clerk, what's the status of Senate Bill 1180?"

Clerk Mahoney: "Senate Bill 1180, a Bill for an Act concerning appropriations. Second Reading of this Senate Bill."

Speaker Lyons: "Read that Bill, Mr. Clerk."

Clerk Mahoney: "No Committee Amendments. No Floor Amendments. No Motions filed. Second Reading of this Senate Bill."

Speaker Lyons: "Hold that Bill on the Order of Second Reading. Ladies and Gentlemen, I'm working off of the second Supplemental Calendar. What's the status of Bill 1181, Mr. Clerk?"

Clerk Mahoney: "Senate Bill 1181 is on the Order of Senate Bills-Second Reading, a Bill for an Act concerning appropriations. Second Reading. No Committee Amendments. No Floor Amendments. No Motions filed."

Speaker Lyons: "Leave that Bill on the Order of Second Reading. What's the status of Senate Bill 1182, Mr. Clerk?"

Clerk Mahoney: "Senate Bill 1182, a Bill for an Act concerning appropriations. Second Reading of this Senate Bill. No Amendments. No Motions filed."

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Speaker Lyons: "Hold that Bill on the Order of Second Reading.

What's the status of Senate Bill 1183, Mr. Clerk?"

Clerk Mahoney: "Senate Bill 1183, a Bill for an Act concerning appropriations. Second Reading of this Senate Bill. No Amendments. No Motions filed."

Speaker Lyons: "Hold that Bill on the Order of Second Reading.

What's the status of Senate Bill 1184, Mr. Clerk?"

Clerk Mahoney: "Senate Bill 1184, a Bill for an Act concerning appropriations. Second Reading of this Senate Bill. No Amendments. No Motions filed."

Speaker Lyons: "Hold that Bill on the Order of Second Reading.

What's the status of Senate Bill 1185, Mr. Clerk?"

Clerk Mahoney: "Senate Bill 1185, a Bill for an Act concerning appropriations. Second Reading of this Senate Bill. No Amendments. No Motions filed."

Speaker Lyons: "Hold that Bill on the Order of Second Reading.

What's the status of Senate Bill 1211, Mr. Clerk?"

Clerk Mahoney: "Senate Bill 1211, a Bill for an Act concerning appropriations. Second Reading of this Senate Bill. No Amendments. No Motions filed."

Speaker Lyons: "Hold that Bill on the Order of Second Reading.

What's the status of Senate Bill 1212?"

Clerk Mahoney: "Senate Bill 1212, a Bill for an Act concerning appropriations. Second Reading of this Senate Bill. No Amendments. No Motions filed."

Speaker Lyons: "Hold that Bill on the Order of Second Reading.

What's the status of Senate Bill 1213, Mr. Clerk?"

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Clerk Mahoney: "Senate Bill 1213, a Bill for an Act concerning appropriations. Second Reading of this Senate Bill. No Amendments. No Motions filed."

Speaker Lyons: "Hold that Bill on the Order of Second Reading. What's the status of Senate Bill 1214, Mr. Clerk?"

Clerk Mahoney: "Senate Bill 1214, a Bill for an Act concerning appropriations. Second Reading of this Senate Bill. No Amendments. No Motions filed."

Speaker Lyons: "Hold that Bill on the Order of Second Reading. What's the status of Senate Bill 1215, Mr. Clerk?"

Clerk Mahoney: "Senate Bill 1215, a Bill for an Act concerning appropriations. Second Reading of this Senate Bill. No Amendments. No Motions filed."

Speaker Lyons: "Hold that Bill on the Order of Second Reading. What's the status of Senate Bill 1216, Mr. Clerk?"

Clerk Mahoney: "Senate Bill 1216, a Bill for an Act concerning appropriations. Second Reading of this Senate Bill. No Amendments. No Motions filed."

Speaker Lyons: "Hold that Bill on the Order of Second Reading. Mr. Clerk."

Clerk Mahoney: "Committee Report. Representative Smith, Chairperson from the Committee on Elementary & Secondary Education, to which the following measure/s was/were referred, action taken on May 30, 2009, reported the same back with the following recommendation/s: 'recommends be adopted' House Resolution 447."

Speaker Lyons: "Mr. Clerk on committee announcements. Ladies and Gentlemen, committee announcements."

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Clerk Mahoney: "Committee announcements for tomorrow. For tomorrow morning the following committees will meet at 11 a.m. 11 a.m., the Appropriations-Elementary & Secondary Education Committee will meet in Room 114. Apropos-Elementary & Secondary Educ... Secondary Education in Room 114 at 11 a.m. Also at 11 a.m. the Revenue Committee will meet in Room 122B. At 11 a.m., Revenue in Room 122B. And at 12 noon... at 12 noon, Executive Committee will meet in Room 118. At 12 noon the Executive Committee meets in Room 118."

Speaker Lyons: "Everybody will be getting a sheet momentarily, the staff will be coming through with the blue sheets with those committees. And now, Representative Currie moves that the House stand adjourned 'til the hour of 1 p.m. on Sunday, May 31. Allowing perfunctory time for the Clerk, Representative Currie moves that we stand adjourned 'til the hour of 1 p.m., Sunday, May 31. 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."

Clerk Mahoney: "House Perfunctory Session will come to order. Reading of House Bills-First Reading. House Bill 4581, offered by Representative Lang, a Bill for an Act concerning appropriations. House Bill 4582, offered by Representative Monique Davis, a Bill for an Act concerning public employee benefits. First Reading of these House Bills. Senate Bills-First Reading. Senate Bill 552, offered by Representative Burke, a Bill for an Act concerning public employee benefits. Senate Bill 2190,

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offered by Representative Brauer, a Bill for an Act concerning local government. Introduction and Reading of Senate Joint Resolutions. Senate Joint Resolution 30, offered by Representative Ryg; Senate Joint Resolution 34, offered by Representative Bost; House... Senate Joint Resolution 71, offered by Representative Bellock and Senate Joint Resolution 63, offered by Representative Watson. There being no further business, the House Perfunctory Session will stand adjourned."