

STATE OF ILLINOIS
95th GENERAL ASSEMBLY
HOUSE OF REPRESENTATIVES
TRANSCRIPTION DEBATE

22nd Legislative Day

3/6/2007

Speaker Madigan: "The House shall come to order. The Members shall be in their chairs. We ask the Members and our guests in the gallery to turn off laptop computers, cell phones, and pagers, and we ask our guests in the gallery to rise and join us in the invocation. Today we shall have two prayers. The first prayer will be done by Father Donald Meehling of the... he's the Pastor of St. Aloysius Catholic Church in Springfield, Illinois. Father Meehling is the guest of Representative Ray Poe."

Father Donald Meehling: "God is important. Or God is not important. God is either altogether important or not important at all. But one thing for sure, He's not half important. So you and I assembled here who think that God is all important, offer Him our prayer as we ask that all the thoughts, words, and actions, and deliberations of this august Body, of our individual lives and of the citizens of our great State of Illinois, may each in their own way tend purely and solely to the service of His divine majesty and to the building up of His kingdom here on Earth. An essential ingredient in worship is thanksgiving from the prayer of our church. I offer to you this prayer of thanksgiving. For the fruits of His creation, thanks be to God. For the gifts to every nation, thanks be to God. For the plowing, sowing, reaping, silent growth while men are sleeping, future needs in Earth's safekeeping, thanks be to God. In the just reward of labor, God's will is done. In the help we give our neighbor, God's will is done. In our world wide task of caring for the hungry and the despairing, in the harvest men are sharing, God's will is done. For the

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harvest of His sprit, thanks be to God. For the good all men inherit, thanks be to God. For the wonders that astound us, for the truths that still confound us, most of all that love has found us, thanks be to God."

Speaker Madigan: "The second prayer will be done by the Reverend Dick Stienhaus, the Pastor of Faith Baptist Church in Harvard, Illinois. Revered Stienhaus is the guest of Representative Jack Franks."

Reverend Stienhaus: "As we continue to look to the Lord in prayer, bow our heads and our hearts and our minds to the truth that we receive from His word. Our Father in heaven, hallowed be Thy name. As we begin deliberation today, we thank You for the manifold blessings You have showered upon the citizens of Illinois. We thank You for the abundant prosperity that You have allowed us to indulge in. We thank You that You led our founding fathers to establish this republic government in which the citizens would have a part. Dear God, we thank You that in Your revelation You established that these men and women in this Legislative Assembly are the ministers of God, who are first accountable to God so as to protect the citizens from those who would do evil to them. Oh, God, let us each humble... humbly come before You this day, recognizing the great need of repentance, as each individual in our judicial and legislative system places their hand upon the Bible they declare that what they say is true, for the fact that the Bible represents truth. May we turn from our rebellion against the revelation, may You forgive us of using the separation of church and state which You have ordained but

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we have used to eliminate God from our government and its people. Our founding fathers from the beginning of our history have held the fact that Your revelation is true. However, we have removed it from our schools and libraries and even trying to remove it from our government. The reality of its truth is that when man originally rebelled against God there was death and destruction. Every one of us acknowledge that we all face a physical death, as Your revelation declares, for all have sinned with its result being death. Dear God, may we repent of our rebellion against the revelation as laws have been passed to violate Thy revealed will to man. When we removed Your revelation we have seen in our nation a rise in murder, violence, immorality, decay of homes. Lord, we become slaves to self lust, self desires with little regard for well-being of others. Forgive us of our slavery to self-centered rebellious natures to the word of God. Give this Assembly today a mind of allowing freedom to our citizens through the laws of God being adopted by the laws of our government. Dear God, we pray for wisdom and discernment for each man and woman in this Assembly today that they would be conscious of a Holy God and the truth He has so lovingly given us. We pray for God's mercy and long-suffering toward us would be seen... would not be seen as God's approval for violating your revelation, but it is Your grace to allow us to do what is right and true. We pray for each one... that... humility they would humble themselves before God and that You would lead and guide and bless them in their responsibility toward the citizens of Illinois and more

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particularly to God. Dear God, as You direct the affairs of men, help each in this assembly to realize that God is not responsible to our wishes and desires, rather we are responsible to the God of heaven. Bless each one, as we humbly allow the truth to guide their decisions. May they seek truth and not a philosophy of man. We thank You for each one of these in this Assembly today as they represent the people of Illinois. These are the ones who either allow God's blessings or bring the curses of sin upon us. So we pray that their mouth and heart will speak according to truth. As each one recognizes the authority in which they answer to, may God bless us as we submit to this truth. May God be merciful to us if we violate Thy truth and suffer its consequences. May we recognize Your hand in our lives of our country, even by the fact of declaring many times a catastrophic event that take place as being acts of God. Father in heaven, we thank You that we can come before a sovereign God to ask and receive a blessing of wisdom and understanding that will produce unity to accomplish Your purpose. You have promised that if we ask anything according to Your will You would answer. Therefore, this day, please make Yourself known in this Assembly and only use these men and women be blessed as they deliberate in Thy truth. In this we pray to the God of heaven through the gift of salvation. Amen."

Speaker Madigan: "We shall be led in the Pledge of Allegiance by Representative Moffitt."

Moffitt - 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 Madigan: "Roll Call for Attendance. Representative Currie."

Currie: "Thank you, Speaker. Let the record reflect and please join we in welcoming one of our number who was not excused today but is very much with us, Representative Milt Patterson. And let the record reflect that Representative Dunkin, in fact, is excused today."

Speaker Madigan: "Mr. Bost."

Bost: "Thank you, Mr. Speaker. Let the record reflect all Republicans are present today."

Speaker Madigan: "The Clerk shall take the record. There being one 117 Members responding to the Attendance Roll Call, there is a quorum present. Mr. Clerk."

Clerk Bolin: "Introduction of Resolutions. House Resolution 162, offered by Representative Kosel. House Resolution 163, offered by Representative Verschoore. And House Resolution 169, offered by Representative Franks. These Resolutions are referred to the House Rules Committee. Committee Reports. Representative Currie, Chairperson from the Committee on Rules, to which the following measures were referred, action taken on March 06, 2007, reported the same back with the following recommendation/s: 'direct floor consideration' for Amendment #1 to House Bill 18, Amendment #1 to House Bill 187, Amendment #2 to House Bill 317, Amendment #2 to House Bill 351, Amendment #2 to House Bill 378, Amendment #1 for House Bill 36... Amendment #1 for House Bill 639, Amendment #2 for House Bill 691, Amendment #1 for

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House Bill 845, Amendment #3 for House Bill 895, Amendment #1 for House Bill 903, Amendment #1 for House Bill 937, Amendment #1 for House Bill 986, Amendment #1 for House Bill 1300, Amendment #1 for House Bill 1355; as well as 'direct floor consideration' for House Joint Resolution 33, which is referred to the Order of Resolutions."

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

Clerk Bolin: "House Resolution 164, offered by Representative Black. House Resolution 165, offered by Representative Black. House Resolution 166, offered by Representative Hoffman. House Resolution 167, offered by Representative Chapa LaVia. House Resolution 168, offered by Representative Chapa LaVia. House Resolution 170, offered by Representative Acevedo. House Resolution 171, offered by Representative Monique Davis. House Resolution 172, offered by Representative Mathias."

Speaker Hannig: "Representative Hannig is in the Chair. And Representative Lang moves for the adoption of the Agreed Resolutions. All in favor say 'aye': opposed 'nay'. The 'ayes' have it. And the Agreed Resolutions are adopted. On Supplemental Calendar #1, Mr. Clerk, is the... Adjournment Resolution for later in the week. Would you read that. Excuses me, it's the Joint Session Resolution for tomorrow."

Clerk Bolin: "House Joint Resolution 33, offered by Representative Currie."

BE IT RESOLVED, BY THE HOUSE OF REPRESENTATIVES OF THE NINETY-FIFTH GENERAL ASSEMBLY OF THE STATE OF ILLINOIS, THE SENATE CONCURRING HEREIN, that the two Houses shall convene in Joint Session on Wednesday, March 07, 2007 at the hour of

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12:00 noon for the purpose of hearing his Excellency Governor Rod Blagojevich present to the General Assembly his Report on the Condition of the State of Illinois and to hear the Budget Message for the Fiscal Year 2008, as required by Chapter 15, Section 20/50-5 of the Illinois Compiled Statutes."

Speaker Hannig: "Representative Currie moves for the adoption of the Joint Resolution... the House Resolution. All in favor say 'aye'; opposed 'nay'. And House Joint Resolution 33 is adopted."

Speaker Hannig: "On page 12 of the Calendar, under the Order of House Bills-Third Reading, is House Bill 1750. Mr. Clerk, read the Bill."

Clerk Bolin: "House Bill 1750, a Bill for an Act concerning regulation. Third Reading of this House Bill."

Speaker Hannig: "Representative Bradley."

Bradley, J.: "Thank you, Mr. Speaker, Members of the House. Representative Scully was delayed and I've been asked to present this Bill, and I do so humbly and with great honor because this is the Bill that has the opportunity to provide immediate, substantial relief to the people of the State of Illinois. You heard my comments at the Committee of the Whole. Most of you have been making the same and similar comments, stories of desperation, of crisis, of calamity, of the people of the State of Illinois being held hostage by unconscionable electric rates and the arrogance of the utility companies to continue to suggest that the increases were a dollar a day. The increases have been a 100 percent, 200 percent, 1500 percent, and our people bear the burden of

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paying these increases a net total increase estimated by one group of as much as two and a half billion dollars (\$2,500,000,000) new revenue on the backs of seniors, of small businesses, of working men and women, of young families, and of, yes, corporations. And so, I say to you, here is our chance both symbolically and practically to send a message to the utility companies, to the people of the State of Illinois that the Illinois House of Representatives is not gonna stand for this, that we are not going to allow our people to be victimized by these huge utility companies and that we're fighting back. Join me today and pass the rate freeze, pass the rollback, and send relief to the people of the State of Illinois now and in the future."

Speaker Hannig: "This is on the Order of Short Debate. We're going to move this to the Order of Standard Debate. We'll have three speaking on each side. And now, Representative... and we're gonna run the timer as we are right now. Representative Bost, you're next."

Bost: "Thank you, Mr. Speaker. To the Bill."

Speaker Hannig: "The Bill."

Bost: "Ladies and Gentlemen, we have had similar legislation like this before us as we've worked through to try to cure this problem. I rise in support of the Bill. It is my hope that if this Bill does not go over to the Senate and pass, that at least the Senate will move on some kind of legislation to try to correct the problem. The issues that are out there that face our communities: the high... the electric rates, the cost that bear down on our citizens around the southern end of the state. Of course, I also

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hope that this sends a very clear message to the Governor of this state who's been kinda silent on this issue. I do hope that he pays attention. He, right now, has been making press releases on issues that are of importance, whether it's health care or whatever, but for some reason he's remained fairly silent and has chose not to take a leadership role in this. I hope it's a real clear message to him and I hope that we can send that message and get him involved in the debate so that he can take over as the leader that he was elected to be instead of standing in Chicago when the people in the southern Illinois, as my colleague said, are suffering so severely. And he talks about every other issue but this issue. I hope he's paying attention and I ask you to support the Bill."

Speaker Hannig: "We've had two now speak in opposition. Representative Stephens, you're recognized for five minutes."

Stephens: "Well, thank you, Mr. Speaker. And I would... I would suggest that anyone who cares to make their position known be allowed to speak today. I... I suppose this... we've been all over on this issue. I have never in my 20 years here seen an issue that touches a bigger segment of society. From the single moms and their inability to... to have any concept of paying their utility bill this month to the small business who provide the jobs for working men and women of Illinois, we are in a serious, serious dilemma and I pray that we are not raising false hopes. This Bill is going to pass with overwhelming support. We join with our colleagues from around the state in recognizing that the inability of

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people to pay their utility bills this very month is an actual and real dilemma on a family-by-family basis. The Bill is going to go over to the Senate. We're asking for action. If they wanna pass this Bill and put it on the Governor's desk, he's told us that he will sign it. The end game in all of this is that we have to have a system in place that is predictable, reliable, and affordable. We can... we can... we can all demagogue this issue all we want. If we don't get to the bottom line of this, which is to make affordable energy available to each and every family and each and every business in Illinois, then you and I have failed in our mission. I'm willing to work with anyone in this chamber, anyone in the Senate, and anyone from the Governor's Office and the Commerce Commission to find a long-term solution. There is not a more important issue facing Illinois today than affordable and reliable energy. If we ignore this issue, we then will have ignored our very basic reason for coming here to Springfield. We all have our stories about what's going on in our district but I can't stop but think about a poor young lady in Greenville, Illinois, who maybe her house is a little too big for her, her and her two children, maybe it's not well enough insulated for your and my standards, but as she sat in her kitchen table crying last week telling me that she had no way that she could write that check to pay her utility bill, all she wants from us is help. She doesn't care if it's a rate freeze, a rollback, a subsidy, what she wants is help and she needs it now. So, we rise in support. We don't know, Representative, if this is the final solution. If it

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is, then we're here with you. If it is not, we will meet at any place, at any time, with all interested parties to help build a consensus to the real solution for affordable and reliable energy. Thank you."

Speaker Hannig: "We've now had three speaking in favor and the rules would provide that three could speak in opposition. Representative Krause, would you like to speak in opposition?"

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

Speaker Hannig: "Indicates he'll yield."

Krause: "Representative Bradley, in the committee last week, on Thursday where the Bill was sent out of committee, I had made the statement that I looked upon this Bill as to use it for negotiations and to move forward and expedite this matter. Number one, for the Ameren customers who are in dire need of relief in some form, be it by the General Assembly or by the commission, by the parties negotiating and I did ask the Sponsor about using this Bill to also use go forth in negotiations. He had indicated that there was discussion. And my question is to you, do you know if the negotiations have moved forward in any way? Is there anything further to report, really, leading up to could we have a conclusion within the fastest time possible?"

Bradley, J.: "Representative, I appreciate your comments and I thank you for those. Not being the chairman, and I wasn't aware that Chairman Scully would not be available. I'm... I'm... all of my information would be hearsay in terms of any negotiations or discussions. I know that there are ongoing discussions with the utility companies among various Members

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of both sides on an ongoing basis, messages are being sent back and forth and... You know, so beyond that, I'm reluctant to make any..."

Krause: "Fair enough, fair enough. To the Bill. I believe that at this point in this process, with the knowledge that we have as to the difficulties and the crisis that has been presented, particularly to all of those people in the Ameren area, that this legislation can be used as a means to move forward. But I look upon it as strictly a legislation to do negotiations, since I believe that is the stage that we are at and that is to negotiate this through as fast as possible. The Illinois Commerce Commission and the Chairman Box at the Thursday meeting, they did meet on Friday, they moved forward to set up hearings and again within due process to bring the parties together to address this issue. I think that there are negotiations going on as far as this chamber and as far as the other chambers, again, to try as fast as we can to move this forward. I think that it is urgent that the parties get together and that then a Resolution be presented back to the... Commerce Commission in order to resolve this issue to give the relief that is necessary to Ameren and also on the entire issue of utility rates that they be resolved, but as expeditiously as possible. Thank you."

Speaker Hannig: "In opposition, Representative McCarthy, in opposition."

McCarthy: "Thank you, Mr. Speaker and Ladies and Gentlemen of the House. First of all, the lack of order during Representative Krause's comments was especially appalling to

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me. This is a very, very important issue and people could at least have the courtesy to be quiet or go to the rear of the chamber, do something, when we're discussing issues that affect many, many of our constituents. The... a lot of people act like this thing just happened willy-nilly. The original group that got together to talk about deregulation was back during a different Speaker's reign, when Representative Daniels was the Speaker of the House back in early 1995. He got a group together to say we gotta start talking about this. There was a consensus opinion, except for a very few minority, I think Representative Leitch could speak to that, there was a little group in the middle of the state, CILCO, where they thought that regulated monopoly was working okay and we actually had a rider Bill to say it was working okay. But it took 30 months of study 'til we got to November of 1997, my first year in the chamber, and the Bill passed overwhelmingly. And not one person, except for those three people from Peoria who voted against it... I know the other... the three of us who voted against it, it wasn't that we thought deregulation... or that regulation was working. Everybody agreed, when we had regulation in this state, especially in the area I represent, we had by far some of the worst service and the highest prices in the country. We knew there was a problem. After 30 months of... of debate, we came forward and on November in 1997 the Bill was passed. So, we had a transition period put into this. We said, we know we can't do this overnight; we have to try to develop the market. The original Bill called for a 7-year transition. After that, 2 other years were added to it.

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And there in... the transition period started in 2004. The Commerce Commission didn't come up with this reverse auction thing overnight. They had, in May of 2004, a group come together, the Procurement Working Group under the lead of Dave Vite, and they worked on different scenarios about how we could purchase the electricity. They looked at many, many different things including what to do about re-regulation. And if you look at their... their opinions on it, they had seven very, very weak propositions, I would say, for re-regulating while they had 16 very strong positions as to why we can't re-regulate. But, once again, 2 years later the ICC came forward and said we're gonna pick the reverse auction, 5-0 they picked the reverse auction. These are people who have expert staff. They looked at this for days and days and they came up and said this is the best way that we can secure reliable energy and we can secure it at what we call an affordable price. The affordable price is what they call the market rate. We have testimony over the long period that... that the long day committee plus the next day in Representative Scully's committee talking about what market rate really is. We saw cities like New York City where they pay 80 percent more than us. We see cities like Boston that they pay 50 percent more than the City of Chicago. We also saw some that paid a little bit less. But if you look at the rate that we're paying today with these new rates, of course, it's at the market rate. I would... I would argue and I think the ICC did a great job of getting it to that market rate. Now, when we had the froze rates for those 7 years or 9 years, you gotta remember, the Ameren

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rates, the downstate rates were frozen about 30 percent less than we paid up in the ComEd region. That should be reason enough for a lot of you to vote against this. If you're in the ComEd region, you're voting so that Ameren can get a rate 30 percent below what your people are gonna pay, even if we go into the freeze. The auction, of course, was held in September of last year and they came up with what they determined to be the market rate. Now, if we do this freeze, we say, why now? We had these Procurement Working Groups 2 years ago. We had... you know, we had a lot of notice this was coming. Why weren't these freeze Bills called last year or the year before? Then we could of worked through the court and said, can the contracts with the suppliers really be upheld? We wait 'til the last minute so we have to go on what's happened in the courts so far. The Attorney General is doing her job. She went and challenged these new rates 14 times... or challenged the contracts that are handling these new rates. Fourteen times she challenged the contracts, 14 times she's been told that the challenge was invalid. So, the challenge is not gonna work, so we know that these companies are gonna go into bankruptcy. Bankruptcy will separate those contracts, but then we expect the generators to resell to these companies. Why would they have any incentive to sell to them at any kind of a decent rate? It's only gonna end up costing our customers more. I feel sorry for the people from the Ameren territory. I think the testimony the other day, I was the first one to really jump on that, the man who represented Ameren, and tell him that his eight-point procedure... or his

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eight-point plan was a disgrace. But I want to tell you that while you think your punishing Ameren today, in the long run you're gonna punish the customers of Ameren much more than you're gonna punish the company itself. The infrastructure improvements that have been done over these last 5 years under the direction of..."

Speaker Hannig: "Representative, could you bring your remarks to a close. Your five minutes have expired."

McCarthy: "Is there anyone else gonna speak in opposition?"

Speaker Hannig: "Representative, there are... there are three others who wish to speak."

McCarthy: "Okay."

Speaker Hannig: "I... I would assume in opposition. So..."

McCarthy: "Okay. The only other thing is the infrastructure improvements, they're not gonna made if companies are going into bankruptcy. The... the talk about residential competition, we had a man who stayed here for 13 hours to tell you his company was looking into the AmerenCIPS area, he wanted to compete, they said they could save the people down there about 11 percent, but because of the unfortunate climate that we have here with playing games back and forth, trying to embarrass our Senate colleagues by doing something like this, they won't come in here. Since that time, I've been contacted by two other companies. They would come in here if we had a much more stable environment. They won't come in here while we're doing these things. We need to move forward like Senator Clayborne is doing, that's the way to move forward, get some new credits. I'd love to see... hopefully this group can do something, especially for the

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people downstate with the electric. I think what Ameren did to the all-electric customers, especially early was... ya know, should be illegal but it's not. Finally, I'm just gonna say, I hope you really think about what we're doing here. Some people believe in three time's the charm. I would believe closer to what Einstein said, if you keep doing the same thing over and over again and expecting a different result, that was his definition of 'insanity'. And I think this is the wrong thing, the wrong message to send across. Let's work with our Senate colleagues, let's try and get some relief for the people of our state."

Speaker Hannig: "We've had two speak in opposition. The rules would provide that one additional speaker could be in opposition. Representative Winters, would you like to speak in opposition?"

Winters: "Correct."

Speaker Hannig: "Okay. Proceed."

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

Speaker Hannig: "He indicates he'll yield. And Representative, we have the timer on you as well."

Winters: "Yes. Representative Bradley, one of the provisions in here is unless we have a third of the service area served by alternative suppliers and at least three additional alternate suppliers marketing in the service area, that the rates would be frozen until those two criteria are met. Is that correct?"

Bradley, J.: "That's correct. Is that correct? That's correct."

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Winters: "What is your best guess as the number of competitors who would come in to offer power at rates that have been frozen since 1982 and are demonstrably below the free market today? How could anybody offer power into southern Illinois at rates that haven't been seen for years?"

Bradley, J.: "You're asking me..."

Winters: "Do you honestly... do you honestly expect to have any..."

Bradley, J.: "You're asking me for a guess?"

Winters: "Well, I'm asking you, in your opinion, do you think you'll see competition develop in southern Illinois at the prices you're rolling them back to?"

Bradley, J.: "I think there's a good possibility with the aggregates, which I think you supported last week and others supported, but that's a way to break the monopoly to increase competition. I think there may be other avenues. I mean, at the end of the day, Representative, you gotta do one of two things, right? You gotta create competition or you gotta have some form of re-regulation."

Winters: "You... you cannot create..."

Bradley, J.: "And until... until the..."

Winters: "...competition by putting a cap on the market."

Bradley, J.: "But, if I could finish. Until those things happen, we need to continue to provide relief to people, which is what this does."

Winters: "Then I... then I would ask, if this is a Bill for... and I think you said that this may be a platform for additional compromise, that it's a work in prog..."

Bradley, J.: "That's what Representative Krause and I respect her opinion."

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Winters: "You do not intend to compromise from this Bill?"

Bradley, J.: "I'm will... I'm willing... and said this all along.

Okay? I'm a reasonable person, but I'm willing to go as far as it takes to provide relief to people of southern Illinois, and this is not simply a compromise Bill. If this brings about compromise, that's something to consider, things are on the table."

Winters: "If... if you, in fact..."

Bradley, J.: "But this Bill is to provide relief to the people of the State of Illinois, first and foremost."

Winters: "If you wanted a realistic cha..."

Bradley, J.: "If it gets Ameren and ComEd to the table, sobeit. But they should've been at the table 6 months ago."

Winters: "Mr. Speaker, I am the one asking questions. I'd ask him to bring his remarks to a halt instead of getting off onto these things. John, the problem with this Bill is you've done everything in this Bill. You're not just providing rate relief for a short period of time while the ICC has a chance to work it out, you're extending it indefinitely. Absolutely no end in sight to below market raises. You're not gonna get any kind of competition. Another rhetorical question, which you don't need to answer because you use a lot of time in your answers, is what happens when Ameren can't buy power next summer? What happens when this company does not have the credit rating anymore to go out into the market and buy power? What do you tell those people that are suffering today from a high bill that, 'Well, you really don't have to pay anything for electricity next month because it's not on. You better buy

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a generator, you better buy a bunch of diesel fuel, and produce your own power because the company that has been supplying you power is now bankrupt, has no credit worthy rating, and cannot purchase power in the market.' How do you respond to that? As... as a Legislature, this is in a totally inappropriate, overriding, heavy hammer on what we all know is not comfortable. We all appreciate the fact that our own bills are going up. They're going up even higher in your district, I understand that. There is a crisis for people individually who are on the all-electric rates and are seeing a tripling or a quadrupling of the prices, but we don't have to take a sledgehammer to solve that issue. We can deal with it with smaller tools, ones that can leave the company in a position that it can, in fact... it can, in fact, continue to provide reliable power, it can continue to do the maintenance, it can replace poles, it can replace wires, it can hire contractors to come in and trim trees. None of that will be happening this summer if this Bill passes. I'm saying that this is such a huge sledgehammer that we're gonna destroy the utility industry in Illinois in trying to solve a problem for thousands of people, but one that can be addressed with a smaller Bill. This is not the appropriate way to do it. Instead, send a shell Bill over to the... to the Senate and then enter in seriousness, negotiations. This Bill is an overreach. It will cause long-term damage to Illinois industry and to Illinois employment, it will devastate our economy, and I do not think it is the right move to... to push this forward. Thank you, Mr. Speaker."

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Speaker Hannig: "We've now had three speak in favor and three in opposition. And the rules will now provide that, Representative Bradley, you can close. Representative Black, for what reason do you rise?"

Black: "Mr. Speaker, in all due respect, I have an inquiry of the Chair."

Speaker Hannig: "State your inquiry."

Black: "Pursuant to Rule 52(c), I would ask that the Speaker put this on unlimited debate, you have that authority under the rules. This is the oldest legislative trick in the book. The first Bill up during the lunch hour, the Chairman of the Bill... the Chairman... or the Sponsor of the Bill isn't even in the chamber. Nobody's paying attention. This is not worthy of limited debate. You are playing with the very future of electric power in this state. You have the ability as the Chairperson to put this on unlimited debate and I would ask you to please do so."

Speaker Hannig: "Representative, if that's what you would like to do we'll move it to the order of unlimited debate. And Representative Black, then you're recognized for five minutes."

Black: "Mr. Speaker, thank you very much for your indulgence. Let me just echo Representative McCarthy's comments about the fact that no one pays attention. We know that everybody's mind is made up on this Bill. Most of you haven't read it, most of you have no idea what it does. Let me... let me ask if the Sponsor will... will yield for a question."

Speaker Hannig: "He indicates he'll yield."

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Black: "Representative, did the power... did the utility companies do anything illegal?"

Bradley, J.: "Well, as an attorney, I am reluctant to use terms like 'illegal'. But certainly, Representative Black, there was testimony in the Committee on the Whole the other day which, in my opinion... and I agree with you about the chamber. I can't think of a more important thing going on right now."

Black: "I agree."

Bradley, J.: "And I don't know what else, you know, would be more important than this, but maybe it is. But the other day there were comments... fir... Ameren made the comment that they made the decision to get rid of the all-electric as early as January of 2006. There was testimony by constituents and Legislators that there were inducements made as late as November and December of 2006. I'll let people draw their own conclusions about that. There were also testimony... I don't want to take up your time, but I'm trying to ask your question... there was also testimony that Ameren went upon a public education campaign to try to tell people how much their rates were gonna go up. That was completely inaccurate and they made the conscious decision at that time not to alert people of the all-electric discount being removed. And those things, in my opinion, rise to a level somewhere beyond negligence."

Black: "All right. Thank you very much, Representative. Mr. Speaker and Ladies and Gentlemen of the House, to the Bill. It's very hard to stand on any profile of courage on a Bill that has been relegated to such an emotional position that

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you can't even have a discussion with your constituents, and I understand their pain. But let me just say from my standpoint, I accept my share of the blame for what has happened. I voted for the Bill in 1997. If there's any fault to be had, it's the fault of the General Assembly. And I join with Representative McCarthy, why didn't we do our due diligence? Why didn't we bring this up 2 years ago when it was obvious that local competition was not appearing? And why do all of the agencies and consumer groups who now run around and tell us the sky is falling, why did they support this Bill? Why did they insist on a 20 percent discount? That was the price that some of these consumer groups mandated. And as Representative McCarthy so clearly has said, when you freeze rates for 10 years and you mandate a 20 percent discount, how did we expect to get any competition? Nobody could come in and compete with those artificially low rates. Yes, it has not worked well and it is an emotional issue and it's costing people a tremendous amount of money, but we did it. And my questions are just simply this, what's going to change three (3) years from now? We're mandating once again artificially low rates. There won't be any competition. If we mandated that gasoline had to sell for eighty-five cents (\$.85) a gallon until we had enough competition, who's gonna come in the Illinois market and try to compete at eight-five cents (\$.85) a gallon? I wish we... maybe we could do that as well. Those kinds of tinkering with the market generally don't work. We're gonna go down this path and I'm going to abandon any profile of courage that I had. I... my

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constituents have overwhelmed me with e-mails, letters, calls, and they don't want to discuss this. But I'm telling you, the General Assembly and various consumer groups created this problem and now we don't want to accept any of the responsibility for that. No, it's everybody else's fault. It's... it's Ameren's fault. It's ComEd's fault. It's somebody's fault. Why did the Illinois Commerce Commission vote unanimously to accept reverse auction? Why did they accept the reverse auction rate when the Governor told them not to? Who's holding the Commerce Commission's feet to the fire? Who's holding them accountable? This has been a comedy of errors and we will probably compound it today, hoping to get temporary relief, but as others have said more eloquently than I, the long-term ramifications are not going to change much, if anything. In fact, I've not heard any alternatives. What if one the utilities goes bankrupt? It happened in Cal..."

Speaker Hannig: "Representative, your... your timer has expired. Could you bring your remarks to a close, please."

Black: "Yes, I will, Mr. Speaker, and thank you. We are going to go down a path that California did and we aren't going to learn anything from it. One of the largest utilities in California under a similar scenario went bankrupt. I have asked those of you calling for this freeze of repeatedly and I don't get an answer. What happens if they go bankrupt? What are my options? What are my alternatives? The State of California subsidized rates until they went ten billion dollars (\$10,000,000,000) in the hole and realized they couldn't do that anymore. And so, you were... you'd get a

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phone call and Pacific Gas and Electric would tell you, we can't buy any electricity today so we have none to sell, so you won't have any electricity. We followed you down this road before. This is going to make all kinds of press releases fly out of here. I have no idea what the Senate is going to do. There are dozens of Bills you won't even post for a hearing and there were Bills that you wouldn't allow to be heard in the Veto Session. I filled a Discharge Motion on a Bill in the Veto Session. You refused to even allow discussion on any other option, alternative or Bill, and you do that even today. We created the problem. I don't know if what we're going to do today is going to fix it or make it worse."

Speaker Hannig: "Representative Brady, you have five minutes."

Brady: "Thank you, Mr. Speaker, Ladies and Gentlemen of the House. I'd just would like to speak to the Bill if I could, Mr. Speaker. Thank you very much, Representative Bradley. You know, all of things that are going on regarding this situation and this unfortunate situation for the people of Illinois, especially in the areas that I represent, they don't understand all the things that we're discussing. They understand one thing and that is their electrical bill and how that electrical bill has increased. That's what they understand. All the show that we go through here is simply that, for show. As long as there continues to be a stalemate as far as legislation goes, the real response, as we learned in the Committee of the Whole, may lie with the Illinois Commerce Commission and taking emergency action to roll back these rates. That is the greatest potential and

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the potential of the quickest response for the people of the State of Illinois. As we move forward with this Bill, and it will sail out of here, I would simply ask all of us, Democrats and Republicans together, to try and put that attention on the Commerce Commission to do what they have the authority to do as the Commission without any direction from the Governor, from the courts, or the Legislature, to do what's right for the people of Illinois in rolling back these rates. Thank you very much."

Speaker Hannig: "Thank you, Representative. Representative Rita, you have five minutes."

Rita: "Thank you, Mr. Speaker. I'd like to yield my time to Representative McCarthy."

Speaker Hannig: "Representative McCarthy."

McCarthy: "Thank you... thank you, Mr. Speaker. I don't think this will take too long. The... one other point, and I kinda felt like Ebenezer Scrooge here the other day when I kept asking the witnesses for copies of their bill, and I was disappointed only two people brought over their bills to me and I probably made like 11 requests. The one person, when I pointed out the fact that her consumption had rose like 60 percent, basically took the bill back and told me that shouldn't matter, so that was hard to argue with. The other gentleman, who actually was a very good sport about this, and I remember it distinctly, he talked about his eight hundred and sixty seven dollar (\$867) bill from ComEd... or from Ameren the last month. I can remember Representative Bellock had a ghastly look on her face. She couldn't believe someone had a nine-hundred dollar (\$900) electric

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bill. He brought his bill over to me; he used nine thousand nine hundred and ninety-eight (9,998) kilowatts in one month. Now, just for comparison, I looked at my bills from 2003 and the year 2003 I used ten thousand three hundred and eighty-nine (10,389) and I paid over nine hundred and forty dollars (\$940) for my electricity that year. So, I thought his... seeing how he almost used the exact same as I did, he did it in one month, his bill being comparable, it didn't seem like it was that far out of line for a person to use that much. And he told me he was never on the... I don't know why he didn't qualify, but he never qualified for the space heat as far as the electric thing. The other question is... I only have one of my own bills to compare. And I would ask... Representative Bradley, Representative Scully's not here, just one question. My bill from January 1 to January 28 was about ninety-three dollars (\$93). If I would've done it under the old way it would've been about seventy-four dollars (\$74). Out of my new bill or my old Bill, under what scenario would ComEd get more money itself?"

Bradley, J.: "I'm sorry, Representative, the noise level in here..."

McCarthy: "I got my bill from January 1 to January 28 from my home in Orland Park."

Bradley, J.: "Is this a hypothetical or this is actually your bill?"

McCarthy: "Those exact... exact thing from my Bill. My bill from January 1 to January 28 was ninety-four dollars (\$94) and some cents. I did it under the old rates before December 31 and the bill would've been approximately seventy-three

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dollars (\$73). My question is to you, under what scenario would ComEd, ComEd the company, get more money out of that bill?"

Bradley, J.: "Under what scenario? I don't understand your question."

McCarthy: "My question is, would ComEd get more money out of the ninety-four dollars (\$94) or more money out of the seventy-three dollars (\$73) if we had frozen the rates?"

Bradley, J.: "Well, that's... you're talkin' about ComEd or Exelon?"

McCarthy: "I'm talking about ComEd."

Bradley, J.: "You're talking about ComEd or... I haven't looked at the user fees on ComEd. I have on Ameren."

McCarthy: "Well, maybe it'll surprise you. I'm gonna tell you the answer. The answer is ComEd would've got more money under the old system because under the old system they were able to make profit on the power companies. That's probably why Representative Leitch originally, when he was against..."

Bradley, J.: "Well, that..."

McCarthy: "...the original Bill, talked about it."

Bradley, J.: "That's..."

McCarthy: "But that is a true scenario. And so we are probably... by freezing the rates and sending these other companies into bankruptcy, I think it would be a pretty easy jump to say we're goin' after the wrong companies. Now, the Exelon amount that they're gonna get, or whatever generator is sending me my power..."

Bradley, J.: "So, you're... you're suggesting that we should go after the generators as well?"

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McCarthy: "I think that's what Senator Clayborne is looking at right now, and I don't think this helps us move along that line. So..."

Bradley, J.: "Well, let's... let's do this and then we'll go after the generators."

McCarthy: "Okay, but... but it's not gonna help us. And as much as I can understand, I sat here for all 13 hours the other night..."

Bradley, J.: "And I will second that."

McCarthy: "...and I listened to the executive there... and, ya know, and the other thing is too, let's not all feel like we're breaking our backs feeling sorry these people. There was only about eight or nine of us left here at 2:40 in the morning. So if we were really that concerned, I mean, some people have to go home for health reasons, but let's not pretend like we were just dying with compassion. You were one of the ones dying with it, you were here. But I'm telling you, we're goin' after the wrong people, we're sending the wrong message. This isn't going to embarrass the Senate. Almost every newspaper across the state has said they were right, that we need to go to a market-based economy, we need to have residential competition. In the long run, it will work I believe. Capitalism is what made this country great. I think we need to move forward on that and I think we're going after the wrong people today. So, please vote 'no' on this."

Speaker Hannig: "Representative Rose, five (5) minutes."

Rose: "Thank you, Mr. Speaker. To the Bill."

Speaker Hannig: "...Bill."

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Rose: "Ladies and Gentlemen, I have here with me a letter from friends, former coworkers of mine, Jim and Margaret Carney. Marge was a coworker of mine. This letter is dated February 27 of this year. 'Four (4) months ago, we bought a new house. We bought the house, we were told that they built all of the houses because the electric company would be giving us a special rate and we would save on our utilities.' This is a direct quote. 'Sure enough, when I called the electric company to see if that was true they said 'yes'. They would be giving anyone with all-electric a special low rate. We bought the house.' That was four (4) months ago. Since then, not only did she not get the all-electric rate, the company pulled the rug out from under Marge and her husband, who are now retirees, and their bills went from two hundred dollars (\$200) to six hundred and seventy dollars (\$670). I have other constituents, two twenty-six (226) to seven ninety-eight (798). It goes on and on. There are a hundred and fourteen thousand (114,000) of these customers that had this happen to them. I'm gonna be voting today for this Bill for those customers. What is important, and the all-electric customers received quite a bit of the attention recently, but this has to be more comprehensive than just the all-electric customer, and this Bill does that. Thank you, Mr. Speaker."

Speaker Hannig: "Representative Flider, you're recognized for five minutes."

Flider: "Thank you, Mr. Speaker. To the Bill."

Speaker Hannig: "To the Bill."

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Flider: "There's awfully a lot of emotion here on this issue, and rightfully so. And just a couple of a perspectives I'd like to share that, I think, should give us some degree of comfort in moving forward with a Bill that is before us today. You know, back in the 1980s the Federal Government decided they were gonna make a move for our nation to move forward with deregulation, and we saw it on a lot of fronts. And one of the fronts that we moved forward with that the Federal Energy Regulatory Commission endorsed deregulation on was the electric industry... electric utility industry. And Illinois was among the first states that addressed this issue. California beat us to the punch then Illinois went to deregulation and Illinois restructured, and the was believed to be the way of the future. Other states did so as well. And suddenly, shortly thereafter, we had the California experience where we had the shortages of power and we had, for a variety of different reasons, price spikes, shortages of power. And it's that situation that's being used to scare us today into some not wanting us to vote for this legislation. Some are suggesting that if we vote for this we're gonna have another California situation. But the fact of the matter is the California situation was quite different. It did result in shortages of electricity. It did result in situations where the price of electricity spiked up, but you have to understand, there are other significant reasons besides deregulation. One of them was the summer that they had the shortages there was a severe drought and the hydropower facilities were not running and there was a shortage of electricity from the normal base

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load suppliers. In addition, California had some pretty bizarre laws with regard to making sure that power plants would not run if they had met their emission levels for the year, so we had... they had in California idle power plants that could not run that were fully capable of running. And then because of the severe drought and the severe heat, many of the states surrounding California, which used to export electricity into California, refused to do so because they needed the electricity for themselves. And lastly, the... the worst thing that happened in California was that when they restructured there they said that utilities could only buy power on the spot market. Obviously, in a spot market type situation with the shortages that they had, that drove up the price of power significantly. So, power marketers were having a heyday. They were driving up the price of power, trying to find ways to have a shortage over here so that they can make more money over on this side. They made millions of dollars on this. And suddenly, what looked like a move to the future for deregulation for the entire nation fell apart and every state that was even considering it said, forget it, we don't want any part of that. But we in Illinois did have a new law that we had to deal with. But what's happened is that we've had many industries, many of our larger manufacturers, many businesses benefit from competition, they've benefited from deregulation, they've benefited by seeing their prices a lot lower. They have, in fact, with the assistance of the Illinois Retail Merchants Association, Illinois Manufacturers Association, and others, had reduced energy prices, and that's been good for business

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and that's certainly been good for industry in Illinois. But the fact of the matter is here in the... in the current situation, the reverse auction that the utilities have proposed is resulting in prices that are higher than they should be. It's a false market. The prices are actually artificially high. And should we... the question here is, should we have competition in Illinois for the sake of competition? Should we be endorsing higher rates to have competition at the residential level? I think our residential consumers would rather have lower rates than say, oh, we'd rather have competition. So we could have some competitor come in and try and compete here in the open market. They'd rather have lower rates, and it's pure and simple. So, we here have an opportunity to right a wrong, correct the ship, right the ship. And going forward, if there's a way through this legislation, if the Senate picks it up, that we could see those power contracts renegotiated, this is our only hope to see them renegotiated and reduced. Otherwise, there's no way the power suppliers are gonna renegotiate their contracts. They're not gonna reopen 'em. They're not even talk to the utilities. So, this is an important piece of legislation for consumers in Illinois and I hope that we can send this out with a resounding message and ask the Senate to do the same."

Speaker Hannig: "Representative Washington. Representative Washington, you're recognized for five minutes."

Washington: "Thank you, Mr. Speaker. To the Bill."

Speaker Hannig: "To the Bill."

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Washington: "I just wanna say, as a freshman in my junior year and still trying to bridge the gap between the curve of learning the process, I just want to go on record in saying that I think we clearly, as we revisit this issue, I think it clearly... for me it magnified that we have a problem that we should be able to solve. Either the ICC is going to be an extension of representing or reflecting our priorities or it's not. And if the members of the ICC are appointed and they're not the right people for the job then we need to remove them and get people who are more balanced, who are more up the middle, if that's what we desire. I think we have the power to make that happen. Now, having said that, I think in the process of someone having a ten (10)-year rate freeze, someone locking in something for ten (10) years, it takes two parties to agree to that. And in the 10 year span, those who signed on to that evidently served that part of the 10 years and at that part it's the same thing as if you don't do the crime, you do the time, and after you've done the crime and do the time, you're supposed to have a new beginning. So, I believe in that premise, but at the same time, I know that does not necessarily fit this situation. I intend to support this legislation this time around, but I think that when you extend something then surely the wisdom of those who's been here longer and know this process much better than I would make it easier for a freshman in his junior year to have a situation that's more balanced, more palatable to the public, and more fair to the process. Thank you, Mr. Speaker."

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Speaker Hannig: "Representative Phelps, you're recognized for five minutes."

Phelps: "Thank you, Mr. Speaker, Ladies and Gentlemen of the House. A comment to Representative McCarthy, that I respect a great deal, the family that he was talking about happened to be Randy and Kelly Huckleberry from Carrier Mills. As... Representative McCarthy was right in stating that they did use over nine thousand (9,000) kilowatts and their bill went up six hundred dollars (\$600). Also, on hindsight of that, over 2 years ago they used over eleven thousand (11,000) kilowatts and their bill was four hundred dollars (\$400) cheaper than it was today. So I wanna put that on the record as well. And to the Bill. I support this Bill. I support every tax increase... tax freeze that we could on this Ameren Bill because we have to give immediate relief to our seniors, to our small businesses, and to everybody else it affects throughout the state. Just this weekend alone, I had a business from Johnson County that called me and their bill, it's a car dealership, their bill went from two thousand dollars (\$2,000) to sixty-five hundred dollars (\$6,500) in one month. Also, Goreville First Baptist Church just gave me a call, a little small congregation of about a hundred and fifty (150) people. Their bill went from five hundred (\$500) to almost twenty-five hundred dollars (\$2,500) in one month. There you're seeing definitely increases that these people cannot afford. We need to pass this Bill, get everybody back to the table, give us some time. And also, to close, I wanna say that this Friday at 3:30, at the Harrisburg Middle School gymnasium, I'm hosting

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a rural economic development meeting down in my district to give people the opportunity to come and testify just to prove to everybody around the state how devastating this Bill... this Ameren rate hike is doing to all of us. Thank you and I urge an 'aye' vote."

Speaker Hannig: "Representative Durkin, you're recognized for five minutes."

Durkin: "Thank you, Mr. Speaker. To the Bill."

Speaker Hannig: "To the Bill."

Durkin: "I think it's quite obvious that this Bill will pass out today. However, I believe it's gonna reach a slow death in the Senate. Senator Jones, as of last week, stated that he will not take up the rate freeze Bill and... so in the meantime, there's no relief that the Legislature can provide for people in central Illinois and southern Illinois, and that is why I have persisted with instructing... at least advising the Illinois Commerce Commission to move in a more expeditious manner. They have indicated that a full fledged investigation for them to actually provide any type of relief would take up to 3 months. Now, as of last Thursday, I provided a legal framework for Chairman Box in which he does have the inherent ability to seek a... a temporary restraining order in a Circuit Court of any one of these counties in central Illinois or southern Illinois. Now, he's gonna get back to me on it, but I... what I'm saying is let the ICC do their job. People have been highly critical of the ICC over the past 2 years. I'm waiting for them to be able to prove themselves, and I think they can. So I'm going to ask that people in this chamber... yes, the Bill will

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pass out today. It's not gonna move in the Senate... but you would join me in passing along your request to the Illinois Commerce Commission to do what they have the inherent right to, and that is to go into the Circuit Court on behalf of the ratepayers and the people of southern Illinois to restrain these... Ameren from on a number of any type of issue they want, whether it'd be all-electric or if it's on the rates in general. They have that right. So, with that, I would just ask that people also make that request to the ICC. Three months is too long, but they do have that ability tomorrow or the day after, as any other litigant in the State of Illinois does, to walk into a court seeking some type of equitable relief that is in the form of a temporary restraining order or seeking injunctive relief. So, with that, as I said earlier, let's let the ICC do their job, and if they don't then there'll be consequences to be paid. Thank you very much."

Speaker Hannig: "The Gentleman from Randolph, Representative Reitz, is recognized for five minutes."

Reitz: "Thank you, Mr. Speaker. To the Bill. As everyone has said, I think the Committee of the Whole helped a lot. It got a lot of information out about the Commerce Commission from the utilities and from... from everyone that came to testify and I appreciate everyone that stuck around to hear everyone at the last and glad that Representative Beiser had his people from Alton bumped up to second to last so that they could testify at 2:30 instead of 2:45. But we've had... hundreds of people in my area have sent me bills or called where they've experienced increases of 100 to 200 percent in

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their electric Bills, not the one to two dollars (\$1 to \$2) a day that was advertised and that they tried to send out to their consumers in Ameren territory. That misrep... misrepresentation has led us more today than anything else. This legislation provides immediate relief, as they said, and our intent needs to be to drive the utilities back to the table, find a way that we can provide reliable electricity in the State of Illinois for reasonable rates, and we definitely don't have reasonable rates now. And I'd appreciate your support."

Speaker Hannig: "Representative Sacia, you're recognized for five minutes."

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

Speaker Hannig: "He indicates he'll yield."

Sacia: "Ladies and Gentlemen of the House, this Bill was debated at length in a slightly different term in Veto Session in November. It passed overwhelmingly, though many us spoke against it. It's gonna pass overwhelmingly again today. The Senate's gonna pass a Bill out that's gonna be very, very different. It's gonna ask for a gradual increase to support business interest, but it won't get called over here, just like this Bill won't get called over in the Senate. Look up in the gallery, Ladies and Gentlemen, take a look. Those people aren't here looking at us. They're here wanting to see what we're gonna do on their electric rates. That's why they're here. Governor Blagojevich, where are you? Why aren't you pulling the four (4) Leaders of this... these two chambers together to resolve the most crucial issue that every person in the State of Illinois is

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dealing with. These are crucial, crucial issues. We wear a title, the title is called Representative. We represent those people. I'm gonna vote 'no' on this Bill. It doesn't matter what you vote. You can go home and puff yourself up and say, 'I voted yes.' The people don't care. What they want to hear is what is public law, what are we going to do to fix a crisis. And Ladies and Gentlemen, this is a crisis to the twelve-plus million people in this great state and it is our obligation to fix it. Governor Blagojevich, bring your four Leaders together, come up with a Bill that we can all support. Thank you, Ladies and Gentlemen."

Speaker Hannig: "Representative Hoffman, you're recognized for five minutes."

Hoffman: "Thank you, Mr. Speaker, Ladies and Gentlemen of the House. Let me just say that I support this Bill. I'm gonna vote in favor of this Bill. The Governor has indicated he would sign this Bill. The Governor has indicated to the Illinois Commerce Commission that he is for a rate freeze. The Governor has over and over and over again indicated his support for this Bill. I just say to the people who were recently speaking, who are saying they're gonna vote 'no' for this, look yourself in the mirror, look yourself... your constituents' faces when every time they get a bill that is increasing the rates. The Governor is for this, he said he's for it, and put your vote where your mouth is. Vote 'aye'."

Speaker Hannig: "Is there any further discussion? Representative Bradley, you're recognized to close."

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Bradley, J.: "A couple of housekeeping measures. First of all, I would encourage any and every one to go and look at the ICC order that was entered on Friday, and I think you're gonna be very disappointed as to what they indicated that they were willing to do and they were gonna do. I would encourage everyone to do that, and I say that because it is abundantly clear that if this issue is gonna be solved it is gonna have to start somewhere, and it starts here. We can't control what other people are gonna do, we can't control what other people can think, but we control our own actions. Chairman Scully has done a wonderful job of shepherding this Bill to where it is. But the question is not where the ICC is. The question is not where the Governor is. The question is not where someone else is. The question is where we are. Are we gonna take a stand for our people? Are we gonna stand up and say enough is enough? Are we going to do the right thing? The Bill that's on the board is not a Bill that says, well, if this happened somewhere else, there's no punt butted on our buttons, there's no maybe, I'm not sure. There's 'yes' and there's 'no'. And we have an opportunity to protect our people. These bills are not made up. These petitions are not made up. Our people are hurting. We come in here every day and we look at the scales of justice, and the scales of justice are out of balance. And it is our responsibility as elected officials, as oath takers to go out and do something about that, that's why we're here. So let's do it. Vote 'yes' for this Bill, provide immediate relief. If it gets people

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to the bargaining table, sobeit. If it doesn't, we've done the right thing."

Speaker Hannig: "The question is, 'Shall this Bill pass?' All in favor vote 'aye'; opposed 'nay'. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Representative Collins, Colvin, and Crespo, do you wish to be recorded? Have all voted who wish? Mr. Clerk, take the record. On this question, there are 92 voting 'yes' and 5 voting 'no', 19 voting 'present'. And this Bill, having received a Constitutional Majority, is hereby declared passed. On page 9 of the Calendar, under the Order of House Bills-Third Reading, we're gonna begin at the top of the page on... with House Bill 4. Representative Brady, do you wish us to read this Bill? Mr. Clerk, read the Bill."

Clerk Bolin: "House Bill 4, a Bill for an Act concerning local government. Third Reading of this House Bill."

Speaker Hannig: "Representative Brady."

Brady: "Thank you very much, Mr. Speaker. Ladies and Gentlemen of the House, House Bill 4 deals with... specifically to the Airport Authority Commissioners in my legislative district. And what it simply does is allow the increase from five to seven for a couple different reasons for those members of that board who are appointed, specific to my district. Along with a couple different issues on the efficiency side of things, it's a direct reflection of growth in that community and the increasing complexities of administrating the airport facility and the Airport Authority Board increasingly has found itself challenged to efficiently

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conduct its affairs with only five members and be respectful and mindful in compliance of the law of the Open Meetings Act. I'll be happy to answer any questions and I certainly ask for your 'aye' vote."

Speaker Hannig: "This is on the Order of Short Debate. We're gonna move it to Standard Debate. And Representative Black, you're recognized for five minutes."

Black: "Thank you, Mr. Speaker. Inquiry of the Chair."

Speaker Hannig: "Yes, state your inquiry."

Black: "My analysis indicates Floor Amendment #1 was at least offered on the Bill. Would the Clerk inform us is Floor Amendment #1 on the Bill or is it not on the Bill?"

Speaker Hannig: "Mr. Clerk, could advise us asto the status of Floor Amendment #1?"

Clerk Bolin: "Amendment #1 was a Committee Amendment that was adopted in committee."

Speaker Hannig: "Representative Black."

Black: "So, there... there's no reference... the analysis says Floor Amendment #1 would add the Springfield Airport Authority. Then I assume that that Amendment has not been added to the Bill."

Clerk Bolin: "Floor Amendment #2 has not been adopted."

Black: "All right. Thank you."

Speaker Hannig: "Representative Bost."

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

Speaker Hannig: "He indicates he'll yield."

Bost: "Just very quickly, and I know that we've had this conversation, you were very clear in that. It is strictly for your airport only. It does... originally, there were

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several questions about how it would affect other airport authorities."

Brady: "That's correct. And the way the legislation is written, Representative Bost, it would be specific to the population based in the Bloomington-Normal area and for that commissioners. And in response to Representative Black's inquiry as well, initial intent was to have a Floor Amendment to allow Springfield, who wanted to do the same thing, but that unfortunately was written incorrectly and that will be looked at a different time possibly. So we did not put any other Amendment on to this Bill."

Bost: "Okay, it was just... for... for my airport authority wanted to make sure that we did make sure that it was on record, that it's not going to affect them, and that... that... I appreciate that. Thank you."

Brady: "Thank you."

Speaker Hannig: "Representative Miller. Okay. Representative Franks, five minutes."

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

Speaker Hannig: "Indicated he'll yield."

Franks: "I just have one question. Is there any cost when you add additional commissioners?"

Brady: "There would be the fee that is paid to the commissioners for their service, but that would be the responsibility of the Airport Authority Commission to pay those fees. Their... their stipend, I believe it's called."

Franks: "Do they get a salary or is there a per diem or how is this done?"

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Brady: "I believe it... I believe it's a stipend per meeting, Representative."

Franks: "Okay. And there's no cost to the state?"

Brady: "There is no cost to the state, that's correct."

Franks: "And it only deals with your district?"

Brady: "Yes, Sir."

Franks: "Thank you."

Speaker Hannig: "Is there any further discussion? Then Representative Brady, you're recognized to close."

Brady: "Thank you very much, Mr. Speaker, Ladies and Gentlemen. I simply ask for your 'yes' vote on House Bill 4 and certainly appreciate the questions and concerns of my colleagues. Thank you."

Speaker Hannig: "The question is, 'Shall this Bill pass?' All in favor vote 'aye'; opposed 'nay'. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted to wish? Have all voted who wish? Representative Acevedo, Monique Davis, Representative Patterson, do you wish to be recorded? Have all voted who wish? Mr. Clerk, take the record. On this question, there are 116 voting 'yes' and 0 voting 'no'. And this Bill, having received a Constitutional Majority, is hereby declared passed. Representative Feigenholtz, do you wish us to read House Bill 49? Mr. Clerk, read the Bill."

Clerk Bolin: "House Bill 49, a Bill for an Act concerning public employee benefits. Third Reading of this House Bill."

Speaker Hannig: "The Lady from Cook, Representative Feigenholtz."

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Feigenholtz: "Thank you, Mr. Speaker. House Bill 49 is a Bill that amends the Pension Code and essentially what it does is it cleans up what I think was an oversight or an error about benefits to people and persons who were adopted. I would be glad to answer any questions."

Speaker Hannig: "The Lady has moved for the passage of House Bill 49. This is on Short Debate. Does anyone stand in response? Then the question is, 'Shall this Bill pass?' All in favor vote 'aye'; opposed 'nay'. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Representative Jefferson and Turner, do you wish to be recorded? Have all voted who wish? Mr. Clerk, take the record. On this question, there are 116 voting 'yes' and 0 voting 'no'. And this Bill, having received a Constitutional Majority, is hereby declared passed. Representative Dunn, shall we read House Bill 133? Mr. Clerk, read the Bill."

Clerk Bolin: "House Bill 133, a Bill for an Act in relation to transportation. Third Reading of this House Bill."

Speaker Hannig: "The Gentleman from Will, Representative Dunn."

Dunn: "Thank you, Mr. Speaker, Ladies and Gentlemen of the House. This creates a specialty license plate for the Rotary. The Rotary is a service charity organization founded here in Illinois, 1905. They've spent many volunteer hours and millions of dollars both locally and internationally. There are eighteen thousand (18,000) members here in Illinois, ten thousand (10,000) of which have expressed an interest in this license plate. I know of no opposition and I ask for an 'aye' vote."

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Speaker Hannig: "The Gentleman has moved for the passage of House Bill 133. It's on the Order of Short Debate. Does anyone stand in response? Then the question is, 'Shall this Bill pass?' All in favor vote 'aye'; opposed 'nay'. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Representative Fortner and Representative Howard, do you wish to be recorded? Have all voted who wish? Mr. Clerk, take the record. On this question, there are 114 voting 'yes' and 2 voting 'no'. And this Bill, having received a Constitutional Majority, is hereby declared passed. Representative Beaubien on House Bill 140. Mr. Clerk, read the Bill."

Clerk Bolen: "House Bill 140, a Bill for an Act concerning local government. Third Reading of this House Bill."

Speaker Hannig: "The Gentleman from Lake, Representative Beaubien."

Beaubien: "Thank you, Mr. Speaker. House Bill 140 is an initiative of the Northern Marine Waste Water Reclamation District; it's all within my district. There are four towns... five towns and six townships involved in this district; they're all in favor of this change of going from three to five trustees. There's no cost to the state. There will be a cost to the district to pay these gentlemen, I believe, six thousand dollars (\$6,000) a year, so there will be a local tax to fund these new commissioners. But this is a very vastly growing area and, frankly, some of the facilities they have going in there they bring a great deal of sales tax revenue to the State of Illinois, but there's

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no fiscal impact to the State of Illinois. And I urge an 'aye' vote."

Speaker Hannig: "The Gentleman has moved for the passage of House Bill 140. Does anyone stand in response? Then the question is, 'Shall this Bill pass?' All in favor vote 'aye'; opposed 'nay'. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Have all voted who wish? Representative Fritchey and Representative Winters, do you wish to be recorded? Mr. Clerk, take the record. On this question, there are 104 voting 'yes' and 12 voting 'no'. And this Bill, having received a Constitutional Majority, is hereby declared passed. Representative Nekritz, do you wish us to read House Bill 148? Oh, okay. Out of the record. Representative Black on House Bill 160. Do you wish us to read this on Third, Representative? Mr. Clerk, read the Bill."

Clerk Bolin: "House Bill 160, a Bill for an Act concerning finance. Third Reading of this House Bill."

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

Black: "Thank you very much, Mr. Speaker and Ladies and Gentlemen of the House. It's a relatively simple Bill that we've talked about for a number of years. If we don't get a Road Fund bond issue this year we will be on our seventh year without a Road Fund bond issue. I don't know how the roads and bridges are in your district, but mine are in desperate need of repair and/or replacement. All the Bill says is that no... you cannot transfer any money from the Road

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Fund to any other usage without a Two-thirds Majority vote from the General Assembly. It also provides that the Road Fund will be exempt from all administrative chargebacks indefinitely. It goes on to say that in fiscal '08 and fiscal '09, 35 percent of the revenue realized from the state sales tax on motor fuel and gasohol should be paid into the Road Fund rather than the General Revenue Fund. That's all the Bill does. I'll be glad to answer any questions."

Speaker Hannig: "The Gentleman has moved for the passage of House Bill 160. This is on Short Debate. Does anyone stand in response? Then the question is, 'Shall this Bill pass?' All in favor vote 'aye'; opposed 'nay'. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Representative Froehlich, do you wish to be recorded? Mr. Clerk, take the record. On this question, there are one... Representative Scully, how did you wish to be recorded? Mr. Clerk, can we... Mr. Scully is here on the floor and I guess his switch is still locked. Can we record him as 'aye'? Can we do that? So, Representative Scully, we've already taken the record, the Clerk advises me. So the record will reflect that you were here, that you wish to vote 'yes' but your switch had not been activated by the Clerk's well... yet. So, on this question, there are 115 voting 'yes' and 1 voting 'no'. And this Bill, having received a Constitutional Majority, is hereby declared passed. House Bill 174. Representative Tracy, do you wish us to read this Bill? Should we read it on Third? Mr. Clerk, read the Bill."

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Clerk Bolin: "House Bill 174, a Bill for an Act concerning criminal law. Third Reading of this House Bill."

Speaker Hannig: "The Lady from Adams, Representative Tracy."

Tracy: "Thank you. House Bill 174 addresses a matter that was brought to my attention by our area law enforcement as they continue to battle the methamphetamine problem in our area of the state as well as other parts of the downstate area. And what this Bill would do is those who would use a fake or fictitious or false identification to purchase the precursors of the methamphetamine ingredients would be subject to a greater penalty, Class IV felony. And we think that this would eliminate many of the problems that we're finding in those that choose to purchase these ingredients for methamphetamines at our local retail establishments and the like and be another assistament... assistance and tool for our area law enforcement officers in making this a Class IV penalty. So, I'm happy to answer any questions on this issue and this law."

Speaker Hannig: "The Lady has moved for the passage of House Bill 174. And on that question, the Gentleman from Cook, Representative Lang."

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

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

Lang: "Representative, I guess the most important question I have to ask you is is this your first Bill?"

Tracy: "I'm not sure. Yes, it is, Representative Lang."

Lang: "Ah, okay. So, if you weren't sure whether it's your first Bill maybe the rest of these questions will be really tough, right? So, I'm... I'm reading your Amendment and it...

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this is an important and significant Bill but we have to ask you these questions. So, it says that any person who uses a false, unlawfully altered, fictitious, or fraudulent driver's license... blah, blah, blah, blah... is guilty of a Class IV felony. Are all these terms identified in the law? 'Unlawfully altered', is that defined somewhere in the law? What does that mean?"

Tracy: "Yes, it is. Unlawfully altered means that you... you've marked or changed... what's happening is, as you recall under the... the Precursor Control Act, an individual purchasing the ingredients for methamphetamine, the pseudoephedrine in particular, has to show a government issued ID. And what has happened is... is that we have found that individuals that are prone to purchase these precursor ingredients for the use and manufacture of methamphetamine, that they alter or they use fake IDs basically to... so that they can purchase additional ingredients."

Lang: "So, I do understand the Bill but thank you for explaining it to me. So I asked you what time it was and you told me how to build a watch. I didn't ask any of that. So, I asked you what 'unlawfully altered' mean and if that definition of that term was in the Bill."

Tracy: "It is not in the Bill. Well, it's in... I don't... I'm not sure. Just a minute. Let's look."

Lang: "Well, why don't you take a minute and look at your Bill, Representative. It is your Bill, right? You are Represent..."

Tracy: "It is my Bill."

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Lang: "You are Representative Tracy. So, please, we'll take a minute while you read your Bill."

Tracy: "Okay. Actually, it is not in the Bill."

Lang: "All right. So is this defined somewhere?"

Tracy: "In Webster's, fake, false, fictitious."

Lang: "You... you did that without having Webster's in your hand? That's what it says, fake, false, factitious?"

Tracy: "Altered."

Lang: "So... okay. So... so, the Bill itself doesn't define any of these terms, correct?"

Tracy: "No."

Lang: "So what... what does 'false' mean?"

Tracy: "False means what it would mean to the lay person or any one in this room. It means that it is not the government issued ID it was intended to be."

Lang: "The two Members of the House that are standing either side of you aren't doing ya much good, I have to tell you that. So... so, what does 'fraudulent' mean? Isn't there a... a definition somewhere in the statute of any of these things? Somewhere in some statute? Did you write this yourself, Representative?"

Tracy: "I assisted."

Lang: "Who did you assist?"

Tracy: "I... I assisted my staff who are trained in the criminal law."

Lang: "Your staff trained in the criminal law."

Tracy: "Yeah."

Lang: "So, they came up with these terms of art?"

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Tracy: "No, actually... no. The state troopers that I'm trying to assist in the preparation of this Bill."

Lang: "I see. I see. And now you're doing this with no notes at all, you put your whole file down. This is really good. So this is gonna be a Class IV felony. Is that correct?"

Tracy: "It is."

Lang: "What's the difference between a Class IV felony and a Class V felony?"

Tracy: "There is no Class V."

Lang: "Oh, very good. That was good, Representative. All right. So, what's the difference between a Class IV felony and a Class III felony?"

Tracy: "Well, I've gotta look at my notes again. But it... it..."

Lang: "All right. Pick 'em up. We'll wait."

Tracy: "The Class IV is the bottom of the heap of Class IV felonies... I mean, of the class of felonies. And what it does is it increases... the... it's a one (1) to three (3) year sentence for being convicted of a Class IV felony. And, you know, truthfully, we're wanting to enhance it to get it to a felony because we do believe that will be a true deterrent."

Lang: "Well, you'd think with all this false and unlawfully altered and fictitious and all that you'd want to make a new category of felony, like, let's say, a three and a half. Do you wanna take this out of the record and consider a three and a half?"

Tracy: "No, I'm all simplifying the best we can and I think... I'm thinking that a Class IV felony will be quite adequate to address the problem."

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Lang: "All right. I... I think I'm finished. But I would just admonish you, Representative, in the future when you have a Bill you really oughta define your terms because many of us here don't understand criminal law as well as you do and without real definitions we have no idea what the heck you're talking about. Thank you."

Tracy: "Thank you."

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

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

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

Black: "Representative, on page 2 of your Bill at the end of the material that's underlined, the material that you're adding to the existing law, there's a source given. Public Act 94-694, effective 1-15-06. In that Public Act, is there in fact a definition of a 'unlawful', 'fraudulent', or... what's the other word?"

Tracy: "Fictitious."

Black: "Unlawfully altered, fictitious, or fraudulent license in the underlying Bill?"

Tracy: "That I'm not sure... clear on, but I can certainly check on that."

Black: "I... I think the question of definition is not really a fictitious question. I mean, if... if there's no clear definition of a 'false', 'unlawfully altered', 'fictitious', or 'fraudulent' license then I don't know what the prosecutor will charge you with. I'm... I'm assuming that that reference is in the Public Act. For example, if I were

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to use my brother's driver's license, am I covered under this Bill?"

Tracy: "You are, in fact. You are using a false ID to purchase."

Black: "Well, my... my..."

Tracy: "It is not your ID. The only ID that would actually ever be yours is one that has your picture, your birth date, your identification. And if it's... if it's not your identity there on that driver's license..."

Black: "Have you seen the picture on my driver's license?"

Tracy: "It may not look like you but..."

Black: "I... I never show it."

Tracy: "...it has the right information."

Black: "I never show it."

Tracy: "Have you altered it?"

Black: "I... generally, when I'm in Springfield I use Lou Lang's driver's license. But... so under this Bill... okay. So, it'd only be illegal if I purchased a targeted methamphetamine precursor. If I... if I go into the adult beverage store and use Representative Lang's driver's license because they don't think I'm 21, that's okay. It's just if I use it to try and buy a methamphetamine precursor."

Tracy: "This Bill addresses someone using a fake, faltitious (sic-fictitious), or altered..."

Black: "Okay."

Tracy: "...to... to purchase a controlled substance... I mean, the... the precursors that are defined."

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Black: "Yeah. What is a precursor? Is that someone who's 8 years old and hasn't been able to swear yet or...? What is it?"

Tracy: "Well, it's a new word that..."

Black: "That sounds like a precursor to me."

Tracy: "It... it might not even be covered in Webster's. But sadly, we've had to learn that a precursor is... it means that it's one of the ingredients that when cooked down it becomes... it can be used as an ingredient for methamphetamine. It's defined and set forth in the met... in the Precursor Control Act..."

Black: "Okay."

Tracy: "...that this Bill amends."

Black: "Is anhydrous ammonia a precursor?"

Tracy: "It is an ingredient but it is not actually a precursor."

Black: "Okay. Now, if I recall, all precursor products have to have behind the counter, right?"

Tracy: "They do."

Black: "All right. Now, was there any particular case that was the genesis of this Bill? I mean, did something happen in Quincy, that hotbed of nefarious activity or...? What... what was the genesis of this Bill?"

Tracy: "Indeed, it has been exactly what's been happening, is that people are using fake, faltitious... fictitious IDs and... and certainly it arose and it came to my attention. Not just... it's not happened just once, but many times. I mean, there've been people..."

Black: "So..."

Tracy: "...trying to purchase these ingredients."

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Black: "This... this was actually going on in Quincy, a beautiful city by the river?"

Tracy: "Well, yes. In fact, I had a methamphetamine lab busted right above my Attorney General's Office..."

Black: "Yeah."

Tracy: "...when I was working there. So... but the task force that brought it to our attention serves a much larger area."

Black: "Professor Harold Hill was right, we've got trouble. Really big trouble."

Tracy: "Well, actually we do. And now that's the whole point of this..."

Black: "Okay."

Tracy: "...is try to..."

Black: "Is... Did you go to Quincy High School?"

Tracy: "No, I did not. I went to Anna-Jonesboro."

Black: "Anna-Jonesboro. So you're... you're a southern Illinoisan."

Tracy: "I am."

Black: "Congratulations. Is the nickname of the Quincy High School, is it the Blue Devils?"

Tracy: "It is."

Black: "Doesn't that offend you?"

Tracy: "Yes, I would prefer it be green and white."

Black: "I was gonna say, it's kinda like Satan worship or something. The high school isn't located at 666 Main Street, is it?"

Tracy: "I don't think so. No."

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Black: "Okay. Is it... is it true, Representative, that your experience with a lot of these chemicals came because... did you grow up in a funeral home?"

Tracy: "I did."

Black: "Are you a licensed embalmer?"

Tracy: "No."

Black: "Oh. Can any of these materials be used in embalming?"

Tracy: "I'm... I'm not sure any of them break down to formaldehyde. But the... the net effect is the same, they will pickle your insides."

Black: "It will do what to my insides?"

Tracy: "Pickle them."

Black: "How dare you. So we could extend this out then if you use a fraud... fraudulent ID to buy pickles. Then you, I suppose, you're gonna be guilty of a Class IV felony, right? Well, Representative, the more you try to answer these questions the greater pickle I find myself in. But I... I'm always impressed with someone who reads the Bill, although your Bill really is only four sentences. And you've... you've done an excellent job and I know staff has helped you a great deal and if... if this is good for Quincy, it's good for the State of Illinois, right?"

Tracy: "Yes. Thank you."

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

Speaker Hannig: "The Gentleman from Cook, Representative Molaro."

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

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

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Molaro: "All right. This is a very complicated four sentences as I try to read this. Did you list for the Body... have you already told us what the pur... precursors are? Did you already state that in debate?"

Tracy: "I did not list them individually, but..."

Molaro: "Well, then how do we know..."

Tracy: "Mainly there is pseudoephedrine..."

Molaro: "How do we know what we're voting for if you didn't list them?"

Tracy: "This... this... well, I have 'em here."

Molaro: "Are you asking us to vote for something and not even know what it is?"

Tracy: "Well, they are defined and covered in the present Precursor Control Act, and it basically is the pseudoephedrine. It's... it has a lot of 'em in here that I could read."

Molaro: "Do you... do you know what they are?"

Tracy: "I do."

Molaro: "And you think we should do this Bill just on your word, that you know what they are and they're okay."

Tracy: "No. And... and, as I said, I mean, they are defined and set forth in the Precursor Control Act that this Act amends. They are such great ingredients as ephedrine, pseudoephedrine, benzolmetholciotone, methalbenzociotine."

Molaro: "Well, who made up that list? Was that Representative Eddy or Rose or was it Bradley, who's not here? Where'd that list come from? The re... did... don't tell me. Did Representative Black make up that list?"

Tracy: "They... they're actually in the Precursor Control Act."

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Molaro: "Okay. One last question. You have here targeted methamphetamine precursors. You didn't list the precursors that are target. Could you list the untargeted methamphetamine precursors? 'Cause we have targeted ones. What are the untargeted ones?"

Tracy: "Well, it depends on if you're using anhydrous or ether, but matches, salt, paint thinner could even be used, Drano."

Molaro: "Salt?"

Tracy: "I mean, you know, depending on what you're us... which method you're using that you can get off the Internet as far as your ingre... your recipe."

Molaro: "So there's the salted kind and the unsalted kind? Oh."

Tracy: "Depends on your seasoning taste. But... but..."

Molaro: "Oh, okay. All right. I have no further questions. That's enough."

Speaker Hannig: "Representative... Representative Gordon."

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

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

Gordon: "Representative, here we go again. Do you believe that your Bill, House Bill 174, is not already the law in the State of Illinois?"

Tracy: "I do. I believe that there is a law that was introduced last year that covers identity theft and ups it to a Class I or a Class II when a person's identity theft is stolen. But this Bill is addressed to the false, fictitious, or fake IDs."

Gordon: "Okay. Well, I have all of those definitions in front of me and 'personal identification document', as defined under the identity theft statute, does cover the same

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circumstances that your Bill covers. It's under 720 ILCS 5/16G-10 definitions and it goes through all of the personal identification documents, birth certificate, driver's license, state identification card, issued by the government to or on behalf of a person other than the offender. And it specifically talks about whether or not it's altered by that person or if it's... if it's documents used to issue another one. So that's one, specifically, in the identity theft statute already. Secondly, this, specifically with meth precursors, is also in the Criminal Code under the identity theft statute. Specifically, a person convicted of identity theft in violation of the... of the paragraph that we've already discussed to use as any personal identification information, which is defined, 'to purchase methamphetamine manufacturing material, as defined in Section 10 of the Methamphetamine Control and Community Protection Act, with the intent to unlawfully manufacture methamphetamine is guilty of a Class II felony for a first offense and a Class I felony for a second or subsequent offense.' And what you're doing is making, in my opinion and in the opinion of many other people here, something that's already law a lesser felony. So you're lowering the felony that is already law to make it a Class IV offense; therefore, being soft on crime and less... less of punishment for criminals who are out there using improper documents to buy Sudafed and all the other precursors that are out there to manufacture meth. Is that your intent with this Bill that you're trying to pass?"

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Tracy: "My intent is to address a serious problem that is not covered in the statute that you just alluded to. And certainly, I did not want to duplicate and that would never be my intent. I think that... that this instance is quite different than stealing the identity of another that is addressed in the statute that you just read. There are instances where someone will go in and use a fake or altered ID to purchase, and that is not stealing the identity of another."

Gordon: "Thank you, Representative. To the Bill, Mr. Speaker."

Speaker Hannig: "To the Bill."

Gordon: "Ladies and Gentlemen, just because the name 'identity theft' is the name of the crime, as the definition is written in the statutes of the State of Illinois does not mean exactly that. What this Representative is doing, and she and I have had many conversations about it, is lowering the class of felony for which something that we have on the books is already law. We already have on the books a wonderful law that Representative Beiser was the Chief Sponsor of last year, I was the Chief cosponsor, and many people in this House joined in on that Bill. It is a Class II felony for that offense. A subsequent offense to that is a Class I felony. It is covered under the identity theft statute in the State of Illinois. Would it be better covered and understood more clearly under the Methamphetamine Control Act? Perhaps. Perhaps it would. But it's under the identity theft statute. I, for one, am not going to vote for a Bill... and I know it's her first Bill and she has worked very hard to understand this. And I

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understand the methamphetamine problem in your district, Representative. But I, for one, am not going to vote for a Bill to lower the penalty on people who are putting a deadly drug out there on our streets for people to use in the rural areas. To put out a poor man's cocaine, to take advantage of the people in our areas who are stealing these precursors and making this deadly, deadly drug. I understand that we have a disagreement. If anyone does not believe me, I have all of the definitions in front me. I have the analysis, I have the Bills, I have the statutes, everything that is already covered in the State of Illinois. I would urge, one, the Representative to take this out of the record, two, if she insists on a vote from this House then a 'present' or a 'no' vote. This vote lowers the penalty for a law that is already on the books. Thank you, Ladies and Gentlemen."

Speaker Hannig: "Any further discussion? Representative Tracy to close."

Tracy: "Yes. And I do appreciate Representative Gordon's comments. However, we have seriously considered her comments and analysis and I do believe that, although I respect her opinion, that this Bill does address a situation that has not been addressed. And the opinion of the Illinois State's Attorneys Association is that we need this law in effect to help fight the methamphetamine problem that we have, and this will give our law enforcement yet another tool. And it is not in any way to be construed as being soft on crime. It addresses a situation that is not covered in the pre... prior law. And it is very much needed and I

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urge you all to support it and I'd appreciate your 'yes' vote. Thank you."

Speaker Hannig: "The Lady from Adams, Representative Tracy, has moved for the passage of House Bill 174. So the question is, 'Shall this Bill pass?' All in favor vote 'aye'; opposed 'nay'. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Have all voted who wish? Representative Scully, do you wish to be recorded? Still? Okay. Have all voted who wish? Mr. Clerk, take the record. On this question, there are 108 voting 'yes' and 8 voting 'no'. And This Bill, having received a Constitutional Majority, is hereby declared passed. Mr. Clerk, what is the status of House Bill 961?"

Clerk Bolin: "House Bill 961 is on the Order of House Bills-Third Reading."

Speaker Hannig: "Return that to the Order of Second Reading at the request of the Sponsor. And, Mr. Clerk, read House Bill 998. It's on the Order of Second Reading."

Clerk Bolin: "House Bill 998, a Bill for an Act concerning State Government. Second Reading of this House Bill. Amendment #1 was adopted in committee. No Floor Amendments. No Motions filed."

Speaker Hannig: "Hold that now on Second Reading, Mr. Clerk. Are there any announcements? Representative Hoffman, for what reason do you rise?"

Hoffman: "Yes, for purpose of an announcement. The Transportation Committee will be meeting today. The Transportation Committee will be meeting today."

Speaker Hannig: "Representative... Representative Berrios."

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Berrios: "Thank you. For purpose of an announcement. The Biotechnology Committee will be canceled today. Thank you."

Speaker Hannig: "Representative Lang."

Lang: "Thank you, Mr. Speaker. The House Gaming Committee scheduled for tomorrow is canceled."

Speaker Hannig: "Are there any other announcements? Then Representative Currie would move that, allowing perfunctory time for the Clerk, that the House stands adjourned 'til tomorrow, Wednesday, March 7, at the hour of 11:30, 11:30 a.m. All in favor say 'aye'; opposed 'nay'. The 'ayes' have it. The Motion is adopted and the House stands adjourned."