

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

90th Legislative Day

7/12/2007

Speaker Hannig: "The regular Special Session (sic-regular Session) will come to order. Is there... okay, is there leave for the Attendance Roll Call from the First Special Session? Leave is granted and a quorum is present. Mr. Clerk, do you have any Committee Reports?"

Clerk Mahoney: "Committee Reports. Representative Flowers, Chairperson from the Committee on Health Care Availability and Access, to which the following measure/s was/were referred, action taken on July 11, 2007, reported the same back with the following recommendation/s: 'recommends be adopted as amended' House Resolution 523. Representative Franks, Chairperson from the Committee on State Government Administration, to which the following measure/s was/were referred, action taken on July 11, 2007, reported the same back with the following recommendation/s: 'recommends be adopted' is Floor Amendment #6 to Senate Bill 509. Representative John Bradley, Chairperson from the Committee on Judiciary I - Civil Law, to which the following measure/s was/were referred, action taken on July 11, 2007, reported the same back with the following recommendation/s: 'recommends be adopted' is a Motion to Concur in Senate Amendments 1, 7, and 8 to House Bill 830. Representative Molaro, Chairperson from the Committee on Judiciary II - Criminal Law, to which the following measure/s was/were referred, action taken on July 11, 2007, reported the same back with the following recommendation/s: 'recommends be adopted' is Floor Amendment #1 to Senate Bill 1023; 'do pass Short Debate' is Senate Bill 866. Representative Saviano, Chairperson from the Committee on Registration and

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Regulation, to which the following measure/s was/were referred, action taken on July 11, 2007, reported the same back with the following recommendation/s: 'do pass as amended Short Debate' is Senate Bill 128; 'recommends be adopted' is Floor Amendment #3 to Senate Bill 149. Representative Osterman, Chairperson from the Committee on Labor, to which the following measure/s was/were referred, action taken on July 11, 2007, reported the same back with the following recommendation/s: 'recommends be adopted' is Senate Joint Resolution 22; 'recommends be adopted' is a Motion to Concur in Senate Amendment 4 to House Bill 1855."

Speaker Hannig: "Representative Sullivan, for what reason do you rise?"

Sullivan: "Mr. Speaker, I had a question. I just... I apologize ahead of time. I was just off the floor, I might've missed it. Could you tell me when the... what time the Committee on Disparities in Education Achievement is going to meet today?"

Speaker Hannig: "Which committee, Representative?"

Sullivan: "I believe it was the Committee on Disparities in Education Achievement."

Speaker Hannig: "I'm advised that tomorrow there'll be an education meeting at 12 noon, I think on a budget issue. But..."

Sullivan: "Is that gonna be held in the Committee on Disparities in Education Achievement?"

Speaker Hannig: "I don't know the answer, Representative."

Sullivan: "Could you maybe inform us when that committee's gonna meet? Thank you."

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Speaker Hannig: "Yeah, on the Supplemental Calendar, under the Order of Senate Bills-Second Reading, is Senate Bill 866. Representative Joyce, do you wish us to read that? Mr. Clerk, read the Bill."

Clerk Mahoney: "Senate Bill 866, a Bill for an Act concerning regulation. Second Reading of this Senate Bill. No Committee Amendments. No Floor Amendments. No Motions filed."

Speaker Hannig: "Third Reading. On Supplemental Calendar #1 is Senate Bill 128. Mr. Clerk, read the Bill."

Clerk Mahoney: "Senate Bill 128, a Bill for an Act concerning regulations. Second Reading of this Senate Bill. Amendments 1 and 2 were adopted in committee. No Floor Amendments. No Motions filed."

Speaker Hannig: "Third Reading. On page 10 of the regular Calendar, under the Order of Senate Bills-Second Reading, is Senate Bill 1023. Representative Turner, do you wish us to read that Bill? Shall we read the Bill? Mr. Clerk, read the Bill."

Clerk Mahoney: "Senate Bill 1023, a Bill for an Act concerning criminal law, has been read a second time, previously. No Committee Amendments. Floor Amendment #1, offered by Representative Turner, has been approved for consideration."

Speaker Hannig: "Representative Turner."

Turner: "Thank you, Mr. Chairman... Mr. Speaker. Amendment #1 was adopted yesterday in committee and basically it is recommendations that were provided... Amendment #1 encompass what was Senate Bill... House Bill 1290. And in House Bill 1290 we dealt with ballistic testings and DNA and the

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ability to use that evidence in future cases. What Amendment #1 did is that it also it... it included that language, plus it included some language from the Criminal Justice... Criminal Justice... it's the committee that deals with... just one minute."

Speaker Hannig: "Any discussion? Then all in favor of the Amendment say 'aye'; opposed 'nay'. The 'ayes' have it and the Amendment is adopted. Any further Amendments?"

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

Speaker Hannig: "Third Reading. Representative Turner, do you wish us to read the Bill at this time? Mr. Clerk, read the Bill."

Clerk Mahoney: "Senate Bill 1023, a Bill for an Act concerning criminal law. Third Reading of this Senate Bill."

Speaker Hannig: "Representative Turner."

Turner: "Yes, thank you, Mr. Speaker. As I was saying earlier, this encompasses the language from the original Bill, which was House Bill 1290. And then it has Amendment #1, which is an Amendment which deals with the Capital Crimes Database and that information being submitted to the Illinois Criminal Justice Information Authority. They would be now required to collect the data in terms of long-term... or capital cases. And it also has information dealing with the... the offense of aggravated battery... no, aggravated... we're reinserting the armed robbery provisions that were struck down by the Supreme Court. That was a case that was just heard recently and so we have now clarified that information in this Amendment. And I move for the adoption

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of Amendment #... I move for the adoption of House... Senate Bill 1023."

Speaker Hannig: "The Gentleman has moved for the passage of Senate Bill 1023. Is there any discussion? Then the question is, 'Shall this Bill pass?' All in favor vote 'aye'; opposed 'nay'. The voting is open. This requires 71 votes. Have all voted who wish? Have all voted who wish? Have all voted who wish? Repre... Mr. Clerk, Representative Davis wishes to be recorded as 'aye'. Have all voted who wish? Mr. Clerk, take the record. On this question, there are 96 voting 'yes' and 0 voting 'no'. And this Bill, having received a Three-fifths Constitutional Majority, is hereby declared passed. Representative Chapa LaVia, you have Senate Joint Resolution 22 on a Supplemental Calendar. Do you wish us to... okay. So you're recognized on Senate Joint Resolution 22."

Chapa LaVia: "Yes, thank you, Speaker and Members of the House. House Joint Resolution 22 urges the Congress of the United States of America to enact the Employee Free Choice Act and I will take any questions."

Speaker Hannig: "Representative Reis."

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

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

Reis: "...when she gets off the phone?"

Chapa LaVia: "Yes."

Reis: "Representative, we had some discussion on this in the Labor Committee today and I think people on the House Floor need to know what this... this Resolution's going to do. So, could you explain it in a little more detail?"

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Chapa LaVia: "Okay. Sure. The Employee Free Choice Act allows employees of different businesses the ability to organize a labor union if they wish to..."

Reis: "Come on, Representative. It does more than that."

Chapa LaVia: "...throughout the state. We already have it in the State of Illinois, we just don't have it United States wide."

Reis: "We don't have it for all private companies. We just have it for municipalities. And what this does is it takes away a... a worker's right to a private vote. I mean, this is something that we've had in this country for 200 years, is the right to go in and vote for elected officials in private. And what this does is it takes that ability away from a worker under the disguise of coercion from an employer. Well, there's coercion from unions as well. And when I talk to teachers about this Bill and other things, this is taking the workers' privacy away from them when they go and vote. They're gonna have to show their card and that union official's gonna know how they vote. And I know you say this is the law of the land, but it's only for municipalities and this expands it if this were to become law in the Federal Government to include all companies."

Chapa LaVia: "Did... did I explain the other day in committee that it's already done in 30 other states in the United States?"

Reis: "We have 48 other states..."

Chapa LaVia: "Okay."

Reis: "...that have conceal carry, Representative. I wanna make sure that people know..."

Chapa LaVia: "Well, we... don't we have more than that?"

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Reis: "...what they're voting for."

Chapa LaVia: "Well, we understand your objection. We understand the objection, especially on the Republican side, to this."

Reis: "There was objections from Democrats on committee."

Chapa LaVia: "Once again, it is a House Joint Resolution. A vote was taken a couple weeks ago. And as everyone knows, it did not pass. It's... but it's very important that people understand, there's coercion that's done on... throughout this state on workers' rights wherever you are. And I am a small business owner, so I understand."

Reis: "And there's laws to protect that."

Chapa LaVia: "I understand the... the concern that you have and I want to thank you for voicing your concerns."

Reis: "Well, I... I just think that... there was a big editorial in the Chicago Sun-Times that talked about this and why this would be bad and that they say, 'We feel that the secret ballot is absolutely necessary to ensure that workers are not intimidated into voting for a union they might otherwise choose to not support.' And there's polls that were taken that 90 percent of union workers... or 70 percent of union workers are against this. They feel that..."

Chapa LaVia: "Who paid for those polls? Do you know, Representative?"

Reis: "It doesn't matter."

Chapa LaVia: "Yes, it does matter, Representative."

Reis: "I think that everyone on the House Floor..."

Chapa LaVia: "Because everything can be spinned."

Reis: "...should know what they're voting for here, that you're taking the privacy away from workers in their vote to decide

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whether or not it's unionized. And people can make their decision based on that, but I think it needed more than a one sentence explanation as to what this did."

Chapa LaVia: "Thank..."

Reis: "And..."

Chapa LaVia: "Thank you for your explanation, Representative."

Speaker Hannig: "Is there any further discussion? Did you wish to speak further, Representative Reis? I didn't mean to cut you off if you did."

Reis: "Well, I think that we... I brought this to attention. People can vote for it how they wish. This isn't Republican versus Democrat. It wasn't a partisan... it was a bipartisan 'no' vote in Washington. There was Democratic concerns in committee yesterday. I think this... rather than passing this at the Ninth Session today, that it needed a little bit more discussion. And if other people have questions they can ask the Representative."

Speaker Hannig: "Is there any further discussion? Then all in favor of the Resolution say 'aye'; opposed 'nay'. The 'ayes' have it and the Resolution is adopted. Representative Reis. Clerk, read the Agreed Resolutions."

Clerk Mahoney: "On the Order of Agreed Resolutions is House Resolution 593, offered by Representative Burke. House Resolution 594, offered by Representative Smith. And House Resolution 595, offered by Representative Sacia."

Speaker Hannig: "Representative Currie 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."

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Speaker Madigan: "Speaker Madigan in the Chair. Mr. Pritchard."

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

Speaker Madigan: "State your announcement."

Pritchard: "The... in view of our House schedule, the Education Caucus... the Legislative Education Caucus will meet tomorrow at 9:00, rather than at a later date, in Room 114. Thank you."

Speaker Madigan: "Ladies and Gentlemen, we are prepared to adjourn. I'd like to read the following into the record. As previously announced on both Tuesday and Wednesday during Session, I have announced a weekend schedule for the remainder of the House regular Session and any Special Sessions that the Governor may call. I believe that Members should have the opportunity to return to their districts and their families and constituents at a reasonable time on Saturday and for a portion of the day on Sunday for as many Members who will wish to attend religious services with their families on Saturday evening or Sunday morning. Second, Members should have at least this minimal opportunity to meet with constituents to discuss the state of the budget and other Special Session matters. Finally, while we are willing to meet in a daily basis to consider Special Session issues, it is possible to do so while still giving Members a brief window of time on the weekend to see their families and to attend to their affairs at home. Accordingly, I am announcing the following schedule for Saturday and Sunday. On Saturday, the House will come to order at 9 a.m. to consider all Special Sessions, which have

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been previously convened and adjourned to that date. Sunday, the House will come to order at 5 p.m. to consider all Special Sessions which have been previously convened and adjourned to that date. Any objection? Representative Currie moves that the House stand adjourned until tomorrow, Friday, July 13, at 10 a.m. Those in favor say 'aye'; those opposed say 'no'. The 'ayes' have it. The House does stand adjourned until Friday, July 13, at 10 a.m., providing perfunctory time for the Clerk."

Clerk Mahoney: "House Perfunctory Session will come to order. Introduction and reading of Senate Bills-First Reading. Senate Bill 858, offered by Representative Miller, a Bill for an Act concerning education. First Reading of this Senate Bill. There being no further business, the House Perfunctory Session will stand adjourned."