

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

277th Legislative Day

5/31/2008

Speaker Turner: "The hour of 9:45 having come and gone, come and gone, the House will be in order. We shall be led in prayer today by Wayne Padget, the Assistant Doorkeeper. Members and guests are asked to refrain from starting their laptops, turn off all cell phones and pagers, and rise for the invocation and the Pledge of Allegiance. Wayne Padget."

Wayne Padget: "Let us pray. Dear Heavenly Father, we come before You today in sound body and mind praying that on this day You grant us wisdom and guidance. We pray that You look over these Representatives and their families. Let us also pray for the men and women of our Armed Services, both here and abroad. Provide them with Your protection and give them the strength to make it through this tough time. Dear Lord, we also pray that during these tough times of negotiations that everyone can come together on one common ground and help all the people of this great state. These things we ask in Your Son's name. Amen."

Speaker Turner: "We shall be led in the Pledge by Representative Wayne... I mean, Representative Poe."

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

Speaker Turner: "Roll Call for Attendance. The Gentleman from Jackson, Representative Bost, for what reason do you rise?"

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

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Speaker Turner: "The record will reflect. The Lady from Cook, Representative Currie, for what reason do you rise?"

Currie: "Thank you, Speaker. Please let the record reflect that Representative Osterman is excused today."

Speaker Turner: "114 Members present, we do have a quorum. The House shall be in order. Mr. Clerk, Committee Reports."

Clerk Mahoney: "Representative Burke, Chairperson from the Committee on Executive, to which the following measure/s was/were referred, action taken on May 31, 2008, reported the same back with the following recommendation/s: 'recommends be adopted' is Floor Amendment #1 to Senate Bill 2231 and House Joint Resolution #10. Representative Howard, Chairperson from the Committee on Labor, to which the following measure/s was/were referred, action taken on May 31, 2008, reported the same back with the following recommendation/s: 'recommends be adopted' is Floor Amendment #2 to Senate Bill 2526. Representative Rich Bradley, Chairperson from the Committee on Personnel & Pensions, to which the following measure/s was/were referred, action taken on May 31, 2008, reported the same back with the following recommendation/s: 'recommends be adopted' is Floor Amendment #2 to Senate Bill 2558. Representative John Bradley, Chairperson from the Committee on Revenue, to which the following measure/s was/were referred, action taken on May 31, 2008, reported the same back with the following recommendation/s: 'recommends be adopted' is a Motion to Concur in Senate Amendment #1 to House Bill 5069. Representative Scully, Chairperson from the Committee on Electric Utility Oversight, to which the

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following measure/s was/were referred, action taken on May 31, 2008, reported the same back with the following recommendation/s: 'recommends be adopted' is Floor Amendment #1 to Senate Bill 1987."

Speaker Turner: "On page 52 of the Calendar, under the Order of Postponed Consideration, we have Senate Bill 2162. Read the Bill, Mr. Clerk."

Clerk Mahoney: "Senate Bill 2162 is on the Order of Consideration Postponed."

Speaker Turner: "The Gentleman from Madison, Representative Beiser."

Beiser: "Thank you, Mr. Speaker, Members of the House. This Bill, as you say, is on Postponed. There were some concerns raised. I was able to speak to my colleagues on both sides of the aisle. I think I was able to answer those concerns with language of the Bill and the intent that was read into the record. I'd simply ask for an 'aye' vote on reconsideration."

Speaker Turner: "Seeing no questions, the question is, 'Shall the House pass Senate Bill 2162?' All those in favor should vote 'aye'; all those opposed vote 'no'. The voting is now open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Lindner. The Clerk shall take the record. On this question, there are 76 voting 'aye', 38 voting 'no', 0 'presents'. And this Bill, having received the Constitutional Majority, is hereby declared passed. On page 46 of the Calendar, on the Order of Senate Bills-Third Readings, we have Senate Bill 836. Read the Bill, Mr. Clerk."

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Clerk Mahoney: "Senate Bill 836, a Bill for an Act concerning local government. Third Reading of this Senate Bill."

Speaker Turner: "The Gentleman from Madison, Representative Beiser."

Beiser: "Thank you, Mr. Speaker, Members of the House. This is a trailer Bill to Senate Bill 2052 that was passed by both chambers and signed into law by the Governor. It's technical changes recommended by Bond Council and by the Department of Revenue and also some changes as recommended by the counties involved. So, I'd be happy to answer any questions. And I'd ask for an 'aye' vote."

Speaker Turner: "Seeing no questions, the question is, 'Shall the House pass Senate Bill 836?' All those in favor should vote 'aye'; all those opposed vote 'no'. The voting is now open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Schock. May. The Clerk shall take the record. On this question, there are 68 voting 'aye', 45 voting 'no', 0 'presents'. And this Bill, having received the Constitutional Majority, is hereby declared passed. On page 47 of the Calendar, we have Senate Bill 2198. Representative Reboletti. Read the Bill, Mr. Clerk."

Clerk Mahoney: "Senate Bill 2198, a Bill for an Act concerning criminal law. Third Reading of this Senate Bill."

Speaker Turner: "The Gentleman from DuPage, Representative Reboletti."

Reboletti: "Thank you, Mr. Speaker. Senate Bill 2198 seeks to deal with a situation where as far as forfeiture of property when you... when the substance found is cannabis

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within house that the property could be seized. There was a great amount of debate in committee and there was some discussion on an Amendment that had been already adopted that would suggest that there had to be at least two thousand (2,000) grams of cannabis within the household before any type of real property could be seized under the forfeiture provisions. And we already have forfeiture provisions in the Criminal Code for every other substance but cannabis and this would put this at the same level as the other substances. And I'd be willing to take any questions."

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

Molaro: "Thank you. I... I just was never a big fan. It was Susana Mendoza's Bill, but I guess she's not here today or whatever. Where's he at? Oh, I can't see you 'cause of the glare."

Reboletti: "Morning, Bob."

Molaro: "How are you? You know, this is a Bill where for the first time we're going to seize and forfeit real estate for marijuana. And this arose because I'm being told, Representative, it arose because there's a couple of homes where they're actually growing this stuff. Right?"

Reboletti: "That's correct."

Molaro: "Okay. Well, why wouldn't we just say if they're caught growing the stuff then we take their house?"

Reboletti: "Representative, I think, based on the time frame, I would probably suggest to you that I'd run a trailer Bill in November to add, basically, the grow houses, the plants

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that would be found, but the amount of cannabis here, over two thousand (2,000) grams, is over four (4) pounds and would suggest to you that's more than just personal use. And we are trying to exempt personal use out of the provision."

Molaro: "All right. So, you're just looking for all these major guys that are out there playing around with marijuana. Is that the idea?"

Reboletti: "That's... that's correct. Not at somebody's parents that... that person has a little bit in there."

Speaker Turner: "Seeing no further questions, the question is, 'Shall the House pass Senate Bill 2198?' All those in favor should vote 'aye'; all those opposed vote 'no'. The voting is now open. Have all voted who wish? Have all voted who wish? The Clerk shall take the record. On this question, there are 114 voting 'aye', 0 'noes', 0 'presents'. And this Bill, having received the Constitutional Majority, is hereby declared passed. On the Order of Senate Bills-Third Readings, we have Senate Bill 2252. Representative Mitchell, Bill Mitchell. Read the Bill, Mr. Clerk."

Clerk Mahoney: "Senate Bill 2252, a Bill for an Act concerning brain (sic-burn) injury reporting. Third Reading of this Senate Bill."

Speaker Turner: "The Gentleman from Macon, Representative Mitchell."

Mitchell, B.: "Thank you, Mr. Speaker and Ladies and Gentlemen of the House. Senate Bill 2252 and it just extends the

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sunset date for the Burn Injury Reporting Act indefinitely."

Speaker Turner: "Seeing no questions, the question is, 'Shall the House pass Senate Bill 2252?' All those in favor should vote 'aye'; all those opposed vote 'no'. The voting is now open. Have all voted who wish? Have all voted who wish? Have all voted who wish? The Clerk shall take the record. On this question, there are 114 voting 'aye', 0 'noes', 0 'presents'. And this Bill, having received the Constitutional Majority, is hereby declared passed. On the Order of Senate Bills-Third Reading, we have Senate Bill 2287. Representative Lindner. Read the Bill, Mr. Clerk. Representative, I understand there's an Amendment on your Bill. The Lady asks leave to move this Bill back to Second. Mr. Clerk, read the Bill."

Clerk Mahoney: "Senate Bill 2287 has been read a second time, previously. No Committee Amendments. Floor Amendment #1, offered by Representative Lindner, has been approved for consideration."

Speaker Turner: "The Lady from Kane, Representative Lindner."

Lindner: "Thank you, Mr. Speaker. The Amendment is an Amendment agreed to by the entire committee on the damage portion of the Bill that says, 'shall be liable for actual damages up to two thousand dollars (\$2,000)'."

Speaker Turner: "Representative Lindner moves for the adoption of Amendment #1 to Senate Bill 2287. All those in favor should say 'aye'; all those opposed say 'no'. In the opinion of the Chair, the 'ayes' have it. And the Amendment's adopted. Further Amendments, Mr. Clerk?"

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

Speaker Turner: "Third Reading. Read the Bill, Mr. Clerk."

Clerk Mahoney: "Senate Bill 2287, a Bill for an Act concerning  
civil law. Third Reading of this Senate Bill."

Speaker Turner: "The Lady from Kane, Representative Lindner."

Lindner: "Thank you. And this Bill adds to the Safe Homes Act  
and it simply adds that a landlord may not disclose to a  
third party any of the thing that the tenant has told them  
about exercising their rights under the Safe Homes Act and  
then the damage portion is as I just spoke with the  
Amendment."

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

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

Speaker Turner: "...she will."

Eddy: "Representative, this was opposed by the realtors. Does  
the Amendment remove their opposition?"

Lindner: "No, not entirely. The Amendment, as they said, makes  
a Bill that they don't like much better. So, they are in  
favor of the Amendment, but that does not make them in  
favor of the entire Bill."

Eddy: "What is the recovery amount that is now in the Bill for  
the... the individual tenant?"

Lindner: "The Amendment would say that it... previously it said  
any damages or two thousand dollars (\$2,000). Now, the  
Amendment that the committee agreed to was actual damages  
up to two thousand dollars (\$2,000)."

Eddy: "Up to two thousand (2,000)."

Lindner: "Correct."

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Eddy: "That's... that's the maximum..."

Lindner: "Correct."

Eddy: "...not the minimum."

Lindner: "Correct."

Eddy: "And that's one of the changes that the Amendment made?"

Lindner: "Yes."

Eddy: "The other... what about attorney fees?"

Lindner: "Yes, there are. A tenant who successfully brings an action may be awarded reasonable attorney's fees, but again that would be up to the court and would be on a case-to-case basis like any court case that ha... where there's an award of attorney's fees."

Eddy: "Okay. Thank you, Representative. Ladies and Gentlemen, to the Bill. I stand in somewhat reluctant opposition to the Bill. I understand the need for this; however, it just seems wrong to continue to broaden an existing statute to allow profit from landlords in situations that they may or may not have had actual knowledge that they were passing on information. They're... It's just... it's just another... another problem for those who try to provide housing. And I would urge this Body to keep an eye on this and oppose this at this time. Thank you."

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

Yarbrough: "I'd like to ask the Lady a question, please."

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

Yarbrough: "Will she yield? Representative, did you work with the... the opposition on this Bill to make it a better Bill?"

Lindner: "Yes, I did."

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Yarbrough: "And have you removed that opposition from the advocates that brought the Bill to you?"

Lindner: "Not entirely. I worked with the realtors on the Amendment, on the damage Amendment and as I stated, that does not make them in favor of the entire Bill, but they are okay with the damage portion of the Bill."

Yarbrough: "To the Bill, Mr. Speaker. I want to..."

Speaker Turner: "To the Bill."

Yarbrough: "...I want to commend the Sponsor on this Bill for working with the advocates to have the best language possible to address the problem of confidentiality for victims of domestic violence. And would ask for an 'aye' vote."

Speaker Turner: "Seeing no que... no further questions, the question is, 'Shall the House pass Senate Bill 2287?' All those in favor should vote 'aye'; all those opposed vote 'no'. The voting is now open. Have all voted who wish? Representative Stephens. Flowers. The Clerk shall take the record. On this question, there are 84 voting 'aye', 25 voting 'no', 5 voting 'present'. And this Bill, having received the Constitutional Majority, is hereby declared passed. Representative Stephens on Senate Bill 848. Read the Bill, Mr. Clerk. 848."

Clerk Mahoney: "Senate Bill 848, a Bill for an Act concerning education. Third Reading of this Senate Bill."

Speaker Turner: "The Gentleman from Bond, Representative Stephens."

Stephens: "Thank you, Mr. Speaker. Mascoutah School District 19 is one of fifteen (15) school districts that submitted

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school construction application for... for the year fiscal '08, which given the lack of funding for the school construction projects as old as 2002. Mascoutah's anticipating the need to move forward on their own project and this Bill would allow them to increase the debt limitation of the Mascoutah School District by fif.. to fifty-five million dollars (\$55,000,000). I know of no opponents. Mascoutah School District is a fast growing school district in mine and Representative Younge's district. And I would be glad to answer any questions. I move its adoption."

Speaker Turner: "Seeing no further... seeing no questions... I'm sorry. The Gentleman from Cook, Representative Lang, for what reason do you rise?"

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

Speaker Turner: "Indicates he will."

Lang: "Representative, I have no trouble helping you help your school district, I don't think, but I'd like know why they just can't do... go out to a referendum like many other school districts do?"

Stephens: "Well, that's exactly what they will do. This allows them to increase their bond indebtedness above the norm because they... they were anticipating construct... construction bond funds from the state. So, they do have to pass a referendum. It does have to pass. They are the sole guarantors of that... of that bond indebtedness. This would also allow them to get started on the project now otherwise the classrooms are just going to get more and

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more full, anticipating they may or may not get state help with the bond construction school fund."

Lang: "Well, perhaps it's early in the morning and I'm missing something, but a lot of school districts have to build and a lot of school districts have to go to referendum to do that, but we don't have a hundred Legislators here every year with lists of school districts who need permission to do this. Why does this school district need permission to do this?"

Stephens: "Because they have been building school after school in this school district. I know this is unusual downstate, but Mascoutah is near Scott Air Force Base and it is a... the area is burgeoning and what we're doing is asking them... the state in its wisdom has a limit as to the bond indebtedness that a particular school district can be involved in. This raises that limitation to fifty-five million dollars (\$55,000,000) so that they can build enough classrooms to get them at least through this phase."

Lang: "Well, Sir, do you feel that this is a special case or after we pass this, are we going to have a lot of Bills filed here to let school districts increase their bonded indebtedness here in Springfield?"

Stephens: "We've done this many times in my twenty-two (22) years. It doesn't happen every week; it doesn't happen every Session, but it does happen once or twice a year on an average."

Lang: "All right. Well, I'll support your Bill, Sir, because I do think because of the Air Force Base you have an unusual situation. Thank you."

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Stephens: "And I will thank you because I think you're a great American."

Speaker Turner: "The Gentleman from St. Clair, Representative Holbrook, for what reason do you rise?"

Holbrook: "To the Bill."

Speaker Turner: "To the Bill."

Holbrook: "This is the right thing to do here. We've moved over a thousand (1,000) people in on this area at this military base, at Scott Air Force Base. These people are building right and left trying to meet their needs. This is nothing out of the ordinary except this is just huge growth for downstate in this area. And again, it's the military presence and all the workers and private jobs it's brought with this. This school district is just trying to meet their needs. And I support this Bill and would ask for an 'aye' vote also."

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

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

Speaker Turner: "Indicates he will."

Brauer: "Representative, I had the same thing happen in my school district last year where it was a fast growth. It didn't cost the state anything. It was the constituents of that school district that footed the whole bill. Is this similar?"

Stephens: "This legislation does not have a fiscal impact on the state at all. Any fiscal impact will be borne at the local level and only after voter approval."

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Brauer: "So, this thing cannot be construed as a tax increase. This just allows that school district to have the authority to expand their debt capacity?"

Stephens: "You described it very well. Thank you."

Brauer: "To the Bill. Ladies and Gentlemen of the House, this is important for this school district to be able to give their kids the proper education, to have the proper buildings, to have that proper debt limit to take care of their educational needs. They're not asking for state help; they're just wanting local control. I urge an 'aye' vote."

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

Eddy: "Mr. Speaker, to the Bill. Ladies and Gentlemen of the House, the fact of the matter is the limitation on the percentage of debt will probably return to below the required amount once all the growth is recorded in EAV. The problem is the growth is so fast that the assessed value of the property isn't yet on the books, but the school district needs to act so that the children in that district can be housed for educational purposes. It's... it's something we've done many times here on an individual basis, looked at school districts' growth, the assessed value and how the percent limit really affects children and we've allowed it many, many times. It's a good Bill. And I... I would urge the Body to support this."

Speaker Turner: "Representative Stephens to close."

Stephens: "...cate an 'aye' vote."

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Speaker Turner: "No further questions, the question is, 'Shall the House pass Senate Bill 848?' All those in favor should vote 'aye'; all those opposed vote 'no'. The voting is now open. Have all... The voting is now open. Have all voted who wish? Have all voted who wish? The Clerk shall take the record. On this question, there are 82 voting 'aye', 32 voting 'no', 1 voting 'present'. And this Bill, having received the Constitutional Majority, is hereby declared passed. Representative Dunkin on Sen... Senate Bill 2160. Read the Bill, Mr. Clerk."

Clerk Mahoney: "Senate Bill 2160, a Bill for an Act concerning local government. Third Reading of this Senate Bill."

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

Dunkin: "Thank you, Members. Thank you, Mr. Speaker and Members of the House. Senate Bill 2160 simply takes out or simply adds the word 'willful' when it comes to malfeasance of a county recorder in the State of Illinois. And I would ask a favorable vote on this measure. Thank you."

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

Moffitt: "Will the Sponsor yield?"

Speaker Turner: "...cates he will."

Moffitt: "Representative, I just wondered, what... what's the reason for it? If that's been the policy... been the statute for years, why would we need to change it now?"

Dunkin: "That's an excellent question, Representative."

Moffitt: "Thank you."

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Dunkin: "The... there's a difference when someone makes a mistake of malfeasance or just a mistake in general and there's a... compared to when someone willfully makes a mistake. And so, for example, if a recorder makes a mistake and by not filing a particular piece of paper, as a recorder, they still can be caught into the... caught up as being guilty as it relates to malfeasance. Sometimes it's just a simple mistake or a clerical error. We don't want to put them into a position where they are found... where they are considered being malfeasant because they made a simple mistake. Whereas when you willfully make a mistake, that's something, you know, if you know and you're deliberate with your mistake, so we want to make sure that we clean it up. That's all. It's cleanup language and it doesn't put anyone in harm's way unnecessarily."

Moffitt: "And this is an initiative of the Clerks and Recorders Association?"

Dunkin: "Yes, Sir."

Moffitt: "And there's no opposition?"

Dunkin: "Not to my knowledge."

Moffitt: "We even have a former recorder or two here in the chamber, don't we?"

Dunkin: "Is that right?"

Moffitt: "I think we do."

Dunkin: "That's right. We have Representative Dan Brady, Dan Brady, right? Who else?"

Moffitt: "I don't believe he was. I believe there's one... a former one on your side."

Dunkin: "No, he was a recorder. And then I think..."

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Moffitt: "Representative, I thank you for your indulgence."

Dunkin: "You're welcome, Sir."

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

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

Speaker Turner: "...cates he will."

Franks: "I'm just trying to get my... trying to understand this and our synopsis and analysis is very small on this. And I understand you want to add the word 'willfully' if you're trying to prove that a recorder is guilty of malfeasance. Is this a criminal or a civil standard?"

Dunkin: "It actually amends the Counties Code and it's actually not in the Civil Code or the Criminal Code here at the state statutory level."

Franks: "So... so, it's..."

Dunkin: "It's in the Counties Code."

Franks: "I understand it's in the Counties Code, but what's the penalty? Is the penalty monetary damages, so it'd be civil or is it penal in nature?"

Dunkin: "You know what, it could be a combination. I'm not 100 percent sure, but let me read this... this statement here to you. In Section 3-5031, the penalty. 'If any recorder shall fail to perform any duty imposed upon him or by this division, he shall be guilty of malfeasance in office and shall be punished accordingly and shall be liable to the party injured for all damages occasionally therefore.' So, the sources are Public Act 86-926... 962."

Franks: "So, it sounds to me as though the penalties would be civil. And I understand you're changing the definition... or

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this would change the definition of malfeasance. Is there any definition of misfeasance in the Act? Maybe your... maybe your helper can..."

Dunkin: "Misfeasance..."

Franks: "Because I think what you're trying to do is make a determination or a delineation between malfeasance versus misfeasance. Would that be a proper..."

Dunkin: "You know what, I'm not familiar with the term misfeasance, but all we're simply trying to do is we want malfeasance to mean a willful act instead of a... a disregard of duty. That's really it in a nutshell. So..."

Franks: "All right. I understand what you're... We might need more work on this. We might need to continue to amend it because I think what... it might be easier if we just... we define 'malfeasance' and define 'misfeasance'. I think this might take care of the issue."

Dunkin: "Can you define 'misfeasance'? 'Cause I have no idea what it is. I know malfeasance. My dictionary's not in front of me, Representative."

Franks: "Well, malfeasance... mal... the Latin root is mal meaning bad."

Dunkin: "Ahh."

Franks: "Okay. So, 'mis', where you'll be making a mistake, that'd be a misfeasance. Mal would have like a... like a dark heart. So, they'd have to be..."

Dunkin: "Thanks for the clarification."

Franks: "That would be the difference..."

Dunkin: "Ah hah. Mal..."

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Franks: "...if you're looking at the roots of the Latin there.  
I'll get to the Greek later."

Dunkin: "Actually, it's in French, too."

Franks: "Okay."

Dunkin: "So, thank you for your support, Representative."

Franks: "Sure."

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

Fortner: "Thank you, Mr. Speaker. To the Bill. I rise in  
support of this Bill. One of the things we saw last year,  
we dealt with a piece of legislation dealing with county  
treasurers and here we see something not exactly the same  
but in a similar vein dealing with the recorders. What  
we've seen is that there have been situations where because  
of the lack of specificity in the language related to the  
duties of these offices of the county that people take  
advantage of that ambiguity in order to have different  
actions go against those... those county officers in a way  
that I don't think the statute intended. This language  
here, much like the language that we approved related to  
the treasurers last year, would help clarify that and avoid  
the situation where those county elected officials would be  
subject to... to really petty attacks..."

Speaker Turner: "You can continue."

Fortner: "...subject to petty attacks based on people's ability  
to read the language in a way that, again, I don't think we  
had intended... the way the statute doesn't intend. So, I  
would urge an 'aye' vote."

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

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

Dunkin: "Sure."

Speaker Turner: "He said it."

Graham: "Representative, can you tell me what... where did this piece of legislation come from?"

Dunkin: "This piece of legislation came from the..."

Graham: "Right."

Dunkin: "...Association of County Clerks and Recorders, all across the State of Illinois."

Graham: "Again, where was that?"

Dunkin: "The Illinois Association of County Clerks and Recorders across the... our great state."

Graham: "Why is willfully in quotations?"

Dunkin: "You know, I didn't do the analysis here, Representative, but I can tell you that what we simply want to do is have 'malfeasance' to mean a willful act or disregard of duty, not simply making a mistake. For example..."

Graham: "Representative, give me an example... Yeah. Thank you."

Dunkin: "For example, under the old system or definition that if the recorder fails to file a piece of paper, he can be guilty of malfeasance. This is..."

Graham: "Is he personal li... is he personally liable or professionally liable?"

Dunkin: "Probably both, probably."

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Graham: "Could it be that... could... if you... the county somehow does not have, you know, the recorder does not have the sufficient enough... sufficient budget to get all the paperwork filed in the timely fashion, would that be willfully?"

Dunkin: "No. That's why we're trying to clean this language up because today..."

Graham: "Then why is this legislation on the record now, if you're trying to clear it up?"

Dunkin: "Oh, this legislation is on the record, Representative, because we don't want a recorder to be caught up in something that is a simple mistake by not filing a piece of paper, for example, compared to someone who is directly trying to mislead..."

Graham: "Representative..."

Dunkin: "...or do something wrong."

Graham: "...is there a specific case that you're trying to speak to?"

Dunkin: "No, not at this point. I'm trying to simply clean up some language so we can have our county recorders sufficiently confident in running their agency, especially large agencies where there's a lot of transactions that occur and if a clerk or someone makes a mistake..."

Graham: "Define 'malfeasance' for me."

Dunkin: "The definition of 'malfeasance', I think, Representative Franks gave an excellent definition. 'Mal' meaning bad... And so, we want to make sure that we're just clarifying the language here, Representative."

Graham: "I didn't get a definition, Representative."

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Dunkin: "It's a simple bad act."

Graham: "A simple bad act."

Dunkin: "Yes."

Graham: "Okay."

Dunkin: "And by saying willful..."

Graham: "All right. Okay."

Dunkin: "...it'd have... it has to be a direct intention to do something bad not a mistake, such as filing a piece of paper..."

Graham: "Okay."

Dunkin: "...as an example."

Graham: "Thanks."

Dunkin: "Great questions, again, Representative. Thank you. I appreciate your support."

Graham: "Thank... thank you, Representative."

Dunkin: "Yes, Ma'am."

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

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

Speaker Turner: "Indicates he will."

Brady: "Representative, earlier in your remarks you had indicated this Bill was for some recorders in this chamber. Is that correct?"

Dunkin: "I'm sorry, Representative, can you repeat your question?"

Brady: "Sure. Early in your remarks you indicated that this Bill was for some former recorders in the chamber. Is that what you said?"

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Dunkin: "Oh, no, not former recorders, current recorders and clerks across our state. I... I referenced..."

Brady: "Did you indicate me?"

Dunkin: "Yes."

Brady: "That I was a recorder?"

Dunkin: "I was under the impression that you were a recorder at some point in your career."

Brady: "No, I was the former coroner."

Dunkin: "Oh, coroner."

Brady: "There's a big difference between those two offices, recorder and coroner, big difference. But I did notice in our analysis that this cites a specific incident in my legislative district about the recorder and some accusations against that recorder. I've never heard about it and I was wondering if you could enlighten me on what that is."

Dunkin: "On... on what the..."

Brady: "Yeah. In our analysis it indicates that the McLean County Recorder of Deeds had some type of accusations or litigation or... that this Bill that you're promoting today is in direct response to that incident and I was just wondering what that incident is."

Dunkin: "You know, I'm not familiar with that incident, Representative."

Brady: "Okay. So, you don't know of any specific incident, but you're just promoting the Bill. Is that correct?"

Dunkin: "Yes, as a... as requested by the Illinois Association of County Clerks and Recorders."

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Brady: "And there's apparently not any specifics other than an incident that occurred allegedly in my... my county, my legislative district, which you don't know anything about, I don't know anything about."

Dunkin: "No."

Brady: "But we still need the legislation apparently... obviously, in your opinion."

Dunkin: "Well, yes, according to the Illinois Association of County Clerks and Recorders. That's... that's correct."

Brady: "Thank you very much."

Dunkin: "Thank you for your support, Representative."

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

Dunkin: "Thank you, Mr. Speaker and Members of the House. Again, this is cleanup language and we are simply making sure that we specify that a county recorder is guilty of malfeasance if he or she willfully fails to perform his or her duties as a county recorder. And I would ask for a favorable vote of 'aye'. Thank you."

Speaker Turner: "So, the question is, 'Shall the House pass Senate Bill 2160?' All those in favor should vote 'aye'; all those opposed vote 'no'. The voting is now open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Brauer. Schock. The Clerk shall take the record. On this question, there are 103 voting 'aye', 10 voting 'no', 0 'presents'. And this Bill, having received the Constitutional Majority, is hereby declared passed. The Lady from Brown, Representative Tracy, for what reason do you rise?"

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Tracy: "A point of personal technical difficulty, Mr. Speaker."

Speaker Turner: "It's personal and technical. State your point."

Tracy: "On Senate Bill 848, the only button of mine that would work was the yellow 'present' button. I think I have fixed it because I was able to vote on that last Bill, but I wanted to be recorded as a 'no' on Senate Bill 848 and instead I was recorded as a 'present' because that was the only button that would work. I think we got it taken care of, but we'll double check again."

Speaker Turner: "Representative, the record will so reflect your willingness to vote 'no'. Is that correct? Okay."

Tracy: "No, right."

Speaker Turner: "Okay. That's fine. Representative Bond... the Gentleman from Stephens, for what reason do you rise?"

Stephens: "Mr. Speaker, was that Senate Bill 848?"

Speaker Turner: "That's correct. Senate Bill 848, Representative Tracy wants the record to reflect that she..."

Stephens: "Who was the House Sponsor?"

Speaker Turner: "...would have voted 'no'."

Stephens: "Who was the House Sponsor of that Bill?"

Speaker Turner: "The House Sponsor was a Gentleman from Bond, Representative Stephens."

Stephens: "Well, I don't know why the Lady wants to go from 'present' to 'no', but would... did that Bill pass? This is... She's not trying to kill my Bill without even checking with me, is she?"

Speaker Turner: "Representative, I think you're still safe."

Stephens: "I'm sorry?"

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Speaker Turner: "You're still safe. It... the Bill has passed. It's... in fact, it should be on its way to the Governor's desk."

Stephens: "But you're missing my point. I'm... I'm wondering if it's a conspiracy... a conspiracy by the row behind me to try to undermine one of my most famous pieces of legislation."

Speaker Turner: "This being the last day of Session, Representative, there's a lot of conspiracies that go on around here."

Stephens: "That's what I thought. That's exactly what I thought. And did you say last day? Another conspiracy."

Speaker Turner: "Mr. Clerk, Rules Report."

Clerk Mahoney: "Rules Report. Representative Barbara Flynn Currie, Chairperson from the Committee on Rules, to which the following legislative measures and/or Joint Action Motions were referred, action taken on May 31, 2008, reported the same back with the following recommendation/s: 'approved for floor consideration' is a Motion to Table Amendment #1 to Senate Bill 801 and a Motion to Table Amendment #1 to Senate Bill 878. Also, approved and referred to the floor 'recommends be adopted' is Amendment #2 to Senate Bill 1102 and Amendment #2 to Senate Bill 2513."

Speaker Turner: "On the Order of Senate Bills-Second Reading, on page 48 of the Calendar, we have Senate Bill 801. Representative Mautino. Read the Bill, Mr. Clerk."

Clerk Mahoney: "Senate Bill 801 has been read a second time, previously. Amendment #1 was adopted in committee. No

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Floor Amendments. A Motion to Table Amendment #1 has been approved for consideration, offered by Representative Mautino."

Speaker Turner: "Representative Mautino moves to table Amendment #1. All those in favor say 'aye'; all those opposed say 'no'. In the opinion of the Chair, the 'ayes' have it. And Amendment #1 is tabled. Further Amendments, Mr. Clerk?"

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

Speaker Turner: "Third Reading. Read the Bill, Mr. Clerk."

Clerk Mahoney: "Senate Bill 801, a Bill for an Act concerning revenue. Third Reading of this Senate Bill."

Speaker Turner: "The Gentleman from Bureau, Representative Mautino."

Mautino: "Thank you, Mr. Speaker. Ladies and Gentlemen of the House, Senate Bill 801 amends the cigarette tax by adding new definitions and also changing some of the licensing requirements. This Bill has been negotiated between the industry, the Department of Revenue and it deals with the issue of contraband cigarettes. So, the licensing requirements are going to be changed in here. Criminal penalties for violations of the Act will be enforced at the level of the manufacturers, the retailers. And other provisions: the department has to keep a Web site of all the people who have the licenses or are distributors and may permit cigarettes. The Bill also amends the Prevention of Cigarette Sales Acts to Minors to require verification of consumer's age before delivery of cigarettes and requires the Department of Revenue to set up a tip line as

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well. I know of no opposition. We've worked with the Department of Revenue and be happy to answer any questions. Ask for an 'aye' vote."

Speaker Turner: "Seeing no questions, the question is, 'Shall the House pass Senate Bill 801?' All those in favor should vote 'aye'; all those opposed vote 'no'. The voting is now open. Have all voted who wish? Have all voted who wish? Have all voted who wish? The Clerk shall take the record. On this question, there are 114 voting 'aye', 0 'noes', 0 'presents'. And this Bill, having received the Constitutional Majority, is hereby declared passed. On the Order of Second Readings, we have Senate Bill 878. Representative Molaro. Read the Bill, Mr. Clerk."

Clerk Mahoney: "Senate Bill 878 has been read a second time, previously. Amendment #1 was adopted in committee. No Floor Amendments. A Motion to Table Amendment #1, offered by Representative Molaro, has been approved for consideration."

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

Molaro: "Yes. Thank you, Mr. Speaker. I guess I'm a fickle Legislator. I kind of liked the Amendment at the time and I don't like it anymore, so I want to table that Amendment."

Speaker Turner: "Representative Molaro moves for the tabling of Amendment #1 to Senate Bill 878. All those in favor should say 'aye'; all those opposed say 'no'. In the opinion of the Chair, the 'ayes' have it. And Amendment #1 is tabled. Further Amendments, Mr. Clerk?"

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

Speaker Turner: "Third Reading. Read the Bill, Mr. Clerk."

Clerk Mahoney: "Senate Bill 878, a Bill for an Act concerning regulation. Third Reading of this Senate Bill."

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

Molaro: "Thank you, Mr. Speaker. Now, the Bill without the Amendment, 'cause that was just a gut and replace, goes back to its original form that passed unanimously out of the Senate. All it allows us to do to have DCEO get involved with grants if they can to a new way of using garbage and turn it into fuel. Right now, we're just filling up these landfills and this'll be a way to turn garbage into fuels. And that's all the Bill does and takes the word 'heated' out of... 'heating' out of the Bill where DCEO can get involved and I answer any questions."

Speaker Turner: "Seeing no questions, the question is, 'Shall the House... The Gentleman from McHenry, Representative Franks, for what reason do you rise?'"

Franks: "I have a technical question of the Sponsor, if I may? I was hoping that he could tell us how the heating of tires and garbage produces energy."

Molaro: "I usually answer substantive questions. I don't answer technical questions, but I'm going to make an exception. I don't know, but I saw the video on it and it is pretty amazing how they do it. There's about six (6) coun... six (6) people in the United States that have this patent to be able to do this. It's a pretty amazing thing that they're able to take even plastics, for that matter,

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showing how they take plastics and actually turn them into energy. I really don't know how, but they do."

Franks: "Well, after they heat it, since they're not incinerating it, how do they get rid of the by-product? What do they do with the tires?"

Molaro: "Well, I don't know, but I know that the Illinois EPA and the United States EPA, everybody has signed off on this and they use it, a bunch of other states. So, I think they do good stuff with it. I really don't know, Jack. I mean..."

Franks: "Me either. Thanks for your insight. I appreciate it."

Molaro: "You're welcome, anytime."

Franks: "And you know, this is a... Is this your last Bill?"

Molaro: "No. I don't know."

Franks: "Okay. All right."

Molaro: "We're not going to talk about it."

Franks: "All right."

Molaro: "Anyway, I'm here in the back row and I'm appearing nightly for the next..."

Speaker Turner: "Seeing no further questions, the question is, 'Shall the House pass Senate Bill 878?' All those in favor should vote 'aye'; all those opposed vote 'no'. The voting is now open. Have all voted who wish? Have all voted who wish? Have all voted who wish? The Clerk shall take the record. On this question, there are 114 voting 'aye', 0 'noes', 0 'presents'. And this Bill, having received the Constitutional Majority, is hereby declared passed. On

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page 49 of the Calendar, we have Senate Bill 2142.  
Representative Reboletti. Read the Bill, Mr. Clerk."

Clerk Mahoney: "Senate Bill 2142, a Bill for an Act concerning  
criminal law, has been read a second time, previously. No  
Committee Amendments. No Floor Amendments. No Motions  
filed."

Speaker Turner: "Leave the Bill on Second. Take it out of the  
record. Representative Fritchey on Senate Bill 2256. Read  
the Bill, Mr. Clerk."

Clerk Mahoney: "Senate Bill 2256 has been read a sec..."

Speaker Turner: "Mr. Clerk, I'm sorry. Out of the record. I'd  
like to inform the Body that we're going on page 49 of the  
Calendar, Senate Bills--Second Readings. We're going down  
the... in order. So, be prepared to let me know if you want  
to call your Bill or not. The next Bill we're going to  
call is Senate Bill 22... no, 2336. Representative Soto.  
Read the Bill, Mr. Clerk."

Clerk Mahoney: "Senate... Senate Bill 2336 has been read a second  
time, previously. Amendment #1 was adopted in committee.  
No Floor Amendments. No Motions filed."

Speaker Turner: "Third Reading. Read the Bill, Mr. Clerk."

Clerk Mahoney: "Senate Bill 2336, a Bill for an Act concerning  
State Government. Third Reading of this Senate Bill."

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

Soto: "Yes. Thank you, Speaker and Members of the House.  
Senate Bill 2336 amends the Children and Family Services  
Act. It authorizes the Department of Children and Family  
Services to enter into a governmental agreement with any  
county on behalf of its probation and court services

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department to provide services for federal Title IV-E Foster Care Reimbursement Assistance Program. The department may limit the number of counties, no less than ten (10), for the state fiscal of 2009 and must add no less than ten (10) counties for each succeeding fiscal year until the counties are included."

Speaker Turner: "Seeing no questions, the question is, 'Shall the House pass Senate Bill 2336?' All those in favor should vote 'aye'; all those opposed vote 'no'. The voting is now open. Have all voted who wish? Have all voted who wish? The Clerk shall take the record. On this question, there are 114 voting 'aye', 0 'noes', 0 'presents'. And this Bill, having received the Constitutional Majority, is hereby declared passed. Mr. Clerk, we have Senate Bill 2401. Representative Mendoza. Read the Bill, Mr. Clerk."

Clerk Mahoney: "Senate Bill 2401 has been read a second time, previously. Amendment #1 was adopted in committee. Floor Amendment #2, offered by Representative Mendoza, has been approved for consideration."

Speaker Turner: "The Bill shall remain on Second Reading. We have Senate Bill 2492, Representative Soto. Read the Bill, Mr. Clerk."

Clerk Mahoney: "Senate Bill 2492 has been read a second time, previously. Amendment #1 was adopted in committee. Floor Amendment #2, offered by Representative Soto, has been approved for consideration."

Speaker Turner: "The Lady from Cook, Representative Soto on Amendment #2."

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Soto: "Thank you, Speaker and Members of the House. Senate Bill 2492, the purpose of this legislation is to ensure that the Medicaid provider of... Oh, I'm sorry, the Amendment. Okay. I'm sorry. Amendment #2 amends the Senate Bill 2492 as amended will reference to page and line numbers of House Amendment #1. A hospital with a distant part unit for psychiatric services that began operating on or July 1 of 2008."

Speaker Turner: "Representative Soto moves for the adoption of Amendment #2 to Senate Bill 2492. All those in favor say 'aye'; all those opposed say 'no'. In the opinion of the Chair, the 'ayes' have it. And the Amendment's adopted. Further Amendments?"

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

Speaker Turner: "Third Reading. Just before you move it to Third, Mr. Clerk, hold on. The Gentleman from Vermilion, Representative Black, for what reason do you rise?"

Black: "Mr. Speaker, with apologies. I needed... I would like to ask the Sponsor a question about Amendment #2."

Speaker Turner: "We..."

Black: "If I'm not timely, I'll do it on the Bill, whatever you prefer."

Speaker Turner: "We'll do it on the Bill, Representative."

Black: "All right. Fine."

Speaker Turner: "Okay. Read the Bill, Mr. Clerk. Move it to Third and then read the Bill."

Clerk Mahoney: "Senate Bill 2492, a Bill for an Act concerning public aid. Third Reading of this Senate Bill."

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

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Soto: "Thank you, Speaker and Members of the House. Senate Bill 2492, the purpose of this legislation is to ensure that Medicaid providers of the patient psychiatric services receive an adequate reimbursement rate. Currently, hospitals that have only recently began providing inpatient psychiatric services are paid a much higher per diem reimbursement rate. Other hospitals, which have been providing these services for many years, are being paid much less, some as low as two hundred and fifty dollars (\$250). This legislation lists thirty-six (36) hospitals that are not being paid the higher rate of three hundred and sixty-three dollars and seventy-seven cents (\$363.77) per day. If hospitals are not on this list, they are not providing these inpatient psychiatric services or they are already being compensated at a much higher rate. This is not a special legislation because it is simply... brings all the hospitals providing these services to an appropriate reimbursement rate that is consistent with whatever new entrants to the market are already receiving. House Floor Amendment #1 simply codifies the rate for new market entrants that has already been set by the administrative rules. This legislation has received unanimous approval in the Senate and in the House Human Services Committee. And I urge an 'aye' vote. Thank you."

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

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

Speaker Turner: "Indicates she will."

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Black: "...in your earlier explanation of the Amendment, I don't understand Floor Amendment #2. Could you tell me why that was added to the Bill? It is a... it is a prospective Amendment saying that any hospital in the future would get the higher rate and I don't understand how that can be done. Why is that in there?"

Soto: "Because, Representative, there's some hospitals who are not receiving the higher rate, so that's the reason for this... for this Amendment."

Black: "No. The Amendment says any hospital that begins operating in the future. I would assume that mean... means that a hospital that isn't even built yet would get the higher rate and the higher rate should depend upon the patient census, the acuity of care. I mean, that... that to me is a blanket Amendment that I've never seen before. Why would you want an Amendment that says that any hospital in the future, that hasn't even begun operating, it hasn't even been built, gets the higher rate? It may be a hospital that only takes private-paid patients and yet, with your Amendment, they could apply for the higher reimbursement rate if they let in one patient under Medicaid."

Soto: "There's certain hospitals that are receiving the higher rate and some are receiving the lower rates."

Black: "Well, I know that. I know that."

Soto: "So, we just want to bring them all to..."

Black: "But if you'll just look at your Amendment, it doesn't say that. It says any hospital that may begin operating in

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the future. You're... you're looking so far ahead. This... this could be a hospital that isn't even built yet."

Soto: "Okay. If a hospital comes... Okay. Okay. Current law states that if a hospital comes in right now, they would get the average rate. And... Okay. ...and since we're increasing these hospitals rates, it will cause the overall average to go up, but this is the average currently."

Black: "Okay. I... I... I'm really not opposed to the Bill. I'm just trying to understand the language. Would you be willing just to take it out of the record and let me come over..."

Soto: "Okay. Okay."

Black: "...and talk to you and staff for just a second?"

Soto: "Thank you."

Black: "Okay."

Soto: "I'll take it out of the record."

Speaker Turner: "Mr. Clerk, take the Bill out of the record. On page 49 of the Calendar, we have Senate Bill 2293. Representative Chapa LaVia. Read the Bill, Mr. Clerk."

Clerk Mahoney: "Senate Bill 2293 has been read a second time, previously. No Committee Amendments. Floor Amendment #1, offered by Representative Chapa LaVia, has been approved for consideration."

Speaker Turner: "The Lady from Kane, Representative Chapa LaVia."

Chapa LaVia: "Hello. Thank you, Speaker and Members of the House. Senate Bill 2293 does a couple of things. First..."

Speaker Turner: "Representative... Representative moves to... we adopt..."

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Chapa LaVia: "We adopt..."

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

Chapa LaVia: "...Amendment #2, first, please. It removes CPS from the Bill."

Speaker Turner: "Seeing no... seeing no questions, the question is, Shall... No. The Lady asks leave do we adopt Amendment #1 to Senate Bill 2293. All those in favor say 'aye'; all those opposed say 'no'. In the opinion of the Chair, the 'ayes' have it. And the Amendment's adopted. Further Amendments, Mr. Clerk?"

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

Speaker Turner: "Third Reading. Read the Bill, Mr. Clerk."

Clerk Mahoney: "Senate Bill 2293, a Bill for an Act concerning education. Third Reading of this Senate Bill."

Speaker Turner: "The Lady from Kane, Representative Chapa LaVia."

Chapa LaVia: "Thank you, Speaker and Members of the House. Senate Bill 2293 does a few things. It requires contracts for purchase of supplies or the private carriers transportation... transporting pupils of more than twenty-five thousand (25,000) rather than ten thousand (10,000) to be awarded to the lowest responsible bidder submitted in sealed envelopes to be opened by school board members at the public bid opening and to be voted upon by the school board. School boards may delegate the approval of contracts for less than twenty-five thousand (25,000) rather than ten thousand (10,000) threshold to the general superintendent by resolution. It also is similar to Senate Bill 1426 as it amends the Senate amend... of Murphy..."

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Representative Murphy which passed the Senate 55 to 0 and the House 116 to 0. The Bill was never concurred upon in the Senate after it being furthered amended in the House. The third thing is that this Bill has done already presently for libraries, park districts, and forest preserves. It has... The last time the threshold was raised was 1992 and it's permissive. It allows the boards if they want to have the ability to do this. So, it is permissive. And I... I'm ready to take any questions."

Speaker Turner: "Seeing no further questions, the question is, 'Shall the House pass Senate Bill 2293?' All those in favor should vote 'aye'; all those opposed vote 'no'. The voting is now open. Have all voted who wish? Have all voted who wish? The Clerk shall take the record. On this question, there are 86 voting 'aye', 28 voting 'no', 0 'presents'. And this Bill, having received the Constitutional Majority, is hereby declared passed. On page 47 of the Calendar, Representative Jefferson, we have Senate Bill 2743. Read the Bill, Mr. Clerk."

Clerk Mahoney: "Senate Bill 2743, a Bill for an Act concerning local government. Third Reading of this Senate Bill."

Speaker Turner: "The Gentleman from Winnebago, Representative Jefferson."

Jefferson: "Thank you, Mr. Speaker, Members of the committee. Senate Bill 2743 is a replacement Bill... a replacement Amendment... Amendment that places House Bill 2310 and House Bill 3642 on this Bill. Both of these Bills previously passed through the House, but have not been assigned out of

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the Senate Rules Committee. So, I would just ask for a favorable vote."

Speaker Turner: "...no questions, the question is, 'Shall the House pass Senate Bill...' The Gentleman from Champaign, Representative Rose, for what reason do you rise?"

Rose: "A question of the Sponsor."

Speaker Turner: "Representative Jefferson says he'll yield."

Rose: "Thank you. Does this include the hundred dollar (\$100) truancy situation for parents?"

Jefferson: "Yes, Representative, this is the same Bill that we talked about before."

Rose: "Well, Representative, I'm a little bit... Again, I'll just briefly restate my objections to that, but actually I think we were... reviewed the tape from the... the committee hearing yesterday and at one point in time the Amendment was... that was moved was actually the wrong Amendment that was attached and that was a reference by the, I believe, the clerk in committee. So, you might have some problems here with the way this works from that committee hearing 'cause at one point in time they moved... attached a Senate Amendment to the Bill. But nonetheless, Representative, again, I would just simply state, and we've talked about this several times now, that I just think it's a bit silly to charge the parents of a junior high schooler a hundred dollars (\$100) a day for their kid not showing up at the school. Again, I would submit, for the record, that I... when we were in junior high we had a kid who stole his mom's car and took off and ended up getting arrested for that offense and if his mom couldn't prevent him from

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stealing the car, how's she going to make him go to school every day? And yet, under this Bill, his mom's now going to be... get fined a hundred dollars (\$100) a day. But I think more interesting enough, what happens when the kid gets mad at their parents, Representative, and decides to do this to get back at them? Now, I raised this in debate last week and oddly enough after I did it, Representative, one of the pages... one of the House Pages came up to me and said, you know, I'm in junior high and you're absolutely right. There are kids who would punish their parents by doing that. We get mad and just not show up."

Jefferson: "Well, Representative, first of all, you and I have had this discussion before. It's not a hundred dollars (\$100) a day. It's a hundred dollar (\$100) fine or there could be some community service work. So, it could be either/or."

Rose: "But isn't it per an offense?"

Jefferson: "Per offense, yes, but a hundred dollars (\$100) per offense."

Rose: "So, that'd be a hundred dollars (\$100) a day."

Jefferson: "No. Not if we can..."

Rose: "But Representative, the act of truancy..."

Jefferson: "...not if we can address the situation."

Rose: "...is one day..."

Jefferson: "Not if we address the situation and get the individual back in school."

Rose: "Well, I... and Representative, and I... everybody wants kids back in school. I just think it's a bit silly to be fining parents for the conduct of a... of a fourteen year old. I

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mean, you know, I get it. Ten (10) and under, absolutely, the parents are... are responsible for that kid, the parents drive them to school, the parents drop them off at school, they pick them up from school. You know, at fourteen (14) I was riding my bike to school. What happens if I just decided not to go one day? My mom was already at work."

Jefferson: "Then you were truant, Representative."

Rose: "Well..."

Jefferson: "You know, I cannot understand why we feel that parents shouldn't have the responsibility of taking care of their children when they're fourteen (14), fifteen (15) or sixteen (16) years of age. It's still..."

Rose: "I... I..."

Jefferson: "...it's still their responsibility. These are their children."

Rose: "And Representative, what I'm saying is it... it's... the parents need to be involved in this, there is no doubt. You can bring the parents into court; you can have the parents sit there. I don't even object to necessarily the public service work part if it was in the form of some sort of family building activity. That's what you're talking about. I have no objection to that; that makes sense, Representative. We want the kids in school; we want the parents involved. All I'm saying is, I'm not sure what a hundred dollar (\$100) pecuniary fine does to remedy anything."

Jefferson: "It will try and make sure those parents get their kids to school, but Representative, you and I have had this conversation."

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Rose: "We have, Representative, you're absolutely right."

Jefferson: "I appreciate your comments and I just don't think that we're going to resolve our issues at this point..."

Rose: "Well, and Representative..."

Jefferson: "...as it relates to you, and I appreciate your comments. I just think we need to move on."

Rose: "I... I think you're right. We... we... and I'm sure your Bill will pass as it did last week, but I... I still have a feeling that it... you got a little problem with your... the record that was made in the hearing yesterday, but we'll worry about that later. Thanks, Representative."

Jefferson: "Thank you, Representative."

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

Sacia: "Thank you, Mr. Speaker. Will the Sponsor yield? I had the privilege of being in the adjoining district to Representative Jefferson and one of the long-standing traditions of this Body, and I can go back to my days of serving on the Winnebago County Board with this distinguished Gentleman and I certainly know him to be a man of honor. And the tradition in this Body is when somebody has an issue unique to their district that they're struggling with, we all try to come together and help them with that issue. This is an issue unique to the City of Rockford. They've had some exceptionally good administrations; they are doing the right things to improve their truancy issue, but they have asked for this legislation because of the tremendous uniqueness to the high truancy rate in Rockford. And I strongly support

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Representative Jefferson in his efforts and I would encourage an 'aye' vote. Thank you."

Jefferson: "Thank you, Representative."

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

Wait: "Yes. Thank you, Mr. Speaker. I'd just like to talk on this Bill. I represent not only in the Rockford area, but Bonne and DeKalb County as well and I used to be a teacher. In fact, I taught junior high and yeah, you had some kids who were incorrigible, but we need to do anything we can to provide a positive incentive for the parents to make sure their kids go and get to school. And sure, this might be a little tough love that the parents know that if their kids don't go to school they might be fined. But I know the judges there and I'm sure the judges throughout the state were only going to use this if the parent doesn't use a good faith effort to try to get the kids to go to school. And... and this is just another tough love, shall we say, to encourage the kids to go to school, because if they don't go to school, don't get a good education, they're going to be in our prison system and we're going to be paying twenty-five thousand dollars (\$25,000) a year for these people. So, this is just a small step to encourage these kids and the parents to make sure their kids go to school and get a good education. Thank you, Mr. Speaker."

Speaker Turner: "The Lady from Cook, Representative Monique Davis, for what reason do you rise?"

Davis, M.: "Will the Sponsor yield?"

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Speaker Turner: "...cates he will."

Davis, M.: "Representative Jefferson, exactly what does this Bill do to prevent truancy?"

Jefferson: "It holds them accountable to a point they haven't been held to before. When..."

Davis, M.: "It holds who accountable?"

Jefferson: "It holds the student and the parent accountable."

Davis, M.: "In what way, Representative Jefferson?"

Jefferson: "Through either a fine, Representative, or community service work."

Davis, M.: "How much of a fine, Representative?"

Jefferson: "A hundred dollars (\$100), Representative."

Davis, M.: "So, if Johnny, who is thirteen (13) years old, does not go to school and he is deemed truant, what happens? Does the parent go to court? Does he go to court? What happens?"

Jefferson: "He goes to court, hopefully, with his parent, but he does go to court and then..."

Davis, M.: "He goes to court..."

Jefferson: "Yes."

Davis, M.: "...and with the parent."

Jefferson: "I'm sorry?"

Davis, M.: "He goes with the parent or alone?"

Jefferson: "The parent has to go to court if the child's not eighteen (18)."

Davis, M.: "Okay. The child is truant and the parent must go to court and the parent can be fined on a graduated basis of one hundred dollars (\$100) or more. Is that correct?"

Jefferson: "One hundred dollars (\$100) per offense..."

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Davis, M.: "Per offense."

Jefferson: "...up... up to one hundred dollars (\$100) per offense, Representative."

Davis, M.: "So, you..."

Jefferson: "Or they can be..."

Davis, M.: "So, it could be a hundred..."

Jefferson: "...issued community service work."

Davis, M.: "What kind of community service work, slavery again? What kind of community service work?"

Jefferson: "Whatever community service work is designated by the court that's issuing the... the penalties, probably cutting grass, probably picking up trash. Things like that, Representative, mun..."

Davis, M.: "Well, now who is going to make this child do this? The parent couldn't make him go to school. Who is going to be responsible for this child cutting the community's grass?"

Jefferson: "There's a... a court appointed to deal with this situation that they have to go through. I would presume that the court would be the ones that would follow up on whether these children did their community service work."

Davis, M.: "If this parent is making a minimum wage, do you think it might be difficult to pay that fine?"

Jefferson: "I think the court would probably take that into consideration, Representative, and move for community service. You know, we're so quick to assume that we're putting too much on the parents. The parents have a certain responsibility with their children. That's our reasons today for too many children being out of school

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because oftentimes the parents aren't taking the responsibility and we want to give them other excuses for not being there."

Davis, M.: "Representative, I could support this if it were going to be for Rockford only, but because you want this all over the state and there's some communities that have a 4-H club. You just told me that your community does not benefit from any 4-H club dollars. Now, there are many ways to get children to come to school and they're not all punitive measures. Sometimes it's having an interesting day. Sometimes an interesting day with positive motivation will encourage and make a child come to school. Now, it would appear to me that your community and any others would want to help and protect parents who are going to work and help them get children to school..."

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

Davis, M.: "...without... without punishing people who are already punished. This mother is already punished. She needs help and support; she doesn't need to be fined unless you could prove she was negligent and if she's a negligent parent, you should take the children. Mr. Speaker, I'm going to close and as much as I love and respect this Representative who wants desperately to solve a truancy problem, I cannot punish poor people who are already punished further. I urge a 'no' vote."

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

Winters: "Thank you, Mr. Speaker. I rise in support of this Bill. And it is important to point out that this would

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allow the intervention of the court system and the school administration within seven (7) days of truancy being established. The current law takes thirty (30) days and can you imagine the academic damage that is done to a student and to his family when they start becoming truant and then there's no reaction by the school system or by the... by the court system for up to thirty (30) days. We're moving it forward to seven (7) days. The maximum hundred dollar (\$100) fine is certainly up to the hearing officer. That cannot be exceeded; it can certainly be less than that. The hearing officer gets the child, gets the parent in the room quickly upon the establishment of the habit of truancy and then that's when we are asking through court action the parents pay attention. You've got a problem; there are some legal consequences that we will certainly take into account your version of the story. Did you know that the kid was not going to school? If you were aware, then potentially this hundred dollar (\$100) fine is... is very appropriate. If not, if it was a case of a young teen who is simply enjoying what he feels is his new-won freedom, well then, I think the parent will crack down. We are facing a crisis in the Rockford school system that Representative Jefferson and I share. This is an attempt by the City of Rockford and by the school district in agreement with them and the federal Department of Education to address this problem. I urge the adoption of this Bill in the strongest of terms. Thank you, Mr. Speaker."

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

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Miller: "I move the... I move the previous question."

Speaker Turner: "The Gentleman moves the previous question. All those in favor should say 'aye'; all those opposed say 'no'. In the opinion of the Chair, the 'ayes' have it. The previous question is put. Representative Jefferson to close."

Jefferson: "Thank you, Mr. Speaker. What we don't understand in this chamber is that this is discretionary by each individual county. You don't... a municipality, you don't have to enact this legislation, if you don't choose to do so in your county. It's up to your county to enact this legislation if they feel the need to do so. It's not mandated by this legislation that every county has to adopt this, every municipality has to adopt this. It's only by the counties themselves whether they... the municipalities whether they decide they want to do this. Otherwise, you're not affected. So, if you... if you're go... if you're going to talk against the Bill, then we need to understand it's not automatically done unless your municipality adopts this language. So, this is a good Bill for Rockford. We've been fighting truancy. We probably triple throughout the State of Illinois what truancy is on the state level. I think we're up to about 7.9 and we've come down from 10.9 several months ago, so we are addressing the truancy problem in Rockford, but this legislation gives us a better methodology to do that. So, you know, this doesn't affect anyone that don't want to be affected through municipalities. This pertains to Rockford; this is

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something that Rockford asked for. And I would ask for an 'aye' vote."

Speaker Turner: "So, the question is, 'Shall the House pass Senate Bill 2743?' All those in favor should vote 'aye'; all those opposed vote 'no'. The voting is now open. Have all voted who wish? Have all voted who wish? Have all voted who wish? The Clerk shall take the record. On this question, there are 86 voting 'aye', 28 voting 'no', 0 'presents'. And this Bill, having received the Constitutional Majority, is hereby declared passed. The Gentleman from Macon, Representative Flider, for what reason do you rise?"

Flider: "A point of personal privilege, Mr. Speaker."

Speaker Turner: "State your point."

Flider: "Yes. Thank you, Mr. Speaker, Ladies and Gentlemen of the House. I'd like to point you to the balcony, the gallery, behind the... on the Republican side where actually Representative Rose is seated. We have some visitors from and in the spirit of course in our previous discussion about our youth, we have some visitors from the Plainview School in Arthur. And I wonder if you will please join me in welcome... in giving them a warm Springfield welcome."

Speaker Turner: "Welcome to Springfield. The Lady from... The Gentleman from DuPage, Representative Reboletti, for what reason do you rise?"

Reboletti: "Inquiry of the Chair, Mr. Speaker."

Speaker Turner: "State your inquiry."

Reboletti: "Mr. Speaker, yesterday we were in the process of debating a Bill about trans fat and then we had the tornado

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warning and I was wondering what the status of that Bill was. Where are we at with that Bill?"

Speaker Turner: "It was taken out of the record."

Reboletti: "Thank you, Speaker."

Speaker Turner: "It's still on... it's still on the Calendar, but it was just taken out of the record."

Reboletti: "Thank you, Speaker."

Speaker Turner: "On page 49 of the Calendar, we have Senate Bill 2492. Representative Soto. Read the Bill, Mr. Clerk."

Clerk Mahoney: "Senate Bill 2492, a Bill for an Act concerning public aid. Third Reading of this Senate Bill."

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

Soto: "Thank you, Speaker and Members of the House. Senate Bill 2492, the purpose of the legislation is to ensure that all Medicaid providers of patient psychiatric services receive an adequate reimbursement rate. Thank you."

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

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

Speaker Turner: "She indicates she will."

Miller: "This rate was negotiated via... via what method? How was this rate determined?"

Soto: "Representative, it brings all hospitals up to the rate that all hospitals should receive."

Miller: "And I don't understand. I was just wondering if... if... how... how is that determined, that's all?"

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Soto: "New hospitals that come into this... into the system will receive... will currently receive this rate."

Miller: "And in terms of budgetary concerns, I assume we're going to vote on... Is there moneys that will be allocated to this? There's a... It says on the analysis that'll be six million dollars (\$6,000,000). Is this subject to appropriation?"

Soto: "Yes, it is, Representative."

Miller: "All right. Thank you."

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

Mulligan: "Thank you, Mr. Speaker. I'm sorry, I didn't hear my name. Will the Sponsor yield?"

Speaker Turner: "She indicates she will."

Mulligan: "Representative, normally this is done by administrative rule and then they adjust it as time... periodically through JCAR and now you're trying to set it in statute. How did... how do you think that's going to work as compared to the way it's worked before which was much more flexible?"

Soto: "Current rule is for administrative... Oh, current rule is for new hospitals and this is ensuring equity for current hospitals... for existing hospitals, I'm sorry."

Mulligan: "I don't know if that's entirely correct. So, you're saying that this is going to bring them up to a parity at new hospitals?"

Soto: "Yes."

Mulligan: "And where are they going to obtain the money?"

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Soto: "This is subject to appropriations, Representative. And this would..."

Mulligan: "So, that means it's not cast in stone that they're going to get it?"

Soto: "That is correct."

Mulligan: "So, what happens if it comes that there is money and we're in September and the General Assembly's not in, is this automatically going to be all right if the Governor signs this Bill or how do you think it's going to work?"

Soto: "We would have to do an approp for it. We would have to do an approp for it, Representative."

Mulligan: "So, would they have to wait then until we come back for Veto Session and then you would do it as a supplemental which we always know is hard and then..."

Soto: "Yes."

Mulligan: "So, is there any assurance from your side of the aisle that there would be a supplemental at that time, even if it was just a single item in the supplemental which would be these rates?"

Soto: "We don't know that right now, Representative. We're hoping."

Mulligan: "So, what's the difference in the current amount and the amount you're giving and it... will it be uniform across the state to the hospitals that are... that we have in our list?"

Soto: "It is not uniform, but it would be uniform for the hospitals that are under the average rate."

Mulligan: "The hospitals deserve the increase because, quite frankly, they're not getting paid enough for the services;

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I agree with that. I just don't necessarily care for the way it's being done and I think it's a little piecemeal and could cause a problem. I intend to support this, but I'm not real thrilled about the way it's happening and I will not be surprised if there isn't a problem in the actual funding at some point."

Soto: "Thank you."

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

Black: "Thank you very much, Mr. Speaker. Will the Sponsor yield? Representative, thank you very much for taking this Bill out of the record and giving me an opportunity to talk with you and your staff. It's been very helpful to me. This reimbursement rate is primarily for psychiatric services, correct?"

Soto: "That is correct."

Black: "So, it's not an across the board Medicaid reimbursement rate. It's for inpatient psychiatric services, right?"

Soto: "That is correct."

Black: "And as it's been explained to me, the current rate was set in the 1990s and at hospitals that provide that and there are fewer and fewer, could be getting the per diem rate of two hundred and four dollars (\$204) a day, but a new hospital comes online and says, well, we'll offer inpatient psychiatric services and their per diem may be as high as three hundred and sixty-four dollars (\$364). And I just experienced this in my district because of the lower rate, I had a hospital drop its inpatient psychiatric services. And the hospital at the higher rate picked it

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up, but miles away from my area. So, all you're attempting to do is level the playing field with this Bill by making it an average per diem rate that all would be able to access, correct?"

Soto: "That is correct."

Black: "I commend you. I think this is long overdue. And hopefully, will bring back some much needed psychiatric services, particularly in underserved areas like mine. And I, again, publicly thank you for taking the Bill out of the record so that I could get... you know, wrap my feeble mind around the Bill and it certainly has helped me. It's a good Bill. It's certainly worthy of support and I intend to vote 'aye'."

Soto: "Thank you."

Speaker Turner: "The Gentleman from Peoria, Representatives Leitch, for what reason do you rise?"

Leitch: "Thank you, Mr. Speaker. To the Bill. This is a very important Bill and as Representative Black indicated it does correct a problem that has been underway for a long time. And I strongly support the measure and hope that everyone will vote it out."

Speaker Turner: "Seeing no further questions, the question is, 'Shall the House pass Senate Bill 2492?' All those in favor should vote 'aye'; all those opposed vote 'no'. The voting is now open. Have all voted who wish? Have all voted who wish? The Clerk shall take the record. On this question, there are 114 voting 'aye', 0 'noes', 0 'presents'. And this Bill, having received the Constitutional Majority, is hereby declared passed. The

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Gentleman from Winnebago, Representative Sacia, for what reason do you rise?"

Sacia: "Mr. Speaker, a point of personal privilege."

Speaker Turner: "State your point."

Sacia: "Mr. Speaker, many in this Body know that I have a love of old cars and I recently had one. It had a unique problem; it would not steer to the left, it would only go to the right. And I brought in the steering wheel and wondered with the leave of the Body if I might present it to Representative Reboletti, because it won't turn to the left. It only goes to the right and he's normally going hard right and I've tried and I can't get it to come back to the left. So, with your indulgence, if we could add all of the Members of the House as cosponsors so that Representative Reboletti could keep this for future ref.. It just won't... it won't come back, Sir."

Speaker Turner: "Okay. The Lady from Grundy, Representative Gordon, for what reason do you rise?"

Gordon: "A point of personal privilege, Mr. Speaker."

Speaker Turner: "State your point."

Gordon: "At this time, I would second the Gentleman's Motion, Representative Sacia and also am glad that he asked us all to join in on his presentation. As many of you know, I have known Representative Reboletti for... for a decade now and interestingly enough, he and I... I know for many, many years... and he and I we actually shared an office together at the State's Attorneys Office our desks were even in the same room. And it surprises me his actions down here how he just will not make a left turn when we ask him to.

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Because I have seen day after day his actions in court and his help and his compassion and his concern for the homeless and the helpless and those most in need and sometimes those criminal defendants who sometimes they just made a mistake and when no one was looking he would make that motion to dismiss and just let them go back home to their families. And I don't know what happened in his past, something must have taken a wrong turn somewhere, but hopefully, we'll... we'll find a fix for that steering wheel that he's holding and bring him back to see the light to help Illinoisans all over our state. Thank you, Mr. Speaker."

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

Ramey: "Point of person privilege, Mr. Speaker."

Speaker Turner: "State your point."

Ramey: "Just to carry on with the bit of levity for today. As you all know, when we... Representative Reboletti first came down we were over at the old Capitol and of course, there were no buttons to push and we had to vote by voice vote. And of course, his first voice vote was with the Speaker, his second vote was against the Speaker, and his third vote was a 'present'. So, he had the gamut there that day and I do believe he missed a vote, too. So, we're happy to see that he's got onto the game plan here and is continually turning right. Thank you, Mr. Speaker."

Speaker Turner: "And in defense, the Gentleman from DuPage, Representative Reboletti."

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Reboletti: "Thank you, Speaker. A point of personal privilege. I'd like to thank everybody for their kind comments especially Representative Sacia who has somehow, you know, he's forgotten sometimes that maybe his district leans little bit more right than... than he's been voting recently, but I won't really talk about that. And obviously, Representative Gordon's comments really show the need for a capital Bill, Speaker, that we had had so many prosecutors into one office. And Representative Ramey, I appreciate your recollection of that day; I think you voted the same way. So, I do appreciate that and I will keep the 46th District steering to the right. Thank you very much."

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

Black: "Mr. Speaker, a point of personal privilege."

Speaker Turner: "State your point."

Black: "I'm just glad to see any kind of steering wheel in this chamber. I... I've been trying to figure out who's driving this bus for the last six (6) months. I don't care whether it goes left or right. Maybe we should present the steering wheel to somebody else 'cause somebody needs to steer this ship of state. We're going around in circles. And by the way, I sponsored the automobile salvage dealers law, gosh, twelve (12), thirteen (13) years ago. I want to know where that steering wheel came from and if the VIN number is attached as is required by law, and I just got a call from the Sangamon County Sheriff's Office, there is a car out on a rural road missing a steering wheel and we're going to get to the bottom of this."

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Speaker Turner: "In fairness, I want the Body to know that Representative Reboletti and I have talked about adding a little power steering fluid. He's finding out that that's what makes a difference and he and I have talked about this power steering fluid. So, I... I do see things are getting better. That does make a big difference. On page 50 of the Calendar, we have Senate Bills--Second Reading. Representative Reis on Senate Bill 2562. Out of the record. On page 50 of the Calendar, we have Senate Bill 2558. Read the Bill, Mr. Clerk."

Clerk Mahoney: "Senate Bill 2558 has been read a second time, previously. Amendment #1 was adopted in committee. Floor Amendment #2, offered by Representative Molaro, has been approved for consideration."

Speaker Turner: "The Gentleman from Cook, Representative Molaro on Amendment #2."

Molaro: "Thank you. This is the Amendment I spoke of yesterday. It's the best Amendment we're going to have all year. This takes care of the offset Social Security for five to eight thousand (5,000-8,000) retirees where their spouses won't have to make changes whether they can eat or whether they can get their prescriptions. It eliminates the offset; it remains revenue neutral. It took about two (2) or three (3) years to get this done. It's now a revenue neutral Bill. And everybody's for this Bill and we're going to make around eight thousand (8,000) retirees very, very happy today with this Amendment."

Speaker Turner: "Representative Molaro moves for the adoption of Amendment #2 to Senate Bill 2558. All those in favor

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should say 'aye'; all those opposed say 'no'. In the opinion of the Chair, the 'ayes' have it. And the Amendment's adopted. Further Amendments?"

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

Speaker Turner: "Third Reading. Read the Bill, Mr. Clerk."

Clerk Mahoney: "Senate Bill 2558, a Bill for an Act concerning public employee benefits. Third Reading of this Bill."

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

Molaro: "Yes. The Amendment becomes the Bill and it's what I just said a few minutes ago. We're trying to get it over to the Senate so, you know, people can celebrate tonight. So, I appreciate a favorable Roll Call."

Speaker Turner: "Seeing no questions, the question is, 'Shall the House pass Senate Bill 2558?' All those in favor should vote 'aye'; all those opposed vote 'no'. The voting is now open. Have all voted who wish? Have all voted who wish? Have all voted who wish? The Clerk shall take the record. On this question, there are 114 voting 'aye', 0 'noes', 0 'presents'. And this Bill, having received the Constitutional Majority, is hereby declared passed. Mr. Clerk, we have Senate Bill 2688. Representative Acevedo. Representative Acevedo. Read the Bill, Mr. Clerk."

Clerk Mahoney: "Senate Bill 2688 has been read a second time, previously. No Committee Amendments. Floor Amendments 1 and 2, offered by Representative Acevedo, have both been approved for consideration."

Speaker Turner: "Representative Acevedo on Amendment #1."

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Acevedo: "Thank you, Mr. Speaker, Ladies and Gentlemen of the House. Senate Bill 2688 requires school conduct a minimum of one law enforcement drill per year..."

Speaker Turner: "Representative..."

Acevedo: "...to address and prepare..."

Speaker Turner: "...Representative, you've got two Amendments. Amendment #1... is this Amendment #1 we're discussing?"

Acevedo: "Amendment #1 just adds the... that the students be... not be required when the drill is taking place. That's Amendment #1."

Speaker Turner: "The Gentleman asks leave to adopt Amendment #1 to Senate Bill 2688. All those in favor say 'aye'; all those opposed say 'no'. In the opinion of the Chair, the 'ayes' have it. And Amendment #1 is adopted. Further Amendments?"

Clerk Mahoney: "Amendment #2, offered by Representative Acevedo, has been approved for consideration."

Speaker Turner: "Representative Acevedo on Amendment #2."

Acevedo: "Mr. Speaker, if I may. I'd like my colleague, Representative Monique Davis to talk on Amendment #2."

Speaker Turner: "Representative Monique Davis on Amendment #2."

Davis, M.: "Thank you very much, Mr. Speaker and Mr... Representative Acevedo. Amendment #2 is the Bill we passed out of the Body that allows a parent who is member of the local school council whose child has been killed to remain on the council until his or her term is up. We call this the Blair Holt Amendment. Little Blair Holt, a member of Percy Julian High School, was on a bus to go home and was shot and killed by a stranger, another youth. and his

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father was a member of the local school council. There were attempts to remove Mr. Holt from the council before his term was up. He did, however, get to serve, so we're merely codifying what should happen. And I thank you for your support. Thank you."

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

Acevedo: "Mr. Speaker, I move to table Amendment #1. I should have done that in the beginning, Mr. Speaker."

Speaker Turner: "Mr. Clerk, move this Bill back to Second Reading or it's on Second. Take... table... not table the Amendment, just take #2 off the rec... out of the record right now, Amendment 2. What's the status of Floor Amendment #1?"

Clerk Mahoney: "Floor Amendment #1 was adopted to the Bill."

Speaker Turner: "Gentleman asks leave to table Amendment #1 to Senate Bill 2688. All those in favor say 'aye'; all those opposed say 'no'. In the opinion of the Chair, the 'ayes' have it. And Amendment #1 is tabled. Further Amendments, Mr. Clerk?"

Clerk Mahoney: "Floor Amendment #2, offered by Representative Acevedo, has been approved for consideration."

Speaker Turner: "The Gentleman moves for the adoption of Floor Amendment #2 to Senate Bill 2688. All those in favor say 'aye'; all those opposed say 'no'. In the opinion of the Chair, the 'ayes' have it. And Amendment #2 is adopted. Further Amendments, Mr. Clerk?"

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

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Speaker Turner: "Third Reading. Gentleman from Cook, Representative Acevedo on... Read the Bill, Mr. Clerk."

Clerk Mahoney: "Senate Bill 2688, a Bill for an Act concerning education. Third Reading of this Senate Bill."

Speaker Turner: "The Gentleman from Cook, Representative Acevedo on Senate Bill 2688."

Acevedo: "Thank you, Mr. Speaker, Ladies and Gentlemen of the House. Senate Bill 2688 requires that a school conduct a minimum of one law enforcement drill per year, that addresses and prepares students and school personnel for incidents such as lockdowns, shootings, bomb threats, or hazardous materials. The students need not be present during the time the drills are conducted."

Speaker Turner: "Seeing no questions, the question is, 'Shall the House... The Gentleman from Crawford, Representative Eddy, for what reason do you rise?'"

Eddy: "Mr. Speaker, just want... for some clarification. My understanding now is that this Bill basically contains two components and that, as currently amended by Amendment #1, 1 is gone, Amendment #2 becomes the Bill. And it includes two components: one is the drill, the safety drill and that safety drill now is agreed upon because students no longer have to be in the building when the type of drill that this requires is being conducted."

Acevedo: "That's on Amendment #2, Representative, yes."

Eddy: "Plus, language that Representative Davis spoke to regarding the ability of a city... a school council member to finish their term in the event of the death of the child that's occurred in her district tragically. Those are the

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two components of this and the current Amendment takes care of both of those agreed items."

Acevedo: "Yes, Representative."

Eddy: "Okay. Thank you very much. I urge an 'aye' vote. It's a good combination of two ideas that they've worked hard on and there is total agreement. Thank you."

Speaker Turner: "Seeing no further questions, the question is, 'Shall the House pass Senate Bill 2688?' All those in favor should vote 'aye'; all those opposed vote 'no'. The voting is now open. Have all voted who wish? Have all voted who wish? The Clerk shall take the record. On this question, there are 114 voting 'aye', 0 'noes', 0 'presents'. And this Bill, having received the Constitutional Majority, is hereby declared passed. On page 51 of the Calendar, we have Senate Bill 2883. Representative Hannig. Read the Bill, Mr. Clerk."

Clerk Mahoney: "Senate Bill 2883 has been read a second time, previously. Amendment #1 was adopted in committee. No Floor Amendments. No Motions filed."

Speaker Turner: "Third Reading. Read the Bill, Mr. Clerk."

Clerk Mahoney: "Senate Bill 2883, a Bill for an Act concerning State Government. Third Reading of this Senate Bill."

Speaker Turner: "The Gentleman from Montgomery, Representative Hannig."

Hannig: "Yes. Thank you, Mr. Speaker and Members of the House. This Bill deals with the Illinois Finance Authority and on an annual basis, sometimes more than an annual basis, they come to us and ask for an increase in their bond authorization. The Bill that passed the Senate would

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increase the bond authorization for the agency by three billion (3,000,000,000) with the Amendment that we put on in the House it's now 1.5 (1,500,000,000) which is approximately the amount that they used last year. So, that's the nature of the Bill. I'd be happy to answer any questions."

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

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

Speaker Turner: "Indicates he will."

Schmitz: "Representative Hannig, our analysis shows that as of March of this year the Finance Authority issued 21.3 billion (21,300,000,000) out of its 26.6 billion (26,600,000,000) already, leaving 5.26 billion (5,260,000,000) unissued. Could you explain the need for the increase, seeing that my analysis shows that we still have remaining funds?"

Hannig: "Yes. Representative, the... the process is such that we try to provide enough authority so that they can... they can work their... work through their program and applications for the next fiscal year. Now, at any given time, they've got a number of these projects that are like in the pipeline that are... that are getting near a point where they'll need to issue some bond indebtedness. So, it isn't just that they have some outstanding authority, but they've already committed a bunch of that authority but not yet issued the bonds. And so, what they're suggesting is that they need to go beyond that. And the Senate said three billion (3,000,000,000). We agreed with you that perhaps that was

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too much, but we cut it in half and said 1.5 (1,500,000,000). So..."

Schmitz: "Do they know approximately what... what their needs are going to be for the year, because I'm looking at all the increases that have been happening since '06. Is there a schedule of projects where they anticipate these so they don't have to keep coming back to the Body to increase the bonding limit?"

Hannig: "So, for example, they advised us that they have a list of about seven billion dollars (\$7,000,000,000) worth of projects that have been approved, but the bonds have not yet been sold. They would suggest that they needed as much as 8.7 billion (8,700,000,000). As I said, the Senate took a view that perhaps three (3,000,000,000) would be enough and we reduced that further on the theory that they can come and see us again in January if they should find themselves in a bind. But they... they have... they would say that they have almost seven billion dollars (\$7,000,000,000) of projects that are nearly ready to go to market."

Schmitz: "And finally, I mean, I understand we got 1.5 billion (1,500,000,000) is in this Bill, so this would have to go back to the Senate for concurrence?"

Hannig: "Yes."

Schmitz: "Any idea on the acceptance of this concurrence over there?"

Hannig: "I've been advised by the Authority that... that they... that they liked the three billion (3,000,000,000) better, but they understand our effort to reduce their authority..."

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their ability to issue bonds. And we told them, you know, come back to us in January and make a case if you need more. So, I think this is a good opportunity for us in the Legislative Branch to have some additional oversight. They're willing to accept this."

Schmitz: "Okay. Leader Hannig, thank you for your questions.. your answers."

Speaker Turner: "Seeing no further questions, the question is, 'Shall the House pass 2883?' All those in favor should vote 'aye'; all those opposed vote 'no'. The voting is now open. Have all voted who wish? Have all voted who wish? The Clerk shall take the record. On this question, there are 72 voting 'aye', 42 voting 'no', 0 'presents'. And this Bill, having received the Constitutional Majority, is hereby declared passed. On page 51 of the Calendar, we have Senate Bill 2882. Representative Biggins. Read the Bill, Mr. Clerk."

Clerk Mahoney: "Senate Bill 2882 has been read a second time, previously. Amendment #1 was adopted in committee. No Floor Amendments. No Motions filed."

Speaker Turner: "Third Reading. Read the Bill, Mr. Clerk."

Clerk Mahoney: "Senate Bill 2882, a Bill for an Act concerning revenue. Third Reading of this Senate Bill."

Speaker Turner: "The Gentleman from DuPage, Representative Biggins."

Biggins: "Thank you, Mr. Speaker and fellow Members of the House of Representatives. Senate Bill 2882 amends the Property Tax Code and provides that the board of review in counties with less than three million (3,000,000) inhabitants or the

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county assessor in counties with three million (3,000,000) or more may develop reasonable procedures for the valuation of omitted property from the tax roll. I'll be glad to answer any questions, if anyone has any."

Speaker Turner: "Seeing no further questions, the question is, 'Shall the House pass Senate Bill 2882?' All those in favor should vote 'aye'; all those opposed vote... Mr. Clerk, take this Bill out of the record. On page 50 of the Calendar, we have Senate Bill 2690. Read the Bill, Mr. Clerk. Representative Yarbrough. Read the Bill."

Clerk Bolin: "Senate Bill 2690, the Bill has been read a second time, previously. Amendment #1 was adopted in committee. No Floor Amendments. No Motions are filed."

Speaker Turner: "Third Reading. Read the Bill, Mr. Clerk."

Clerk Bolin: "Senate Bill 2690, a Bill for an Act concerning education. Third Reading of this Senate Bill."

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

Yarbrough: "Thank you, Mr. Speaker. Senate Bill 2690 is identical to House Bill 5164 that passed out of here unanimously. It amends the Community College Act and allows buildings to made for emergency... available for emergency purposes and to cooperate with agencies like IEMA and the American Red Cross in case of emergency. I'd be happy to answer any questions and would be happy to have a 'yes' vote."

Speaker Turner: "Seeing no further questions, the question is, 'Shall the House pass Senate Bill 2690?' All those in favor should vote 'aye'; all those opposed vote 'no'. The voting is now open. Have all voted who wish? Have all

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voted who wish? The Clerk shall take the record. On this question, there are 114 voting 'aye', 0 'noes', 0 'presents'. And this Bill, having received the Constitutional Majority, is hereby declared passed. On page 50 of the Calendar, we have Senate Bill 2824. Representative Ryg. Read the Bill, Mr. Clerk."

Clerk Bolin: "Senate Bill 2824, a Bill for an Act concerning local government. The Bill has been read a second time, previously."

Speaker Turner: "Take it out of the record. Mr. Clerk, take it out of the record. Representative Hernandez on Senate Bill 2877. Read the Bill, Mr. Clerk."

Clerk Bolin: "Senate Bill 2877, the Bill's been read a second time, previously. No Committee Amendments. Floor Amendment #1, offered by Representative Soto, has been approved for consideration."

Speaker Turner: "Representative Ryg on Amendment #1. I should... Representative Soto on Amendment #1. Or Representative Hernandez on Amendment #1. The Lady asks leave to adopt Amendment #1. All those in favor say 'aye'; all those opposed say 'no'. In the opinion of the Chair, the 'ayes' have it. And the Amendment's adopted. Further Amendments?"

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

Speaker Turner: "Third Reading. Read the Bill, Mr. Clerk."

Clerk Bolin: "Senate Bill 2877, a Bill for an Act concerning State Government. Third Reading of this Senate Bill."

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

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Hernandez: "Thank you, Speaker and Members of the House. Senate Bill 2877 amends the Department of Human Services Act. Requires the department to include mental health awareness, education and outreach materials within its public health promotion programs and information to be directed toward minority population groups in Illinois. I ask for your 'aye' vote."

Speaker Turner: "Seeing no questions, the question is, 'Shall the House pass Senate Bill 2877?' All those in favor should vote 'aye'; all those opposed vote 'no'. The voting is now open. Have all voted who wish? Have all voted who wish? Have all voted who wish? The Clerk... John Bradley. The Clerk shall take the record. On this question, there are 114 voting 'aye', 0 'noes', 0 'presents'. And this Bill, having received the Constitutional Majority, is hereby declared passed. Representative May on Senate Bill 2083. Out of the record. Representative Nekritz on Senate Bill 2128. Out of the record. Representative Nekritz on Senate Bill 2536. Out of the record. It's lunchtime, Representative Ford, are you ready for Senate Bill 2858? I didn't hear you, Representative..."

Ford: "Mr. Speaker, I think that I'm going to hold off on freeing the kids of trans fat for now and I think everyone should enjoy trans fat for a little while longer. And I'll be back with this."

Speaker Turner: "So, you don't want to join the Century Club today?"

Ford: "Well, actually, not quite yet. We're going to make the Bill better."

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Speaker Turner: "We understand. We're going to move to the Order of Concurrences. The Order of Concurrences starting on page 53 and the first Bill we will hear is House Bill 946. Representative Flider. Mr. Clerk, read House Bill... Representative Flider on House Bill 946."

Flider: "Yes. Thank you, Mr. Speaker, Ladies and Gentlemen of the House. I move to concur on House Bill 946. This Bill was amended in the Senate. This is legislation that deals with license plates and what this will do is minimize the number of categories that would be mandated by law as far as this license plate program. I'd ask for your 'aye' vote."

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

Franks: "Will the Sponsor yield?"

Speaker Turner: "Indicates he will."

Franks: "What Amendment was done on this that you're asking us to concur on, Mr. Flider?"

Flider: "So, what the original Bill would have done is it would have required a number of license plates to be manufactured or developed based on the names of individuals... racers. In this case, it just simply mandates that one license plate be developed. Certainly, if there's some discretion on the part of the Secretary of State to do more, it would be up to them based on the economics of doing so."

Franks: "Okay. Now is... as I recall on this plate is this one where the state would actually have to pay NASCAR a royalty fee for the use of their name or image?"

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Flider: "Right. As this legislation passed the House by a wide margin, previously, that... that was actually the case as was discussed. The Secretary of State has a neutral position on this; they have no problem with it, and the fees that we're talking about more than cover the cost of the license plate. In addition, what the proceeds of the plate would do. both the initial fee and the renewal fee, is that they will go to a fund to help people who have rehabilitative service needs."

Franks: "Are there any other plates in the State of Illinois where the state would have to pay a licensing fee for the use of an image or royalty for the use for a license plate?"

Flider: "I don't know specifically, but I do know that there... for example, there are some license plates for professional sports teams."

Franks: "I'm sorry, could you repeat that?"

Flider: "There are some license plates for professional sports teams that are in the statutes."

Franks: "I've seen those. Like the Bears have those, but the Bear plates, those are the ones where you have... was for the organ donation and if you pay more money, I think, the money goes to organ donation services. It's not like the NFL or the Chicago Bears are actually getting the money, correct?"

Flider: "Right. And in this case, you know, specifically the legislation states that the issuance fee would not only go toward the Secretary of State, but also that the initial

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additional dollars would go toward the rehabilitative services program."

Franks: "All right. To the Bill. I appreciate what the Sponsor is trying to do, but I think we're doing this wrong. I... I voted 'no' on this before and I... and I'm going to vote 'no' again. I think it's wrong for us to be paying for the use of a name or an entity. I think... I think we... if we're trying to get revenue for the State of Illinois and we're going to be putting commercial enterprises on our license plates, don't you think they ought to be paying us instead of the other way? I mean, if we're going to start this and we're going to allow for-profit organizations to be able to be placing their logos on our license plates, I think it's insane that we are paying them for the privilege of advertising their product. If a private entity, a for-profit entity, wants to have its image on a license plate, it should be paying us. We should be creating revenue that way. We can do McDonald's plates if people are... love trans fats. Let them do it and let's sell them to them for a hundred thousand dollars (\$100,000) or a million dollars (\$1,000,000), so they can put it on the plate. Because this is a brand and what we're doing here is absolutely wrong. I'd ask you to vote 'no' because it is a very bad precedent. If we're going to put private for-profit organizations on plates, they ought to be paying us, not the other way. Vote 'no'."

Speaker Turner: "Seeing no question... no further questions, the question is, 'Shall... shall the House concur... Representative Flider to close.'"

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Flider: "Mr. Speaker, I would just like to state for the record. This legislation initially did get 105 'yes' votes. It's good legislation because what it does... it was requested by people who have disabilities, people who manufacture these plates and the money goes toward rehabilitative services. This will be a moneymaker for the state in the time of difficult fiscal times. That's why this legislation received 105 'yes' votes initially, passed by a wide, wide margin in the Senate. I'd ask your 'aye' vote."

Speaker Turner: "So, the question is, 'Will the House concur in Senate Amendment 1 to House Bill 946?' All those in favor should vote 'aye'; all those opposed vote 'no'. The voting is now open. This is final action. Have all voted who wish? Have all voted who wish? Have all voted who wish? May. The Clerk shall take the record. On this question, there are 50 voting 'aye', 62 voting 'no'. And the House does not con... The Motion fails. Representative Flowers on House Bill 1334, under the Order of Concurrences. The Lady from Cook, Representative Flowers."

Flowers: "Thank you, Mr. Speaker and Ladies and Gentlemen of the House. I move to concur with the Amendment and would like to... I move to concur with Amendment #5 and all it does is add two hundred (200) awards... scholarships for the Golden Apple Scholars. And I'll be more than happy to answer any questions that you may have."

Speaker Turner: "Representative Flowers."

Flowers: "Thank you, Mr. Speaker. I want to concur with Amendment numbers 1, 2, and 5 to House Bill 1334. And it

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merely adds two hundred (200) awards for scholarships for the Golden Apple. And I'll be more than happy to answer any questions you may have in regards to this Bill."

Speaker Turner: "Seeing no questions, the question is, 'Shall the House concur in Floor... Senate Amendments 1, 2, and 5 to House Bill 1334?' All those in favor should vote 'aye'; all those opposed vote 'no'. The voting is now open. This is final action. Have all voted who wish? Have all voted who wish? The Clerk shall take the record. On this question, there are 115 voting 'aye', 0 'nays', 0 'presents'. And the House does concur in Senate Amendments 1, 2, and 5 to House Bill 1... to House Bill 1334. And this Bill, having received the Constitutional Majority, is hereby declared passed. On page 53 of the Calendar, we have House Bill 1432 on the Order of Concurrences. Representative Crespo."

Crespo: "Thank you, Speaker, Members of the House. I move to concur with Senate Amendment #2 which includes EDNOS from the Bill. This was in response to the insurance industry. Amendment #1... thank you, Amendment #1 from the Senate. And I should also add that it did pass unanimously on the Senate both committee and the floor."

Speaker Turner: "Seeing no questions, the question... the question is, 'Shall the House concur in Senate Amendment #1 to House Bill 1432?' All those in favor should vote 'aye'; all those opposed vote 'no'. The voting is now open. Have all voted who wish? This is final action. Have all voted who wish? Have all voted who wish? Saviano. The Clerk shall take the record. On this question, there are 94

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voting 'aye', 20 voting 'no' and 0 'presents'. And the House does concur in Senate Amendments 1 to House Bill 1432. And this Bill, having received the Constitutional Majority, is hereby declared passed. Representative Hernandez on House Bill 1449. The Lady from Cook, Representative Hernandez."

Hernandez: "Thank you, Speaker and Members of the House. I move to concur with Senate Amendment... which provides that the checkoff shall be made available on the income tax return form starting 2008 rather than 2007."

Speaker Turner: "Seeing no questions, the question is, 'Shall the House concur in Senate Amendment 1 to House Bill 1449?' All those in favor should vote 'aye'; all those opposed vote 'no'. And the voting is now open. Have all voted who wish? Have all voted who wish? This is final action. Have all voted who wish? The Clerk shall take the record. On this question, there are 113 voting 'aye', 0 'nays', 1 'present'. And this Bill... No, the House does concur in Senate Amendment 1 to House Bill 1449. And this Bill, having received the Constitutional Majority, is hereby declared passed. On the Order of Concurrences, we have House Bill 824. Representative Fritchey, the Gentleman from Cook."

Fritchey: "Thank you, Speaker, Members of the Body. So, I'll tell you, it's been a long time in coming. Over three (3) years ago I had the privilege to stand with Representative Black, Senators Dillard and del Valle under an initiative of State Comptroller Dan Hynes aimed at severing the tie between campaign contributions and state contracts. Three

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(3) years later, after countless meetings, countless fights, countless hopes and disappointments, here we stand all with legislation as many of you know in its prior iteration as House Bill 1. This Bill is somewhat different than House Bill 1; it's substantially the same. It's better in many aspects. There are some other items that are here... that are not here that we'd like to see and we'll come back with. But plain and simple, it's a sad but true statement that in Illinois pay-to-play politics is perhaps one of the most pressing issues on our plate, so much so that you could be well-advised to look at this Bill as a much as an economic stimulus Bill as a campaign for natural forum because this Bill will keep millions of dollars within the pockets of Illinois businesses by not having to contribute to have a fair shot at being a contractor in our state. I want to give thanks were thanks is due and deserve: our State Comptroller, Speaker Madigan for allowing me to move this Bill over a year ago in its original form and to continue to work with this, Cindi Canary from the Illinois Campaign for Political Reform, our staff, specifically, Heather Wier and Dave Ellis, our staff on the Senate side, on the House Republican side. A lot of work went into this; a lot of time went into this. Ladies and Gentlemen, make no mistake about it, there are other ethics issues and campaign finance reform issues that can be, should be, and will be addressed in the State of Illinois in the months and years to come. House Bill 824 with the Senate Amendments on it represents a comprehensive effort to put an end to pay-to-play politics in our state.

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It represents what was the unanimous will of the Senate, what was previously the unanimous will of this chamber and what is the demand of the twelve million (12,000,000) people in the State of Illinois. It is an excellent piece of legislation. I'd be happy to answer any questions. We'll go from there."

Speaker Turner: "Seeing no questions... The Gentleman from Jasper, Representative Reis."

Reis: "Thank you, Mr. Speaker. I have just one question for the Sponsor, if he'll yield."

Speaker Turner: "Indicates he will."

Fritchey: "I apologize, Representative."

Reis: "I just have one question, Representative. When does this Bill become effective?"

Fritchey: "If we pass it today and avoid any shenanigans, January 1."

Reis: "So, it won't become effective the day that it's signed?"

Fritchey: "That is correct."

Reis: "Thank you."

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

Black: "Thank you very much, Mr. Speaker and Ladies and Gentlemen of the House. I don't think it needs to be said, but to the Bill. The questions about this have been asked by officers of the court, they have been asked by editorial writers from Cairo to Chicago and they have been asked by dozens if not hundreds of our constituents. The time is now. I commend Representative Fritchey for his work. It would have been easily... he could have been easily

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discouraged, but I think enough is enough. This is a positive first step and we need to take it and we need to take it now. Let's vote 'aye'."

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

Coulson: "Thank you, Mr. Speaker. I just want... to want to encourage an 'aye' vote. It's been a long time coming and I want to congratulate Representative Fritchey on the hard and protracted negotiations on this Bill. And I would encourage that we all need to pay attention to the ethics of this... in the State of Illinois and continue to move forward with this Bill, but also to continue working on this very important issue. Thank you."

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

Ramey: "Thank you, Mr. Speaker. Just one question for the Sponsor, if he will yield?"

Speaker Turner: "He indicates he will."

Ramey: "Thank you. Representative Fritchey, I commend you on your work on this and as... I was a cosponsor on your original legislation, House Bill 1. My only question is in the language. As I recall in your Bill, we were looking at the twenty-five thousand dollar (\$25,000) threshold and here it's up to fifty thousand (\$50,000). Can you explain or are we going to look at that again or why it went up that high?"

Fritchey: "The increase in the threshold was one of the changes that was made across the rotunda. I would submit to you that history has shown that our greatest concern is twenty-

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five thousand dollar (\$25,000) contributions not twenty-five thousand dollar (\$25,000) contracts. By setting this at a threshold of fifty thousand dollars (\$50,000), we will still encompass the majority of state contracts and certainly all contracts that are large enough to trigger concerns that there are campaign contributions being made to sway the awarding of those contracts."

Ramey: "Very good. I appreciate all your work and I urge an 'aye' vote."

Fritchey: "Thank you."

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

Lang: "Thank you, Mr. Speaker and Ladies and Gentlemen. I rise in support of the Gentleman's Bill. First, I'd like to congratulate Representative Fritchey for his doggedness and his... his strong effort over a long period of time to make this happen. This needs to happen for the obvious reasons that we've had pay-to-play politics in Illinois. It needs to happen because Illinois has become the Wild West of campaigns and campaign contributions and campaign contracts and it needs to stop for those clear and obvious reasons, but it also needs to happen because one of the reasons that people look at people in our profession from sort of a sideways glance at all times is because of these issues. One of the reasons that people don't vote in our state the way they might is that they don't trust our institutions. They don't trust our elected officials. They don't trust the system through which we do all of these things and issues like pay-to-play politics contribute greatly to

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that. The step we take today is an important one. The Senate took a couple of things out of this Bill, for instance, the use... the idea that investment bankers are not covered, et cetera and these are things we ought to come back and address. This is not all that Representative Fritchey wanted, but we should come back next year and help him get the rest of what we need so that we can convince the people in the State of Illinois that we're here just to do the business of their lives, to improve their lives and to make Illinois what it ought to be and until they trust us, we can't do our best work. So, this is a good step forward and I'm proud to support the Gentleman's Bill."

Speaker Turner: "The Gentleman from DuPage, Representative Reboletti."

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

Speaker Turner: "Indicates he will."

Reboletti: "Representative, I know you've done a lot of work with this and Senator Harmon has done that and I commend you both and appreciate that. One of the questions I had was, is... are these companies still able to contribute to a state Party or a township Party and that money could eventually wash back into that... that candidate's campaign. Is that possible still?"

Froehlich: "I... I want to give this the... the answer that it deserves and that's this. The ability to contribute to a state Parties still exists, unfortunately, and not just in Illinois, but anywhere. If somebody wants to go to great lengths to try to get around any law, they will find a way to do it. But remember the nexus here; it should be very

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clear. The nexus that we are breaking is between the awarding of state contracts and contributions to that office. It should be kept in mind that with one glaring exception every constitutional officer has already enacted the essence of this Act by Executive Order. They understand that there should be no correlation between campaign contributions and the awarding of contracts; they understand the importance of having, as Representative Lang discussed, public confidence that they're doing their job with integrity and the right way and for the right reasons. So, they have all done this. We have gone to great lengths in this legislation to try to close whatever loopholes we can see, big or small. Will there be need to change this somewhere down the road? Maybe, but let me submit right now, Representative, if I could take this opportunity, let me segue this somewhat for this point. The Governor's Office has had the audacity to say that they wish we would improve upon this. That they wish it would do more, that they think that they want to take a look at it to see what can be done, that they may want to extend it to the General Assembly. Let me be very clear. We are not under investigation. We do not award contracts. We have not been accused of doling out contracts for state contributors. Any changes to this Bill will be a slap into the face to the years of work that have been done by these two chambers, to the demands and will of the public of this state, to common sense and to reality. This Bill addresses this issue. This Governor had had six (6) years to put forth any other ethics reforms or campaign finance reports

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that he chooses to. He could have done it over the last six (6) years; he can do it in whatever time he has left. I would urge him to have the decency and honorability not to do it on the back of this legislation, not to attempt to Amendatory Veto this Bill that's been worked on for three (3) years that's has had hundreds of votes cast on to it, that has the support of millions of people, do not toy with this Bill. He needs to sign this Bill and put this Bill into law. If he wants a legacy, let him sign his name to this Bill when it gets to his desk and make this the law of the land. To do anything else will be an affront to the system, to reality, to the people of this state."

Reboletti: "Representative, I appreciate that response. I know that it goes to your legislative intent and I'm sure, as we've talked about before on this floor and in different committees that if people are going to violate the law, they're going to find any which way around it. And I think this begins the end of the quid pro quo in the State of Illinois and the end of pay-to-play. And I appreciate your work in this matter."

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

Franks: "Thank you, Mr. Speaker. I want to thank the Sponsor, first of all, for working so hard and for so long on this issue. And I want to follow up on something you had just talked about where the Governor has threatened to veto on this message... on this Bill. Mr. Fritchey, we were together a few years ago and I remember the Governor giving a talk, talking about rocking the system and putting together a

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reform ethics package. Is this part of the Governor's reform, rocking the system, ethics package?"

Fritchey: "Well, I... I would say in a roundabout way he does deserve some credit for this Bill coming to be, maybe not in the way that he intended."

Franks: "I appreciate that answer, but I'm still waiting for that Bill from the Governor that would rock the system and reform what we're doing here in Springfield. Have you ever seen a Bill or been aware of one that the Governor has proposed to stop the pay-to-play culture that's permeated our Capitol?"

Fritchey: "Well, the Governor a couple years ack, actually right around this time of year about two (2) or three (3) years ago, he had then Representative Ronen file a campaign contribution limit Bill in the final days of Session and did nothing with it and then actually had the audacity recently to try to fault us for not having advanced his Bill. It's a good point, though. This is a system in need of rocking. The Governor has had his chances and has taken a pass on it every time. The Governor's made repeated statements about the needed desire to have campaign contribution limits. Well, I'd submit to the Governor that Representative Osterman has a Bill that would do that. He talked about the need for judicial reforms. Well, there's Bills pending in the Senate that would do that. There have been numerous vehicles and numerous Sessions and numerous occasions where the Governor could have done many things to the system and while he has done many things to the system, rocking it is not one of them."

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Franks: "I appre... I appreciate that. And Illinois politics has become a cesspool when it comes to the play-to-pay (sic-pay-to-play) allegations and you know, when this Governor came in, he said it wasn't going to be business as usual and I think he's accomplished that; I think it's worse. And I think if you see what's happened in this state and if you... if you're watching the trial where the jury's deliberating in Chicago right now on the Rezko issue and the amount of influence that money's had with this administration and you see who got contracts and who got no-bid contracts and friends of the Governor's who got those no-bid contracts. A few years ago the Auditor General had quite an audit on nine (9) separate state contracts where six (6) of those had gone to entities that had been large contributors of the Governor. In one instance, the entity did not even exist until after it received the contract. This Bill is long overdue in the State of Illinois. I'm sorry that the Senate took out some of the better provisions that Representative Fritchey had in there where it would prohibit others. But I think this is a necessary start, obviously, we'll come back and revisit this and we will... I'm sure we'll add to it. And the Governor ought to know that if he thinks he's going to tinker with this and veto this or amendatorally veto this, he's wasting his time. We need to send him a very strong message by voting unanimously today to tell the Governor that it's time that we're taking the government back, that we're listening to the people, that we're not going to allow pay-to-play to continue in this state and we're going

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to set the state back where it should be. We have to end the cycle of corruption; we have to end government by crony. Frankly, we have to stop the corruption that's happening here. The future of the State of Illinois depends on it. And you look at... of those that received the contributions and those that give the contributions and quite frankly, I can't tell who the parasites are and who the hosts are anymore. We need to stop what's happening here and Representative Fritchey, thank you for being so dogged on this matter. We needed you to go forward. Please, everyone, vote 'yes'. And I encourage you all to add your name as cosponsors to send a very strong message to the second floor."

Speaker Turner: "Representative Fritchey to close."

Fritchey: "Thank you. And I'd be remiss if I closed without thanking somebody else who I meant to and that's Senator Don Harmon. Don put a lot of time in on the other side and with me and on working on this issue. So, I want to give credit where it's due. We made a little bit of light along the way here and I don't want to take anything away from the import of this. This isn't so much a need to stop what's become an unfortunate problem in our state, but it's also a roadmap for how to take our state and operate it honorably as we move forward, not just for the Governors but for all constitutional officers. It is an excellent piece of legislation. It's the type of thing that we can point to when we say that the system works, albeit slowly sometimes, but works the way that it should and can at times. A lot of folks, myself included, didn't think this

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day would come. This day is here. I would hope that this'll be the final time that this chamber has to deal with this issue. I assure you that should there be any efforts to modify this Bill in any way, shape or form, we will be back here on an Override Motion. There should be little doubt in anybody's mind as to the will of either chamber or the people of this state to make sure that this Bill becomes the law of the land. Thank you all for your patience and your help. And I request an 'aye' vote."

Speaker Turner: "So, the question is, 'Shall the House concur in Senate Amendments 3, 4, 5, 8, and 9 to House Bill 824?' All those in favor should vote 'aye'; all those opposed vote 'no'. The voting is now open. Have all voted who wish? This is final action. Have all voted who wish? Have all voted who wish? The Clerk shall take the record. On this question, there are 114 voting 'aye', 0 'nays' and 0 'presents'. And the House does concur in Senate Amendments 3, 4, 5, 8, and 9 to House Bill 824. And this Bill, having received the Constitutional Majority, is hereby declared passed. The Gentleman from Cook, Representative Fritchey."

Fritchey: "Speaker, I mean, I've got a lot of the Sponsor slips... Sponsor sheets here. I'm wondering, with the leave of the Body, if we can take all the Sponsors from House Bill 1 and have them put on to House Bill 824. I think it would be easier for everybody involved and I think it should send the appropriate messages to the intention of the Body on the Bill."

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Speaker Turner: "The Gentleman asks leave to add all the Members who were cosponsors to House Bill 1 be added as... just... the Gentleman asks leave to add all Members to House Bill 824. All those in favor should say 'aye'; all those opposed say 'no'. In the opinion of the Chair, the 'ayes' have it. And all Members will be added as cosponsors to House Bill 824. On the Order of Concurrences, we have Representative McAuliffe on House Bill 2859."

McAuliffe: "Thank you, Mr. Speaker. I concur in Senate Amendment #1 to House Bill 2859 and ask for its concurrence."

Speaker Turner: "Seeing no questions, the question is, 'Shall the House concur in Senate Amendments 1 to House Bill 2859?' All those in favor should vote 'aye'; all those opposed vote 'no'. The voting is now open. Have all voted who wish? Have all voted who wish? Have all voted who wish? The Clerk shall take the record. On this question, there are 114 voting 'aye', 0 'noes', 0 'presents'. And this Bill, having received the Con... no. And the House does concur on Senate Amendment 1 to House Bill 2859. And this Bill, having received the Constitutional Majority, is hereby declared passed. And that was final action on that Bill. Representative Jakobsson on House Bill 3106. The Lady from Champaign, Representative Jakobsson."

Jakobsson: "Thank you, Mr. Speaker. House Bill 3106, Senate Amendment #2 is a gut and replace that becomes the Bill and grants the City of Champaign quick-take powers for purposes of flood protection. It's identical to House Bill 2692. The quick-take powers will sunset one (1) year after the

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effective date of this legislation. And they can be exercised only to acquire the certain described parcels."

Speaker Turner: "Representative, do you also want to concur on Senate Amendment 1?"

Jakobsson: "Yes, please."

Speaker Turner: "So, the Lady... Seeing no questions... no. The Lady move... The question is, 'Shall the House... The Gentleman from Vermilion, Representative Black."

Black: "Inquiry of the Chair, Mr. Speaker. You said the..."

Speaker Turner: "State..."

Black: "...you asked the Representative if she wanted to concur in Senate Amendment #1. If my analysis is correct, Senate Amendment #2 becomes the Bill, so why would you want to concur in Senate Amendment #1?"

Speaker Turner: "That was the Motion on the... on the table."

Black: "A superfluous Motion, if I may be so bold. Senate Amendment #1 is superseded by Senate Amendment #2, so there is no Senate Amendment #1, unless she's become particularly attached to it. I... you know..."

Speaker Turner: "Representative Jakobsson, 1, 2, 2, 1."

Jakobsson: "Senate Amendment #2, as I read, is a gut and replace, so it..."

Black: "Mr. Speaker, do we have to use the word 'gut' when it's lunch hour and you know... eviscerate or something?"

Jakobsson: "Yes."

Black: "So, you really don't need Senate Amendment #1, right, Representative?"

Jakobsson: "If I understand correctly, because the Senate adopted Senate Amendment 1 and Senate number... Senate

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Amendment #2, we need to concur with both of them for them to go to the Governor."

Black: "I... I forgot. The Senate does things a little differently. Okay. That's fine. Thank you for answering my question, Mr. Speaker."

Speaker Turner: "Seeing no further questions, the question is, 'Shall the House concur in Senate Amendment 1 and 2 to House Bill 3106?' All those in favor should vote 'aye'; all those opposed vote 'no'. The voting is now open. Have all voted who wish? This is final action. Have all voted who wish? Have all voted who wish? The Clerk shall take the record. And on this question, there is 64 voting 'aye', 49 voting 'no', 1 voting 'present'. And the House does concur in Senate Amendments 1 and 2 to House Bill 3106. And this Bill, having received the Constitutional Majority, is hereby declared passed. Representative Crespo on House Bill 3477."

Crespo: "Thank you, Speaker and Members of the House. I move to concur with Senate Amendment #1 for House Bill 3477 that inserts language that telecommunication carriers and information service providers are not liable under this Section except for willful and wanton misconduct."

Speaker Turner: "Seeing no questions, the question is, 'Shall the House concur in Senate Amendment 1 to House Bill 3477?' All those in favor should vote 'aye'; all those opposed vote 'no'. The voting is now open. Have all voted who wish? Have all voted who wish? This is final action. The Clerk shall take the record. On this question, there are 114 voting 'aye', 0 'no'... no... 114 'aye', 0 'noes', 0

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'present'. And the House does concur with Senate Amendment 1 to House Bill 3477. And this Bill, having received the Constitutional Majority, is hereby declared passed. Representative Poe on House Bill 4178."

Poe: "Yeah. Mr. Speaker, Ladies and Gentlemen of the House, we want to concur on this Motion. What it... This is a... If you have Internet games and you're wanting to cancel, we just want to make it as easy to cancel as it is to subscribe to those. And what this Amendment does is it takes the liability away from the carrier. So, we'd ask for a favorable vote."

Speaker Turner: "Seeing no questions, the question is, 'Shall the House concur on Senate Amendment 1 to House Bill 4178?' All those in favor should vote 'aye'; all those opposed vote 'no'. The voting is now open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Flider. The Clerk shall take the record. On this question, there are 114 voting 'aye', 0 'noes', 0 'presents'. And the House does concur on Senate Amendment 1 to House Bill 4178. And this Bill, having received the Constitutional Majority, is hereby declared passed. Representative Feigenholtz on House Bill 3446 under the Order of Concurrence."

Feigenholtz: "Thank you, Mr. Speaker. House Bill 3446 is the Bill we addressed last year about the Substance Registry Act at the Department of Public Health. This Senate Amendment is agreed. It pushes back the effective date so it takes effect July 1 instead of... July 1, 2008 instead of 2007."

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Speaker Turner: "Seeing no questions, the question is, 'Does the House concur in Senate Amendment 1 to House Bill 3446?' All those in favor should vote 'aye'; all those opposed vote 'no'. The voting is now open. Have all voted who wish? Have all voted who wish? Rita. The Clerk shall take the record. On this question, there 114 voting 'aye', 0 'noes', 0 'presents'. And the House does concur on Senate Amendments 1 to House Bill 3446. And this Bill, having received the Constitutional Majority, is hereby declared passed. Representative Holbrook on House Bill 4203."

Holbrook: "Thank you, Speaker. This is Scott's Law. The State Police had further concerns when this Bill went over to the Senate. We thought we'd taken care of them here in the House. We made... amended those things for them and it raises the penalty to a Class II felony. I'll take any questions."

Speaker Turner: "Seeing no questions, the question is, 'Will the House concur on Senate Amendment 1 to House Bill 4203. All those in favor should vote 'aye'; all those opposed vote 'no'. The voting is now open. Have all voted who wish? Have all voted who wish? Hamos. The Clerk shall take the record. On this question, there are 114 voting 'aye', 0 'noes', 0 'presents'. And the House does concur on Senate Amendment 1 to House Bill 4203. And this Bill, having received the Constitutional Majority, is hereby declared passed. Representative Pritchard on House Bill 4206. We're on page 55 of the Calendar."

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Pritchard: "Yes. Mr. Speaker, I would move to concur with the Senate Amendment."

Speaker Turner: "Seeing no questions, the question is, 'Shall the House concur with Senate Amendment 1 to House Bill 4206?' All those in favor should vote 'aye'; all those opposed vote 'no'. The voting is now open. This is final action. This is final action. Have all voted who wish? Have all voted who wish? The Clerk shall take the record. On this question, there are 115 voting 'aye', 0 'noes', 0 'presents'. And the House does concur on Senate Amendment 1 to House Bill 4206. And this Bill, having received the Constitutional Majority, is hereby declared passed. Representative Osmond on House Bill 4207."

Osmond: "Thank you, Mr. Speaker. I'd like to make a Motion to Concur with Senate Amendment #1 to House Bill 4206 (sic-4207)."

Speaker Turner: "...7. Seeing no questions, the question is, 'Shall the House concur with Senate Amendment 1 to House Bill 4207?' All those in favor should vote 'aye'; all those opposed vote 'no'. The voting is now open. Have all voted who wish? Have all voted who wish? Saviano. The Clerk shall take the record. On this question, there are 114 voting 'aye', 1 'no', 0 'presents'. And this Bill... no. And the House concurs with Senate Amendment 1 to House Bill 4207. And this Bill, having received the Constitutional Majority, is hereby declared passed. Representative Fortner on... Mr. Clerk, Rules Report."

Clerk Bolin: "Representative Currie, Chairperson from the Committee on Rules, to which the following measures were

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referred, action taken on May 31, 2008, reported the same back with the following recommendation/s: referred to Third Reading is Senate Bill 101; 'recommends be adopted' the following Floor Amendments: Amendment #1 to Senate Bill 773, Amendment #2 to Senate Bill 2513, Amendment #2 to Senate Bill 2702; also 'approved for consideration' is a Motion to Table Amendment #1 Senate Bill 2513."

Speaker Turner: "On the Order of Concurrences, on page 55, we have House Bill 4216. Representative Fortner."

Fortner: "Thank you, Mr. Speaker, Members of the House. I would... I make a Motion to Concur with Senate Amendment #1."

Speaker Turner: "Seeing no questions, the question is, 'Shall the House concur in Senate Amendment 1 to House Bill 4216?' All those in favor should vote 'aye'; all those opposed vote 'no'. The voting is now open. Have all voted who wish? Have all voted who wish? The Clerk shall take the record. On this question, there are 115 voting 'aye', 0 'nays', 0 'presents'. And the House does concur with Senate Amendment 1 to House Bill 4216. And this Bill, having received the Constitutional Majority, is hereby declared passed. Representative Munson on House Bill 4221."

Munson: "Thank you, Mr. Speaker, Members of the House. I move to concur with Senate Amendment 1 on House Bill 4221."

Speaker Turner: "Seeing no questions, the question is, 'Shall the House concur on Senate Amendment 1 to House Bill 4221?' All those in favor should vote 'aye'; all those opposed vote 'no'. The voting is now open. Have all voted who wish? Have all voted who wish? The Clerk shall take the

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record. On this question, there are 115 voting 'aye', 0 'noes', 0 'presents'. And the House concurs with Senate Amendment 1 to House Bill 4221. And this Bill, having received the Constitutional Majority, is hereby declared passed. Representative Pritchard, House Bill 4255."

Pritchard: "Yes. Mr... Mr. Speaker, 4255, the Senate Amendment there provides that reimbursements for preventative physical therapy for state, county, municipal and school employee insurance holders must be similar to what the private insurance policies are already. And this Senate Amendment 1 simply provides that no reimbursement by the state is required for implementation of this Bill. I move for concurrence with the Senate Amendment."

Speaker Turner: "Seeing no questions, the question is, 'Shall the House concur in Senate Amendment 1 to House Bill 4402?' All those in favor should vote 'aye'... 4255. All those in favor should vote 'aye'; all those opposed vote 'no'. The voting is now open. Have all voted who wish? Schmitz. The Clerk shall take the record. On this question, there are 114 voting 'aye', 1 'no'. And the House does concur on Senate Amendment 1 to House Bill 4255. And this Bill, having received the Constitutional Majority, is hereby declared passed. Representative Meyer on House Bill 4402."

Meyer: "Thank you, Mr. Speaker. I move to concur in Senate Amendment 1 to House Bill 4402."

Speaker Turner: "Seeing no questions, the question is, 'Shall the House concur in Senate Amendment 1 to House Bill 4402?' All those in favor should vote 'aye'; all those opposed vote 'no'. The voting is now open. Have all voted who

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wish? Have all voted who wish? The Clerk shall take the record. On this question, there are 115 voting 'aye', 0 'no', 0 'present'. And the House does concur in Senate Amendment 1 to House Bill 4402. And this Bill, having received the Constitutional Majority, is hereby declared passed. Page 50 of the Calendar, we have Senate Bill 2513. Read the Bill, Mr. Clerk."

Clerk Bolin: "Senate Bill 2513, a Bill for Act concerning regulation. The Bill's been read a second time, previously. Two Motions have been approved for consideration. The first is a Motion to lay on the table House Committee Amendment #1."

Speaker Turner: "Representative Lyons moves that we table House Amendment #1. All those in favor should say 'aye'; all those opposed say 'no'. In the opinion of the Chair, the 'ayes' have it. And Amendment #1 is tabled. Further Amendments?"

Clerk Bolin: "Floor Amendment #2, offered by Representative Lyons, has been approved for consideration."

Speaker Turner: "Mr. Clerk, take the Bill out of the record. The Gentleman from McLean, Representative Brady. The Gentleman from Crawford, Representative Eddy, for what reason do you rise?"

Eddy: "Purposes of an announcement."

Speaker Turner: "State your point."

Eddy: "1:00 a Republican Caucus in Room 118. Republicans will caucus at 1:00 in Room 118."

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Speaker Turner: "You would like to caucus immediately? It's 1:00. How long would you... How much time would you need or... The Gentleman from McLean, Representative Brady."

Brady: "Thank you, Mr. Speaker. The Republicans request an immediate caucus in Room 118 in approximately 1 hour we would return."

Speaker Turner: "The House will stand in recess for 1 hour. At the hour of 2:00, the House will reconvene. So, the House is at ease 'til the hour of 2:00. Democrats can go to lunch."

Speaker Lyons: "Ladies and Gentlemen, the House will reconvene. And we'll continue on the Order of Concurrences on page 56. Representative Durkin, you have House Bill 4578. The Gentleman from DuPage..."

Durkin: "Thank you, Mr. Speaker. I request that the House concur with Senate Amendment #1 to House Bill 4578. This just adds the definition to the images which must be reported to local law enforcement when information and technology experts discover it during the course of their employment."

Speaker Lyons: "The Gentleman has... moves to concur with Amendment #1... Senate Amendment #1 to House Bill 4578. Is there any discussion? Seeing none, those in favor of adoption of the Amendment signify by voting 'yes'; those opposed say 'no'. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Mr. Clerk, take the record. On this Bill, there are 115 Members voting 'yes', 0 voting 'no'. And this Bill, having received the... And the House... the House concur with

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Amendment #1 to House Bill 4578. And this Bill, having received the Constitutional Majority, is hereby declared passed. On page 56 of the Calendar, Representative Kathy Ryg, you have House Bill 4583. Representative Ryg to concur on Senate Amendments #1 and #2."

Ryg: "Thank you, Mr. Speaker. I move to concur with Senate Amendments #1 and 2 for House Bill 4583 which adds the definition to clarify the meaning of the Bill."

Speaker Lyons: "Is there any discussion? The Chair recognizes the Gentleman from Kane... Lake, Mr... Representative Mathias. Getting my sea legs here, Sid."

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

Speaker Lyons: "Sponsor yields."

Mathias: "Is the Bill... still have the original language which defines 'day camp' and how that's a minor employed as a counselor?"

Ryg: "The Amendments add the definition of 'day camp'. The original Bill just provided that for-profit organizations had the same authority as not-for-profits to pay the... they're not... not being subject to the adult minimum wage."

Mathias: "Now, didn't we just abolish the adult... the minimum wage part for underage, you know, for teenagers?"

Ryg: "I don't know how that measure is going to be finalized and what impact that will have, but this Bill passed before that was being considered."

Mathias: "So, obviously, if the original law goes in effect, this will... really will... will be meaningless. Is that correct?"

Ryg: "I'm not sure."

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Mathias: "Well, I mean..."

Ryg: "I don't know if there were..."

Mathias: "...they'll be both getting the same wage, right?"

Ryg: "Well, I don't know if there were exceptions for these types of organizations."

Mathias: "Okay. Thank you."

Speaker Lyons: "Is there any further discussion? Seeing none, the question is, 'Shall the House concur in Senate Amendments #1 and 2 to House Bill 4583?' All those in favor signify by voting 'yes'; those opposed vote 'no'. The voting is open. Have all voted who wish? Have all voted who wish? Mr. Clerk, take the record. On this Bill, there are 114 Members voting 'yes', 0 voting 'no'... 114 Members voting 'yes', 1 person voting 'no'. This Bill, having... On this ques... The House does concur in Senate Amendments #1 and 2 to House Bill #4583. This Bill, having received the Constitutional Majority, is hereby declared passed. Representative Beiser on House Bill 4602."

Beiser: "Thank you, Mr. Speaker, Members of the House. I ask for... move for concurrence on Senate Amendment #2 to House Bill 4602 which simply provides that no reimbursement shall be made by the state by this Act."

Speaker Lyons: "Are there any questions? Seeing none, the question is, 'Should the House concur with Amendment #2 to Senate Bill 4602?' All those in favor should vote 'yes'; those opposed vote 'no'. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Brent Hassert. Mr. Clerk, take the record. On this, there are 101 Members voting 'yes', 14 Members voting

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'no'. The House does concur in Senate Amendment #2 to House Bill 4602. And this Bill, having received the Constitutional Majority, is hereby declared passed. The top of page 57, Representative Nekritz, you have House Bill 4683."

Nekritz: "Thank you, Mr. Speaker. I move to concur with Senate Amendment 1 to House Bill 4683."

Speaker Lyons: "Is there any discussion? Seeing none, the question is, 'Shall the House concur in Senate Amendment #1 to House Bill 4683?' All those in favor signify by voting 'yes'; those opposed vote 'no'. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Mr. Clerk, take the record. On this question, there are 115 Members voting 'yes', 0 voting 'no'. The House does concur with Senate Amendment #1 to House Bill 4683. And this Bill, having received the Constitutional Majority, is hereby declared passed. Representative Jerry Mitchell on House Bill 4726."

Mitchell, J.: "Thank you, Mr. Speaker. I move to concur with Senate Amendment #1 to 4726. Basically, this is the Amendment that was requested several times of me on the floor to make sure that any person that was put on administrative leave would be convicted of a felony before they had to pay that money back to the State of Illinois. So, I would request an 'aye' vote. Thank you."

Speaker Lyons: "Is there any discussion? Seeing none, the question is, 'Should the House concur in Senate Amendment #1 to House Bill 4726?' All those in favor signify by voting 'yes'; those opposed vote 'no'. The voting is open."

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Have all voted who wish? Have all voted who wish? Have all voted who wish? Mr. Clerk, take the record. On this question, there are 115 Members voting 'yes', 0 voting 'no'. And the House does concur in Senate Amendment #1 to House Bill 4726. And this Bill, having received the Constitutional Majority, is hereby declared passed. Representative Sid Mathias, on page 57 of the Calendar, you have House Bill 4754. Representative Mathias."

Mathias: "Thank you, Mr. Speaker. Would like to concur in Senate Amendment #1. If you recall, we did a Bill yesterday and actually what... what the Senate Amendment number does... 1 does... I'm sorry. This is... this is a different one. If you give me just 1 second. I'm sorry. What's... This is a Bill we passed, previously, dealing with railroad crossings and blocking railroad crossings. What the Senate did is they limited the penalty for failure to stop when the traffic is obstructed to violations where the driver enters a highway rail grade crossing when there's insufficient space on the other side to accommodate the vehicle being operated without obstructing the train. And what Senate... Floor Amendment #2 does it removes language requiring the owner of any vehicle alleged to have violated the highway grade crossing to provide a written statement or deposition upon proper request identifying who the operator of the vehicle was. So, I ask for your 'aye' vote. Now, you..."

Speaker Lyons: "Is there any discussion? The Chair recognizes the Gentleman from DuPage, Representative Dennis Reboletti."

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

Speaker Lyons: "Sponsor yields."

Reboletti: "Representative, if there's a... a part in here about a suspension for one (1) month for the driver's license privileges. Is that still part of the Bill?"

Mathias: "Yes, it is."

Reboletti: "And I was wondering why you're asking to give a restricted driver's permit to somebody and the Secretary of State can do that. Wouldn't the point of suspension be that they would lose their license just for one (1) month? Why would we want to give somebody relief if they were stopped on the train tracks?"

Mathias: "Well, it... it can be, obviously, a harsh penalty and I want at least the opportune... I don't want somebody to lose their job because of that and I think adding this penalty is obviously... will send a message, but I also don't want him to lose his job. And that's why I agreed to the RDP."

Reboletti: "Well, I can appreciate that, but as I see some of these Bills coming in suspending driver's licenses, I would just caution the Body that when you give relief to them they don't really have very much bite to them, but I appreciate what you're trying to do, Representative. Thank you."

Mathias: "Thank you."

Speaker Lyons: "Seeing no further... the question is, 'Should the House concur in Senate Amendments #1 and 2 to House Bill #4754?' All those in favor signify by voting 'yes'; those opposed vote 'no'. The voting is open. Have all voted who

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wish? Have all voted who wish? Have all voted who wish?  
Jerry Mitchell. David Reis. Jim Sacia. Ron Stephens.  
Care to vote on this, Ron? Mr. Clerk, take the record. On  
this Bill, there are 113 Members voting 'yes', 1 Member  
voting 'no'. And the House does concur in Senate  
Amendments #1 and 2 to House Bill 4754. This Bill, having  
received the Constitutional Majority, is hereby declared  
passed. On page 57, under the Order of Concurrences,  
Representative Mike Smith, you have House Bill 5077.  
Representative Smith."

Smith: "Thank you, Mr. Speaker, Ladies and Gentlemen. I move  
to concur in Senate Amendments #1 and 2 to House Bill 5077.  
These are addressing issues with regard to the technology  
immersion program that we had passed a number of years ago.  
Again, I move for their approval... move to concur."

Speaker Lyons: "Is there any discussion? Seeing none, the  
question is, 'Should the House concur in Amendments #1 and  
2 to House Bill 5077?' All those in favor signify by  
voting 'yes'; those opposed vote 'no'. The voting is open.  
Have all voted who wish? Have all voted who wish? Have  
all voted who wish? Representative Berrios. Karen May.  
Mr. Clerk, take the record. On this question, there are  
115 Members voting 'yes' and 0 voting 'no'. And the House  
does concur in Senate Amendments #1 and 2 to House Bill  
5077. This Bill, having received the Constitutional  
Majority, is hereby declared passed. Representative Jim  
Brosnahan, on the Order of Concurrences on page 57 of the  
Calendar, you have House Bill 5082. Representative Jim  
Brosnahan."

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Brosnahan: "Thank you, Mr. Speaker, Ladies and Gentlemen of the House. I would move to concur with Senate Amendment #1 to House Bill 5082. Appreciate an 'aye' vote."

Speaker Lyons: "Is there any discussion? Seeing none, the question is, 'Shall the House concur in Senate Amendment #1 to House Bill 5082?' All those in favor signify by voting 'yes'; those opposed vote 'no'. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Representative... Bill Mitchell. Rich Brauer. Mr. Clerk, take the record. On this question, there are 115 Members voting 'yes' and 0 voting 'no'. The House does concur in Senate Amendment #1 to House Bill 5082. And this Bill, having received the Constitutional Majority, is hereby declared passed. Representative Paul Froehlich, on page 57 of the Calendar, you have House Bill 5101. Mr. Clerk, we'll hold that Bill. Take that Bill out of the record. Mr. Clerk, we do have House Bill 5101 on the Order of Concurrences. Representative Boland, Mike Boland, are you prepared to do that concurrence Motion for House Bill 5101?"

Boland: "Yeah. Thank you. This kind of took me unaware of... of that. Yeah. You know, let's go along with it. Let's concur with it. Yeah. Yeah. We want to concur in Senate Amendment #1."

Speaker Lyons: "The Gentleman makes a Motion to concur in Senate Amendment #1 to House Bill 5101. Is there any discussion? Seeing none, the question is... The Chair recognizes the Gentleman from Vermilion, Representative Bill Black."

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

Speaker Lyons: "Sponsor yields."

Black: "Representative, I realize this isn't your Bill, but I was just very quickly trying to look at the Senate Amendment... and I'm talking very slowly so you can get a chance to look at it too. It seems as if the Senate Amendment may dilute the underlying Bill or am I misreading it?"

Boland: "Would you repeat that?"

Black: "Yeah. It... it would appear to me that the Senate Amendment dilutes some of the underlying Bill by deleting the provision in the Bill that requires that the victim of a sex offense in order to receive notice that the sex offender is residing, et cetera, must register on for... I don't understand why the Senate Amendment deletes that... that new provision that was originally in the Bill?"

Boland: "It let's them know they want to receive notice."

Black: "Well, if you delete the provision that requires that the victim of a sex offense... I don't... I don't understand that. I don't know why we'd want to delete the provision in the underlying Bill..."

Boland: "It adds four (4) words on the technical Amendment. It... it should read that in order to receive notice under paragraph (10), subsection (a)... paragraph 10 of subsection (a-2): The victim of the sex offense must notify the..."

Black: "Okay."

Boland: "...appropriate sherr..."

Black: "Okay. I see it now. Thank you very much."

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Boland: "Okay. Thank you."

Speaker Lyons: "Seeing no further questions, the question is, 'Should the House concur in Senate Amendment #1 to House Bill 5101?' All those in favor signify by voting 'yes'; those opposed vote 'no'. And the voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Representative Dugan. Gordon. Golar. Mike Tryon. Mr. Clerk, take the record. On this Bill, there are 115 Members voting 'yes' and 0 voting 'no'. The House does concur in Senate Amendment #1 to House Bill 5101. And this Bill, having received the Constitutional Majority, is hereby declared passed. Mr. Clerk, on page 49 of the Calendar, under Senate Bills-Second Reading, Representative Turner has Senate Bill 2231. What's the status of that Bill, Mr. Clerk?"

Clerk Mahoney: "Senate Bill 2231 has been read a second time, previously. No Committee Amendments. Floor Amendment #1, offered by Representative Turner, has been approved for consideration."

Speaker Lyons: "The Chair recognizes the Gentleman from Cook, Representative Art Turner."

Turner: "Thank you, Mr. Speaker and Ladies and Gentlemen of the Assembly. House Amendment #1 is a gut and replace Amendment. It amends the Liquor Control Act. It does a few things. One, it permits liquor to be delivered and sold at three (3) community colleges in the City of Chicago: Triton College, Kennedy-King College, and also at the Washburne Culinary Institute at Kennedy-King College. It also allows liquor to be sold at the U of I, that's the

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third place, in particular at this... the facilities... the sporting facilities in the auditorium there. And the third thing it does is there's an Amendment that deals with... last year we passed the Bill out of here dealing with open liquor, if you go into a restaurant and then you can have it recorked and put back in your car. That third Amendment clarifies how one can transport that liquor. The rationale for that part of the Amendment is we need that Amendment adopted because there's been some threat to a loss of federal transportation dollars, if in fact, that is not included. So, I move for the adoption. Those are what the three (3) things that Amendment #1 does for this Bill; it becomes the Bill. And I move for the adoption of Amendment #1."

Speaker Lyons: "Is there any discussion? Seeing none, all those in favor of the adoption of Floor Amendment #1 signify by saying 'yes'; those opposed say 'no'. In the opinion of the Chair, the 'ayes' have it. And the Amendment is adopted. Anything further, Mr. Clerk?"

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

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

Clerk Mahoney: "Senate Bill 2231, a Bill for an Act concerning liquor. Third Reading of this Senate Bill."

Speaker Lyons: "The Chair rec... recognizes the Gentleman from Cook, Representative Art Turner."

Turner: "Thank you, Mr. Chair... Mr. Speaker. As I mentioned earlier, the... as I mentioned in the Amendment, it is the Bill and I'd be happy to answer any questions about the Bill."

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

Reboletti: "Just for the record, Mr. Speaker, I begin my classes... instructing criminal justice classes at Triton. I will be voting 'present' on this Bill."

Speaker Lyons: "The Journal will so reflect. Recognize the Gentleman from Vermilion, Representative Bill Black."

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

Speaker Lyons: "Sponsor yields."

Black: "Representative, is there anything in this Bill that would allow... changing the Vehicle Code to allow alcohol to be served on a chartered bus that is also used for school transportation?"

Turner: "Representative, not that I'm aware of. School transportation?"

Black: "In Senate Bill 2231 there's allegedly a... some language in here that changes the Illinois Vehicle Code to allow alcohol on chartered buses even though the bus primary exception, while not being chartered, is used as a school bus."

Turner: "I'm not aware of that being in there, Representative. I'm trying to read through the language. I don't... I'm just looking at the analysis here and not the full text, but I'm not aware of that."

Black: "Okay."

Turner: "I know that there, in terms of the Vehicle Code, what we were concerned with there was some modifications that

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had to made because we would be out of compliance with the federal highway law, but..."

Black: "All right. And the ability of a university to sell liquor would be left up to the discretion of the Board of Trustees upon the adoption of a written policy. Is that correct?"

Turner: "That's correct, Representative."

Black: "Now, as I recall, when we did that when the Chicago Bears relocated, when Soldier Field was under construction or renovation, we had to pass a specific law that exempted that prohibition and now we are simply giving them the carte blanche, that if they want to sell liquor they can. We're giving them, as I understand it, that complete and total authority, correct?"

Turner: "That's correct, Representative."

Black: "So, under this Bill, if the Board of Trustees wanted to sell beer at the Assembly Hall during a basketball game, then they would be able to do that?"

Turner: "Representative..."

Black: "Yes."

Turner: "...if I'm reading the legislation right, that's what they would be able to do. That's my understanding."

Black: "Well, I'm certainly no expert in the NCAA rules and regulations and I understand some stadiums do it and I don't know how their stadium or their arena would be constituted, but I thought you could not serve alcohol in a National Collegiate Athletic Association game unless the stadium would be..."

Turner: "Right."

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Black: "...privately owned and leased or something of that sort?"

Turner: "They can only do it if it's not related to the students. So, like if you're having a boxing match... so, like if they wanted to have a different event or the use of the facility... student activities are not included with this exemption."

Black: "Well, yeah... I..."

Turner: "So, it will be for other activities..."

Black: "Okay."

Turner: "...that the facilities would utilize."

Black: "But if... if what I've read, I... forgive me... it seems to me that this push is coming with the newly renovated Memorial Stadium in Champaign-Urbana that... to allow liquor to be sold in their skyboxes."

Turner: "That's correct."

Black: "Well, that's an NCAA event and I... I haven't heard from the university on this which I find somewhat surprising."

Turner: "No. The boxes are only used for NCAA events. We're saying the skyboxes may very well be used for a concert or, as I say, when I think about UIC in Chicago, they rent out the facility. So, it's for nonstudent activities that they're out... they'll be able to sell this liquor in the skyboxes. So, if it's a boxing match..."

Black: "All right. So, if..."

Turner: "In Chicago, they... Chicago Sky play at UIC stadium."

Black: "So, if..."

Turner: "So, there's a basketball game there."

Black: "...if, in fact..."

Turner: "That's a nonstudent activity."

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Black: "All right. Now, that begins to make sense. If, in fact, the University of Illinois was playing Michigan, then you could not serve alcohol in the skybox even though you're... you're paying a premium for that skybox. Is that correct?"

Turner: "That's true. They made need a drink, but they couldn't serve it."

Black: "All right. I thank you for your indulgence, Representative. Thank you very much."

Speaker Lyons: "The Chair recognizes the Lady from Cook, Representative Rosemary Mulligan."

Mulligan: "Thank you, Mr. Speaker. Representative, what, besides the Triton part of it, is in the Bill?"

Turner: "Say that one more time, Representative."

Mulligan: "What's in there besides the Triton part... Triton Community College part of the Bill?"

Turner: "It would be Triton College, Kennedy-King College, and the U of... University of Illinois. Those are the three (3) schools."

Mulligan: "Well, I know I have Triton as one of the three (3)community colleges that I have and I know the reason that they want this is they have a culinary arts program, they make wine..."

Turner: "That's correct."

Mulligan: "...they'd like to be able to sell it. They also do catering and they have events that their culinary arts students do and the president's reception."

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Turner: "The same would be true for Kennedy-King. They have a culinary arts program and so it's the same rationale. That... that's right."

Mulligan: "Right. And some other schools already are able to do this. It's just that these schools haven't been able to do it in the past and it's part of the program where they pay some of the costs or cover the costs of the culinary arts program and also I would think the winemaking class, which sounds interesting to me, that they're actually making wine there, has a program, too. Then you would be able to do something with that other than what they're able to do now. So, it hampers the curriculum for them not to be able to do this."

Turner: "That's correct, Representative."

Mulligan: "And that's why we're asking for the Bill to be passed."

Turner: "That's the rationale for this."

Mulligan: "I would urge an 'aye' vote. I don't think it's a typical request for selling liquor that you would have. It's more attached to what they're doing with their culinary arts program, catering, certainly the winemaking class, so it's all involved with the curriculum that has to do with culinary arts. And I think that's a really good idea for the young people that have been participating in this program and have been slightly hampered by not having the ability to have a liquor license there to do these limited things. Thank you."

Speaker Lyons: "The Chair recognizes the Gentleman from Champaign, Representative Chapin Rose."

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Rose: "Thank you, Mr. Speaker. An answer to a previous speaker's question about athletic events, per Big Ten rule, alcohol may not be sold to the public. So, this would not allow the wholesale sale of alcohol to public... to members of the public. It is apparently somewhat of an exception to that rule for a box suite or some private affair being held during a game, but it would not be accessible to the general public and that's by the Big Ten rule. So, that, I think, answers one of the previous speaker's questions. Thank you, Mr. Speaker."

Speaker Lyons: "Representative Turner to close."

Turner: "Thank you, Mr. Speaker and Ladies and Gentlemen of the Assembly. Thank you, Mr. Rose and Representative Mulligan for your comments. This is very necessary legislation. The Board of Trustees for the university will still be the ones that'll implement... to deal with the implementation of this. This in no way allows liquor to be sold at athletic events. And I move again for the adoption of Senate Bill 2231."

Speaker Lyons: "The question is, 'Should Senate Bill 2231 pass?' All those in favor signify by voting 'yes'; those opposed vote 'no'. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Have all voted who wish? Mr. Clerk, take the record. On this Bill, there are 74 Members voting 'yes', 39 Members voting 'no', 2 voting 'present'. This Bill, having received the Constitutional Majority, is hereby declared passed. Mr. Clerk."

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Clerk Mahoney: "Rules Report. Representative Barbara Flynn Currie, Chairperson from the Committee on Rules, to which the following legislative measures and/or Joint Action Motion were referred, action taken on May 31, 2008, reported the same back with the following recommendation/s: 'approved for floor consideration', 'recommends be adopted' is Amendment #2 to House Bill 4441, Amendment #2 to House Joint Resolution 16; 'recommends be adopted' is Amendment #2 to Senate Bill 101, Amendment #2 to Senate Bill 773, Amendment #2 to Senate Bill 1987, and Amendment #2 to Senate Bill 2562. On the Order of Concurrence a Motion to Concur, 'recommends be adopted' on Senate Amendments 1 and 2 to House Bill 1141."

Speaker Lyons: "Mr. Clerk, returning to Second... Senate Bills- Second Reading, Representative Molaro has Senate Bill 2702. What's the status of that Bill, Mr. Clerk?"

Clerk Mahoney: "Senate Bill 2702 has been read a second, previously. Amendment #1 was adopted in committee. Floor Amendment #2, offered by Representative Molaro, has been approved for consideration."

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

Molaro: "The Amendment is basically the same Bill we passed out. On House Bill 2651, it's the extension of the 3 percent impact fee for horseracing. Unfortunately, just about 20 minutes ago or fortunately, depending on how you look at it, the Illinois... Illinois State Senate just passed the big omnibus gaming Bill, the twenty, thirty billion (20,000,000,000-30,000,000,000), whatever it is, with 42 votes. And unfortunately, when they were looking for a

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vehicle Bill, they ran out of Bills and they happened to hijack the Bill that I sent over. It was just... They had no other Bill to run, so therefore they said this is... we're going to have to send the Bill back to them and this was the only Bill we had available. So, the Amendment guts the entire original Bill and just puts on the language we had on 2651."

Speaker Lyons: "The Gentleman moves for the... the adoption of Floor Amendment #2 to Senate Bill 2702. Is there any discussion? Seeing none, all those in favor of the adoption signify by saying 'yes'; those opposed say 'no'. In the opinion of the Chair, the 'ayes' have it. And the Amendment is adopted. Anything further, Mr. Clerk?"

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

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

Clerk Mahoney: "Senate Bill 2702, a Bill for an Act concerning gaming. Third Reading of this Senate Bill."

Speaker Lyons: "The Chair recognizes the Gentleman from Cook, Representative Bob Molaro."

Molaro: "Again, this replaces 2651 which the Senate had to use to pass their gaming Bill that may or may not be on its way over here. It's the exact same Bill we passed about three (3) days ago, but as I said, they had to use some Bill and they ran out of gaming Bills over there. They told us this was the only Bill that was available for us to send back there so they could act on the 3 percent. It received 80 votes as of about three (3), four (4) days ago and we'd ask for the same consideration to this Bill."

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Speaker Lyons: "Is there any discussion? The Chair recognizes the Gentleman from Vermilion, Representative Bill Black."

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

Speaker Lyons: "Sponsor yields."

Black: "Representative, does... with your Amendment, does this Bill have the impact fee on it that gaming boats would... would get 3 percent of adjusted gross, the horseracing... to go in the fund, the horseracing tracks?"

Molaro: "Yeah. Exactly what 2651 did, right."

Black: "All right. You still have advance deposit wagering language?"

Molaro: "No, that's gone. ADW's gone."

Black: "So, the only thing in here is, in fact, the impact fee placed on the riverboats... does it go into a separate fund?"

Molaro: "Yeah. It goes into the Horse Equity Fund. It's the four (4) northern riverboats, 'cause the other five (5) don't do as well as the other ones."

Black: "All right."

Molaro: "Some are making thirty, forty million (30,000,000-40,000,000) a month."

Black: "And then that fund is available... made available to all of the racetracks currently operating in the State of Illinois?"

Molaro: "Right, by a formula that's been agreed to by the tracks and the horsemen."

Black: "All right. Had the Harness Association... the Illinois Harness Association, have they signed on to this?"

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Molaro: "Yes. They are 100 percent with this Bill and this Amendment. They weren't necessarily..."

Black: "Right."

Molaro: "...for ADW..."

Black: "Okay."

Molaro: "...but they are for this."

Black: "What kind of money are we talking about? Three percent of... of..."

Molaro: "Well, last..."

Black: "...are we talking a couple of million..."

Molaro: "No."

Black: "...ten million (10,000,000)?"

Molaro: "Last... last year this Bill was in effect, this has been the law of the State of Illinois for the last two (2) years. Last year was about thirty-eight million (38,000,000)."

Black: "How much... how much of the money has actually been distributed? Is it..."

Molaro: "As of right now, it's being held by the Treasurer's Office. If, you recall from debate last week, a Will County judge... There was an action by the boats; they brought up nine (9) or two (2) unconstitutional issues. The Will County judge found in favor of the Legislature on nine (9) out of the ten (10). There was one she said she felt was unconstitutional and it's now before the Supreme Court, but we did win nine (9) out of the..."

Black: "All right."

Molaro: "...ten (10) counts that were on it."

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Black: "So, it's your intention then that this Amendment address a potential... not a potential, because there's seventy-eight million dollars (\$78,000,000) in this escrow account."

Molaro: "Right."

Black: "So, evidently your Amendment is designed to address the legal challenges to..."

Molaro: "No."

Black: "...to the money that's in the fund?"

Molaro: "No."

Black: "No?"

Molaro: "This is identical. All we're doing is resetting the sunset. This is basically identical to the law that we passed two (2) years ago. And the reason is, we... I happen to feel and the General Assembly happened to feel and the Attorney General happens to feel that the law we passed is constitutional. And as I said, it was a Will County judge where there happened to be, lo and behold, two... two (2) riverboats that happened to side on one of their ten... prayers for relief, said the other nine (9) I'm throwing out, but this one we should let the Supreme Court decide. And so, the Treasurer's holding it until the Supreme Court gives its decision."

Black: "All right. Is the case currently moving toward the Supreme Court or do you know?"

Molaro: "It's... it's... we're done with arguments. The Supreme Court has it, they haven't given a ruling. The problem is if they rule in the favor of the Attorney General and the Legislature, there was a two-year sunset..."

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Black: "I see. All right. Okay."

Molaro: "...which as we said and the problem..."

Black: "All right."

Molaro: "...Representative Black, is that when we sunset it we never thought we would never go two (2) years without a capital Bill and a gambling Bill, but we did. So this just resunsets what we did two (2) years ago."

Black: "Has... has the tax itself on the riverboats in question is... is it already expired?"

Molaro: "Yes."

Black: "Didn't it expire on May 26?"

Molaro: "The fee... it expired on May 26."

Black: "So, you're not... you're not reinstating the tax in this Bill, are you?"

Molaro: "We're... we're taking the Bill and saying that this... we put a... that this... since the Bill has expired, we now have to redo the Bill, correct."

Black: "Which... which would mean the tax would then be reinstated, correct?"

Molaro: "The fee, correct."

Black: "And then the date for distribution would also be moved forward."

Molaro: "Correct."

Black: "Okay. Fine. Thank you."

Speaker Lyons: "The Chair recognizes the Gentleman from Cook, Representative Lou Lang."

Lang: "Thank you, Mr. Speaker. I rise in support of the Gentleman's Bill. You may recall when Mr. Molaro had his other Bill, that was hijacked by the Senate, I reminded you

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that I voted against this idea when he first passed it, but the brief explanation is now that since we've done nothing to help the horseracing industry which employs forty thousand (40,000) people and is very important for our agriculture industry in the State of Illinois that it was time to do this. At my request, Mr. Molaro added a provision to the Bill that said when we pass a comprehensive gaming Bill and we provide other help to the race... the horserace industry this 3 percent would go away automatically. So, I think this is a good, reasonable way to go. This is not a new tax; this is not a new idea. Simply, all he's doing here is extending the sunset date, that's all he's doing. And if you believe in saving forty thousand (40,000) jobs in the agriculture industry, you'll vote for this Bill. Thank you."

Speaker Lyons: "The Chair recognizes the Lady from Cook, Representative Rosemary Mulligan."

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

Speaker Lyons: "Sponsor yields."

Mulligan: "Is this different? Which Amendment is actually on this Bill?"

Molaro: "Floor Amendment #2."

Mulligan: "And how does that change from Floor Amendment #1 for the advance deposit wagering?"

Molaro: "Floor Amendment #1 is now completely gone. It no longer exists, if this passes."

Mulligan: "All right. But how is it differing?"

Molaro: "Well... you mean, how is the impact fee different than advanced deposit wagering?"

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Mulligan: "Yeah. What happened is that advanced deposit wagering gone?"

Molaro: "Yeah. There was no consensus. It passed the Senate when we brought it over. There was no consensus for it."

Mulligan: "Staff is telling me they just got the Amendment this morning, so how would we know... I mean, you're being very like, well, it's all different. What I'm asking you is could you explain to me how it's different?"

Molaro: "All right. Advance... the Bill came over with advance deposit wagering, which is gambling over the Internet, gambling..."

Mulligan: "I know what it is..."

Molaro: "Okay."

Mulligan: "...and that's why I was going to get up and object."

Molaro: "So, we... so... so, my Amendment... my Amendment... when we put a first Amendment which shelled... completely shelled the Bill, so the Bill became a shell Bill. Okay. So, there's nothing on the Bill. It's just a gambling... Then I added the language that I passed last week which is the impact fee. So, the only thing on the Bill is the impact fee. All the language from the advance deposit wagering no longer exists on the Bill. It's been shelled."

Mulligan: "Is this the extension of the impact fee from 1999 or..."

Molaro: "The impact fee from 2000..."

Mulligan: "A little after that."

Molaro: "Yeah. A couple years ago."

Mulligan: "All right. So, all it says is that the gaming casinos still have to give horseracing the impact fee."

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Molaro: "Right. That's all it does."

Mulligan: "Well, there's a big difference. The first one I wouldn't support under any circumstances. This one..."

Molaro: "Oh, you mean ADW."

Mulligan: "...this one I will think about."

Molaro: "Well, wait, that's why... that's why I got rid of the language."

Mulligan: "That's why I'm asking."

Molaro: "Right. That's why I got rid of the language and that's why I'm now asking for your support. It's all gone. I mean, trust me... Right."

Mulligan: "All right. But I mean we weren't in the loop until this morning..."

Molaro: "I know. I know."

Mulligan: "...so, you know, a lot of things happen."

Molaro: "Yeah. Welcome to the last day of Springfield. You're right though. You're right."

Mulligan: "Okay."

Molaro: "And I do apologize that we had to do it and I didn't want to do it the last day, but they did take my Bill for the big gambling Bill. It was the only one open."

Mulligan: "So, all this does is aid the tracks to compete because of the casino gambling taking money away from them..."

Molaro: "Right."

Mulligan: "...not that I want to explain your Bill 'cause I'm not sure quite of it."

Molaro: "Well, you're doing a pretty good job and you're taking my closing argument away, I mean, closing speech away."

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Mulligan: "All right. I'll let you do that. Thank you."

Molaro: "All right."

Speaker Lyons: "Representative Molaro to close."

Molaro: "Yes. This is the same Bill we called last week. It's got nothing to do with ADW. It's where you're helping forty thousand (40,000) people stay in Illinois, just like other states do. Every other state in the nation that had horseracing there brought casino gaming help their horseracing folks. It keeps everybody working: their union members, horsemen, truck drivers, hay feeders, veterinarians. And it's a very good Bill. The boat's been paying it and there should be no objection to this Bill. Thank you very much."

Speaker Lyons: "The question is, 'Should Senate Bill 2702 pass?' All those in favor signify by voting 'yes'; those opposed vote 'no'. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Mr. Clerk, take the record. On this Bill, there are 89 Members voting 'yes', 26 Members voting 'no'. This Bill, having received the Constitutional Majority, is hereby declared passed. Representative Gary Hannig. Representative Hannig in the chamber? Mr. Clerk, on page 46 of the Calendar, under Senate Bills-Third Reading, Representative Gary Hannig has Senate Bill 1415. Read the Bill, Mr. Clerk."

Clerk Mahoney: "Senate Bill 1415, a Bill for an Act concerning public aid. Third Reading of this Senate Bill."

Speaker Lyons: "Mr. Clerk, put that Bill on the Order of Second Reading. What's the status on that Bill?"

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Clerk Mahoney: "On Senate Bill 1415, there is a pending Motion to Table Amendment #1."

Speaker Lyons: "The Gentleman from Montgomery, Representative Gary Hannig."

Hannig: "Yes. Thank you, Mr. Speaker. I would... I would move to table Amendment #1."

Speaker Lyons: "The Gentleman makes a Motion to Table Amendment #1. All those in favor signify by saying 'yes'; those opposed say 'no'. In the opinion of the Chair, the 'ayes' have it. And the Amendment is tabled. Anything... The Motion carries. Mr. Clerk, anything else on the Bill? Any further..."

Clerk Mahoney: "Floor Amendment #2, offered by Representative Hannig, has been approved for consideration."

Speaker Lyons: "Representative Hannig on the Amendment."

Hannig: "Yes. Thank you, Mr. Speaker and Members of the House. This deals with a group of people who found themselves in limbo because of some changes at the federal level concerning their health care and a TANF increase that we... we've done by rule that we'd like to codify. So, I'd ask to adopt the Amendment and then I would explain the Bill more thoroughly."

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

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

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

Clerk Mahoney: "Senate Bill 1415, a Bill for an Act concerning public aid. Third Reading of this Senate Bill."

Speaker Lyons: "Representative Gary Hannig."

Hannig: "Yes. Thank you, Mr. Speaker and Members of the House. Unfortunately in September, the Federal Government decided to let an agreement that we had to reimburse the state for Family Care coverages between 133 percent and 185 percent of the poverty level. They... they wish to allow that to expire. I think we would all say that it's really unfair to... to advise people, who had been relying on this health care and were in this category, that they've been terminated. So, what this Bill simply does, in part, is to say that for that group of people, and that group of people only, that the State of Illinois would continue to provide them with health care. And it also would go on to say that a TANF increase that had been granted through an appropriation process should be codified into law. So, that's what the Bill does. I'd be happy to answer any questions. And I'd ask for your 'yes' vote."

Speaker Lyons: "The Chair recognizes the Gentleman from Vermilion, Representative Bill Black."

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

Speaker Lyons: "Sponsor yields."

Black: "Representative, it's hard to hear in here. You said something about this... this deals with people that live in limbo. Where's limbo? I've been in a lot of small towns, but I haven't been in limbo."

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Hannig: "Maybe it's that one dance or something, the limbo."

Black: "All right. Now, I... in other words, the provisions of the Bill are in limbo. Let me ask you a question about that. The Joint Committee on Administrative Rules did not, in fact, they specifically rejected HFS's desire to take the poverty level for Family Care up to 400 percent. They specifically rejected that proposed rule, correct?"

Hannig: "Yeah. So, you're on the right track. That's exactly what happened, Representative. What had happened was that this group of people found themselves in a situation where the Federal Government decided not to renewal... not to renew the agreement with the state that would provide matching coverage for them. So, the Governor says, well, let's just include them in this big rule that we're going to... we're going to bring to JCAR to put everybody in. And that was rejected. What this law would say, let's just... this proposal would say, let's just go back to that narrow group, the people that we had insured previously, and allow them to continue coverage, but no one else."

Black: "All right. So, you're codifying the 185 percent of Federal Poverty Level which is what it had been, correct..."

Hannig: "That's correct."

Black: "...under the rule."

Hannig: "That's correct."

Black: "So, we're... we're not doing anything to circumvent the Joint Committee on Administrative Rule?"

Hannig: "That's correct."

Black: "I... I assume then that there is a rule Amendment in... somewhere in the Bill that says the administration cannot

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in the future circumvent JCAR's rejection of the 400 percent poverty level."

Hannig: "Well, Representative, this doesn't... this doesn't give the administration any rule. It simply puts in statute what that... what that line is."

Black: "All right. So, if, in fact, it's in statute, then we don't have to worry about an end run."

Hannig: "That's correct."

Black: "All right. I understand what you're doing. Thank you very much."

Speaker Lyons: "The Chair recognizes the Lady from Cook, Representative Rosemary Mulligan."

Mulligan: "Thank you, Mr. Speaker. Is Amendment #2 on this Bill?"

Speaker Lyons: "Mr. Clerk."

Clerk Mahoney: "Amendment #2 was adopted to the Bill."

Mulligan: "All right. So, this also increases the TANF grant?"

Hannig: "Yes, that's correct."

Mulligan: "All right. And what you're doing is you're just putting in the Public Aid Code that the money that was dropped from the CHIP program and the S-CHIP program and the Federal Government is allowing us to go to 185 percent?"

Hannig: "Yes, that's correct, Representative."

Mulligan: "Well, you're not actually blocking the Governor from going... higher than that. You're just saying that's what we're putting in our code."

Hannig: "Well, I think what we're trying to say is that we should hold harmless this group of people who had coverage

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previously and suddenly because the Governor wrapped them into a debate between himself and JCAR that they should be held harmless and we want to clarify that we will by statute cover those people, but no more."

Mulligan: "Where does it say 'no more' in here? Does it actually say 'no more'?"

Hannig: "Well, I mean, it sets... it sets the... it sets the maximum, Representative. So, we are trying to say by statute that this is the maximum."

Mulligan: "All right then it would. I mean, I think a lot of people, what they don't understand about JCAR is that we're... all they're doing with the rules is making a rule on a statute we previously passed and since we were pretty silent to that and we had given them the ability to negotiate in the past, the hospital tax issues, they took that as carte blanche to change the amount that they wanted and some of us in JCAR felt that they did have the authority. It wasn't necessarily whether we liked what they were doing or the amount of money they were spending was aside from the fact that we're supposed to interpret how they make rules from laws that have already passed. So, what you're doing now is you're passing a law that says 185 percent is tops. If they want anymore they have to come back to us to raise it, or it doesn't say that specifically, but you're saying that that's the maximum?"

Hannig: "I think we're trying to clarify that we're going to put this in statute as the clarification, Representative."

Mulligan: "All right. Does the Bill actually articulate in language in the Bill that 185 percent is the maximum?"

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Hannig: "Yes, that's correct, Representative."

Mulligan: "All right. So, it's actually there now for the future discussion of any rules that are made?"

Hannig: "That's correct. We're giving guidance to the Governor and to JCAR."

Mulligan: "All right. So, what happens now to the people that they signed up over 185 percent?"

Hannig: "Well, Representative, I think that if a court would suggest... would direct the State of Illinois to keep these people on the rolls that we would, but I think that we're trying to... we're trying to say that... we're trying to reestablish what we believe is the correct limitation."

Mulligan: "Right. I think what... I think the discussion centers around the Legislature should have some ability to state how much money we're going to expend on these programs and whether or not we're covered with some kind of match. What happens now with the 180... 185 percent is in Medicaid they'll get \$.50 on the dollar where under the Family Care program that we were getting \$.65 on the dollar, so we're going to take a little bit of a hit on the Medicaid match in order to keep these people covered anyway. So, that's part of it. I do think the people that they've signed up already have some kind of a claim and I think there's a difference when you look at how they've done KidCare when you have premiums or people that you've signed up above that's a whole another issue. So, I think what this does it just caps it and it... although they've talked about trying to get a waiver for a higher amount, I don't think that's going to happen. But I intend to vote for the Bill,

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particularly I... the TANF increase and the fact that we are going to cover those people up to 185 percent. I think we need to do that."

Hannig: "Thank you."

Speaker Lyons: "The Chair recognizes the Gentleman from Cook, Representative John Fritchey. The Gentleman no longer seeks recognition. Representative Hannig to close."

Hannig: "This is just an issue of fairness. I think these people deserve to be covered. Through no fault of their own, they've found themselves in a situation that they simply do not deserve to be in. This clarifies the law. It's good government. I'd ask for your 'yes' vote."

Speaker Lyons: "The question is, 'Should Senate Bill 1415 pass?' All those in favor signify by voting 'yes'; those opposed vote 'no'. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? John Bradley. Raymond Poe. Mr. Clerk, take the record. On this Bill, there's 113 Members voting 'yes', 2 Members voting 'no'. This Bill, having received the Constitutional Majority, is hereby declared passed. The Chair recognizes the Gentleman from Lake, Representative Ed Sullivan, for what purpose do you seek recognition, Representative?"

Sullivan: "Yes, Mr. Speaker. On the previous Bill, Senate Bill 1415, I inadvertently hit the 'no' button and would like to be recorded as a 'yes'."

Speaker Lyons: "Representative, the Journal will so reflect. Representative Michael Fortner, for what purpose do you seek recognition?"

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Fortner: "As with the previous speaker, I inadvertently hit the wrong button on the previous Bill. I'd like to be recorded as a 'yes'."

Speaker Lyons: "The Journal will so reflect, Representative. Mr. Clerk, on the Order of Second Reading-Senate Bills, on page 48 of the Calendar, Representative Hannig has Senate Bill 1102. What's the status of that Bill, Mr. Clerk?"

Clerk Mahoney: "Senate Bill 1102, a Bill for an Act concerning appropriations, has been read a second time, previously. Amendment #1 was adopted in committee. Floor Amendment #2, offered by Representative Hannig, has been approved for consideration."

Speaker Lyons: "The Chair recognizes Representative Hannig on the Amendment."

Hannig: "Yes. Thank you, Mr. Speaker and Members of the House. I would ask that we would simply maybe proceed a little quickly by adopting the Amendment and then we'll debate the Bill."

Speaker Lyons: "The Gentleman moves for the adoption of the Amendment on Senate Bill 1102. All those in favor signify by saying 'yes'; those opposed say 'no'. In the opinion of the Chair, the 'ayes' have it. And the Amendment is adopted. Anything further, Mr. Clerk?"

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

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

Clerk Mahoney: "Senate Bill 1102, a Bill for an Act concerning appropriations. Third Reading of this Senate Bill."

Speaker Lyons: "The Gentleman from Montgomery, Representative Gary Hannig."

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Hannig: "Yes. Thank you, Mr. Speaker and Members of the House. This Bill contains a number of spending proposals for the Department of Agriculture, Appellate Defenders, Appellate Prosecutors, Architect of the Capitol, the Arts Council, the Attorney General's Office, the Auditor General, Central Management Services, the Department of Children and Family Services, CHIPS, the Comptroller, the Council on Developmental Disabilities, the Criminal Justice Information Authority, Deaf and Hard of Hearing Commission, the Emergency Management Agency, Employment Security, EPA, Financial and Professional Regulations, the General Assembly, Government Forecasting and Accountability, the Governor's Office, Guardianship and Advocacy Commission, Historic Preservation, Human Rights, the Department of as well as the Commission, Judicial Inquiry Board, Department of Labor, Law Enforcement Training Standards Board, the Legislative Audit Commission, Legislative Ethics, Legislative Information System, the Printing Unit, the Reference Bureau, the Research Unit, the Lieutenant Governor, Metropolitan Pier, Military Affairs, Natural Resources, Prisoner Review Board, Property Tax Appeal Board, Public Health, the Department of Revenue, the Sports Facility... Authority, the State Fire Marshal, the State Police, the State Police Merit Board, the Treasurer's Office, Veterans' Affairs, and Violence Prevention Authority. This budget... this Bill, in conjunction with a Bill that's also moving in the Senate and along with the Bills that we passed earlier in the week and along with the budget implementation Bill, will be the parts that we need

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to adopt and pass in order to finalize our FY09 budget. Most of these agencies have relatively modest increases, some have decreases, but in any case, I'd be happy to answer any questions about any of the agencies. And I'd simply ask for your 'yes' vote."

Speaker Lyons: "The Chair recognizes the Gentleman from Kane, Representative Tim Schmitz."

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

Speaker Lyons: "Sponsor yields."

Schmitz: "Thank you. Leader Hannig, as I... as I scroll through the numbers here we... we did two (2) Bills a day or two (2) ago and forgive me, the days are starting to blend together. This is the third..."

Hannig: "That's correct."

Schmitz: "...in the list of... of four (4)?"

Hannig: "That's correct..."

Schmitz: "Okay."

Hannig: "...of four (4) appropriation Bills."

Schmitz: "Do we have the total of what the appropriations are going to look like?"

Hannig: "I can give you a total for this Bill, Representative. It's... in GRF it's two billion, two hundred and thirty-nine million, seven hundred and seventy-five thousand, six hundred and forty-seven dollars (\$2,239,775,647). And the total from all funds is eight billion, six hundred and ninety-nine million, one hundred and eighty-five thousand nine hundred and thirty-six dollars (\$8,699,185,936)."

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Schmitz: "And this is, as I look through the charts here, the... that is the... I apologize... that's the overage from the increase from the '08 budget?"

Hannig: "No, that was the..."

Schmitz: "I'm sorry?"

Hannig: "I think that was the total spending number."

Schmitz: "That was total spending. What is the increase over fiscal year '08 then?"

Hannig: "The total... the total for GRF would increase a hundred and two million, three thousand five hundred and sixty-nine dollars (\$102,003,569) for the total for these budgets."

Schmitz: "Okay. Is the..."

Hannig: "And that's GRF."

Schmitz: "That's GRF, thank you. And I heard on your introduction on the Amendment, this also has the Comptroller's budget in there."

Hannig: "That's correct."

Schmitz: "In the Comptroller's budget, in these numbers here, do they include the COLAs for the Legislative Branch?"

Hannig: "So, there's two... two (2) items that we sometimes confuse. One of them are legislative pay raises, that would be increases that were provided or were recommended by the Review Board, the Merit Review Board..."

Schmitz: "That's correct."

Hannig: "...and those are not included. Then there's another calculation by statute, which are the cost of living adjustments that annually go to Legislators and I assume other state employees, and that's part of this budget."

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Schmitz: "That was my question. The COLAs are included in the Comptroller's line item in this budget?"

Hannig: "Yes, that's where they're included."

Schmitz: "The recommendations from the Compensation Review Board is not included in the Comptroller's budget?"

Hannig: "You are correct."

Schmitz: "Okay. Thank you, Leader Hannig. Thank you, Speaker."

Speaker Lyons: "The Chair recognizes the Gentleman from Lake, Representative Mark Beaubien."

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

Speaker Lyons: "Indicates he will."

Beaubien: "I'd like to kind of go through the same exercise I went through the other day, Representative Hannig. We were talking about your assumed new revenues and we were talking about base growth of four hundred and fifty, five hundred million dollars (\$450,000,000-\$500,000,000), a tenth license at five seventy-five (575), business annualized, additional revenue auditors, federal stimulus, about a new income of about 1.24, in that range. Is that correct?"

Hannig: "I think what I said was that there was... there seemed to be, at the budgeteer meetings that you and I attended, a general agreement that at least that amount of revenue would be available."

Beaubien: "Okay. Now, I want to look at all of these four (4) Bills in total. We have what, approximately 29.5 billion (29,500,000) to spend out of General Revenue and I'm looking at what I'd look as pressures that we have

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determined that may actually be in some of these Bills. And assume Medicaid increases is six hundred million (600,000,000); education funding at five hundred and twenty-five (525,000,000); human services, three hundred (300,000,000); higher ed, one hundred (100,000,000); corrections at one fifteen (115,000,000); and aging, one fifteen (115,000,000); veterans, twenty (20,000,000); public health, twenty (20,000,000); and as we talked the other day, you didn't include in your budget the eight hundred million dollars (\$800,000,000) that we owe the pension system which is an automatic appropriation but yet it's going to come out, not addressing the five or six or seven hundred million dollars (\$500,000,000 - 600,000,000 - 700,000,000) we're short this year and the 1.7 billion dollar (\$1,700,000,000) shortfall. I just like to draw a conclusion from our end. This budget is at least two, two and a half billion dollars (\$2,000,000,000 - \$2,500,000,000) short on revenue from my opinion. It may not be yours, but if these items I've listed are what the expenses are, we do not have the revenue to pay for it. Do you care to comment on that?"

Hannig: "Well, Representative, you're entitled to your opinion. I certainly think that you do a very good job representing your side of the aisle in the budget negotiations and you're very knowledgeable about budgets and you're very articulate about most of the issues. So... but I would say that we have a spending Bill in front of us.. it's about a two billion dollar (\$2,000,000,000) GRF Bill that addresses

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a number of agencies and I'm simply asking that we adopt this Bill."

Beaubien: "Okay. Thank you very much. I just wanted to get on the record what we feel the pressures are and that from our side of the aisle, this... this budget is woefully underfunded. I think the position is, we'll send it on and let the Governor make the decisions, but on its face, it's not a balanced budget. Thank you very much."

Speaker Lyons: "The Chair recognizes the Lady from Cook, Representative Rosemary Mulligan."

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

Speaker Lyons: "Sponsor yields."

Mulligan: "Representative, I noticed DCFS budget is in here."

Hannig: "I'm sorry. Did you say... which one, DCFS?"

Mulligan: "No. I noticed that it's part of this Bill."

Hannig: "Yes, that's correct."

Mulligan: "And that there is an increase."

Hannig: "Yes, that's correct."

Mulligan: "And will that cover if they don't get a replacement for the subsidized guardianship program at the federal level?"

Hannig: "I'm not certain, Representative."

Mulligan: "Well, they lose federal funding because they lost... that program expired and they were trying to get a waiver to bring that program back. I'm just wondering if the amount that you've increased in there would have anything to..."

Hannig: "It's essentially the Governor's introduced budget with some small additions, Representative."

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Mulligan: "All right. I guess... I think that originally when that was discussed there was a discussion to covered that because that program means we're losing federal dollars.. losing the program?"

Hannig: "I'm sorry. Was that a question? I didn't hear it if it was."

Mulligan: "No. I... I think... I'm just saying, I think, the Governor's budget covered that."

Hannig: "Okay."

Mulligan: "My only problem with some of what has happened here is that it's going to be so far out of balance that no matter what happens now, either someone at the executive level or come November after the election, you're going to be off and some of these things were things that were discussed that were more reasonable than others. So, I notice Guardianship and Advocacy got an increase which they have not had for several years which they've needed. So, I was just curious and the DCFS program we're concerned about. So, I was just curious as to how you're going to handle it and since the whole thing is not in balance, at some point some of this is going to be cut and that's my concern or some of it will have to be addressed in a future tax increase. So, I'm just curious and I just wanted to make sure..."

Hannig: "I... I would say, as well, the Senate has sent us some options on a pension obligation bond or some sweeps. There may be some other options out there as well, Representative, that we could explore if you feel we need more money for these budgets."

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Mulligan: "Well, I think that's a philosophical difference on how much debt we want to incur in order to maintain services and how to go about it. Thank you."

Speaker Lyons: "The Gentleman from Knox, Representative Don Moffitt."

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

Speaker Lyons: "Sponsor yields."

Moffitt: "Representative, on the specific... you mentioned the office of the State Fire Marshal. Just a clarification or make sure something is addressed there. The Governor, in April, signed Senate Bill 775 with a House Amendment on it and I certainly commend the Governor for doing that. It's outstanding public policy to give money to the Fire Service. It provided for a one-time transfer of fifteen million (15,000,000) into three (3) categories: the zero percent fire truck loan, zero percent ambulance and then sma... grants for small equipment. That legislation also provided for an ongoing appropriation of 7.5 million (7,500,000) each year. This is not in General Fund money, but it just... in terms of the total budget has that been accounted for or included in the office of State Fire Marshal? The initial transfer was from the Fire Prevention Fund, so, again, I emphasize it's not General Fund money. I just wanted to make sure we've included it, but that's not going to be a problem as that..."

Hannig: "Could you repeat the question? I think we're trying to find the answer and... and it would help our staff if we could have the question repeated."

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Moffitt: "In April, when Senate Bill 775 was signed and had the House Amendment on it, it provided for a one-time transfer of fifteen million dollars (\$15,000,000) from the Fire Prevention Fund through the Fire Marshal's office. Then on an annual basis... and that may have occurred. I... I wish... I'm trying to check with staff to see if we could get that answer now. I haven't been able to do that yet. And then annually 7.5 million (7,500,000) to the Fire Service divided into the zero percent fire truck loan, ambulance loan and grants for small equipment."

Hannig: "So..."

Moffitt: "My main concern is just make sure we haven't overlooked that, if we needed to have the line item, that we have put those things in."

Hannig: "So, Representative, if we pass legislation that authorizes a transfer, that substantive legislation would then be the mechanism where money would travel from one fund to another. We don't have to appropriate that, but we do appropriate from that fund. So... and I have to say I'm not certain about the transfer language you're talking about. I just want to be honest. But if the language is there, it should... it should do that itself."

Moffitt: "Okay. And then just... the only other thing, I just raise the question to be sure we're addressing it, if we need to as a Legislature and if... if there's something pending, we'll work together to... to come back if... if supplemental is needed. I just wanted to make sure that that was a part of the total budget consideration."

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Hannig: "Yes. And Representative, I mean, we come back and do supplementals all the time. It's part of the process, so if there was... if you feel that there was an error that you'd like to address and you want to bring it to our attention, we can have some committee hearings and we can address it."

Moffitt: "Yeah. I'm not saying there was an error. I just want to help make sure we've avoided it if... if something has inadvertently been left out. So, just wanted to raise the issue, again, it's not General Fund money. It's... I commend the Governor for signing that Bill, 775, and look forward to working with you if we need any follow-up legislation to fund that program. Thank you."

Speaker Lyons: "Ladies and Gentlemen, if I could ask for your indulgence to please keep the noise level down just a little. These are very important questions being asked of Mr. Hannig and it's awfully hard to hear. Ladies and Gentlemen, if we can bring the noise down just slightly. Thank you very much. The Chair recognizes Leader Cross."

Cross: "Thank you, Mr. Speaker. I have some observations perhaps more so than questions, Mr. Speaker. I guess I'm... or maybe this is a question, Representative, I'm a little baffled by our apparent unwillingness to abide by the Illinois Constitution. There's been a lot of talk about here about the General Assembly's responsibility to pass a budget and it's okay to pass an unbalanced budget and that's up to the Governor then to do what he or she wants to do. But the Constitution reads pretty specifically... I don't know, I didn't help draft the Constitution, I don't

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know if any of you were here, but it reads that the General Assembly by law shall make appropriations for all expenditures of public funds. Appropriations for a fiscal year shall not exceed funds estimated by the General Assembly to be available during that year. Now, in listening to the questions asked by Representative Beaubien, Schmitz, and Mulligan it's clear.. and I don't think anyone has disputed this, at least to this day no one has disputed it, revenue growth is not going to exceed five hundred million dollars (\$500,000,000). That's the extent of it. No one has talked about addressing the shortfall of this year's budget of five hundred million dollars (\$500,000,000). You've increased spending by two billion dollars (\$2,000,000,000) and based on an assumption by the Senate there was going to be a pension bond deal and there isn't and there's not a Bill pending here, so we have to assume it's not going to happen. We have a shortfall because of our pension payment by five hundred million dollars (\$500,000,000). So, at the end of the day, you, on that side of the aisle, are going to pass a budget that is two and a half billion dollars (\$2,500,000,000) in the hole, out of whack, unbalanced, however you want to dice it, whatever you want to say, whatever you want to call it, it is not balanced, two and a half billion dollars (\$2,500,000,000). And then you say, well, that's okay someone else can come along and clean it up. Now, that's not what the Constitution says at all. It says you got to balance, not somebody else, but the General Assembly. What we're doing here is equivalent to a father saying to one of

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his children or to his children and you know, I know you guys are good about saying we've had an open process. Well, let's envision this parent taking one of his kids to Kmart and to Toys 'R' Us and to Wal-Mart and Target and saying, look at these... all these gifts, it's almost Christmas and I'm going to make a list and you can have twenty-five (25) new presents for Christmas or your birthday, maybe fifty (50), and then what you do is you turn it over to your other... to your spouse and say, here, you deal with it. You know we only have the ability to pay for five (5) of those gifts, but you make those tough decisions. Now, what you've done is two (2) things: you've put your spouse in a really tough spot and your family's so dysfunctional as a Party that's your problem. I don't really care what you do to your Governor. That's your problem, not mine. I'm not going to sit here and defend him, but you're putting that person in a very uncomfortable spot like you would be the spouse. But what I am concerned about and what I would like to think you're concerned about is that the child, with the expectation that he or she's going to get twenty-five (25), is only going to get five (5) is going to be sadly mistaken and disappointed on top of being extremely confused the day of the birthday or the morning of Christmas, because no way in the world can we give those twenty-five (25) gifts or that parent or that couple can. Someone's going to come along and this is the ironic thing what you're setting up is you're going to have the Governor be the adult in this situation, not you, the adult will be the Governor. So, that child, just like

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those in this state, need to be clothed, need to be schooled, need to be safe at school, as do their grandparents, as do those with disabilities, as do those with autism, whatever the case may be, and they don't know in the State of Illinois right now what's going to happen because you have taken this totally irresponsible approach to governing. Talk about failure; talk about... talk about reckless behavior. Let's pass this budget that's two and a half billion dollars (\$2,500,000,000) out of whack and no one in this state knows whether they're going to get funded. That autism program, that DD school, that K-12, that veterans' program, that seniors' program, the list goes on and on and their going to sit there tomorrow morning and go, wow, there's not enough money, someone's going to have to make some tough decisions, those people over on the House side, the Democrats or the Senate side, didn't do it. Am I going to get my money? Can I afford to keep my doors open? Will my kids be safe in school? Will my grandparent get that health care he or she needs? I don't know. And how would they know? You guys have once again completely failed the people of the State of Illinois, completely failed and abdicated your responsibility as elected officials, completely. Now, I know what's going to happen. You're going to come trotting over here or you're going to see some of our Members tomorrow or tonight and you go, you know what, we really didn't want to do that. You guys were right. It is out of balance. It really wasn't responsible, but we were told we had to vote for this and we didn't have a choice. And I

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got to tell you, we hear that more and more on this side of the aisle, time and time again, that we have to be doing this and that we're told to do it. We don't want to hear that anymore. We'd like you on this issue, the budget coming over later, the capital Bill that's here, to do what's best for your respective districts, to make decisions on your own that are best for your district, whether they're on the operating side or on the capital side and do your part as elected Representatives not what you're told to do which is what this has become over the last few months. I don't know what you can say has happened this Session of any meaningful significance. Recall. It didn't happen, did it? We talked about that a few weeks ago, a big scam there, gave the false hope that we were going to do something that a lot of people wanted us to do, but it didn't happen. We built up expectations and it fell. The list goes on and on. And that's the travesty in today. You have built up expectations for that child or for that facility, knowing full well they can't be met. That's the crime in all of this. Not necessarily process, which of course, in and of itself, has been abused. I don't want to get into that. But the very fact that you can't even balance a budget and act in a responsible way is a cruel hoax to the people of the State of Illinois and I'm sorry to know and see that you, not necessarily are a part of it, you are the very reason and the results of it or causing it. Thank you, Mr. Speaker."

Speaker Lyons: "Representative Gary Hannig to close."

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Hannig: "Well, thank you, Mr. Speaker and Members of the House. I would just simply say the total failure occurred last year when we were here 'til the middle of August trying to put together a budget. The citizens in my district made it clear to me that it's time that we get our work done on time. And we began early this year with hearings all around the state, many of us participated. We've done the appropriation process. We've seen the Governor's introduced budget. We've seen the budget that the House Democrats have sent to the Senate. We've seen the Senate budget that they've sent to us. There's been a number of options that are available. We worked with the Senate and in my view, this is the best option that we have. It's May 31; it's time for us to pass this budget. I'd ask for your 'yes' vote."

Speaker Lyons: "The question is, 'Should Senate Bill 1102 pass?' All those in favor signify by voting 'yes'; those opposed vote 'no'. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Have all voted who wish? Mr. Clerk... Mr. Clerk, take the record. On this Bill, there are 64 Members voting 'yes', 50 Members voting 'no', 1 Member voting 'present'. This Bill, having received the Constitutional Majority, is hereby declared passed. Mr. Clerk, on the Order of Second Readings, we have Senate Bill 773. What's the status of that Bill, Mr. Clerk?"

Clerk Mahoney: "Senate Bill 773 has been read a second time, previously. Floor Amendments 1 and 2, offered by

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Representative Hannig, have both been approved for consideration."

Speaker Lyons: "The Chair recognizes the Gentleman from Montgomery, Gary Hannig on the Amendments."

Hannig: "So, Mr. Speaker, I'd withdraw Amendment #1. Withdraw Amendment #1, please."

Speaker Lyons: "The Gentleman moves for the Motions for the withdrawal of Amendment #1. All those in favor signify by saying 'yes'; those opposed say 'no'. In the opinion of the Chair, the 'ayes' have it. Amendment #1 is withdrawn. Mr. Speaker... Mr. Clerk."

Clerk Mahoney: "Floor Amendment #2, offered by Representative Hannig, has also been approved for consideration."

Speaker Lyons: "The Chair recognizes Representative Hannig on Amendment #2."

Hannig: "This is the budget implementation language. I'd ask to adopt the Amendment and then debate the Bill."

Speaker Lyons: "The Gentleman makes a Motion to move the Amendment to... to adopt the Amendment. All those in favor of the Amendment signify by saying 'yes'; those opposed say 'no'. In the opinion of the Chair, the 'ayes' have it. And the Amendment is adopted. Anything further, Mr. Clerk?"

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

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

Clerk Mahoney: "Senate Bill 773, a Bill for an Act concerning State Government. Third Reading of this Bill."

Speaker Lyons: "Representative Gary Hannig."

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Hannig: "Yes. Thank you, Mr. Speaker and Members of the House. This is a budget implementation Bill that will work in companion... that will work in conjunction with the three (3) budget Bills that we've just passed and the one (1) that remains to be debated in this House. In the area of education, it has the transitional assistance and the hold harmless language that we've seen in the past and it would change the per pupil foundation level from fifty-seven thirty-four (5734) to fifty-nine fifty-nine (5959). That's an increase of two hundred and twenty-five dollars (\$225). It has some items like freezing the nursing home rates, staff pay increases, provider rate increases, mental health contracts, a number of things that we typically do in human services and in State Government it has the language with the Secretary of State Road Fund cap, the Tobacco Settlement transfer that we always do to start the year, the vehicle inspection money that's transferred, the Abraham Lincoln money that's transferred, the Violence Prevention money that's transferred. It resets the Illinois Income Tax Refund Fund. It does a number of items that we typically do each year in order to get the appropriation Bills in sync with the substantive Bills and make the budget work properly. So, that's what the Bill does. I'd be happy to answer any questions."

Speaker Lyons: "The Chair recognizes the Gentleman from Crawford, Representative Roger Eddy."

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

Speaker Lyons: "Sponsor yields."

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Eddy: "Representative, you mentioned the foundation level in this budget..."

Hannig: "Yes."

Eddy: "...and you... you mentioned that it was a two hundred and twenty-five dollar (\$225) increase?"

Hannig: "That's what I'm advised, Representative."

Eddy: "So, the number would go to fifty-nine fifty-nine (5959), five thousand nine hundred and fifty-nine (5,959)?"

Hannig: "Yeah, five nine five nine (5959)."

Eddy: "What about the ADA block grant? Is there..."

Hannig: "This is... this is not... this is not the budget, Representative..."

Eddy: "I understand."

Hannig: "...and I think I can address that more when we get to actual... the spending budget."

Eddy: "But the amount... the amount implementing the appropriation for the education safety ADA block grant, does it change because that... you're right, that budget's coming, but the Implementation Act deals with the number that's used for that. Is that the same amount or is that not in here?"

Hannig: "I think that we don't set the number in a budget implementation Bill but it's just driven by the appropriation."

Eddy: "Okay. So, it simply... when we get to that part of the budget, whether or not there's an increase in that divided by enrollment will that automatically set that. Is that... that's what you're saying?"

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Hannig: "Yeah. We can... we can talk about that when we get there, Representative."

Eddy: "Okay. Any other specific changes implementing the education appropriations? As you know, this is a... obviously, the general state aid foundation level's a very important one. Are there others specific to the education appropriation?"

Hannig: "The only three (3) that I have is the transitional assistance which we would extend again, the poverty hold harmless which we would extend again, and then the change in the foundation level that we just spoke about."

Eddy: "Okay. Thank you, Representative."

Speaker Lyons: "The Chair recognizes the Lady from Cook, Representative Rosemary Mulligan."

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

Speaker Lyons: "Yes, he will."

Mulligan: "Representative, this... I don't know if it does word for word, but this kind of duplicates the 'bimp' Bill we sent out the other day?"

Hannig: "It is very similar, Representative."

Mulligan: "Can you tell me what's different?"

Hannig: "So, first the different foundation level. In #5, we passed Public Act 95.7 that requires the Department of Public Health to expand HIV testing. So, this reiterates that, it is the mandated responsibility of the department to provide these services. So, we kind of reinforced that."

Mulligan: "This..."

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Hannig: "The TANF grants would increase July 1, 2008, by 9 percent. We would... we would require that any appropriation made from the Excellence in Academic Medicine Funds under the EAM Act in fiscal years going forward should not be less than the amount appropriated in '02. There's a money follows the person. Creates the Money Follows the Person Budget Transfer Fund and it allows the state to implement the federal grant... to implement the federal grant received the purpose of which is to move people out of institutional facilities and into the communities. We would allow a workers' compensation medical payment to be made from the health insurance reserve fund. And then we're going to put no fiscal year limitations on workers' compensation payments, so they could cross fiscal years. And those are all the changes that I know of that are different, Representative."

Mulligan: "You just passed a Bill a little while ago that increased TANF by 15 percent yet this Bill says 9 percent. How are you doing that?"

Hannig: "So, this would appropriate for 9 percent, Representative, would set the statute at 9."

Mulligan: "But you... the one you just passed said 15 percent."

Hannig: "I think that's correct."

Mulligan: "I know, but I... 15 percent and 9 percent is not the same, so just..."

Hannig: "It's a big cut already."

Mulligan: "Pardon me?"

Hannig: "Representative, I..."

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Mulligan: "That kind of follows how you've been doing the budget this year. A 15 percent increase in TANF and then a 9 percent in this equates to the same thing?"

Hannig: "So, this would clarify that we appropriate for 9 percent, because that's the number we appropriate for."

Mulligan: "All right. I'm not going to tell you how you're doing it, because that's not my place and I was not asked. I could imagine and you're not stating it. But I'm just pointing out that you passed just a few minutes ago that it would increase by 15 and now your budget implementation Act is saying 9. It's kind of how the whole budget is going this year. This whole Bill is implementation of programs that have been appropriated. Is that correct?"

Hannig: "Yes, that's correct, Representative."

Mulligan: "There's nothing in this Bill that states how they will be paid for. It is only, aside from seeking a waiver here with the Federal Government or some federal money spending, all of it is just implementing programs that have already been passed."

Hannig: "That's correct. This does not appropriate any moneys. It simply directs moneys in a certain way."

Mulligan: "All right. So, now you've passed a budget that in the light of day and after we're all out of here and if you want to be honest is out of balance and is not going to sustain a whole year and now you're passing a 'bimp' Bill that codifies that we have to take care of those things that we've passed that ultimately will have no money. I think that's all very interesting, but you're codifying stuff without having adequate money, so it really puts us

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in a place of voting for this being not the smart fiscally thing to do for the state when you can't justify how you're going to pay for it. You know, if you said you're coming back after the election with an income tax increase or something like that, you'd be a lot more honest than what you're doing here."

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

Bassi: "Thank you, Mr. Chairman. Will the Gentleman yield?"

Speaker Lyons: "Gentleman yields."

Bassi: "Representative, I'm just double checking. I think you said that the increase in education was five hundred and twenty-four million dollars (\$524,000,000). Am I right on that?"

Hannig: "This would increase the foundation level, if that's your question, it would increase the foundation level by two hundred and twenty-five dollars (\$225) per pupil."

Bassi: "'Cause I think... my recollection is that that's substantially higher even than the Governor's introduced budget. Am I right?"

Hannig: "Well, this is a budget implementation Bill and what the Governor did in his budget is he threw just a lump sum into education with no real direction on how he would like it spent."

Bassi: "So, are we directing more money than what the Governor had originally talked about?"

Hannig: "It's... it's really an appropriation question, but the answer is 'yes'."

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Bassi: "Is it... But do we have the money to appropriate?"

Hannig: "Well, we'll do a budget Bill, an appropriation spending Bill, a little bit later in the evening that deals with education."

Bassi: "Okay. Thank you."

Speaker Lyons: "Representative Hannig to close."

Hannig: "Yes. Thank you, Mr. Speaker and Members of the House. This is a piece of the budget that we need that does not spend any money in and of itself, in fact, it's a substantive Bill, but it directs money in certain ways and it makes the budget work properly. So, it's mostly technical in nature. I'd simply ask for your 'yes' vote."

Speaker Lyons: "The question is, 'Should Senate Bill 773 pass?' All those in favor signify by voting 'yes'; those opposed vote 'no'. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Mr. Clerk, take the record. On this Bill, there are 65 Members voting 'yes', 50 Members voting 'no'. This Bill, having received the Constitutional Majority, is hereby declared passed. Mr. Clerk, what's the status of Senate Bill 1987?"

Clerk Mahoney: "Senate Bill 1987 is on the Order of Senate Bills-Second Reading has been read a second time, previously. No Committee Amendments. Floor Amendments 1 and 2 have both been approved for consideration."

Speaker Lyons: "The Chair recognizes Representative Hannig on the Amendments."

Clerk Mahoney: "Mr. Speaker, I'd like to withdraw Amendment #1."

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Speaker Lyons: "The Gentleman moves to withdraw Amendment #1. All those in favor signify by saying 'yes'; those opposed say 'no'. In the opinion of the Chair, the 'ayes' have it. And Amendment #1 is withdrawn. Mr. Clerk."

Clerk Mahoney: "Floor Amendment #2, offered by Representative Hannig, has been approved for consideration."

Speaker Lyons: "Representative Hannig on Amendment #2."

Hannig: "Yes. Thank you, Mr. Speaker. I'd ask that we adopt Amendment #2 which becomes the Bill and then debate the Bill on Third."

Speaker Lyons: "The Gentleman moves for the adoption of Amendment #2. All those in favor signify by saying 'yes'; those opposed say 'no'. In the opinion of the Chair, the 'ayes' have it. And the Amendment's adopted. Anything further, Mr. Clerk?"

Speaker Lyons: "No further Amendments. No Motions filed."

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

Clerk Mahoney: "Senate Bill 1987, a Bill for an Act concerning regulation. Third Reading of this Senate Bill."

Speaker Lyons: "Representative Gary Hannig."

Hannig: "Yes. Thank you, Mr. Speaker and Members of the House. This is a proposal that basically does three things: Number one, there's a proposal that exists in Representative Granberg's district commonly called 'power holding' where they're attempting to take Illinois coal and convert it into natural gas to be sold to utility companies. The technology appears to be capable of producing this natural gas at a cost of about two dollars (\$2) less than the going rate. And this project is really...

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less than a year from breaking ground and actually needs to be... we need to have this... this cleanup language adopted this year in order for the project to go forward. The second piece of legislation... the second piece in this legislation is a proposal in my district to try to build a clean... a clean coal power plant and it would simply set up some parameters similar to what we do with the renewable fuels... renewable... a portfolio and in this case, the plant in my district near Taylorville, Illinois, called Tenaska, wants to do this clean coal plant. They want to do a coal gasification plant. It's similar to a few others that... that do exist in the state... or in the United States. But we understand that there could be some questions as to what would be the cost of a new power plant using a new technology and so, what we've done in this language is we've tried to write in enough safeguards to ensure that the ratepayers will not be hurt. What we say is that the Tenaska people should do a study, a detailed study, and come back to this Assembly with a number and a number on... of what it cost to produce electricity at that plant. At that time, we in this Assembly can take a look at that number and make a determination as to whether or not we believe that that plant should go forward. And let me be the first to say that if that proposal comes back with a number that is significantly higher than the going rate, then I would be the first to say that we should not do the plant. But on the other hand, if the plant can show that it can produce clean electricity using Illinois coal, sequestering SO2 in a way that... in a way that doesn't cost

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significantly more than the going rate, then I think it's important that we in the State of Illinois work to change the law so that that plant could go forward. This Bill simply lets it do that first step. They have to succeed in that first step to prove to us that they can do it and they can do it at a cost that doesn't hurt the ratepayers before we in this Assembly would ever think about giving them a green light to go forward. The third part of the Bill provides that language that exists today in the statutes concerning Exelon and Commonwealth Edison and power outages and when they might be held liable and under what circumstances, it would simply extend that language to the downstate utilities, particularly Illinois Power or Ameren and that's a proposal that Representative Bradley has come forward with. So, this is an important proposal for me and my district. I've tried to work with Commonwealth Edison time and time and time again. We've had agreements we thought several times this week, several times this week those agreements have fallen apart because Commonwealth Edison have come back to us and said 'no'. We've sat at the table with them; we've tried to resurrect those agreements. Sometimes we thought we were successful again and again and again and again, the answer is 'no'. So, we want to go forward with this proposal because we think it's the right thing to do. We certainly have worked in good faith. It's an opportunity for the coal industry in Illinois to see a rebirth and it's an opportunity for us to demonstrate for the first time in this state that we can burn Illinois coal, sequester the SO<sub>2</sub>, and have a coal

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plant that is not a problem for the environment. So, those are the things that this does. I think it's a very reasonable and measured approach. We retain..."

Speaker Lyons: "Sorry, Representative. Just continue on and we'll put the timer back on for the questioners."

Hannig: "It serves me right. So, we retain the right, Ladies and Gentlemen, to say 'yes' or 'no' to this final project. We retain the right to determine whether or not we should go forward, whether or not we think it makes sense, but I think it makes sense for us to say to this opportunity to create jobs, to burn coal cleanly. I think it's our opportunity and we should say 'yes'. And I'd be happy to answer any questions and I'd ask for a 'yes' vote."

Speaker Lyons: "Representative Roger Eddy."

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

Speaker Lyons: "Sponsor yields."

Eddy: "Representative, you mentioned that before... I'm trying to make sure I understood what you said about rates. Did you say that before this project could move forward that the study would have to be done and that the General Assembly would have to, in essence, approve the rate structure that the study reveals?"

Hannig: "Yes, Representative. They would come back with a study and I think we would look at it and either say 'yes' or 'no'."

Eddy: "And..."

Hannig: "And they have no contracts until then."

Eddy: "Okay. And if..."

Hannig: "They... the plant, it doesn't even exist."

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Eddy: "Okay. How long is that study period and when would you expect to come back to the General Assembly with the results?"

Hannig: "Probably eighteen (18) months."

Eddy: "So, step one is to perform the study and who's involved in the study?"

Hannig: "I think that Tenaska would hire a private company, probably like a General Electric, someone who has expertise in the field that could do a detailed study and come up with hard costs."

Eddy: "So, the folks whose interest it is to have this funded get to provide the rates from their own study?"

Hannig: "Well, Representative, if they come back with a study two things are going to happen. We're going to say 'yes' if we think it makes sense and then hold them to that or we're going to simply say 'no'... that these rates are..."

Eddy: "I understand that, but the study itself needs to be independent in nature and my point about the study is and I'm wondering is there a safeguard to make sure that the study is independent and doesn't point to a rate that we're going to like and the very folks who'd like to have this Bill were the ones in charge of the study. Of course they're going to come back with a rate that we're going to say 'yes' to if there's nothing in the study process that's independent of nature. I guess that's what I'm asking. Is there... are there safeguards?"

Hannig: "The point... the point is that we would hold them to that number. When they come back and say they can do it at

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sixty-five dollars (\$65) a kilowatt hour, then we say, good, do it. We'll..."

Eddy: "How do you do that?"

Hannig: "You can... you can..."

Eddy: "Along the way, once we've approved it..."

Hannig: "...you can put it in the statute, Representative."

Eddy: "Once we've approved it based on the rate then there are additional safeguards to stop them if that rate and how... how..."

Hannig: "Representative, I would... I would... first of all, nothing happens unless... until they come back. But I would anticipate, as I said, if we... if we do want to say 'yes', if we think it makes sense to say 'yes', then we would lock that rate in to legislation. They have to have a piece of legislation to go forward beyond that."

Eddy: "Would... would you anticipate..."

Hannig: "They can't simply put it on our desk and say, we're done now; we're going to start building."

Eddy: "Would you... would you anticipate that the rate will increase in order to allow for the construction of a... a clean coal power plant with the type of sequestration operation? Would you think there's going to be a increase?"

Hannig: "Well, here's... here's one of the things that are working with this... in this Bill. Representative, in the power holdings plant they also want to sequester. In this plant they could sequester and in a third plant in Indiana, they're planning to sequester. Those three create a

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critical amount where now we have enough that we could actually create a pipeline and actually sell the product."

Eddy: "I understand. My question though is, wouldn't you anticipate there will be a rate increase that will be needed in order to capitalize that type of a project? And here... here's..."

Hannig: "Those are the kind of things that we would see in the study and that we would have to say 'yes' or 'no' to. Again, if they come in and say, well, we can do this, but it's going to be double the going rate, we're going to all say 'no'."

Eddy: "Well, there has to be some increase, though. That's the purpose of this is... is to figure out what the increase is going to be in order to pay for the plant or the..."

Hannig: "So, Representative, even if this plant were to be built, it'd be less than 2 percent of all the electricity produced in the state."

Eddy: "Well, I understand."

Hannig: "But nevertheless, I understand your point and that's the judgment call that we would have to make, Representative."

Eddy: "I... Okay. And I've got about a half a minute left, so there's a couple things. And I appreciate your answers and I know this is a little more compli... but for school districts across the state, rate increases of any kind to fund or to capitalize or to provide the investment necessary for a company to later profit from the investment, it doesn't seem right that rate increases and private residential families and school districts are going

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to have to pay additional money in order for someone in an industry who makes record profits to be able to build something instead of them making the investment themselves. I'm concerned about what a rate increase will do to school districts at the time they're paying more in diesel costs. It concerns me..."

Speaker Lyons: "Representative Eddy, could you conclude your remarks, please?"

Eddy: "Thank... thank you, Speaker. I... I just want to make the point that somebody is going to pay for this. And I'm not sure why it has to be ratepayers when we were so concerned a year ago about making sure rates were held and now we're going... we're going to study how much the increase is going to be on folks and school districts and other business people to help pay for something that should stand on its own merit. Thank you."

Speaker Lyons: "The Chair recognizes the Gentleman from Cook, Representative McCarthy."

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

Speaker Lyons: "Sponsor yields."

McCarthy: "Following up on my colleague from the other side's question. The cost, how much is the study going to cost and where does that money come from?"

Hannig: "Representative, we think it will probably cost in the twelve to eighteen million dollar (\$12,000,000-\$18,000,000) range and we have a... we have a fund here at the State of Illinois, the Clean Coal Development Fund. The purpose of that... of that fund is to try to find projects that make sense that could help spur economic development in the coal

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fields of Illinois. And that fund is... would be a place... one place where this company might... might ask for some help to try to get their study done."

McCarthy: "There's a big head... I know... So..."

Hannig: "So, that's the purpose of why we have this fund and so, I would say that if they would go and ask this fund, it would be... it would make eminent sense to me that they should be given some help."

McCarthy: "Okay. That would make sense to me, too."

Hannig: "But we're not guaranteeing that."

McCarthy: "Is there anything in the legislation that says it would never be more than eighteen million dollars (\$18,000,000) out of that fund? Or do you have an idea of what the... the total in that fund is today?"

Hannig: "So... I do know that some of that money was swept out for the RTA earlier in the year when we had a crisis up north and that's okay, I think, as long as we understand that we do need some help down in the southern part of the state from time to time..."

McCarthy: "I agree. I didn't want it swept for the RTA, either. I voted against that. So... but is there..."

Hannig: "So, this..."

McCarthy: "...fifteen million dollars (\$15,000,000) in there? That was the approximate."

Hannig: "All I'm saying, Representative, is it cost twelve to eighteen million (12,000,000-18,000,000). There's no guarantee that the state will give them a dime, but I would say that we ought to give them some help. But this law does not... this Bill does not require it."

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McCarthy: "Okay. My concern is for the ratepayers like Representative Eddy."

Hannig: "Right."

McCarthy: "So, you're saying that there is absolutely no way in that first two (2) years before they come back to us that this could affect the ratepayers of the state?"

Hannig: "That's correct, Representative. They'll be... they'll be no electricity being made 'til at least 2015 that could cost anybody anything."

McCarthy: "And so if this... if this group of people that are doing the building of the plant or doing the testing..."

Hannig: "They'd have to do the study first."

McCarthy: "Okay. If they go beyond the study of their own volition, who is responsible for that cost, the Clean Coal Fund..."

Hannig: "They're... they're... they're actually..."

McCarthy: "...or them themselves?"

Hannig: "Representative, they're actually responsible for all the costs. It's probably twelve to eighteen million (12,000,000-18,000,000) and I simply said that they could go to the State of Illinois and ask for help. I didn't mean to imply that this Bill gave them a dime, it does not."

McCarthy: "Okay. In this... in this Bill today, as written today, has nothing in it that talks about power contracts going into the future, that some of our utilities would have to enter a power contract. That would all be decided after the two (2) years of study is done and then it would come back here."

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Hannig: "It's... it'd set up a framework for pow... it would set up a framework for power contracts into the future if we would authorize this type of activity when they come back in, say, eighteen (18) months. But if we say 'no', that's the end of that."

McCarthy: " So, at the end of that time, if we came back and we said, yes, it's a little bit more costly, but it's within a frame that we feel is acceptable because it's doing a good thing environmentally. We could approve it at that time and then we would ask those companies to kind of do like the retail rate law from twelve (12) years ago to pay a little bit more than what the market... they should get because we're getting the environmental benefit. Is that the..."

Hannig: "It would be along the lines of what we do with windmills, what we do with solar power where we would say it's a... it's a new technology, it's in its infancy. This is time that probably we ought to try to give it a little bit of a government push to try to get a couple of these up and running so that then the rest of the industry will come in."

McCarthy: "And is there... is there something in the legislation that says sequestration has to be part of the... the pilot study? They have to come back to us and say it's going to work or not."

Hannig: "The answer's 'yes'."

McCarthy: "And you mentioned there were three (3) or four (4) places in the United States today that are using this kind of technology. Could you give me an example of one or two

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of them because I have an article from the New York Times from yesterday saying none of them are currently moving forward at this time."

Hannig: "I have to say that in a testimony today in committee it was... it was reported that there were two (2) or three (3) of those and I think it was reported that at least one of them was in Indiana, but Representative, I'm simply repeating what I heard in the testimony this morning from the Attorney General's Office."

McCarthy: "We can say we know that there are... this will not affect any ratepayer in this state for the next two (2) years at a minimum or... or until they came back sooner saying, hey, this stuff's going to work. They might come back before the two (2) years is up..."

Hannig: "Right."

McCarthy: "...or do they have to wait two (2) years before they come back here?"

Hannig: "Well, whenever they get their study done, but we figure that will be at least a year and probably closer to two (2). But when they come back with their study, then they make a presentation to us and that's when we say 'yes' or 'no'."

McCarthy: "Okay."

Hannig: "We say 'no', the game's over; if we say 'yes', then we negotiate with them on that price that they've determined..."

Speaker Lyons: "Representative McCarthy, your time limit is up. Ladies and Gentlemen, if could have a little quiet on the floor. It's very hard for the people to have a conversation with the noise level. Can we please bring the

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conversations down. Thank you. Representative McCarthy, you have a minute to conclude your questions, please."

McCarthy: "I appreciate that. The last thing and it did take a little bit extra because of the noise in here. But when they make these contracts for buying of the power after the two-year study, if we decide to do that, is there any way that a company that provides electricity to people from another grid that is not located where this plant is built so that that utility company could get nothing as far as any electrical energy from that... that plant into the future is going to be pouring it into a different grid... is there any chance that the company that's not getting any electricity from that plant, the people who buy their electricity from that company could end up paying a little bit higher rates if we approved it in two (2) years?"

Hannig: "Well, Representative, I think the grid in Illinois is connected. I know, for example, I have a plant already in my district built by Commonwealth Edison some years ago, now it's owned by Dominion..."

McCarthy: "There are two (2) power plants in the thing."

Hannig: "Yeah."

McCarthy: "There's one that serves the northern part of the state where ComEd is the main... well, provider of electricity..."

Hannig: "...I think... I think they're interchangeable."

McCarthy: "...and there's one in the bottom part of the state where this one would be located, isn't that right?"

Hannig: "This one would be located in the southern part of the state, yes."

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McCarthy: "So, there is a chance that down the road ComEd ratepayers could pay for something that they'll never see an ounce of electricity provided for?"

Hannig: "I... I think that the electricity on the grid, Representative, is sort of like... like water in a pipe. I mean, it can come from different places, but it... it's water and we all use it and... and it comes from wherever, but we have to have enough people putting power on the grid."

McCarthy: "Right. But... but the grid that your stuff comes from is your pool of water. You take out of that and your companies put into that."

Hannig: "No, I... I don't..."

McCarthy: "And your generators put into that, but generators don't normally transfer their generation into another pool that's not in their geographic area. So, all I would say is that, to the people of the House..."

Speaker Lyons: "Representative McCarthy, please."

McCarthy: "...I would be very, very careful on this because as a ComEd ratepayer, the McCarthy household, I'm very leery of paying for something that we're never going to get an ounce of electricity out of, even if it is very successful. If it was just a study, that fifteen million dollars (\$15,000,000), I think, is a wise investment out of that Clean Coal Fund. If sequestration was going to work, that would be wonderful that it'd be Illinois coal that it worked on first. But then going into the future and having ComEd ratepayers pay for something they're getting no electricity from doesn't seem fair to me."

Speaker Lyons: "Representative McCarthy, I gave you a minute..."

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McCarthy: "Thank you."

Speaker Lyons: "...not 5 minutes. Thank you. Representative Carolyn Krause, 5..."

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

Speaker Lyons: "Sponsor yields."

Krause: "Representative, you are presenting Amendment #2?"

Hannig: "Yes, Representative."

Krause: "That's what this is."

Hannig: "That's correct."

Krause: "And I know Ameren just said to me that they are opposed to this. What was the basis for pulling out what is called that safe harbor provision? What was the basis for denying and pulling that out of the Bill so it's not in Amendment 2? I don't want to use up a lot of time, but their objection is is that..."

Hannig: "Yeah. Representative, I think all we did with the second Amendment, after the committee hearing, I think Representative Winters made some statements about a lack of oversight in his opinion. We tried to impose some additional oversight between Tenaska and the utility company."

Krause: "I... I think you better, if you could, take a look at that because my understanding is that provision has been removed. So, let's go back and take a look at that in Amendment #2 on page 21, Section (b), was removed, if you could. Does this legislation, Representative, provide that these contracts are to be entered into within sixty (60) days of the effective date?"

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Hannig: "It would provide that contracts would be negotiated, but there obviously will be no electricity..."

Krause: "I understand that, but they are to..."

Hannig: "...that would be made until 2015."

Krause: "Okay. But they are to be negotiated within a basic of sixty (60) days from the date... the effective date of this contract, is what this provides for."

Hannig: "So... so, we're trying to contemplate a situation where the company would try to show to potential investors..."

Krause: "Well..."

Hannig: "...and people who would loan money that the State of Illinois, based upon a study that will come in later is serious about these... this project."

Krause: "But... but..."

Hannig: "But Representative, as I said earlier, we could... they could enter into contracts, but there's no power..."

Krause: "It might be, but..."

Hannig: "...that will be produced until 2015."

Krause: "...but don't you think it's of a concern to have a provision in the law that someone has to enter into a contract within sixty (60) days? That has to mean something when a plant may not be online for over seven (7) years."

Hannig: "Right."

Krause: "I think that is of a concern. There should be no reason to enter..."

Hannig: "We're trying..."

Krause: "...to enter into contracts."

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Hannig: "...we're trying to just establish the intent of the Legislature to say that if we approve... if we approve of this in a year and a half or two (2), that they'll be... have their financing in place to go forward."

Krause: "All right. I understand that, but I think that is... is a serious problem in this Bill. To the Bill. Let me say here first to clarify, to let it be known, that this... the Republican Caucus has always been interested in this issue, has wanted to participate. When in fact, this legislation was not filed until last night, was given to our staff on May 29 and we were made aware by some interest groups about a week or two (2) late... earlier that this matter was pending. On the Bill itself, I rise in opposition to this legislation. This legislation will, in fact, create a rate increase down the line whereby ComEd and Ameren, under this legislation, are required to buy energy from these plants. The utilities in turn will seek full recovery from the ICC and the customers will wind up paying for this cost, and in the ComEd area that comes out to about 70 percent of this cost. You really wonder how utilities can negotiate to get the most favorable contracts whereas this legislation forces them to enter into these contracts. We heard the discussion about the survey or the study which will be entered into, but it would seem that all that we should do is to be... have a study which as it says Tenaska can seek the eighteen million dollars (\$18,000,000) out of the state fund. And I would hope that they would not be able to do so. This is a company with gross operating revenue of 11.6 billion and Forbes has ranked them twenty-six (26) in

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revenue among the four hundred twenty-four (424) largest private companies. The state should not fund this. This document further provides on page 24 a mandate that a minimum of 11.5 percent return be available for Tenaska. But is even what is more interesting is on page 27 of the legislation, that the Illinois Power Authority can take over this plant without any type of a monetary contribution at the end. The effect of which is, is that the ratepayers are going to be paying for this plant, but in the end the State of Illinois is going to wind up owning this plant. At the committee, also, the ARES, the Alternate Retail Electrical Supplies, testified that they also had to comply. They put out.."

Speaker Lyons: "Representative Krause, your 5 minutes is over. If you could finish your remarks in the next 30 seconds, it'd be appreciated."

Krause: "And they also objected as to the negative impact upon them as was the testimony in the committee by the utilities, by all the business groups and by the ARES. Thus we have here a mandate by a pri... that a private company will put on a utility to enter into power purchase contracts that they in turn will seek to have from their customers to pay for this and that in the end this power plant will wind up being owned by the state. There is no basis for this legislation. There is no conceivable reason to support this. And everyone really should take a look at this. And I urge a 'no' vote."

Speaker Lyons: "Ladies and Gentlemen of the chamber, I have thirteen (13) people wanting to speak to this issue. Now,

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if you want to stay here on this Bill, we can do that. I'd appreciate it if some of you would... if you hear your questions or your concerns addressed possibly take your light off. I know it's a very important issue. I'm not trying to downgrade the importance of it, but we could be here a long time. So, with respect to moving the process forward, if your questions are asked by somebody else, possibly you could turn your light off. Representative Bill Mitchell, you're next."

Mitchell, B.: "Thank... thank you, Mr. Speaker. Ladies and Gentlemen of the House, to the Bill. I wanted to... want to commend Representative Hannig. This will be probably the only time I agree with you, today. But this, I think, this plant in Taylorville is in my side of the district, Senator Brady's and our district, and we know, as you know, for Christian and Macon Counties that this could create lots of construction jobs and several hundred permanent jobs. So, I would urge... this Republican certainly supports this Bill and urges an 'aye' vote."

Speaker Lyons: "Representative Dave Winters."

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

Speaker Lyons: "He will."

Winters: "The provisions that deal with the coal gasification plant that's designed to have an artificial natural gas, I understand the provision of this is actually to raise the cap of allowable charges that they can put on that gas?"

Hannig: "I'm sorry. Could you repeat the question?"

Winters: "They're try... you're raising the cap. There was a statutory cap on the artificial natural gas..."

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Hannig: "That's correct."

Winters: "...and we're raising that cap."

Hannig: "So, it's... that's correct. So, we passed the legislation a few years ago and the plant is now, I think, in Representative Granberg's district and he probably could answer the question perhaps better than I. But the point is that because of the cost of construction and because of other costs they've asked us if they could modify the cap but it still is below market value."

Winters: "Well, in other words, this General Assembly has already made a mistake and we have to come back in and fix it because the construction didn't happen as rapidly as possible. If, in fact, this plant is that much more productive and efficient, it could offer gas at two dollars (\$2) per thousand cubic feet cheaper than the regular natural gas market, why should the state be sticking its nose in and telling them what they can sell it for? If they're cheaper, let them sell it at whatever price they can. Another example of this General Assembly trying to do more than we're capable of understanding, that should be a job for the ICC not for us. Another provision, the carbon sequestration required I believe... Representative Hannig, I believe the carbon sequestration on the artificial natural gas plant, 95 percent carbon sequestration and on the coal plant, the clean coal, about 50 percent is the carbon sequestration. Where is that carbon going to be stored?"

Hannig: "Well, Representative, the thought is that when you combine that with what we... we see going on over in Indiana, we'll now have a critical mass where we'll actually have

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enough that people who need this down in Texas, for example, are looking at ways that we could get it to Texas. It's interesting that Tenaska has a plant down in Texas where they actually sequester coal... or sequester the CO2 and it's put into a pipeline that comes all the way from Colorado so that they can use the SO2 for the purposes of trying to get additional oil out of these oil fields that are otherwise considered to be..."

Winters: "I believe we had testimony this morning that we were talking about piping this to the Gulf of Mexico and using it for oil... enhanced oil recovery in the Gulf of Mexico's fields. The question I have, I would assume that the cost of that carbon sequestration will be borne by the ratepayers of Ameren and ComEd. Is that a fair statement?"

Hannig: "Representative, if they can't meet the sequestrations and they can't do it at a price that we believe that the Tenaska plant makes sense, we'll simply say 'no'."

Winters: "Okay. So, that goes into the questions I have on the study and Representative Eddy addressed this to some extent. But you're asking us to force our utilities in this state to sign contracts within sixty (60) days of this Bill taking effect that will obligate them and their ratepayers to pay for this energy in the future, when the study to show the cost of this hasn't yet been done. Now, that's kind of like offering a contract with one hand and at the same time you've got a 45 revolver pointing at the... at the negotiating party that you want to sign a contract with and say, sign it, you got sixty (60) days or I pull the trigger. I can't believe that this General Assembly

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thinks that's the way the procedure should work. Let's fire then we'll aim and that's what this Bill is doing. It's got it completely backwards. Fine. If you want to subsidize this study to prove that this technology will work, do the economic analysis of it, find out what the cost is going to be. Great. At that point you move forward and you start negotiating contracts, you go to the market, you sell your bonds and then you build a plant. You don't force the contracts first and then turn around at the end of the process, find out it's uneconomic, well, we'll just tear those contracts up. Absolutely insane. This is a rate base increase. I cannot believe that this General Assembly is trying to take this on and the statement has been made, if the study is wrong, they come back to the General Assembly. We are not experts. The ICC is used to the rate base case studies; they're the ones that should be made responsible for monitoring this. This is not the right time and the right process, the right procedure, to move forward. And in the case that this receives a majority, I would ask for a verification."

Speaker Lyons: "Your request for a verification is so noted, Representative. Representative Bob Flider."

Flider: "Thank you, Mr. Speaker. The Sponsor yield?"

Speaker Lyons: "Sponsor yields."

Flider: "Yes. Representative, I know that this was... there was a version of this passed last year in the Senate, passed unanimously, had no consumer protections whatsoever, pretty much would have allowed the company that's building these units to charge whatever they want, and utilities would

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have had to buy that, pass it on to consumers and they'd have been profitable and everybody in their company would be happy, but consumers would have actually had to pay a possibly much higher rate than they otherwise would have as a result of the reverse auction. So, with this legislation, my understanding is, you've put in some consumer protections, worked very hard for the last year. I wonder if you could outline a few of those."

Hannig: "That's correct, Representative. We worked with the Attorney General's Office to try to ensure that the ratepayers are given the best deal possible. We made sure of that by first putting into the law that this is going to be a study. That we have to have them do their study before anything can really happen and they have to come back to us with those numbers and tell us what they believe that they can make a electricity for and we will either say 'yes' or 'no'. And if we say 'yes', we can hold them to that... we will hold them to that number. So, it seems to me that this is an opportunity for Illinois coal, for Illinois jobs and there's no downside that I can see because we reserve the right to say 'no' in the future once we find out for sure what the true numbers are."

Flider: "Now, in our testimony that we heard this morning, there was discussion about whether there is actually any generation... base-load generation being planned in the State of Illinois at this time. Are you aware of that testi... Do you recall that testimony?"

Hannig: " I... I think, you know, that was a good point that I think you made, Representative, in committee. We know that

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there's a number of old coal plants in the State of Illinois that because of their age and because of the Federal Laws that are likely to come along in the future, they're going to go offline, they're going to be done. So, the question becomes, you know, what determines the rate when those baseline coal plants go offline? We need to have new coal plants come online in order to replace them or the determination becomes the price of natural gas and the peakers. And it seems to me that we know that you aren't going to get anymore air permits to build pulverized coal plants in the State of Illinois. This is the technology that you'll now have to use if you want to build a plant in Illinois that burns Illinois coal. And it seems to me that this is the kind of thing that we in Illinois need to be trying to promote so that we can see the coal that lies before... beneath our feet used in a way that's burned cleanly, produces electricity, produces jobs, produces tax base for us and does so in a way that doesn't cost the consumers anything more than a normal kind of coal plant."

Flider: "And you know one of the things that's really frustrating is since we do not have any base load generation plant right now and there is talk about some nuclear units, but we know that those would be built by utility holding companies... utility holding company-owned generating companies, nonregulated. If those nuclear units are built to produce electricity, we know that none of that electricity will necessarily be have to be sold to residents of Illinois. So, you know, first of all we don't

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have any generation being built. Secondly, we talk... we hear about nuclear generation, but there's no guarantee that that would have to go Illinois consumers. And thirdly, if there's no generation being planned, whether it's nuclear or whether it's coal or Illinois coal or otherwise, we as a state will be hurting from an economic development standpoint. How in the world will we attract businesses to this state if nobody's building power plants? Now, if we're going to build power plants and we have millions of tons and BTUs of Illinois coal in the ground, why in the world not take advantage of that; and number 1, use that Illinois coal and number 2, build some power plants so we can attract some good manufacturing jobs to this state. Right now, we've got nothing planned and people need to realize that. And the utilities are against this because they are shilling for their unregulated generating companies. They want to sell all the power; they want to build the power plants, but you know what, they don't have any plans. This is an important Bill; this is a good Bill. This needs to pass this General Assembly. We need to get this going and at the same time we know, Representative, you've done such a great job of negotiating this, there's no guarantees that we will make sure that they... that utility customers will have to buy high-priced power or priced... or power that's priced too high because you've built into this a guarantee that we will examine that price. So, I commend you for this legislation. I think it's a great job and a good Bill."

Speaker Lyons: "Representative Granberg."

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

Speaker Lyons: "Sponsor yields."

Granberg: "Representative Hannig, I want to continue briefly along the line that Representative McCarthy was addressing. And Representative McCarthy said there would be no rate increase and you said... you were in agreement. There is no rate increase pending the study. Is there any other alternative way that there can be a rate increase? That is, could they go before the Commerce Commission and seek a rate increase before the Illinois Commerce Commission?"

Hannig: "The... the Tenaska plant?"

Granberg: "Tenaska."

Hannig: "No, Representative. They have to... this is locked down. They have to come to us and ask for our approval and until a plant is built, clearly you can't raise the rates."

Granberg: "So, again, I know... I don't want to be redundant, but there is no rate increase in this legislation."

Hannig: "This... this legislation simply allows for a study to determine if it makes sense in Taylorville, Illinois, to build a clean coal technology power plant to create Illinois jobs, to use Illinois coal, and to produce efficient electricity in the State of Illinois. Increase that baseline... the base load."

Granberg: "Base-load generation. And in fact, Tenaska, the company itself, would contribute financially to this study."

Hannig: "Oh, absolutely. In fact, there's nothing in the Bill that says that the State of Illinois has to pay for the study. Tenaska is on the hook for those costs. I say that

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they ought to go talk to the clean coal people, but the fact is that they have to find the money themselves."

Granberg: "And if that study comes back two (2) years from now and this Body and the Senate desires to move forward and we could also address Kevin McCarthy's concerns then, we could limit using our grid with that legislation. I don't think it'd be volitive of the Illinois... or the Interstate Commerce Clause."

Hannig: "Yeah. We could limit, Representative, in any way we felt it was appropriate. I mean, that would be up to us to decide at that time."

Granberg: "All right. So, we could actually limit this company. They would have to or could be required to transfixt... deliver their energy, in state. And then, Representative Hannig, in regard to power holdings that I had done a few years ago, when we did that we put a cap in on energy, I think, of five... five dollars and fifty cents (\$5.50) per thousand cubic feet. What is the limit in this legislation?"

Hannig: "Pardon me?"

Granberg: "What is the cap in this legislation that power holdings can charge for synthetic natural gas?"

Hannig: "I think it's seven dollars and ninety-five cents (\$7.95) per..."

Granberg: "Per thousand cubic feet."

Hannig: "And it can't get anymore than eight ninety-five (8.95) over the whole period of the contract, Representative."

Granberg: "Well, to the Bill, Mr. Speaker. I want to commend the Sponsor for this piece of legislation. Ladies and

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Gentlemen, if you look at all the factors involved with this Bill, I did the power holdings legislation a few years ago, at that time natural gas per thousand cubic feet was eight dollars (\$8). We had in the Bill they could only charge up to five dollars and fifty cents (\$5.50). In today's market, it's thirteen fifty (13.50) per thousand cubic feet. They would be limited to charging seven fifty (7.50) per thousand cubic feet. This is a consumer-friendly piece of legislation in regard to power holdings because you're going to provide generation... provide energy that's proconsumer, below market rates, and you're going to do it in an environmentally friendly manner. Similarly, with Tenaska, it's the same thing. You're going to increase base-load generation and with additional generation delivered, that drives down the price because of the market forces involved. So, you're going to have cheaper electricity, environmentally friendly, and you create Illinois jobs. There is no downside to this legislation. And I would strongly encourage you to vote in favor of this Bill."

Speaker Lyons: "The Gentleman from Peoria, Representative David Leitch."

Leitch: "Thank you very much, Mr. Speaker. Will the Gentleman yield?"

Speaker Lyons: "Gentleman yields."

Leitch: "If the power... Illinois Power Agency is going to wind up, in effect, owning this facility down the road, why aren't they paying for the study?"

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Hannig: "The Illinois Power Authority? It's a state agency, Representative. Is that what you mean?"

Leitch: "Yes."

Hannig: "Why is the Illinois Power Authority not paying for the study?"

Leitch: "Yeah."

Hannig: "Well, Representative, we thought that the Tenaska people should pay for the study."

Leitch: "I thought you said the bond funds were being... state bond funds were being used for the study?"

Hannig: "I would contemplate they would go and ask, Representative, but there's no guarantee in this legislation that says that they'll get the money."

Leitch: "So, the people who would wind up getting our resources are the ones doing the study?"

Hannig: "The study would be done by Tenaska. That is, they would employ someone who has that... that ability. Those..."

Leitch: "Right. So the people... the people who would ultimately get the resources would wind up doing the study. Is there any objective third-party control group or..."

Hannig: "That would be us, Representative. They have to come back..."

Leitch: "We would be doing..."

Hannig: "Yes. They have to come back to us before they can build a plant. So, they can bring this study to us and we can criticize it, we can examine it, we can say that the costs are too high, we can deny them for any reason. It'll... they come to us before they can go forward and lay... before they can lay one brick in Christian County..."

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Leitch: "So... so the..."

Hannig: "...they have to come back to the Legislature with the study..."

Leitch: "...the... the experts here in the General Assembly would challenge those experts from this private company."

Hannig: "Well, Representative, sometimes the Commerce Commission does a good job and sometimes some people would say maybe not so good."

Leitch: "Well, every single member of the..."

Hannig: "I'm... I'm happy with the idea we do it."

Leitch: "...every single member of the Commerce Commission was opposed to the deregulation of electricity, but it seemed to happen here anyway ten (10) years ago. And I had to laugh as a previous Member was talking about all the benefits to consumers that resulted as a result of that debacle ten (10) years ago. Has this technology been proven or used in any other place in the country?"

Hannig: "Representative, I was at the hearing this morning as were you and it was... it was represented to us that it... that it was, but I have to tell you that I couldn't name the sites. I think that... that the lady at the hearing said that there was three (3) other places in the United States or four including one in Indiana, but I would... I would only suggest that I'm repeating what was stated in the hearing this morning by someone who I believe to be a very knowledgeable person in this field."

Leitch: "Well, with respect to that Indiana plant, that plant was originally projected to be one and a half billion

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(1,500,000,000) and it's now up over 2.3 billion (2,300,000,000). Is that not the case?"

Hannig: "I... I simply don't know, Representative, but I do know in this case..."

Leitch: "Well, let me assure you that it is the case and that..."

Hannig: "...and so..."

Leitch: "...the cost overruns there have been extraordinary."

Hannig: "So, in this case if the power company agreed to a price and they couldn't meet it, I mean, that's their tough luck. They... they have to come back to us and say this is the price that we can produce power at and make... and make the case and we say 'yes' or 'no'."

Leitch: "I guess to me the most startling statement was in committee this morning was from the Attorney General's representative who's an advocate for this legislation who actually told our committee that this measure was a means by which the business community could pay its fair share to reducing... reducing carbon and by that implying that the rates and thereby confirming what the business community was saying, that the rates envisioned under this scheme would radically increase the cost of doing business for them in Illinois."

Hannig: "Well, Representative..."

Leitch: "Why would we want to go down a path that's going to increase the rates for the business community and no doubt down the road, the consumer?"

Hannig: "Well, Representative, this is first of all something that we will have to say 'yes' to or it simply will not happen. Not 'yes' today. If we say 'yes' today, we simply

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say they can begin the process of trying to pull this together. But they have to come back in about a year and a half or so and show us some hard numbers, what it would cost to build and how much it will cost to produce electricity. It seems to me that for those of us who represent parts of the state where we have coal and for all of us who understand that we have to have..."

Speaker Lyons: "Representative, your 5 minutes is up. If you can conclude your remarks in 30 seconds, would be appreciated."

Leitch: "Thank you, Mr. Speaker. I think that this is a very, very important issue. What could be more important to our country and state than energy and I guess that's why I'm disappointed that something as important as this issue and of this magnitude would show up on the last day of the Session for all practical purposes. And that we're considering a second Amendment now, we considered a first Amendment in committee. So, I would suggest that this requires a lot more time and study before we start spending money on a study to be conducted by the people who had benefit from the results of this study. This is a... may or may not be a good idea, but I would vote 'no' today and urge that we continue to look at this measure. Thank you."

Speaker Lyons: "Representative Dan Reitz."

Reitz: "Thank you, Mr. Speaker. I had some concerns. I think this is a good Bill. I think it moves in the right direction. It needs some work before we get done, but I did have one. In Amendment #1, there are some of the utilities that were previously neutral that had a Section

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in there, Section (b), that deemed that a utility would have complied with this item if their clean coal portfolio was full. And is it your intent to try and clarify that sometime in the future?"

Hannig: "Yes. Thank you, Representative Reitz. The second Amendment was substantially similar to what we had in committee, the first Amendment. Representative Winters had made some... some requests for some additional oversight and we had some meetings with Commonwealth Edison. As I said earlier in my remarks, we tried and tried and tried to reach an agreement with the company, but they simply were unable or unwilling perhaps, is the better statement, unwilling to work with us on this Bill. So, this second Amendment represents some language that Commonwealth Edison spoke to us about that coincided with Representative Winters, but it by no means, I don't believe because it came from a utility company, was in any way, shape, or form detrimental to any other utility company that exists in the State of Illinois or operates in the State of Illinois. It certainly would not be my intention to harm any other utilities and in fact as I said, the language was something that was worked out with... with Commonwealth, even though they still fail to come onboard. So, I would simply say to anyone who believes that the second Amendment or even the first Amendment causes some difficulty for any utility company in the State of Illinois, we will continue to work with them. This study will take at least a year and a half and it would, certainly during that time, we will not... it cannot require anyone to buy clean Illinois coal because

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none exists today and the likelihood is that none will exist 'til at least 2015. That's probably the earliest date you could see the Tenaska plant come online. This plan already has a clean air permit and so they're further down the line than any other plant would be and still 2015 is the most optimistic date for them. So, do we have time to work through some of these smaller details? Absolutely, we have a lot of time. But if they don't come in with the study that says that we can do it, that'll be the end of the Tenaska plant."

Reitz: "Thank you. To the Bill. I believe they've worked hard on this Bill. These are two (2) great projects to help burn Illinois coal... help burn Illinois coal cleanly. And as the Sponsor said numerous times, the Tenaska plant will have to come back to us to do this. This allows coal to be a part of a clean fuel portfolio for the utilities. I think it's great for the State of Illinois. And it was said, there's thousands of jobs that... that depend on this and I think it's incumbent on us to move this Bill through, try to move the process through and continue to work on this. And I'd appreciate an 'aye' vote."

Speaker Lyons: "Representative Suzie Bassi."

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

Speaker Lyons: "Yes, he will."

Bassi: "Representative, I wanted to just ask a couple questions about the study. You were saying that the study would cost somewhere between twelve and eighteen million dollars (\$12,000,000 and \$18,000,000)... that the study would cost

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between twelve and eighteen million dollars (\$12,000,000 and \$18,000,000)?"

Hannig: "That's my best estimate, Representative."

Bassi: "And... and will... did you have something specific that was going to fund the study?"

Hannig: "Representative, I thought that there is a program that's in existence here in the State of Illinois already, that's been in existence for a number of years that tries to promote Illinois coal. It would..."

Bassi: "Would that be the Coal Development Fund?"

Hannig: "That's correct. And it would seem to me..."

Bassi: "But... but my recollection is that the Governor swept that fund last year."

Hannig: "Yeah. I think I read something like that as well..."

Bassi: "Oh, okay."

Hannig: "...but it seems..."

Bassi: "I was just... I was just checking. Thank you."

Speaker Lyons: "Representative George Scully."

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

Speaker Lyons: "...the Bill, George."

Scully: "Ladies and Gentlemen, as the chairman of the Electricity Utility Oversight Committee that heard the... this Amendment in committee this morning, I want to state my support for the Bill. I think the State of Illinois... I don't have any great insight to shed on this Bill other than the questions and the answers that have already been given other than to tell you that from my experience in working on this project, it is necessary for the State of Illinois to step forward and take the initiative for

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cutting edge technology. Whenever cutting edge technology is going to be achieved, it's going to be necessary for those public entities that have a strong vested interest in the success of that technology to be at the front of that technology. The State of Illinois is such an entity that has a strong vested interest in the development of clean solutions for the use of this very valuable indigenous resource to the State of Illinois, the high sulfur coal. I think this is an excellent solution and a very good way to proceed towards this long-term goal. If the goals are not achieved, we'll have the opportunity in approximately eighteen (18) months to two (2) years when the study comes back to take a look at what is the estimated price. If that estimated price requires that we ask the people of the State of Illinois to pay a premium, we'll be able to assess whether that is a small premium for good public policy or a high premium. We'll be able to estimate on cents per kilowatt hour what that premium is going to be, but unless this study is conducted, we will never get to that second question. Again, I want to state my support for this Bill and I want to thank Mr. Hannig for bringing this to the House."

Speaker Lyons: "Representative Mike Fortner."

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

Speaker Lyons: "The Sponsor yields."

Fortner: "Well, first of all, from my point of view, I'm actually very optimistic about this type of technology. I was a strong supporter of the FutureGen project. I'm also personally optimistic that the study will show that this

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technology will pay the kind of dividends in the long run. However, some of the other questions that have been raised actually have raised some questions of my own. I would like to see... make sure I understand what some of the impact might be. Now, as I understand, at the end of this or near the end of the thirty-year contract, the Illinois Power Agency would have the opportunity to acquire this facility without any cost. Is that... is that correct?"

Hannig: "That's correct, Representative."

Fortner: "And... In some sense, it seems to me that this is a mechanism that we've created to cre... so that the power agency could acquire a plant. Last year we discussed, as we did the legislation to create the power agency, the ability for that power agency to own and operate plants and this looks to me like this is a mechanism towards that goal. Is that a fair assessment?"

Hannig: "Well, Representative, in the Bill that came over from the Senate, I think even before we started dealing with the Illinois Power Authority, that language was in that Bill as well. So, this is something I think that the Tenaska people contemplated from the very beginning. So, it does dovetail I suppose with the Illinois Power Authority, but I don't know that they... that they thought of it for that purpose."

Fortner: "Okay. That's certainly the way it feels to me in the context of the Bill as you're presenting it today and obviously, we have the power agency... the power agency has an integral role in the form of the Bill that you've written. I guess the one concern I have is that normally

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if a unit of government in this state were to be trying to add a new piece of public works to aid one of its agencies we'd like to see some transparency so that the people who are paying for it, there'd be marked to a special service area, a surcharge on a utility fee, whatever, that there was some mechanism for them to understand that. And I guess my concern in this is by the way the contract is structured we lose that transparency so that we have something that's like a lease-to-own program potentially for the state, but the ratepayer isn't going to be able to transparently see that this premium might be able to eventually apply that way. So, to me, it looks like we're hiding the cost. And I just wanted to get a reaction to that."

Hannig: "So, I think, Representative, this was... this was in the Bill when it was contemplated and came over from the Senate, actually in a bit different form. Once the State of Illinois would get ownership of this plant, it would still have some useful life and I think that we could probably sell it or we could lease it to someone and certainly the ratepayers could benefit."

Fortner: "I don't disagree with your assessment that at the end of the contract period that that could well be the case. I'm more concerned that during the contract life, that to me it would have been clearer to the ratepayer that if we found through the study that there was going prem... be a premium and it was in the Legislature's interest from a point of view of public policy, that this was a good way to go forward that that premium were a little more

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transparently presented in the form of that increase in rates."

Hannig: "Well, Representative, in the end, they have to present us with a figure, after the study's done, which shows what it does cost to produce electricity from their plant. If they inflate that price too high for whatever reason, we're going to say 'no'. So, I think they have an incentive..."

Fortner: "I understand."

Hannig: "...to not put a big premium on anything."

Fortner: "But what I'm saying is that in the case where we find that it's not too high, that it's a reasonable price, but it's higher than market price, which certainly could be the case, that the consumer recognize that what we really would have is a mechanism whereby they're paying a premium so that the state can do this public policy towards the end at the end of the thirty (30) years to acquire an asset that would be for the benefit of the people of the State of Illinois."

Hannig: "So, I would say that when we come back in two (2) years and if we decide that, indeed, we want to do this plant, that your idea should be something that we contemplate, Representative, as we structure the potential plan..."

Speaker Lyons: "Representative, your time is up. Conclude your questions in the next 30 seconds, please."

Fortner: "I really appreciate the response. Certainly that is something that I would feel very strongly about that if we go forward that there would have to be a mechanism to make sure that the public understands that the premium is really

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being directed towards the acquisition of this asset, 'cause I'm very concerned about what seems to be a problem with transparency in that respect in the way this Bill is constructed. Thank you."

Speaker Lyons: "Ladies and Gentlemen, we have two (2) speakers left and then Gary Hannig to close. Representative Bill Black."

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

Speaker Lyons: "He yields."

Black: "Representative, is... anywhere in the world is there a clean coal technology plant in operation?"

Hannig: "Representative, it was reported today that there are some coal gasification plants that are in operation and I've read where there are some, perhaps, along these lines in Europe, but I'll be honest and say that I'm not an expert in the field, Representative."

Black: "Is there any... any place in the world where carbon sequestration is working, where we could go see it? I've seen the drawings..."

Hannig: "I..."

Black: "...I've heard the wonderful reports, but I don't think that technology is operating anywhere in the world."

Hannig: "I've been told by one of my great advisors back here that in North Dakota they have a plant where they sequester some and I know that Tenaska..."

Black: "Where... where is that plant and who operates it?"

Hannig: "Okay. He said that they use synthetic natural gas and I know that Tenas..."

Black: "So, that is not carbon sequestration."

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Hannig: "Okay. I... I apologize, Representative Black."

Black: "All right. Let..."

Hannig: "I do know that Tenaska is building a plant in Texas where they'll capture the CO2 for the purposes of putting it in a pipeline."

Black: "They are building it, but it isn't built and it isn't operating, correct?"

Hannig: "You're correct, Representative."

Black: "All right. So, this technology that everybody is talking about doesn't exist anywhere in the world so that we could go see it, study it, or have somebody report to us how it works. So, let... let me ask you a question. Under the rate relief Bill passed a couple of years ago, we were supposed to get into a competitive environment and yet this Bill, your Amendment to the Bill, requires a utility to purchase electricity from the clean coal plant, 25 percent, correct?"

Hannig: "But only if we approve the price for this... this, Representative. So, this doesn't say that if they come in and they have a price that's a hundred and fifty dollars (\$150) a kilowatt hour, that they'd get that price. All of us in this room would say, 'no', that's not a reasonable proposal and we're simply not going to allow it."

Black: "But I've heard nothing that says if the price is higher than market, we don't proceed. I've heard some... some..."

Hannig: "It would be up to us, Representative. Even if they came in lower than the market, if it was our view that they shouldn't go forward for whatever reason, we would have that choice."

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Black: "All right. I... I appreciate your honesty. Thank you very much. Ladies and Gentlemen, to the Bill. We're being asked to accept a great deal on faith, on technology that has not yet been demonstrated anywhere in the world. Ladies and Gentlemen, I followed some of these people down a very similar road twelve (12) years ago and many of them proponents of this Bill were proponents of the rate freeze. That worked wonderfully, didn't it? It worked for ten (10) years. Have you forgotten what we went through when that fell off? We were all under attack, as well we should have been, rates went up 20, 25, 30, 35 percent. We wrestled with it for months and where were all of those people who said twelve (12) years ago, this is a good idea. Were they around? I looked around, I didn't see any of them to help me, in fact, some of the very people who are saying this is a great Bill, were the very people in 2005 who said, why'd you do that? And I told a couple of those groups some of us did that because you said a rate freeze would be a good idea. And then they said, oh, you must have misunderstood me. Even though I had the sheet that said, no, you said it was a good idea and now here are the same people asking us to go down a very similar road. Trust us, trust the study. The Speaker of this House just the other day was quoted as saying, 'trust, what trust? There's a lack of trust.' There, indeed, is a lack of trust. The people doing the study are the people who will benefit from making sure the study says, what a great idea. Be very, very careful what we do here. How could you have forgotten the road we all traveled or many of us did a few years ago and then fell

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off the cliff when the rate freeze went away. I don't want to go through that again."

Speaker Lyons: "Representative Lang."

Lang: "Thank you, Mr. Speaker, Ladies and Gentlemen. I rise in support of the Gentleman's Bill. I have noted that most of the people that have spoken have been from downstate Illinois. Last I saw, I was not, so let me give you my perspective which is that coal is an important resource in this state. We've talked a lot on this House Floor during my years here about how important it is and how short we are of energy and how wonderful it would be if we could get that coal out and make it clean and use it. Well, here's a Bill that will do that. It will use that important resource, create energy, create jobs, do it in a way that's safe for the environment and if you take a look at those who support the Bill, these are folks that don't normally get together and support a Bill together. The labor unions, the coal association, the Citizen's Utility Board, the Clean Air Act Task Force, the American Lung Association. This is not a group of people that are just down here banging a drum and are the kind of special interests that are down here just to show up... shove something through the General Assembly. These are folks that have gotten together and worked very hard with Mr. Hannig to put together a Bill that makes some sense for our state. To me, from my prospective, from a statewide prospective, this is an important piece of legislation and it's a piece of legislation that we should make happen today. From my point of view, and I know those that... there

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are many that disagree and I respect your opinion, but from my point of view this is a no-brainer. And I would suggest your 'aye' votes."

Speaker Lyons: "Representative Gary Hannig to close."

Hannig: "Thank you, Mr. Speaker and Members of the House. Let me first simply reiterate that this is a study that will likely take two (2) years that we, the Members of this House and Senate, will have an opportunity to study it and say 'yes' and 'no'. No rates can be increased or decreased unless we say that it makes sense to do so. So, let's put aside the rhetoric that some who are opposed to the Bill are using when they say, well, this is going to raise rates. There's no such thing. This is not going to raise rates. This will simply allow a power plant to be studied and see if it is possible that we can build a clean burning power plant in the State of Illinois that uses union labor to build it and operate it and Illinois coal that could be burned there. Because in my mind this is a Bill that's about jobs and it's about the economy of downstate Illinois. Now, we know that the Illinois coal industry has declined over the years and we know that we face a lot of challenges with Illinois coal as we go forward. We know that we have to sequester and we know that we have to build base load if we intend to try to keep utility rates competitive. And so it seems to me, Ladies and Gentlemen, that this is an opportunity that we can have to try to keep Illinois coal alive, to try to keep the coal industry here in Illinois alive and viable, and to try to keep competition in Illinois from Illinois... with Illinois coal.

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So, it seems to me that this Bill which is supported by labor, which is supported by environmental groups is an effort to try to move forward to address the concerns that we face here in the 21st century. Ladies and Gentlemen of the House, I come to you from someone who represents a working class district where people struggle every day to make ends meet, where we don't have a lot of jobs and we need more jobs, where we're willing to embrace a power plant in our communities with open arms and work as hard as we can to have it built and have it operational. The people that I represent are no different than the people that you represent. They want to have good jobs, they want to have a community that they can live in, they want to have health care and they want to have a safe neighborhood, but they can't have those things if the economy of southern Illinois continues to decline. They can't have those things, Ladies and Gentlemen, if we don't work to try to revive the coal industry. So, this is a study that allows us to at least take that first, small step in reviving the coal industry in southern Illinois. It should be a very painless first step. I simply ask you and I don't walk this floor very often asking people to help me with a project in my district, but I simply ask you, Ladies and Gentlemen of this House, we've all been there, we all know when there's something in our district that we need to have done, we have to work together. So, help me today with something that's very important in my district and to my region and to Illinois coal and to organized labor, help me

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with this Bill by voting 'yes'. I ask for your 'yes' vote."

Speaker Lyons: "Ladies and Gentlemen, there's been a request for a verification. So Members, I'm asking you to please punch your own switch. The question is, 'Should Senate Bill 1987 pass?' All those in favor signify by voting 'yes'; those opposed vote 'no'. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Have all voted who wish? Representative Black and Representative Chapa LaVia. Mr. Clerk, take the record. Representative Hannig."

Hannig: "I request Postponed Consideration."

Speaker Lyons: "Mr. Clerk, put that Bill on Postponed Consideration. Mr. Clerk, Rules Report."

Clerk Bolin: "Representative Currie, Chairperson from the Committee on Rules, to which the following measures were referred, action taken on May 31, 2008, reported the same back with the following recommendation/s: 'direct floor consideration' Floor Amendment #2 and Amendment #3 to House Bill 2093; approval for a Motion to Table Amendments 1 and 2 for Senate Bill 2636; and 'direct floor consideration' for a Motion to Concur with Senate Amendment #1 for House Bill 4668."

Speaker Lyons: "Mr. Clerk, on page 52 of the Calendar, Representative Art Turner has Senate Bill 2275. What's the status of that Bill, Mr. Clerk?"

Clerk Bolin: "Senate Bill 2275 is on the Order of Consideration Postponed."

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Speaker Lyons: "The Chair recognizes the Gentleman from Cook, Representative Art Turner on Senate Bill 2275."

Turner: "Thank you, Mr. Speaker and Ladies and Gentlemen of the Assembly. I bring to you again Senate Bill 2275. 2275, it's legis... a piece of legislation that I say will help fix so many qualities within our juvenile justice system here in the State of Illinois. Basically, what it does is it allows it to... what the Bill does is it raises the age to bring seventeen-year-olds into juvenile courts for misdemeanor offenses. This is misdemeanor offenses only. The effective date of this legislation would be January 1, 2010. Minors charged with a misdemeanor and a felony will be tried in the adult criminal court. There will be a task force created to look at felonies. This Bill also sets up a task force to develop a plan to raise the age for felonies. There is no requirement that these plans will ever be implemented, but the task force will study it. Violent offenses are not covered in this Bill. It has a minimum fiscal impact. I know that there's been a lot of information going around about how much this is going to cost and as I've said in previous remarks, I don't think the cost is an issue here when we talk about dealing with the lives of our young people. This is a very important piece of legislation. Many of us remember when we were seventeen (17). There were things that you did at seventeen (17) that if you were accused of doing at later at twenty-five (25) or thirty (30), you know that that's an entirely different mind that we're working with. Our young people today are inundated with all kinds of stuff on cable

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television. There was a time when I grew up there was only six (6) channels. Now, they have some two hundred and fifty (250) channels to look at all kinds of things to help persuade, influence, and in many cases, put them in the wrong... turn them in the wrong direction. In our last discussion there was debate about how much this is going to cost... I know Kane County was talking about what the cost was going to be there. I understand that the State's Attorneys Office in Cook County has said how much this is going to cost and the number of kids that have been involved in their juvenile justice system in Cook County. But the reality is and my data tells me, that this would mean, in Cook County alone, that there would be a change of one misdemeanor case per day in the juvenile courtrooms. And so this myth about how many more courtrooms they're going to have to create and all of the other figures, I think is just that. More importantly, I think it's important that we look... keep in mind that we're talking about our kids. We're talking about our seventeen-year-olds that, as I said, those kids under eighteen (18) should be dealt with in our juvenile justice court system because that's what that system was set up for. They are much better prepared for dealing with our youth. Kids who are bad, bad kids who commit violent crimes that go out and commit a murder, those kids can be transferred to the adult court right now. And so this does not deal with that hard-core, violent criminal, it's dealing with those juveniles who have committed a misdemeanor. And as I said earlier, this legislation is supported by the Illinois PTA

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Association. According to my records, there was only two hundred and eighty-five (285) seventeen-year-olds that were convicted of a misdemeanor statewide. And so... In our most recent information regarding Cook County, and I can speak on Cook County from the Cook County Sheriff, there's only forty-seven (47) seventeen-year-olds in the... misdemeanors in the system. So, it's not a lot of kids, but I think that it's only fair and it's the right thing to do and I move for the adoption of Senate Bill 2275."

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

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

Speaker Lyons: "Sponsor yields."

Reboletti: "Representative, these... this would cover every misdemeanor, would include domestic battery, would include the misdemeanor of criminal sexual abuse cases, those individuals would be put... be treated as juveniles?"

Turner: "Yes, it would."

Reboletti: "And the traffic offenses, I know, you had... we had talked about this. Are the traffic offenses still covered in there?"

Turner: "Yes, they are."

Reboletti: "And what about the ordinance violations? One of the concerns that have been brought to me is that many municipalities write ordinance violation tickets in lieu of a misdemeanor charge. Would they then have to have a local ordinance violation call in these courts... the juvenile courts?"

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Turner: "Well, let me use this example, Representative. We were talking about the domestic battery case. Right now, it's a Class A misdemeanor and domestic battery would become a Class IV if the defendant has any prior convictions and if there's any great... if there's any great bodily harm, it would automatically be a Class II felony."

Reboletti: "Well, but if it's a simple domestic battery and a seventeen-year-old punched his parent and maybe there's this bruising, that would probably be charged with a Class A misdemeanor and that would stay in the juvenile system?"

Turner: "If he punched his parents, yeah. Depends... depends on how hard and who he hit. If he hit me, it would probably be a misdemeanor. If he hit you, depending on where he hit you, it could probably be an aggravated battery case, but it... it depends on the amount of damage done by the kid."

Reboletti: "But..."

Turner: "But I don't think that, you know, again, if it..."

Reboletti: "Representative, one of the concerns that has been brought to my attention is that a lot of numbers have been bantered about about how many people would really end up in the system, how many people will be placed on probation. One of the things is a general concern about moving all these individuals to the juvenile system is that the probation officers usually still monitor the sentences, even though they may not be sentenced to probation. Is that your understanding?"

Turner: "Yes, it is, Representative."

Reboletti: "And the task force, I'm sure really it's the intent to move felonies to be... to cover seventeen-year-olds, also."

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So, is that really the... is that where this is really going?"

Turner: "It would... it would... That's why we're creating a task force to study the data. I mean, there's as you say..."

Reboletti: "You know..."

Turner: "...listening to state's attorneys and listening to the sheriffs and everybody's got a different set of numbers and you know, it depends on who you talk to around here, it goes from A to Z. And so that's why we're creating a task force to try to do this study ourselves and see what... exactly what are the number of cases, how many are involved and..."

Reboletti: "Representative, I... I do stand ready with Representative Rose to work with you. I still think we can do... deal with this through a deferment program with the State's Attorneys Associations taking out the violent misdemeanors and the traffic offenses, you know, through a diversionary program. And I would look forward to working with you with respect to that. But to the Bill, Mr. Speaker. Last week or about two (2) weeks ago in a case out west, either DuPage County or it might have been Kane County, a seventeen-year-old was in the middle of a fight when the... when the assistant female principals approached. He be... he stopped fighting the other individual and body slammed the assistant principal. Here's a seventeen-year-old individual who obviously knows the difference between right or wrong and that really is the general decision as to what we're trying to look at here. Does the seventeen-year-old have the cognitive ability to make a decision to

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know if something is right or wrong? So, I would urge a 'no' vote. I would... I would ask that we would look at this potentially in Veto Session to do a diversionary program for the misdemeanors. I agree with you, Representative Turner. I know you have... we all have a great concern in this in trying to keep our children on the right path. I just don't agree with this route and I would urge a 'no' vote. Thank you."

Speaker Lyons: "The Chair recognizes the Lady from Kane, Representative Pat Lindner."

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

Speaker Lyons: "Sponsor yields."

Lindner: "Yes. We all have to represent our areas and I have received things from both Kane and Kendall Counties against this Bill and this is really concerning the cost issue. We keep talking about the cost, but basically, it's not that it will cost so much to serve this population in and of itself, but that our probation departments feel that if they have to put up the money to serve this population, that they will be taking others out of good programs, the younger children out of good programs that they have been in now because they won't be able to afford to do those programs. So, I think that's more the point about the cost than just that the population will serve more. I think that this is an issue we should study, because even when our probation department testified on this he said he was not really substantively opposed to this and he would, you know, like to discuss this further, but it was the cost of taking other people out of programs. So, I think, we've

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seen this Bill several times. My suggestion would be that you just do the task force and bring this back to us in the Veto Session. Thank you."

Speaker Lyons: "The Chair recognizes the Lady from DuPage, Representative Patti Bellock."

Bellock: "Yes. Thank you very much, Mr. Speaker. To the Bill. In response to Representative Reboletti, we have some information here from the previous juvenile court judge in DuPage County that cites that this Bill deals only with misdemeanors. The Juvenile Court Act excludes ordinance violations and motor vehicle violations. This Amendment excludes felonies. So, that was in reaction to the thing about the drivers' ordinances. But we have studied this over and over for the last couple of years with the juvenile justice task force, specifically dealing with seventeen-year-olds and misdemeanors. The task force in the Bill is to look at the felony issue not at the misdemeanors. According to Judge Leston, the junior... the Juvenile Justice Initiative in 2005 said there were only two hundred and eighty-five (285) cases throughout the State of Illinois that this would apply to. In DuPage County, the second largest county in Illinois, only eleven (11) cases in 2005 did this apply to. Thirty-eight (38) states and the Federal Government acknowledge that eighteen-year-old is the age of majority. It's the age of voting; it's the age of joining the military; it's the age of marriage; it is the age when most people assume and including the PTA, that children become adults at the age of eighteen (18). Most seventeen-year-olds and eighteen-

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year-olds are in high school. This is a Bill that we're trying to save kids from getting into the adult system of the Department of Corrections. We want to hold these seventeen-year-olds that we think we can save them from entering into that adult system by trying them as juveniles so that they don't have a permanent record. We talk about Bills day after day in this chamber, about how we want to help people to get jobs, get out of prison. Well, this Bill challenges us to keep those kids from going into the adult system first. We know... Representative Durkin will talk on it... that most kids that go into that adult court get a fine and go home, but they get a record forever. What we're trying to do is keep these seventeen-year-olds from getting into the adult system and saving their lives so that they can move on, get employment and by the time they are eighteen, maybe be more mature to acknowledge what they're doing from right and wrong. I ask you for your support in this Bill this time to look at children and save those kids from going into the adult system for the rest of their lives. Thank you."

Speaker Lyons: "The Chair recognizes the Gentleman from Cook, Representative Jim Durkin."

Durkin: "Thank you, Mr. Speaker. To the Bill. I said this a few days ago and last week. I'm a former prosecutor. I was a Cook County State's Attorney, former assistant Illinois Attorney General. I've never been soft on crime, but the fact is this Bill is not going to make anybody soft on crime. This is not a get-out-of-jail-free card for these seventeen-year-olds. What it does is going to

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relieve congestion and the cattle calls in the... in the felony... in the adult courts throughout the State of Illinois. But secondly, we're still talking about seventeen-year-old kids and I think that when we're putting both in the juvenile court they're... they are going to get greater oversight, there'll be more... they'll have more type of, as I said, oversight and the courts are going to have greater recognition of the things they're doing. Now, real simple, let's look at the Juvenile Court Act. This is... it says the purpose of the Act is to secure for each minor, subject to the, hereto such care and guidance and discipline preferably in his... in his or her own home as will serve the safety, moral, emotional, mental, and physical welfare of the minor in the best interest of the community. That's what the juvenile court is about and I think we can still put these kids on the right track to life... in life. Now, my colleague in the back made mention about a juvenile who body slammed a teacher. Under the law, that's an aggravated battery; that's a felony, so it wouldn't apply in this situation. So, in any event, I don't think this is... you know, there's talk about the financial aspects of this. I don't think it's... the numbers are... are as dramatic as people have said. The numbers are going to be very low; it's just going to be a shift if anything from the adult court to the misdemeanor court. So, I would recommend an 'aye' vote."

Speaker Lyons: "Representative Bob Molaro."

Molaro: "I'll be as brief as I can. You know, the counties come up... have Cook County State's Attorneys, anything that

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costs them a few dollars, they're against. We know that. They... they have their thing that they have to look at. It's going to cost them some dollars. They look at it, we're 'no'. That's the end of that story. Let's... let's be honest of what we're doing here; it's misdemeanors. Now, can someone come up and come up with some crime that we think is so heinous. We're in the Criminal Law Committee, I don't know if there's a crime left that's a misdemeanor; it's so small. Every other crime that we've picked on that we thought was even remotely a difficult crime, we made them felonies. We're really talking about stuff like retail theft, so let me make this clear. If you're a seventeen-year-old, you get retail theft, you get picked up, you can't find a lawyer, they go to court, they plead guilty, we'll let you go, they get what they call conditional discharge or you pay a fine. It's on your record for life, for life. There's no expungement. You're seventeen-years-old... you're seventeen-years-old, you get caught for shoplifting; it's on your record for life. All we're saying here is, hey, you're seventeen (17), you're charged with a felony. You're going to big boy court. But you're seventeen-years-old, you get shoplifting or some misdemeanor, you're going to get a shot at having it taken care of when you're twenty-one (21). That makes sense. Thirty-six (36) states. You could be seventeen-years-old and commit a felony and you get this shot. Let's do it for seventeen-year-olds for misdemeanor. It's a good Bill. Let's not worry about a few dollars 'cause the counties are

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worried that it's going to cost them a few hundred dollars.  
Let's do this for our kids. Thank you."

Speaker Lyons: "The Chair recognizes the Gentleman from  
Crawford, Representative Roger Eddy."

Eddy: "Thank you, Mr. Speaker. To the Bill. I stand in  
support of the Gentleman's Bill. I... for someone who's been  
for twenty-eight (28) years around seventeen-year-olds and  
eighteen-year-olds, I think we need to give those kids  
every possible chance we can not to be labeled, not to... not  
to have the feeling that they have something to carry with  
them for the rest of their lives that's going to affect  
employment, going to affect opportunities. I think this  
gives them a much better chance in a juvenile court where  
they belong. Seventeen-year-olds, if we can treat them as  
juveniles and this gives us the opportunity to do that,  
that's a far better choice than to treat them as an adult,  
if they've been guilty of a misdemeanor. This is for a  
seventeen-year-old who has been guilty of a misdemeanor.  
Representative, I hope you get the votes this time. I  
really do. This is important legislation. It's the right  
thing to do for kids. I'd urge an 'aye' vote."

Speaker Lyons: "Representative Chapin Rose."

Rose: "Thanks. Will the Gentleman yield for a few questions,  
please?"

Speaker Lyons: "He yields."

Rose: "Representative, I want to ask you a question, here. A  
minute ago you made a statement that it was an automatic  
conviction. I... I'm fairly certain, in fact, I know... I know

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that super courts revision is an option at the misdemeanor level, is it not?"

Turner: "I can't hear you. One more time."

Rose: "Court supervision is an option for misdemeanor offenses, correct?"

Turner: "That's correct."

Rose: "Okay. And I just want to be clear for the record, 'cause earlier the statement was made that it's a conviction, an automatic conviction. That's not the case. Court supervision is always available for misdemeanors, one. Two, Representative, do you have any idea how... when somebody gets arrested for misdemeanor theft, they stole twenty bucks, say, nobody goes to jail first offense. When they go to jail is when they blow off the bite at probation, the bite at court supervision, the chance to rehabilitate themselves and then what's called a petition to revoke is filed and they get hauled back into court for not doing what they were supposed to do, their public service work, pay their fine, reimburse whoever it was they stole the money from, the money they stole. That's when the court starts sending people to jail for nonviolent misdemeanors first offenses. I don't think in three (3) years in the Champaign County State's Attorneys Office I ever saw a nonviolent first offender misdemeanant go to jail outright. Saw a lot of them go to jail when they blew off the court, didn't do what they were told to do. Saw a lot of people with repeat prior records, third, fourth, fifth offense, go to jail. Never saw a first offender go to jail, one. Two, Representative, this is a question.

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How does your Bill treat a petition of revoke scenario when the person has already gone beyond the age of eighteen (18)? If the offense is committed when they were seventeen (17) for theft, let's say they were sentenced to probation with fifty (50) hours public service work, they're revoked for not doing it, go back into court, the court says, hey, I really mean it. We're going to resentence you to court probation, but if you don't do it this time, you'll go to jail. And by the time six (6) months, a year, eighteen (18) months goes by they've blown off the court again, but now they're eighteen (18). Can they go back to jail or do they go to a juvenile detention center?"

Turner: "Representative, he commits that crime or he violates a crime when he's eighteen-years-old, then he gets treated as an adult. If he's under... under the age of eighteen (18), I would hope, if this legislation pass, he'd be treated as a juvenile."

Rose: "Representative, I respectfully disagree that's..."

Turner: "And Representative, you made the... you made the comment about the theft. Retail theft, currently, it's excluded... I should say, adult supervision is excluded under... under current law for retail theft."

Rose: "No, I don't... Not under three hundred dollars (\$300). Theft... misdemeanor theft is under three hundred dollars (\$300) and it's not, court supervision is available. But Representative, let's go back to what you just said a minute ago, that's not the case."

Turner: "Okay."

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Rose: "These sentencing penalties that apply upon resentence, that's after you've been revoked for blowing off the chance of probation, blowing off the bite at the apple of staying out of jail, the resentencing penalties that apply are the same that were originally available when you committed the crime. So, now, someone over the age of eighteen (18) is in the youth detention center. Is that your intention?"

Turner: "If the crime is committed and he's under eighteen (18), then he should remain... it should be remanded to the juvenile court system. If the kid is over eighteen (18), then he should be an adult."

Rose: "Okay. But if he's resentenced for violating the terms of his probation..."

Turner: "And he's eighteen (18)..."

Rose: "...and he's eighteen (18), he's now in the youth detention center with fourteen-year-olds."

Turner: "Yes."

Rose: "By the way, the seventeen-year-old is also in the youth detention center with fourteen-year-olds, right?"

Turner: "That's correct."

Rose: "Okay. Representative, once again and I'll close, Mr. Speaker, we've all had a long day. I'm going to hold out the olive branch for the fourth time on adult diversion which accomplishes what you want to do, Representative, but it does it in a way that teaches a lesson, makes sure that society exacts its pound of flesh, and accomplishes all of your goals too. I'm..."

Turner: "Representative, I've told you and I think we both agreed, I'm willing to work with you on adult diversion."

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Right now, it is not administered all across the state. And so it's a new concept, one that you believe in, I believe in. We've got to convince the rest of my colleagues in this chamber that we think that that's the way to go."

Rose: "Well..."

Turner: "Right now, because we don't have that, I say that we..."

Speaker Lyons: "Representative Rose, if you could conclude your remarks in the next 30 seconds."

Rose: "I've concluded. I think he was just finishing his sentence, Mr. Speaker."

Speaker Lyons: "Representative Turner to close."

Turner: "All right. Thank you. Ladies and Gentlemen, we've had a great debate on this issue. And I... I can only say it this way, this is a Bill to help our kids. We talk about economic development, we talk about employment, we talk about schools, we talk about a better life for our kids. Let me just say this. Seventy-five to eighty percent of the kids that are in the juvenile system right now are of... look like me, look like Eddie Acevedo and these kids, many of them, don't have another chance because they've been sent into the criminal justice system. They can't find jobs. We talk about summer job programs. Right now, when I go home, kids don't have summer jobs there. There are... When I was growing up, there was NYC jobs, there were all kinds... CETA jobs, there were jobs that were available for the kids, who have nothing else, that at the end of the summer they could buy a pair of gym shoes. They don't have any of that now. Now, they sit around. Those that are

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fortunate enough to have a SEGA Genesis or an iPod, they probably listen to it, but those instruments cost four and five hundred (400 and 500) bucks. So, most kids don't have it. They sit there and you've heard the adage about an... idle mind is the devil's workshop. Seventeen-year-olds are seventeen-year-olds. They're our kids. We need to take more responsibility and see what we can do to do to protect them. I think dealing with these kids in the juvenile system is the correct way to go. This does not stop the prosecutor from transferring that bad apple to the adult court. We're not stopping him. He still has that discretion, be it DUI or whatever; he can do that, but we're talking about misdemeanor cases. We're talking about a misdemeanor case where we want that seventeen-year-old to remain in the juvenile system. That's the reason we created the juvenile justice. We separated out the adult and the juvenile court system two (2) years... two (2) years ago. And I... So, it's for that reason and for the kids that I ask... and I don't think there's a dollar figure here that we can put on spending for our kids. We want to get more for their schools; let's get more to help them with another problem that's just as important and that is trying to correct the criminal justice system and the impact that it has on our seventeen-year-olds. And I move for the adoption of Senate Bill 2275."

Speaker Lyons: "The question is, 'Should Senate Bill 2275 pass?' All those in favor signify by voting 'yes'; those opposed vote 'no'. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish?"

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Mr. Clerk, take the record. On this Bill, there are 71 Members voting 'yes', 43 Members voting 'no', 1 Member voting 'present'. This Bill, having received the Constitutional Majority, is hereby declared passed. The Chair recognizes the Gentleman from Cook, Representative Eddie Acevedo."

Acevedo: "Mr. Speaker, the last Representative spoke that he said that the individuals looked like me, unless he knows something that I don't know, I only have five (5) sons and none of them has ever been locked up before."

Speaker Lyons: "Mr. Clerk, Rules Report."

Clerk Mahoney: "Representative Currie, Chairperson from the Committee on Rules, to which the following legislative measures and/or Joint Action Motions were referred, action taken on May 31, 2008, reported the same back with the following recommendation/s: 'approved for floor consideration', 'recommends be adopted' is Amendment #4 to House Bill 2093 and Amendment #3 to House Bill 2650. Referred to the House Committee on Rules is House Resolution 1376 and House Resolution 1379."

Speaker Lyons: "Ladies and Gentlemen, returning to the Concurrence Motions. We start on page 53. Representative Jefferson. Representative Jefferson, you have House Bill 1141 on concurrence. The Chair recognizes the Gentleman from Winnebago, Representative Jefferson."

Jefferson: "Thank you, Mr. Speaker, Members of the committee. I move to concur on Senate Bill Amendments 1 and 2. Senate Amendment #1 shells the Bill. Senate Amendment #2 is a gut and replacement that alters the current existing salary

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incentive program for hard-to-staff schools. So it provides incentives and bonuses for teachers and school administrators of the hard-to-staff schools if the funds are appropriated, rather than a hard-to-staff district. It also inserts trailer language to Senate Bill 2042 as sponsored by Representative Osmond regarding payment of educational services for students placed in residential facilities by Illinois courts or state agencies. Senate Bill 2042 passed both chambers unanimously. And I would ask for a concurrence."

Speaker Lyons: "Is there any discussion on House Bill 1141? Seeing none, the question is, 'Shall the House concur in Senate Amendments #1 and 2 to House Bill 1141?' All those in favor signify by voting 'yes'; those opposed vote 'no'. The voting is open. Have all voted who wish? Have all voted who wish? Bob Biggins. Mr. Clerk, take the record. On this question, there are 115 Members voting 'yes' and 0 voting 'no'. The House does concur in Senate Amendment number... Amendments #1 and 2 to House Bill 1141. And this Bill, having received the Constitutional Majority... Majority, is hereby declared passed. Representative Monique Davis, you have House Bill 4668 on the Order of Concurrence. The Lady from Cook, Representative Monique Davis."

Davis, M.: "Thank you, Mr. Speaker. I move to concur with Senate Amendment 2 on this House Bill. What the Amendment does is it defines or makes a definition... I should say more... it makes... it changes the definition and it exempts the electrical contractors and licensed automobile parts

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recyclers in business-to-business sales. The Bill passed out of the House and it has passed out of the Senate. And I'll answer questions."

Speaker Lyons: "Is there any discussion? Seeing none, the question is, 'Shall the House concur in Senate Amendments #2 to House Bill 4668?' This is final action. All those in favor signify by voting 'yes'; those opposed vote 'no'. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Representative Pritchard. Mr. Clerk, take the record. On this Bill, there are 113 Members voting 'yes', 2 voting 'no'. The House does concur with Senate Amendment #2 to House Bill 4668. This Bill, having received the Constitutional Majority, is hereby declared passed. Representative Reboletti, you have House Bill 4879 on Concurrence Calendar. Out of the record on request of the Sponsor. Representative Bob Biggins. Representative Biggins, you have House Bill 5069 on the Order of Concurrence. The Chair recognizes the Gentleman from DuPage, Representative Bob Biggins."

Biggins: "Thank you, Mr. Speaker and.. House Bill 5069, I would move that the Motion be approved for consideration. And I'll be glad to ask if.. answer any questions and explain the Amendment if anybody wishes. It's an initiative of the.. several groups, including the Illinois Bankers Association."

Speaker Lyons: "Is there any discussion? The Chair recognizes the Gentleman from McHenry, Representative Jack Franks."

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

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Speaker Lyons: "Sponsor yields."

Franks: "What's the genesis of this Bill?"

Biggins: "Well, the... the Amendment that the... the Amendment to... to House Bill 5069 being the... it's through... on behalf of the Illinois Bankers Association to prevent the Illinois Department of Revenue from retroactively taxing captive real estate investment trusts, REITs, owned by financial organizations for taxable years prior to 2009."

Franks: "Okay. This had nothing to do with the underlying Bill. This is a total gut and replace in a new Bill done in the Senate?"

Biggins: "You know I don't under... know for sure if it doesn't have anything to do with the underlying Bill. I haven't read all of the... the Bill in its entirety, but that's... this is a... whereas we've decided to place this..."

Franks: "Okay. Well... now, does this only apply to the... to the REITs?"

Biggins: "You know, that's a good question. Why don't we... My question to answer is... my answer is not here at the moment. Representative... Perhaps Representative Beaubien could help with this question. Would it... Mr. Speaker, would you please allow Mr. Beaubien to answer Representative Franks' question."

Speaker Lyons: "Representative Mark Beaubien."

Beaubien: "This is a Bill that we passed out of the House unanimously recently. It had to do with Section 404 of the Department of Revenue Code. And what was happening was the Department of Revenue was taking new regulations and perspectivevely enforcing them and then they all of a sudden

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they decided they'd go retrospectively and enforce rules that were not in place. To me this is an underlying principle of law that you cannot pass a law and then do it retrospectively. This is supported by the Department of Revenue and also supported by the bankers' groups with no opposition and also the Taxpayers Federation."

Franks: "But it's only..."

Beaubien: "An unusual combi... combination."

Franks: "The reason I was asking is I know that Mr. Bradley had a Bill up recently dealing with the REITs and I just wanted to confirm that this is only dealing with captive REITs that are owned by financial organizations."

Beaubien: "Well, Bradley is a cosponsor."

Franks: "I understand that. I'm just trying to figure out where this is going. I'm trying to figure out the scope of the Bill because..."

Beaubien: "It... it should take care of the underlying Bill that passed here unanimously, passed unanimously in the Senate. The Senate was gracious enough to allow us to add this particular provision. I... I think... I'm not really thinking of a different Bill, maybe this is the Bill."

Franks: "I'm just trying to find the scope and does it only deal... I understand the retroactive aspect and I don't think they should be doing anything retroactively. That's what I'm trying to find out. Is it only for the REITs or is it for anything retroactively?"

Beaubien: "Yes, just for the REITs."

Franks: "Just for the REITs. Okay. And the reason my antenna went up on this is because I don't know if you've had the

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chance to read the Auditor General's findings of the Department of Revenue."

Beaubien: "I had that privilege, yes."

Franks: "Okay. And you noticed in that finding that the Department of Revenue was found to have falsified documents and created misleading documents where they were billing themselves so they could change their budget. Are you aware of that?"

Beaubien: "I did read that, yes. I don't know what it has to do with the Bill, but I did read that."

Franks: "Well, that... and that's why I just wanted to make sure that we're keeping these guys on a very short leash. After seeing that last audit, I'm very concerned that the group that's supposed to be collecting our revenue is also the same group that's falsifying documents and then retroactively applying laws that didn't exist."

Beaubien: "Well, this will shorten the chain on the Department of Revenue."

Franks: "Thank you. That's what I was trying to get at."

Beaubien: "Okay. Thank you."

Franks: "Thank you."

Speaker Lyons: "Is there any further discussion? Seeing none, the question is, 'Shall the House concur in Senate Amendment #1 to House Bill 5069?' All those in favor signify by voting 'yes'; those opposed vote 'no'. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Mr. Clerk, take the record. On this question, there are 114 Members voting 'yes', 0 voting 'no', 1 Member voting 'present'. And the

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House does concur in Senate Amendment #1 to House Bill 5069. And this Bill, now having received the Constitutional Majority, is hereby declared passed. Representative Chapa LaVia on the Order of Concurrences, you are recognized on House Bill 5368. House Bill 5368, page 58 on the Calendar."

Chapa LaVia: "Thank you, Speaker and Members of the House. A Motion to Concur with Senate Amendment #1 which all it does to the underlying Bill it provides that the Military Family Interstate Compact Implementation Statute Drafting Advisory Committee shall have one of its members a designee from the Department of Employment Security instead, it strikes instead, of the Department of Labor. So, what it does it adds the Department of Employment Security instead of the Department of Labor. And I ask for an 'aye' vote. Thank you."

Speaker Lyons: "Is there any discussion? Seeing none, the question is, 'Shall the House concur in Senate Amendment #1 to House Bill 5368?' All those in favor signify by voting 'yes'; those opposed vote 'no'. The voting is open. Have all voted who wish? Have all voted who wish? Mr. Clerk, take the record. On this issue, there are 115 Members voting 'yes', 0 voting 'no'. This House.. the House does concur in Senate Amendment #1 to House Bill 5368. This Bill, having received the Constitutional Majority, is hereby declared passed. Representative Eddy, you're recognized on the Order of Concurrences for House Bill 5768."

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Eddy: "Thank you, Mr. Speaker. This Bill was sent over to the Senate and they made a technical change in the conveyance of the property. And I would ask that we concur with the Amendment... Senate Amendment #1 to House Bill 5768."

Speaker Lyons: "Are there any questions? Seeing none, the question is, 'Shall the House concur in Senate Amendment #1 to House Bill 5768?' This is final action. All those in favor signify by voting 'yes'; those opposed vote 'no'. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Representative Gordon, Jefferies, Pihos. Mr. Clerk, take the record. On this Bill, there are 115 Members voting 'yes' and 0 voting 'no'. And the House does concur in Senate Amendment #1 to House Bill 5768. And this Bill, now having received the Constitutional Majority, is hereby declared passed. Mr. Clerk, on page 19 of the Calendar, on the Order of Second Bill... on Second Readings of House Bills, Representative Scully has House Bill 5790. What's the status of that Bill, Mr. Clerk? 5730."

Clerk Mahoney: "House Bill 5730 has been read a second time, previously. No Committee Amendments. No Floor Amendments. No Motions filed."

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

Clerk Mahoney: "House Bill 5730, a Bill for an Act concerning local government. Third Reading of this House Bill."

Speaker Lyons: "The Chair recog... the Chair recognizes the Gentleman from Cook, Representative George Scully."

Scully: "Thank you, Mr. Speaker. Ladies and Gentlemen of the House, House Bill 5730 extends the life of a tax increment

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financing district for Hoffman Estates. As is the case with all TIF extensions, this Bill will add thirteen (13) years to the life of the district which is expected to expire in 2009. The Bill becomes law... if the Bill becomes law, it will expire in 2023. I have... I've had a chance to review the resolutions and letters from the local taxing districts stating their support for this extension of the TIF and I'd ask for your favorable consideration."

Speaker Lyons: "Is there any discussion? The Chair recognizes the Lady from Cook, Representative Ruth Munson."

Munson: "Will the Sponsor yield?"

Speaker Lyons: "Sponsor yields."

Munson: "I just had a quick question about the location of this TIF. Does it include School District 300 at all?"

Scully: "Representative, I know that we have received letters of support from school district 50... I don't know the answer to that question. I know it does include School District 54 and School Dis... township high school district 211."

Munson: "We had some concern... is this a TIF district that includes the former Sears complex?"

Scully: "I don't believe so. I do know that it is referred to locally as the Barrington-Higgins District Tax Increment Development Plan Project and I have a legal description of the project, but not a survey that would show the map."

Munson: "Thank you."

Speaker Lyons: "The Chair recognizes the Lady from Cook, Representative Suzie Bassi."

Bassi: "Thank you, Mr. Chairman. Will the Sponsor yield?"

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Speaker Lyons: "Yes, he will."

Bassi: "Representative, do you live in Hoffman Estates?"

Scully: "No."

Bassi: "But you have received letters from the Village of Hoffman, School District 54 which is Schaumburg, which is partially located in my district, Township High School District 211, which is also partially in my district and Hoffman Estates Park District, which is also partially in my district in favor of this TIF. Is that correct?"

Scully: "I don't recall making a reference to the Park District. I did make reference to letters that I have in my possession right now from School District 54..."

Bassi: "Who are they addressed to?"

Scully: "They are addressed to... the first one is addressed to... from School District 54 is addressed to Mathew Knight with the law firm of Holland and Knight and from the Township High School District 211 to James Norris, the village manager of the Village of Hoffman Estates."

Bassi: "But they're not addressed to you, but they're in support of the TIF?"

Scully: "Yes. I never said they were addressed to me. I said I have the letters in my possession. I've had my... a chance to review them."

Bassi: "I see. Would you read the legal description of the property, please?"

Scully: "I... I'd be happy to read this legal description, but I don't know what purpose that will serve. Do you want me to read the legal description?"

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Bassi: "No, I... All right. In lieu of reading the legal description, can you tell me where the property is located? Is it north or south of the... of the toll... of the highway? Do you know?"

Scully: "No, I don't know."

Bassi: "Perhaps, Mr... your cosponsor can give you a... some assistance on that?"

Scully: "Mr. Speaker, can I ask Mr. Crespo to respond to the question, who has greater personal knowledge in response to the question."

Speaker Lyons: "Absolutely. The Chair recognizes Representative Fred Crespo."

Crespo: "Representative, what was the question, again?"

Bassi: "Is the property under consideration north or south of the Tollway?"

Crespo: "It is south of the Tollway."

Bassi: "So, it's south of 90?"

Crespo: "South of 90, correct."

Bassi: "Okay. Thank you."

Speaker Lyons: "Representative Scully to close."

Scully: "Thank you. Ladies and Gentlemen, I ask for your support of this Bill."

Speaker Lyons: "The question is, 'Should House Bill 5730 pass?' All those in favor signify by voting 'yes'; those opposed vote 'no'. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Have all voted who wish? Mr. Mitchell, Jerry. Mr. Clerk, take the record. On this Bill, there are 92 Members voting 'yes', 20 people... 20 Members voting 'no', 3 Members voting

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'present'. This Bill, having received the Constitutional Majority, is hereby declared passed. Mr. Clerk, on page 43 of the Calendar, Representative Bob Molaro has House Bill 2760. Read the Bill, Mr. Clerk."

Clerk Bolin: "House Bill 2760, a Bill for an Act concerning criminal law. Third Reading of this House Bill."

Speaker Lyons: "The Chair recognizes the Gentleman from Cook, Representative Bob Molaro. Representative Molaro, we've read the Bill. We're ready for you, Representative. We've read the Bill, Representative."

Molaro: "Sorry about that. 2750 is... has about three (3) or four (4)... 2460. Oh, 27... it's the House Bill. 2760, that's one of my favorite Bills and I forgot about that. 2760 is simp... a simple Bill. All it does in the State of Illinois, someone steals your car, you have to report it. Okay. All we're saying is in the State of Illinois now is that if you have... if you're a gun owner, you have a FOID card and you know that your gun is stolen or missing... now, I have to emphasize that... know that your gun is stolen or missing. So, in other words, if you don't know, you don't know. I can't make that any clearer. But if you do know that your gun's stolen, there was a burglary in your house or you come in and you see the house is ransacked or your son took your gun and he said, dad, I had the handgun and I lost it. Then all you have to do is call your local law enforcement and let them know that the gun is missing or stolen. That's all you have to do. That's all the Bill does. This is really put forward because in a lot of criminal cases and a lot of... and I'm not going to go in and tell you all

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these cases where people got killed and handguns were the culprit... what it does is when the police go to find out where the gun came from, we have a lot of gun dealers and even some other people... oh, well, it went missing or three (3) years ago it was stolen... since they were never under a duty to report it, it really hurts law enforcement. The Attorney General's for the Bill. The State Police are for the Bill. Local chiefs of police, I think, signed in for the Bill. I'll check the record. Anyway, it's a good Bill and we ask for an 'aye' vote."

Speaker Lyons: "The Chair recognizes the Gentleman from Winnebago, Representative Jim Sacia."

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

Speaker Lyons: "Sponsor yields."

Sacia: "Representative Molaro, what happens... what is the penalty if you... if you fail to report your firearm missing?"

Molaro: "First time... first time is a petty offense."

Sacia: "Does he lose his... he or she lose their FOID card?"

Molaro: "Second time, for first time you don't."

Sacia: "So, if I have a gun stolen and I fail to report it missing and it's used in a crime, they are not going to take my FOID card away?"

Molaro: "No, not the first time."

Sacia: "Okay. I... I missed that in our analysis. Okay. I, as a law-abiding citizen, have my weapon taken and it's stolen a second time and I lose my FOID card, what happens to the criminal that has his gun stolen?"

Molaro: "Does he have a FOID card?"

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Sacia: "I... I'm..."

Molaro: "Well, if he has a FOID card..."

Sacia: "...whether he does or not."

Molaro: "...he'd lose his too. If he doesn't have a... if he doesn't have a FOID card, obviously, there's nothing to take away. Well... but, you know, Representative Sacia, I... you could look at me, that's okay. Or are you looking at me up there?"

Sacia: "I'm looking at you up there."

Molaro: "That's... You know, I never thought of that before. I've been here all these years and I never bothered to look at your picture 'til... You know, here's... here's all we're saying. If you know... so, in other words in your case, your gun is stolen and you know it, right?"

Sacia: "Yes, Sir."

Molaro: "So, if you know your gun is stolen, so now there's a gun somewhere, we don't know who's got it, you call the police and tell them someone stole it. What's the big deal? What am I making this your... this law-abiding citizen do that's so horrendous or so horrible? I don't want to take anybody's gun away. The Second Amendment's a good one. Keep your guns. But if you know it's stolen, all I'm asking you to do is call the police, tell them you think your gun was stolen. That's it. That's it, nothing else."

Sacia: "Thank you for the lengthy answer. What... what happens... where does the NRA stand on this Bill?"

Molaro: "Well, they are 'no' on everything, I mean, you know that. Just like our people are 'no' on some of your good legislation."

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Sacia: "Okay."

Molaro: "I mean, what are you going to do? That's what they... they're here to be... they're here to be 'no'. Our gun control people are there to be 'no' on your Bills. They... but they're not in this chamber. We are, me and you. Let's talk. I think..."

Sacia: "Yeah, but you want... you want to leave, Representative, and that troubles me greatly, but... Anyway, I have a problem with the fact that a gun owner... I can appreciate a petty offense. I can even appreciate a more... a significant offense than a petty offense the second time, but to lose your FOID card. I mean, to a hunter, to a... to a advocate of gun owner's rights, to lose their FOID card because they failed to report it stolen, seems extremely invasive to me."

Molaro: "Really?"

Sacia: "It does. Seriously, I mean, paying the fine..."

Molaro: "I... I... here... here, I know there's some of the stuff I don't get and I understand the FOID card must be very important to, you know, gun owners, but that's... that's the point. So, all we're saying is this. You get your gun stolen... it's... it's a device that actually, you know, could do some pretty... pretty... pretty deadly harm here. So, all we're saying is call up the police, let them know so you can help later in investigations, maybe it will turn up, maybe you'll find it. I don't see it being as obtru... that intrusive to ask you to call the police. So, what you're saying is you don't like the idea that maybe you'll lose your FOID card. What if I said if you do it five (5)

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times? How many guns can you get stolen from you in a lifetime? I mean, would it be like the third or fourth time, would that be okay? I'll amend the Bill to make it five (5) times before you lose your FOID card. I just think there should be some public policy on a gun owner that if and you know it's stolen, you should tell the police. I'm not interested in taking your FOID card. I'd even think of an Amendment to take that out of the Bill. I'll do that now even."

Sacia: "I..."

Molaro: "But I still want it to be a petty offense. I still want it to be the public policy..."

Sacia: "I have no problem with that, Representative. If my car is stolen, they don't take my driver's license for a second... twenty-seventh time, so why would we take a FOID card? And... and if... I mean, if you're willing, this being a House Bill, if you're willing to ask them to amend it in the Senate, not to mess with the person's FOID card, I can live with that."

Molaro: "But it's still a petty offense and you still have... this onus is still on the gun owner to call the police. Right?"

Sacia: "I have no real problem with some..."

Speaker Lyons: "Mr. Sacia, your 5 minutes have run out. If you can conclude your remarks, we'd appreciate it."

Sacia: "I think I spoke for about a minute, but that's okay. I... Ladies and Gentlemen, I think the Bill is far too invasive in its current form. And I would ask for a 'no' vote. Thank you."

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Speaker Lyons: "Representative Mike Bost."

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

Speaker Lyons: "Sponsor yields."

Bost: "Now... now, you're saying that if... All right. Yeah, I'm talking to you. You're saying that if you're no... you knowingly... you know that your gun has been stolen. Who verifies that you know your gun has been stolen?"

Molaro: "You."

Bost: "Me?"

Molaro: "Yeah."

Bost: "So, then what's the need for the Bill, because then somebody can just say I never knew."

Molaro: "That's right."

Bost: "So, then why do we have the Bill?"

Molaro: "Because most people who know their gun is stolen..."

Bost: "Well, right now..."

Molaro: "...aren't going to say I don't know."

Bost: "...right now if peoples' guns are stolen, obviously, they're usually reporting it to a police officer anyway, right? So, this... what this says is..."

Molaro: "Say that... wait, you said it too fast."

Bost: "Okay. That's... that's not common with somebody from the south to say it too fast. I'll tell you that."

Molaro: "Right."

Bost: "All right. You just said..."

Molaro: "Right."

Bost: "...if you knowingly have had your gun stolen."

Molaro: "Yeah."

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Bost: "So, all a person has to do is say, I didn't know my gun was stolen?"

Molaro: "What? There's nothing I could do about it. Right. 'Cause the Bill says you have to know..."

Bost: "Then we shouldn't have the Bill because as of right now if... if a gun owner gets their gun stolen, odds are they're going to contact somebody and go, hey, I've got to have my..."

Molaro: "Well, that's... that's the problem. That statement.. I'll give you the first one. The second statement is not true. There are people who know their gun are stolen, there are dealers who know their guns are stolen and they don't report it to the police."

Bost: "Then we've chased it back to the rabbit we were chasing in the first place when I first asked you the question. How do we know the person actually knew their gun was stolen?"

Molaro: "By the person who had the gun stolen. So, if we go back and you say... you say, what are you talking about?"

Bost: "It's a circle. Listen to what... listen to the circle you just chased. Okay. If the person says that all of a sudden... now, all of a sudden I get... a cop comes up and says or the police officer comes to him and says, hey, we found your gun at a crime. Well, my gun must have been stolen."

Molaro: "And you didn't know about it?"

Bost: "And I didn't know about it."

Molaro: "Well, then, what could I do? I don't get it. Maybe I missed... there's..."

Bost: "That's just it."

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Molaro: "Listen, we'll start all over. That's like your car being stolen. If you don't know your car's missing and someone knocks on your door and says we just got an accident with four (4) kids and you say, I didn't know my car was stolen, there's noth... there's no onus on you to report it. But if you wake up in the morning and your car's not where you parked it, you should call the police and tell them it's stolen. If you check for your gun and you don't know if it's there or not, of course not, but if you see your gun's gone..."

Bost: "Then... then..."

Molaro: "...from where you normally keep it, you should call the police. That's all. What am I missing here?"

Bost: "What you're missing is is that if you have a stolen gun, you're going to do that anyway. If you're wanting to go after the criminal, now what you've just done is and the criminal..."

Molaro: "I don't want to go after the criminals. The criminals aren't going to report their gun stolen."

Bost: "Okay. Then why are you making a criminal out of somebody that has had their gun stolen?"

Molaro: "I'm not making you a criminal; it's a petty offense. I'm trying to get..."

Bost: "You're chasing the rabbit again."

Molaro: "I'm trying to get someone who has their gun stolen, like their car stolen, and they know it's stolen, to report it to the police."

Bost: "But this legislation does not deal with cars, it deals with guns."

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Molaro: "Correct."

Bost: "So, it... what... what it's... what you're saying is is that  
if a person... you keep saying that if you're knowing, okay?"

Molaro: "If you know your gun's stolen... go ahead."

Bost: "If you know your gun's stolen..."

Molaro: "Right."

Bost: "...if you know your gun's stolen..."

Molaro: "Go ahead."

Bost: "...then you're probably going to call the police officer  
anyway, if you..."

Molaro: "No. That's what I can't give you. A lot of people  
will do that because that's responsible. We have to put  
this Bill in because there are a lot of people..."

Bost: "But if..."

Molaro: "...who know their gun is stolen who don't report it.  
That's why we have laws to begin with."

Bost: "But if they..."

Molaro: "If everybody did what was right, we wouldn't have  
laws."

Bost: "But if... but if a person then knows that this law is  
passed..."

Molaro: "Right."

Bost: "...and his gun is stolen, all they have to do is say that,  
no, I didn't it was stolen."

Molaro: "Well, if I beat somebody up, I could say it wasn't me  
who did it. I don't know. I guess you could lie. I can't  
stop people from lying. If you want to say you didn't  
know, then you could say you didn't know, right?"

Bost: "I..."

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Molaro: "Am I right here, Rog?"

Bost: "No."

Molaro: "I mean, if you say..."

Bost: "No, you're not."

Molaro: "...if you say you didn't know, there's nothing I can do about it."

Bost: "All right. I think... I think, I... I think you've confused it even more though, because what I'm saying is, is that honest people are going to turn their guns in as stolen. A dishonest person, if they find out this law is in place, is going to look at a police officer and say, hey, I didn't know the gun was stolen."

Molaro: "There's nothing I can do about that."

Bost: "All right, then we don't need the law. Then we don't need the law. And sometimes there are times that... that... that guns can be stolen, believe me... trust me, I know on this... that guns can be stolen without you real..."

Speaker Lyons: "Representative Bost, your 5 minutes are up. If you could please conclude your remarks..."

Bost: "I'll bring it to close."

Speaker Lyons: "...we'd appreciate it."

Bost: "Mr. Speaker, there are times that are people don't know and they truly don't know and he says, well, we don't have to... to claim that we didn't know, but... but you can have a gun stolen without knowing about it for a long period of time, if you are a gun collector and you've had a gun safe and you didn't know that somebody had found that safe when it was undone, taken a gun, and lied. But at any rate, to the Bill. I think that just, obviously, and from what the

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conversation went on here, I don't think we need to even have the... the law in the first place."

Speaker Lyons: "The Chair recognizes the Lady from Cook, Representative Deb... Representative Debbie Graham."

Graham: "Thank you, Mr. Speaker. To the Bill. I want to commend the Sponsor for bringing this piece of legislation and I guess I can say I'm just disappointed sometimes that my colleagues just can't take legislation on its face value. I'm sure that as many of my colleagues are gun carriers and FOID card carrying individuals, I'm sure as much as they are passionate about their guns that they check on those guns every now and then to see if they're all right and to find out whether or not they're stolen. But I'm a little disturbed that just the other day we passed a piece of legislation out of here that removed the rights of parents who cooked methamphetamine and it was just no thought of it, just pass it away, but here we're simply talking about a FOID card and the fact of whether or not someone is acknowledging that their gun has been stolen. And I'm just surprised regularly about some of the attitudes that we take on commonsense legislation. I was talking to one of my colleagues earlier today and they were talking about one of the colleagues on the other side of the aisle who will be presenting a piece of legislation about some broad strokes saying whether or not someone could have or a gun shops in their towns. And I am not against people who hunt and have family traditions. I've said that over and over again and I was honestly thinking about supporting the Gentleman's legislation, because I do

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want to be the person who I stand up every day and talk to you guys about being. I'm not against hunters; I'm not against the traditions of families, but you guys make that so hard when you make such a big deal and the 'what ifs' out of all the legislation that comes across this floor. And again, I want to thank Representative Molaro who brought this piece of legislation forward and it simply just says that if you know your gun has been stolen and haven't reported it that there should be some consequences. And what about if bodily harm is done, so the owner doesn't get to just say, well, I don't know and that's just that. I think we really should take a look at what we're really doing sometimes down here in the General Assembly. Thank you, Mr. Speaker."

Speaker Lyons: "Representative Bill Black."

Black: "Thank you very much, Mr. Speaker and Ladies and Gentlemen of the House. To the Bill. I'm not passionate about guns. I'm passionate about life. I'm passionate about my dog. I'm passionate about my wife, not necessarily in that order. And I'm passionate about this process. Sometimes I'm more passionate about it than others. I've seen it work well. I've seen it not work so well. The problem with this Bill I think is rather simple, but I'm not an attorney so I don't have to worry about all the nuances of the law. How would a prosecutor ever prosecute a case under this law? Is anybody going to say when the police come to your door and say, do you own a nickel-plated Colt revolver, Roy Rogers model? Why, yes, yes, I do. Do you know where it is? Yes, it's in my gun

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safe in my closet. I don't think so. We have it. I run back to my closet. I see that my gun safe has been opened. My Roy Rogers six-shooter is gone. I tell the officer, I had no idea. Thank you for finding it. How am I going to be prosecuted? I'm not going to say, oh, yeah, you know, I forgot to... I forgot to... gosh darn it, I forgot to report that. It's been gone since Roy Rogers was riding Trigger on the open range. I just forgot to say anything. Nobody's ever going to say that. You know what this Bill is really aimed at? If I live in the City of Chicago, I can't own a gun, legally. I can't own a handgun. Not supposed to buy one, not supposed to have one, not supposed to use one, not supposed to be... I'm just... I'm not supposed to have one. So, what we're really doing here is we're setting up a system where we can establish a default list. Ahah, we have you now. You were in possession of an illegal gun. You failed to report it. You're going to lose your FOID card which you may have because you may go downstate into my county and hunt pheasant or quail or whatever, deer, but when you... you're not supposed to own a gun in the City of Chicago, a handgun. So, you're not going to report it. So, when... when you find out and when the gun gets traced back to you, you didn't report it because you're not supposed to have one in the first place. Now, you've lost your FOID card and you go on a default list. All this is really about is to create a database of people who probably mean well, but we have so many conflicting laws and rules and regulations and did you do this within 72 hours and did you do that and did you keep

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your bill of sale and do you have your registration number and do you have the serial number and do you have your biometrics and do you have your fingerprints on file and on and on and on. And you know what the net result of all these Bills are... and you've seen it in many places throughout the state? We don't enforce them. If you do the Richmond Project in Chicago, like they did out in Virginia, where you tell the judges and the prosecutors, absolutely no probation, no suspended sentence. If you violate a gun law, you're going to do time. Cut gun crime by 40 percent in the City of Richmond. The feds and the state together said no, no second chances if you violate a gun law. And the gun lobby supported it and it worked. But how many times do you see where time and time again somebody's been caught with an illegal firearm and they're given a suspended sentence or 50 hours of community service or put on probation. What message does that send? We don't enforce the law. More laws aren't the problem, enforcement of the laws we have, that is the problem. Vote 'no'."

Speaker Lyons: "Representative Molaro to close."

Molaro: "Well, thank you. That was a nice speech and I probably agree with most of it. It really didn't have much to do with the Bill, so I just want to get back to the Bill for a minute and maybe we can make this. Hey, I was... I was in the Major... Minority in the Senate for ten (10) years and I could take a Bill that said, you know, red is supposed to be called red and let him speak for about an hour, if they'd let me... on how complicated the Bill was, what the

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underlying reason was, where we're going down a slippery slope, can talk for hours and hours about things that have nothing to do with the Bill. And that's what we tend to do on a lot of Bills, whether it be abortion, gun control, the death penalty, set... well... And that's the problem that we have here. If we just look at the Bill and I voted for some gun Bills, just like even though I am pro-choice, I vote on some ways with pro-life. You just look at this Bill it's a pretty simple Bill. If you know your gun is missing or stolen, you call the police and tell them. Now, someone was talking about, how do you prove that case? Well, there are prosecutors here and they will tell you and there's former police officers here, there's some that I can't tell you how many times when I've had cases that I'd defended or even prosecuted where you stop some kid and you're stopping him for a red light violation and he said, oh, you know, I got mushrooms in the trunk. I was just so... I got marijuana. They admit it in about 2 seconds. So, the idea would be that someone comes, they lose the... they wind up having their gun stolen, they report it to help police. The police, the Attorney General, the State Police are for this Bill. We're not taking anything away except to ask that if your gun is stolen or if your gun is missing and you know it, that you help law enforcement and say that it's stolen. That's all you have to do. It's a petty offense. If you do it the first time, they'll tell you, hey, don't do it again. You knew it was stolen, from now on tell us. After the second time, then your FOID card's in jeopardy. So, this is just common sense to help law

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enforcement. There are no ulterior motives. It's not a difficult Bill. It's pretty straightforward. And I ask for a 'yes' vote."

Speaker Lyons: "The question is, 'Should House Bill 2760 pass?' All those in favor signify by voting 'yes'; those opposed vote 'no'. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Representative Durkin. Mr. Clerk, take the record. On this Bill, there are 47 'yeas' and 64 'noes' and 4 voting 'present'. Mr. Molaro. Mr. Molaro. Mr. Clerk, take the record. On this Bill, there are 47 'yeas' and 64 'noes'. This Bill, having failed to get the Constitutional Majority, is hereby declared lost. Leader Tom Cross, for what purpose do you seek recognition, Sir?"

Cross: "Inquiry of the Chair, Mr. Speaker. There are a number of Bills, they were House Bills, that came back here a while ago from the Senate dealing with the Poshard-Hastert Capital Bill. It passed out of the Senate earlier this afternoon and I think the people in this chamber know a rather comprehensive capital Bill totaling almost... a little over thirty billion dollars (\$30,000,000,000). Speaker Hastert and Congressman Poshard and... President Poshard spent almost eight (8) weeks, if I'm not mistaken if not longer, traveling around this state with the listening tour, talking and listening about the variety of needs around this state with respect to the issue of capital. People in this state know we've gone nine (9) years without capital. People in this state know that we have the ability to access nine billion dollars (\$9,000,000,000) of

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federal money that we have a chance of losing if we don't do a capital Bill. People in this state know this is a jobs Bill that with an economy soft and weak that this is an opportunity to put people to work. People in this state know that we have many, many needs around this state from mass transit in the City of Chicago and the suburbs to roads throughout the whole state to state facilities to university buildings to affordable housing, open space, water, sewer, the list goes on and on and on. Speaker Hastert and Congressman Poshard spent many, many hours. They're respected individuals in this state, come from different parts of the state, different Parties from thisstate. It's a plan that has been endorsed by business, by labor and passed out of this Senate in a bipartisan way. It was nice to see Emil Jones and Frank Watson work hand in hand together and while they don't always do that, they knew the significance and importance of a real significant, substantive capital Bill. They know that jobs are important. This Bill would provide hundreds of thousands of jobs. So, Mr. Speaker, we are 6:52 the last night of Session. We haven't agreed with you on everything; we don't agree with you on the budget and a lot of other things, but I think this is an opportunity in a bipartisan manner, just like over in the Senate, to come together to provide jobs. We're right at the beginning of the construction season: get those bridges built, make them safer, widen those roads, take care of those university buildings, four billion dollars (\$4,000,000,000) for school construction, early childhood. The list goes on and on and

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on. Urban development. So, my question is and it's been a long question, I know, what is the status of those Bills that came over here and what is the intention of the Chair with respect to moving... moving the Hastert-Poshard bipartisan, endorsed by many, labor, business groups from around the state, tonight, in this chamber, by the Speaker's Chair?"

Speaker Lyons: "Mr. Cross, I... I share many of your concerns and as the acting Speaker here, I wish I had a more definitive answer for you whether those issues will be discussed tonight or not, I presently don't have knowledge of it. I'm sure, for the record, your voice has been heard and if and when I can get you an answer, I'd be happy to do so."

Cross: "Well, let's... let's do it this way perhaps. I know that House Bill 6339 is over here; it's been filed a Motion to Concur. Let's move forward on that. That's a spending Bill. I know that... I believe HB1496, there's been a Motion to Concur. Let's move at least on those. I'm willing to... to make those Motions to Discharge those from Rules and let's move forward because if we wait any longer, Mr. Speaker, we run... and I mean longer by tonight... and I mean, we can... we'll... we know the games that go on here. We saw what happened yesterday. They're going to be different... different versions. We're going to try to send one over there. This is the real deal. This is the package that Glenn Poshard and Denny Hastert put together. Who can argue with these two? Bipartisan support across the chamber, in the Senate, bipartisan. When has that happened? Emil Jones and Frank Watson came together, came

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together, they know how important it is. We need to move on these Bills now. We've got 5 hours and so, I don't want to speak for... I see Representative Granberg, Representative Hoffman, Representative Molaro, Representative Hannig... I don't want to speak for them. Perhaps they can... Representative Hoffman, that's the one I called first, I don't know if he will... wishes to, but the point is, if we're really committed to capital, we talk a big game around here, this affects upstate, downstate, east, west, north, south. We need to know if you're serious about this Bill, this package, moving it tonight, not something that goes over on a House Bill for the first time and sits over in the Senate when they've already adjourned. What I need to know, are we going to move forward tonight on these, the real Bill? And I need an answer tonight, not in 5 hours, but now."

Speaker Lyons: "Leader Cross, again, if I could get you an answer as soon as possible, I'd be happy to do it. I don't have access, obviously, here from the Chair, I know you know that."

Cross: "All right."

Speaker Lyons: "But I know that your voice has been heard for people..."

Cross: "Look..."

Speaker Lyons: "...who can address that, hopefully, as soon as possible."

Cross: "I'm not the only one out here that wants capital Eleven and a half billion... million (11,500,000) people in this state know we need capital. Everybody in the state

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knows we need capital. Everybody in this chamber knows we need capital. Everybody in the Senate knows we need capital. Every labor group in this state knows we need capital. Every business group, every road builder, every school, every university, every state facility knows we need capital, early childhood facilities. The list is long. Are you guys the only group that doesn't believe we need capital now? Not in the fall, not next January, but now. And we don't need an answer later. And with all due respect, Mr. Speaker, you do a great job. I am not aiming this at you. But we need to have an answer and we've got to move forward, not later, but now."

Speaker Lyons: "Again, Representative Cross, I can't give you a definitive answer immediately..."

Cross: "Now, Mr. Speaker, I don't think... this is an issue and I normally would say, all right, I've done my thing, I'm going to sit down. We can't... I'm not going to give up on this one. This is... this is too important. This is about real people. Half a million jobs that we have an opportunity to create in this state, put people to work, they don't... they're losing jobs, unemployment's up. People can't make their mortgage payments, gas is going up, electricity is going up. We can put people to work, a real jobs Bill. We've gone nine (9) years, the well is dry. This is an opportunity to fill it up and let people get paychecks, make their mortgage payments and stop that foreclosure, buy gas, buy clothes for their kids to go to school this fall. We need to know now. Not an hour from now, 'cause I know what would happens around here. By now,

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it will be 8:30 and someone will come out and say, well, we're going to file this Bill, take it or leave it. Why can't we get an answer and I don't know, maybe I'm the only one that cares about this. I don't... I don't think so, but I think we need to move forward on these capital Bills and we need an answer now."

Speaker Lyons: "I don't know how else to answer you, Leader Cross. I said I do not have access to the Bills to call them at my disposal here and now."

Cross: "Well... All right. Let me ask... let me... can I ask Representative Hoffman. Does he plan on moving forward on his? Is that a fair question? Representative Hoffman, are you moving forward on your Bill? You got a Motion to Concur. Let's find out. Do you want to go forward? All right. I... What else are we going to do? Yeah. All right. Thank you. That was easy. Now, that was very, very easy. Let's move forward and vote on Representative Hoffman's Motion to Concur. That would be acceptable to me. Representative Granberg has one. I don't know if Representative Hoffman wants to speak for him or does Representative Granberg want to move forward. Perfect, that's two of them."

Speaker Lyons: "Representative Hoffman."

Hoffman: "Yes. I don't want to interrupt the Leader, if he would allow me, I can address the issue. First of all, I have filed a Motion to Concur on House Bill 6339 which is the spending portion of the capital Bill that did, indeed, pass overwhelmingly in a bipartisan manner through the Senate. I certainly would... would like to have that Bill

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heard and I know that Representative Granberg has filed some of... a Motion to Concur on the Amendments regarding some of the revenue portions. If I might, on a point of personal privilege regarding the capital Bill and to address some of the questions as my name was used in debate. Mr. Speaker, I'd like to address some of the questions raised by Leader Cross, if I might."

Speaker Lyons: "Proceed Representative Hoffman."

Hoffman: "Yes, Mr. Speaker. I... I want to just comment on what Leader Cross had indicated to us and I'd like to really talk to this side of the aisle, if I might. The whole chamber certainly can listen, but I think people need to know where we've been on this issue of providing jobs, providing economic development, providing a future for the children of our state through education. As a Democrat... as a Democrat I remember walking door-to-door when I first... first began helping people in Democratic politics and I remember the reasons I did it. I did it for three (3) reasons, three (3) reasons I became a Democrat. I became a Democrat: number one, because I wanted to protect the people who couldn't protect themselves, the most vulnerable. In this Bill, we have money for access to health care, for hospitals. We have money to make sure that people who don't have cars have mass transportation. We have money for people who cannot get jobs in urban areas for urban revitalization. We have money for some of the rural areas of our state to move forward with economic development and make sure we have money for biodiesel fuel plants, put people to work, for ethanol plants, clean coal

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technology. There is money in this Bill to create jobs and economic development throughout our whole state. Second, I became a Democrat for the same reason you did, to create jobs for the people we care about, working people. What's this Bill do? What's the Bill that passed the Senate do? Creates seven hundred thousand (700,000) jobs, seven hundred thousand (700,000) jobs, seven hundred thousand (700,000) jobs to people across the entire State of Illinois, not just Chicago, not just central Illinois, but the suburbs and downstate as well. And third... third, because I believe that every child in Illinois, every child, like Roger Eddy believes, like Representative Cross believes, like Representative Miller believes, every child in Illinois should have the right to a good, quality education. We shouldn't have schools falling down around them. We shouldn't have educational facilities in our universities and community colleges that are inadequate. We shouldn't have an educational system that only serves the wealthy. It's wrong. It's darn wrong and I'm sick and tired of it. And now we have Bills that came from the Senate, Bills that are going to create jobs, help protect the vulnerable, provide educational opportunities and what do we get, the same old song and dance. The same old excuses, the same old, oh, we have this excuse and that excuse. I'm sick of it. I'm sick and tired of the excuses. What's the truth? The truth is over two hundred and fifty (250) days ago... over two hundred and fifty (250) days ago the Senate passed a jobs Bill. Have we heard it here in this House? No. So, what do we do? We ask

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Speaker Hastert, a Republican, President Poshard, a Democrat, to come together in a bipartisan fashion to please help us. Help us create jobs, help us on this side of the aisle... help us on this side of the aisle to get past some of the problems that were raised. What are those problems? The first was trust. I've heard it over and over and over. Trust, we don't trust the Governor. There's a reason I may... I know, I know you believe it, I know you say it, but let me tell you, in this Bill there are provisions to make sure that the promises that are made, the promises will be kept. Let me just say about this, I'm always accused on the floor of this House of being an apologist for the Governor. You're the Governor's spokesman. Well, let me say something about that. Do I always agree with him? No, no. Do I sometimes say... do I sometimes say some of the things that he said are wrong? Absolutely. Do I believe sometimes he wouldn't act the way he acted? You darn right. But let me tell you something, I'm a Democrat and I'm proud of it to be a Democrat in fighting for access to health care, fighting for jobs, fighting for things we believe in. The hell with the things that you guys keep saying, you have problems with trust. Let's put them aside. Let's move forward together. We can do this. We can create jobs. We can protect the most vulnerable among us. We can make sure that we do what's right for the State of Illinois. I'm not kidding. This is serious. This is serious. Who's gone to the gas pump lately? Four dollars and fifteen cents (\$4.15) here in Springfield for gas. People are out of work, people

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can't make ends meet. Put the petty politics aside. I beg you; I implore you. Speaker Hastert has worked so hard. Glenn Poshard has worked so hard to put the trust factor aside. Please, let's do it now. Let's work together. Let me tell you what happened in the Senate. Here's what the Senate did. They put partisanship aside. They passed Bills that created jobs. They said this is too important. We need to call these Bills tonight. And Democrats... Democrats, listen to me, please. Please, I beg you. The Chamber of Commerce is for this. Labor is for this. Twenty-six (26) Republicans are for this. What are we doing as Democrats not moving forward with the issues we care about? If we're going to follow the Leadership in this chamber, we as Democrats are not taking care of our responsibility to the vulnerable among us, the people who need educational opportunities, roads, bridges, health care. Shame on us. Shame on us as Democrats. Call these Bills. Let's put people to work."

Speaker Lyons: "Mr. Clerk, a Rules Report."

Clerk Mahoney: "Rules Report. Representative Barbara Flynn Currie, Chairperson from the Committee on Rules, to which the following legislative measures and/or Joint Action Motions were referred, action taken on May 31, 2008, reported the same back with the following recommendation/s: 'approved for floor consideration', 'recommends be adopted' is Amendment #4 to Senate Bill 2520, Amendment #3 to Senate Bill 2636. On the Order of Concurrence 'recommends be adopted' is a Motion to Concur in Senate Amendments 1 and 2 to House Bill 5088 and a Motion to Concur in Senate

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Amendments 1 and 2 to House Bill 5701. The Rules Committee will meet immediately in the Speaker's Conference Room. The House Rules Committee will meet immediately in the Speaker's Conference Room."

Speaker Lyons: "The Chair recognizes Representative Dave Winters."

Winters: "Thank you, Mr. Speaker. The inquiry of the Chair. I've been here in this building since 8:30 this morning in committee, caucuses. I didn't have enough to eat and what I have eaten probably wasn't the best for me. I don't know if it's a coffee high or a sugar high, but I'm... I'm cost... kind of lost, dazed, and confused. What building is this? What's this building called that we're in? Is this the Capitol? Inquiry of the Chair? Is this the Capitol?"

Speaker Lyons: "The statehouse."

Winters: "It's the statehouse. I think more... more properly called the Capitol. We are under the Capitol dome and isn't it appropriate that maybe we should start talking about capital a little bit today. Three (3) out of the four (4) Leaders are here. In fact, I was... I was going to bring up another inquiry of the Sponsor of House Bill 2651, Representative Molaro. It turns out that that Bill initially, which is now the gaming Bill, I voted for it yesterday, I think it was yesterday, the initial Sponsor was Speaker Madigan. The chief cosponsor was Majority Leader Currie. And they both removed themselves from the way that we're going to pay for capital. I believe Representative Molaro would like to call his Bill. I know Representative Hamos and I have held hearings and meetings

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for weeks upon weeks trying to develop, along with the Speaker of the U.S. Congress and Congressman Poshard, this Legislative Body is interested in capital. When are we going to get a capital Bill in front of us? That's what we want to know and we all want to know it. When do we get to vote on capital?"

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

Franks: "Thanks. It's all right. Thank you. I appreciate the comments of... of Leader Cross and I'm glad to... you know, we all agree that we need a capital Bill, there's no doubt about that. But we've got to be honest what we're doing here. You know, yesterday you got up and you argued that we shouldn't be voting on the budget because we hadn't done revenue and we didn't have enough money because we'd be 2.1 billion dollars (\$2,100,000,000) unbalanced and we shouldn't be doing it, but now you're saying that we should vote for a capital Bill, though we don't have revenue sources that have passed. But... I know, but let's be honest about this. What I thought was interesting, though, was the... talking about Speaker Hastert and Congressman Poshard and how hard they worked and how they had gone around the state for eight (8) weeks and done a listening tour and decided on what the capital Bill should be. And then the capital Bill, in the last week or so, has changed from twenty-seven billion (27,000,000,000) to thirty-one billion (31,000,000,000) to thirty-three billion (33,000,000,000) and the numbers keep changing. There hasn't been any definition and what concerns me is though

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they might have spent eight (8) weeks on a listening tour, we didn't have the leadership from the Governor's Office here for that same amount of time. And if we would have had the Governor working this and dealing with the individuals and talking about what we needed in our districts and doing line items for each item, then I think we might have been able to get to a capital Bill. But I'm, frankly, very concerned about giving the Governor thirty or thirty-one or thirty-three billion dollars (\$30,000,000,000-\$31,000,000,000-\$33,000,000,000) when we have not enumerated where that money is going to go. We're talking about lump sums. Last year, if you did.. if you want to remember what happened in the budget last year, the Senate Dems got lump sums, where we had all put our projects in line items and the Governor vetoed them, but those that didn't show where the money was going, they got their money. Now, that is not transparency and that is not good government and if past is prologue, to think to give that kind of money without parameters on where it would go, we would not be doing our jobs. We need to have accountability throughout the government. I don't think any of us, if we are really, truly honest, can say that we'll think we'll be treated fairly if we would give that money unfettered to the Governor. He's had ample opportunity to meet with us and to put things in a line item form and he hasn't. I wish that he would have spent the same amount of time and effort that Speaker Hastert and Congressman Poshard did because I think if he did we'd have a much better opportunity to get the Bill passed. But

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without those line items that's... I don't see how it can happen. And Representative Hoffman talked about trust and for us to get over that issue. I don't think we can give that issue away. If you saw a poll recently, Governor Ryan 52 percent, Governor Blagojevich 48. So, if you're talking about trust, I think we ought to listen to the people that sent us here. We have a fiduciary obligation as trustees of this state to make sure that our money is not squandered, we have to do the right thing and let's be honest, you give us line items, I think every one of us will vote for it. We should do this in November. We have time. We all need this. We agree that we need it, but it'd be... we'd be nuts to give a blank check. So, let's be honest about it. Let's not make this politically sniping back and forth here. Let's put the blame where it belongs. The Governor should have shown leadership, he should have been working on this, he should have been in Springfield, quite frankly, and because he wasn't here, we didn't get this done. Hopefully, we'll be able to get it done in November, but I... we got to be crystal clear on this and honest. Thank you."

Speaker Lyons: "Representative Lou Lang."

Lang: "Thank you, Mr. Speaker. I understand the spirited debate and the spirited commentary, but frankly, virtually everything we've heard for the last 20 minutes would have been better spent when we actually debate the capital Bill. Some of these folks are going to say the same things all over again, so we just took time we could have been taking as... are the Bills we have on the Calendar and other things,

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committees we may be having before the end of the evening to actually move some legislation. Ladies and Gentlemen, I don't think there's a Member of the House or Senate in either... in either Party who does not think we need a capital Bill. Of course, we need a capital Bill. And of course, it would be great to pass a \$33.7 billion (\$33,700,000,000) capital Bill. But the question is not should we pass a capital Bill, the question is should we pass this capital Bill. It's not about our friends in labor who want to build things; we respect that. We want to help them build things. It's not about the people we want to put to work; of course, we want to put them to work. But we have a responsibility not to pass legislation in the blind. We have a responsibility to know what we're voting for, what it means, and where it's going and pretty well have guarantees about how \$33.7 billion (\$33,700,000,000) of taxpayer money will be spent. Maybe some of you don't think it's taxpayer money 'cause it's going to be bonded, like it's free. Well, we have to pay for it with taxpayer money, however we get that money. And so, I, for one, think we ought to get these to the floor and I, for one, think we ought to debate them. And then let's see who's for them and who's not for them. But to say that we have to pass this capital Bill simply because we want a capital Bill is irresponsible. Simply because it may be the only thing before us today does not make voting for this an automatic vote. An automatic vote is one where we know where the money's going, we know where it came from and we know what projects will be built where. If this

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Bill says that when we get it, then probably you should vote for it, but I'm not sure the Bill says that. And so, Ladies and Gentlemen, again, just so we're clear, every one in this chamber is for a capital Bill. The question is, will we be for this capital Bill. I, for one, think we ought to take a vote on it and then we'll find out if we ought to be for this capital Bill. Thank you, Mr. Speaker."

Speaker Lyons: "The Chair recognizes Representative.. Representative Dunkin."

Dunkin: "Thank you, Mr. Speaker. A point of personal privilege."

Speaker Lyons: "State your point."

Dunkin: "You know, some of the arguments that I've heard all this year have been a great need for capital projects here in the State of Illinois. Even back in my district in Chicago, where on one side of town it's a very affluent, wealthy area where they're very successful, on the other side of town it's just the complete opposite. Where they're complaining to me in my ear about fixing the basic roads, some of the new bridges that we have, some of the viaducts are collapsing, our schools over there on the southern part of my district are in dire need for transformation and some capital dollars to be infused into the system. And so, they tell me quite often, Mr. Speaker, that we need to bring some needed dollars to help do some basic repairs in a community where real people live and where real people pay taxes and also add a tremendous value to our great state. They told me time and time again, over

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the last several years, that this is a major priority for them. And what's interesting is, I come down here and I hear the exact same argument from my colleagues that live in Effingham, some of my colleagues that live in Peking (sic-Pekin), some of my colleagues that live right here in Springfield. They're saying that we need to come up with some way to fund some of these deadly bridges, deadly schools and roads and try to fix it and put people to work even in the City of Chicago. We all pretty much speak the same voice as it relates to bringing dollars here to our respective district. Now, I also hear on this floor, on this side of the aisle, on the other side of the aisle, criticism as it relates to this Governor. Some of it's warranted I guess, some of it may not be warranted; I'm not 100 percent sure. And I think what Glenn Poshard has accomplished along with former Speaker Dennis Hastert was a fail proof set of circumstances here so we won't have to be so dependent on the Governor or his word. So, they came up with a locked box requirement where the revenues will be passed to support the capital program and deposited into a new special fund in the State Treasurer's Office known as the Illinois Works Fund. And this new fund will be used to support all Illinois Works programs. They also came up with weekly meetings where representatives from the four (4) caucuses: the Governor's Office, the Speaker's Office, the Minority's Office, the Management and Budget will meet every week... every week to review the project status. They come up with quarterly reports, release efforts, where the Governor will make good faith efforts to release each

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appropriated Illinois Works project as quickly as pre... practical. And he also came up our traditional MOUs. Now, whether you like this situation or not the people in this state really are demanding that we do the right thing. That we come up with the funding streams to pay for needed capital improvements. A bird in the hand is worth more than a bush and right now, with the Senate passing this Bill and having Republicans and Democrats overwhelmingly passing it out of there to this chamber, that speaks volumes. That says a number of things about what it is that other Representatives and Senators feel because their constituents are telling us exactly what they want and what we need to do. So, irrespective of whatever your personal feelings are toward the Minority Leader, the Speaker, the Governor, the Senate President, here's an opportunity for us to take the lead after almost ten (10) years and do something proactively and do something right now. Unless there's another alternative, I think we need to act. We also have an opportunity to take advantage of federal funds that's coming or that... that will be... that we have until this fall to take advantage of. So, again, we're between almost a rock and a hard place when it comes to us taking care of some of those basic needs in all of our respective districts and I think the time is to do something now, and we do it like there's a great sense of urgency to protect and employ the great citizens in here of the state who could care less about our particular political bickering. They want to see us do what we're supposed to do, do what our Leaders should be doing and that is adding value by

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passing a capital budget that's going to possibly save the lives of many Illinoisans here in this great state. I ask that we call the capital Bill now. Thank you."

Speaker Lyons: "Representative Bob Molaro."

Molaro: "During all this spirited debate we failed... I do want to welcome to this esteemed chamber, the Governor of the state... great State of Illinois, Rod Blagojevich. Governor, welcome to the Illinois House of Representatives. Also... also, here's his chief of staff and also I look around the room, I see a lot of State Senators. I don't know if they adjourned or they thought we were serving dinner or something. I don't know what they're doing here, so... but welcome to the great Illinois House. Maybe a lot of you will follow my lead, leave the Senate and come to the House where the real action and the real business takes place."

Speaker Lyons: "Mr. Clerk, Rules Report."

Clerk Mahoney: "Representative Barbara Flynn Currie, Chairperson from the Committee on Rules, to which the following legislative measures and/or Joint Action Motions were referred, action taken on May 31, 2008, reported the same back with the following recommendation/s: referred to the House Committee on Revenue is a Motion to Concur with Senate Amendments 2, 3, 5, 6, 7, 8, and 9 on House Bill 1496, offered by Representative Granberg. Representative Barbara Flynn Currie, Chairperson from the Committee on Rules, to which the following legislative measures and/or Joint Action Motions were referred, action taken on May 31, 2008, reported the same back with the following recommendation/s: referred to the... a special... House special

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committee on gaming is a Motion to Concur with Senate Amendments 1 and 6 on House Bill 2651, offered by Representative Lang."

Speaker Lyons: "Mr. Clerk, on the Order of Concurrence, we have House Bill 5701. Recognize Representative Gary Hannig."

Hannig: "Thank you, Mr. Speaker..."

Speaker Lyons: "The Gentleman from Montgomery, Representative Hannig."

Hannig: "Thank you, Mr. Speaker and Members of the House. I would move that the House concur in Senate Amendments #1 and #2 to House Bill 5701. This is the FY09 appropriation for the Department of Aging, the Capital Development Board, our higher education universities, DCEO, the Community College Board, the Department of Corrections, the courts of Illinois, the State Board of Education, the State Board of Elections, the retirement systems, the judges retirement systems, Secretary of State, and that would also include the Commerce Commission. No, excuse me, not the Commerce Commission. So, these are the Bills that are in this.. this item. I think that the most important one to probably most all of us is that there's an increase of some significance for our school children in education, one of the items that I think all of us support. There's money for human services in this budget, and this is a budget that I think will address the needs of the people of the State of Illinois. And I certainly believe that it allows us to take a small step forward even in a difficult economic time. So, Ladies and Gentlemen, I present to you House

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Bill 5701. I'd ask for your... your favorable support and I'd be happy to answer any questions."

Speaker Lyons: "Is there any discussion on the Amendments to House Bill 5701? Representative Roger Eddy."

Eddy: "Mr. Speaker, could we have some order so that the... the Body..."

Speaker Lyons: "Ladies and Gentlemen, we're trying to have a discussion. I know there's a lot of commotion, a lot of things going on in the House, but if we could allow for the discussion between Representative Eddy and Representative Hannig, it'd be greatly appreciated. Please, for the moment, could we please lower the tone on the House Floor? Thank you very much. Appreciate it. Representative Eddy."

Eddy: "Mr. Speaker, at this time I'd like to defer to Representative Bill Black."

Speaker Lyons: "He was next up, Representative Cross (sic-Eddy). Representative Black."

Black: "Mr. Speak... Mr. Speaker, parliamentary inquiry."

Speaker Lyons: "State your inquiry, Sir?"

Black: "Under the applicable rule, particularly Rule 21, I would move to suspend the posting requirement and bring all capital Bills to the floor immediately."

Speaker Lyons: "The Chair recognizes the Lady from Cook, Representative Barbara Flynn Currie."

Currie: "Thank you, Speaker. I think the Motion is unnecessary. The Bills have been posted to... Motions to Concur with Senate Amendments have been posted to House Committees and I believe will be heard in the very near future."

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Speaker Lyons: "Representative Black."

Black: "Speaker, my Motion is still in order. You will have to suspend the posting requirements; you don't have time. You're simply using the House Rules to stall what may be inevitable. Suspend the posting requirements; let's hear the Bills on the floor, right now."

Speaker Lyons: "Mr. Black, it's been brought to my attention that the... the Bills will be in committee within 30 minutes and we are in the middle of a debate on the Bill that we already... we have posted. So, we do have and the intention is to..."

Black: "Mr... Mr. Speaker, I would point out to you under Rule 21 subsection 3(b). no committee may meet during the Session of the House. What are you going to do? Are you going to adjourn or you going to suspend, are you going to recess? What are you going to do?"

Speaker Lyons: "The intention, Mr. Black, is to recess, have the committees and come back."

Black: "To... to a time certain?"

Speaker Lyons: "Sure. Within the next half hour, we'll notify you of that, Representative Black."

Black: "In the next half hour?"

Speaker Lyons: "In the next 15 minutes, depending on how much debate is on this, Mr. Black."

Black: "Well, in other words, you're denying my request, under what rule?"

Speaker Lyons: "Mr. Black, we are in the middle of a debate. We recognized you, but we were in the middle of a debate on this..."

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Black: "What... what debate? What debate? The first person recognized..."

Speaker Lyons: "...on House Bill 5701."

Black: "The first person recognized gave his time to me. What debate? What debate are we on?"

Speaker Lyons: "The Bill's posted on the floor, Mr. Black. House Bill 5701, Amendments #1 and 2..."

Black: "Mr. Speaker..."

Speaker Lyons: "...on the Order of Concurrence."

Black: "...Mr. Speaker, this is why I became a Republican to stand up for the rights of the oppressed, of the Minority Party."

Speaker Lyons: "And a darn good Republican, Mr. Black."

Black: "Thank you very much."

Speaker Lyons: "Thank you, Mr. Black. Mr. Hannig."

Hannig: "Mr. Speaker, I've made my opening remarks. Probably no one heard them."

Speaker Lyons: "The question is, 'Should House Amendments #1 and 2 be adopted to House Bill 5701?' All those in favor of the Amendments signify by saying 'aye'; those opposed say 'no'. In the opinion of the Chair, the 'ayes' have it. The Amendments are adopted. To concur... will concur... The question is, 'Shall the House concur in Senate Amendments #1 and #2 to House Bill 5701?' All those in favor signify by voting 'yes'; those opposed vote 'no'. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Mr. Clerk, take the record. On this Bill, there are 53 Members... 63... 63 Members voting 'yes', 50 Members voting 'no'. The House does concur in

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Senate Amendments 1 and 2 to House Bill 5701. And this Bill, having received the Constitutional Majority, is hereby declared passed. Ladies and Gentlemen, we are preparing to go to committees so... Mr. Clerk."

Clerk Mahoney: "The following committees will meet immediately: The Revenue Committee will meet in Room 115, Transportation & Motor Vehicles in Room 114 and the Gaming Committee in Room 118. Revenue in Room 115, Transportation & Motor Vehicles in Room 114, and Gaming in Room 118 will meet immediately."

Speaker Lyons: "The House will stand in recess 'til the call of the Chair. Mr. Clerk, please repeat the committee announcements. Can we please have some order for the committee announcements, please."

Clerk Mahoney: "Committee announcements. The Revenue Committee will meet in Room 115, Transportation & Motor Vehicles in Room 114, and the Gaming Committee in Room 118. Revenue in 115, Transportation & Motor Vehicles, 114, and Gaming in 118."

Speaker Madigan: "The House shall come to order. The Members shall be in their chairs. On the Concurrence Calendar, on the Order of the Supplemental Calendar #3, there appears House Bill 2651. Mr. Molaro. The Clerk will read in a report."

Clerk Mahoney: "Committee Reports. Representative Barbara Flynn Currie, Chairperson from the Committee on Rules, to which the following legislative measures and/or Joint Action Motions were referred, action taken on May 31, 2008, reported the same back with the following recommendation/s:

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'approved for floor considerations' Amendment #5 to House Bill 3424; on the Order of Concurrence a Motion to Concur with Senate Amendments 1, 2, and 3 is 'recommends be adopted' on House Bill 5215. Representative Hoffman, Chairperson from the Committee on Transportation & Motor Vehicles, to which the following measure/s was/were referred, action taken on May 31, 2008, reported the same back with the following recommendation/s: 'recommends be adopted' is a Motion to Concur with Senate Amendments 1 and 2 to House Bill 5494. Representative John Bradley, Chairperson from the Committee on Revenue, to which the following measure/s was/were referred, action taken on May 31, 2008, reported the same back with the following recommendation/s: 'recommends be adopted' is Floor Amendment #2 to Senate Bill 2301. Representative Lang, Chairperson from the Committee on Gaming, to which the following measure/s was/were referred, action taken on May 31, 2008, reported the same back with the following recommendation/s: 'recommends be adopted' is a Motion to Concur in Senate Amendments 1, 2, 3, 4, 5, 6 to House Bill 2651."

Speaker Madigan: "Ladies and Gentlemen, on House Bill 2651 a Motion to Concur has been filed. Are there any other Motions? Mr. Clerk."

Clerk Mahoney: "A Motion to Table Senate Amendments 1, 2, 3, 4, 5 and 6 on House Bill 2651 has been filed by Representative John Bradley."

Speaker Madigan: "The Chair recognizes Mr. John Bradley."

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Bradley, J.: "A couple years ago the Members of this Body joined me in passing a piece of legislation that would have completely outlawed riverboat gambling in the State of Illinois. I don't think that that much has changed since then. So I filed this Motion to Table because I think this is a horrible idea and this is not what we should be doing at the last hour is turning our state into the State of New Jersey. I'd ask for fellow Members to support me in this effort."

Speaker Madigan: "Mr. Lang."

Lang: "Thank you, Mr. Speaker. I simply rise and ask for a Roll Call vote, a record vote."

Speaker Madigan: "Mr. Black."

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

Speaker Madigan: "State your inquiry."

Black: "The Motion before us is to lay all of the Amendments on House Bill 2651 on the table. Is that correct?"

Speaker Madigan: "It's a Motion to Table the Motion to Concur."

Black: "And that was made by Mr. Bradley?"

Speaker Madigan: "John Bradley."

Black: "Now, will the Sponsor of the Motion yield? Representative..."

Speaker Madigan: "Sponsor yields."

Black: "Thank you. Representative Bradley, what's... what's the purpose of your Motion?"

Bradley, J.: "I am committed to opposing casino gambling in the State of Illinois and we are on the verge of making a

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horrible mistake. And so, my conscience tells me that this is the right thing to do."

Black: "I... I respect that. I respect that. Thank you very much. Ladies and Gentlemen of the House... Could I speak to the Motion, Mr. Speaker?"

Speaker Madigan: "Mr. Black."

Black: "I respect Mr. Bradley's Motion and he has done this before and many of us have voted for his... his earlier idea. The problem at this late hour is that the only agreement we can seem to reach on how to finance a badly needed jobs program and repair our crumbling infrastructure, our schools, our universities, evidently, right or wrong, it's... it's an expansion of gaming. Now, I didn't vote for the original riverboat legislation back in 1990 or '91... I can't even remember when it was... but I... I think we should be pragmatists here this evening. If this is the only source of revenue that seems to gather anywhere near enough votes to pass, to close it off at this point does little more in my opinion than to let us avoid a Roll Call on the underlying Bill. I... I think the Motion to Table is, again, while I respect Mr. Bradley's sincerity on the issue and there's something to be said for what he's trying to do, but this idea will not go away. I... there's no... I... I gather there is no sense of the Body... well, let me rephrase that. There may not be any sense in the Body, but I gather there's no will in this chamber to look at other sources of revenue. Some of us have tried, those have been rejected out of hand. Sales taxes, we're not a... we're not a low sales tax state. Income taxes, we can't seem to gather a...

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any consensus on that. So, I think a Motion to Table would send a message that I'm not sure any of us want to send at this point. I would... I would hope that an Illinois jobs Bill and an infrastructure plan is not, in fact, dead in the immediate future. I think we need to keep all of our options on the table, as distasteful as some of those options may be to some Members in this chamber, but we cannot continue to put this off. We are in danger of losing some of our federal tax money that we send to Washington, the need is there, we all agree on the need. I... I rise in... in very reluctant opposition to the Gentleman's Motion to Table. I think all options must be kept open. I think most of us, if... I'm sure a majority of us in this chamber realize that we have to figure out a way to repair the crumbling infrastructure in this road... in this state. We cannot continue to turn our back on the needs that are out there. Union halls in my district are a little lonely. We need to put people to work. I have communities that can't do sewage work, can't do water work because they don't have the... enough bonding authority on their own to do that. I have schools... one school in my hometown of Danville will begin its one hundred and sixth year of continuous operation next fall. John, in all... excuse me... Representative Bradley, in all due respect to you and I know your sincere, I would simply rise in opposition to your Motion to Table. We simply, at this point in time, cannot and should not close off any avenue where we might be able to come to some agreement in the next two (2) or three (3) months to address the critical,

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critical needs that will not go away and our failure to act simply makes those needs more expensive. The longer we wait the more it expensive becomes. Vote 'no'."

Speaker Madigan: "Representative Currie."

Currie: "Thank you, Speaker. I rise in support of the Gentleman's Motion. I, too, believe we do need a capital program in the State of Illinois, but I think the lack of imagination in this package, this funding package for major capital improvement, I think means we need to go back to the drawing boards. This... there is under these proposals there is such a thing as a free lunch. Nobody has to take one red penny out of his or her pocket in order to pay for those roads, those... those transportation cars, the school construction that we so desperately need. Instead, we rely upon thirteen (13) gambling emporiums, not to mention five (5) racinos, will... when you rely upon people who engage in unproductive behavior to pay for our programs and we rely upon the sale of a hard asset, our lottery, in order to be able to fund a few years of a construction program and we divert money from the Road Fund, a diversion that will leave a hole in the transportation program. Ordinarily, when we do a capital program we look at revenue sources that are related to the capital that we want to spend. And so we raise a fee for a driver's license or for a license plate on the car or the truck. We find ways to raise money that are recognized and admit that new programs are going to cost the taxpayer something. In the discussions about capital this year, there were proposals to raise fees to raise those costs. There were proposals from the Senate

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President to raise the income tax to say to the people, yes, we do have needs, but you're going to have to help us pay for it. But what do we have today instead, today instead we have a massive expansion of gambling in the State of Illinois, the sale of a very important hard asset, the lottery, and the diversion of Road Fund money. The whole capital program is premised on unacceptable, unsound, irresponsible revenue sources and I think the right vote on this Motion to Table the gaming part of the program, the gambling part of the program, is a 'yes' vote. Let's go back, start over. Let's do it right."

Speaker Madigan: "Mr. Hoffman."

Hoffman: "Thank you, Mr. Speaker. Will the Sponsor of the... will the Sponsor of the Motion yield?"

Speaker Madigan: "Sponsor yields."

Hoffman: "Yes. Representative, I was interested... this Motion to lay on the table would essentially mean that the ability to recall a Concurrence Motion could only be brought in the future by the Chief Sponsor of the Bill. Is that correct?"

Bradley, J.: "You use the term recall and I guess I don't know what you mean by that."

Hoffman: "Well, it's my understanding that you can bring a Concurrence Motion... a Motion to Concur can be brought more than one time. So, if we lay this Concurrence Motion on the table, the only person that can then bring forward another Concurrence Motion on this Bill, which would help provide funding to create over seven hundred thousand (700,000) jobs throughout the state could be brought... brought... that Concurrence Motion could only be brought by

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the Chief Sponsor, who in this case is Representative Molaro. Is that correct?"

Bradley, J.: "Well, part of that was a question and part of that was a speech. With regards to the procedural, with part of the... with regards to the..."

Hoffman: "It was... it was designed to be both a speech and question, that's correct."

Bradley, J.: "...with regards to the procedural question, I don't disagree with you. With regards to the speech, I do."

Hoffman: "Well, it's my understanding then. So, what you're saying is the Sponsor would be the only one. If we were to vote 'yes' on this and it receives 60 votes, the Sponsor would be the only individual in this chamber who could renew a Concurrence Motion in order to bring this revenue stream or suggestion forward for a vote in this chamber?"

Bradley, J.: "As I said, I don't disagree with you, but I don't make an affirmative statement with regards to your statement."

Hoffman: "And it's my understanding if Capitol Fax... and who doesn't believe Capitol Fax is true... the good Representative unfortunately may be leaving us in the near future; therefore, the ability for the Chief Sponsor to bring a Concurrence Motion when he's not in the General Assembly any longer is a bit difficult to say the least."

Bradley, J.: "I'm sorry. I didn't hear the question."

Hoffman: "Well, you know the question."

Bradley, J.: "Actually, I was talking to Leader Black. I appreciated the way he handled this exchange between the

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two of us and I wanted to express that to him. So, I apologize to you."

Hoffman: "Well, let me just... To the... to the Motion to lay on the table and to the Majority Leader's... Majority Leader's comments previously. Let's go through this process on how we got to where we were. Speaker... former Speaker Hastert, former Congressman now President Poshard, brought together all the Leaders; asked us to sit down, try to work together along with the Governor and them to get a capital Bill, a jobs Bill, a Bill that would provide jobs for seven hundred thousand (700,000) people throughout the whole state. That was done. Every... every Leader showed up, every... or had a representative. In the case of our Speaker, our Speaker, Representative Majority... Representative Currie, the Majority Leader who previously spoke, she was the representative. She was at every meeting. I find it ironic today that now she rises for the first time that I have heard her opposing this type of revenue stream in order to fund jobs and economic development throughout the whole state. I'm not surprised, but I find it ironic, certainly not surprised, certainly, certainly not surprised. The Speaker Hastert and President Poshard held thirty-two (32) meetings throughout the whole state. They tell us not one person, not one person who came to the meetings raised their hand and said I want an income tax increase to fund the capital program, not one. Not one. So, we put forward a proposal... they put forward a proposal that three (3) Leaders support. Mr. Cross, President Jones, Leader Watson, passed the Senate overwhelmingly.

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That did not have a tax increase. It had expansion of gaming and the lease of the lottery. But let me just talk about this Bill and why it is important that if you kill this Bill, if this is laid on the table and the Sponsor who is leaving will no longer be able to bring it to Concurrence Motion, why it's important. Because every Bill that was passed through the Senate, each indicates if the other doesn't pass, there's no capital Bill. If this Bill can't be called again, there will be no jobs Bill that passed the Senate 'cause it will be dead because of that provision. So, beware. Beware of a wolf in sheep's clothing. This vote... if you vote 'yes' on this to lay this on the table that will procedurally kill a jobs Bill here in Illinois for the foreseeable future. Does it surprise me? No. Is it unfortunate? Yes. Because we saw what just happened in the Revenue Committee today. The other significant provision, the lease of the lottery, which incidently passed Revenue Committee less than two (2) days ago overwhelmingly, was killed. Now, let me tell you about three (3) of the votes. Three (3) Leaders from my side of the aisle, my side of the aisle are on that committee. One (1) voted 'no', one (1) voted 'present', one (1) didn't vote. We, as Democrats, if you vote 'no' on this... or if you vote 'yes' on this and lay this on the table, we, as Democrats, are killing a jobs Bill. It will go away. You can't do it because of the procedural minutia that this entails. Don't do it. Allow us to keep working. Allow us to work with our friends across the aisle who tell us they have twenty-six (26) votes to do this. Allow us to provide

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jobs and economic opportunity. Today... today, if we do this, we're just powerless. Aren't you sick of being powerless? Aren't you sick of being in despair over doing nothing? Aren't we sick of the cynicism around here? This is more of the same. When our Leaders kill... kill, vote 'no', vote 'present' or walk out on a jobs program that Democrats should be supporting, that's cynicism at its worst. When procedural wrangling is used to kill these types of Bills, it's cynicism at its worst. Don't be part of it. Do not be part of it. Keep a jobs Bill alive here in Illinois. Vote 'no' on this silly procedural Motion."

Speaker Madigan: "Mr. Fritchey."

Fritchey: "Thank you, Speaker. And I appreciate you allowing Members to have the opportunity to talk on this on what was technically a nondebateable Motion. Not that he needs me to defend him, but I do take exception to the Gentleman's Motion being called silly and to the reference of him being a wolf in sheep's clothing. Representative Bradley has been more consistent than most people ever are down here in his feelings about gaming and his opposition. He put forward the strong Bill dealing with the issue of gaming in our state that we've ever seen and he had overwhelming support for that Bill no less, too. The Gentleman is doing nothing right now other than trying to exercise his rights pursuant to the rules of this House as a Member. With respect to us being Democrats, I'm proud to be a Democrat, too, and I'm proud to make sure that we're not going to do something to the State of Illinois at the eleventh hour because we have a proverbial budget gun to our head and to

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undertake a major expansion of gaming that was never agreed to by the Parties that spent all that time agreeing. You talk about their meetings, you talk about nobody coming forward with other proposals. There were Bills out there for an income tax increase to fix the state's problems, to fix the state's pension problems, to fix the state's education funding problems. The Governor dismissed those out of hand. The Governor said he would never entertain it. So, now here we are at 9:15 at night on May 31, what's supposed to be the last day of Session and we get fronted with Bills that are a take it or leave it form to further indebt our state for generations to come. I'm not going to do that to the men and women, Democrats and Republicans alike, that I represent. I'm not going to do that to our children and to our grandchildren down the road and leave them saddled with debt and say the only way we can get out of it now is to hock off our property, lease out the lottery, expand gaming and turn us into one big casino. The Gentleman is well within his rights. I respect him for bringing the Motion and I urge an 'aye' vote."

Speaker Madigan: "Representative Jakobsson."

Jakobsson: "Thank you, Mr. Speaker. I rise in support of the Representative's Motion. I do support a capital Bill. I've told my constituents this for a long time, but this is not the right Bill. I've heard people talk about we need a way to fund this and that we're not willing to make a commitment. I was one of those who voted for HJRCA 42. There's a record there. You can see that I did that and I believe that would have provided one billion dollars

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(\$1,000,000,000) a year for capital, had that gotten out of here and given our... people in the State of Illinois the opportunity to vote for that. The capital Bill that's before us and the way it's been presented to us is not the right one or the right way. Sure, there are some projects in this capital Bill that would help my district. The... We've heard the term Lincoln Hall used many, many years and yes, Lincoln Hall does need some renovations. It needs a lot of capital. There's also, supposedly, money in there for the Petascale Building, but what's the guarantee. What's the guarantee that this money would come that way? The Governor promised funding for these projects in the past. You know, part of the grant proposal for the Petascale Project included a commitment from the state and the Governor agreed to that and said that there would be sixty million dollars (\$60,000,000) from the state for the Petascale Project. He hasn't lived up to that promise. You know, in the meantime, he did find sixty million dollars (\$60,000,000) for the Argonne National Labs somehow or other he found that money, but he wasn't able to find the sixty million dollars (\$60,000,000) that he made a commitment for. When he vetoed projects last summer that were in our budget, at least we knew at the beginning of the budget year that those were vetoed. But there were things that we had in the budget that were there, we thought we were successful. We were able to have five million dollars (\$5,000,000) for gifted education for the first time since he was here and well into the school year I started hearing from my teachers that they weren't

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getting any money for gifted education. When we were in appropriations I asked the representatives from the State Board of Elections where the money was for gifted and at that time they said the Governor hadn't released it. Well, just recently the Governor did release that money, but you know what? School's out, it's a little late in the year. So, we've talked about trust and when my constituents and the labor people and the people who want jobs in my area have called, I've told them that I want capital, but I had to tell them when they asked me what do you mean you can't trust and I told them some of these stories. So, I urge an 'aye' vote."

Speaker Madigan: "Representative Hamos."

Hamos: "Thank you. Ladies and Gentlemen, you know, I don't know... I don't really understand what the previous speaker was talking about except that everybody's... You know, because... look, you know why, because whenever we start talking about anything real around here we go back to all the government... the Governor's failings. It's our favorite sport around here is to blame the Governor for everything. Now, I can get into that, too, but what we're talking about today is the need to move a capital Bill forward. Where are we with that? Now, it's beginning to feel like maybe we don't want to pass a capital Bill, maybe we want to stall a capital Bill, maybe we want to stall it 'til the year 2011. How does that year sound or maybe the summer of 2010 when this Governor can't get any ribbon cuttings. That's what people are saying. Let's be honest about this. You know, the real issue here is exactly what Leader Cross

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asked over an hour ago. If we don't pass this, if we lay this on the table, whatever we do tonight to kill off some Bills that are currently before us, what is the plan, Speaker, to move a capital Bill? Now, it's very possible that the Governor is going to be calling us back, really within a month. What is the plan between today and that date to get a capital Bill organized, one that we can all accept, one that we can have consensus on? We have questions here. It's been a year, one (1) year ago at this very time I was trying to pass a transit Bill or beginning the process and we were already hearing about the need for a capital Bill, nothing around here takes a year unless there's a deliberate attempt to not move it. And I think after a year of waiting we have a right to know what we can do to help, what are the plans afoot, what.. what process is going to be set in place to actually do a constructive job, a proactive job, of building consensus in two Houses to pass a capital Bill."

Speaker Madigan: "Mr. Cross."

Cross: "Thank you, Mr. Speaker. I... The yelling and screaming on this issue and others and I've been part of it, needs to stop. I... I'm not sure what we do now. I've seen some things tonight that I've never seen. A fifty-five billion dollar (\$55,000,000,000) budget and we're not even allowed to debate it, cut off. It's unbelievable; it's unfathomable to me that that happened tonight. An exercise of raw power on that issue and I've made my point and we'll move on. It was unacceptable. And then the parliamentary procedure used to kill a capital Bill. We don't even trust

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Members in this Body to vote up and down on capital? We're going to take a parliamentary procedure and kill it. I don't understand it. It makes no sense. We've got to confront this. Julie's right. Jay's right. Others are right. Everybody in this building says they want capital and I believe you, I really believe you. This isn't new material that we've been talking about. I've probably spent hundreds of hours, no exaggeration, with your Speaker... our Speaker, Frank Watson, talking about all these concepts. This Bill, by the way, in case you're wondering, that you want to get rid of so much, has as strong an ethics package as you'll find in this country, the insistence of the Speaker and rightly so. I applaud him for it. I applauded him for it at the time he put it in, on one of the earlier, an earlier... earlier version, and it was the right thing to do, Mr. Speaker. You were right. You and I've had a lot of disagreements this Session, but on this Bill with respect to ethics I thank you for it and we accepted it and honored it. But none of this stuff is new to any of us. We all seem to focus on trust and we use it in a lot of ways, but I can tell you, as we've worked through this particular Bill and all of these Bills around capital, I don't think the Governor has refused the repeated request and ideas to ensure that trust, the concept and the fears about trust, are overcome. I don't know if it's MOUs, done. The idea of maybe eliminating bonding authority, done. There are a host of things and I don't have them all here that he said, all right. I... we need to get over it and I will accept that as the Governor,

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things that probably as a Governor whoever it is, limit their power, but he understands the issue he has with respect to trust and was willing to say, bring them on, I take them. Frank and I were probably the strongest in the meetings. Frank... in particular, Watson who said, you got to do boom, boom, boom, boom; there was a whole list and he accepted them. We, tonight, and I've made this point, have said to him, we're going to pass your fifty-five billion dollar (\$55,000,000,000) operating budget and we're going to trust you, Governor, to make those cuts on education, DD, seniors, aging, Department of Corrections, whatever it is, so in that case we trust him and on this we say we don't. We have got to find a way to get over this. He hasn't treated our caucus, with a certain exception or two here, particularly well. Certainly, hasn't treated the Senate Republican Caucus very well over the last few years. It was a pretty dry period for both of us in '05 and '06, but yet we're both, as caucuses, willing to support this capital Bill and move on. I don't think we can keep using trust as an excuse not to do capital. The needs are too great. Now, if we simply don't like him and we don't want to give him money, let's say that. And we don't want to say we don't want capital and we're not going to do it for two (2) more years. I don't think we can afford to wait that long. I know we can't afford to wait that long for a variety of reasons, you've heard them. It may be the loss of nine billion dollars (\$9,000,000,000) in federal money that's rapidly approaching. And ask anybody here to talk to one of their congressional members and ask them what

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it's going to be like to be at the table next year when they're working on a transportation Bill in Washington, D.C., and they're in there saying we need a lot of money for Illinois and they look those congressional members from forty-nine (49) other states, and say, you want what? Yeah, we want some more money for Illinois. You hadn't spent the money we gave you. That's on top of the jobs and the need and the safety. The list goes on and on. So, I don't know what we do. We're willing to be open-minded about it; we're willing to come back. We'll do whatever it takes. I don't think we can wait until the fall or next year as some have said. We tried to be flexible. We've tried to be open-minded. We've got Members that are looking at some revenue streams that they normally wouldn't look at. None of these ideas are great in terms of saying, oh... oh, my word, or say at least on the lottery or gaming, oh, I can't wait to vote for those. None of them are going to be pleasant, but people know around this state that we need to do this. And we all, 118 of us, not one of us but all of us, need to drive this, not me or not the Speaker not Emil not Frank not the Governor, but us 'cause it benefits all of our constituency. So, as I said, Mr. Speaker, I'm not interested in yelling or screaming anymore, I just want to get a capital Bill done. And I don't know if the Governor's going to call us back, if he does, we'll be here. We'll work. This is important stuff and this issue is probably as big an issue when you wait nine (9) years as many of us will face in our time here. So, I trust or I... not trust... it appears that we're moving

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to the point of conclusion, at least at this point, on capital. I hope not. I hope that this Motion does not pass. I hope it's defeated 'cause I think this isn't a viable revenue stream. But I think all of us, 'cause I assume we're about out of here, we need to think long and hard about how serious we want to be about passing capital and get over our trust issues and know they're there. We all run into people in everyday life that we don't like and we don't trust, but if you didn't... as I've said earlier... if you didn't go to work one day 'cause you didn't like your coworker, you wouldn't have a job very long. It's time to move on. It's time to accept the players and their pluses and their minuses and the fact that we don't like somebody is no longer an excuse to not get our work done. Thank you, Mr. Speaker."

Speaker Madigan: "Mr. Granberg."

Granberg: "Thank you, Mr. Speaker, Ladies and Gentlemen of the House. I won't belabor the issue. I just want to make one comment. And I've heard my friends who are opposed to gaming speak against... or for this Motion and that's fine. If they are opposed to gaming, that's why they're here. If their constituents are opposed to gaming, they should vote the wishes of their constituents. But I would say this, don't let a procedural Motion obfuscate the issue. This is a very, very serious Bill. If you're opposed to gaming, vote against the Bill. It's very simple. This is an easy 'no' vote. Let's get to the heart of the matter. Let's get to the crux of it and just vote against the Bill. But when you let procedural votes do the work, that's wrong."

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That's why we're not here. We should not be here to do that. We represent over a hundred thousand (100,000) people. Stand up, make the vote you believe in, whether it's 'yes' or 'no', but don't let procedure kill a Bill of this magnitude."

Speaker Madigan: "Mr. Molaro."

Molaro: "Thank you. I'm glad we're not debating on a Motion that's technically nondebateable. So, I don't know if I should thank you for allowing all of this debate, I mean, it's getting late, but I do thank you for your courtesy to let everybody speak on a Motion that by rules is actually nondebateable. But that being said, I just want to straighten a couple things out, there's more.. the Gentleman from Madison County. First of all, a Motion to Concur can be filed ten (10) times a day and as a matter of fact, if I gave up.. and I'm not going anywhere for a while.. if I gave up the sponsorship, the new Sponsor could file a Motion to Concur. So, I just want to make that clear. Those are our rules. So, a Motion to Concur is a reoccurring Motion that can happen any time, that can happen if this is failed, I can file another one. If I give up the sponsorship to Jay Hoffman or Leader Cross, they could file their Motions. That's number one. Number two, let me get this straight, I didn't bring this Bill. This Bill was.. for the past five (5) years, I've been working on 3 percent for the horsemen and the tracks and I've passed that Bill every time. Somebody in the Senate stole my Bill. 2651 passed here with 80 votes and I couldn't get a vote. It passed 13 to 0 in committee and I couldn't get a vote on the Senate Floor.

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They decided to take my Bill and do this and this morning I went to a commit... to a meeting where the two main Senators, two Leaders who were there, gave their word that the horseracing stuff would be in it and it's not. I've been working on this for seventeen (17) years and I can't get one paragraph in a 700-page Bill and you expect me to be for it. But I kept my word and I told them to pass that Bill, we'll get it to committee and no one was talked to in committee. Now, we know, it was pointed out by the Representative from Vermilion, that if the other Bill doesn't pass, whatever Bills we're doing here, I have no idea what the Senate Bill... you've got to pass these forty-two (42) other Bills or this one doesn't work... I have no idea what convoluted mess they sent over here. But they sent over and some of those Bills failed in committee and they failed when Republicans didn't vote for them and if you were in the Gaming Committee, you saw a bunch of Democrats vote for this. There's no games being played here. So, the point being is, here's the Motion. Now, this man has every right to bring a Motion, as a matter of fact, it's on my Bill... I'm not too happy about that by the way, but you can't question his motives. He's been doing this stuff about killing gaming which I think he's dead wrong, every state around us has, but you can't question the man's motives. You can't say it's all gamesmanship. The gamesmanship is when they stole my Bill that 80 of us voted for. So, what games are they playing? Now, it's the last day of Session. The process is we all play games on the last day of Session. It's the last day. When I was

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ten (10) years in the Senate, everything that you guys talked about on this Bill and not seeing it and not reading it, let's go get the tapes of what I screamed about when I stood on the... on the desk, screaming when 'Pate' would gavel and we all walked out. 'Pate' would never let us talk like this. 'Pate' wouldn't even give you... give you a... a caucus if you asked for it. They would never allow the Representative from Vermilion to have as much time as he had. I had the microphone shut off on me so many times your head would spin and all Members. That's what the way it was done. That's the process down here. But I'll conclude by saying this. This Bill could be called a hundred times. The man has a Motion, vote 'yes' or 'no', we move forward. And by the way, even if we called this Bill and it passed, because of what the Senate put in those other Bills, it fails by operation of law."

Speaker Madigan: "The question is... Mr. Riley."

Riley: "Well, if you're about to call the question, I guess, as the last speaker, this is a view from a backbencher. When I arrived down here on inauguration day, one of the first people that I met was John Bradley and I did not seek him out. It was not because of happenstance that I happened to meet him, he sought me out. He sought me out because we had a mutual friend and John Bradley came up to me and introduced himself and we talked as if we had known each other for years, even though we had just met. John is a very admirable man. I consider John a friend. We agree on a lot of things; we disagree on some things. But integrity is one thing that I found that he has had and passion."

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Witnesses' testimony when we were dealing with the ComEd, Ameren situation. I agree with John on this issue, Representative Bradley, but for a... different reasons. Now, many of you know I'm a statistician; I can calculate all the odds. And I'm not real big on gaming to fund some of these very important initiatives that we face here in the state, but I can do it for a lot of different reasons. I have a community in my district, Country Club Hills, that has a very big and very well-thought-out proposal, mixed use proposal and part of that proposal is a casino. They've been at it a long time. I think that there are some issues about their ability to maybe compete for the casino that are unclear in this Bill. And there's a lot of other things that are unclear about it. This is a massive Bill and a lot of aspects of it we've gotten at the last minute. So, as Leader Cross said, I think there is work to be done. There's work to be done in the future. There's a lot of things to be analyzed. And so, it's for that reason that I agree with John, even though, you know, we come from a different perspective. I think there's more work that has to be done regarding the capital Bill, but everyone wants the capital Bill. It's extremely important for this state. And so... but I just wanted to make that point about a person that I have a lot of respect for and let's hope... let's move together. Let's do our analysis, do our due diligence and really be sure that we come up with something that's... that's good and workable for the people of the State of Illinois."

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Speaker Madigan: "The question is, 'Shall the Motion to Table be adopted?' Those in favor signify by voting 'yes'; those opposed by voting 'no'. Have all voted who wish? Have all voted who wish? The Clerk shall take the record. On this question, there are 59 people voting 'yes', 52 people voting 'no'. And the Motion is adopted. Mr. Clerk, what's the status of House Bill 5215? Mr. Black."

Black: "Mr. Speaker, inquiry of the Chair."

Speaker Madigan: "State your inquiry."

Black: "Everywhere that I've looked in the rule book it talks about, on Motions, a majority of those elected. That Motion to lay on the table did not receive a majority of those elected. If you cite... have a parliamentarian cite the specific rule where that, in fact, passed?"

Parliamentarian Ellis: "Representative Black on behalf of the Speaker in response to your inquiry the standard is more 'ayes' than 'nays' on a Motion to Table unless otherwise specific in Rule 60. There are some Motions to Table that specifically require 60 votes, but this is not one of them. So, the default is more 'ayes' than 'nays'."

Black: "I'm going to have to get the annotated version of the rules that you use."

Madigan: "Mr. Clerk, House Bill 5215, what is the status of the Bill?"

Clerk Mahoney: "House Bill 5215, a Motion to Concur on Senate Amendments 1, 2, and 3, by Representative Hannig, has been approved for consideration."

Speaker Madigan: "Mr. Hannig."

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Hannig: "Yes. Thank you, Mr. Speaker and Members of the House. I move to concur in the Senate Amendments. This is a supplemental appropriation and it deals with two (2) issues. Number one, it deals with the supplemental appropriation for the Department of Transportation. In this respect, it's identical to a Bill that Representative Hoffman passed earlier in the month and for whatever reason did not prevail in the Senate in that form, but they sent it back to us in this form and it provides for a supplemental appropriation for FY08 for the downstate mass transit districts. As you'll recall, we passed our budget last year in August and we passed the changes to the mass transit districts in January. That made the... that made the budget out of line with the statute and so this adjusts those payments. That's all it does. I'd be happy to answer any questions and ask for a 'yes' vote."

Speaker Madigan: "Mr. Moffitt."

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

Speaker Madigan: "Sponsor yields."

Moffitt: "Representative, this does then contain the supplemental for IDOT that we... and we passed one earlier. Is that correct?"

Hannig: "Yes."

Moffitt: "It's not a very pleasant topic to talk about, but animals that have been hit by cars have not been picked up and when I talked to IDOT... and for several weeks in places... last time I came down, I have a hundred and fourteen (114) mile trip, there were fourteen (14) deer... dead deer laying along the road on interstate, just on my trip. I mean,

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this is a hazard. It attracts other animals. It makes our state look very bad. It was my understanding that supplemental was going to address that. So, would this address that so IDOT will get out and pick up litter, debris, tires, recapped tires that have come off, other debris along the road including road kill?"

Hannig: "Representative, it's my understanding that this is... this is the request from IDOT. So, whatever it is that they feel is necessary to perform their duties should be in this Bill."

Moffitt: "I've even had a call from a farmer who has land and has to travel a two-lane state highway. He said the number of animals he has to pull out into the other lane for to get his wide equipment down. I mean, it's become a safety hazard, so I think it's important that... that we know that that's addressing this problem."

Hannig: "And it's important that we ask the Governor to sign the Bill quickly so that the department can begin to issue additional spending."

Moffitt: "Thank you, Representative."

Speaker Madigan: "Representative Dugan."

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

Speaker Madigan: "Sponsor yields."

Dugan: "Yes. I just... I know that you had talked about it, Representative Hannig, but this is... does address the 65 percent that we all agreed to for the downstate transit districts, correct?"

Hannig: "That's correct."

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Dugan: "And it... it... for the FY0... funding. It also, something that we don't want to forget, is it also brings on the fifteen (15) rural transportation districts in downstate Illinois, which will now be able to address a lot of the rural transportation needs that we've never been able to address before, correct, these now include those fifteen (15) rural transit districts?"

Hannig: "It's my understanding that we include those as well, Representative, yes."

Dugan: "Yes. And..."

Hannig: "So, we... so, this brings the spending for the state in compliance with the legislation we passed in January, the new legislation that affected mass transit up in the Chicagoland area and the downstate area."

Dugan: "Okay. Well, I'd certainly thank you and the budgeteers. This is certainly something that downstate... we've been working on... and it's great to see that we will have the funding that we need for downstate transit also. Thank you."

Speaker Madigan: "The question is, 'Shall the House concur in Senate Amendments #1, 2, and 3 to House Bill 5215?' Those in favor signify by voting 'yes'; those opposed by voting 'no'. Have all voted who wish? Have all voted who wish? Have all voted who wish? Mr. Schmitz. The Clerk shall take the record. On this question, there are 112 people voting 'yes', 1 person voting 'no'. The House does concur in the Senate Amendments. And this Bill, having received a Constitutional Majority, is hereby declared passed. Senate

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Bill 2520. Mr. Clerk, what is the status of the Bill?  
2520 on the regular Calendar."

Clerk Mahoney: "Senate Bill 2520 is on the Order of Senate  
Bills-Third Reading."

Speaker Madigan: "Take the Bill back to the Order of Second  
Reading. Mr. Clerk, are there any Amendments?"

Clerk Mahoney: "Floor Amendments 1, 3, and 4, offered by  
Representative Molaro, have all been approved for  
consideration."

Speaker Madigan: "Mr. Molaro."

Molaro: "Thank you. One, 3, and 4, we call this a... I guess a  
good word would be... like a mini omnibus Bill. It's  
technical cleanup language for the City of Chicago Fund,  
Chicago Laborers' Fund, Municipal Fund, Police Fund,  
Downstate Fire Fund and the Cook County Pension Fund. All  
of the pension funds, all of the employees, all of the  
employers are all... and all the unions are for it... this  
partic... all these Amendments."

Speaker Madigan: "Mr. Eddy. Eddy."

Eddy: "Mr. Speaker, will the Sponsor yield?"

Speaker Madigan: "Sponsor yields."

Eddy: "Representative, is Amendment 1... does Amendment 3 become  
the Bill? Maybe we should check the status. Or is it  
Amendment 1 correct? Just give us a second. We want to  
make sure."

Molaro: "No. It's not a gut and replace; 3 is not."

Eddy: "So, Amendment 1 is the... the appropriate one. Okay.  
Thank you for that."

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Molaro: "Yeah. Basically, Amendment 1 is the Bill, #3 is cleanup language and #4 added something for police... Chicago Fire, I'm sorry, for fire."

Eddy: "Okay. And so they all are engrossed in the Bill now. They're all... they're all adopted and they become the Bill together. None of them replace, okay."

Molaro: "Yeah. If I put them together, they all become the Bill, correct."

Eddy: "Is there any... any of the cleanup language or any of the detail inside the language add cost to any of the pension systems?"

Molaro: "No. As a matter of fact, as you well know, the Speaker takes great pride in looking at this and there are no costs. They're either cost neutral or a plus for the state."

Eddy: "Well, I... I in no way was even beginning to question whether or not their... the Speaker had not looked at this and with those with a magnifying glasses and made sure. I just wanted to make sure there wasn't anything in there that, at this late hour, could be construed either as a causing any type of additional costs to the pension systems..."

Molaro: "No. They..."

Eddy: "...or changing any major rules or benefits."

Molaro: "No. No, there's no carve-outs, none of that. The Cook County Forest Preserve wants a felony forfeiture clause, which I'm not happy... not too happy about and it talks about whether they can, you know, once there's a

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disability payment made, can they do an offset against the pension, that kind of thing."

Eddy: "Our analysis indicates that for some reason this affects a particular situation in Buffalo Grove, Illinois. Do you have any details regarding the Buffalo Grove issue?"

Molaro: "Yeah. That was Amendment #2 which we did not adopt. That was Amendment #2 and we did not adopt that Amendment. That is not part of this Bill."

Eddy: "Okay."

Molaro: "Thanks for clarifying that."

Eddy: "Okay. Thank you very much. I appreciate the clarification."

Speaker Madigan: "The question is, 'Shall the... the question is, 'Shall this Bill pass?' Mr. Clerk... The Clerk advises that there's a Floor Amendment #1 and the Chair recognizes Mr. Molaro. I believe it's the Amendment for the fire, Floor Amendment #1."

Molaro: "The one for fire I thought was Floor Amendment 4, which we just talked about adopting. Yeah. Let... what I think is..."

Speaker Madigan: "Clerk advises that you have not adopted #1."

Molaro: "Well, that's what I'm asking we adopt then if we haven't."

Speaker Madigan: "All right. The Gentleman..."

Molaro: "But..."

Speaker Madigan: "...moves to adopt Amendment #1. The Chair recognizes Mr. Black."

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

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Speaker Madigan: "Sponsor yields."

Black: "Representative, it appears to me in the Amendment 1, correct me if I'm wrong, that basically Floor Amendment #1 only deals with those people who would be employed in the City of Chicago or the county of Cook or am I misreading something?"

Molaro: "Right. City of Chicago, the two funds in Chicago and the Cook County Pension Fund."

Black: "I..."

Molaro: "As well as downstate police and fire from IMRF and the downstate police Article. That's also including in 1."

Black: "Also in 1?"

Molaro: "Correct."

Black: "Could you tell me what page that language is on in the downstate?"

Molaro: "Yeah. You got to give us a second. Downstate fire or police or it doesn't matter? Downstate police I'm told is page 1, downstate fire begins on page 3."

Black: "And... I appreciate that."

Molaro: "Sure."

Black: "And could you tell me what basically... what is the impact on the downstate fire and police? Is it enabling them to purchase service credit?"

Molaro: "There's... technically it's a portability issue, going from one downstate police department to another or from IMRF to downstate police. It's a portability question."

Black: "By portability you mean if a... if an officer were to transfer from the City of Chicago Fire Department to the City of Danville Fire Department. I mean, I thought that

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was already in the law that they could transfer... You're right, you're right. If they transfer from..."

Molaro: "Sort of like..."

Black: "...Chicago, it would be different, correct?"

Molaro: "I don't think it has..."

Black: "So, that would be in the portability?"

Molaro: "Yes. I don't think it has to do with Chicago, but it would be like Cook County Sheriff and..."

Black: "Okay."

Molaro: "...and Danville Police Department."

Black: "Okay."

Molaro: "That kind of thing."

Black: "Now..."

Molaro: "Not Cook County. You know, Winnebago County..."

Black: "Right."

Molaro: "...downstate should to..."

Black: "...I understand."

Molaro: "...to Danville Police."

Black: "All right. Now, let me ask you one question. I... it's my understanding that we were to be very cautious of pension enhancement legislation that the Speaker had talked about two (2) years ago. In your opinion, is there anything in this Amendment or subsequent Amendments that one would consider a pension enhancement?"

Molaro: "Not... not without providing the cost or... in a normal cost and the interest so it would be cost neutral to the state and to the municipalities."

Black: "All right, all right. Thank you very much, Representative."

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Molaro: "You're welcome."

Speaker Madigan: "Mr. Clerk, what is the status of the Bill?"

Mr. Molaro moves to adopt Floor Amendment #1. Those in favor say 'aye'; those opposed say 'no'. And the Amendment is adopted. Are there any further Amendments?"

Clerk Mahoney: "Floor Amendment #3, offered by Representative Molaro."

Speaker Madigan: "Mr. Molaro on Amendment #3."

Molaro: "Well, Amendment #3 truly is technical. The City of Chicago Municipal Fund didn't write it correctly. They now wrote it correctly, so I have to put the Amendment. It's technical in nature."

Speaker Madigan: "Those in favor of the Amendment say 'aye'; those opposed say 'no'. The 'ayes' have it. The Amendment is adopted. Are there any further Amendments?"

Clerk Mahoney: "Floor Amendment #4, offered by Representative Molaro."

Speaker Madigan: "Number 4."

Molaro: "Yeah. Amendment #4 just... it's for the Chicago Fire only. And it says if you're declared terminally ill by a doctor, you can collect your disability."

Speaker Madigan: "Those in favor of the Amendment say 'aye'; those opposed say 'no'. The 'ayes' have it. The Amendment is adopted. Are there any further Amendments?"

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

Speaker Madigan: "Put the Bill on the Order of Third Reading. Mr. Clerk, has the Bill been read a third time?"

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Clerk Mahoney: "Senate Bill 2520, a Bill for an Act in relation to public employee benefits. Third Reading of this Senate Bill."

Speaker Madigan: "Mr. Molaro."

Molaro: "Thank you. We spoke about the Bill. It's absolutely cost neutral. Nothing in there can be considered enhancement, the cost of state or municipality, any money whatsoever. And it falls under the rules and guidelines of Senate Bill 27 of a few years ago. I'd ask for an 'aye' vote."

Speaker Madigan: "Those in favor vote 'aye'; those opposed vote 'no'. Have all voted who wish? Have all voted who wish? Have all voted who wish? The Clerk shall take the record. On this question, there are 65 people voting 'yes', 47 people voting 'no'. The House does pass Senate Bill 2520 with a Constitutional Majority and the Bill is hereby declared passed. Mr. Lyons on Senate Bill 2513, 2513. Mr. Clerk, what is the status of the Bill?"

Clerk Mahoney: "Senate Bill 2513 has been read a second time, previously. Amendment #1 was adopted in committee. Floor Amendment #2, offered by Representative Lyons, has been approved for consideration."

Speaker Madigan: "Mr. Lyons on Amendment #2."

Lyons: "Yes. Mr. Speaker, the Amendment takes care of a technical law that was in the Bill. It's technical in nature. I'd ask for its... approval."

Speaker Madigan: "Mr. Clerk... Mr. Clerk, tell us the status of Amendment #1."

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Clerk Mahoney: "A Motion to adopt Amendment #1 was approved earlier today."

Speaker Madigan: "So, Mr. Clerk, is Amendment #1 on the Bill?"

Clerk Mahoney: "Amendment #1 has been tabled."

Speaker Madigan: "And now, Mr. Clerk, what Amendment are we on?"

Clerk Mahoney: "Floor Amendment #2."

Speaker Madigan: "Mr. Lyons on Amendment #2."

Lyons: "A Motion to adopt Amendment #2 which cleaned up some technical language difficulties on the Bill, Mr. Speaker."

Speaker Madigan: "Mr. Black."

Black: "Mr... Mr. Speaker, inquiry of the Chair. The Gentleman might want to look at... It's my understanding that Floor Amendment #2, Representative, becomes the Bill. So, that could hardly be called a technical cleanup."

Lyons: "Mr. Black..."

Speaker Madigan: "Mr. Lyons."

Lyons: "...it was... there were a couple of minor errors on the Bill, on the original Bill. So, the purpose is to send only one Amendment, so we took... tabled Amendment #1 and tabled... Amendment #2 is just about identical to the original Bill except that it cleaned up the... the language that was done in error."

Black: "But the fact is, from my viewpoint, Floor Amendment #2 becomes the Bill."

Lyons: "Correct."

Black: "All right. So, when you tell me it's a technical Amendment... I'm not insinuating anything... usually my viewpoint is that a... an Amendment that becomes the Bill is

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not technical in nature. Is there anything in your Amendment that deals with the Medicaid language of any type?"

Lyons: "That... Yes, yes. And it was also in Amendment #1, but the... the purpose of Amendment 2 is just to clean up errors in the original Amendment, but I do have information on the Amendment that I'll be glad to talk about..."

Black: "Well..."

Lyons: "...that does actually address the issue of the Medicaid, earmarking the money for the Medicaid payments, yes."

Black: "And how does that... how is that... excuse me, how does that work? What... what are we earmarking in Medicaid in this Bill?"

Lyons: "Well, I could explain the whole Bill on Third Reading which... which..."

Black: "All right, all right."

Lyons: "...if you... if you let me get it to Third, then please ask that question..."

Black: "You're right."

Lyons: "...and I'll be glad to explain it to you."

Black: "You're absolutely right and I'll do so. Thank you."

Speaker Madigan: "The Gentleman moves to adopt Amendment #2. Those in favor say 'aye'; those opposed say 'no'. The 'ayes' have it. The Amendment is adopted. Are there any further Amendments?"

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

Speaker Madigan: "Put the Bill on the Order of Third Reading and read the Bill for a third time."

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Clerk Mahoney: "Senate Bill 2513, a Bill for an Act concerning regulation. Third Reading of this Senate Bill."

Speaker Madigan: "Mr. Lyons on the Bill."

Lyons: "Thank you, Speaker. Mr. Black and everybody in the Legislature, this is a... an initiative of the Illinois Credit Union League, the Illinois League of Financial Institutions, the Community Bankers and the Illinois Bankers Association. If we all remember, budget measures started back in 1924... 2004 through 2006 established the fee increase that transferred a sweeps from the Illinois... Illinois Financial Institutions. Under that arrangement, regulatory fees paid by the financial... Illinois institutions were escalated far above the actual budgetary costs of operating their respective regulatory agencies. So, as a result of that action in 2004, 2005, 2006, all of the financial institutions filed a suit against the state in 2004 to prevent further sweeps from the financial institution dedicated funds and to rollback the fees that were implemented. On March 1, 2005, a Judge Zappa, here in Sangamon County, issued a preliminary injunction against the state that prohibited further sweeps during the case as it was pending. So, settlement of this case happened this March and what happened negotiations of those parties continued and under the terms of the proposed settlement the regulatory fees will be reduced to about half of what they were increased to and what we did with the Amendment, Mr. Black, in particular to answer your question, the Amendment that we put on as far as the money that was collected and somewhere in the vicinity in excess of

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seventy million dollars (\$70,000,000), House Amendment #1 that was put on amended the regulatory fee schedule for the state banks, thrifts and saving banks and puts it into statute. Currently, of course, they can be amen... they can be changed through rule by the Department of Financial and Professional Regulation. As far as the money part of it, the second part of it, which is critically important and very important, the fifty million dollars (\$50,000,000) is going to be transferred from the various financial institution funds are now required to go into a new fund that will solely be used to pay outstanding Medicaid bills. The fund and the Financial Institution Settlement of 2008 will be a nonappropriated fund that only the Comptroller will have access to. The requirement, of course, will be for the Department of Health and Family Services to submit all necessary documentation to the Comptroller in order to have the Comptroller issue the vouchers. So, this is a win-win for thousands of people in the State of Illinois who are dependent on Medicaid to have the agencies be able to have a fifty million dollar (\$50,000,000) drop put into payments on the delinquencies that we're already into with our late payment process. It'll also be good for the financial institutions who will now get a credit for the overpayment that they've made for the last four (4) or five (5) years. So, that's the Amendment explained as well as the underlying Bill that came over here from the Senate and this... this entire Bill is part of the settlement solution. So, what the judge here in Sangamon County is depending on us as if we take this action to give specifics to how this

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is going to be resolved by statute. So, I'd be happy to answer any questions, Mr. Speaker, and certainly ask for your 'aye' vote. So, that's a win-win for a lot of people in the State of Illinois."

Speaker Madigan: "Mr. Black, after that explanation you have questions?"

Black: "When it involves fifty million dollars (\$50,000,000), Mr. Speaker, yes I do."

Speaker Madigan: "But I thought the Gentleman was..."

Black: "An outstanding job."

Speaker Madigan: "Right. Correct."

Black: "Surely, you could find a position for him in a Chicago law firm."

Speaker Madigan: "Mr. Black."

Black: "Will the Gen... will the Gentleman yield? Representative, what... what I... the basic... the... the basic confusion with me is evidently the bankers are agreeing to this settlement. There is not a final court disposition of their lawsuit against the Governor sweeping their fund?"

Lyons: "Correct. This is the..."

Black: "So, they're agreeing to this language so it will stop the litigation?"

Lyons: "Correct. This legislation is part of what the courts are looking to resolve this whole issue. They're all in support. There's numerous meetings that have been held for the last three (3) years and they've reached this conclusion and that's what this Bill provides."

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Black: "But the financial institutions are giving up fifty million dollars (\$50,000,000) that will go to Medicaid back payments. I don't understand that settlement."

Lyons: "That's part of the settlement. Isn't it wonderful they're willing to allow fifty (50) of it to come back to the State of Illinois and the Amendment we put on here says, well, let's earmark that for Medicaid payments."

Black: "All right. So..."

Lyons: "That... that was their choice. That was agreed upon by all the financial institutions."

Black: "So, I assume then what the... what the bankers want in this... and the credit unions and savings and loans... is there an agreement that there will be no further sweeps of their fund?"

Lyons: "Well, yeah, that's part of it, Mr. Black, yes. But also, they're going to get a credit of twenty million dollars (\$20,000,000) towards their future fund..."

Black: "Okay. And..."

Lyons: "...fees. And they're going to also have in statute for those... some of the agencies, the banks, some of them had by department rule they could raise those fees. Now it'd have to come through the Legislature, so it's better protection for them..."

Black: "All right. So, that... that would be an important part of the agreement, the banks will no... the financial institutions will no longer be arbitrarily subjected to a higher fee. So, that... would that be the tradeoff?"

Lyons: "Absolutely. We cut their fees in half in this Bill."

Black: "All right. When we're..."

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Lyons: "And that's part of the agreement."

Black: "When we're through, if you could tell me who negotiated this, I would appreciate it because I want to make sure if I'm in a similar situation I don't hire them. Thank you."

Lyons: "Mr. Black, it's a great Bill. I mean, the whole financial industry brought this here and it's a... it's a tremendous win for the state and for all... everybody involved."

Speaker Madigan: "The question is, 'Shall this Bill pass?' Those in favor signify by voting 'yes'; those opposed by voting 'no'. Have all voted who wish? Have all voted who wish? Have all voted who wish? The Clerk shall take the record. On this question, there are 109 people voting 'yes', 0 voting 'no'. Senate Bill 2513 passes with a Constitutional Majority and is hereby declared passed. Mr. Clerk, do you have an announcement?"

Clerk Mahoney: "Rules Report. Representative Barbara Flynn Currie, Chairperson from the Committee on Rules, to which the following legislative measures and/or Joint Action Motions were referred, action taken on May 31, 2008, reported the same back with the following recommendation/s: 'approved for floor consideration' is Amendment #3 to Senate Bill 2526."

Speaker Madigan: "Mr. Clerk, what is the status of Senate Bill 2301, 2301?"

Clerk Mahoney: "Senate Bill 2301 has been read a second time, previously. Amendment #1 was adopted to the Bill. Floor Amendment #2, offered by Representative McGuire, has been approved for consideration."

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Speaker Madigan: "Mr. McGuire on the Amendment."

McGuire: "Thank you, Mr. Speaker. Senate Bill 2301 is a... it's a great Bill and it provides that the department... Amendment 2, Sir, right? Okay. Amendment... summary of the House Amendment 2 is provides that DCEO shall make grants that qualify and developers who create new jobs at certain intermodal facility sites in the state. And the grants shall be funded by the income tax revenues that... but for the creation of new jobs at the intermodal facility would not be realized by the state. The amount of the grants per eligible employer shall not exceed three million dollars (\$3,000,000) in a fiscal year or the total amount of the facility's infrastructure. What we're talking about is an intermodal at the Joliet Arsenal property in my district and that will bring tons of jobs, tons of revenue to the State of Illinois in the way of income tax and property tax and so on. I would try to entertain any questions that you might have. Thank you."

Speaker Madigan: "The Gentleman moves for the passage of the Bill. Those in favor signify by voting 'yes'; those opposed by voting 'no'. Have all voted who wish? The question is the adoption of the Amendment. Those in favor vote 'yes'; those opposed vote 'no'. The Clerk shall take the record. On this question, there are 92 people voting 'yes', 15 people voting 'no'. The Amendment is adopted. Are there any further Amendments?"

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

Speaker Madigan: "Put the Bill on the Order of Third Reading and read the Bill."

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Clerk Mahoney: "Senate Bill 2301, a Bill for an Act concerning revenue. Third Reading of this Senate Bill."

Speaker Madigan: "Mr. McGuire."

McGuire: "Thank you, again, Mr. Speaker. I would appreciate your vote on Senate Bill 2301. Thank you."

Speaker Madigan: "Mr. Eddy."

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

Speaker Madigan: "Sponsor yields."

Eddy: "Representative, could you kind of walk us through how this new fund works? Where does the... where does the revenue come from specifically to the fund?"

McGuire: "The income comes from the jobs that would be created by this facility that... If not for this facility, it would not be created. I guess that sounds a little simple, but that's exactly what... what I'm trying to tell you."

Eddy: "Well, I mean, you're creating a fund and I understand that. The fund is going to be called the Intermodal Facilities Promotion Fund?"

McGuire: "Correct..."

Eddy: "Is that the name of the fund? And that fund is going to be in the... well, oversight of the State Treasurer's Office from what I understand. The fund is designed to promote a project in Joliet that creates a facility that allows for transportation of freight from cranes to trucks and vice versa. That's... that's our understanding."

McGuire: "That's correct."

Eddy: "The question I have is, where... where does the money, the revenue, come from that goes into the fund? You said it

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comes from jobs that are created, but how does that work exactly?"

McGuire: "Well, from the income tax, first of all."

Eddy: "From..."

McGuire: "It's not a tax credit."

Eddy: "From the income tax."

McGuire: "Yes."

Eddy: "So, the jobs that are created at this facility, the income tax that's paid by those that work there, that income tax would not go into the General Revenue Fund of the State of Illinois that... that income tax would go back to this fund instead?"

McGuire: "That's correct."

Eddy: "So... Okay. Is this something we've ever done before in the state where we have created a... a special fund to provide revenue for the jobs that were created in a certain... and how... if we did this everywhere, how... how would the General Revenue Fund of the State of Illinois receive income tax revenue?"

McGuire: "Not to my knowledge at all."

Eddy: "So, not to your knowledge we've ever put together a... a fund whereby the jobs created... actually the revenue that would go to the state from income tax would actually stay at the... at the facility that created the job. It's an interesting concept."

McGuire: "Yeah."

Eddy: "And we've never done it before? I... I'm not sure that if we did this kind of thing with every job that was created in the state in a certain area that the State of Illinois

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would receive revenue to run programs through the General Revenue Fund."

McGuire: "Could be."

Eddy: "It's okay with you."

McGuire: "Yeah. This is just the one facility that I'm talking about. I thought you were being hypothetical?"

Eddy: "No, I'm... What will be done with the money then?"

McGuire: "Pardon me?"

Eddy: "What... what will be done with the money in the fund? I mean, you're not going to send the income tax revenue to the General Revenue Fund created by the jobs, so it's going to go to this fund. What then is done with the revenue that's in this fund?"

McGuire: "It's dispersed through a grant program with DCEO."

Eddy: "I'm sorry, Sir. I... I..."

McGuire: "A grant program with DCEO."

Eddy: "It will be used to promote what types of programs through DCEO?"

McGuire: "Dispersed through them."

Eddy: "I'm sorry, Sir. I didn't hear it."

McGuire: "Yeah. Promotion of intermodal facilities. This is the second one in..."

Eddy: "Well, it also says in our analysis that a developer may receive a state contract for the lesser of three million dollars (\$3,000,000) or the total amount of the incurred cost by a developer. Do we know who the developer is? Who is the developer?"

McGuire: "Yeah. The only one that would qualify that we know of right now is CenterPoint, but others could come later."

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Eddy: "So, you're going to use the money in that fund for the developer to develop proposals to create more jobs. I mean, is that the end game here..."

McGuire: "Sure."

Eddy: "...is to use that income tax in this fund to create more jobs?"

McGuire: "That's correct."

Eddy: "Okay. Representative, I appreciate the explanation. It's a novel... it's a novel approach. I'd recommend Members take a close look at this Bill."

McGuire: "Thank you."

Speaker Madigan: "Representative Dugan."

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

Speaker Madigan: "Sponsor yields."

Dugan: "I... I just had a question on... of course, the intermodal facilities that... certainly in your district and then there's one even in eastern Will County being proposed. I... as I look at this, it says that the grants could also be used for the total amount of the facility's infrastructure costs. The infrastructure and that's the point that I wanted to ask you about, Representative. Infrastructure problems that are coming forth because of the intermodals, you know, everybody's talking about the road problems that we will have with the intermodal facilities that are being put in. And so does this mean, when it says infrastructure cost of the developer of the facility, is it going to address infrastructure costs to the surrounding area where the roads are going to have now such heavy traffic that

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they normally wouldn't have without an intermodal facility?"

McGuire: "Yeah. It would include any infrastructure costs at the site."

Dugan: "Yeah. But... but it... there's nothing here... have we thought about, with these grants, if there's infrastructure problems because of a development of an intermodal facility, then can this grant money be used by communities that are affected by the roads that they have to fix because of the intermodal or is all the money just going to be used by the developer?"

McGuire: "Yeah. That's... that's not in... it's not in the Bill."

Dugan: "Okay. And..."

McGuire: "That's not in the Bill."

Dugan: "Okay. And I... and I... I understand what you're trying to do in a way, but I do have a concern because of the concerns that have been brought... because of course, I also butt up to your district... from the people that have said, what about the roads that are existing that are going to be affected and how are we going to pay to fix those roads, that I had kind of hoped that possibly as a development so seeing it maybe there's some way to also make sure our existing roads are taken care of because of the traffic. So, at this particular point, it's not that I'm against the idea, Representative, but... but because this is giving money that will not address an issue that's been brought forward to me, then I'm just going to... I'm not going to be able to support it at this time."

Speaker Madigan: "Representative Currie."

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Currie: "Thank you, Speaker and Members of the House. This is not a particularly novel way to fund an important economic development project in the State of Illinois. The same principle applies with the current EDGE tax credit which is based upon new jobs created in the State of Illinois. And in fact, if you think about what the TIF program is all about, that too takes incremental revenues that come about because of a particular economic development plan and plows that money back into infrastructure. So, this program is a very narrow, limited program, a five-year program during which based upon the new income taxes that come into the state because there are so many new hires because this project is going to hire massive numbers of people, provide many people in the Joliet area with jobs, which is exactly what we should be about. These jobs will bring in income and a small portion of those income tax dollars will be available to help the developer prepare the site so that it can be the kind of intermodal facility that will not only provide jobs for Illinois, but will help us clear up our traffic congestion. There's nothing unusual about this except perhaps this specific mechanism, but the principle is that when people bring in large numbers of jobs for our people that some portion of the costs that it takes them to create the facility can be... can be supported with some of the dollars that they bring in for the program. So, I urge your 'yes' vote."

Speaker Madigan: "Representative Mulligan, Mulligan."

Mulligan: "I'm sorry, Sir?"

Speaker Madigan: "Representative Mulligan."

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

Speaker Madigan: "Sponsor yields."

Mulligan: "Representative, how much state dollars does this take? Right. How many dollars out of the state budget does this take?"

McGuire: "There's a hard cap on the amount of the grants."

Mulligan: "And what's that cap?"

McGuire: "Three million (3,000,000)."

Mulligan: "And this was amended after it came out of the Senate, correct?"

McGuire: "That's correct."

Mulligan: "And the Senate's adjourned 'til the fall or whenever?"

McGuire: "Not... not sure, I don't know that."

Mulligan: "Well, I think it's real easy to find out. They all walked over here and told us they had adjourned to go home, so I think they're gone. And the underlying Bill was Representative (sic-Senator) Halvorson's Bill which is totally different. And if I had realized when you were putting the Amendment on, I would have challenged the germaneness of it because her underlying Bill is for health care for employers to provide for their employees. It certainly has nothing to do with intermodal transportation and you're taking state dollars that could go to health care or could go to other things for a select area for a proposed six thousand (6,000) jobs which they have ten (10) years to complete. So, we're giving them that money for ten (10) years to play games with for a jobs program that

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is strictly for show for the campaign because the Senate can't act on it because they've adjourned."

Speaker Madigan: "Mr. Black."

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

McGuire: "Yes."

Black: "Representative, it's my understanding that this is a continuing appropriation. Is that correct?"

Speaker Madigan: "Turn on, Mr. McGuire."

Black: "Yes?"

McGuire: "Yes."

Black: "Mr. Speaker, to the Bill. Ladies and Gentlemen of the House, I know it's late and I hope you'll give a modicum of attention. There is no nicer person in this chamber than Representative Jack McGuire, but I hope you're listening to this because what we did just a while ago and what you're about to do now... My goodness, the... this is incredible. This is a continuing appropriation of eighteen million dollars (\$18,000,000), three million dollars (\$3,000,000) a year. Do you know what a continuing appropriation is? We have no control over that. That means that's automatic, every year without action of the General Assembly, three million (3,000,000) a year for six (6) years that we do not have any control over. I remember when Speaker Madigan used to be very, very particular about continuing appropriations. He has said on this floor over the years, many times publicly, he doesn't like that because it removes our oversight on appropriations. Now, I... I have great respect for the Sponsor and certainly respect for Joliet. Many of my... my great grandparents came to Danville

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from Joliet, the Joliet area. Ladies and Gentlemen, you're leveraging eighteen million dollars (\$18,000,000) of state taxpayer money to create a multibillion dollar project in Joliet, but 35 minutes ago we couldn't pass a capital Bill that would create seven hundred thousand (700,000) jobs statewide. We... we wouldn't do that. But now you want me to vote for a continuing appropriation for a multibillion dollar project in Joliet that creates six thousand (6,000) jobs. What are you going to tell your laborers? What are you going to tell your... your AFL-CIO members? What are you going to tell the Teamsters? That statewide don't have a jobs Bill, but you voted to spend eighteen million dollars (\$18,000,000) of their money to create six thousand (6,000) jobs in Joliet. Under normal circumstances I wouldn't object to this Bill, but after what we did less than an hour ago, this makes no sense and to do it on a continuing appropriation, if you vote for this, you will never again get an opportunity to say 'no', we can't afford the three million (3,000,000) or maybe we shouldn't do the three million (3,000,000) in 2009, 2010, 2011. In all due respect, Representative, this deserves a 'no' vote. If we can't have a jobs Bill statewide, in all due respect to the good people of Joliet, I can't vote to create a jobs Bill for Joliet. Vote 'no'."

Speaker Madigan: "Mr. McCarthy."

McCarthy: "Thank you, Mr. Speaker. I move the previous question."

Speaker Madigan: "The Gentleman moves the previous question. Those in favor say 'aye'; those opposed say 'no'. The

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'ayes' have it. The previous question is moved. Mr. McGuire to close."

McGuire: "This is a jobs Bill. We've heard a lot of talk about the cost of this, a lot of jobs in the Joliet area. That doesn't mean everybody from Joliet is going to get a job. There will be people coming from far away to get a job. These are good, well paying jobs. The intermodal facility will be one of the largest in the world and I mean that sincerely. The one that is in existence in Joliet right now, actually it's in Elwood, but it's in my district, is I think the third-largest intermodal in the world next to Shanghai and another one probably overseas. So, I would certainly appreciate your thoughtful vote on this. It's a jobs Bill and will bring a lot of goodness to the area. A lot of people will come for jobs and that's what we need in this state, more jobs. Thank you."

Speaker Madigan: "The question is, 'Shall this Bill pass?' Those in favor signify by voting 'yes'; those opposed by voting 'no'. Have all voted who wish? Have all voted who wish? Have all voted who wish? Have all voted who wish? The Clerk shall take the record. On this question, there are 60 'ayes', 52 'noes'. This Bill, having received a Constitutional Majority, is hereby declared passed. Mr. Fritchey on Senate Bill 2636. Mr. Clerk, what is the status of that Bill?"

Clerk Mahoney: "Senate Bill 2636 has been read a second time, previously. Amendments 1 and 2 were adopted to the Bill. There's a Motion to lay on the table for Committee Amendment 1 and Committee Amendment 2."

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Speaker Madigan: "On that Motion, the Chair recognizes Mr. Fritchey."

Fritchey: "Speaker, this Bill's gone through a ser... a number of revisions. Amendments 1 and 2 will become superfluous. I'd like to table those so we can proceed with Amendment 3."

Speaker Madigan: "You've all heard the Gentleman's Motion to Table. Is there leave? Leave is granted. Mr. Fritchey on Amendment 3."

Fritchey: "Thank you. Amendment... Amendment 3 becomes the Bill. It's actually an initiative of Treasurer Giannoulis's Office. What this does is set caps on finders for unclaimed property. What it does is it stems the cap of 25 percent on the property's value when that property is neither reportable, but the owner's alive or 33 percent if the owner is dead and they have to work with the owner's heir or devisee. It's a very good proconsumer Bill. It's a good initiative by the Treasurer's Office. And I'd ask for its adoption and concurrence."

Speaker Madigan: "The Gentleman moves for the adoption of the Amendment. Those in favor say 'aye'; those opposed say 'no'. The 'ayes' have it. The Amendment is adopted. Are there any further Amendments?"

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

Speaker Madigan: "Put the Bill on the Order of Third Reading and read the Bill for a third time."

Clerk Mahoney: "Senate Bill 2636, a Bill for an Act concerning property. Third Reading of this Senate Bill."

Speaker Madigan: "Mr. Fritchey."

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Fritchey: "I explained the Amendment. The Amendment becomes the Bill. I request an 'aye' vote."

Speaker Madigan: "Those in favor of the passage of the Bill signify by voting 'yes'; those opposed by voting 'no'. Have all voted who wish? Have all voted who wish? Have all voted who wish? Have all voted who wish? Mr. Sullivan. The Clerk shall take the record. On this question, there are 113 people voting 'yes', 0 voting 'no'. This Bill, having received a Constitutional Majority, is hereby declared passed. Senate Bill 2526. Mr. Clerk, what is the status of that Bill?"

Clerk Mahoney: "Senate Bill 2526 has been... is on the Order of Senate Bills-Third Reading."

Speaker Madigan: "Mr. Clerk, put this Bill on the Order of Second Reading."

Clerk Mahoney: "Floor Amendment 2 and Floor Amendment 3, offered by Representative Froehlich, have both been approved for consideration."

Speaker Madigan: "The Chair recognizes Mr. Phelps on the Amendments. Mr. Colvin. Would the Chair recognize Mr. Colvin."

Colvin: "Thank you, Mr. Speaker. I want to adopt Amendment #3 which becomes the Bill. It includes all the substantive language of the Bill that was presented in committee, but it removes the... what I believe it removes is the organizing fees that was originally put in Senate Bill 2526. I'd ask for an 'aye' vote."

Speaker Madigan: "Mr. Colvin, could you advise the Chair in the number of the Amendment that you're speaking to?"

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Colvin: "Number 3 is the Amendment I just spoke to. I see the board says #2. But we want to adopt Amendment #3 to this Bill."

Speaker Madigan: "All right. So, Mr. Clerk, what Amendment is before the Body?"

Clerk Mahoney: "Floor Amendment #2."

Speaker Madigan: "Is before the Body? Mr. Colvin, on Amendment #2 what is your pleasure?"

Colvin: "We want to table Amendment #2."

Speaker Madigan: "All right. The Gentleman moves to table Amendment #2. Is there leave? Leave is granted. Amendment 3. Mr. Colvin on Amendment 3."

Colvin: "Again, Mr. Speaker, we adopt Amendment #3 which becomes the Bill. The only substantive change to the Bill is the removal of organizing fees which removes the opposition of the Illinois Education Association. Beyond that, there was no opposition to the Bill. And I ask for a favorable vote."

Speaker Madigan: "The Gentleman asks for a favorable vote on the Amendment. The Chair recognizes Mr. Black."

Black: "Mr. Chair... Mr. Speaker, an inquiry of the Chair."

Speaker Madigan: "State your inquiry."

Black: "Has the pension impact note we requested on this Bill been filed?"

Speaker Madigan: "I've been advised that the Clerk is in receipt of a note from..."

Black: "The Clerk received a call?"

Speaker Madigan: "I've been advised that we've received your note request. It's here."

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Black: "He has."

Speaker Madigan: "Yes."

Black: "Yes. So, the Bill will stay on Second Reading."

Speaker Madigan: "That's correct."

Black: "Okay. Mr. Speaker, may I admonish the Chair. Under Robert's Rules, the Chair is supposed to be relatively neutral and on the Floor Amendment #2, I think you were leading the witness."

Speaker Madigan: "I certainly couldn't do that to you. Representative Hamos."

Hamos: "Will the Sponsor yield?"

Speaker Madigan: "Sponsor yields."

Hamos: "Could you please... could you please explain this Amendment?"

Colvin: "The Amendment removes... is a collective bargaining agreement. It removes one provision of the Bill. The Bill was previously heard. It removes what was originally in the Bill, the organizing fees that they were asking for in the Bill which the Illinois Education Association was opposed to. Amendment #2, which included that, was now tabled. Amendment #3 simply replaces the Bill without the organizing fees, which simply says fair share people... fair share people do not have to pay organizing fees when they're organizing a union."

Hamos: "Well, I think you've explained a couple times that... that the... I... I don't know... that you've taken out fees. I guess I wanted to know what else the Bill provides. I'm trying to read this and I don't understand this Bill."

Colvin: "I'll be happy to..."

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Hamos: "Mr. Colvin, are you planning to call this Bill on Third Reading?"

Colvin: "Yes, I am."

Speaker Madigan: "Representative Hamos, there's been a request for a note filed by Mr. Black, so we could not move the Bill off of Second Reading."

Hamos: "You're not going to call it on Third Reading tonight?"

Speaker Madigan: "It's not going to get to Third Reading because of the... a note request has been filed."

Hamos: "Okay. Thank you."

Speaker Madigan: "Mr. Colvin, do you wish to move for the adoption of the Amendment?"

Colvin: "I'm sorry?"

Speaker Madigan: "Did you wish to move for the adoption of the Amendment?"

Colvin: "Yes."

Speaker Madigan: "All right. On the Amendment, those in favor say 'aye'; those opposed say 'no'. The 'ayes' have it. Are there any further Amendments?"

Clerk Mahoney: "No further Amendments. However, a note has been requested and not yet filed."

Speaker Madigan: "Because of the request for a note, the Bill shall remain on the Order of Second Reading. House Bill 230. Representative Flowers, this is on the regular Calendar. Mr. Black."

Black: "Mr. Speaker, the hour grows late and I... I've always found you to be fair, most of the time, some of the time, not all the time. The hour grows late and this is the eighth or ninth consecutive Democrat Bill you've called."

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There are Republican Bills that are equally as important.

Could we... will there be a Republican Order of Call?"

Speaker Madigan: "The next Bill will be Mr. Ramey."

Black: "Mr. Ramey?"

Speaker Madigan: "Next Bill, Mr. Ramey."

Black: "All right. I knew you were fair man."

Speaker Madigan: "I got a call from 'Pate'. Flowers, House..."

Flowers: "Thank you, Mr. Speaker. Ladies and Gentlemen of the House, I move to concur..."

Speaker Madigan: "Representative Flowers, one second, please. Representative, this matter is still in the Rules Committee. So, take this matter out of the record. Mr. Ramey, what's your Bill? Recognize Mr. Ramey."

Ramey: "Thank you, Mr. Speaker. We will start with House Bill 4305."

Speaker Madigan: "Mr. Clerk, what is the status of House Bill 4305?"

Clerk Mahoney: "House Bill 4305, a Bill for an Act concerning sex offenders. Third Reading of this House Bill."

Speaker Madigan: "Mr. Ramey."

Ramey: "Thank you, Mr. Speaker. When I first came down here two and a half years ago, one of the first Bills I filed was Jessica's Law. With Representative Watson, we were able to work one section out of that to get it passed which was electronic monitoring. A few weeks ago we passed, due to Federal Law, the Adam Walsh Act which covered sentencing. So, the last portion of Jessica's Law is a reporting duty which now instead of once a year we will

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require sex offenders to report twice a year. I ask for an 'aye' vote."

Speaker Hannig: "Representative Hannig in the Chair. Is there any discussion? 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? Mr... Representative Colvin and Jakobsson, do you wish to be recorded? Mr... Mr. Clerk, take the record. On this question, there are 113 voting 'yes' and 0 voting 'no'. And this Bill, having received a Constitutional Majority, is hereby declared passed. Representative Beaubien, you're recognized on House Bill 5088."

Beaubien: "Thank you, Mr. Speaker. I urge the concurrence on House Bill 5088. The underlying Bill was a Bill of Bob Molaro's that passed out of here dealing with Unclaimed Property Act. It passed unanimously. The Bill that I added was the language of 4905 which passed out of here unanimously a week ago. Many of you wanted to sign up on that Bill. That's the Bill where the Illinois Municipal League in agreement with the various police and fire pension boards have agreed to some changes in their procedures with more ethical conduct and other procedures. So, I'd urge you to concur. And again, those of you who signed up for 4905 may want to sign up on this 'cause this is the IML pension reform Bill. I urge an 'aye' vote."

Speaker Hannig: "Representative Beaubien. Representative Beau... is this a Senate Bill? Representative Beaubien, could you advise us on the Bill number?"

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Beaubien: "I'm sorry, what? 4905 is the underlying Bill and this Bill is obviously House Bill 5088."

Speaker Hannig: "Representative Beaubien, the Clerk's having some trouble trying to find the Bill. Can we take it out for just a moment?"

Beaubien: "Sure."

Speaker Hannig: "We'll come back to it, I promise."

Beaubien: "Okay."

Speaker Hannig: "But we just got to get the paperwork in line. Representative Hoffman is recognized on a Concurrence Motion for House Bill 5494. We'll take that out of the record, Mr. Clerk. Representative Rose, you have House Joint Resolution 130. Representative Rose."

Rose: "Thank you, Mr. Speaker. Actually waiting for our system to catch up, for some reason it's a little behind, but if memory serves I believe this is the... the name... changing the name of Route 150 in Mahomet to Veterans Parkway. This is an initiative of the Mahomet American Legion. Representative Cul... they contacted Representative Cultra and myself, asked to change Route 150 from Turkeyfarm Road all the way through town to Prairieview Road to Veterans Parkway. I can't believe there'd be any opposition. Thank you, Mr. Speaker."

Speaker Hannig: "Is there any discussion? Then all in favor of the Gentleman's Resolution say 'aye'; opposed 'nay'. The 'ayes' have it. The Resolution is adopted. Representative Joyce is recognized on House Joint Resolution 16 on page 61 of the Calendar. Representative Joyce. Representative

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Joyce, I understand there's two Amendments, so... Is that correct? What are the Amendment numbers, Mr. Clerk?"

Clerk Mahoney: "Floor Amendment #1 and Floor Amendment #2, offered by Representative Joyce, have both been approved for consideration."

Speaker Hannig: "Representative Joyce on Amendment #1."

Joyce: "Table... table Amendment #1."

Speaker Hannig: "And the Gentleman wishes to withdraw Amendment #1. Are there further Amendments?"

Clerk Mahoney: "Floor Amendment #2."

Speaker Hannig: "Representative Joyce."

Joyce: "Thank... thank you, Mr. Speaker, Ladies and Gentlemen of the House. House Amendment #2 to House Joint Resolution... Joint Resolution 16 just changes the date that the report would be due in the underlying Resolution. I urge the adoption of the House Amendment."

Speaker Hannig: "Is there any discussion? This requires a Roll Call vote. So, all in favor vote 'aye'; opposed 'nay'. The voting is open. Oh, pardon me. First we adopt the Amendment. Mr. Clerk... All in favor of the Amendment say 'aye'; opposed 'nay'. The 'ayes' have it. The Amendment is adopted. And I apologize. And now, Representative Joyce."

Joyce: "Thank... thank you, Mr. Speaker, Ladies and Gentlemen of the House. House Joint Resolution 16 would require a commission to be developed that included the Illinois Council on Aging, advocacy groups, the private sector and the State Department on Aging to develop and evaluate and make recommendations on our state's ability to plan and

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develop livable communities for all residents, dealing specifically with the retiree... with elder residents in the State of Illinois. The report would be delivered by January 1 of 2011 to the General Assembly. I'd urge its adoption and then would be happy to answer any questions."

Speaker Hannig: "Is there any discussion? This requires a Roll Call vote. So, all in favor of the Resolution vote 'aye'; opposed 'nay'. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Mr. Clerk... Representative Wait, do you wish to be recorded? Mr. Clerk, take the record. On this question, there are 113 voting 'yes' and 0 voting 'no'. And the Resolution is adopted. Representative Miller, you're recognized on House Joint Resolution 59. Representative Miller."

Miller: "Thank you, Mr. Speaker. I move to concur, 'aye' votes."

Speaker Hannig: "I mean, it's House Joint Resolution 78."

Miller: "Thank... thank you, Mr. Speaker. I move to concur, 'aye' votes."

Speaker Hannig: "House Joint Resolution 78, Mr. Clerk. It's on page 59 in the Calendar. Representative Miller."

Miller: "I move to... I move to concur, 'aye' votes."

Speaker Hannig: "Is there any discussion? Okay. Representative Miller, I'm advised that the Motion to Concur has not cleared Rules just yet. So, we'll have to take that out of the record. Representative Flider, you're recognized on House Resolution 1307. Representative Flider, would you like to present the Resolution?"

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Flider: "Yes. Thank you, Mr. Speaker. This Resolution would direct the Auditor General to conduct a performance audit of the state moneys provided by or through state agencies to Heartland Human Services under contracts or grant agreements during fiscal year 2007 and year-to-date 2008. I ask for an 'aye' vote."

Speaker Hannig: "Is there any discussion? This requires a Roll Call vote. So, all those in favor of the Resolution vote 'aye'; opposed 'nay'. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Mr. Clerk, take the record. On this question, there are 113 voting 'yes' and 0 voting 'no'. And the Resolution is adopted. On Supplemental Calendar #1 is House Joint Resolution 10. Representative Bradley. Out of the record. Excuse me. Representative Flider, did you wish to present House Joint Resolution 10. So, Representative Flider."

Flider: "Okay. Yes. Thank you, Mr. Speaker. I'd be happy to present this on behalf of Representative Bradley. I'd ask for an 'aye' vote on this Resolution."

Speaker Hannig: "Representative Flider, we're advised that there's an Amendment in Rules that's still pending. So, let's just take it out of the record. Page 66 of the Calendar, under the Order of Resolutions, is House Resolution 1207. Representative Bost."

Bost: "Thank you, Mr. Speaker, Members of the House. House Resolution 1207 just designates the date of May 29, 2008 as Peabody Energy Day which celebrates their 125th anniversary."

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Speaker Hannig: "Is there any discussion? Then all in favor of the Resolution say 'aye'; opposed 'nay'. The 'ayes' have it. The Resolution is adopted. On page 64 of the Calendar, Representative Dugan has House Resolution 929. Representative Dugan."

Dugan: "Thank you, Speaker. House Resolution 929, I think it just kind of got lost. That just indicates February 6 as Labor Local 751 Day to help celebrate their eighty (80) years of service."

Speaker Hannig: "Is there any discussion? Then all in favor of the Lady's Resolution say 'aye'; opposed 'nay'. The 'ayes' have it. And the Resolution is adopted. Mr. Clerk, will you read... read the Rules Report."

Clerk Mahoney: "Representative Barbara Flynn Currie, Chairperson from the Committee on Rules, to which the following legislative measures and/or Joint Action Motion were referred, action taken on May 31, 2008, reported the same back with the following recommendation/s: on the Order of Concurrences 'recommends be adopted' is a Motion to Concur in Senate Amendments 1 and 2 to House Bill 230."

Speaker Hannig: "Representative Flowers, you're recognized on House Bill 230."

Flowers: "Thank you, Mr. Speaker and Ladies and Gentlemen of the House. I move to concur with Senate Bills... with Senate Bill... Senate Amendment 1 and 2 to House Bill 230. I passed out to each of you today's commentary from the Sun Times, an article written by Karen Daniels. She's a senior staff or attorney at the Center for the Wrongfully Conviction at Northwestern University. And this week Dean Cage became

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the 29th Illinois citizen to be exonerated by post conviction DNA testing. Before he was arrested in 1994, he had a job, a home, three (3) children and no criminal record. After fourteen (14) years in prison, however, his children are grown and he is without material possession and at 41 he must take up temporary residence with his mother all because he was a victim of misidentification by a fifteen-year-old. Under Illinois Court of Claims, Mr. Cage could only be given a hundred and fifty thousand dollars (\$150,000) and that is only if he has been given a pardon. House Bill 230 would allow, in the absence of a pardon, that he be given... based on his innocence, a certification of innocence and also, it would set forth for the Court of Claims to pay out the claim they he deserve and others. I'll be more than happy to answer any questions you may have in regards to House Bill 230."

Speaker Hannig: "And on that question..."

Flowers: "And I would appre..."

Speaker Hannig: "...and on that question, the Gentleman from Jasper, Representative Reis."

Reis: "A real quick question of the Sponsor, Mr. Speaker, if she'll yield."

Flowers: "Yes."

Speaker Hannig: "Indicates she'll yield."

Reis: "What changes were made in the Senate? This did not get a real favorable vote in the House over a year ago when it passed, but it got unanimous support in the Senate. What changes were made in those Senate Amendments?"

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Flowers: "Senate Amendment #1 made changes in regards to who would submit information to the Clerk of the Court regarding individuals who have served time and have received a pardon from the Governor on the grounds of innocent or a certificate of innocence from the courts. And Senate Amendment #1 also changed the following language, 'any claims filed by the claimant under paragraph (c) of Section 8 of this Act must be filed within two (2) years.' And also, Amendment #2 dealt with the public employment office."

Reis: "Okay. Thank you, Representative."

Speaker Hannig: "Any further discussion? The Gentleman from Bond, Representative Stephens."

Stephens: "Thank you, Mr. Speaker. I know the hour is late, but I hope we can all pay attention to this Bill. The Lady has worked very hard. This should pass with a unanimous vote."

Speaker Hannig: "The... Okay. Is no one else speaking... wishing to speak? Representative Flowers to briefly close."

Flowers: "I would appreciate an 'aye' vote."

Speaker Hannig: "The question is, 'Shall the House concur in Senate Amendments 1 and 2 and 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 Wait, Tryon, Cultra, do you wish to be recorded? Mr. Clerk, take the record. On this question, there are 102 voting 'yes' and 10 voting 'no'. And the House does concur in Senate Amendments #1 and 2. And this Bill, having received the Constitutional

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Majority, is hereby declared passed. Representative Colvin, you're recognized on House Bill 4354. Mr. Clerk, read the Bill."

Clerk Mahoney: "House Bill 4354 has been read a second time, previously. Amendment #1 was adopted in committee. Floor Amendments 2, 3, and 4 have all been approved for consideration."

Speaker Hannig: "On Amendment #2, Representative Colvin."

Colvin: "Mr. Speaker, if it so pleases the House, we'd like to table Amendment #2."

Speaker Hannig: "So, that... The Amendment is withdrawn. Mr. Clerk, are there further Amendments?"

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

Speaker Hannig: "Representative Colvin on Amendment #3."

Colvin: "Yes, Mr. Speaker, we'd like to move to adopt Amendment #3 and 4 to House Bill 4354."

Speaker Hannig: "Start with Amendment #3. Is there any discussion? Then all in favor say 'aye'; opposed 'nay'. The 'ayes' have it. The Amendment is adopted. And Mr. Clerk, are there further Amendments?"

Clerk Mahoney: "Floor Amendment #4, offered by Representative Colvin."

Speaker Hannig: "Representative Colvin."

Colvin: "Thank you, Mr. Speaker. With the adoption of House Amendment #3, which becomes the Bill, then much of it is the same as House Amendment #1 with a couple of different changes. Section 13 provides penalties and enforcement against drivers who intentionally break toll devices and

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evade tolls. This Bill is an initiative of the City of Chicago in conjunction with the Chicago Skyway Company. That's the private entity that recently bought the Chicago Skyway. With respect to bringing open road tolling to that road, there needs to be special provisions made into law to give them the ability to: One, capture the license plates and information for those who willfully go through the toll roads. It allows them to assess fines working with the Secretary of State to make sure that those tickets go to those individuals who willfully and maliciously break through the open road tolling that's coming to the Chicago Skyway. There's no known opposition. And Amendment #4 deletes a particular paragraph dealing with the City of Chicago's Home Rule exemption and it also makes technical changes to clean up errors resulted from the removal of the Home Rule language. There is no known opposition. Be happy any questions to the Bill."

Speaker Hannig: "Is there any discussion on Amendment #4? Then all in favor say 'aye'; opposed 'nay'. The 'ayes' have it. The Amendment is adopted. Any further Amendments?"

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

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

Clerk Mahoney: "House Bill 4354, a Bill for an Act concerning transportation. Third Reading of this House Bill."

Speaker Hannig: "Representative Colvin."

Colvin: "Well, given the previous description of the Bill, I'd appreciate an 'aye' vote. Answer any questions."

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Speaker Hannig: "The Gentleman's moved for the passage of House Bill 4354. And on that question, the Gentleman from Vermilion, Representative Black."

Black: "Thank you very much, Mr. Speaker and Ladies and Gentlemen of the House. The hour grows late. I hope you'll give me at least 60 seconds of your attention. For many of us downstate, my office is being swamped by the photo enforcement possibilities on the Illinois toll road. I'm getting six (6) complaints a week from people whose.. allegedly their license plate was snapped by a camera on the Illinois Tollway and then the notice of the violation is sent out, in some cases, two and a half years after the alleged violation and half of them, so far, have been completely wrong. I don't know how in the world.. I don't know who in the world evaluates those pictures and now, you're going to let the Chicago Skyway do it. You know, until you get... 'til it... that you can come up with a device that takes a clear picture of the license plate and you get the violation out in a timely manner and you allow for due process, this is a ridiculous expansion of the 'cop in a box'. If you can't afford police officers or toll collectors, this camera situation isn't working. It isn't fair and I'll be doggoned if I'm going to vote for another camera violation when my office is being deluged with six (6) of these complaints a week and that we find out that 90 percent of them are incorrect. Vote 'no'."

Speaker Hannig: "Representative Rose."

Rose: "Will the Sponsor yield for a question?"

Speaker Hannig: "The Sponsor indicates he'll yield."

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Rose: "Representative, where do the fines go?"

Colvin: "I'm sorry?"

Rose: "Where do the fine... where does the fine money go?"

Colvin: "The fine money goes... actually, the fine money will probably go to one of... it will go to two different places. The fine is... most of it goes to the municipality as well as the Chicago Skyway for the recoup of the funds that they expend to send out these tickets as well as the fines that... the fees that they would have lost when cars go through their tollway."

Rose: "Representative, is there a statute of limitations for enforcement on this?"

Colvin: "I'm not sure if there is or not."

Rose: "Representative..."

Colvin: "I think... but what this Amendment does is makes it consistent with whatever the fines and the statute of limitations..."

Rose: "Right."

Colvin: "...would be for the Illinois Tollway."

Rose: "And that's the problem. That is the problem, as Representative Black just pointed out; we're getting weekly five (5) to ten (10) of these from years ago. In fact, there's a story in your papers up there, up north, about how they just suddenly found thousands of these violations from two (2) years ago and mailed them out, two (2) years ago. How are you supposed to fight that, Representative? You're the little guy. How are you supposed to fight city hall when you get a ticket for being at the O'Hare Toll

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Plaza on August 12, 2006? How do you fight that? How do you fight it? Is the answer, you can't?"

Colvin: "Mr. Rose..."

Rose: "The answer's you can't. Is that right?"

Colvin: "Representative Rose, just like the fines of the Skyway and open road tolling which is new in the State of Illinois, it's been in place for a couple years..."

Rose: "The question is how do you fight it?"

Colvin: "There are ample provisions in the law already that provides individuals a chance to contest these tickets if they feel they've been given in error."

Rose: "From... two (2) years ago?"

Colvin: "I can't speak to those tickets from two (2) years ago."

Rose: "They found thousands of them and mailed them out from two (2) years ago."

Colvin: "Was this prior to open road tolling or..."

Rose: "No..."

Colvin: "...were you talking several years ago?"

Rose: "...from whenever the last goofy camera idea we had in the State Legislature was."

Colvin: "I think that the benefits..."

Rose: "This is the problem."

Colvin: "...I think the benefits of open road tolling have been enormous in the State of Illinois."

Rose: "I don't disagree with the benefits of open road tolling, but the cameras are ridiculous. They're mailing out tickets from two (2) years ago. How would you like it if

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it came to your doorstep and said, hey, Marlow, you were speeding in 1976, here's your ticket."

Colvin: "Well, we're not talking about speeding. We're talking about people who go through the tollbooths without paying."

Rose: "It's still a fine that you're paying money on... to city hall."

Colvin: "It's a fine that's assessed when someone breaks a particular law."

Rose: "What do you tell your constituents when they call you and say, hey, we got this ticket from two (2) years ago. Do you tell them you're the Sponsor of the Bill?"

Colvin: "No, I think..."

Rose: "They sent Frank Mautino one for his dad who's been gone seventeen (17) years."

Colvin: "Representative, I appreciate your comments..."

Rose: "I think I made my point. Thank you, Representative."

Colvin: "...but we do have to have some provisions in the law for those who simply break the law by going through the open road tolling provisions. This doesn't deal with speeding..."

Rose: "I have no problem with open road tolling, none. I support it, have it, like it, the problem is the cameras."

Colvin: "But I think we would both agree that there has to be some fine mechanism for those who willfully and egregiously go through the open road tolling booth without paying for it."

Rose: "Well, Representative, when I get... the next person who calls my office, I'll send them to you."

Speaker Hannig: "Representative Rita."

Rita: "Mr. Speaker, can we move the previous question?"

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Speaker Hannig: "Okay. The Gentleman withdraws his Motion. Who wishes to speak next? Representative Sullivan, you're next on the board."

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

Speaker Hannig: "Indicates he'll yield."

Colvin: "Yes."

Sullivan: "Representative, under Section 13(b) it says, 'any person that operates to the vehicle through the toll can be fined up to five hundred dollars (\$500).' Is that correct?"

Colvin: "One moment. In provisions in the law, it does provide for a fine up to one (1) year, correct."

Sullivan: "Okay. And..."

Colvin: "Worth five hundred dollars (\$500)."

Sullivan: "...under 13(c)... I'm sorry... under 13(d), the operator may assess administrative fees and costs not to exceed two hundred dollars (\$200)?"

Colvin: "Can you repeat that? I can't hear you."

Sullivan: "Yes. Under 13(d) it says, 'an operator may assess administrative fees and costs not to exceed two hundred dollars (\$200) against the registered owner.' Is that correct?"

Colvin: "That's correct. That will not exceed two hundred dollars (\$200), dealing with the fact that these tickets and notices are mailed several times to toll violators."

Sullivan: "Okay."

Colvin: "Encouraging them to..."

Sullivan: "Thank you. Mr. Speaker, to the Bill. First off, should this Bill receive the requisite of... number of votes,

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I'd like to verify the question. Second... secondarily, I would... I would... To the Bill. Ladies and Gentlemen, if someone goes through a toll, aside from whether you know it's the person driving the car or not or the owner, for one toll they could potentially get a five hundred dollar (\$500) fine and then the operator, if they fail to pay that toll, could charge him a two hundred dollar (\$200) administrative fee. So, for a dollar toll, you could get a seven hundred dollar (\$700) total cost to pay that toll. Boy, is this the witching hour or what."

Speaker Hannig: "Representative Bassi."

Bassi: "I move the previous question."

Speaker Hannig: "Okay. There's actually no one wishing to speak. So, Representative Colvin, you're recognized to close."

Colvin: "Thank you, Mr. Speaker. It is... it appears to me that it would be pretty simplistic and reasonable that the tollway to make the... to bring the convenience of open road tolling to the Chicago Skyway and make the penalties for such consistent with the Illinois Tollway Authority, it makes a lot of sense. You can't bring open road tolling which brings enormous convenience to our communities without bringing subsequent penalties for those who will willfully take advantage of it in respect to going through the tollbooths without paying for it. I would respectfully request an 'aye' vote. We're simply bringing it to... up to the standard that already exists with the Illinois Tollway. Thank you very much."

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Speaker Hannig: "Been a request for verification by Representative Sullivan, so you'd be advised to vote your own switches only. 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? Last call. Mr. Clerk, take the record. On this question, there are 14 voting 'yes' and 94 voting 'no'. And the Bill fails. Mr. Clerk, read the Rules Report."

Clerk Mahoney: "Representative Barbara Flynn Currie, Chairperson from the Committee on Rules, to which the following legislative measures and/or Joint Action Motions were referred, action taken on May 31, 2008, reported the same back with the following recommendation/s: on the Order of Concurrence a Motion to Concur with Senate Amendments 1 has been 'recommend be adopted' on House Joint Resolution 78, offered by Representative Miller."

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

Franks: "Having voted on the prevailing side, I'd like to file a Motion to reconsider. I think we can get 6 more."

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

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

Speaker Hannig: "State your point."

Gordon: "Ladies and Gentlemen of the House, I... I know it's late, but if you'd just indulge me for a moment, please. I just wanted... I want everyone to realize how small of a world we live in. A very good friend of mine who used to

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live here and is a wonderful student of government and politics and who sends me news things from all over the world and from all over this country all the time, knew that today would be the most interesting day here in the House of Representatives in Illinois and he's watching us right now and sending me messages as we speak. So, if everyone could say 'hello' to my friend.. say 'hello' to my friend, Roberto, and know that you are being watched where you are. So, thank you very much."

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

Golar: "Yes, Mr. Speaker. Previously, I wanted to.. the record to reflect that on House Bill 2760 I am a 'yes'."

Speaker Hannig: "The record will reflect your intentions, Representative."

Golar: "Thank you."

Speaker Hannig: "On Supplemental Calendar #4, on the Order of Concurrence, Representative Beaubien, you're recognized on House Bill 5088."

Beaubien: "I hope everybody's in a better mood. I do not want to join the Century Club. We talked about this Bill earlier. The first part was the Bill dealing with the unclaimed property tax that passed out unanimously in the House, passed the Senate unanimously. In 4905 which we passed out unanimously here dealing with Illinois Municipal League and the police and fire pensions, got over there too late. So, with the courteously of Representative Molaro and the people in the Senate, we were able to attach the

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language of 4905 onto this Bill in both chambers, both sets of Bills, got 100 percent votes. I urge an 'aye' vote."

Speaker Hannig: "Is there any discussion? Then the question is, 'Shall the House concur in Senate Amendments #1 and 2 and 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 Stephens, Molaro, Graham, do you wish to be recorded? Mr. Clerk, take the record. On this question, there are 112 voting 'yes' and 0 voting 'no'. And the House does concur in Senate Amendments #1 and 2. And this Bill, having received a Constitutional Majority, is hereby declared passed. Mr. Clerk, read House Bill 1826."

Clerk Mahoney: "House Bill 1826 has been read a second time, previously. Amendment #1 was adopted in committee. Floor Amendments 2, 3, and 4, offered by Representative Harris, have all been approved for consideration."

Speaker Hannig: "Representative Harris on Amendment #2. Well, do you withdraw 2 and 3?"

Harris: "Yes. Amendment 4."

Speaker Hannig: "Okay. So, the Gentleman wishes to withdraw Amendments #2 and 3, Mr. Clerk. Are there any further Amendments?"

Clerk Mahoney: "Floor Amendment #4 has been approved."

Speaker Hannig: "Amendment #4, Representative Harris."

Harris: "Thank you, Mr. Speaker, Ladies and Gentlemen of the House. Amendment 4 is substantially the same language and intent of the previous versions of House Bill 1826, which gives certain basic rights and responsibilities to

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committed couples. It does clarify the language. It adds new definitions to be sure that people understand that the Bill does no more nor less than we say it's going to do. It clarifies what language must be collected by the different county officials. It gives consent to jurisdiction to Illinois law and it also makes it clear that individuals who reside in states where a substantially similar arrangement is illegal cannot come to Illinois and make application."

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

Clerk Mahoney: "No further Amendments. All Motions have been filed."

Speaker Hannig: "Third Reading. On page 67 of the Calendar, under the Order of Resolutions, is House Resolution 1333. Representative Jefferies."

Jefferies: "Thank you, Speaker. This Resolution will honor Reverend Jesse Jackson, Sr. on the 8th of each... 8th of October for each year in his honor. And I appreciate an 'aye' vote. Thank you."

Speaker Hannig: "Is there any discussion? Then all in favor of the Resolution say 'aye'; opposed 'nay'. The 'ayes' have it. And the Resolution is adopted. Mr. Clerk, would you like to advise us on the Veto Session schedule."

Clerk Mahoney: "The Fall Veto Session Calendar has been distributed to all Members."

Speaker Hannig: "So, Mr. Clerk, read the Agreed Resolutions."

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Clerk Mahoney: "On the Order of Agreed Resolutions is House Resolution 1369, offered by Representative Reitz. House Resolution 1370, offered by Representative Lyons. House Resolution 1371, offered by Representative Howard. House Resolution 1372, offered by Representative Tryon. House Resolution 1373, offered by Representative Berrios. House Resolution 1374, offered by Representative Graham. House Resolution 1375, offered by Representative Myers. House Resolution 1377, offered by Representative Turner. House Resolution 1378, offered by Representative Watson. House Resolution 1380, offered by Representative Munson. House Resolution 1381, offered by Representative Jefferies. House Resolution 1382, offered by Representative Munson. House Resolution 1383, offered by Representative Berrios. House Resolution 1384, offered by Representative Riley. House Resolution 1385, offered by Representative Myers."

Speaker Hannig: "Representative Currie moves for the adoption of the Agreed Resolutions. All in favor say 'aye'; opposed 'nay'. The 'ayes' have it. The Agreed Resolutions are adopted. On page 59 of the Calendar, under Resolutions, is House Joint Resolution 78. Mr. Clerk, are there any Amendments?"

Clerk Mahoney: "On House Joint Resolution 78 a Motion to Concur in Senate Amendment #1 has been approved for consideration."

Speaker Hannig: "Representative Miller on the Amendment."

Miller: "Thank you, Mr. Speaker. I move to concur with Senate Amendment #1."

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Speaker Hannig: "Is there any discussion? Then all in favor of the Amendment say 'aye'; opposed 'nay'. The 'ayes' have it. The Amendment is adopted. Are there further Amendments, Mr. Clerk? Oh, my... my mistake. The Gentleman made a Motion to Concur on Senate Amendment #1 to House Bill 78. Is there any discussion? Representative Mulligan."

Mulligan: "Thank you, Mr. Speaker. We were just wondering when we looked at it before that how could you do what's in this by a Resolution? So, if the Sponsor will yield and just tell me how you would do this through Resolution as opposed to a Bill?"

Speaker Hannig: "The Gentleman will yield."

Miller: "What's the question?"

Mulligan: "I'm sorry, did you answer me?"

Speaker Hannig: "No, he asked you to repeat the question."

Miller: "I'm sorry. I didn't hear the question."

Speaker Hannig: "Repeat the question, Representative Mulligan."

Mulligan: "He wants the question again? Representative, I was just wondering how you can do this through a Resolution as opposed to a Bill? Is it just because it's legislative intent? I mean, I... from... it seemed more substantive than that when we looked at it earlier when it came up, we couldn't understand how you could do this the way you're doing it."

Miller: "It's just because it's legislative intent. It needs both... actions in both chambers."

Mulligan: "I'm sorry. Is it legislative intent or how... what are you doing?"

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Miller: "It clarify.. excuse me.. it clarifies the intent of the General Assembly with regards to our House Bill 1347 which was signed into law in May 22, 2007. Rosemary Mulli.. Representative Mulligan, it just clarifies current law and it.. if it's a legal challenge, it just wants to at least have a public record of what the intent was."

Mulligan: "I was.. I was just wondering, because as long as I've been here I haven't noticed something like this before and so I was curious as how you do it. So, you're just clearing it.. clarifying legislative intent from legislation that was already passed."

Miller: "Once again, I'm sorry. Once again, I'm just tired."

Mulligan: "You're clarifying legislative intent for legislation that was already passed. Is that what you're trying to do?"

Miller: "That's correct."

Mulligan: "Okay. And you think that's sufficient for lawsuits or anything else that happens?"

Miller: "Yes."

Mulligan: "All right. Thank you."

Speaker Hannig: "Is there any further discussion? The Gentleman from Vermilion, Representative Black."

Black: "Mr. Speaker, a parliamentary inquiry of the Chair."

Speaker Hannig: "State your inquiry."

Black: "I would ask the parliamentarian to offer his opinion if he can do so. There's nothing in House Rules, there's nothing in the Constitution where a House Joint Resolution can remove the application of a Public Act. I mean, if the Gentleman wants to pass it and he feels better about it,

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okay, but let's just be completely honest. I don't believe there is any applicable rule under Robert's House Rules of the Constitution that says you can come back and pass a House Joint Resolution to remove the application of a Public Act. You can't do that. And I know it's late and things slip through, but this would be an egregious violation of the process. You can't render a Public Act, a law, moot by passing a Resolution saying that you are removing the application of the law."

Speaker Hannig: "Representative, it's the... it's the ruling of the Chair that the Gentleman is within his rights to pass the Resolution..."

Black: "All right."

Speaker Hannig: "...but whether it's binding or not is not a question for us."

Black: "All right. You're right. He is within his rights, but I think any... any subsequent court action would find that you can't do what the Resolution says he's doing. But he's within his rights to call it, but whatever."

Speaker Hannig: "Representative Rose."

Rose: "Yeah. I... I think you're absolutely right. He can do this, but... Ladies and Gentlemen, everybody wants to leave, but I don't think this has any force and... a weight of law at all. I mean, it's merely advisory. Any... any fundamental manner of statutory interpretation is going to say you look to the plain meaning of the statute first. You... I'm not sure what this even accomplishes and I would... I would ask... I would ask the Sponsor what's your intention? I mean, why are we... what are you doing with this?"

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Miller: "Well, this is... this is brought to me and we're just trying to make sure that... that the... that if there's any court action involved, that at least it clarifies the intent of House Bill 1347."

Rose: "Right. But you would have had to do that when the statute was passing. I mean, it would have been part of record that would look... I mean, part of the canons of statutory interpretation, you look first to the plain meaning of the law, the statute in question, then you look to the legislative intent as it was passing. That's your committee hearings, that's all your other things. And then you look to secondary sources which would be treatises and I guess, this. But I don't know, Representative, and you're within your rights to do this. I just don't think you're... it's going to accomplish what you think it's going to accomplish. So, thank you, Mr. Speaker."

Speaker Hannig: "Representative Monique Davis."

Davis, M.: "Thank you, Mr. Speaker. I just want to say to all the staff, on both sides of the aisle, we are so grateful for your help and service this year. I want to thank the Leaders on both sides of the aisle and for us to have had such a great productive year. I want everyone to enjoy his or her summer, enjoy your families and if you want to come to the party tonight, it's time for us to go. Good night..."

Speaker Hannig: "Representative Miller to close. Close, Representative Miller."

Miller: "'Aye' votes."

Speaker Hannig: "We're going to have a Roll Call vote on this. So, the question is, 'Shall the House concur in Senate

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Amendment #1 to House Joint Resolution 78?' 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 Franks, Eddy, Durkin, and Beaubien, do you wish to be recorded? Mr. Clerk, take the record. On this question, there are 67 voting 'yes' and 41 voting 'no'. And the House does concur in the Senate Amendment. And the Resolution is adopted. Mr. Clerk... Representative Riley, for what reason do you rise?"

Riley: "Well, in the lateness of the hour everybody's having fun. Point of personal privilege."

Speaker Hannig: "State your point?"

Riley: "It will not take long. It is just to say that it has been great doing the work of the people of the State of Illinois. We have come together on a lot of issues. So, have a good summer and remember, Democrat is a noun and not an adjective."

Speaker Hannig: "Representative Ford."

Ford: "Well, I just... I have to say. Eat all the trans fats you want for the summer. I'll be back."

Speaker Hannig: "Mr. Clerk, read the Adjournment Resolution."

Clerk Mahoney: "Senate Joint Resolution #105."

RESOLVED, BY THE SENATE OF THE NINETY-FIFTH GENERAL ASSEMBLY OF THE STATE OF ILLINOIS, THE HOUSE OF REPRESENTATIVES CONCURRING HEREIN, that when the two Houses adjourn on Saturday, May 31, 2008, the Senate stands adjourned until Wednesday, November 05, 2008, in perfunctory session; and when it adjourns on that day, it stands adjourned until Wednesday, November 12, 2008, at 12:00 noon; and the House

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

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of Representatives stands adjourned until Thursday, October 30, 2008, in perfunctory session; and when it adjourns on that day, it stands adjourned until Wednesday, November 12, 2008, at 12:00 noon."

Speaker Hannig: "Representative Currie moves for the adoption of the Adjournment Resolution. All in favor say 'aye'; opposed 'nay'. The 'ayes' have it. And the Resolution is adopted. And now, allowing perfunctory time for the Clerk, Representative Currie moves that the House adjourn until Wednesday, November 12, at the hour of 12 noon. All in favor say 'aye'; opposed 'nay'. The 'ayes' have it. The Reso... the Motion is adopted and the House stands adjourned. Have a good summer."

Clerk Mahoney: "House Perfunctory Session will come to order. Introduction of House Bills-First Reading. House Bill 6656, offered by Representative Mulligan, a Bill for an Act concerning revenue. First Reading of this House Bill. There being no further business, the House Perfunctory Session will stand adjourned."