

STATE OF ILLINOIS  
97th GENERAL ASSEMBLY  
HOUSE OF REPRESENTATIVES  
TRANSCRIPTION DEBATE

58th Legislative Day

5/18/2011

Clerk Mahoney: "House Perfunctory Session will come to Order. Rules Report. Representative Barbara Flynn Currie, Chairperson from the Committee on Rules reports the following committee action taken on May 18, 2011: approved for floor consideration, recommends be adopted is Floor Amendment #1 to Senate Bill 1972, Floor Amendment #2 to Senate Bill 1996, Floor Amendment #2 to Senate Bill 2042, and Floor Amendment #1 to Senate Bill 2064. Also recommends be adopted is Floor Amendment #1 to Senate Bill 1761 and Floor Amendment #2 to Senate Bill 1798."

Speaker Madigan: "The House shall come to order. The Members shall be in their chairs. We ask the Members and guests to refrain from starting their laptops, turn off all cell phones and pagers, and rise for the invocation and the Pledge of Allegiance. Today, we shall be led in prayer by two people. The first will be Father Michael Garanzini who is the President of Loyola University in Chicago. Father Garanzini is the guest of Speaker Madigan."

Father Garanzini: "Thank you, Speaker. Let's bow our heads. Heavenly creator, Your handywork is visible in our natural world and in our social world, the world of our towns, our farms, and our cities. These also reflect Your splendor, glory, and Your goodness. As public servants here today this Body recognizes its responsibility for bringing order out of chaos, for advancing the good of all, and for supporting the less fortunate. And so we ask, give us wisdom to discern what is just, give us courage to choose what is fair and honest, give us patience to do the slow work of building our social fabric, give us compassion to

STATE OF ILLINOIS  
97th GENERAL ASSEMBLY  
HOUSE OF REPRESENTATIVES  
TRANSCRIPTION DEBATE

58th Legislative Day

5/18/2011

keep those in need before our eyes and in our hearts and give us understanding to carry our responsibilities with dignity and grace worthy of being your sons and daughters, Amen."

Speaker Madigan: "We shall also be led in prayer by Major Evie Diaz who is the Division Commander for Heartland Division of the Salvation Army in Peoria, Illinois. Major Diaz is the guest of Representative Jehan Gordon."

Major Diaz: "Let's continue to pray. Father we are here today because we are blessed people. You have blessed us with Your grace and with this beautiful world that You've entrusted to us. You have blessed us with the privilege of serving Your people in many different ways, but that is a blessing that You have given to us. And today we are thankful because You give us wisdom and You give us guidance and You give us resources because You are the God who is able to do that. My prayer today is for those times when we don't know where to turn, when we don't know where the resources will come from, we don't know who will help us, that we will look to You. That we will trust You who are all wise and all knowing and all loving and we will be guided by You, led by You to serve Your people to make a difference in Your community. Thank You because we can pray in Your name because You are God and we trust You today. In Jesus' name, Amen."

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

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

STATE OF ILLINOIS  
97th GENERAL ASSEMBLY  
HOUSE OF REPRESENTATIVES  
TRANSCRIPTION DEBATE

58th Legislative Day

5/18/2011

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

Speaker Madigan: "Roll Call for Attendance. Representative Currie."

Currie: "Thank you, Speaker. Please let the record reflect that there are no excused absences among House Democrats today."

Speaker Madigan: "Mr. Bost."

Bost: "Thank you, Mr. Speaker. Let the record reflect that Representatives Beaubien and Mulligan are excused on the Republican side of the aisle today."

Speaker Madigan: "The Clerk shall take the record. There being 116 Members responding to the Attendance Roll Call, there is a quorum present. Mr. Clerk."

Clerk Bolin: "Committee Reports. Representative Dugan, Chairperson from the committee on Agriculture & Conservation reports the following Committee action taken on May 17, 2011: do pass Short Debate for Senate Bill 172. Representative Monique Davis, Chairperson from the Committee on Insurance reports the following committee action taken on May 17, 2011: recommends be adopted Floor Amendment #2 to Senate Bill 1607, and House Resolution 332. Representative Beiser, Chairperson from the Committee on Transportation: Regulations, Roads & Bridges reports the following committee action taken on May 17, 2011: do pass Short Debate for Senate Bill 1644 and recommends be adopted House Resolution 328 and House Joint Resolution 32. Representative Phelps, Chairperson from the Committee on Financial Institutions reports the follow committee action taken on May 17, 2011: do pass Short Debate for Senate Bill

STATE OF ILLINOIS  
97th GENERAL ASSEMBLY  
HOUSE OF REPRESENTATIVES  
TRANSCRIPTION DEBATE

58th Legislative Day

5/18/2011

674 and Senate Bill 1133. Representative Riley, Chairperson from the Committee on Cities & Villages reports the following committee action taken on May 17, 2011: recommends be adopted House Resolution 301. Representative Berrios, Chairperson from the Committee on Consumer Protection reports the following committee action taken on May 17, 2011: do pass Short Debate for Senate Bill 959; do pass as amended Short Debate for Senate Bill 1943. Representative Chapa LaVia, Chairperson from the Committee on Elementary & Secondary Education reports the following committee action taken on May 18, 2011: do pass as amended Short Debate for Senate Bill 1578 and Senate Bill 1794; recommends be adopted House Resolution 321. Representative Greg Harris, Chairperson from the Committee on Human Services reports the following committee action taken May 18, 2011: recommends be adopted House Resolution 292, House Resolution 294, House Resolution 331, Senate Joint Resolution 2, Senate Joint Resolution 15; do pass Short Debate for Senate Bill 670, Senate Bill 1342, and Senate Bill 1622; and do pass as amended Short Debate for Senate Bill 840 and Senate Bill 1623. Representative Nekritz, Chairperson from the Committee on Judiciary I-Civil Law reports the following committee action taken on May 18, 2011: do pass Short Debate for Senate Bill 1766; and do pass as amended Short Debate for Senate Bill 1824. Representative Del... Representative Will Davis, Chairperson from the Committee on Labor reports the following committee action taken on May 18, 2011: recommends be adopted House Resolution 330. Representative Franks, Chairperson from the

STATE OF ILLINOIS  
97th GENERAL ASSEMBLY  
HOUSE OF REPRESENTATIVES  
TRANSCRIPTION DEBATE

58th Legislative Day

5/18/2011

Committee on State Government Administration reports the following committee action taken on May 18, 2011: recommends be adopted Floor Amendment #3 to Senate Bill 2082; and do pass as amended Short Debate for Senate Bill 1364. Introduction of Resolutions. House Joint Resolution 36, offered by Representative Zalewski."

Speaker Madigan: "For what purpose does Mr. Franks seek recognition?"

Franks: "Thank you, Mr. Speaker. A point of personal privilege."

Speaker Madigan: "State your point."

Franks: "I'm standing here with Senator Althoff and we'd like to invite everyone and remind everyone tonight is that there is a Turkish Illinois reception in Secretary of State Jesse White's office at 5:30. And we'd love to see you all and to learn more about Turkey and hopefully bring some of you to Turkey with us this year. Thank you."

Speaker Madigan: "Ladies and Gentlemen, if the Members could take their chairs. If staff could retire to the rear of the chamber. We have a very special guest today who's going to offer some remarks from the Republic of Turkey. Fatih Yildiz is the Council General of Turkey in Chicago. He was born in Ankara in 1971, completed his high school education at a high school in that city. He then attended Middle East Technical University in Ankara, graduating from the Department of International Relations in 1994. Whereupon he joined the Ministry of Foreign Affairs as attachè at the Deputy Director at... for Balkan Affairs. In 1997 he was sent to Sarajevo, Bosnia, and Herzegovina where he was third

STATE OF ILLINOIS  
97th GENERAL ASSEMBLY  
HOUSE OF REPRESENTATIVES  
TRANSCRIPTION DEBATE

58th Legislative Day

5/18/2011

secretary at the Turkish Embassy there until 1999. He then served in Vienna, Austria, as third and Second Secretary of the Permanent Delegation of Turkey to the Organization for Security and cooperation in Europe. Back in Turkey he served as Chief of Cabinet to the under secretary of the Minister of Foreign Affairs. Later he was at the Turkish Embassy in Washington, D.C. as first secretary and counselor. Back in Turkey from 2008 to 2010 he served as Chief of Section and head of department at the Department of Human Resources for the Ministry of Foreign Affairs until he assumed the position as Consul General of Turkey here in Chicago on September 20, 2010. He is married and he has one daughter. Please welcome the Consul General of Turkey in Chicago, Fatih Yildiz."

Fatih Yildiz: "Speaker Madigan, distinguished Members of the Illinois House of Representatives, thank you for this very warm welcome. It gives me profound honor to be here today at the Illinois House of Representatives and to be able to address you. I'm honored and humbled for this distinguished privilege bestowed upon me in the heart of the politics and the Land of Lincoln. My sincere thanks also go to the Niagara Foundation who has contributed in realizing today's event. Ladies and Gentlemen, Legislatures, in my country as well, are the rudimentary institutions in terms of upholding the ideals of peace, harmony, understanding co-existence, democracy, human rights, and the rule of law, so... which we as Turks and Americans hold sacred. These values and ideals, if cherished by all, are to make the difference that we all seek and I believe that Legislature...

STATE OF ILLINOIS  
97th GENERAL ASSEMBLY  
HOUSE OF REPRESENTATIVES  
TRANSCRIPTION DEBATE

58th Legislative Day

5/18/2011

Legislators are among those who deserve the greatest gratitude because... because of the courage that they manifest by taking the challenge to that affect. Today our world is going through a tremendous change that shifts the established balances we... we have come to know. This shift brings forward wide ranging and deeply felt global effects. And in a world of many problems and opportunities, it's the common opinion of all observers that Turkey and Turkish people follow a peaceful, constructive and cooperative foreign policy. This is to say that Turkey has emerged as a force for good in its region. In assuming this position are certain advantages that help us to gouge an active foreign policy in our region. First of all, Turkey is located in a very unique geographic. It's at the center of Afro-Eurasia landmass. Most of the countries that you read about in Chicago Tribune or Washington Post or New York Times are our neighbors or in our proximity like Iran, Iraq, Syria, Lebanon, Egypt, Israel, Afghanistan, Russia, Georgia, so the list is long. We have 12 neighbors frankly speaking which I enumerated a number of them so far. So, it lay... it takes less than two hours to fly from Istanbul to one of those countries. Secondly, Turkey... what's unique about Turkey is Turkey is the only true indiscernible democratic and secular country among 57 Islamic countries. So being a Muslim or non-Muslim, Pius or non-Pius is of no significance in our social or political life. The distinction between the church and the state is well established with constitutional safeguards in Turkey. So, the third element about Turkey that I would like to talk

STATE OF ILLINOIS  
97th GENERAL ASSEMBLY  
HOUSE OF REPRESENTATIVES  
TRANSCRIPTION DEBATE

58th Legislative Day

5/18/2011

about is many of the freedoms that our Sossian neighbors in the Middle East strive for have been enjoyed by Turkish people for decades. These values are democracy, again, multiparty elements, multiparty elections, free market economy, human rights, rule of law, political rights of women. These have been constituting elements of Turkey since 1923, so we have... we have some kind of precedent that goes back to 100 years. As such, Turkey has been always part and... part of what we call as Western democracies. It has never been an accidental democracy I should say. The fourth thing that I would like to highlight about Turkey is we have been a part of western institutions, an ally of United States for more than six decades. Turkey is a founding member of the United Nations. A member of NATO, a member of Council of Europe, and it's an accession process to be a part of the European Union. In fact Turkish and American soldiers fought shoulder by shoulder in Korea 60 years ago. They're now in Afghanistan together again to bring in peace... peace and stable hood to that country. So Turkey and United States work together to ease that cultural tension that we see between East and West of the World and we also work together to ease the economic tension between North and South of the World. The final thing about Turkey which a lot of people talk a lot nowadays as Turkey's economic dynamism that we see. So it is another important component of her emerging soft power that we tend to say to point out a few highlights about what I mean is Turkey is the sixteenth largest economy in the world and sixth in the... in Europe and has expanded its...



STATE OF ILLINOIS  
97th GENERAL ASSEMBLY  
HOUSE OF REPRESENTATIVES  
TRANSCRIPTION DEBATE

58th Legislative Day

5/18/2011

its GDP during the past seven years with an average rate of seven percent which is, as you can imagine, is quite impressive especially when you look at this, you know, global economy downturn; this global economic and financial crisis. So Ladies and Gentlemen, this is five elements that I can enumerate when I want to talk about my country, but I underline these points not just simply to promote my country. My point is that today we live in a world where opportunities and risks coexist. This is true for Turkey, true for United States, and true for all others. So, countries like Turkey and the United States with their political, social, and economic powers offer potential to confront each and every one of these global challenges that we're facing. That's basically the reason why we name each other as mortal partners, a term used by President Obama during his visit to Turkey in 2009. The term mortal partnership that President Obama used as well and presides this importance of close cooperation between Turkey and... and United States based on common well use and principles. And taking this, you know, courageous step and overtaking it we have set out an ambitious goal, an agenda to further enhance our economic, commercial, cultural, scientific relations and there is where relations between Turkey and the State of Illinois come into picture. In fact, we want the State of Illinois to become one of the trendsetters in terms of meeting this... this ambitious agenda between the two countries and for that we have to work hard. We know that and we need your support and this... this opportunity to address this. This very important Body is a manifestation

STATE OF ILLINOIS  
97th GENERAL ASSEMBLY  
HOUSE OF REPRESENTATIVES  
TRANSCRIPTION DEBATE

58th Legislative Day

5/18/2011

of that... that huge support that we have here; therefore, I just want to thank you for that once more. And let me complete with the words of a great thinker of the American history Benjamin Franklin, and I quote 'The U.S. Constitution does not guarantee happiness only the pursuit of it.' You have to catch up with it yourself. That's what Benjamin Franklin once said. So I believe that these words of wisdom provide a beacon for the path before us towards a better world, better tomorrow, and better Turkish-American relations. And before closing, I just want to highlight one event that a Member of... a House Member has already highlighted, but I would like to once more remind you that at 5:30 p.m. today at the Secretary of State's Office... at Secretary White's office we will have a reception at 5:30 and would like to see you there in cooperation with Niagara Foundation. Once again, thank you for this honor and thank you for your kind attention. Thank you."

Speaker Madigan: "For those of you who would like to greet Fatih, he'll be standing right down here with the people from the Niagara Foundation, Hilmi Cinar and his friend Suleymam. Representative Burke. The Chair recognizes Representative Burke for the purpose of an announcement. Please give your attention to Mr. Burke."

Burke, D.: "Thank you, Mr. Speaker and Ladies and Gentlemen. So often in this chamber we have the opportunity to wish our colleagues farewell, goodbye, go on to another life. I am privileged to introduce to our colleagues the presence of Dena Carli who will be replacing Susana Mendoza. I'd like you to know that Dena comes to us with a... a wealth of

STATE OF ILLINOIS  
97th GENERAL ASSEMBLY  
HOUSE OF REPRESENTATIVES  
TRANSCRIPTION DEBATE

58th Legislative Day

5/18/2011

experience and I guess in this life it's seldom that we can say that we can merge our expertise with the creation of law. Dena comes to us as a Sergeant of police of the Chicago police department. This young lady is eminently qualified not only to enforce the law, but now in her new appointed position to create the law. I would invite my colleagues to welcome my dear friend and in particular, I would like to introduce her mother who has been my support for my entire elected career Diane Carli. Ladies and Gentlemen, may I present to you our new colleague Dena Carli and her mother Diane Carli. Thank you, Mr. Speaker."

Speaker Madigan: "The Chair recognizes Representative Carli."

Carli: "Thank you. I would like to thank everyone for welcoming me. This is such an honor to be here. I hope that I can just gain all the knowledge and experience that's on this floor. Again, I can't be more thankful of how welcoming everybody has been to me, how helpful. I would like to take this opportunity though to thank my family. They are sacrificing so much for me to be here. I'm so happy. My husband, my children, my mom. I just want to make sure that they know how appreciative I am. Thank you."

Speaker Madigan: "The Chair recognizes Representative Monique Davis."

Davis, M.: "Thank you, Mr. Speaker. A number of years ago on 93rd and Green there was a club called the Green Buccaneers and I was the leader of that club and it was a 4-H club. Visiting Springfield today we have two other 4-H clubs. We have the Youth Leadership Club and we have a group called Speaking For Illinois. 4-H club members are those who

STATE OF ILLINOIS  
97th GENERAL ASSEMBLY  
HOUSE OF REPRESENTATIVES  
TRANSCRIPTION DEBATE

58th Legislative Day

5/18/2011

pledge their head, their hearts, and their hands to changing America. Please welcome and give a warm round of applause for the 4-H club members to the left of you in the gallery. Thank you."

Speaker Madigan: "The Chair recognizes Mr. Bost. Mr. Bost."

Bost: "Thank you, Mr. Speaker. If the record could reflect that Representative Pihos is also excused today. Thank you."

Speaker Madigan: "Mr. Clerk, let the record reflect that Representative Pihos is excused for today. Representative Lyons in the Chair."

Speaker Lyons: "Mr. Clerk, Committee Reports."

Clerk Mahoney: "Committee Report. Representative Dan Burke, Chairperson from the Committee on Executive reports the following committee action take on May 18, 2011: do pass Short Debate is Senate Bill 401, Senate Bill 665, Senate Bill 745, Senate Bill 754, Senate Bill 1073, Senate Bill 1651; do pass as amended Short Debate is House Bill 306, Senate Bill 541 and Senate Bill 1682."

Speaker Lyons: "Representative Chad Hays, for what purpose do you seek recognition, Sir?"

Hays: "A point of personal privilege, please."

Speaker Lyons: "Please proceed, Representative."

Hays: "Please welcome here at the back of the chamber just recently elected to his third term of mayor of Danville, Scott Eisenhauer. Mayor, welcome."

Speaker Lyons: "Mr. Mayor, welcome to your Capitol. Great to see you. Ladies and Gentlemen, we're going to do a couple of Second Readings. Representative Farnham. Keith Farnham, on page 9 of the Calendar, under Senate Bills-Second

STATE OF ILLINOIS  
97th GENERAL ASSEMBLY  
HOUSE OF REPRESENTATIVES  
TRANSCRIPTION DEBATE

58th Legislative Day

5/18/2011

Reading, your Amendment's been approved for Senate Bill 1996. Read the Bill, Mr. Clerk."

Clerk Mahoney: "Senate Bill 1996, a Bill for an Act concerning civil law. Second Reading of this Senate Bill. Floor Amendments 1 and 2 have both been approved for considerations, both offered by Representative Farnham."

Speaker Lyons: "Mr. Clerk, take the Bill out of the record. Representative Rich Brauer on the Order of Senate Bills-Third Readings you have Senate Bill 2042. What's the status of that Bill, Mr. Clerk?"

Clerk Mahoney: "Senate Bill 2042 is on the Order of Senate Bills-Third Reading. However, there's a Floor Amendment that's been approved for consideration."

Speaker Lyons: "Put that Bill back on the Order of Second Reading. Mr. Brauer on Floor Amendment #2."

Brauer: "Thank you, Mr. Speaker. I move to approve Floor Amendment #2. It just provides for immediate effective date upon passage."

Speaker Lyons: "You've heard the Gentleman's explanation. Is there any discussion? Seeing none, all those in favor of the adoption of Floor Amendment #2 say 'aye'; those opposed say 'no'. In the opinion of the Chair, the 'ayes' have it. Floor Amendment 2 is adopted. Anything further, Mr. Clerk?"

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

Speaker Lyons: "Third Reading. Representative Dan Biss, on the Order of Senate Bills-Third Readings, I believe you have an Amendment on Senate Bill 2064. What's the status on 2064, Mr. Clerk?"

STATE OF ILLINOIS  
97th GENERAL ASSEMBLY  
HOUSE OF REPRESENTATIVES  
TRANSCRIPTION DEBATE

58th Legislative Day

5/18/2011

Clerk Mahoney: "Senate Bill 2064 is on the Order of Senate Bills-Third Reading and a Floor Amendment #1 has been approved for consideration."

Speaker Lyons: "Move that Bill back to the Order of Second Reading for the purpose of the Amendment. Representative Biss on Floor Amendment #1 to Senate Bill 2064."

Biss: "Thank you, Mr. Speaker. This addresses an issue raised by Representative Durkin in debate the other day. The question was regarding revocation suspension of a vehicle registration. The Amendment removes the revocation option so suspension is the only option which is the recommendation of the Secretary of State on this matter."

Speaker Lyons: "You've heard the Gentleman's explanation. 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'. 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. Representative Tryon, on top of page 9, you have Senate Bill 1972. I believe the Amendment is cu... is just prepared. What's the status of that Bill, Mr. Clerk?"

Clerk Mahoney: "Senate Bill 1972, a Bill for an Act concerning civil law. Second Reading of this Senate Bill. No Committee Amendments. Floor Amendment #1 has been approved for consideration, offered by Representative Tryon."

Speaker Lyons: "Representative Mike Tryon on Floor Amendment #1."

STATE OF ILLINOIS  
97th GENERAL ASSEMBLY  
HOUSE OF REPRESENTATIVES  
TRANSCRIPTION DEBATE

58th Legislative Day

5/18/2011

Tryon: "Thank you. Floor Amendment #1 to Senate Bill 1972 essentially equalizes the Condominium Act with... and it places the same rights in townhomes and the Master Property Owners Association Act and the Property Owners Associ... Association Act and it gives all those different groups the same rights to collect six months worth of condo fees in a judicial foreclosure sale. And this would... there's a lot of associations that have a condo association and right next door they have a townhome association, but the townhome can't do it. So this basically creates parity between all those associations. I'd be glad to answer any questions."

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

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

Speaker Lyons: "Third Reading. Okay. Ladies and Gentlemen on the Order of Second Readings we have Amendments prepared for Senate Bill 1761. Mr. Clerk, what's the status? Senate Bill 1761, Representative Osmond."

Clerk Bolin: "Senate Bill 1761, a Bill for an Act concerning public health. Second Reading of this Senate Bill. No Committee Amendments. Floor Amendment #1, offered by Representative Osmond, has been approved for consideration."

Speaker Lyons: "Representative JoAnn Osmond on Floor Amendment #1."

STATE OF ILLINOIS  
97th GENERAL ASSEMBLY  
HOUSE OF REPRESENTATIVES  
TRANSCRIPTION DEBATE

58th Legislative Day

5/18/2011

Osmond: "Thank you, Mr. Speaker. This Amendment removes all of the opposition by the DPH and just basically sets the guidelines for the expansion list of disorders for the Department of Health for the newborn metabolical screening."

Speaker Lyons: "You've heard the Lady's explanation. Is there any discussion? Seeing none, the question is, 'Should Floor Amendment #1 be adopted?' All those in favor signify by saying 'yes'; those opposed say 'no'. Opinion of the Chair, the 'ayes' have it. The Amendment is adopted. Anything further, Mr. Clerk?"

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

Speaker Lyons: "Third Reading. Ladies and Gentlemen, we're going to move on to Senate Bills-Third Readings. We're going to be on page 4 of the Calendar and work down the Calendar on page 4. So, if you have a Bill, please, heads up, pay attention. We'll be glad to call you if you're ready to present your Bill. First order of business, Representative Darlene Senger, on the middle of page 4 of the Calendar, Senate Bills-Third Reading, you of Senate Bill 106. Read the Bill, Mr. Clerk."

Clerk Bolin: "Senate Bill 106, a Bill for an Act concerning children. Third Reading of this Senate Bill."

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

Senger: "Thank you, Mr. Chairman and Members of the Assembly. This Bill basically clarifies the definition of who can be part of a neglected child reporting investigation. Right now if you're not the first person to call in on a hotline to report; for example, if you were a doctor and later



STATE OF ILLINOIS  
97th GENERAL ASSEMBLY  
HOUSE OF REPRESENTATIVES  
TRANSCRIPTION DEBATE

58th Legislative Day

5/18/2011

found out that the injury to the child was an abuse situation, it gives... it gives DCFS the ability to call that person into the investigation. This is an initiative of DCFS. And I appreciate a 'yes' vote."

Speaker Lyons: "You've heard the Lady's explanation. Is there any discussion? Seeing none, the question is, 'Should Senate Bill 106 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 Arroyo, Berrios, would you like to be recorded? Representative Fred Crespo. Mr. Clerk, take the record. On this Bill, there's 115 Members voting 'yes', 0 voting 'no', 0 voting 'present'. This Bill, having received the Constitutional Majority, is hereby declared passed. Representative Jim Sacia, on the Order of Senate Bills-Third Reading, you have Senate Bill 151. Mr. Clerk, read the Bill."

Clerk Bolin: "Senate Bill 151, a Bill for an Act concerning criminal law. Third Reading of this Senate Bill."

Speaker Lyons: "The Gentleman from Winnebago, Representative Jim Sacia."

Sacia: "Thank you, Mr. Speaker. Ladies and Gentlemen of the House, this is a Bill that was brought forward by the law enforcement community. It's a Bill that has to deal with current technology. Many of the credit cards that we... and debit cards that we all carry in our wallet now have electronic chips and there are folks out there that have created devices that have the capability of walking by you and literally pulling the information from your credit card

STATE OF ILLINOIS  
97th GENERAL ASSEMBLY  
HOUSE OF REPRESENTATIVES  
TRANSCRIPTION DEBATE

58th Legislative Day

5/18/2011

simply by walking by you. What this does is it... it makes it a violation of the identity theft law and the penalties are the same as current identity theft penalties. I would be pleased to answer your questions."

Speaker Lyons: "You've heard the Gentleman's explanation. Is there any discussion? Seeing none, the question is, 'Should Senate Bill 151 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 Lilly, Colvin. Representative Lilly, would you like to be recorded? Mr. Clerk, take the record. On this Bill, there's 114 Members voting 'yes', 0 voting 'no', 1 Member voting 'present'. This Bill, having received the Constitutional Majority, is hereby declared passed. Mr. Clerk, on the middle of page 4, Representative Chapa LaVia has Senate Bill 621. Read the Bill, Mr. Clerk."

Clerk Bolin: "Senate Bill 621, a Bill for an Act concerning education. Third Reading of this Senate Bill."

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

Chapa LaVia: "Thank you, Speaker and Members of the committee. 621 is an initiative I started last year and it was going to be a charter school, but what we've come to is a compromise everybody is... is a proponent of the Bill now. But it amends the School Code to allow the creation of a science and math partnership school. It's a magnet school now. And I want to thank Representative Mitchell for all his help and support on this. And I'd ask for its... a 'yes' vote."

STATE OF ILLINOIS  
97th GENERAL ASSEMBLY  
HOUSE OF REPRESENTATIVES  
TRANSCRIPTION DEBATE

58th Legislative Day

5/18/2011

Speaker Lyons: "The Chair recognizes the Gentleman from Lee, Representative Jerry Mitchell."

Mitchell, J.: "Thank you, Mr. Speaker. Ladies and Gentlemen of the House, we had some real difficulty with this Bill in the beginning trying to get it to fit the charter school mandate and all of the rules and regs that are surrounding the charter schools and so we went back to the drawing board. Representative Chapa LaVia was willing to do that. We talked to all of the parties concerned and came up with the magnet school concept. This is a great thing for this area of the state and a great thing for kids. So, I do recommend a 'yes' vote. And Representative Chapa LaVia, thank you for your understanding."

Speaker Lyons: "The Chair recognizes the Lady from Cook, Representative Monique Davis."

Davis, M.: "Thank you, Mr. Speaker. I rise in support of the Lady's Bill. I think it's an excellent Bill based upon the fact that children who go to certain schools in certain areas deserve to have special education in science and other areas. I think our Representative Chapa LaVia worked extremely hard on this issue and I do agree that this Bill should pass. Thank you."

Speaker Lyons: "Representative Will Davis."

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

Speaker Lyons: "Sponsor yields."

Davis, W.: "Representative, since this is a partnership school, can you explain how this school will be funded, for lack of a better word?"

STATE OF ILLINOIS  
97th GENERAL ASSEMBLY  
HOUSE OF REPRESENTATIVES  
TRANSCRIPTION DEBATE

58th Legislative Day

5/18/2011

Chapa LaVia: "Well, it'll be funded through the school, the different... adjoining four different school districts and they're... based on this piece of legislation, they create a governance board. But it's through the perspective different four different school districts that are joining together to form the magnet school."

Davis, W.: "So, I mean, the kids that will go to this school, will the dollars just follow them to this school, so to speak?"

Chapa LaVia: "Correct. Along with the teachers and their contracts would stay the same. They'd be still getting paid from their perspective school districts. And the general state aid, et cetera et cetera, would come through that. Aurora University is in the center of this new magnet school and they are going to be offsetting some of the cost to start the program there at the university site. So everybody's pretty excited about it. There are details just like when I was going to bring the charter school forward that have to be worked out and this is the first piece of the puzzle for them to sit down. They've been sitting down at the table for a year and a half now. Actually, it was an idea that was created probably about five years back, but this is what we felt was the best avenue to do this. And they're going to be progressing forward based on, you know, the... this getting out of the House and on to the Governor's desk and signed and proceeding that way. But it's a governance board of teachers, union members, school district board members, things like that, on a memo of understanding, if you will, on who's going to be paying for

STATE OF ILLINOIS  
97th GENERAL ASSEMBLY  
HOUSE OF REPRESENTATIVES  
TRANSCRIPTION DEBATE

58th Legislative Day

5/18/2011

what and how are the teachers going to paid, et cetera, et cetera."

Davis, W.: "Okay. So, how do... how will students be selected to attend this partnership school?"

Chapa LaVia: "Well... let me go through a couple of highlights then. The... the restriction of enrollment is students who live in the municipality and selection of the students is based on the criteria that's focused on science and math skills set by the school and approved by the school boards. However, it can't discriminate based on disability, race, color, creed, gender, national origin, religion, ancestry, marital status, or need of special education services. So, it'll be just like a lot lottery and the teachers and students and parents and the school itself can give a recommendation together on an application for the child if the child excels in math or in science. What our intent is that every child that has a special inspiration in those two fields, even if they're getting a C or a D, could maybe have the possibilities to get into this magnet school. So, we don't want to limit it by taking the cream of the crop. That's not the suggestion. The suggestion is the teachers would be there, the idea it looks like maybe they would be there four to five years and then they'd transition back into their school districts. Take the tools that they've learned with math and science academy with Aurora University, take it back to the schools and expound on that with their teachers and teach... so there'd be a revolving door of teachers as they're trained. And the students if they stay there they'll stay through the progression as we

STATE OF ILLINOIS  
97th GENERAL ASSEMBLY  
HOUSE OF REPRESENTATIVES  
TRANSCRIPTION DEBATE

58th Legislative Day

5/18/2011

add different grade levels to it, but it'll basically be, I want to say it's grades K through 8."

Davis, W.: "Okay. You indicated that some... some selection of students will be based on aptitude presumably some test scores or what have you and then you also said that there will be a lottery. So how do you... how do you combine the two so that you're maybe get some of the lower grade students that you spoke of..."

Chapa LaVia: "Oh, I'm sorry, I apologize. Representative Davis, if there's more students that are allotted, that are selected, then it goes into lottery."

Davis, W.: "Okay."

Chapa LaVia: "So, there is a specific amount of kids based on... I think it's five... yeah. I think it's about five different criteria in which a kid could, if they're interested, their parents are interested for this kid to apply for this application and what it will happen is that we will take an equal amount from each school district. So say East Aurora gets 40 kids, West Aurora gets 40. I think it's 204 and 308 I can't remember which specifically..."

Davis, W.: "So do kids just do... will a young person ever graduate from this school..."

Chapa LaVia: "No. Well..."

Davis, W.: "...or they only attend for a certain period of time?"

Chapa LaVia: "No, it's K through 8. It's K through 8. I mean, they have to hit certain requirements every year in the sense of meeting the grade... next grade standards, if you will, and the child, as long as they're in... I went through the process goes every year. They still have to apply every

STATE OF ILLINOIS  
97th GENERAL ASSEMBLY  
HOUSE OF REPRESENTATIVES  
TRANSCRIPTION DEBATE

58th Legislative Day

5/18/2011

year, but if you're in, you kind of have an in on being selected for the next year. So it'll be continued for that child from K through 8."

Davis, W.: "So, it is possible that a student that comes in one year may not... may not be invited to come back the next year?"

Chapa LaVia: "There's a possibility there that'll happen."

Davis, W.: "There is a possibility."

Chapa LaVia: "Maybe they don't succeed in, you know, what the teacher or the parent or the school thought they could in science and math. So, they would go back to their home high... their home grade school or preschool whichever it is."

Davis, W.: "Okay. I... I may have expressed that I'm no fan of charter schools because of selective enrollment, taking the cream of the crop and moving them to another school..."

Chapa LaVia: "Right."

Davis, W.: "...where you still have young people who could benefit from having the same tools and resources that are now put aside in this particular school so..."

Chapa LaVia: "But you know it's not a charter any longer, it's a magnet."

Davis, W.: "I understand it's not a charter school, but it seems like it's kind of modeled in that certain way. It seems like you're taking, you know, all the science and those resources and moving them someplace and so... so the children that are left, that don't get selected to this school, then what's left for them at their respective

STATE OF ILLINOIS  
97th GENERAL ASSEMBLY  
HOUSE OF REPRESENTATIVES  
TRANSCRIPTION DEBATE

58th Legislative Day

5/18/2011

schools where they can still learn and hopefully exceed in science in that respect?"

Chapa LaVia: "Right. And I understand your concern. It's one of my large concerns, too, but that's why I think that component of the teacher being able to go back into their home district and help other kids that might not necessarily... we reached the allotment of children that need to be there, the lottery goes through, but there's still a lot of kids that would like to do it. So, I'm... I am going to be part of that process making sure that those teachers do get the chance to go back and take the latest, innovative, creative ideas and share it with the children in their perspective school district. I wish we could afford it to every child. I really do Representative Davis because you... you know as I know we're very strong components... proponents of, you know, the stem areas and how we lack in this country, let alone in Illinois. So, it's a good start. It's not perfect and I do respect your, you know, your opinion on the charter school. It's not a charter school though, it's a magnet school, Sir."

Davis, W.: "Thank you very much."

Chapa LaVia: "Thank you."

Davis, W.: "Briefly to the Bill, Mr. Speaker. Let me just say Ladies and Gentlemen, while I certainly can understand the Sponsor's intent I just am always fearful that when we take resources out of our public school systems, and move them to charter schools and in this case, a somewhat selective type environment school, that we rob those students that are left in those school districts of what could be made



STATE OF ILLINOIS  
97th GENERAL ASSEMBLY  
HOUSE OF REPRESENTATIVES  
TRANSCRIPTION DEBATE

58th Legislative Day

5/18/2011

available to them. The resources that are going to be expended in this other location could be used in this location to help bolster the education of children in that location. So, that being said, again while, I appreciate the Sponsor's intent and everyone will vote how they feel about it, I... I always just have concerns about these types of... these types of efforts. So, thank you very much, Mr. Speaker."

Speaker Lyons: "Leader Tom Cross."

Cross: "Thank you, Mr. Speaker. I won't take a lot of time. I want to thank Representative Chapa LaVia for her leadership through this chamber, Senator Holmes for her leadership through the Senate chamber, but I also want to recognize a couple people that really started this idea and created the concept that I think is just remarkable and it's something that I think, at the end of the day, will be a prototype for not only other school districts around the state but I think around the country. Sherry Eagle is the former West Aurora school superintendant who came up with this idea and along with the support of the President of Aurora University, Becky Sherrick and took a chance. And Sherry Eagle came to me a couple of years ago and said I like... I have this idea. We've been collaborating with the school districts, been collaborating with the City of Aurora, the Quad County Urban League, the Chamber of Commerce, and it just went on and on and on and to be able to bring all of this together and present this to Linda and Linda and to the rest of us where they did many, many hours... thousands of hours of work and convincing people this is something

STATE OF ILLINOIS  
97th GENERAL ASSEMBLY  
HOUSE OF REPRESENTATIVES  
TRANSCRIPTION DEBATE

58th Legislative Day

5/18/2011

that is good. It's good for the Fox Valley, it's good for the Aurora region, it's good for those school districts, it's good for those kids, it's going to be good for our businesses, and where other people around the country, I think, will come to Illinois and will come to Aurora University to watch this model and say this thing is incredible. We all know where we need to go on math and science. We are woefully inadequate compared to the rest of the world. We have good math and science teachers, don't anyone suggest... think I'm suggesting otherwise, but this could make us even better and this will be a training ground for math and science teachers in addition to providing a great, great environment for kids who want to do better and learn and excel at math and science. So Linda, thank you for your leadership. You've done a great job on this Bill where we had others around here last Session and we appreciate your leadership. But I really, really want to say thanks to Aurora University to Sherry Eagle and Becky having the support in that whole university of saying this is something we can do, we're going to push, we're not going to give up, and this is the kind of leadership we need in the State of Illinois. So I think it's a great Bill obviously. I hope it passes and I appreciate everybody's support. Thank you."

Speaker Lyons: "Thank you, Leader Cross. Representative Darlene Senger."

Senger: "Thank you, Mr. Speaker. To the Bill. I also want to say... I want to say thank you for those who worked really hard to put this together. Being at one of the committee

STATE OF ILLINOIS  
97th GENERAL ASSEMBLY  
HOUSE OF REPRESENTATIVES  
TRANSCRIPTION DEBATE

58th Legislative Day

5/18/2011

meetings they were talking about bringing people in from all over the community members, stakeholders that would be part of this, it was most enlightening to hear a teacher talk about her experience, in a classroom, in front of a group of kids from all kinds of backgrounds that had a real ability for math and science. Now, they may not be strongest in all other areas, but they had real skill in math and science. And what that teacher was able to do when she worked with these kids, she was able to rethink how math and science curriculum should be formed to really get the most that we can out of kids at a very early age. And this is what's really needed in our society for math and science is to start at that very early background. This is a very good concept that's going to benefit a lot of kids and hopefully kids throughout the state once we get it off the ground. So again, the focus is really on teaching and curriculum and creating; it's like a lab for math and science curriculum. So it's a one... I thank those who did a lot of hard work and I'm really looking forward to the outcomes of this program. I appreciate your support."

Speaker Lyons: "Representative Chapa LaVia to close."

Chapa LaVia: "All right. Thank you, Members. I also want to give thanks to Leader Cross, too. He was extremely instrumental in the beginning of this Bill and Representative Senger. What I did leave out is that the City of Aurora, the business community, the Chamber of Commerce... the Greater Chamber of Commerce, the Hispanic Chamber of Commerce, and also the African-American Chamber of Commerce are very excited about this program and there's

STATE OF ILLINOIS  
97th GENERAL ASSEMBLY  
HOUSE OF REPRESENTATIVES  
TRANSCRIPTION DEBATE

58th Legislative Day

5/18/2011

going to be a lot of private dollars being poured into this magnet school because of the high concentration on science and math. So I want to give a lot of credit to all of the entities that came to the table to develop this. This just wasn't Legislators and probably the most important are the feedback that we got from the... the students that really need this and really want this. So, on their behalf, I would hope for an 'aye' vote and the passage of... of this Bill. I want to thank you."

Speaker Lyons: "The Lady moves for the passage of Senate Bill 621. 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 113 Members voting 'yes', 0 voting 'no', 2 Members voting 'present'. This Bill, having received the Constitutional Majority, is hereby declared passed. Representative Carol Sente, on the bottom of page 4, under Senate Bills-Third Readings, you have Senate Bill 1741. Read the Bill, Mr. Clerk."

Clerk Bolin: "Senate Bill 1741, a Bill for an Act concerning revenue. Third Reading of this Senate Bill."

Speaker Lyons: "The Lady from Lake, Representative Sente."

Sente: "Thank you, Mr. Speaker. To the Bill. Senate Bill 1741 is a business friendly Bill that provides some relief to certain individuals and corporations that are required to make quarterly estimated income tax payments. The Bill allows unfunded refunds to be applied to future estimated income tax payments. The Bill will primarily benefit C corporations because personal returns are being paid. It

STATE OF ILLINOIS  
97th GENERAL ASSEMBLY  
HOUSE OF REPRESENTATIVES  
TRANSCRIPTION DEBATE

58th Legislative Day

5/18/2011

passed out of Revenue and Finance Committee unanimously. You may ask, can't this be done today? Actually, it can in theory, but the Department of Revenue has discretion to allow or not allow this practice. Due to the state's current financial situation, our state is not only holding \$800 million in unfunded refunds, not planning to change this policy any time soon and also choosing not to allow refunds to be credited towards our future estimated tax payments. With the recent corporate income tax increase, unpaid refunds, and businesses lack of access to capital, I think it is time we send a message to Illinois corporations that our state wants them to stay. This Bill strikes a compromise by mandating the department to allow corporations to apply unfunded refunds to future estimated tax payments. The corporation that has been waiting for years for their unfunded refund can also file an amended return to apply that old refund to future estimated payments. I strongly urge your 'aye' vote."

Speaker Lyons: "You've heard the Lady's explanation. Is there any discussion? The Chair recognizes the Gentleman from McHenry, Jack Franks."

Franks: "Thank you, Mr. Speaker. I rise in support of this Bill. And I want to commend the Sponsor for bringing this forward. I'm just aghast, however, that we have to pass this type of legislation that's requiring the Department of Revenue to give taxpayers their money back, which they had overpaid. It's incredible to me that the Department of Revenue is holding these moneys and then not allowing businesses to credit for their next quarterly payment the

STATE OF ILLINOIS  
97th GENERAL ASSEMBLY  
HOUSE OF REPRESENTATIVES  
TRANSCRIPTION DEBATE

58th Legislative Day

5/18/2011

money that the state is already holding. Instead, the state is requiring these businesses to go out and take loans to pay taxes that they have already paid. This is just an arrogance that must be stopped. I can't believe that we have to pass this legislation, but unfortunately we do. This is something that the Governor should be doing by Executive Order, but refuses to do. And this is a Bill that will help get money back circulating to our economy and hopefully putting people back to work. Please vote 'aye'."

Speaker Lyons: "The Chair recognizes the Gentleman from Crawford, Representative Roger Eddy."

Eddy: "Thank... thank you. Will the Sponsor yield?"

Speaker Lyons: "Sponsor yields."

Eddy: "Representative, if you could just explain in practical terms exactly how this will work if... if a... But first of all, any corporation, any... any size limit?"

Sente: "There's no size limit, but it would be applicable to certain individuals and corporations that do have to make estimated tax payments."

Eddy: "So, what individuals? You said certain individuals."

Sente: "If an individual has a business and they need to make estimated tax payments; S corps are already able to do this so."

Eddy: "Okay. So, basically, in those cases either the corporation or the individual would be able to deduct or allow the deduction... the department shall allow the deduction of any refund toward the anticipated revenue or whatever they owe?"

STATE OF ILLINOIS  
97th GENERAL ASSEMBLY  
HOUSE OF REPRESENTATIVES  
TRANSCRIPTION DEBATE

58th Legislative Day

5/18/2011

Sente: "Correct. And if that extends beyond the current quarterly payment, they continue to apply that. They can also file now an amended return if they're waiting for this old refund and today now they realize they're not getting that refund back."

Eddy: "Okay. So, basically the theory is, I may owe you money but you owe me more."

Sente: "Right."

Eddy: "So before I pay you, you need to... or... or at least apply what you owe me to the amount that you're saying I need to send you..."

Sente: "Correct."

Eddy: "...up to that limit?"

Sente: "Correct."

Eddy: "Representative, again, I... I think that the... the previous speaker said it best. This is something that's long overdue and I'm not sure why the Department of Revenue didn't figure this out without a mandate. They're... they're still opposed, is that right?"

Sente: "They're not formally coming out against this, but they're not moving forward this practice. There is no plans to change their practice and so I actually want to credit Senator Luechtefeld. This is his Bill. I love this Bill. It wasn't moving forward. It's a compromise. It gets some money to our corporations. It's overdue."

Eddy: "It makes sense. You know last year, the state owed school districts sometimes two or three payments for mandated categoricals. And school districts who have an audit and maybe in transportation, the State Board of

STATE OF ILLINOIS  
97th GENERAL ASSEMBLY  
HOUSE OF REPRESENTATIVES  
TRANSCRIPTION DEBATE

58th Legislative Day

5/18/2011

Education said you owe us \$25 thousand. And school districts would say, well, wait a minute, you owe me \$200 thousand. Why don't we just apply that against the amount you owe? The answer was we can't do that. Maybe I should look at something like this for the state board. I urge the Body to support this and this theory throughout State Government."

Sente: "Thank you."

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

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

Speaker Lyons: "Sponsor yields."

Tracy: "I stand in strong support of this legislation. So much so, that I also had a House Bill that was never allowed to be heard in Revenue Committee. It was House Bill 2914 that was drafted to address this very problem because we had had so many people call our... my district office and complain that the state was not allowing them to use an offset for tax overpayment and instead they would have to completely require and pay their taxes on time even though the State of Illinois owed them quite a refund. And, so I applaud the work of Senator Luechtefeld. I had talked with the Department of Revenue myself trying to work out some kind of administrative res... resolution to this. And so I applaud Representative Sente for bringing this forward because it is... is very appropriate legislation. I think Representative Franks outlined all of the reasons why. And so I... I do strong... and sta... strong support of it and I urge an 'aye' vote on it. Thank you."



STATE OF ILLINOIS  
97th GENERAL ASSEMBLY  
HOUSE OF REPRESENTATIVES  
TRANSCRIPTION DEBATE

58th Legislative Day

5/18/2011

Speaker Lyons: "The Chair recognizes the Gentleman from DeKalb, Representative Bob Pritchard."

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

Speaker Lyons: "Sponsor yields, Sir."

Pritchard: "Representative, do we have any know... do we happen to know what kind of financial impact this will have on the state?"

Sente: "Well, certainly we have 800 million that is in the pool now of unpaid refunds. If we're asking for all those refunds back, that would flow out pretty quickly, but as corporations are applying their future estimated tax payments, most of the corporations are not in as a good financial situation as they were. So, quarter by quarter they will earn their money back. And so, again, that's why I thought this was a compromise to allow the Department of Revenue, say, the state shouldn't be holding that money. But exactly how quickly that will move out, I can't tell you."

Pritchard: "Thank you. Mr. Speaker, to the Bill. I am pleased to join the Representative in sponsoring this because it does seem like a logical way for businesses to manage their cash flow. If they're not getting a refund, they can use what is owed them for their next quarterly payment. So, the state is not losing money in that sense that it's not having to come up with refunds. It's simply allowing the business to better manage their cash flow and in these times businesses need every help they can get. This is a good practice that we can adopt without costing the state a

STATE OF ILLINOIS  
97th GENERAL ASSEMBLY  
HOUSE OF REPRESENTATIVES  
TRANSCRIPTION DEBATE

58th Legislative Day

5/18/2011

lot of money and yet helping to stimulate business activity. I urge an 'aye' vote."

Speaker Lyons: "The Chair recognizes the Lady from Lake, Representative Sandy Cole."

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

Speaker Lyons: "Sponsor yields."

Cole: "Representative, do you have any idea how many years some of these corporations have been owed their refunds?"

Sente: "I asked the Department of Revenue that. There was some discrepancy, but we think two perhaps three years. And I also asked if the practice would change and there was no indication, so..."

Cole: "So, basically these corporations or these S corps, for example, have had money waiting for three... two, three years, but still have had to pay their quarterly payments on time..."

Sente: "Correct."

Cole: "...continually, which puts them farther in arrears. I just have another quick question from you. Is there any... anything in this Bill that says they can only go a year back or can these companies go the two or three years that they're owed continually?"

Sente: "This Bill allows any unpaid refund, no matter how many years back, to be applied. You do have to file an amended return and you do have to use it as you're earning... or you're making estimated payments."

Cole: "Thank you. 'Cause that's important 'cause some of these guys will take them two or three to catch up on their quarterly payments to get to that point. Ladies and

STATE OF ILLINOIS  
97th GENERAL ASSEMBLY  
HOUSE OF REPRESENTATIVES  
TRANSCRIPTION DEBATE

58th Legislative Day

5/18/2011

Gentlemen, to the Bill. I support this Bill. I do have some concerns though, just in case, that the Department of Revenue certainly will take into account that these companies are trying to get money that's owed to them in arrears and not do anything that may cause an automatic audit. If the Department of Revenue doesn't appreciate what we're doing here in legislation, I hope we can accomplish that. Thank you."

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

Rose: "To the Bill, Mr. Speaker. Ladies and Gentlemen, I salute the Representative for this important piece of legislation. Th... for year... well, gee wiz, for a couple years now we routinely hear from constituents about the misapplication of... you know, they paid... they're owed a refund, yet they can't apply it. I mean, what a silly rule that is. And I guess the only reason I rise is that I want to say thank you to the Sponsor and I'd like to be a cosponsor of the Bill. So, thank you, Mr. Speaker."

Speaker Lyons: "Representative Sente to close."

Sente: "Just want... I wanted to clarify it is C corporations; S corporations are allowed to do this now. Once again, it's time for the state to allow this money back to the corporations. And I urge an 'aye' vote."

Speaker Lyons: "Lady moves for the passage of Senate Bill 1741. All those 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. Will Davis. Mr. Clerk, take the

STATE OF ILLINOIS  
97th GENERAL ASSEMBLY  
HOUSE OF REPRESENTATIVES  
TRANSCRIPTION DEBATE

58th Legislative Day

5/18/2011

record. On this Bill, there's 115 Members voting 'yes', 0 voting 'no', 0 voting 'present'. This Bill, having received the Constitutional Majority, is hereby declared passed. Representative Esther Golar, on the bottom of page 4, under Senate Bills-Third Readings, you have Senate Bill 1784. Read the Bill, Mr. Clerk."

Clerk Bolin: "Senate Bill 1784, a Bill for an Act concerning public aid. Third Reading of this Senate Bill."

Speaker Lyons: "The Lady from Cook, Representative Esther Golar."

Golar: "Thank you, Mr. Speaker and Members of the Assembly. Senate Bill 1784 is a department initiative of Health and Family Services and this Bill will create and promote efficiencies within the medical assistance program. It will allow publication of public notices in the Illinois Register. It will make changes from the Family Care Fund to the Medical Interagency Program Fund. It revises the language regarding the fund and acknowledges that the Family Care Waiver Program has expired. It gives clarification and it eliminates the statutory requirements for a separate screening when an existing nursing facility resident seeks to have the state pay for his or her nursing facility services. It also changes the grace period for payments of premiums from 30 to 60 days. It gives clarification of the legislative intent that covers diagnostic screening, preventive and rehabilitative services. It also clarifies that providers are required to retain medical records supporting their billing to the state for a period of at least 6 years and the Illinois

STATE OF ILLINOIS  
97th GENERAL ASSEMBLY  
HOUSE OF REPRESENTATIVES  
TRANSCRIPTION DEBATE

58th Legislative Day

5/18/2011

Department of Public Health, 10 years and long-term care facility, 5 years. It makes implementation of the Medical Assistance Provision of the Federal Family Opportunities Act subject to appropriation. I will be happy to take any questions."

Speaker Lyons: "You've heard the Lady's explanation of Senate Bill 1784. Is there any discussion? The Chair recognizes the Lady from Cook, Representative Mary Flowers."

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

Speaker Lyons: "The Lady awaits your questions, Representative."

Flowers: "Representative Golar, there were some concerns about this Bill in committee in regards to the purpose of doing all of this. Did you..."

Golar: "We actually brought this... these changes that I'm speaking about now, you were out this week and all of the concerns of the committee was taken care of, based on what I just stated."

Flowers: "Okay then. Thank you very much."

Golar: "You're welcome."

Speaker Lyons: "The Chair recognizes the Lady from DuPage, Representative Patti Bellock."

Bellock: "Thank you very much, Mr. Speaker. To the Bill. Thank Representative Golar, she did come back to the committee and went through every one of the changes in the Bill and we agreed upon them. So, we appreciate her working with us. Thank you."

Speaker Lyons: "Representative Golar to close."

STATE OF ILLINOIS  
97th GENERAL ASSEMBLY  
HOUSE OF REPRESENTATIVES  
TRANSCRIPTION DEBATE

58th Legislative Day

5/18/2011

Golar: "Yes. Thank you, Mr. Speaker. And thanks for the comments and of course the cooperation of the committee was quite helpful in bringing about some clarity for this Bill. I would urge an 'aye' vote."

Speaker Lyons: "Lady moves for the passage of Senate Bill 1784. All those in favor signify by voting 'yes'; those opposed vote 'no'. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Representative Beiser, Chapa LaVia, JoAnn Osmond, Ron Stephens, like to be recorded? Mr. Clerk, take the record. On this Bill, there's 112 Members voting 'yes', 3 Members voting 'no', 0 voting 'present'. This Bill, having received the Constitutional Majority, is hereby declared passed. Representative Dan Biss, for what purpose do you seek recognition, Sir?"

Biss: "For a point of personal privilege."

Speaker Lyons: "Please proceed, Dan."

Biss: "I just would like to welcome to the chamber a constituent of mine; Dan Seals is here. He is the newly appointed Assistant Director of the Department of Commerce and Economic Opportunity. And let's all say hello to Dan Seals right behind me."

Speaker Lyons: "Welcome, Dan. Representative Connie Howard, on the top of page 5 of the Calendar, on the Order of Senate Bills-Third Readings, you have Senate Bill 1807. Read the Bill, Mr. Clerk."

Clerk Bolin: "Senate Bill 1807, a Bill for an Act concerning Corrections. Third Reading of this Senate Bill."

STATE OF ILLINOIS  
97th GENERAL ASSEMBLY  
HOUSE OF REPRESENTATIVES  
TRANSCRIPTION DEBATE

58th Legislative Day

5/18/2011

Speaker Lyons: "The Chair recognizes the Lady from Cook, Representative Connie Howard."

Howard: "Thank you very much, Mr. Speaker. Senate Bill 1807 would clarify the offenses for which a parole violation warrant should be issued. A parole violation warrant allows the Department of Corrections to issue an arrest warrant for a person on parole or mandatory supervised relief... release that is, if they violate certain conditions of their parole or release. This Bill provides that a parole violation warrant must be issued when a parolee or a releasee is charged with a felony offense of domestic battery. It also replaces forcible felony with a list of offenses. This is an initiative of the Illinois Department of Corrections. I will take questions."

Speaker Lyons: "You've heard the Lady's explanation of Senate Bill 1807. Is there any discussion? The Chair recognizes the Gentleman from Crawford, Representative Roger Eddy."

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

Speaker Lyons: "Sponsor yields."

Eddy: "Representative Howard, I understand basically that this removes misdemeanor domestic battery as an offense and really kind of changes forcible felony as a category. Can you kind of give us why... what the necessity for this is, the practical reason?"

Howard: "This is an initiative of the Department of Corrections and they say that the changes... this... this change changes the requirement to apply only to felony offenses of domestic battery. It does not require parole violation warrants to be issued when a parolee or releasee commits a

STATE OF ILLINOIS  
97th GENERAL ASSEMBLY  
HOUSE OF REPRESENTATIVES  
TRANSCRIPTION DEBATE

58th Legislative Day

5/18/2011

misdemeanor of domestic battery. This is a Bill that sort of simplifies a piece of legislation that was passed last year, Public Act 96-1447. And they felt that this change needed to be made in order for them to be clear about a forcible felony."

Eddy: "Okay. I think you're referring to Public Act 96-1447 that was passed last year."

Howard: "That is what I just said, yes."

Eddy: "That's basically a trailer; this is kind of a trailer cleanup to that?"

Howard: "Yes."

Eddy: "Okay. Thank you."

Speaker Lyons: "Representative Howard to close."

Howard: "I would just hope that all of my colleagues are going to vote 'yes' for this. Thank you."

Speaker Lyons: "Representative Howard moves for the passage of Senate Bill 1807. All those in favor signify by voting by '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 64 Members voting 'yes', 51 Members voting 'no', and 0 voting 'present'. This Bill, having received the Constitution Majority, is hereby declared passed. Mr. Clerk, on page 5 of the Calendar, Representative Tom Holbrook has Senate Bill 1821. Read the Bill, Mr. Clerk."

Clerk Bolin: "Senate Bill 1821, a Bill for an Act concerning regulation. Third Reading of this Senate Bill."

Speaker Lyons: "Representative Holbrook."



STATE OF ILLINOIS  
97th GENERAL ASSEMBLY  
HOUSE OF REPRESENTATIVES  
TRANSCRIPTION DEBATE

58th Legislative Day

5/18/2011

Holbrook: "Thank you. Senate Bill 1821 is the language that institutes pipeline requirements for carbon dioxide, so that we can build clean coal facilities. Puts it under the ICC, sets up a myriad of regulations for them that they have to follow and operate under."

Speaker Lyons: "You've heard the Gentleman's explanation. Is there any discussion? Mr. Holbrook, is that your special assistant to your right, helping you with that Bill? It's good to see her on the floor. Seeing no discussion, the question is, 'Should Senate Bill 1821 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? Bellock, Brady, Colvin, Lilly, Pritchard, Tryon, like to be recorded? Mr. Clerk, take the record. On this Bill, there are 80 Members voting 'yes', 35 Members voting 'no', and 0 voting 'present'. This Bill, having received the Constitutional Majority, is hereby declared passed. Representative Jack Franks, for what purpose do you seek recognition, Sir?"

Franks: "Question of the Chair. Mr. Speaker, we've received our committee schedule and I'd just like to know what time we're going to start on Saturday. I was going to suggest very early like 8 a.m. or so. But do we know what time we'll be starting on Saturday for planning purposes?"

Speaker Lyons: "At this point, we don't, Representative, but we'll sure to get back to you at your... our earliest possible convenience."

Franks: "Thank you."

STATE OF ILLINOIS  
97th GENERAL ASSEMBLY  
HOUSE OF REPRESENTATIVES  
TRANSCRIPTION DEBATE

58th Legislative Day

5/18/2011

Speaker Lyons: "Representative Sid Mathias, on the Order of Third Readings, you have Senate Bill 186... As... as long as you're up, let's do a Bill. Mr. Clerk, he has Senate Bill 1862. Read the Bill, Mr. Clerk."

Clerk Bolin: "Senate Bill 1862, a Bill for an Act concerning State Government. Third Reading of this Senate Bill."

Speaker Lyons: "Gentleman from Lake, Representative Sid Mathias."

Mathias: "Thank you, Mr. Speaker. This is Senate Bill 1862. Currently data security on state computers are in the possession of CMS surplus. And what they do, right now, they have to actually wipe these computers ten times, which is way above federal standards in order to clean them. So, right now what they would like to do is have the option to use different methods of destroying or securing sensitive data on state computers. In the event that they are able to assign these computers to other agencies, they want the ability to reduce that again to the federal standards of three swipes to clean them. In the event they do not want to use these hard drives again, they want to be able to destroy them through the use of certified vendors. At the present time, they have no ability to destroy them under current State Law. So, I'm asking for your 'aye' vote on this basically electronic cycling program."

Speaker Lyons: "You've heard the Gentleman's explanation on Senate Bill 1862. Is there any discussion? Seeing none, the question is 'Should Senate Bill 1862 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

STATE OF ILLINOIS  
97th GENERAL ASSEMBLY  
HOUSE OF REPRESENTATIVES  
TRANSCRIPTION DEBATE

58th Legislative Day

5/18/2011

who wish? Have all voted who wish? Representative Chapa LaVia, like to be recorded? Mr. Clerk, take the record. On this Bill, there's 115 Members voting 'yes', 0 voting 'no'. This Bill, having received the Constitutional Majority, is hereby declared passed. Representative John D'Amico, on the Order of Senate Bill-Third Readings, Senate Bill 1907. Out of the record. Representative Jim Sacia, for what purpose do you seek recognition, Sir?"

Sacia: "Thank you, Mr. Speaker. I was out of the chambers when Senate Bill 1807 was called. And my very able seatmate voted me 'no' and I intended to be a 'yes'. Would you see that the record is corrected?"

Speaker Lyons: "Journal... the Journal will reflec... reflect your request, Representative. Mr. Clerk, Agreed Resolutions."

Clerk Bolin: "Agreed Resolutions. House Resolution 374, offered by Representative Pritchard. House Resolution 375, offered by Representative Leitch. And House Resolution 376, offered by Representative Mathias."

Speaker Lyons: "Representative Jack McGuire moves for the passage of the Agreed Resolutions. All those in favor signify by saying 'yes'; those opposed say 'no'. In the opinion of the Chair, the 'ayes' have it. And the Agreed Resolutions are adopted. Ladies and Gentlemen, I believe everybody has a copy of the orange schedule, but the Clerk will go through this 'cause there have been several canceled meetings. Mr. Clerk."

Clerk Bolin: "Three committees have been canceled for this afternoon. The Appropriations-Public Safety Committee has been canceled. The Environment & Energy Committee for this

STATE OF ILLINOIS  
97th GENERAL ASSEMBLY  
HOUSE OF REPRESENTATIVES  
TRANSCRIPTION DEBATE

58th Legislative Day

5/18/2011

afternoon has been canceled. And the Personnel & Pensions Committee scheduled for today has been canceled. Two committees will meet upon adjournment. Appropriations-General Services will meet in Room D-1 and Higher Education will meet in Room 413, Stratton."

Speaker Lyons: "Representative Ron Stephens, for what purpose.. Okay, does not seek recognition. And now, seeing no further business to come before the Illinois House of Representatives, Representative Jack McGuire moves that the House stand adjourned 'til the hour of 1 p.m. on Thursday, May 19, allowing perfunctory time for Clerk. All those in favor of the adjournment signify by saying 'yes'; those opposed say 'no'. In the opinion of the Chair, the 'ayes' have it. And the House stands adjourned 'til the hour of 1 p.m. on Thursday, May 19. Members, go Chicago Bulls. Have a great evening, everybody."

Clerk Mahoney: "House Perfunctory Session will come to order. Introduction and Reading of House Bills-First Reading. House Bill 3782, offered by Representative Ford, a Bill for an Act concerning employment. Senate Bills-First Reading. Senate Bill 270, offered by Representative Bradley, a Bill for an Act... Senate Bill 270, offered by Representative Bradley, a Bill for an Act concerning State government. There being no further business, the House Perfunctory Session will stand adjourned."