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Clerk Bolin: "The House Perfunctory Session will come to order. Committee Reports. Representative Currie, Chairperson from the Committee on Rules reports the following committee action taken on October 26, 2011: recommends be adopted Floor Amendment #2 for House Bill 358 and Floor Amendment #2 for House Bill 506. Introduction and First Reading of House Bills. House Bill 3861, offered by Representative Monique Davis, a Bill for an Act concerning local government. House Bill 3862, offered by Representative Franks, a Bill for an Act concerning health facilities. House Bill 3863, offered by Representative Bellock, a Bill for an Act concerning public aid. House Bill 3864, offered by Representative Saviano, a Bill for an Act concerning finance. House Bill 3865, offered by Representative Franks, a Bill for an Act concerning the public employee benefits. House Bill 3866, offered by Representative Daniel Burke, a Bill for an Act concerning government. House Bill 3867, offered by Representative Durkin, a Bill for an Act concerning criminal law. House Bill 3868, offered by Representative Ford, a Bill for an Act concerning finance. House Bill 3869, offered by Representative Winters, a Bill for an Act concerning revenue. First Reading of these House Bills. First Reading of Senate Bills. Senate Bill 965, offered by Speaker Madigan, a Bill for an Act concerning transportation. First Reading of this Senate Bill. The House Perfunctory Session will reconvene. Committee Reports. Representative Currie, Chairperson from the Committee on Rules reports the following committee action taken on October 27, 2011:

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recommends be adopted Floor Amendment #2 for House Bill 355. There being no further business, the House Perfunctory Session will stand adjourned. Attention Members, the House will delay convening until 10 a.m. The House will delay convening until 10 a.m."

Speaker Lyons: "Good morning, Illinois. Your House of Representatives will come to order. Members are asked to please be at their desks. We shall be led in prayer today by Pastor Shaun Lewis, who is the Illinois State Director of the Capitol Commission, serving the political leaders of Illinois. Members and guests are asked to please refrain from starting their laptops, turn off all electronic equipment and rise for the invocation and the Pledge of Allegiance. Pastor Shaun Lewis."

Pastor Lewis: "Thank you. If you would bow with me in prayer. Father in heaven, Proverbs 3:13-14, Your Word says, 'Blessed is the one who finds wisdom, and the one who gets understanding, for the gain from her is better than the gain from silver and her profit better than gold.' Lord, I believe all who are today want to live a blessed and happy life, and You tell us it begins by finding wisdom and that wisdom is found in You. And so I pray for our Representatives. May they look intently into Your Word and come away with wisdom. Wisdom to govern. Wisdom to lead lives that are blessed by You. I pray that You bless them with salvation and may they govern well. In Jesus' name we pray, Amen."

Speaker Lyons: "Representative Mike Unes, would you please lead us in the Pledge of Allegiance."

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Unes - 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 Lyons: "Roll Call for Attendance. Leader Barbara Flynn Currie, what's the status of the Democrats today?"

Currie: "Thank you very much, Speaker. Let the record reflect that there will not be a single excused absence to report on the Democratic side of the aisle this morning."

Speaker Lyons: "Michael Bost, how's the GOP?"

Bost: "Thank you, Mr. Speaker. Let the record reflect that Representative Coladipietro and Representative Cole are excused on the Republican side of the aisle today."

Speaker Lyons: "Mr. Clerk, there's 115 Members responding to the Roll Call. We have a quorum. We're prepared to do the work of the State of Illinois. Mr. Clerk."

Clerk Bolin: "Introduction of Resolutions. House Resolution 581, offered by Representative May. And House Resolution 582, offered by Representative Chapa LaVia."

Speaker Lyons: "Representative Dave Winters, for what purpose do you seek recognition, Sir?"

Winters: "I rise on a point of personal privilege."

Speaker Lyons: "Please proceed, Dave."

Winters: "I'd like to call the attention of the Members of the House to an extraordinary effort by a certain number of Members. COGFA, this morning, had another one of their meetings. They've been going through legislative hell, if you will, with the facilities closures meetings that they've been holding around the state. We've heard some of

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the stories. Representative Bellock presiding over six-hour hearings. They've done, I believe, six of these. These are very difficult decisions. I attended one of these hearings, and I thank God that I'm not on COGFA because going through six of them would be extremely, extremely wearing on them physically and mentally. But I wanted to just call attention to Representative Bellock, Poe, Tryon, Nekritz, Riley, and McCarthy, who've done yeomen job for the State of Illinois in looking at these facilities closures. The effort that they've put forward really needs to be recognized. And I applaud all of them for what they've been doing. Thank you."

Speaker Lyons: "Thank you, David, well deserved. Representative Jack Franks, for what purpose do you seek recognition, Sir."

Franks: "Good morning, Mr. Speaker. I rise on a point of personal privilege."

Speaker Lyons: "Please proceed, Representative."

Franks: "Mr. Speaker, I think many people are aware of the recent tragedy that occurred in Turkey with the earthquake that's claimed over 500 lives and dispossessed thousands of citizens. Many of the Legislators have gone through the Niagara Foundation to the Republic of Turkey. Today, to show support, there will be a reception immediately following Session today in Secretary of State Jesse White's office. And I'd ask Legislators just to spend a minute and stop in and send a card. We'll have cards there to sign and if they'd like to make a donation to help the relief

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effort. So, immediately after Session in Secretary of State White's office."

Speaker Lyons: "That's a great idea, Representative. I hope everybody heard that. There'll be a reception in the Secretary of State's office on the second floor in the south corridor, and that the opportunity there is to help the people in Turkey, who have been victims of the earthquake. Thank you, Representative Franks. Representative LaShawn Ford, for what purpose do you seek recognition, Sir?"

Ford: "Good morning, Mr. Speaker. I rise... order of point of personal privilege."

Speaker Lyons: "Please proceed, LaShawn."

Ford: "Mr. Speaker, as elected officials, I know we all have town hall meetings and do surveys and go door to door to hear the will of the people, and sometimes turnouts are not what we always hope them to be, but today I want to make sure that we recognize the people in Chicago for Occupy Chicago, and let them know that here in Illinois that we hear them and that we see them. And I ask that we have a moment of silence as they march for justice in Chicago."

Speaker Lyons: "Ladies and Gentlemen, if we'd have your attention, please. Representative LaShawn Ford has made a Motion to take a moment and Representative Ford.. staff, if you could just return to the back of the chamber for a moment. If you'd like to repeat that request, Representative. Representative, repeat your request."

Ford: "I just want to congratulate the people of Occupy Chicago as they march for justice for all of us. And we would like

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to encourage them as they continue to march peacefully in Chicago. And I ask that we show them that we hear them and that we see them, and we ask for a moment of silence as they continue to march for justice for all of us. Thank you."

Speaker Lyons: "Thank you, Mr. Ford. Representative Bradley, for what purpose do you seek recognition?"

Bradley: "Point of personal privilege."

Speaker Lyons: "Please proceed."

Bradley: "I'd like to call the chamber's attention to the back of the room. And the American Council of Young Political Leaders has a group of Turkish delegates here today. I'd like them to stand up and be recognized and give them a good Illinois welcome."

Speaker Lyons: "Welcome to Illinois. We're proud to have you here. Enjoy your day."

Bradley: "Our colleagues in the Turkish Parliament here to see how we do business in Illinois."

Speaker Lyons: "Representative Rosemary Mulligan, for what purpose do you seek recognition?"

Mulligan: "Thank you, Mr. Speaker. A point of privilege about the former Representative talking about honoring the people that are marching in Chicago. Those people are organized online, as they have been for the last 10 years by people out of there. And so a lot of those people that are marching are homeless people that have nowhere else to go. They just actually... if you get mixed up in them... I've been in them in Houston 10 years ago and a lot of different places. Some of them are very strange people. They just

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pick up other people that want to protest also, but I don't think we should honor what's going on in the Chicago Loop where people work and come and go and there are a lot of other things going on there. And I don't think it's a very safe thing. So, I wouldn't honor those people if it was the last thing and certainly not on the floor of the Illinois General Assembly."

Speaker Lyons: "Representative Ford, for a moment."

Ford: "Just real quick. I... I disagree with the previous speaker because I think that it's our job to hear the will of the people, and I say that regardless to what their plight is in life, we should hear from them. Thank you, Mr. Speaker."

Speaker Lyons: "Moving on to business of the House of Representatives, Ladies and Gentlemen. We have on page 2 of the Calendar, Representative Barbara Flynn Currie, you have House Bill 442. Read the Bill, Mr. Clerk. What's the status on the Bill, Mr. Clerk? House Bill 442."

Clerk Bolin: "House Bill 442, a Bill for an Act concerning State Government. The Bill has been read a second time on a previous day. No Committee Amendments. Floor Amendment #1, offered by Representative Currie, has been approved for consideration."

Speaker Lyons: "Representative Currie on Floor Amendment #1 to House Bill 442."

Currie: "Amendment 1 becomes the Bill. How about if we adopt the Amendment, and then I'll explain it on Third Reading."

Speaker Lyons: "Is there any objection? Are there any questions? Seeing none, all those in favor of the adoption of the Amendment signify by saying 'yes'; those opposed say

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'no'. In the opinion of the Chair, the 'ayes' have it. And the Amendment's adopted. Anything further, Mr. Clerk?"

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

Speaker Lyons: "Move that ord... the Bill to the Order of Third Reading and read the Bill, Mr. Clerk."

Clerk Bolin: "House Bill 442, a Bill for an Act concerning State Government. Third Reading of this House Bill."

Speaker Lyons: "Representative Currie."

Currie: "Thank you, Speaker and Members of the House. The Illinois Facilities Fund is a not-for-profit agency that helps groups like daycare centers, not-for-profit organizations, develop the money they need in order to build their facilities. They offer low interest loans. They've been working in the State of Illinois for a significant period of time. In 2000, we arranged for the Illinois Facilities Fund, the IFF as it's now known, to get what we thought was going to be a million dollar grant from the Illinois Finance Authority. The IFA, under its current statute, cannot, in fact, offer a grant, so it became a kind of permanent loan. The problem with the permanent loan is that on the books of the IFF it looks like something that they're going to have to pay back which means they're not able to use that million dollars to leverage private sector funding to help them as they help groups build daycare centers and perform other important activities for our constituents. This language would make it clear that the million dollars is a grant... would enable the IFA to call it a grant... which means that the IFF could treat it as capital, use it to leverage the private sector. It could



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only be used for the items for which the IFF is currently empowered to do, and there would be financial oversight through the IFA. I know of no objection, and I'd be grateful for your support. And I'd be happy to answer your questions."

Speaker Lyons: "Representative Eddy."

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

Speaker Lyons: "Sponsor yields."

Eddy: "Leader Currie, who would be eligible for this? Anyone that provides..."

Currie: "No, no, no, no, the specific... a specific group, the Illinois Facilities Fund Incorporated, which has been doing this work for years. And they offer low interest loans to groups like daycare centers, other not-for-profit organizations, and they use their money, which they get from a variety of sources to leverage funding from the private sector. So, the problem with this million dollars is, because of the way the statute's drafted, the Illinois Finance Authority couldn't just make it capital for IFF but had to treat it as a loan, which on the balance sheet means that the IFF looks as if it's going to have to repay it and cannot then use it to leverage private funds."

Eddy: "Okay. So, the... the funding for this has come from private sources that is to flow through the non-for-profit childcare centers."

Currie: "Some of it, yeah, but the million dollars is money that we appropriated in 2000 for this purpose, but unfortunately, we were not able to make it a grant since

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the statute, the Illinois Finance Authority statute, did not contemplate that that agency could make a grant."

Eddy: "So, this enables them?"

Currie: "So, what this does is turn it into capital rather than an account receivable. It's really a..."

Eddy: "And it enables them to..."

Currie: "...technical accounting..."

Eddy: "Okay."

Currie: "...proposition."

Eddy: "All right. Thank you."

Speaker Lyons: "Seeing no further discussion, the question is, 'Should House Bill 442 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 Colvin, Connelly, Durkin, Dunkin. Mr. Clerk, take the record. On this Bill, there's 114 Members voting 'yes', 0 voting 'no', 0 voting 'present'. This Bill, having received the Constitutional Majority, is hereby declared passed. Representative Don Moffitt on a point of personal privilege. Representative Moffitt."

Moffitt: "Thank you, Mr. Speaker. I just like to invite all Members of the House to what we call the Fire Summit, the Fire Summit. It's next Wednesday, a week from yesterday. That'd be Wednesday, November 2 at Motorola Innovation Center, 1295 East Algonquin Road, Schaumburg. If you want... need more details, let me know. It starts at 8:30, runs till 3:30. You can come and go. But the Fire Summit's where we develop the legislation for the Fire Caucus for the

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year. And we only advance Bills that they unanimously agree on. So, everyone's invited. Fire Summit, next Wednesday, November 2 at Motorola Center. Call me if you have any questions. Hope you'll come. Everyone's invited. Thank you."

Speaker Lyons: "Thank you, Representative. On page 3 of the Calendar, under House Bills-Second Reading, Representative Jack Franks, you have House Bill 3793. What's the status on that Bill, Mr. Clerk?"

Clerk Bolin: "House Bill 3793, a Bill for an Act concerning revenue. The Bill has been read for a second time on a previous day. No Committee Amendments. No Floor Amendments. There's several notes have been requested on the Bill and have not been filed."

Speaker Lyons: "Notes pending, Representative. We'll hold that on Second Reading. On page 4 of the Calendar under Senate Bills-Second Reading, on the top of the page, Representative Harris, you have... Greg Harris, you have Senate Bill 50. What's the status on that Bill, Mr. Clerk?"

Clerk Bolin: "Senate Bill 50, a Bill for an Act concerning liquor. The Bill was read for second time on a previous day. Amendment #1 was adopted in committee. Floor Amendment #2, offered by Representative Greg Harris, has been approved for consideration."

Speaker Lyons: "Representative Greg Harris on Floor Amendment #2."

Harris, G.: "Mr. Speaker, this is an Amendment that adds another location. Could we adopt the Amendment? Then, I will discuss the entire Bill."

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

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

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

Clerk Bolin: "Senate Bill 50, a Bill for an Act concerning liquor. Third Reading of this Senate Bill."

Speaker Lyons: "Representative Greg Harris."

Harris, G.: "Thank you, Mr. Speaker, Members of the House. This is a set of exemptions from the 100-foot limit in State Law for very specific locations within the City of Chicago. The aldermen and the local community are in support. I would ask for your favorable consideration."

Speaker Lyons: "This Bill requires 71 votes. Is there any discussion? Representative Nybo."

Nybo: "Thank you, Mr. Speaker. I'm going to recuse myself from this one on the appearance of a conflict of interest, not an actual one but the potential for a conflict of interest."

Speaker Lyons: "The record will note your request. Representative Eddy."

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

Speaker Lyons: "Sponsor yields."

Eddy: "Representative, our analysis shows that there are multiple exceptions to the Liquor Control Act that would be made as a result of this legislation."

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Harris, G.: "There are six, yes?"

Eddy: "Six. One is at the Ukrainian Cultural Center, the Haru of Chicago, Walgreens on W. Peterson, Walgreens on N. Clark, the..."

Harris, G.: "So Gong Dong."

Eddy: "...so Gong Dong Tofu House, and it looks like the last one is Carson Pirie Scott building."

Harris, G.: "It's a new Target store going on to State Street."

Eddy: "Okay."

Harris, G.: "It is the So Gong Dong Tofu House."

Eddy: "That's good to know. Now, what... what are the feeling of communities related to these... and what... exactly what are you asking the exception to be for these six locations?"

Harris, G.: "For the retail locations, it is a packaged goods only license. For the restaurant locations, it is an incidental liquor license for an existing restaurant. And I have letters from the local Chambers of Commerce, community organizations, and aldermen that are in support."

Eddy: "Our analysis shows there's opposition from the Retail Merchants Association."

Harris, G.: "I don't believe so. I believe they're in support, Representative. It... as a matter of fact, they've brought me one of these issues."

Eddy: "Okay. So, that was to the original Bill?"

Harris, G.: "That was to the underlying Bill."

Eddy: "The underlying Bill. So, they are no longer opposed. What about the Church Action Council? Are they still opposed?"

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Harris, G.: "Ms. Bedell did come give testimony in general opposition to any expansion of liquor in the State of Illinois."

Eddy: "Okay. And this basically carves out exceptions for six. My question is, if this is an issue, where does this end? I mean, are we going to continue to make these types of exceptions to the point that the underlying intent of the law to... to keep these establishments away from a certain distance, is just going to be... become you know just a suggestion."

Harris, G.: "I think, Representative, if you... if you look at the statute, there are... many of these exemptions that have been made, most of which are under the concept of local control that we should seat authority over... making these decisions for local communities to the mayor or other local liquor license commissioner, and to the residents of that community, should they so request."

Eddy: "Right. Which would mean, if you want that to happen we would change the underlying authority to allow for local control. This really... what we're doing is we're making the exception. The General Assembly is making that exception for those local rather than having the authority that you suggest they should have. So a better solution would be to allow some kind of change in Statute so those local authorities can make the decision and not Representatives from..."

Harris, G.: "Well, Representative, I think that, you know, the city or the municipality also has to issue the license once this exemption is made so that further strengthens control."

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I think the idea of the underlying statute... the Liquor Control Statute, was to make these exemptions as difficult as possible to get and I think that's what we're doing here."

Eddy: "Well, thank you for that. I... I just think we're getting to a point where if we have six exceptions in one Bill, we're getting to a point where it looks as if we're... we're kind of eroding the intent and... and I will be voting against this simply 'cause I think that... that if we're going to do this under the guise of local control, it needs to be more far-reaching. Thank you."

Speaker Lyons: "Representative Harris to close."

Harris, G.: "I would appreciate an 'aye' vote."

Speaker Lyons: "The question is, 'Should Senate Bill 50 pass?' all those in favor signify by voting 'yes'; those opposed vote 'no'. The voting is open. Have all voted who wish? This will require 71 votes. Have all voted who wish? Have all voted who wish? Have all voted who wish? Have all voted who wish? Representative May. Mr. Clerk, take the record. Representative Harris."

Harris, G.: "Mr. Speaker, I'd like to request Postponed Consideration."

Speaker Lyons: "The Sponsor has requested Postponed Consideration. Mr. Clerk, we'll take the Bill out of the record. Ladies and Gentlemen, on the top of page 5, Representative Chapa LaVia, on Senate Bills-Second Reading, has Senate Bill 1795. What's the status on that Bill, Mr. Clerk?"

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Clerk Bolin: "Senate Bill 1795, a Bill for an Act concerning education. The Bill was read for a second time on a previous day. Amendment #3 was adopted in committee. Floor Amendment #4, offered by Representative Chapa LaVia, has been approved for consideration."

Speaker Lyons: "Representative Chapa LaVia on Amendment #4."

Chapa LaVia: "Thank you, Speaker and Members of the committee. House Amendment #3, as adopted, would... is a gut and replacement... incorporate the transfer of oversight from the Illinois State Board of Education to the Illinois Board of Higher Ed of the private business of vocational schools offering certification. I ask for an "aye" vote."

Speaker Lyons: "Representatives, that was Amendment #3 we adopted in committee. We're talking about Floor Amendment #4."

Chapa LaVia: "It's just a technical cleanup... for some language."

Speaker Lyons: "Heard the Lady's explanation on Amendment #4, technical in nature. All those in favor of its adoption signify by saying 'aye'; those opposed say 'no'. In the opinion of the Chair, the 'ayes' have it. And the Amendment is adopted. Anything further, Mr. Clerk?"

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

Speaker Lyons: "Put the Bill on the Order of Third Reading and read the Bill, Mr. Clerk."

Clerk Bolin: "Senate Bill 1795, a Bill for an Act concerning education. Third Reading of this Senate Bill."

Speaker Lyons: "Representative Chapa LaVia."



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Chapa LaVia: "Thank you, Speaker and Members of the House. Once again what the Bill actually does is a gut and replacement with the technical Amendment that's now been adopted. And what's it... it does is it incorporates the transfer of oversight from ISBE, to the Illinois State Board of Higher Ed of private businesses and vocational schools offering certification. And I ask for an 'aye' vote."

Speaker Lyons: "Heard the Lady's explanation. Is there any discussion? The Chair recognizes the Gentleman from DeKalb, Representative Bob Pritchard."

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

Speaker Lyons: "Sponsor, awaits your question, Sir."

Pritchard: "Representative, is the Illinois Board of Higher Education in agreement with this transfer of oversight responsibilities?"

Chapa LaVia: "Yes, they are, Representative Pritchard."

Pritchard: "There obviously is going to be some administrative expense to this. Are they prepared to meet that within their current budget allocation?"

Chapa LaVia: "There is no GRF expected."

Pritchard: "Very good. And this is a transfer of responsibility so that there will be active oversight of these programs."

Chapa LaVia: "Correct, correct. The proponents are Illinois Board of Higher Ed, Illinois State Board of Education, Illinois Attorney General, et cetera."

Pritchard: "Very Good. It's a good piece of legislation to provide oversight and to provide assurance to those students that take these programs that they will be

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recognized for the quality and... and appropriateness of their... of their programs. Thank you."

Speaker Lyons: "Representative Pritchard and Representative Chapa LaVia move for the passage of Senate Bill 1795. All those in favor signify by voting 'yes'; those opposed vote 'no'. The voting is open. Have all voted who wish? This Bill does require 71 votes. Have all voted who wish? Have all voted who wish? Representative Tracy, Jil? 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. Mr. Clerk, on the Order of Second Reading, on page 3 of the Calendar, Representative Mautino has House Bill 606. What's the status of that Bill, Mr. Clerk?"

Clerk Bolin: "House Bill 606, a Bill for An act concerning education. The Bill was read for a second time on a previous day. No Committee Amendments. Floor Amendment #2, offered by Representative Mautino, has been approved for consideration."

Speaker Lyons: "Leader Frank Mautino on Amendment #2... Floor Amendment 2."

Mautino: "Thank you, Speaker, Ladies and Gentlemen of the House. House Floor Amendment #2 is a gut and replacement Amendment and it affects... Leepertown Community School District, which is in Bureau County, Illinois. Basically the Leepertown School has 50... 50 children and the Village of Bureau, there's a very low EAV, and they came to the decision about a year ago that they cannot... did not have the ability to support the small school. So, this would

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allow them to dissolve, and a school in a neighboring city Ladd, Illinois, has agreed to pick them up and bring them forward. It's about a year's worth of negotiation, but they need flexibility in order to... because it is not contiguous. And so, what we need to do through this legislation, as determined by the state board, is to grant this specific ability to go to a school district which is not contiguous. It leaves the Board of Trustees at the Regional level in place of that decision and the schools have to agree. The Amen... purpose of the Amendment was to limit this specifically to the situation affecting the Village of Bureau Junction and the school of Leepertown. I would ask for its adoption and passage of the... of the Legislation."

Speaker Lyons: "You've heard the explanation on Amendment #2. Is there any discussion? The Chair recognizes the Lady from Will Representative Renée Kosel."

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

Speaker Lyons: "Sponsor yields."

Kosel: "Thank you. Can you tell me why you limited it to this? If this is an idea that helps consolidate school districts, why wouldn't it be good for the whole state?"

Mautino: "There was a concern now, in the... in the committee, this gives flexibility in order to do this. And it may be the subject of the hearings and consolidation. There was a concern that there may be the risk of schools venue shopping and that's not what we wanted to do. In this situation we wanted to give local flexibility for the school to agree. All five neighboring schools have been

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involved, but there was a concern by Members of the committee, and I wanted to address that."

Kosel: "Okay. So, it looks to me like... like the agreement is part of the legislation, that the school districts must all agree. That is part of the legislation. Is that correct?"

Mautino: "No, no. That's no change in cu... current law. It's still the decision of the Regional Board. This just gives the flexibility to choose a school which is not contiguous."

Kosel: "I just would like to..."

Mautino: "They don't have that... actually, they have that for unit districts."

Kosel: "Uh huh."

Mautino: "And they have that for high school districts but in elementary schools, it's very, very specific and it doesn't give them the flexibility they need in the current statute."

Kosel: "Well, anyway that we can consolidate I definitely... definitely want to look at. I would hope that in the future we would make sure it's broad enough to encourage consolidation throughout this state. Thank you."

Speaker Lyons: "Representative Eddy."

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

Speaker Lyons: "Sponsor yields."

Eddy: "Representative, this still allows for the Regional Board of School Trustees locally to make the decision. We're not deciding here that Leepertown is going to go to a district that's noncontiguous."

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Mautino: "That is correct. This has been a local decision as a result of a year's worth of meetings and actually, the reason I bring it to you today is the agreement came on Friday of last week. And so, they need to... the kids will go there in June. This gives them the flexibility to get it done."

Eddy: "The... the statute currently allows for unit districts and high school districts to have this... this action take..."

Mautino: "Yes."

Eddy: "...place with the approval of the local Regional Board of School Trustees. It just didn't... the law didn't allow for an elementary district. So, all you're doing is allowing for the same option for the local Regional Board of School Trustees."

Mautino: "That is correct."

Eddy: "Okay. And this is what they believe locally is in the best interest of those students, and it results from the fact that the existing surrounding districts were not willing to take the detached... or the annexed portion for a variety of reasons probably having to do with the... the lack of EAV, or the value, and the number of students not creating."

Mautino: "Increased transportation costs, number of students, low EAV."

Eddy: "Okay. Well, I appreciate that because I think the important part here is you're not taking away local control; this is... this is done by an existing mechanism. And I think it's a solution that we're probably going to look at for a lot of districts, and I appreciate the fact

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that you have tried to help that district because I understand that, as of next year, without this solution that was established locally these students simply would have nowhere to go."

Mautino: "That's exactly right."

Eddy: "Okay. I think we should support this. Thank you."

Speaker Lyons: "Representative David Leitch."

Leitch: "Thank you, Mr. Speaker. I, too, would like to encourage an 'aye' vote and compliment Representative Mautino. This has been a very challenging situation and one that is going to be resolved with this legislation. So, I encourage an 'aye' vote."

Speaker Lyons: "We are still on the Amendment and there is no one seeking further discussion. The question is, 'Should Amendment #2 be adopted?' All those in favor signify by saying 'yes'; those opposed say 'no'. In the opinion of the Chair, the 'ayes' have it. And Floor Amendment #2 is adopted. Mr. Clerk, anything further on House Bill 606?"

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

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

Clerk Bolin: "House Bill 606, a Bill for an Act concerning education. Third Reading of this House Bill."

Speaker Lyons: "Representative Mautino."

Mautino: "Thank you. And I appreciate the attention of the Body. I think it was thoroughly discussed on Second Reading. This helps the... the City of Bureau Junction, and the Leepertown School District basically resolve a problem in which the 50 students there will be able to go to the

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Ladd Community School District. Thank you for a... appreciate your 'aye' vote."

Speaker Lyons: "Representative Roger Eddy, a question."

Eddy: "An issue, just quickly a question for the Sponsor. An issue came up related to property taxes. And this does not increase the property taxes for the existing school district that they're moving to the non-contiguous area?"

Mautino: "They're actually moving to an area that's a lower rate. No it doesn't."

Eddy: "Right. And I think I want to make that point because the existing EAV has caused a rate to be so high that actually, by moving into a larger area, the rate will likely diminish and this would result in lower taxes."

Mautino: "Correct."

Eddy: "Okay."

Mautino: "And this legislation doesn't talk about that, that would still be a decision of the local Regional Board of Trustees."

Eddy: "Thank you."

Speaker Lyons: "The question is, 'Should House Bill 606 pass?' All those in favor signify by voting 'yes'; those opposed vote 'no'. The voting is open. This will require 71 votes. Have all voted who wish? Have all voted who wish? Have all voted who wish? Mr. Clerk, take the record. On this question, 115 Members voted 'yes', 0 voted 'no', 0 voted 'present'. This Bill having received the Constitutional Majority, is hereby declared passed. Continuing on the Order of Mautino on page 2 of the Calendar under House

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Bills-Second Reading, is House Bill 355. What's the order... what's the status of that Bill, Mr. Clerk?"

Clerk Bolin: "House Bill 355, a Bill for an Act concerning government. The Bill was read for a second time on a previous day. No Committee Amendments. Floor Amendments 1 and 2 have been approved for consideration. Floor Amendment #1 is offered by Representative Mautino."

Speaker Lyons: "Representative Mautino, House Bill 355, Floor Amendment #1."

Mautino: "Thank you, Ladies and Gentlemen of the House. House Floor Amendment #1 becomes the Bill and it amends the Health Savings Account Law. And the implementation date for the HSA Act is being changed from 2011 to 2012. This comes at the request of the Department of Central Management Services, which does the benefits. Basically, they're going out for an RFP a request for proposal, where they want to get vendors in plans and this helps them do that. They can meet that timeline so... they made that request. It also conforms eligibility for it, to what federal current tax law is, along with a number of other items. I'd be happy to answer any questions on it. There was... there is a clarifying technical Amendment which will be Floor Amendment #2. And I believe that resolves questions in committee as to what the status of eligibility and dependent is."

Speaker Lyons: "Representative Franks."

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

Speaker Lyons: "Sponsor yields."



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Franks: "Representative, I'm reading the definition of dependent. Would this also include those that are under 26 years of age but living at home that are not able to be claimed as an IRS deduction?"

Mautino: "I believe that is correct. I'm looking... actually, I've got a listing of the eligibility changes. If you give me a moment, I'll just grab that."

Franks: "Okay. I know we passed that law a couple of years ago and I want to make sure that would be included."

Mautino: "Yes, but we... we were not in compliance with the... with the federal definition. So, to correct that, the answer would be no, and that's not allowable. The reason being, and the reason for the legislation is that these are tax sheltered savings, high deductible accounts. And therefore it's not allowable under the IRS Code. That's the reason for doing this."

Franks: "Thank you for clarifying that. And let me ask you this as well. On the employer contribution amounts, they're changed from a fixed amount of \$2,750 to one-third of the employee's individual... "

Mautino: "Oh yes."

Franks: "...or family plan high deductible."

Mautino: "And basic... basically, the reason for that is the \$2750 amount is much higher than what the actual cost of deductibles. And in the plans that currently exist here. That was taken from an Indiana number. And we found that... that if we go with a third of a deductible, so if you have a \$1500 deductible, than you're looking at \$500 as opposed to \$2700."

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Franks: "So, that would..."

Mautino: "It puts us in the..."

Franks: "...significantly save money for the employer?"

Mautino: "For the employer in this case, which is the State of Illinois."

Franks: "Right. So this would be a savings to the..."

Mautino: "Correct."

Franks: "...State of Illinois. Thank you."

Mautino: "Every once in a while."

Speaker Lyons: "Representative Roger Eddy on Floor Amendment #1."

Eddy: "Sorry, Speaker. Floor Amendment #2, I have a question on."

Speaker Lyons: "No further questions on Floor Amendment #1. All those in favor of its adoption signify by saying 'yes'; those opposed say 'no'. In the opinion of the Chair, the 'ayes' have it. Floor Amendment #1 is adopted. Floor Amendment #2, Frank, can you work in the dark? Hold on. Representative Mautino on Floor Amendment #2 to House Bill 355."

Mautino: "Thank you. Floor Amendment #2 is in response to a request in committee. And basically what that does is it puts us in compliance with the federal eligibility requirements. We have showed the language to the Members who had concerns on... on that and I believe it is acceptable. Section 3 of the State Employer Group Health Insurance Act, Section 15 of the IRS Code must match up, otherwise people buying the HSAs or using that option cannot use the Federal Tax Credit. Be happy to answer..."

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

Eddy: "I think we're okay. We're going to go to... wait 'til  
Third Reading."

Speaker Lyons: "Seeing no further discussion, all those in  
favor of the adoption of Floor Amendment #2 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 Bolin: "No further Amendments. No Motions are filed."

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

Clerk Bolin: "House Bill 355, a Bill for an Act concerning  
government. Third Reading of this House Bill."

Speaker Lyons: "Leader Frank Mautino."

Mautino: "Thank you Speaker, Members of the House. The  
Amendments, as presented, have become the Bill. It's a  
request of the Department of Central Management Services to  
bring our Health Savings Account into compliance with  
Federal Law. It also allows us to set a lower level than  
the \$2750 format that would make a savings for the employer  
side of State of Illinois. Be happy to answer any questions  
and I'd appreciate an 'aye' vote."

Speaker Lyons: "Representative Roger Eddy. Representative Eddy,  
you're up."

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

Speaker Lyons: "Sponsor yields."

Mautino: "Yes."

Eddy: "Representative Mautino, Amendment 2, in plain language I  
think, takes out for eligibility, dependents of civil  
union?"

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Mautino: "And that is correct."

Eddy: "Okay. And I... and I think that... that was the real concern is... is that... that specific exemption probably wasn't in the original Bill without this Amendment. And this should relieve any anxiety for those who were concerned about that extension of those benefits to those dependents."

Mautino: "Sure. Basically, the... under the Federal Law you don't qualify, I mean and since it's federally driven to get the tax sheltered benefit of it, then we have to match what their definition is and that's the reason that CMS has brought it forward so that, along with the ability to move their date backwards, we'll be in compliance, and then they can get in the next round of requests to try and get vendors to provide this product..."

Eddy: "So, it would take... "

Mautino: "...for our employees"

Eddy: "...it would take a change in the Federal... it would take a change in the Federal rules and Law..."

Mautino: "Sure."

Eddy: "...because we're tying this directly to the federal."

Mautino: "Well, that's... Health Savings Accounts, the tax sheltering ability in them comes..."

Eddy: "Yes."

Mautino: "...from the Federal Government."

Eddy: "So, but if there is a change..."

Mautino: "You have to meet their..."

Eddy: "...in any Federal Law related to those dependents, then they would become eligible, but not until then."

Mautino: "Oh, sure."

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Eddy: "Okay. Thank you."

Speaker Lyons: "For purpose of clarification and for the record, Amendment #1 was adopted, as well as Amendment #2, so there's no distortion on what was the procedures before we had the problem with the lights. So, seeing no further discussion, Representative Mautino moves for the passage of House Bill 355. 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? This Bill will require 71 votes. Crespo, Gaffney, May, Ramey, would you like to be recorded? Mr. Clerk, take the record. On this Bill... on this question, there's 92 Members voting 'yes', 23 Members voting 'no', 0 voting present. This Bill, having received the Constitutional Majority, is hereby declared passed. On the Order of House Bills-Second Reading, on page 3 of the Calendar, Representative Lou Lang has House Bill 735. What's the status of that Bill, Mr. Clerk?"

Clerk Bolin: "House Bill 735, a Bill for an act concerning liquor. The Bill was read for a second time on a previous day. No Committee Amendments. Floor Amendments 1 and 2 have been approved for consideration. Floor Amendment #1 is offered by Representative Lang."

Speaker Lyons: "Leader Lou Lang on Floor Amendment #1."

Lang: "Thank you. I'd appreciate just adopting both Amendments and debating the Bill on Third Reading. So, I would move for the adoption of the first Amendment."

Speaker Lyons: "Heard the Gentleman's Motion. All those in favor of the adoption of Floor Amendment #1 signify by

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saying 'yes'; those opposed say 'no'. In the opinion of the Chair, the 'ayes' have it. And Floor Amendment #1 is adopted. Mr. Clerk."

Clerk Bolin: "Floor Amendment #2, offered by Representative Lang."

Speaker Lyons: "Lou Lang on Floor Amendment #2."

Lang: "Move the adoption of the Amendment, Mr. Speaker."

Speaker Lyons: "Gentleman moves for the adoption of Floor 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 is adopted. Mr. Clerk."

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

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

Clerk Bolin: "House Bill 735, a Bill for an act concerning liquor. Third reading of this House Bill."

Speaker Lyons: "Representative Lang."

Lang: "Thank you, Mr. Speaker. Ladies And Gentlemen, today under the law a... a mayor of a municipality is also the liquor commissioner. Because of an inherent conflict of interest, this has forbidden people who own liquor licenses from being mayor, because you can't be... have a liquor license and be a liquor commissioner. This Bill would simply say that the municipality can... if someone becomes mayor who has a liquor license, the municipality can move to choose another person to be the liquor commissioner so there would be no conflict of interest. This is an important piece of legislation because, in some communities in the State of Illinois, very influential business people, or people that really know their communities who are very

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entrenched in their communities have been unable to run for the high office of mayor. And so long as we deal with this conflict of interest in this way, we're protecting the local communities. I mo... I move passage of the Bill, Mr. Speaker."

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

Eddy: "Would the Sponsor yield?"

Speaker Lyons: "Sponsor yields."

Eddy: "Representative, basically then who would be the liquor commissioner bec... if the mayor was not?"

Lang: "The Board of Trustees or Commissioners or whatever it might be in that municipality would simply choose another person."

Eddy: "Not... the mayor wouldn't choose."

Lang: "No, the mayor would be specifically exempted from even voting on that."

Eddy: "Okay. So, it... would it be an independent person other than the mayor to allow that individual to continue to serve in a... in a situation where their job happened to cause a conflict which now excludes them."

Lang: "That would be correct."

Eddy: "Okay. Thank you."

Speaker Lyons: "Lady from Will, Representative Renée Kosel."

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

Speaker Lyons: "Sponsor yields."

Kosel: "Would... is this a 'may' or a 'shall' Bill? You eluded in your..."

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Lang: "Well, I... I don't know that it's either, Representative. It simply says that we should not tell someone who has a liquor license that they can't run for mayor. We don't tell other people they can't run for mayor of a municipality. But what it would require, is that if a mayor is elected who owns a liquor license, I guess it would be a 'shall'. The Board 'shall' pick somebody else."

Kosel: "That's exactly what I was looking for. So... because in your... in your introduction of the Bill, you said that they 'may' and that was a concern because I... I think we need to say, yes, this is a conflict of interest and yes, you 'shall' appoint someone else. So, as long as the Bill is... it is very restrictive and... and says you must appoint someone else to be liquor commissioner, that's great."

Lang: "Point... "

Kosel: "Thank you."

Lang: "...well-taken and the Bill's very specific on that point. Thank you."

Kosel: "Thank you very much."

Speaker Lyons: "Representative Mike Bost."

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

Speaker Lyons: "Sponsor yields."

Bost: "Representative, it... it's my understanding that right now is... is it Home Rule communities can actually, the mayor... that's not the head of the liquor commission. Is that correct or where are we at with that right now?"

Lang: "Can you ask that question again, Sir?"



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Bost: "Okay. In a Home Rule-type community, the... in non-Home Rule the mayor is the head of the liquor commission. Is that correct?"

Lang: "Under our Municipal Code, whether it's Home-Rule or not, the mayor or Village President is the liquor commissioner."

Bost: "Okay, okay. So this just simply says he can, if he has a license, appoint somebody else."

Lang: "Well, he doesn't do the appointing. The City Council or Village..."

Bost: "Could appoint..."

Lang: "...board would do that."

Bost: "...someone else. Okay, all right. I know this is a problem we've had in different locations. One of my communities years ago, Ma... guy ran for mayor, got it and had to make a choice to give up his business or do the... so, yeah, I do support the Bill. Thank you."

Lang: "Thank you."

Speaker Lyons: "Representative Mike Tryon."

Tryon: "Thank you, Mr. Speaker. I rise in support of the Gentleman's Bill, and would like to... to ask him a few questions, if he would yield."

Speaker Lyons: "He awaits your questions, Representative."

Tryon: "Representative Lang, a few years ago this issue was addressed for county board chairman, and county board members, and... and city councilmen. Is that not correct?"

Lang: "I believe it is, Sir."

Tryon: "So that they would not have that same conflict. And... and to the Bill. Many of us have been mayors and county board chairmen or cou... or on city councils and face the

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issue of having to deal with liquor licenses and liquor complaints. And when I was county board chairman in McHenry county, an... each county board chairman before me had a liquor commission, they had a liquor chairman. And the county board chairman in our county did nothing more than sign the liquor license and that way... I believe you'd find that to be usual and customary. Five years ago we had a county board chairman that had this same situation... where they had a liquor license in their possession and we changed the law then. I think that... that it... that this can be done... it's not the fact that somebody owns a restaurant or has a liquor fl... license, it's the fact they have a conflict and putting in statute the way for an individual to be able to deal with their own conflict and provide the services that any citizen have the right to provide by running for mayor is a good thing. And in many cases this will codify current practices of having a liquor commission and a liquor chairman. And... and I think... I think this is the right thing to do. Let each of our individuals who are on the council be able to run for mayor no matter what they do for a living. So, I'm going to support your Bill."

Speaker Lyons: "Representative Anthony DeLuca. Representative DeLuca, your light's on."

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

Speaker Lyons: "Sponsor yields."

DeLuca: "Leader Lang, in the event of a liquor violation, which would require a hearing, who would the hearing be in front of?"

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Lang: "The law would be exactly as it is today, Sir. There would be a liquor commissioner who would have a hearing. That liquor commissioner would no longer be the mayor so there'd be no conflict of interest."

DeLuca: "Okay. So, if there was a liquor violation at the establishment owned or operated by the mayor, the mayor would have the hearing in front of the commission that he appointed?"

Lang: "Well, no, he would not appoint that commission. The... if the... if a mayor with a liquor lic... if... if a mayor was elected who owned a liquor license, the city council or village board would under this law be required to name someone else. And so that... that mayor, that might face a Liquor Code Violation, would have his hearing or her hearing in front of a separate person."

DeLuca: "Thank you very much."

Speaker Lyons: "Representative Lang to close."

Lang: "Please vote 'aye'."

Speaker Lyons: "The question is, 'Should House Bill 735 pass?' This Bill requires 60 votes. 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 Brauer, Sosnowski, Dave Winters, like to be recorded? Mr. Clerk, take the record. On this Bill, there are 88 Members voting 'yes', 27 Members voting 'no', 0 voting 'present'. This Bill, having received the Constitutional Majority, is hereby declared passed. Representative Esther Golar, on page 2 of the Calendar

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under House Bills-Second Readings, you have House Bill 3788. What's the status on that Bill, Mr. Clerk?"

Clerk Bolin: "House Bill 3788, a Bill for an Act concerning health facilities. The Bill was read for a second time on a previous day. No Committee Amendments. Floor Amendment #1, offered by Representative Golar, has been approved for consideration."

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

Golar: "Yes. Thank you, Mr. Speaker. Floor Amendment #1 is.. makes a technical change to add the word 'Illinois' for hospitals, and to make clear that it applies to 'Illinois' hospitals only."

Speaker Lyons: "You've heard the Lady's explanation on Floor Amendment #1. No one seeking recognition, the question is, 'Should it be adopted?' All those in favor signify by saying 'yes'; those opposed say 'no'. In the opinion of the Chair, the 'ayes' have it. And Floor Amendment #1 is adopted. Anything further, Mr. Clerk?"

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

Speaker Lyons: "Third Reading. And read the Bill."

Clerk Bolin: "House Bill 3788, a Bill for an Act concerning health facilities. Third Reading of this House Bill."

Speaker Lyons: "Representative Golar."

Golar: "Thank you, Mr. Speaker. House Bill 3788 makes a change in the date regarding when a hospital begins operations as included in the definition of 'long-term acute care'. The change specifically is from January 1, 2010 to now become January of 2009. Just to give some background on it. Kindred Hospital Systems would have liked to.. when they

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purchase a Peoria hospital, it was not a Medicaid-accepting facility and so to be reimbursed the same as other six hospitals under the definition of 'long-term acute care', this date was changed to specifically address that."

Speaker Lyons: "You've heard the Lady's explanation on House Bill 3788. Is there any discussion? Seeing none, the question is, 'Should House Bill 3788 pass?' All those in favor signify by voting 'yes'; those opposed vote 'no'. The voting is open. This Bill will require 71 votes. Have all voted who wish? Have all voted who wish? Have all voted who wish? Representative Brauer, Mike Tryon. 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 Dennis Reboletti, for what purpose do you seek recognition, Sir? All right. Representative Reboletti does not seek recognition, but his seatmate Representative Rose does. Representative Rose, for what purpose do you seek recognition?"

Rose: "Sorry. Mr. Speaker, I hit the wrong speak button there. A point of personal privilege."

Speaker Lyons: "Please proceed, Representative."

Rose: "Ladies and Gentlemen, we have in the gallery behind me here, Mr. Gary Kling from Champaign. He's a good friend, a good supporter of Eastern Illinois University, a former basketball player there, and if we could just give him a big Springfield welcome. Thanks, Gary."

Speaker Lyons: "Welcome to the Capitol, have a great day. Glad to have you here. On the bottom of page 6, under Considered

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Postponement, Representative Barbara Flynn Currie has House Bill 506. Read the Bill, Mr. Clerk. What's the status on that Bill, Mr. Clerk?"

Clerk Bolin: "House Bill 506 is on the Order of Consideration Postponed."

Speaker Lyons: "Put that Bill back on the Order of Second Reading for the purpose of... Second Reading for the purpose of an Amendment. Representative Currie."

Currie: "Thank you, Speaker. I move adoption of the technical Amendment that has been filed to the Bill and approved by the Rules Committee."

Speaker Lyons: "Representative Currie moves for the adoption of Floor Amendment #2. All those in favor signify by saying 'yes'; those opposed say 'no'. In the opinion of the Chair, the 'ayes' have it. The Amendment is adopted. Anything further, Mr. Clerk?"

Clerk Bolin: "No further Amendments, but notes have been requested on the Bill as amended by House Amendment #2 and have not been filed."

Speaker Lyons: "Mr. Clerk, what are the notes?"

Clerk Bolin: "A fiscal note, a state mandates note, and a housing note have been requested on the Bill as amended by #2."

Speaker Lyons: "Representative Currie. Mr. Clerk, what's the status on House Bill 506?"

Clerk Bolin: "House Bill 506 is on the Order of House Bills-Second Reading. All note requests have been withdrawn. No further Amendments. No further Motions filed."

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

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Bolin: "House Bill 506, a Bill for an Act concerning revenue.

The Bill was read for a third time previously."

Speaker Lyons: "Majority Leader Barbara Flynn Currie."

Currie: "Thank you, Speaker and Members of the House. We have discussed this Bill on this House Floor not only yesterday, but we in fact adopted language just like this last spring. What this measure does is, first of all, clarify that when there is a lease from one governmental unit to another, there are no property taxes due and owing. We believe that is current law. We believe that clarifying that this is current law will not affect any pending litigation. Second, the Bill provides that if there is an agreement among parties before the Property Tax Appeals Board, they can stipulate to a settlement. Third, it provides for a special valuation from the Great Lakes property that is, in fact used for housing so that schools get tax money. The Federal Government has agreed to do that. And finally, it enables county assessors to get tough on property tax cheats, on those people who have deliberately defrauded the government by claiming more than a single homestead or senior exemption. And the reports from our assessor's office, and assessors' offices in places like Florida, are ripe with information about people who claim to be living full-time in 2, 5, 10, or 12 houses at once. It is time to call a halt. It is time to give our assessors the tools they need in order to be able to make sure that everybody is paying his or her fair share of taxes, that the people who are cheating the system are not leaving the rest of us holding

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the bag. Be happy to answer your questions and I'd appreciate your 'yes' vote."

Speaker Lyons: "The Gentleman from Lake, Representative Sullivan."

Sullivan: "Thank you, Mr. Speaker. To the Bill. Ladies and Gentlemen, this is a Bill that has many moving parts to it. Many of the parts within this Bill, I agree with, and some of which I have actually helped write. There is one aspect of this Bill that we have some disagreement on whether the General Assembly should interject themselves into a legal matter. It has to do with property taxes. There's a way for assessors to value property based on the lease agreement that someone has signed. There is an issue that is out there right now in regard to this environment. It's to the tune of roughly 400 to 450 thousand dollars. It is my opinion that we should not be interjecting the General Assembly into a potential legal dispute. That is what my concern is. That is what our side of the concern is. The underlying Bill I think is... has very good pieces to it, as I said, some of which I've helped write, but I think that, even this piece that I'm... I think is wrong because of the potential interjection of the General Assembly is good going forward. But I don't think that the General Assembly should interject themselves in a legal dispute that is still... right now, one portion is in the Court of Claims that this does not matter, and the other one has the potential to be in Circuit Court in regard to nonpayment of property taxes that, in essence, the state will owe. So, I urge a 'no' or 'present' vote. Thank you."



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Speaker Lyons: "Representative Eddy."

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

Speaker Lyons: "Sponsor yields."

Eddy: "Representative, what is the effective date of the Bill?"

Currie: "The effective date is July 10. I'm sorry, June 1."

Eddy: "June 1 of...?"

Currie: "2012."

Eddy: "2012. So, this Bill... how many votes... If I could have an inquiry of the Chair, how many votes?"

Speaker Lyons: "60 votes, Representative."

Eddy: "Okay. All right. Based on the effective date this will take 60 votes. I don't think there's any question regarding the issue of individuals who fraudulently have manipulated this system to get an exemption that they don't deserve because that causes everyone else to have to pay more."

Currie: "Exactly right."

Eddy: "And we want to see that end. I think everyone in here feels that way. The issue related to government... governing bodies paying taxes, renting from other governing bodies, is kind of the heart of another part of this. And it deals with the fact that right now there, probably... the reasonable interpretation that that shouldn't happen, because you have two governing bodies, and the taxes from one governing body should not be. Now, has there been a ruling related to this type of issue before in courts when a governing body has been... I mean, is there precedent in other cases where this is...?"

Currie: "I've... I've never seen an Appellate Court or a Supreme Court ruling that, yes, a government leasing from another

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governmental unit owes property taxes. And let me just read to you part of the current statute... current law. Says that school property that is leased to a municipality or not sold or leased or otherwise used with a view to profit, is exempt. So, we're really clarifying that language to make sure that it's everybody's understanding that government-to-government leases are property tax-exempt."

Eddy: "Okay. And... and I would just, and I'm certainly not a lawyer, but based on commonsense application of what you've already read, the portion of this Bill that deals specifically with that type of thing I'm not sure why it's necessary if we feel like there's never been a case that has ruled in that manner, why we need to have that in this legislation if that kind of thing's kind of already assumed to not have to pay taxes."

Currie: "Well, as I say, I'm not aware of any case at the Appellate or Supreme Court level, but you know, Representative, frequently we feel it's a good idea to clarify, just to make plainer, something that is already in the statute and this provision is no different from what we do every day... bread and butter legislating I would call it... and this is not an unusual Act on our part."

Eddy: "Okay. And I appreciate that. I wish that we were looking at a separate Bill for all of the good things in Amendment 1, and that we weren't putting together an issue that there is some concern about, with an issue that there seems to be universal agreement on. And I think based on that, this is not going to get the kind of support it would otherwise get because there is some question here, whether or not

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there's... there's a problem that we're trying to interject ourselves in. And I think that's unfortunate, because I think if we didn't have..."

Currie: "Yeah, but..."

Eddy: "...Amendment 2 on the Bill this would fly out of here with everybody's support."

Currie: "Yeah. Let me just make the point that I do not believe the provision we have just been discussing interferes, affects, any pending litigation. I think there is some pending litigation but that is not to do with the question of whether government-to-government leases for public purposes should be property tax-exempt. And I think that's a principle we should all support. If the state is leasing to a local government, we should not be expecting them to pay property taxes and the reverse should not be... the reverse should be the same."

Eddy: "Okay. And I think the timing of this is part of the issue too. However, I think the point needs to be made that a lot of people who will not support this today certainly support a large portion of what you're trying to do here, but have questions about the potential of interjecting themselves, and likely can't support it but would support the underlying Bill. I know everybody has to make their decision on that, but I don't want individuals to be misunderstood or misrepresented on this. I think a lot of the 'no' votes that will come on this legislation have to do with one portion, but most people support the underlying Bill. Thank you."

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Currie: "And I just wanted to clarify that the portion you're talking about does not, in fact, affect pending litigation."

Eddy: "Thank you."

Speaker Lyons: "Representative Jim Sacia."

Sacia: "Thank you, Mr. Speaker. In reluctant deference to several of my colleagues on this side of the aisle, I stand in strong support of the Lady's legislation. I have the unique privilege of representing probably the number one tourist destination in Illinois, namely Galena, which is in Jo Daviess County, and quite frankly is getting raped because we have numerous, very significant numbers of Chicago area homeowners who have vacation homes in the Galena area, and are claiming exemptions, homestead exemptions, in their Galena homes. I recognize that there are some legal issues in reading this, I'm somewhat perplexed in that the Illinois Realtors can't seem to determine how fraud is defined. Well, if you live in a home in the Chicago area and you're claiming a homestead exemption, and you have a summer home in Galena and you're claiming a homestead exemption, let me explain it to you: that's fraud. And it needs to be addressed. The Lady has a good piece of legislation for the most part. And I recognize that there are some flaws, and I recognize that there are reasons, as the previous speaker stated, that some should be a 'no' on this, but we really need to help the Lady get this legislation out of here because it needs to send a signal to those that are raping the system. Thank you. Leader Barbara Flynn Currie to close."

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Currie: "Thank you, Speaker. Please vote 'yes'."

Speaker Lyons: "The question is, 'Should House Bill 506 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 67 Members voting 'yes', 44 Members voting 'no', 2 Members voting 'present'. This Bill, having received the Constitutional Majority, is hereby declared passed."

Speaker Lyons: "Representative Chapa LaVia, for what purpose do you seek recognition?"

Chapa LaVia: "For a point of personal privilege."

Speaker Lyons: "Please proceed, Linda."

Chapa LaVia: "Thank you, Speaker and Members of the House. I hope you heard Representative Franks earlier. As soon as Session is over, if you could please find your way over to the Secretary of State's Office. We're going to be having a quasi-press conference, and the Niagara Foundation for the Turkish Government is going to be there. And any support you can leave towards relief for the country and all the issues they've gone through, we'd really appreciate the General Assembly's support on that. Thank you."

Speaker Lyons: "Thank you for that reminder. Leader Tom Cross on page 3 of the Calendar, under on House Bills-Second Reading, you have House Bill 3813. What's the status on that Bill, Mr. Clerk?"

Clerk Bolin: "House Bill 3813, a Bill for an Act concerning public employee benefits. The Bill was read for a second time on a previous day. Amendments 1 and 2 were adopted in

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committee. Floor Amendment... Floor Amendment #4, offered by Representative Cross, has been approved for consideration."

Speaker Lyons: "Leader Tom Cross on Floor Amendment #4."

Cross: "Would it... 4 becomes the Bill and would it be possible to just adopt it and then go to Third Reading and explain it."

Speaker Lyons: "Yes, Sir. All those in favor of its adoption signify by saying 'yes'; those opposed say 'no'. In the opinion of the Chair, the 'ayes' have it. Floor Amendment #4 is adopted. Anything further, Mr. Clerk?"

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

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

Clerk Bolin: "House Bill 3813, a Bill for an act concerning public employee benefits. Third Reading of this House Bill."

Speaker Lyons: "Leader Tom Cross."

Cross: "Thank you, Mr. Speaker, Ladies and Gentleman of the Chamber. This is a Bill that came out as a result of stories of both from the Tribune and WGN and then subsequently others about some potential... not potential, some pretty exaggerated, aggravated abuses of the pension systems. We are attempting to address in this Bill a variety of those abuses. It started out when we realized, back as a result of a Bill passed in 1991, that there were some aggressive interpretations of it. One of the examples was, an individual was allowed to start out working for the City of Chicago, at a small salary early in their career. This person took a leave of absence for an extended period

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of time working for a union. He ultimately came back at a significantly higher salary and retired under a city pension. Obviously, in that scenario, because of the lack of payments and other things, the city was on the hook for a very significant pension based on that higher union salary. The next thing that went on, was an attempt by some to access two pensions. Where they came before the city pensions board, these respective situations claiming they did not have in representation they made in documents, did not have union pensions when in fact they did. They ultimately were able to access a city pension after it was all worked out and cleared but there had clearly been some false misrepresentations in several documents submitted to the pension boards. The next thing that was going on as a result of this 1991 law was that there was a reference in this law that said that you couldn't get a second pension if you were getting a city pension from a local union. What people did, which is hard to be believe, is they took the interpretation to mean, well, if it wasn't a local union it might be an international or a broader based union of some type, not defined as a local, which resulted in the fact that they were getting two pensions, one from the city and one from this union for the same time frame. This Bill attempts to block that from going on in the future and I think does. It prevents the... the double-dipping and it's very clear in those scenarios that you cannot access other pensions for the same time frame if you're getting a city pension. It also goes further to say that if you are one of these board members or an employee of one of these

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pension boards and you suspect fraudulent activity, like was seen in some of these cases, you have a duty to report that to local law enforcement. The next thing we did with Amendment 4 is we broaden the universe outside the City of Chicago to go statewide. And what that means now if this Bill becomes law is that you would still be able to take a leave of absence from, say, if you're a teacher but your salary would be based on the starting point from the time you were a teacher, not as it escalated when you were taking that leave of absence. This would apply immediately. Now, if you're already taking a leave of absence you're not going to be affected, but if you're a teacher and in two years you want to take a leave of absence, it would apply to you. The ultimate salary... the ultimate pension would be based on the lower salary. That is the gist of the legislation. I want to be very clear about a couple of things with respect to this expansion of the universe. There are... there is still a little work that needs to be done on this expansion. And I can tell you with respect to police and fire, we have committed and I believe we should have committed to continue discussion with them about how to affect them. They have some different ways they do things and I don't think we've seen abuses anywhere at all in those two boards and I don't know that the scenario it set up for there to be that and we are continuing to talk to them. So, I want to stress that we made a commitment to continuing to work in the Senate. I want to do that and I use the police and fire as a couple of examples of where I think we need to do some work on



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this. But at the end of the day, the bottom line is I think from a fraudulent standpoint, we've toughened up the statute, we put some responsibility on the boards and their employees. We've taken out this loophole, on the '91 law with respect to the double-dipping and the accumulation of time and the ability to retire on a salary based on the higher union salary, egregious to say the least. Some of you may say, well, why don't you take all those things away? Why don't you go further? We have to pass a Bill that will pass both chambers, be signed by the Governor and that we think is constitutional. It does us no good to be overly aggressive on something we don't think will do anything. I happen to think this is a very substantive approach. There may be mother... there may be other cases where we have seen abuses and I think there probably are and we need to continue to keep our eye on them. This, I... I would also state, does not relieve of us of our responsibility to be broader in how we handle our reforms and needed reforms on our overall system where we have a huge unfunded liability. This does not alleviate the need to do that. I couldn't stress that even more, but this is something that has to happen. It needs to happen as soon as we can. And I would appreciate an 'aye' vote. Thank you, Mr. Speaker."

Speaker Lyons: "Chair recognizes the Gentleman from Cook, Representative Mike McAuliffe."

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

Speaker Lyons: "Sponsor yields."

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McAuliffe: "Leader, you mentioned and that was a question I was going to ask you about police and fire that we don't believe that they were abusing the system like you were saying in the underlying Bill."

Cross: "There... there's some uniqueness as well to their systems. There's uniqueness as well to their systems. We're not attempting to let anybody off the hook or give anybody a break, but there's uniqueness to their systems and we need to work through that. And... and I'm committed to doing that, Representative."

McAuliffe: "Right. And I... and I take you at your word that we're going to work on that in the Senate because I don't think they've done anything wrong where other groups have done something wrong but I think they're unique in the way that they represent their boards and that that we should not penalize them for not doing anything wrong."

Cross: "Yeah. I want to be clear on this. They're not suggesting that anybody should be weak on this. What they're just saying is there's the way they handle things internally with their systems, it's a... it's a unique animal and so we're going to respect that and try... and try to work through that and I think we can."

McAuliffe: "Thank you very much and I applaud all your efforts for what you do and I'm glad to support this Bill. Thank you."

Cross: "Thank you."

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

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

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Speaker Lyons: "Sponsor yields."

Senger: "Thank you. Just to clarify a couple things that were stated in the Bill. Originally, this Bill applied to Chicago Municipal, Chicago Laborers, and Chicago Teachers. Today it's including all the pension systems. Is that... is that correct?"

Cross: "Well, from a... so we can clarify this from a legislative intent standpoint. I'm just going to answer these questions as I... we've had them written out. Every system in the Illinois Pension Code that allows for participants to accrue service credit while on leave of absence will be subject to the changes we are making today."

Senger: "Okay. And then, is it the intention of the Bill to cover only leaves of absence for workers of labor unions?"

Cross: "It would apply to all leaves of absences to work for labor union; however, we are aware that in some instances individuals who take leaves of absences may buy back their time under the extent those provisions exist. It's not our intent to affect those provisions."

Senger: "And if an employee is currently on a leave of absence with a nongovernmental job with a higher salary, in a government position from the date this Bill becomes law, will that employee's average final salary be computed on the government salary or the nongovernment salary?"

Cross: "An employee currently on a leave of absence will retain the status quo. The Bill will not change the employee's final average salary calculation."

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Senger: "And then, finally about a government employee who is not currently on leave but will go on leave of absence in the future. How will that work?"

Cross: "That person's final average salary will be based on his or her governmental salary."

Senger: "Good."

Cross: "Governmental salary."

Senger: "I thank you for those clarifications and I support the Bill."

Cross: "Thank you."

Speaker Lyons: "No one seeking further discussion... Leader Cross to close."

Cross: "Thank you, Mr. Speaker. I want to thank a number of people who have been very, very helpful. I know this is been somewhat of a shock to us even in... by Illinois standards, some of the abuses or... are egregious and outrageous and I wish we could have even gone further. But I think this is a substantive change that will prevent the types of abuses that we've seen in the past and if we happen to see other areas of abuse and there may be others. People have been very, very crafty and very creative in the past on how pension legislation is done and I think we all need to be conscience of that as we move forward and other people attempt it. But this is a good step on the abuse area. And I would appreciate an 'aye' vote. Thank you."

Speaker Lyons: "You've heard Leader Cross's explanation and proposal on House Bill 3813. This will require 71 votes. All those in favor signify by voting 'yes'; those opposed vote 'no'. The voting is open. Have all voted who wish?"

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Have all voted who wish? Have all voted who wish? Mr. Clerk, take the record. On this Bill there's 111 Members voting 'yes', 3 Members voting 'no', 1 Member voting 'present'. This Bill, having received the Constitutional Majority, is hereby declared passed. Continuing Ladies and Gentleman, on page 3 of the Calendar, under House Bills-Second Reading, Representative Karen May you have House Bill 3815. What's the status on that Bill, Mr. Clerk?"

Clerk Bolin: "House Bill 3815, a Bill for an act concerning public employee benefits. The Bill was read for a second time on a previous day. Amendment #1 was adopted in committee. No Floor Amendments have been approved for consideration. No Motions are filed."

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

Clerk Bolin: "House Bill 3815, a Bill for an Act concerning public employee benefits. Third Reading of this House Bill."

Speaker Lyons: "Representative Karen May."

May: "Yes. Thank you. This House Bill 3815 also addresses the problem of the Bill we just passed, but is... is prospective. It is sensible, it's sure we closed the loophole and it is constitutional. It ends the practice of being able to draw a pension based on a salary that people receive when they go. Just very simply, if you're getting a public pension, you go to a private area whether it be a union... that it stops that. It's effective in January. There is, I will be very honest, Senator Raoul is picking up in the Senate. There is some work we're going to continue to do on it but we would like to move it out in Veto Session because it is

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effective in January. And we have negotiations going on with police and fire. The language that will be attached is what they have approved."

Speaker Lyons: "You've heard the Lady's explanation on House Bill 3815. Is there any discussion? Seeing none, the question is, 'Should House Bill 3815 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's 113 Members voting 'yes', 2 Members voting 'no', 0 voting 'present'. This Bill, having received the Constitutional Majority, is hereby declared passed. Representative Randy Ramey on a point of personal privilege."

Ramey: "Thank you, Mr. Speaker. I have two points of personal privilege. First one being, for the last couple of days, back in our communities we... a certain group of people, the Hindus specifically have been celebrating Diwali, which is their New Year. Last night they finished their year and today they begin a new year. Diwali is defined as the celebration of lights. And in my district, I happen to have the largest Hindu temple in the United States and the organization is called BAPS. Also, I have another large contingency of the James Society. So, I'd like to wish all the Hindus in the State of Illinois a happy Diwali."

Speaker Lyons: "Thank you, Representative. Would you join me in a round of applause on that? Congratulations. And your second point, Randy."

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Ramey: "Thank you, Mr. Speaker. If I may and I certainly want to appreciate the Speaker's efforts for trying to quiet down the chamber. I believe you had the gavel four times as Leader Cross was speaking on House Bill 3813. I find it appalling that our Leader gets up to present a Bill and one side of the aisle decides to keep discussing and laughing and causing a ruckus. While the other day when Speaker Madigan stood up to present his Resolution, we all took the courtesy to sit down and listen to his presentation and keep quiet. So, Mr. Speaker, I certainly appreciate your efforts, but I would certainly ask the chamber that when our respective Leaders stand up to make presentations that we all show them that due respect and.. and sit down and listen."

Speaker Lyons: "Representative Ramey, your point is well taken and I will if.. I will not let that happen again. My apologies for not bringing the whole Assembly to a little.. a lower level of noise on that. Thank you for that point. Representative Durkin, on House Bills-Second Reading on page 2 of the Calendar, you have House Bill 358. Read the Bill, Mr. Clerk."

Clerk Bolin: "House Bill 358, a Bill for an Act concerning government. The Bill was read for a second time on a previous day. No Committee Amendments. Floor Amendments 1 and 2 have been approved for consideration. Floor Amendment #1 is offered by Representative Durkin."

Speaker Lyons: "Representative Jim Durkin on Floor Amendment #1."

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Durkin: "Thank you, Mr. Speaker. This is an initiative of the Chicago Transit Authority and what this Amendment and legislation will do will clarify the 2009 Employee Ethics Act that dealt with the revolving door issue. Now, when we passed this Bill in 2009 it was in response to individuals within State Government who were in positions of authority, who awarded contracts, sizable contracts to vendors and subsequently took a job within a short amount of time. We believe that that's wrong and we believe that this legislation in 2009 is the right thing to do. We are not changing that. Sometimes when we pass Bills there are unintended consequences and so this Bill... right now it states that not only does it apply to private individuals... I've been told that... a technical question. I believe that Floor Amendment 1 needs to be withdrawn and we are going to moved on 2. My mistake."

Speaker Lyons: "Withdraw Floor Amendment #1. Floor Amendment #2, Mr. Clerk."

Clerk Bolin: "Floor Amendment #2, offered by Representative Durkin."

Speaker Lyons: "Representative Durkin on Floor..."

Durkin: "In any event, as I said from the law in 2009, that sometimes there are unintended consequences and the Bill that was passed not only prohibits that one-year revolving door ban but also applies to governmental entities and that was never the spirit nor the intent of the 2009 law. We believe that there are good public servants who do at times move from one government entity to another because they are in positions of authority. They should not be banned. We



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think that this, again, that this legislation clarifies the intent and the spirit of the 2009 law. So, I would ask for your support."

Speaker Lyons: "You've heard Mr. Durkin's explanation on Floor Amendment #2. Is there any discussion? Seeing none. All those in favor of its adoption signify by saying '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 Bolin: "No further Amendments. No Motions are filed."

Speaker Lyons: "Third Reading. Read the Bill."

Clerk Bolin: "House Bill 358, a Bill for an Act concerning government. Third Reading of this House Bill."

Speaker Lyons: "Representative Durkin."

Durkin: "I will entertain any questions, but I did give the explanation of what we're trying to do through the Amendments, so... "

Speaker Lyons: "Is anyone seeking recognition on House Bill 358? Seeing none. The question is, 'Should House Bill 358 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 Brauer, Soto, Thapedi. Mr. Clerk, take the record. On this Bill, there's 70 Members voting 'yes', 43 Members voting 'no'. Mr. Durkin."

Durkin: "I'd like to have this placed on Postponed Consideration."

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Speaker Lyons: "Mr. Clerk, on request of the Sponsor put this Bill on Postponed Consideration. Mr. Clerk, what's the status on House Bill 358. Refresh our memories."

Clerk Bolin: "House Bill 358 is on the Order of Postponed Consideration."

Speaker Lyons: "Mr. Durkin."

Durkin: "Thank you, Mr. Speaker. I think there was some confusion with some Members of... this side of the aisle and I think there was some technical malfunctions with their switches, but I would ask for another vote. Thank you. I'll be happy to entertain any questions."

Speaker Lyons: "Okay. We've had House Bill 358 is on Postponed Consideration. It's on the Order of Third Readings. Representative Will Davis."

Davis, W.: "Mr. Speaker, can the Sponsor take any questions?"

Speaker Lyons: "Yes. Sponsor yields."

Davis, W.: "Thank you very much. Representative Durkin, if I understand this Bill correctly, this allows for an individual to be able to leave one position... under certain stanc... under certain circumstances to leave a position and to be able to move to another position without having to wait, some statutory period, in order to accept a new position. Is that correct?"

Durkin: "That's correct. It was amended to apply to the... the transportation service boards. But what it does, it says that if you are a government employee that you're not subject to that one-year cooling off period, that you can move to another state or government job. And as I said earlier the original intent of the legislation was to

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prohibit those situations where there was a substantial contract made by a person within government and prohibiting them, and at least having a one-year cooling off period before they can take a job with that entity that was a recipient of that contract, which we think is the right thing to do and that is still the law. We're not stopping that. We're saying that if, with the four transit boards that there... you can take... you're not prohibited from moving to a... from one government job to a transit board... to a position within a Transit Authority."

Davis, W.: "Okay. And... and while I understand, I guess the original intent, I said there probably... and I apologize I didn't ask this question when you were... before, but I guess I just got kind of lulled into that very nice monotone that you were speaking in and I really wasn't paying attention. But what this also allows for is for the same people to just get moved around to different positions because based on who they know as well. Correct? And you'll probably answer that question no, but sometimes what I see are the same folks moving from position to position with... And it seems like because of who they know or who their relationships are with that they have the opportunity to do this."

Durkin: "Well, I don't think that's really what this Bill's about. I mean, that's government and that's if... if there a... I guess, that's if... if there's a problem with that, that's more of a systemic problem within government from Washington all the way to Springfield to Cook County to the municipal governments. But what this is doing is saying

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that there is a... some people who are really very talented public servants, who at times will be needed to fill in positions that are... which their expertise is needed and they shouldn't have to sit for a year in those government... before they take those positions. There's a talent drain which will occur within local government unless we make this change."

Davis, W.: "Well I... I would argue something a little different because when I see individuals who get appointed to various positions and they just... it's the same names; they get recycled to another position. Whether or not they're talented or not, I don't... don't know, but the question is, well, why are they moving from one position to another, which is a question that you and I can't answer. But if you're talking about the talent pool, what I often see are opportunities that could be fulfilled by very talented minority candidates; they never get the opportunity because the same candidate gets moved around from position to position and their opportunities are limited. That's kind of the way I usually see those things."

Durkin: "Well, I understand. I mean... you know, that's an issue for elections and... which is... I... I understand what you're saying. This is clearly not the spirit or the intent of what we're trying to do is prohibit people who are... go back and forth who... because of the individuals that they know. But and you know, but the thing is we can never stop that. There's nothing that's ever going to stop that in State Law and that type of practice which you referenced. This is very limited in scope. I don't believe, again, the

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situations and the concerns that you have are necessarily going to be corrected through this."

Davis, W.: "So.. "

Durkin: "That is more of an issue that I think if you're going to address those concerns you have it's more of a personnel question that you have for people who are elected to higher office, whether in county government or State Government."

Davis, W.: "Well then... then indulge me and... and I'll sit down. So, indulge me and provide me with an example by which this would then apply."

Durkin: "Sure."

Davis, W.: "So, from where to where?"

Durkin: "Well, here's one which was... example was given to me. A President of the Chicago Transit Authority would be barred from one year after leaving the CTA from going to work for the Federal Transit Administration. And it was also the... the example also was raised in committee a few days ago that Valerie Jarret would not be able to take a position within the White House if this... under this scenario. So, I mean, there's a variety of situations, but I... that's one in particular when you talk about the Transit Authority. Here... here, I'll give you an example. I mean, I think it's Terry Peterson, a few of the individuals who served as Chief of Staffs in the City of Chicago. They're in a position to make decisions on awarding of contracts. They have intergovernmental agreements with different agencies and one particular is the Chicago Transit Agency... Chicago Transit Authority. Right now they would not be able to take... go from... the city government to the CTA

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because of the interpretation of this law. So, that's what we're trying to, as I said clarify and also explain that this was never the intent of the 2009 law, which we believe is good, which prohibits individuals who do make those types of contracts from seeking employment with the recipient of those large contracts within a year after they've been awarded."

Davis, W.: "Okay. So, this doesn't... 'cause sometimes we see people resign from positions. Sometimes they resign under clouds. So, if they resign from a position, again, this doesn't prohibit them from just moving over to another agency, another opportunity. You mentioned Valerie Jarret, who was a... was at CTA. You said she would not be able to take a position at the White House or would she not be able to take a position with the Federal Transit Authority."

Durkin: "It was raised in... I mean, I'm not sure if that's... that was raised in the committee by one of the members of the CTA and they gave that example. I'm not sure if that is exactly the best example, but I'll use the example of individuals who served as Chief of Staffs for the Mayor of Chicago and there's been at least two or three of them, who subsequently were in a high position within Chicago government, who have taken position with the Chicago Transit Authority because they have the knowledge, and the backgrounds and the expertise to run..."

Davis, W.: "No, because they have friends and relationships as well."

Durkin: "Well, that's not what we're doing here.. "

Davis, W.: "Okay."

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Durkin: "...and Will, you know that and so..."

Davis, W.: "All right, all right. Well, thank you very much, Mr. Speaker. I encourage people to vote 'no' on this Bill. Thank you."

Speaker Lyons: "Representative Mulligan."

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

Speaker Lyons: "Sponsor yields."

Mulligan: "Representative, you don't have any idea but I would think that some of these employees are also African American that are at the CTA, aren't they?"

Durkin: "Sure."

Mulligan: "So, isn't this more a point of... you haven't set up a position that's going to earn you extra money. What you're doing is you're able to move to a position or someone can hire someone that has a quality background on something they're usually not the lower level positions where somebody's coming in that needs no experience. It's a position higher up where, in order to fulfill what the agency is doing in the most efficient manner and probably the most cheapest manner is to higher someone that has a background in that area to work there."

Durkin: "I could not have said it more eloquently than what you have stated, but that is correct."

Mulligan: "All right. So, what you're doing is you're just trying to clean up something in the Ethics Act. You know, I... I'm certainly concerned about ethics after what's happened here, but when we had so many different problems with ethics, we rushed to pass major ethics laws that were all encompassing and didn't carve out certain situations

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that would logically really not need to be covered under this."

Durkin: "Exactly. And that's what I mentioned earlier that sometimes when we pass Bills, we make... we make changes because there are unintended consequences from legislation we have done in the past, but this again, clarifies what the intent of the law was in 2009, that this was not intended to cover these types of situations, which interpretation has... based on the law that it is right now, that those... movement from one government position to the other would technically be barred under the Revolving Door statute. And that's not what we intended in 2009."

Mulligan: "Okay. So, if my memory serves me correct, didn't you serve on the board that was making judgment over what was ethical and... over certain... when we were impeaching a one of our former Governors?"

Durkin: "Yes, that's correct."

Mulligan: "So, you certainly listened to all of this and you have a legal background. And you serve in a law firm where you are smart enough to know what's the right thing to do and what isn't."

Durkin: "Well, you know, that's very kind of you to say that, but I mean, I've been around here long enough where I'm not going to associate myself with a dog piece of legislation. I think that this is a... I think this is fair, it's responsible and I think, again, this is a clarification of what would be the true... original intent of a Bill that we passed a few years ago, what it does."



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Mulligan: "All right. So, I think... I think we have a problem when we try to do something that is ethically correct to go with changing what... an ethics violation would be. The people are more worried about what one sentence in a Bill may mean for them, when they go to have a mail piece or something, instead of actually doing legislation that we're sent here to do and to be smart about how we do it, so that we preserve what our good positions in government that will save the public money because they hire people that are... know how to handle them."

Durkin: "Exactly. I mean, that's part of our job. We come down here to fix problems. We identify things that we passed years ago, and there have been situations which probably we did not envision, which we try to correct. That's what we're doing today."

Mulligan: "I support this Bill and I certainly give the Sponsor credit for trying to do something that appears to be a little more difficult than the run of the mill thing down here. So, I would urge an 'aye' vote. I think this is important for the people of Illinois in order to save money in certain positions and I'm sure that most governments in our area are very tuned into what's ethical and what's not at this point because of all the former lawsuits. So, I urge an 'aye' vote to support the Gover... the Gentleman's Bill."

Speaker Lyons: "Representative Riley."

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

Speaker Lyons: "Sponsor yields."

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Riley: "Representative Durkin, often what happens when these kind of Bills come up real quickly, we don't have a lot of information about them. Who are the... are there any opponents to this piece of legislation?"

Durkin: "At the committee level there was the Executive Officer of the Inspector General had concerns about the original Bill said it was too expansive 'cause it was applied to all levels of government. We narrowed it down to the transportation boards. Based on what his recommendation was, he is not opined about the Amendment. The original Bill, in its form, he did object to, but on the other side, I will say that the City of Chicago supports this RTA measure... transit boards. This similar... this legislation in the same form passed out of the Senate unanimously last Session. Not that that means a lot, but there was concern and I understand. I met with the Executive Inspector General. He relayed his concerns. We narrowed the scope of the legislation. I don't think that he's... he has not made a statement about what his position is on the Amendment, but we did amend the Bill to basically to... we adopted some of his concerns with... by narrowing the scope of the Bill."

Riley: "So, it's not like he changed it to no position at all, but you tried to accommodate his concerns."

Durkin: "Absolutely."

Riley: "Thank you."

Speaker Lyons: "Representative Durkin to close."

Durkin: "I would ask for an 'aye' vote. Thank you very much, Mr. Speaker."

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Speaker Lyons: "The question is, 'Should House Bill 358 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. Monique Davis, du Bujet... du Buclet. Mr. Clerk, take the record. On this Bill, there are 74 Member voting 'yes', 40 Members voting 'no', 0 voting 'present'. This Bill having received the Constitutional Majority, is hereby declared passed. Leader Lou Lang, on page 4 of the Calendar, you have, under Senate Bills-Second Reading Senate Bill 769. What's the status on that Bill, Mr. Clerk?"

Clerk Bolin: "Senate Bill 769, a Bill for an Act concerning public aid. The Bill was read for a second time on a previous day. Amendment #1 was adopted in committee. Floor Amendment #3, offered by Representative Lang, has been approved for consideration."

Speaker Lyons: "Leader Lang on Floor Amendment #3."

Lang: "Thank you. At this time, let me just move for adoption of the Amendment and explain the Bill on Third Reading."

Speaker Lyons: "Gentleman, makes the Motion for the adoption of Floor Amendment #3. All those in favor signify by saying 'yes'; those opposed say 'no'. In the opinion of the Chair, the 'ayes' have it. And Amendment #3 is adopted. Anything further, Mr. Clerk?"

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

Speaker Lyons: "Third Reading. Read the Bill."

Clerk Bolin: "Senate Bill 769, a Bill for an Act concerning public aid. Third Reading of this Senate Bill."

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Speaker Lyons: "Representative Lang."

Lang: "Thank you, Mr. Speaker, Ladies and Gentlemen. The Amendment became the Bill. This Bill concerns ambulance rates and Medicaid ambulance rates in Illinois have not been adjusted since 2006. Since then fuel costs and insurance and vehicle maintenance costs have increased substantially. What this Bill does is simply increase rates for ambulances, only for fuel and their mileage rate, nothing else, not the rest of their operations. I would ask your support."

Speaker Lyons: "Representative Roger Eddy."

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

Speaker Lyons: "Sponsor yields."

Eddy: "Representative, is... is there an estimated cost to enhancing these rates?"

Lang: "The cost to the state is \$2.3 million."

Eddy: "\$2.3 million. Is there any match for that?"

Lang: "The feds have... There's a match. So, it's 2.3 to the state and 2.3 to the feds."

Eddy: "Okay. How does this affect the budget that we passed? The line item that supports this that we passed earlier this year."

Lang: "So, Representative, it affects it in this way. We'll have to find the money someplace and while we have a very tight budget, as you know, there are many areas of the state that have trouble getting ambulance service. One of the reasons is that some of the ambulance services have gone out of business due to these fuel costs. When you haven't adjusted their rates for this period of time and

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the fuel and the maintenance and insurance cost continue to skyrocket, you're putting people out of business that's costing us jobs and more to the point, when we're talking about ambulance service, we're talking about less service available to people in communities such as your own."

Eddy: "I realize that issue and I guess, when we... when we did the very difficult negotiations in the spring related to the budget, I'm guessing these same pressures applied. So, I'm concerned that, when the budget was constructed, that this wasn't addressed and made a priority."

Lang: "Well, I would just simply say perhaps it should have been, but this is when it came to my attention. And you know... I know we have a very tight budget and I... it's easy to say it's only \$2.3 million, but this covers so many issues. It covers health care; it covers jobs. It... it certainly, in a... in sort of an indirect sense, affects economic development in certain regions of the state. We can't put people to work, they can't buy things. We can't keep them healthy, they can't work. So, it's a big circle, and while it's going to be hard to find \$2.3 million in a budget this tight, I think it's an important issue to address."

Eddy: "Does this come from within the budget for Human Services? There's not a supplemental appropriations Bill that's coming?"

Lang: "No, it is not in a supplemental appropriations Bill."

Eddy: "I mean, this is substantive, but there's not something coming that's going to find that money in addition."

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They're going to have to find this money within the current DHS allotment."

Lang: "It is entirely possible that in the future, if this Bill were to pass, we would find our way to adding this 2.3 million into a supplemental appropriation, but there is not... to be honest, there is not one before us today."

Eddy: "So, the immediate effect on the department would be that they would have to begin calculating the reimbursements based on this enhanced number and manage with the line item that currently exists for these types of services. And then, they would be short or the payment cycle would be increased by the amount of pressure that this would cause on the current budget."

Lang: "All of that is true, Representative, but let me say this. If we don't do something like this soon and more ambulance services go out of business, we're going to have substantially higher health care costs. As the people that don't get transported get sicker and sicker, we're going to have more health care costs in a different line item."

Eddy: "Okay. Thank you. I just asked a... a very... a question and got an obvious answer and I said is there concern with this and I was told the ambulance providers like this. Yeah, I would assume that's the case. I know we have other pressures in other areas and I don't disagree with what you're saying. I'm from a rural area. I've heard these concerns and as long as it's within the context of the current budget and we're not talking about reallocating money from other budgets or we're not talking about supplementals and were sticking with the agreement that

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we've made, I think that this should be a priority and we have to make those adjustments at some point. But we have to look at other areas similarly, I mean, we have the same issues related to transportation for schools that had... that was reduced. The diesel prices are up there, the costs are up but, but ambulances, I'm not trying to compare the two, we're talking about emergency services in rural areas and I understand why this needs to be done. Thank you, Representative."

Lang: "Thank you."

Speaker Lyons: "Representative Brady."

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

Speaker Lang: "Sponsor yields."

Brady: "Representative, where is that 2.3 million coming from again?"

Lang: "It comes from the department's budget. They would have to find it."

Brady: "So, they're going to have to find it internally with their budget. Correct? They have to find it within their budget."

Lang: "They will have to find it..."

Brady: "Okay."

Lang: "...within their budget."

Brady: "Before we raised the rates, which I'm not disputing don't need to be raised, wouldn't it be better if we paid the backlog of bills that we owe the ambulance service before we raise the rates of reimbursement?"

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Lang: "Well, the answer to that is perhaps, except this doesn't raise their entire rate. This just recognizes that there are additional fuel costs that, perhaps, we should be covering on a current basis. It's also true to say that... Representative Eddy suggested that there are other people we pay that have fuel increases. That is true. And perhaps the high cost of fuel should lead us to take a good look at all of these areas, but this Bill does not purport to do that at this time. Let me also add, that while the last adjustment for ambulances was in 2006 that was an adjustment downward. The last increase they had was in 2001, 10 years ago."

Brady: "So the adjustment that we're making, increasing the rates the rates only have to do with the reimbursement of their fuel cost?"

Lang: "Correct."

Brady: "Nothing... nothing to do with their transport charges of what they bill the state?"

Lang: "This Bill deals with fuel and mileage only."

Brady: "And this Bill has nothing to do with rates or reimbursements of public aid funerals. Is that correct?"

Lang: "It does not."

Brady: "Thank you very much."

Speaker Lyons: "Representative Dugan."

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

Speaker Lyons: "Sponsor yields."

Dugan: "Representative Lang, you and I had talked about this. I'm sure you're aware, I think you are and I think many in this chamber is, we are holding... a task force was set up,



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an EMS task force and we are holding hearings throughout the state talking directly to the EMS providers, not only in the northern part of the state but also in the southern rural part of the state. And we're doing that to look at all of the problems that exist because we know that there are concerns from the EMS in providing emergency care. That's why the task force was set up, passed by this House by Resolution and we are required to give a report to this chamber at the beginning of January. And so I would like to ask that you pull this from the record and allow us to finish what we're doing around the state. We still have meetings to hold and to get all the information that is needed by the EMS providers throughout the state and let us address this issue in a full picture. And I would like to ask you if you could do that?"

Lang: "Representative, I'm not prepared to pull the Bill from the record. And my view is that I support the work of your task force and yes, this may turn out to be a short-term emergency relief for these folks who need it desperately now. We have been losing these services all over Illinois, particularly in rural areas. And I think this is an emergency that needs to be dealt with today."

Dugan: "And... and with all due respect, Representative, do you believe that the reason that we're losing EMS services is because of this mileage reimbursement... I can just tell you from what we've been hearing that there're some other financial conditions that the mileage is certainly one part, but it certainly I... I don't believe personally is the main reason why a lot of our EMS providers are suffering."

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But in addition to that, I will speak now, if I can, as a Member of the Appropriations Committee for Human Services, which is where you say that the department will have to figure out how to come up with this \$2.3 million. And with all due respect to you, you certainly know that I respect your judgment but as a Member of that committee we have had to make some very hard decisions and cuts have been made all around this state because of the funding issue that we find ourselves in. And so, therefore, again, for DHS to have to take the money from somewhere else that we've already have caused a lot of pain this is not the time to add another \$2 million without thorough thought process through the Appropriations Committee, who continues to work to see how we can help those that need help. So, again, I'm going to ask you, I know your answer will probably be no, to pull this from the record so not only can the task force but also the Appropriations Committee, who are trying to address these issues can have the time to do that and we can certainly address this in the spring."

Lang: "Representative, I'm... I would be very happy to work in any way you wish with your task force on these issues, but this is relief that's needed today. Yes, you have a task force and yes, we just did a budget, which was very tight and this will force a department to find these dollars. On the other hand, this is a serious problem, one that threatens health care in certain parts of our state and I know you know that. And I don't think this can wait until the deliberations of the task force and a report and a spring Session where we're going through the items and

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trying to figure out which ones to pass and which ones not to pass and pretty soon it's May of 2012 and more people will have not received services and more people will have lost their jobs. And so, while I'm sympathetic to your comments, I think this is an important thing we must move forward today."

Dugan: "And... and I certainly appreciate that, Representative; however, it's not just the task force, it's the other parts of Human Services that have been cut that are also suffering. So, I... I stand in strong opposition to this Bill not to what we need to do for the EMS, but I do not believe that we can do it at this time. I think we needed to do it in a bigger picture and so I would request that my colleagues veto... vote 'no' on this Bill. Thank you."

Speaker Lyons: "Representative Rosemary Mulligan."

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

Speaker Lyons: "Sponsor yields."

Mulligan: "Representative Lang, many of my colleagues have asked that I get up and ask you to also to take this out of the record because of the task force. Isn't the Medicaid rate... or Medicare rate for ambulances also set by what the Federal Government frequently reimburses?"

Lang: "Yes."

Mulligan: "So, what difference does it make at the state level? It's not a pass-through. It would go on your insurance or it would go on your Medicare bill or your supplemental if you're a senior that requires an ambulance to come and get you?"

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Lang: "Today we only pay about 30 percent of the allowable Medicaid rate to these ambulances. So, we don't just... we have never taken 100 percent of what the Federal Government will allow us."

Mulligan: "And why is that?"

Lang: "Well, that's a longstanding policy that state government has undertaken and even with this Bill, we're not going to 100 percent of what we're allowed."

Mulligan: "The Medicare rate sometimes are used for other examples of how a rate should be set. So, if the Medicare rate is what a doctor is allowed to charged, the Medicare rate is what another entity in the health care profession is allowed to charge then sometimes that rolls over into the state and for awhile the... or the Medicare rate... the Medicare rates were higher than the state rates were. I don't know how it's going to be or how it's going to end up after we have the task force, but there are so many issues we're dealing with the task force that are difficult. Representative Feigenholtz and I, you know, when we... when we talk and we sit in that room and we go on and on because there's so many issues that we have no money for. So, much as I agree with you that they deserve more money and that we should pass through whatever Medicare would be, I don't think this is an appropriate time for you to do this. I think it's a better idea to let it... to ask for it to be incorporated in the negotiations that we're doing, which I'm sure if you talk to Representative Feigenholtz and the staff on your side of the aisle they would be happy to do that. So, instead of doing it as a separate Bill because

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then we will have everybody coming to us for separate rates, I think it would be a good idea for you and I would certainly entertain that as we're doing the committee negotiations to include that in parts of our discussion on the template that is pages and pages long of what should be changed. So, I really do think it's kind of inappropriate to pick out one area for a raise, when there are so many other areas and I know you're very well-meaning in this but perhaps you could remove it and ask Sara to put it in on the negotiations."

Lang: "Thank you."

Speaker Lyons: "Representative Zalewski."

Zalewski: "Mr. Speaker, to the Bill. I'm hearing a lot of concerns about the timing of this Bill and the concerns that, you know, in the broader scope of Human Services budget and what the task force is doing in the spring and I just want to speak to the concerns of the industry itself. We're dealing with an industry that is compelled to act under these instances of taking large mileage trips across different parts of the state and frankly, hasn't been treated well by the budget processes over the last decade. So, I understand the concerns that have been voiced by the Body today and they're certainly taken seriously by those of us who support the Bill, but this is an important Bill for an industry that is compelled to act in these instances. And I seriously encourage the Body to take a look at that and realize that this is a solution that helps businesses in Illinois and saves jobs and I ask for an 'aye' vote."

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Speaker Lyons: "Representative Moffitt."

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

Speaker Lyons: "Sponsor yields."

Moffitt: "Representative, is this an immediate effective date, for the record?"

Lang: "Yes, Sir."

Moffitt: "So, how many votes do we... have we declared how many votes this will take? Would be 71?"

Speaker Lyons: "71."

Moffitt: "Representative, there's no question I agree with what you're trying to do. My concern is the timing and if we take money that is not there what... something is going to have to be reduced. Any thought of what the change will be? What will be reduced if... if additional money is provided here?"

Lang: "Are you asking me where I think we should cut to get this \$2 million?"

Moffitt: "Yeah. Do you... have you had any discussion on that?"

Lang: "No, I have not."

Moffitt: "So, you have no idea where it might come from?"

Lang: "No. But Representative, let me suggest to you that the State of Illinois, and I think all the Members should listen the State of Illinois spends roughly \$28 million a day, every single day on Medicaid expenses. This is \$2 million for the year. So, I think that speaks volumes."

Moffitt: "Representative, Representative Dugan did an outstanding job of outlining some positions of where we're at. And let... let there be no question that I agree that this is one of the areas we need more funding, but as we've

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held these hearings and we've held a number of them around the state and we're going to have about 20 altogether, they've identified some other areas of concern too, in terms of EMS and I just... I would like to vote for this, but I think not knowing what it's going to take away from and knowing that, you know, we have these EMS hearing. We're going to hear from providers from around the state that would just... having this vote later would be better, to actually pull it out of the record would be ideal. I'm for the intent but we need to look at the total picture not just piecemeal it. So, therefore, I would second Representative Dugan's request that you consider pulling it out."

Lang: "The reason I'm not prepared to do that at this time, Representative, is that if we wait for the task force, it will be next May before we get a Bill out of both chambers and probably next August before the Governor signs a Bill even if we all agree to what it ought to look like. By next August I don't know what the rural health care will look like in Illinois and I don't think you do either and I don't think we should be prepared to take that risk."

Moffitt: "Well, I thank you for your comments. I agree with the intent, but I will not be able to support doing it at this time. Thank you."

Speaker Lyons: "Representative Schmitz."

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

Speaker Lyons: "Sponsor yields."

Schmitz: "Leader Lang, I have a quick question for you. And there's currently managed care companies out there that

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have existing contracts and they base their contracts based on the rates that already in statute. Would you be willing to run trailer language to exempt those manage care companies from... until their contracts would expire and they could renegotiate the new ones?"

Lang: "In fact, they proposed an Amendment to me that we're not going to do at this time, but I indicated to them that were this Bill to pass, I'd be more than happy to sit down and talk about that issue with them. I think they've raised an interesting point and I think it's one we ought to talk about. So, I've committed that I will continue to have conversations with them about that issue."

Schmitz: "Okay. Thank you, Leader."

Speaker Lyons: "Representative Watson."

Watson: "Thank you, Mr. Speaker. To the Bill. Ladies and Gentlemen we are... we are going through a process now where we're looking at closing five facilities. We're looking at putting mental health patients in... in who knows where and moving deep developmentally dis... disabled individuals into group homes whether it works or not, whether we have the rooms or not, whether we have the beds or not. To add five addition... an additional \$5 million burden to this budget just doesn't make sense. And I urge a 'no' vote."

Speaker Lyons: "Leader Lang to close."

Lang: "Thank you, Mr. Speaker. Ladies and Gentlemen, first, let me respond to the prior speaker. This is not a \$5 million hit; it's a \$2 million hit. And I'm not suggesting that \$2 million is not a significant amount of money, particularly in the tight budget we have, but this is a



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serious issue. It's an issue that's gone on for too long. These ambulance drivers... these ambulance providers have not had an increase since 2001. 2001, when the price of gas was much less than it is today. The price of insurance is much less than it is today. The price of maintenance, much less than it is today. Now, I know we can make this argument about tons of vendors that deal with the State of Illinois, but this is a very sensitive area. This deals with health care and for those of you in downstate Illinois it has particularly a lot of impact and significance when we talk about rural healthcare. You all know that it's hard to find an ambulance now. These companies have been going out of business and if we don't keep them in business, we're going to have more expenses as people continue to get sicker and we... they end up in emergency rooms anyway, however they get there, but they're sicker and it's going to cost us more money. Not doing this will make Illinois less healthy, not doing this will cost Illinois jobs and this is something that must be done now. In a state where we spend... we have Medicaid expenses in the area of \$28 million a day; \$28 million a day, \$2 million to keep the ambulance services afloat does not seem to be too big a price to pay. I would urge your 'aye' votes."

Speaker Lyons: "The question is, 'Should Senate Bill 769 pass?' All those in favor signify by voting 'yes'; those opposed vote 'no'. The voting is open. This will require 71 votes. Have all voted who wish? Have all voted who wish? Representative Colvin, Davis, Yarbrough. Davis, Yarbrough. Mr. Clerk, take the record. You came close Lou, you came

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awfully darn close. 18 Members voting 'yes', 96 Members voting 'no', 1 Member voting 'present'. The Bill fails. Referring back to the Order of Postponed Consideration, Representative Harris had Senate Bill 50. Representative Harris on Senate Bill 50."

Harris, G.: "Thank you, Mr. Speaker and Members of the Body. First off, let me apologize for the confusion I may have caused when I did not introduce this Bill previously by saying that the Amendment replaces the underlying Bill. So, the Amendment replaces the underlying Bill and it does those things which we discussed earlier. I would appreciate your 'aye' vote."

Speaker Lyons: "Further discussion? The Chair recognizes Gentleman from Crawford, Representative Roger Eddy."

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

Speaker Lyons: "Sponsor yields."

Eddy: "Yeah. More specifically, Representative Harris, I think it's important for those to understand that that change resulted in the removal of the opposition of the Retail Merchants, specifically. So, they are no longer opposed to your Bill."

Harris, G.: "The Retail Merchants Association is very much in support of this legislation."

Eddy: "I... that's what I... in fact they are no longer opposed, they are actually an advocate and would like to see this pass."

Harris, G.: "The Retail Merchants Association are active advocates of this piece of legislation."

Eddy: "Okay. Thank you for that clarification."

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Harris, G.: "And I apologize for the confusion I may have caused."

Eddy: "Thank you."

Speaker Lyons: "Representative Al Riley."

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

Speaker Lyons: "Sponsor yields."

Riley: "Representative Harris, just for clarity sake. This Amendment deals with the relaxation of the 100-foot rule. Am I correct?"

Harris, G.: "No, it just provides certain limited exceptions only in specific locations and no place else."

Riley: "Okay. So, the stated six locations..."

Harris, G.: "And it will not apply anywhere else in the State of Illinois or the City of Chicago."

Riley: "Thank you."

Speaker Lyons: "You've heard the Gentleman's explanation. Representative Harris to close."

Harris, G.: "Thank you, Ladies and Gentlemen. I would appreciate your 'aye' vote."

Speaker Lyons: "The question is, 'Should Senate Bill 50 pass?' All those in favor vote 'yes'; all those opposed vote 'no'. This Bill requires 71 votes. 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. Jerry Mitchell? Take the record. On this Bill, there are 76 Members voting 'yes', 35 voting 'no', 3 voting 'present'. This Bill, having received the Constitutional Majority, is hereby declared passed. On page 7 of the Calendar,

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Representative Cassidy, you have Senate Bill 1701. What's the status of that Bill, Mr. Clerk?"

Clerk Bolin: "Senate Bill 1701 is on the Order of Consideration Postponed."

Speaker Lyons: "Representative, I believe there's a Floor Amendment. Do you wish to take that back to the Order of Second Reading for the purpose of the Amendment?"

Cassidy: "Yes, I do."

Speaker Lyons: "Mr. Clerk, take that Bill back to the Order of Second Reading and what's the status on the Amendments?"

Clerk Bolin: "Senate Bill 1701, a Bill for an Act concerning criminal law, which may be referred to as the Emergency Medical Services Access Law. The Bill was read a second time on a previous day. No Committee Amendments. Floor Amendment #1, offered by Representative Cassidy, has been approved for consideration."

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

Cassidy: "I would ask that this technical Amendment be adopted. Then we can speak to the Bill."

Speaker Lyons: "Lady moves for the adoption of Floor 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 Floor Amendment #1 is adopted. Anything further, Mr. Clerk?"

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

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

Clerk Bolin: "Senate Bill 1701 has been read a third time, previously."

Speaker Lyons: "Representative Cassidy."

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Cassidy: "Thank you, Mr. Speaker. I want to thank Representative Howard who carried this Bill for the past several years. Also, Representative Ann Williams, who was the initial Sponsor in this chamber and Senators Millner and Silverstein who led this Bill to a unanimous vote in the Senate. The Emergency Medical Services Access Act very simply addresses a growing problem of accidental drug overdoses. They're way too high in every area of the state and among people of every race and ethnicity. Too often friends and family are present when someone overdoses, but they're afraid to call 911 to save a life because they fear being arrested for drug possession. In almost every case, the life of someone who overdoses can be saved with fast medical assistance but too many people are dumped in alleys or left alone to die, when they overdose. The law, as it exists in Illinois, causes fear and leads to needless deaths. It's time we changed that law. This is a public health issue. Illinois is one of the 16... of 16 states that have a higher fatality rate from drug overdose than car accidents. There have been alarming increases in overdoses in the Cook County suburbs, particularly from heroin. Overdose deaths doubled in Lake and Will and went up a 150 percent in McHenry County. This Bill is supported by the Cook, DuPage, and Lake Departments of Public Health, the Illinois Nurses Association, and the Illinois Public Health Association. Some of you may have met retired Captain John Roberts of the Chicago Police Department, who is down here many times this Session to support this Bill. His teenage son Billy, after struggling with heroin addiction, died of

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a drug overdose two years ago. John speaks passionately of the pain Billy's addiction caused the family. He said he supports this Bill because it might have given Billy the chance to stay alive one more day and get one more chance at recovery. There have been 152 heroin overdose deaths in DuPage County since 2006, 21 heroin overdose deaths in Will County so far this year. Eight hundred people die a year of all overdoses in Cook County and about 350 die of heroin overdoses. The EMS Access Act will help police do their jobs better. The person who overdosed will still be alive. Police can ask where he or she obtained the drugs and follow up on that lead. You cannot get information from a corpse, you cannot convince a corpse to enter treatment. We've made significant changes in the Bill from last year to address law enforcement concerns. The amount of drug an individual can possess and be protected from arrest or prosecution with has been reduced by 80 percent. The Bill does not interfere with law enforcement's ability to arrest and prosecute a criminal for sale or delivery of drugs a drug-induced homicide or any other crime. Serious criminals will not escape prosecution, but someone's son or daughter might have a chance to stay alive. Immunity will not be offered if law enforcement has reasonable suspicion or probable cause to detain, arrest, or search for criminal activity. I ask for your support."

Speaker Lyons: "Lady moves for the passage of Senate Bill 1701. Is there any discussion? The Chair recognizes the lady from DuPage, Representative Patti Bellock."

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Bellock: "Thank you very much, Mr. Speaker. This is to the Bill. I just rise in support of Representative Cassidy's Bill because this issue is huge. Not only in my county of which over the last five years, we have had 152 deaths of overdoses from heroin. Most people, if you ask in the counties, they don't realize what a huge, huge issue this is. If we knew that in five years we had that many teenagers die from a disease, we would be all over it with Public Health but this issue has not been addressed and even though a lot of people this... think this Bill is soft on crime, this Bill is about saving children's lives. We've had two town hall meetings in the last two years regarding substance abuse but especially heroin and the people that come to those meetings are the families of children and they say there were six or seven kids around their children when they overdosed, but everybody was afraid to take them to an emergency room or take them to a hospital and they allowed them to die. I'm asking you, we are now known in the Chicago suburbs as the heroin capital of the United States. This is a heroin explosion. This Bill addresses more than that, but I'm just speaking of that one issue alone because the majority of Illinoisans and the majority of suburbanites in Kendall, McHenry, Cook, and DuPage County do not understand that there is a heroin explosion out there. One of the streets in our area is called the Street of Dreams or the Heroin Highway. Twenty-six children in our county died of overdoses last year alone, 21 died in Kendall County alone last year. I'm asking you to take a look at this Bill and see. The Senate

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passed it unanimously; this is about saving young peoples' lives. One try of heroin because it is so potent, so pure, so cheap, cheaper than a six pack of beer that kids can die with an overdose on their first time in taking it. And if someone can save their lives by this Bill passing it today, it is certainly worthwhile. Thank you."

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

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

Speaker Lyons: "Sponsor yields."

Reboletti: "Representative, what did your Amendment do?"

Cassidy: "The Amendment removed the effective date."

Reboletti: "What will the effective date be?"

Cassidy: "It's June of 2012."

Reboletti: "This Bill hasn't changed since the last time we debated this at the end of Session, right?"

Cassidy: "Other than the change in the effective date, no."

Reboletti: "So, what happens... how do these people who overdose, who are flat-lined, that are resuscitated, what steps does this Bill do to get them treatment?"

Cassidy: "It keeps them alive."

Reboletti: "What steps does it take to get them treatment?"

Cassidy: "It keeps them alive."

Reboletti: "No, it takes zero steps to get them treatment; that's the problem with the Bill. To the Bill. I have to take some umbrage with the fact they call this the Emergency Medical Assistance Act. I was a narcotics prosecutor in Will County for four of my eight years. I've watched people overdose. I've spent numerous hours in drug



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court dealing with these cases. I've prosecuted and dealt with the delivery of these substances, with the drug-induced homicide cases and that's where the problem comes, is when family or friends won't call 911 'cause they're more worried about themselves than they are worried about their friend who is now overdosing. When we talked about this last time, all I've ever ask for in this Bill is supported with the require the person to get treatment, so that prosecution would be deferred. I don't understand what that problem is. Why won't anybody do that? I don't understand why we can't amend the Bill and you could probably pass it with a hundred votes, but no, we don't want to do it because it's too difficult to market to people who may have to use the service. If you are overdosing and flatlining you sure as damn well need to get treatment. This Bill does absolutely nothing but move that person once their better they're going to go right back on the street. They're going to go right back to using. They're going to go right back to committing property crimes because they have to support their habit. So, this Bill does not take that step. Well, I can appreciate you can't get information from a corpse. There's nothing in this Bill that compels somebody who's overdosed to give any information to law enforcement to tell them where they got the dope from. There's absolutely nothing in here that says that. So, I would, again, ask this Body to vote 'no'. There are other opportunities for us to deal with this issue and the fact of the matter is, since I've been here I've brought a Bill about requiring mandatory prison for

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heroin dealers who sell over three grams of heroin to somebody and the Bill has almost failed one time. It gets killed in the Senate all the time and those people are poisoning these exact people but that Bill always gets 45 'no' votes, 35 'no' votes, it goes over there to die. Why? We don't want to put people who poison the communities in prison. The same people who are giving these people 90 percent pure heroin or it has some type of other substance in it that can cause almost instantaneous death. I understand the purpose of the Bill; I've worked with the advocates on this Bill. I've worked with Captain Roberts on the Bill. I've talked to him about this. When you look at how many grams of heroin this deals with, it's three grams. That's thirty hits of heroin. That's a lot of heroin. Same with cocaine, that's over an eight-ball of cocaine. Then if you move to amphetamines your at... I don't know probably a couple hundred pills that you could get by with if you call. So, I think at the end of the day, is that this Bill can be reworked, it can be better, all you have to do is require treatment. Most of the time these cases are deferred anyway and that option is given to people. But, if we don't do any... if we don't offer some type of level of treatment, the same thing is going to happen. The same people are going to overdose and then we're going to have the same problem. But all we know is that the person, at least that person who called, won't be charged with a Class IV Felony. The other thing this Bill does not do, it doesn't remove charges for a Class A Misdemeanor so if there is a syringe there or plastic baggies there, they can

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be arrested for the Class A Misdemeanor. How are we going to market this then? So, it does... it's not a perfect Bill; it could be made better. And I would urge this Body, again, to vote 'no'."

Speaker Lyons: "Representative McCarthy."

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

Speaker Lyons: "Sponsor yields."

McCarthy: "Representative, in our discussions and in my discussions with the Illinois Chief of Police, who have, you know, issued some concern over this, we talked about limiting from three grams, that were just referenced there, down to one gram and a follow up Bill like in spring and you... Would you commit to a authoring that Bill at this point to make the heroin down from three grams down to one?"

Cassidy: "Absolutely."

McCarthy: "Thank you. Thank you for your..."

Cassidy: "Thank you."

McCarthy: "...consideration."

Speaker Lyons: "Representative Mary Flowers."

Flowers: "Thank you, Mr. Speaker and Ladies and Gentlemen of the House. To the Bill. I applaud the Lady for bringing forth this type of legislation because what she's trying to do here... she's trying to save our children's lives. Unfortunately, our children are not the ones that bring in the cocaine into our community, because cocaine is not grown here in the State of Illinois or the City of Chicago or the suburbs or any other part or the United States. So, somehow the cocaine gets here and these other drugs our

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children are not responsible for bringing these drugs in our communities. So, who are the adults? Where are the planes, the boats, and the trains, that's bringing these drugs. And hurting our community? A lot of parents are not aware, they are not aware that there's a war going on in their community because they went to sleep last night. They put their loving sons and daughters to sleep and they woke up and they sent them to school and that is where they came in contact with these different types of drugs. And the problem has been, in this country, we have been so busy wanting to lock them up. The reason why, Representative, as far as a treatment is concerned, there is no money for treatment. The reason why there's no money for treatment because we want to take the keys and lock them up lock them up. And that's not treatment either. That's not what we should be doing. We should be educating our children; we should be trying to prevent them from coming in contact with this type of drug and the only way that we can do that is to put more money into education and less into incarceration and until such time that is done, we will always have the problems that we're having. But, in the meantime if there's one thing that we could do to save a child's life, not to make it punitive for a friend to know that someone else has overdosed and to be afraid to save their lives for fear that they will be prosecuted for trying to save someone's life. This Bill will address that problem and I urge an 'aye' vote. Thank you."

Speaker Lyons: "Representative Roger Eddy. Representative Durkin."

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Durkin: "Thank you, Mr. Speaker. To the Bill. I... my friend from just a little bit west of me, from DuPage, we have similar backgrounds. I was a prosecutor in Cook County, spent two years in the narcotics unit. I've been involved in every imaginable type of narcotics case investigation and prosecution, small amounts to massive amounts of kilos. I've read through this Bill time and time again and I'm supporting it because I do not believe this is a get out of jail free card. This does not prohibit law enforcement from conducting their investigation against individuals who are possessing with the intent to distribute or people who are dealing in narcotics. And I will say that he also makes a good point about treatment. That's why I have already instructed my staff... If this Bill passes, I'm going to introduce a Bill subsequently next Session which is going to require treatment as a trailer to this legislation but as a parent I also know that there is a spike in the overdoses of young children, kids throughout the State of Illinois and I would like to see if we can keep that one horrible phone call from coming to another parent. So, I'm supporting the Bill. I don't consider myself soft on crime as a matter of fact, it's just been the opposite, my background shows that. But I believe that this is a responsible Bill. It took me some time to get my arms around it, but I believe it's the right thing to do. So, as I said earlier, my commitment if we pass this Bill, I will follow up with a Bill which is going to require treatment, as my friend had... referenced earlier and we'll

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solve the problem, but I think we should vote 'yes' for this Bill and let's move it to the next chamber."

Speaker Lyons: "We have two final speakers and then Representative Cassidy to close. Representative Mulligan and then Representative Williams. Representative Rosemary Mulligan."

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

Speaker Lyons: "Sponsor yields."

Mulligan: "Representative Cassidy, you're a former state's attorney, aren't you?"

Cassidy: "I'm not an attorney but I was employed at the State's Attorneys Office, yes."

Mulligan: "Okay. The only thing I would add to this and I suppose I could talk to Representative Durkin about this is under law that I passed with emergency contraceptives there was a follow up that you had to do, so that people would know where you would go or what you would do. I would add something to this Bill or say that... and... and from my understanding in looking at your Bill it's only very small amounts. We're not looking at drug dealers here; we're looking at overdosed kids who could die that the hospitals or wherever they go, should have some pamphlet or something that they give to them that tells them where they go to get some help. It would be nice if they would let the parents or somebody else know to make sure that the kid gets there. All I would imagine if you're admitted to an emergency room and you're going to be charged that's probably where they're going next. So, I would think that some kind of a pamphlet or information that informs them where they should

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go for help and try and see if they get a follow up would be good for this, but I agree with your Bill because there's no point in letting somebody die because kids don't know what to do because they're afraid to let somebody know that this is actually happening to a friend of theirs. And you would hate to have it happen in your house or you know, my grandchildren will pretty soon will start being that age and I'll start worrying about them, so I support your Bill. But I think there should be some follow up at wherever they're going that informs them where they can go for treatment."

Speaker Lyons: "Representative Williams no longer seeks recognition, so Representative Cassidy to close."

Cassidy: "Thank you. I want to remind the Members of this Body that this Bill passed the Senate unanimously. I... I urge a 'yes' vote. Thank you."

Speaker Lyons: "This Bill will require 60 votes for passage. All those in its 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? Acevedo, Arroyo, Bost, Colvin, Currie. Mr. Clerk, take the record. On this Bill, there are 61 Member voting 'yes', 53 Members voting 'no', 0 voting 'present'. This Bill, having received the Constitutional Majority, is hereby declared passed. Representative Frank Mautino on... Representative Dugan, do you... put your light on quickly. I recognize you for a point of personal privilege."

Dugan: "Yes, point of personal privilege. I just want to again remind my colleagues that the Illinois Fire Services

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Association is having their legislative summit on November 2, in Schaumburg and there is lunch at 11:30. We would encourage everyone to go and if you have any questions you can contact Representative Moffitt or my office. Thank you very much, Speaker."

Speaker Lyons: "Representative Mautino, on page 3 of the Calendar, under House Bill-Second Readings, you have House Bill 3828. What's the status of that Bill, Mr. Clerk?"

Clerk Bolin: "House Bill 3828, a Bill for an Act concerning education. The Bill was read for a second time on a previous day. Amendment #1 was adopted in committee. Floor Amendment #2, offered by Representative Mautino, has been approved for consideration."

Speaker Lyons: "Leader Frank Mautino on Floor Amendment #2."

Mautino: "Thank you, Speaker and I ask for the adoption of House Amendment #2. This Amendment becomes the Bill. It makes the same changes as House Amendment #1, it also adds the county clerks and recorders to be paid from the Personal Property Replacement Fund. The Bill is designed and I know that many of you have talked to me and I look forward to this continued discussion with you, but it deals with the Regional Office of the Superintendent of Schools. It was our intention and through our budget process that these elected officials' offices be funded. That item was reduced, basically \$12 million were... in the line items for both their operations and their... and their salaries were reduced to zero. Which has created, basically, an embarrassing situation for the State of Illinois and for all of us, that we have to recognize and that we have to



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deal with. The impact on the Personal Property Replacement Tax is about a tenth of one percent. So we're talking about between... between this Bill that amount of money from the aggregate. So, it does have a local impact and you need to understand that. The problem we're trying to correct is the Regional Superintendent of Schools, who certify our teachers, who do the safety checks, who validate our buildings, who do many of the functions that the school will then have to take over and do, have been serving without pay since June 1 and for that is a situation that if we allow it to go on, we should all be ashamed. In light of what's happened we have had for our area schools a number of resignations of assistants, of Regional Superintendent of Schools and you really can't blame them their families still have to eat. They were elected to do a position and what I propose to you is not a... a panacea, but it is a answer to a problem that is in all of our districts. City of Chicago does not have an ROE but those functions are done by tax dollars through the State Board of Education. So, their teachers are certified. So, their inspections are done, so the buildings are signed off of. The Bill has parity in there, where the local shares for upstate, for downstate would come from the PPRT. I think you've been talked to extensively by the people within your communities. It's a vital function, it is a embarrassing situation which exists because of a budget reduction. If we want to have the discussion about whether there should be ROEs, then it should be done in this Body. We should look at... there's a need to consolidate, whatever

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those changes are but you don't, you don't take an elected position with a responsibility to open your schools. A school building can't open without the signature of this office. You don't say go to work every day but we can't pay you, nor can we... but we still expect this job to be done. And oddly enough without a change in the statutes there's no one else to do these positions. Now we say the county can appoint someone to fill these spots. Sure they can. No one is taking this spots because it doesn't have a salary attached. I have great respect for this Body. I know that you all understand and everyone is saying, too bad, you know I'm really sorry, wringing my hands, I wish we could do something. As a Member of this Body I have the ability and the right to bring forward a solution to a problem and that's what we intend to do with this Bill. If we want to deal with this in the appropriations process as we go on next year and try and figure out what the ongoing role will be, we should do that, but it is unconscionable to allow what is currently happening to continue and shame on us if we take no action. So, I ask for your assistance. There is an impact locally, I... absolutely. Some of my cities may lose \$500; I have one city that loses a dollar the way PPRT is spread. That's a formula discussion and we can have that too. Today I ask for your support to move this Bill to the Senate to continue working on it, to take people who have been working without pay, some of which who are now currently on Public Aid because we don't allow them under the statutes to hold another job. Those issues... I bring this to the proper venue, which is this floor for

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discussion on a Bill, which is within the right of any Member to do. So, today I ask for your help. I'd be happy to answer any questions."

Speaker Lyons: "Ladies and Gentlemen, with their lights on for purposes of moving this along, can I put this to Third Reading and then you can ask your questions, is that okay? Representative Franks, and Ramey, and Kay you have your lights on. If you could just wait 'til we put it on Third Reading and then go to questions. So, all those in favor of move... of Floor Amendment #2 signify by saying 'yes'; those opposed say 'no'. In the opinion of the Chair, the 'ayes' have it. And Floor Amendment #2 is adopted. Anything further, Mr. Clerk?"

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

Speaker Lyons: "Third Reading. And read the Bill."

Clerk Bolin: "House Bill 3828, a Bill for an Act concerning education. Third Reading of this House Bill."

Speaker Lyons: "All right. So, Frank, I think you did a thorough explanation on the Bill. And now, we'll take questions. Representative... Representative Jack Franks."

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

Mautino: "Yes."

Speaker Lyons: "Sponsor yields."

Franks: "Representative, how many Regional Office of Education are there throughout the State of Illinois?"

Mautino: "Forty-four."

Franks: "Okay. And the budget amount that was in was approximately \$9 million?"

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Mautino: "\$9 million... 9.1 million plus an operational line of 2.5."

Franks: "And now this Bill would seek to move that to the locals and it would be a little bit higher the line that they'd have to pay around \$10 million?"

Mautino: "Yes... 10.1. Excuse me, 10.8. I stand corrected, 10.8."

Franks: "So, it'd be a 20 percent increase for the locals to have to pick that up. From 9.1 to 10.8 would be about 20 percent. Trust me..."

Mautino: "Yeah. No, no..."

Franks: "...I know numbers..."

Mautino: "...I got it."

Franks: "Now, is this an initiative of the Governor?"

Mautino: "This is an initiative of... me."

Franks: "Our analysis indicates that it's the Governor's initiative."

Mautino: "Now, there was a... the Governor wanted to move the ROEs to PPRT and that is a discussion that should have been had in the course of our Legislative Body. It should have been taken to committee; it should have been debated. This has been handled poorly; it has been handled wrongly. It has created an injustice, so in looking at what my options are, I can't call an override on a Bill I'm not the Sponsor of. What I can do is introduce legislation which will have a one-tenth of one percent impact but can create some stability while we move on to try and solve the problem. So, this was my initiative."

Franks: "Okay. I... I appreciate that explanation, but it was the Governor's idea that... though you had put it in a Bill

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form, to have the locals pay for the Regional Office of Education. 'Cause it is your initiative because you understandably couldn't override a Veto with a Bill you didn't control. Correct?"

Mautino: "Absolutely. It is... "

Franks: "Okay."

Mautino: "...it's my initiative or my way to say we can and should pay these people. And if we want to come back and abolish the office, let's do that in the proper venue. If we want to change it, do it in the proper venue. Do not let them take office, serve without pay when they have statutory functions."

Franks: "Has... that leads to my next question. It was the Governor's position that these Regional Office of Education be abolished completely. Is that correct?"

Mautino: "That I don't know. I think if I recall what I said in the papers, he thought it was more of a local function but he did not call for the abolition, he wanted it transferred."

Franks: "Okay."

Mautino: "But that is my recollection from the media as opposed to my answer to today's specific problem."

Franks: "I'm going to speak to the Bill briefly, if I may Mr. Speaker and I appreciate my... "

Speaker Lyons: "To the Bill."

Franks: "...my friend and what he's trying to do. I think we're putting the cart before the horse here. I think what we're missing when we're talking about replacing moneys and shifting burdens, before we should even get to that

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discussion, we need to ask the threshold question of whether we need the Regional Office of Education and let's assume that we do. For the sake of argument, let's assume that we do need them. Do we need 44 of them? Could it be a situation where we could have consolidation and perhaps make seven Regional Office of Education around the State of Illinois or maybe 10, whatever it might be, but to just kick the can down the road without any analysis of a) whether the office should remain and b) if we determine they should, in what context they should remain and simply instead throw more money at a problem is not fiscally responsible. We are in an incredible crisis here in the State of Illinois. We haven't paid our bills, we all know this. We've voted for tax increases here, unfortunately and folks are feeling the pinch and before we shift burdens or obligate additional tax dollars to be spent, that we should at least do the threshold questions that have not been answered. And as a result, I stand in opposition of this Bill and ask for a 'no' vote."

Speaker Lyons: "Gentleman from DuPage, Representative Randy Ramey."

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

Speaker Lyons: "Sponsor yields."

Ramey: "Representative... Is he ready?"

Mautino: "Hey, Randy. Okay."

Ramey: "All right. Let's, go. All right. Did we pass a budget earlier this year that appropriated the funds to pay for these offices?"

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Mautino: "Yes, we did. We passed with full funding for 44 ROEs plus their operational costs, as well, a portion of the line which we pay."

Ramey: "Correct. So, it was the Governor's move to veto that line, correct?"

Mautino: "Yes, it was."

Ramey: "Have we overridden that Veto yet."

Mautino: "No."

Ramey: "Why not?"

Mautino: "Because I don't control that Bill as far as... If it was in my name we might have a different discussion today but as a Member and understanding through 20 years that I've waited to try and pressure different people to do different things, I find it better to put an option forward."

Ramey: "And I... and I don't disagree with you, Representative. And... but by statute, though, we are required to make the payment that's why we put it in the budget."

Mautino: "And you bring up a very, very good question because that was a subject of the court case on this. Where the court has said that they can't determine the intent of the General Assembly because there's a Veto Session to go."

Ramey: "Right."

Mautino: "...and the General Assembly should act. This is my response to that."

Ramey: "Well and... and I appreciate having a response. And I don't think it's the correct response and that's why I'm standing against this Bill. To the Bill, Mr. Speaker. Ladies and Gentlemen, as the previous speaker said, you

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know, we have options out there, if we want to consolidate, we want to do other things and as... as the Sponsor has also said, you know, this chamber should be addressing the issue. The Governor shouldn't have vetoed that just outright and say we're not going to pay people who, by statute, we are supposed to be supporting. So, I would ask for a 'no' vote. And I think the other problem is, is that if we offer up this type of legislation, where we push it back to the locals to pay for it, that's another slippery slope that we may be going down. That would... we keep pushing off our bills, our responsibilities on to the locals, which then raises property taxes and applies more burden on to our... our constituents. So I ask for a 'no' vote."

Speaker Lyons: "Representative Mike Tryon."

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

Speaker Lyons: "Sponsor yields."

Tryon: "Representative Mautino would you... "

Mautino: "Yes."

Tryon: "...I mean, you know, we're getting a lot of concern from every unit of government that receives part of this money and you know, we made this adjustment for county stipends and now we're looking at this as a revenue source for... for regional superintendents. And you know, regional superintendents are inherently important to education and county stipends are inherently important to county government. And I'm wondering if perhaps maybe the better way to do it is to take these funds out of the county government share to and take this amount out of the school



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share and not just off of the top. Was there any... was there any discussion about that?"

Mautino: "In bringing this forward I thought that the fairest way to get the... the lowest impact on any taxing body was to do it from the aggregate amounts on there. So, it would be a broader base but a much narrower, narrower impact. I have... you know, the Village of Mark or the Village of Risk is going to receive \$5 less than they did last year. The fire protection district will receive \$1.92 less than they did last year. My city of Peru will receive about \$4 thousand less than it did last year, but the impact is less... lower there than if we concentrated amongst those two and in order to get from this crisis that's why I chose what I chose."

Tryon: "Okay. No further questions."

Speaker Lyons: "Representative Renée Kosel."

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

Speaker Lyons: "Sponsor yields."

Kosel: "Thank you. In your opening remarks you said that this ought to be dealt with in the appropriation process. Would you agree that this year we had a very unique appropriation process that you or I had not gone through in a very long time, where we sat together and actually worked out a budget."

Mautino: "Yes. And the first time in 20 years I've seen it work that way and it was a good thing."

Kosel: "It was wonderful. And during those negotiations in the Education Appropriations Committee we spent quite a bit of time on the ROEs talking about exactly what should be done

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and how they should be paid. So, when you say that we need to deal with this on the appropriations level, we have dealt with that. We have made a statement saying that the ROE should be paid out of the education appropriation and I believe that that should stand. I understand that... that for your communities this is not significant, for my communities it is. Thank you."

Mautino: "And I..."

Speaker Lyons: "Representative David Harris."

Mautino: "...I do need to corr..."

Speaker Lyons: "Go ahead. Representative Mautino, go ahead."

Mautino: "I do need to correct the record, which I just talked with our lead staff or our lead budget staff. The function of the PPRT is going up and it is increasing. And will have on additional \$200 million in it than it had last year, is what they're expecting. So, each of these units of local government, even with this, will receive more money than they did the previous year but it will be a little bit less than the increase they would receive, I think is the proper way to say it. So, I wanted to clarify when I made the remarks about the Village of Ladd and the fire protection district. The amount they receive is still going to be more money due to the increase in the PPRT, that is increasing, it's gone up by 200 million. So, it lessens the amount of increase. So, I misspoke; I wanted to correct the record. So, you understand, each of the 6,252 taxing bodies that are impacted under this Bill will be receiving additional dollars but you're looking at a tenth of a percent less... less than one percent."

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Speaker Lyons: "David Harris."

Harris: "Thank you, Mr. Speaker. And to the Bill. Ladies and Gentlemen of the House, my opinion is that we did an outstanding job when we passed the budget this past year. For some reason, the Governor decided that he was not going to... he did not go along with our decision to fund the Regional Superintendent of Education offices. I personally think he was wrong ,but the Sponsor of this Bill is correct. He wasn't the Sponsor of the appropriations Bill, so he doesn't have the opportunity to make the Motion to override the Governor's Veto. You know, I come from suburban Cook, we don't have a regional office there, but we do have intermediate service centers which are funded from this line. The principle here is quite big. I mean, the principle is we had the PPRT, which is supposed to be distributed to the local units of government, the municipalities and local units of government and that... that fund is... is for that purpose. However, what the Sponsor has suggested is really in my mind reasonable. It is roughly \$12 million to overcome an issue that I think we owe the Regional Superintendents their pay. We said in the budget we were going to pay them, because of the Governor's Veto we have to find some way around it. So, we have a 12... roughly \$12 million issue on a roughly \$1.2 or \$1.4 billion fund which is, as the Sponsor said, only a tenth of a percent or .01 percent. So, very small amount of money but a very big issue. We should not use the PPRT as a fund that we can turn to at any time, when we need some dollars. We did fund the state portion of the state's attorney's

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salaries off the PPRT. We made that change in the spring Session, but it's a bad trend and we 'ought to be aware of that trend. We should not turn to this fund whenever we need some dollars for some sort of a contingency. However... however, because of the nature of what happened here, I rise in support of the Bill and hope that you would vote in favor of this Bill."

Speaker Lyons: "We have three final speakers. Three final speakers: Representative Moffitt, Kay, and the Eddy. Representative Moffitt."

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

Speaker Lyons: "Sponsor yields."

Moffitt: "Representative, if we don't have ROEs, if we don't fund the position, are there any new costs that will be put on our local school districts? Responsibilities that they might have, one example would be, ROEs inspect buildings, will that burden possibly fall back... if we don't provide for the..."

Mautino: "Well, my assumption would be the school district would then have to contract with an architect or engineer, licensed and sealed within the State of Illinois, who could meet that requirement."

Moffitt: "It's unlikely they would be qualified to do it with existing staff. Is that what you're saying?"

Mautino: "Building inspections? Yes. And I'm not sure that actually I want the person who is managing a business or a building to certify that it is safe. I think I'd like to have somebody else look."

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Moffitt: "Right. This gives us the independence... the independent... the view of the building to keep... make sure they're safe. Our schools... if it's fall back, are they trained or would they have responsibility or who's going to handle GEDs, if we don't adequately fund ROEs?"

Mautino: "Currently, I mean, you've got the list of functions, which are in statute. I believe there are 28 separate functions which would impact both elementary and secondary level within their job titles. The question becomes, I guess, would be the question for the next General Assembly, who are going to do the things that are long-term? And then, there are certain statutory requirements, like in order to consolidate a school district, which you all passed for me earlier, thank you, it takes the Regional Superintendent of Schools to convene the trustees and sign to make that dissolution happen and to place the kids."

Moffitt: "And we have nothing in place to... to handle that some other way, do we?"

Mautino: "No."

Moffitt: "ROEs handle the bus driver's license too. And you know, a few years ago we added a requirement for fingerprinting to make sure that we did not have people with a criminal record driving our buses. Isn't that another responsibility that would be put on someone, I mean, if we don't provide for it here?"

Mautino: "I believe... correct."

Moffitt: "Is there any difference in... as I've heard of different ROEs, there seems to be a large difference in the level of staffing. I think we have you know, basic

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services, but I've heard that some ROEs that might have 80 or more employees. I've heard of some just have, you know, a handful of employees. Is there any standard set around the state for how many employees they have? The size of.."

Mautino: "I don't know."

Moffitt: "...their office expense."

Mautino: "I will... I can't answer that, I don't know."

Moffitt: "One final question and thank you for bringing this forward. It's been mentioned maybe that we need to look at consolidation a fair... fair discussion. Doing... taking this action today, if we were to approve it and this become law, that wouldn't in any way prohibit that discussion going forward for consolidation or trying to become more efficient, would it?"

Mautino: "It was a little loud in here can you restate?"

Moffitt: "This in no way would prevent us from looking at other ways to reduce the cost for consolidation of these offices. I mean, if we keep them funded now with this and yet next spring we want to look at some way to... the idea of consolidation was mentioned, I don't know if that's what we need to do, it might be."

Mautino: "We might, but... to tell you now they have gone from June until now without a paycheck, without benefits, without insurance. Without a solution, this or another, then I think when it gets to spring the point would be moot. I don't know if your wife would let you work a full year for free; I know mine would have a thought about that. I would say that this is the... this is where we're at, this is it."

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Moffitt: "Thank you. The timing grows late. The hour grows late. Thank you for advancing this. Clearly we need the office of the Regional Office of Education."

Mautino: "Yeah."

Moffitt: "They help protect our children, help make sure their children are going to safe school buildings, help their part of the educational delivery system. This is the only option we have, right now, to make sure we can continue to provide that. I think it's the right vote to vote for this. Thank you."

Speaker Lyons: "For clarification, I clearly announced there'd be two final speakers and next will be Representative Kay and then Representative Eddy."

Kay: "Thank you, Mr. Speaker. Does the Sponsor yield?"

Speaker Lyons: "Sponsor yields."

Kay: "Representative Mautino, a question please."

Mautino: "Certainly."

Kay: "Are you familiar with the term constructive discharge?"

Mautino: "I didn't know you cared."

Kay: "Is that term... "

Mautino: "Please explain."

Kay: "...familiar... Well, in my world, constructive discharge means that I'm in big trouble if I let someone go. I force them out when I have no reason. When they perform well, they do good things but I just don't like them so I force them out. That's a constructive discharge in simple terms."

Mautino: "Okay."

Kay: "Do you think this is a constructive discharge?"

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Mautino: "Given your definition on here, I would think that.. I would have to... I hesitate to use discharge because we have an option not to do that. I think it was a grave error, it was improperly and poorly done."

Kay: "Frank I... I agree with you, thank you. Here's where I'm going to track today. And I'm not a... I've said this before, I'm not much of a politician, but I can catch on to things pretty quick. Here's what I think happened. I think because the state's broke we've had to scurry around and try and find people that are elected to office, doing a job and then decide we're not going to pay them all in the name of fiscal responsibility. Now, tomorrow, when I go back to Edwardsville, Illinois, I'm going to sign my name to 2000 checks for people who work for me, who have performed a task, who've done it well and I'm going to say thanks a lot. These people expect their pay. Now, as I understand it, Mr. Speaker, as I understand it these people were elected, there's a provision in our body of laws that provides for these people they have a semblance of a job description in that body of law and along with the election goes the concept that they will be paid for performing. Now I'm not here today to judge whether they have performed or not. I'm not here today to say whether or not we even need ROEs because I frankly don't know. But I will tell you this, I think someone who is hired to do a job by the people of the State of Illinois are entitled to their pay and I think anything less than that is a constructive discharge. I think what we're dealing with today is typically what the State of Illinois has been called and



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that's dysfunctional. That's where we can't make responsible decisions, responsible decisions at the executive level and so it's trickled down to the legislative level, so that we can say I didn't do it, they did and frankly, folks, colleagues of this Assembly, I'm a little bit offended by that. In fact, I'm more than a little bit offended by that. If we don't want to pay people who have duly been elected to do a job and there is no reason to terminate them, they've performed well, then we either pay them or we eliminate their job. That's the way commonsense, good people who want to do the right things do. I mean, that's what we do in southern Illinois. I don't know what ya'll do in Chicago, but in southern Illinois that's just called right. That's called ethical. I know you're not from Chicago, Frank, forgive me. But I would say this Mr. Speaker and I know my time is out. It's going to cost Cook... it's going to cost Madison County about three quarters of a million dollars over a lifetime to get this thing done and I don't like that. But I agree with David Harris that when we obligate ourselves contractually, which I believe we've done in the strictest terms, then we ought to honor that contract and by golly, if we don't start moving in the direction of doing things that are right as opposed to wrong, we're never going to have any credibility in this state. Representative, I think your Bill is a good Bill. I hate the fact that we are going back to our counties and diverting money from that. I'm not sure it's constitutional, but I'm going to vote 'aye' for this Bill."

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Speaker Lyons: "Final speaker is Roger Eddy then Mautino to close. Roger."

Eddy: "Thank you, Speaker. Ladies and Gentlemen of the House, to the Bill. I think that if we were looking at a Motion to override the Governor's Veto that there would be a tremendous amount of support in this Body to put the money back in the line item and pay the individuals that have been performing their job without pay since July 1, but that's not an option. The option we have today is to support a proposal brought forward to make sure that individuals who were elected officials, not much unlike everyone in this Body, are paid. First thing I'd like to do, for one second, is to have the regional superintendents in the gallery to stand up and let's thank them for keeping their oath of office since July 1 without a paycheck. I think Representative Moffitt said it earlier. How many of you would have worked every day if on July 1 the Governor would have decided that whatever line item that supports the salaries of Members of the General Assembly simply would be zeroed out. I don't know how many people would. There's been a lot of discussion about whether we should have ROEs, whether we shouldn't, what the effect would be. I think you have to pay attention to one fact today. This is our option to keep them open. I've got to tell you, at the school district level, who's going to do GEDs, who's going to do safe school, who's going to do alternative schools, who's going to do bus driver training, who's going to do teacher certification, who's going to perform the daily functions that our children benefit from. I don't

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think we're going to have that support if we don't pass this Bill and keep their salaries going. This is not the best way to solve this problem, Ladies and Gentlemen. The best way is an override of the Veto. I have no quarrel with those who have said that, but I'll tell you, today this is the only option that we have. This is the only chance we have and I will stand here and say shame on you, Governor, for putting these people in this situation, shame on you for putting families and children in the way of your public policy, do it right. If you have a plan for ROEs, if you think we should do things differently, for pete's sake, work at it, do the work that's necessary, come forth with a plan. Don't take elected public officials and their family and their children and put them on food stamps. That's wrong. You messed up and you're asking us to clean it up and you're putting us on the line and I won't forget it, for one. This is wrong. This is an injustice. From the guy who says everybody in, nobody out, well, guess what, on July 1 he put a lot of people out. That's wrong. We have one chance, one chance to help fix that today and I know a lot of you don't want to vote for this and I understand that. I hate to vote for it. This will cost my school district money. We get CPPRT. This will cost my district one penny for every dollar we're projected to get in FY12, one penny for every dollar. The other thing I've heard from officials, they're taking all of my CPPRT; that's misinformation, it's one penny on the dollar. Should we be taking any? No, absolutely not. The Governor has put us in this situation. We have to do something

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today though so these people can go home and look at their families and know they're going to meet mortgages. We have someone in Sangamon County, who is serving in the military in Afghanistan, only to find out that back home his Governor who supposedly supports the military had cut his paycheck to zero. And the Governor had multiple chances to fix this, multiple chances. He could have swallowed his pride and he could have rescinded his Veto, but instead, after that opportunity, he put the families and the children of these ROEs back in the line of fire for his pride. This is ridiculous that we're even here. Governor, if you have a plan, if you have something that you'd like to bring forward with public policy to deal with the ROEs, the inefficiencies in government. We served on a restructuring task force. That report is gathering dust. Use it, do the hard work, don't put these families in jeopardy. Ladies and Gentlemen, I'm asking you today to vote for this Bill because we owe it to the people who took the oath and have done the job. Look at their faces. They're here, en masse, because they will not get a paycheck if we don't move this forward. I respect those of you who are concerned about the source of this money. I've talked to most of you about this and I understand why you might not vote for this. What I'm asking you is, if you can possibly vote for this if you can, help us advance this, vote 'yes' on this today. One of the things I asked the Governor's representative in the Appropriations Committee, and I think this is an important question is this it? Is this the last time you're going to come back

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and ask local governments to perform and pay? Is this it? Now, the answer I got was we have done a thorough review of all of those functions and these are the ones we believe are local. Now, if you want to have that argument, have that argument. We need to pass this today but stay out of the cookie jar in the future. We have to watch this. Actually, in the spring about \$14 million worth of local county stipends began to erode this base. Now, it's another about \$14 million. What's it going to be tomorrow? We need to stop this. We need to stop the Governor from doing this, but the time to do it is at the budget. I'm asking for your vote on behalf of what is right for people who have done their job. That's all. I know all the other arguments. Some are very complicated. We need to advance this out of here today; it needs 71 votes. We need your vote and we need your help for these ROEs. And I request an 'aye' vote."

Speaker Lyons: "Representative Mautino to close."

Mautino: "Roger, I appreciate the comments; I... echo them all. We need to correct an injustice that has been done. We need 71 votes to do that. For the reasons that you've heard stated I would ask for your 'aye' votes on a issue that will do what we were sent here to do and that's resolve problems and then we can take a look at this next year. We can do the things you have all asked about. As to functions, duties, jobs, who's going to do what. But the way it was handled needs to be corrected. This gives us that option. I ask for an 'aye' vote."

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Speaker Lyons: "The question is, 'Should House 3828 pass?' This will require 71 votes. All those in favor signify by voting 'yes'; those opposed vote 'no'. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Representative Colvin, du Buclet, Yarbrough. Have all voted who wish? Representative Yarbrough. Mr. Clerk, take the record. Representative Mautino."

Mautino: "Postponed Consideration."

Speaker Lyons: "On the request of the Sponsor, Mr. Clerk, take this Bill out of the record. It will be put on Postponed Consideration. Representative Connie Howard, on the bottom of page 4, under Senate Bills-Second Readings, you have Senate Bill 1697. What's the status on that Bill, Mr. Clerk?"

Clerk Bolin: "Senate Bill 1697, a Bill for an Act concerning local government. The Bill was read for a second time on a previous day. No Committee Amendments have been adopted. Floor Amendment #2, offered by Representative Howard, has been approved for consideration."

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

Howard: "Yes. Thank you very much, Mr. Speaker. Floor Amendment #2 to Senate Bill 1697 would entitle the Cook County State's Attorneys Office and the Public Defender's Office to a two dollar fee that would be paid by the defendant on a judgment of guilty or a grant of supervision for a violation of the Illinois Vehicle Code or any felony. These funds would be used to establish and maintain automated record-keeping systems. This Bill has provided

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that for the other counties in the state and we're just trying to add Cook County to the Bill."

Speaker Lyons: "You've heard the Lady's explanation. For the purpose of Housekeeping business, I'm going to go to Representative Watson. Jim, for purposes of Roll Call information."

Watson: "Please let the record reflect that Representative Reis is excused for the rest of the day."

Speaker Lyons: "The Clerk will so note. Representative Rose, do you have a question on the Amendment?"

Rose: "I do, if I may?"

Speaker Lyons: "Representative Rose on the Amendment."

Rose: "Thank you. Representative, there's already a fee for the circuit clerk for automated... for automation purposes. Is this in addition to that fee because my understanding is that the circuit clerk system can then be used by, you know, other entities in the county, the states attorney, the public defender, et cetera, already."

Howard: "That is not my understanding. This was brought to me. It was said that this was a new fee that the remaining 101 counties would be able to take advantage of but that Cook County was the only one that could not."

Rose: "Well, in... the... I guess the... Champaign County, when I was in the State's Attorney's Office, went through an automation and it was paid for out of the circuit clerk's automation fund, which is a fee charged to cases in Champaign County by the circuit clerk, not by the state's attorneys or public defenders. And then everyone in the county that utilizes that system was part of that

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automation including the state's attorneys office including the public defender's office. So, for example, jail and booking records that were off site and out of the courthouse you could still access that from within the courthouse and I guess my only point is I think this may be duplicative of something that's already available."

Howard: "Representative Rose, did you think that the underlying Bill was duplicative as well?"

Rose: "I... I'm talking about the \$2 fee."

Howard: "The \$2 fee. The original Bill calls for a \$2 fee for the other counties. This is just adding Cook County."

Rose: "But it's for state's attorneys and public defenders?"

Howard: "That is correct."

Rose: "I guess I'm still a little confused as to why... well very well. I... I mean, we are one state, so I don't have an issue with that. But I don't understand why we would be adding an additional fee if we already have a circuit clerk's fee. Is it adding it to... are you sure that we're not adding Cook County into the circuit clerk's automation fund, 'cause that would make sense."

Howard: "Make the... the question again, please? Am I sure what?"

Rose: "I'm wondering if this was just mislabeled that we're actually adding a fee to the circuit clerk's fund, which then would make sense 'cause it'd be one statewide contiguous fee."

Howard: "The person who brought this legislation to me is from the public defender's office and I have to rely upon his accuracy so that... I would think that he did the necessary



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research to make certain that he was not being duplicitous."

Rose: "All right. Well, thank you."

Speaker Lyons: "Representative Moffitt on the Amendment."

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

Speaker Lyons: "Sponsor yields."

Moffitt: "Representative, just for clarification. We've had other Bills that went into a fee would be on and it'd go into a central depository. This fee stays in the county where it's generated, is that correct?"

Howard: "That's... I think that's probably what is the case, yes."

Moffitt: "It would not be sent to Springfield to be disbursed. It would stay where it was generated. That's..."

Howard: "It is my understanding that it would stay in that county."

Moffitt: "And if this legislation becomes... if this becomes law, that implements it. It isn't simply giving the local county board the authority to do it. Is it... this would... it would be implemented state... "

Howard: "This will be the enacting legislation, yes."

Moffitt: "Yeah. Okay. Thank you."

Speaker Lyons: "Seeing no further discussion, all those in favor of the adoption of Floor Amendment #2 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 Bolin: "No further Amendments. No Motions are filed."

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

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Clerk Bolin: "Senate Bill 1697, a Bill for an act concerning local government. Third Reading of this Senate Bill."

Speaker Lyons: "Representative Howard."

Howard: "Yes. You've heard the explanation and the response to questions. I would just ask that my colleagues please support with the requisite numbers of votes. Thank you."

Speaker Lyons: "This legislation will require 60 votes. All those in favor of its passage 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? Burke, Kelly Burke, Jefferson, Mitchell, Saviano, Yarbrough, like to be recorded? Mr. Clerk, take the record. On this Bill, there 71 Members voting 'yes', 41 Members voting 'no', 0 voting 'present'. This Bill, having received the Constitutional Majority, is hereby declared passed. Mr. Clerk, the Adjournment Resolution."

Clerk Bolin: "Senate Joint Resolution 36 offered by Representative Currie. RESOLVED, BY THE SENATE OF THE NINETY-SEVENTH GENERAL ASSEMBLY OF THE STATE OF ILLINOIS, THE HOUSE OF REPRESENTATIVES CONCURRING HEREIN, that when the two Houses adjourn on Thursday, October 27, 2011, the Senate stands adjourned until Wednesday, November 02, 2011, in perfunctory session, or until the call of the President; and when it adjourns on that day, it stands adjourned until Tuesday, November 08, 2011, at 12:00 noon, or until the call of the President; and the House of Representatives stands adjourned until Wednesday, November 02, 2011, in perfunctory session, or until the call of the Speaker; and when it adjourns on that day, it stands adjourned until

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Tuesday, November 08, 2011, at 12:00 noon, or until the call of the Speaker.

Speaker Lyons: "Representative Lang moves for the adoption of the Adjournment Resolution. All in favor say 'aye'; those opposed say 'no'. In the opinion of the Chair, the 'ayes' have it. And Adjournment Resolution is... is passed. Representative Mayfield, you have your light on. For what purposes do you seek recognition?"

Mayfield: "Yes. I need the record to reflect that I intended to vote 'yes' on House Bill 3828."

Speaker Lyons: "Journal will reflect your wishes. Everybody was given a calendar of committee meetings that will be held some next week, some before the next Session. So, please, make sure the blue calendar goes home with you. I don't believe we have to read them. There is the reception downstairs in Jesse White's corridor, the second floor corridor. I'd highly recommend that you take a moment and spend some time with our friends from Turkey. And on that Representative Lang moves. Representative, are... Mr. Clerk."

Clerk Bolin: "Agreed Resolutions. House Resolution 580, offered by Representative Biss. And House Resolution 583, offered by Representative Hammond."

Speaker Lyons: "Representative Lang moves for the adoption 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. And now, seeing no further business to come

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before the House of Representatives, Representative Lang moves that the House stand adjourned 'til the hour of 12 noon on Tuesday, November 8. Allowing for perfunctory time for the Clerk, all those in favor of adjournment signify by saying 'yes'; those oppose say 'no'. In the opinion of the Chair, the 'ayes' have it. And the House stands adjourned 'til the hour of 12 noon on Tuesday, November 8. Happy Halloween, Illinois."