

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

119th Legislative Day

3/28/2012

Speaker Lyons: "Good morning, Illinois. Your House of Representatives will come to order. Members are asked to please be at your desks. We shall be led in prayer today by Father Urban Osuji who is with the St. Mary's Catholic Church in Valmeyer, Illinois. Father Osuji is the guest of Representative Costello. Members and guests are asked to please refrain from starting the laptops, turn off all cell phones and pagers and rise for the invocation and the Pledge of Allegiance. Father Osuji."

Father Osuji: "I am excited to be here this morning to do this privileged thing. I think my excitement is overwhelming and I just wish that my mother was here to see me in this place. And this time then I must begin to this House invoking in God's blessings in them. Fifty-four years ago, March 28, 1958, I was born. I was born one of 9... 10 children, 9 boys and 1 girl. I was very different because I was born premature and they thought my mother would die and I would die also. And God's so kind, she survived and it turned around after many months of struggling with bad health and everything, I survived. So, she named me Chidiebere which means God is merciful. I am excited, very, very excited to be here and to do this. I wish she was here to see me and we would have giving a hug and a big kiss, but I think it's God's turn and I thank Representative Jerry Costello for asking me to do this today. If you see me nervous, it's because of my excitement and I pray that you will excuse me for that. So, let us ask, spend some moments of silence as we recall God's blessing on this House. Oh God, Who is here in our midst in this place now

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in this House. On this 28th day of March, 2012, God, I stand before this legislative House in Springfield, Illinois, thanking You and praising You for this great state, the land of Lincoln. I glorify Your name for the plan You have given to our forefathers by which to govern our state and nation and for the division of powers so that our destiny does not rest in the hands of one person. In praying for the Members of this House, I lift them up to You. I pray that by Your power they would make laws that are just. Give them wisdom to make decisions that would strengthen and prosper our state. Grant that the Members of the House wisdom, justice, counsel and fortitude that they may conduct the affairs of governance according to Your plan. May they make the right decisions concerning the politics, the social welfare and the economic of this state. God, grant that this House may truly represent the needs of the people and walk in harmony for that advertisement of all men, women and children. I pray that they be motivated by the desire to serve rather than to be served. Eternal God, in Your goodness, watch over the Members of this House, their families and their friends so that people in this state may enjoy religious freedom, security and peace. Save us from violence, discord and confusion, from pride and arrogance, from every evil way that threaten the peace and unity of this country and of this state. Defend our liberties and fashion into one united people the multitude brought here out of many missions, guns and people. In times of prosperity, oh God, fill our hearts with thankfulness and in times of trouble

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do not allow us to distrust in You. Oh powerful God, I invoke therefore the blessing on this legislative House in Illinois so that they would work for justice and freedom for all. This we pray and so it shall be, Amen."

Speaker Lyons: "Representative Joe Sosnowski, would you lead us in the Pledge of Allegiance, Sir."

Sosnowski - 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, Democrats."

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

Speaker Lyons: "Leader Bost, Republicans."

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

Speaker Lyons: "Mr. Clerk, take the record. There's 114 Members responding to the Roll Call, we have a quorum present and we're prepared to do the work for the people of the State of Illinois. Mr. Clerk."

Clerk Hollman: "Committee Reports. Representative Barbara Flynn Currie, Chairperson from the Committee on Rules, reports the following action taken on March 28, 2012: recommends be adopted, referred to the floor is Floor Amendment #3 to House Bill 411, Floor Amendment #2 to House Bill 1474, Floor Amendment #2 to House Bill 3782, Floor Amendment #3 to House Bill 4116, Floor Amendment #1 to House Bill 4444,

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Floor Amendment #2 to House Bill 4456, Floor Amendment #5 to House Bill 4466, Floor Amendment #2 to House Bill 4496, Floor Amendment #4 to House Bill 4642, Floor Amendment #1 to House Bill 4664, Floor Amendment #3 to House Bill 4673, Floor Amendment #2 to House Bill 4757, Floor Amendment #2 to House Bill 4984, Floor Amendment #3 to House Bill 4986, Floor Amendment #1 to House Bill 5019, Floor Amendment #2 to House Bill 5025, Floor Amendment #1 to House Bill 5146, Floor Amendment #3 to House Bill 5189, Floor Amendment #2 to House Bill 5482, House Floor Amendment #2 to House Bill 5641, Floor Amendment #1 to House Bill 5823, Floor Amendment #1 to House Bill 5866, Floor Amendment #1 to House Bill 5922. Representative Jakobsson, Chairperson from the Committee on Higher Education, reports the following committee action taken on March 28, 2012: be not adopt pursuant to House Rule 22(g) is House Joint Resolution 75. Representative McAuliffe, Chairperson from the Committee on Veterans' Affairs, reports the following committee action taken on March 28, 2012: recommends be adopted is House Resolution 824, and House Resolution 826. Representative May, Chairperson from the Committee on Environment & Energy, reports the following committee action taken on March 28, 2012: recommends be adopted is Senate Joint Resolution 53. Representative Zalewski, Chairperson from the Committee on Health Care Licenses, reports the following committee action taken on March 28, 2012: recommends be adopted is Floor Amendment #1 to House Bill 5050 and House Resolution 860. Representative D'Amico, Chairperson from the Committee on Transportation: Vehicles

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& Safety, reports the following committee action taken on March 28, 2012: recommends be adopted is Floor Amendment #1 to House Bill 3890, Floor Amendment #1 to House Bill 4862. Representative Howard, Chairperson on... the Committee on Judiciary II - Criminal Law, reports the following committee action taken on March 28, 2012: recommends be adopted is Floor Amendment #2 to House Bill 5122. Representative Bradley, Chairperson from the Committee on Revenue & Finance, reports the following committee action taken on March 28, 2012: do pass as amended Short Debate is House Bill 3859, House Bill 4110; recommends be adopted is Floor Amendment #3 to House Bill 4242. Representative Greg Harris, Chairperson from the Committee on Human Services, reports the following committee action taken on March 28, 2012: do pass as amended Short Debate is House Bill 5655; recommends be adopted is Floor Amendment #3 to House Bill 4566, House Resolution 872, House Resolution 882, Senate Joint Resolution 46. Representative Bradley, Chairperson from the Committee on Labor, reports the following committee action taken on March 28, 2012: do pass Short Debate is House Bill 5336; do pass as amended Short Debate is House Bill 5444. Representative Dugan, Chairperson from the Committee on Agriculture & Conservation, reports the following committee action taken on March 28, 2012: recommends be adopted is Floor Amendment #1 to House Bill 404. Introduction of Resolutions. House Resolution 897, offered by Representative Biss. And House Resolution 898, offered by Representative Flowers. These are referred to the Rules Committee."

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Speaker Lyons: "Representative Bost."

Bost: "Thank you, Mr. Speaker. For a point of personal privilege and also an inquiry possibly of the Chair."

Speaker Lyons: "Enjoy yourself. Do your personal privilege and then carry on with the inquiry if needed."

Bost: "Mr. Speaker, I... and I need some answers to some questions before I... Who actually owns this room?"

Speaker Lyons: "I will defer the ultimate answer on that to somebody who has a better knowledge of that than I do, Representative. My guess would be technically the people of the State of Illinois."

Bost: "That... that's... I thought you'd say that. And I agree with you on that. The people of the State of Illinois and the taxpayers of the State of Illinois own this room. It has been the policy that, you know, we control certain access to this room during the time that we are actually in Session, but normally when we're not in Session in the mornings before and especially on a day when we have different groups and organizations and family members and different people coming here to see this wonderful building and this wonderful place. Normally, we can bring those constituents here on the floor and we can show them where we work and what we do and have an opportunity for them to take pictures in this place where... where they have actually... their parents quite often have paid for as taxpayers, but for some reason today many of the Members on both sides of the aisle were denied access to their family and friends and constituents for whatever reason. And Mr. Speaker, I'd like to know who sets those rules and... I know

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who sets the rules, but... but then again it's not you, Mr. Speaker, I know that. You're guiding the ship and I understand that. But we need to actually have those rules so that we can see them and know when they're going to be implemented so that we can treat our constituents with respect, give them the opportunity to see this facility, enjoy this facility, but from day to day we don't know what those rules are. But here's a thought. How about we, the General Assembly, set those rules? We, the voting elected Members of this House actually take charge of this chamber and not allow it to be someone who is hired, not someone who just one day it's... you're in one day you're out. Ladies and Gentlemen, as Members of this chamber it's time we stand up and I'm not talking about, oh, boy, the Republicans are going to throw a fit over here. If you Members on your side of the aisle and our Members on our side of the aisle finally come together and put some rules in place so that we can know from day to day, hey, can our constituents actually be with us here on the floor to see what this is, where their tax dollars were spent, to enjoy this facility, to have rights. Mr. Speaker, it's time that we actually set those rules in place and I would encourage that working with your side of the aisle that we would get that taken care of so that we can actually figure out what's going on and when we can have our constituents on the floor and our family members."

Speaker Lyons: "Thank you, Representative. Your point is so well-noted. I have five people. I assume you're all wanting

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to speak for a point of personal privilege, so I'll acknowledge you for that reason. Representative Mayfield."

Mayfield: "I'd ask all the Members of the House to join me in wishing Leader Marlow Colvin a happy birthday today. It is Marlow's birthday."

Speaker Lyons: "Marlow Colvin, happy birthday, big guy. Representative Al Riley."

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

Speaker Lyons: "I think all... everybody's recognized for personal privilege, Al, so please proceed. We've got about four speakers that are all for the same thing."

Riley: "Oh. Thank you very much. I'd like everybody to welcome one of my constituents, a vice president of First Midwest Bank and a former graduate student of mine, Dai Zhang who is here and her daughter Vivian Cui is a Page. Dai, could you stand up. Thank you very much. Thank you, Mr. Speaker."

Speaker Lyons: "Representative Barickman. We'll get back to him, a point of personal privilege. Representative Gaffney, a point of personal privilege. MIA, we'll get back to him. Representative Gordon. A point of personal privilege, Representative."

Gordon: "Thank you, Mr. Speaker. Before us, in the Speaker's Gallery, if you gentlemen would stand, please. We have before us today the Peoria Central High School team, the 3A State Basketball Champions. These young men have put forth so much work. Peoria Central is the pride of Peoria. And for a few facts: the Peoria Central High School is the oldest high school in Illinois. Peoria Central won their first championship in 1908 and as a matter of fact, Peoria

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High School along with Peoria Manuel, where my husband is the coach, is only second to Chicago Simeon with five state championship trophies. We build champions in Peoria. Another fun fact. Representative Cavaletto, if you could stand, please. Representative Cavaletto used to be the head basketball coach at Mater Dei Green and in 1974, Peoria Central, led by their now head coach, Coach Dan Ruffin, beat Representative Cavaletto's team in the state championship game. Please welcome... please join me in welcoming our Peoria High School 3A State Basketball Champions."

Speaker Lyons: "Congratulations, Peoria Central. We're all very proud of you. David Reis, a point of personal privilege."

Reis: "Thank you, Mr. Speaker. Today we have FFA members and their advisors from throughout the State of Illinois here. I would like the Body to recognize Carmi-White County High School who are here with their advisor. Stand up."

Speaker Lyons: "Welcome to your Capitol. Enjoy your day. Representative Karen May, Motion... personal privilege."

May: "Yes. Thank you, Speaker. I would like the Body to help me welcome my staffer from my district office Ellen Goldsher in the... in the denim right there. Wave to Ellen. We get a lot of mail and she helps me answer it. And she's looking for a new job, right, thanks to Representative Franks. And my Page today is her daughter Jen Goldsher, who if... you can come by and see... when she was 2 years old, was sitting on my lap with a cute red bow on her head to help in one of my brochures... a photo for a brochure and now she's 12 years old, ever bit the teenager and athlete and just as cute as

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she was at age 2. So, thank you for welcoming the Goldshers to Springfield."

Speaker Lyons: "Have a great day at the Capitol. Representative Mike Unes."

Unes: "Mr... thank you, Mr. Speaker. I, too, rise for a point of personal privilege to welcome another FFA group and their advisor Doug Falk, who's here with a group of FFA members from Canton and Cuba High School. I'd like to welcome them. And..."

Speaker Lyons: "FSA members, welcome to your Capitol. We're proud to have you down here today..."

Unes: "And al..."

Speaker Lyons: "...and thanks for lunch."

Unes: "...and also, Mr. Speaker, there's a group of members from the Peoria Area Chamber of Commerce... the Peoria Area Chamber of Commerce Leadership School here. If they could please stand and be recognized as well."

Speaker Lyons: "Representative Brandon Phelps, point of personal privilege."

Phelps: "Thank you, Mr. Speaker. Ladies and Gentlemen, don't forget tonight at 6:00 at the State House Inn, which is not that far away, we have our own Jim Sacia, Representative Sacia, is going to be the auctioneer. The Illinois Legislative Sportsman's Caucus at 6:00, auction at 7. Hope you're there."

Speaker Lyons: "Thank you, Representative. Representative Reboletti..."

Reboletti: "Yeah. A point of..."

Speaker Lyons: "...point of personal privilege, Dennis."

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Reboletti: "Point of personal privilege, Mr. Speaker. Ladies and Gentlemen of the House, if you'd please join me in welcoming Alderman Steve Morley from the City of Elmhurst who has his wife and children here. They're touring the facility and they've been visiting the sites. I'd like to wish them a big Springfield welcome. Please rise."

Speaker Lyons: "Welcome to your Capitol. Glad to have you. Representative John Cavaletto, a point of personal privilege."

Cavaletto: "Thank you, Mr. Speaker. I'd like to present my staffer from my district, Kim Spangler. Welcome to the Capitol, Kim."

Speaker Lyons: "Kim, thanks for coming down. Birthday boy, Representative Marlow Colvin."

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

Speaker Lyons: "Please proceed, Leader."

Colvin: "Mr. Speaker, I wanted to bring to everybody's attention a couple... well, a new Democrat and Will Davis's wife is here with us today, Jaclyn and a brand new addition to their family, their five-month-old daughter, Jana is here in Springfield."

Speaker Lyons: "Representative Smith, you guys do some beautiful work; she's gorgeous. Representative Jason Barickman on a point of personal privilege, Representative."

Barickman: "Thank you, Mr. Speaker. Ladies and Gentlemen of the Illinois House, we have a special guest with us today. Many of you know that today is Agriculture Legislative Day and

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today joining us is State FFA President Mike Shively. Mike is a constituent of mine. He's from rural Buckley and is a 2011 graduate of Paxton-Buckley-Loda High School. He has taken a year of his life to travel around the state advocating for agriculture and ag education. So, I'd like you to join me in welcoming State FFA President, Mike Shively."

Speaker Lyons: "Mike, welcome to your Capitol. Proud to have you here today. Representative Pritchard, point of personal privilege."

Pritchard: "Yes. I would just like to add on to that congratulations that there are some 16 thousand FFA members, 700 of whom are here with us today delivering gift baskets to each of your office. And it's part of an education program that is preparing young people for very successful careers. So, as you talk to your young people in each of your districts encourage them to look at careers in agriculture. I'm told that the graduates of the University of Illinois, for example, in agricultural sciences and consumer and economic activities have no trouble getting job placements. So, as we look at preparing our young people, certainly keep in mind the most vital segment of our economy right now, the agricultural industry, and the young people that are representing it here today. Thank you."

Speaker Lyons: "Once again, Ladies and Gentlemen, I will make every attempt to, in an alphabetical order, call Bills that you've submitted to Scott or to Tim in the order of your priority. So, again, we're hop-skipping around when I can't

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find people at their desk. I understand people are busy, get called out to the rail and I will make my best attempt to work these sheets which you have submitted for your Bills in the priority that you've submitted. To start off, Representative Acevedo, on the Order of Third Readings, on page 18 of the Calendar, you have House Bill 2912. What's your pleasure, Leader? Out of the record. Representative Beiser, on page 12 of the Calendar, under Bills-Second Reading, you have House Bill 5122. What's the status on that Bill, Mr. Clerk? House Bill 5122."

Clerk Hollman: "House Bill 5122, a Bill for an Act concerning criminal law. Sec... or this Bill is read a Second time on a previous day. Amendment #1 was adopted in committee. Floor Amendment #2, offered by Representative Beiser, has been approved for consideration."

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

Beiser: "Yes. Simply adds cemeteries and cemetery personnel to the list of exemptions in their act of official duties."

Speaker Lyons: "Gentleman asks for the adoption of Amendment #2. All those in favor signify by saying 'aye'; 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 Hollman: "No further Amendments. No Motions are filed."

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

Clerk Hollman: "House Bill 5122, a Bill for an Act concerning criminal law. Third Reading of this House Bill."

Speaker Lyons: "Representative Beiser."

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Beiser: "Thank you, Mr. Speaker, Members of the House. 5122 is brought to me by the State's Attorneys Association. Basically what... the situation in the metro east and I'm sure throughout the state we're having a series of specifically, heroin overdose deaths and bodies are being moved to avoid prosecution and contaminate the crime scene. This will deal with that. And I'd ask for a favorable consideration. Happy to answer any questions."

Speaker Lyons: "You've heard the Gentleman's explanation. Representative Reboletti."

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

Speaker Lyons: "Sponsor yields."

Reboletti: "Representative, I know that Representative Cunningham had some issues in committee and I would ask that you would work with the Senate Sponsor to make sure we clarify some of this Amendment #2 language to make sure that any cemetery workers or anybody else that's involved in moving a casket or a corpse is not immune from prosecution if something occurs in... with a criminal act."

Beiser: "Certainly. And that's certainly the intent and we'll make sure the language reflects that."

Reboletti: "Thank you, Representative."

Speaker Lyons: "Representative Beiser moves for the passage of House Bill 5122. 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? Chad Hays, like to be recorded, Sir? Mr. Clerk, take the record. On this Bill, there's 114 Members voting 'yes', 0 voting 'no'. This Bill, having received the

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Constitutional Majority, is hereby declared passed. Representative Dan Biss, on the Order of Second Readings, on page 11 of the Calendar, you have House Bill 4996. What's the status on that Bill, Mr. Clerk?"

Clerk Hollman: "House Bill 4996, a Bill for an Act concerning public employee benefits. This Bill was read a second time on a previous day. Amendment #1 was adopted in committee. Floor Amendment #2, offered by Representative Biss, has been approved for consideration."

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

Biss: "Yes. Thank you, Mr. Speaker and Members of the chamber. Floor Amendment #2 is a technical Amendment that simply streamlines some aspects of this Bill which should make implementation more straightforward. I'd ask for an 'aye' vote."

Speaker Lyons: "The 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. Anything further, Mr. Clerk?"

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

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

Clerk Hollman: "House Bill 4996, a Bill for an Act concerning public employee benefits. Third Reading of this House Bill."

Speaker Lyons: "Representative Dan Biss."

Biss: "Thank you, Mr. Speaker. This Bill is on the subject of return to work provisions in the State University Retirement System. There have been a series of incidents at

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a variety of institutions of public higher education at Illinois wherein an employee will retire and then after a very brief period of time return to work at the university now earning a full pension, let's say, 75 or 80 percent of their previous salary and also earning, let's say, 75 percent of their previous salary in ordinary compensation from the institution. If you add those two amounts together, you'll find the employee has received effectively a raise of 50 or more percent, but the institution is not required to pay that because half of it comes out of the pension fund not out of their salary. What this Bill does is it attempts to... while enabling carve outs, to have a variety of a reasonable situation persists, it attempts to curb some of the more inexcusable instances of this practice by simply asking under certain conditions for the employer, the university, to reimburse the pension system for the cost of the pension. The idea being that if it's worth it to the taxpayer to be covering that it should be worth it to the employer as well. It carves out a number of exemptions for hard time employment for certain emergency situations and also for employment that occurs where not the ordinary general fund or income fund of the university but rather some kind of grant money is supporting the salary in question. I'm happy to take any questions. And I'd appreciate an 'aye' vote."

Speaker Lyons: "You've heard the Gentleman's explanation. Is there any discussion? Representative Jack Franks."

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

Speaker Lyons: "Sponsor yields."

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Franks: "Representative, I know this is a very technical Amendment and I'm looking at the analysis and I understand that this legislation would not limit the ability of a university or a community college to rehire an annuitant. But one thing I'm not sure I understand is that it says that if they rehire an annuitant and pay them a salary over 40 percent of their previous highest annual salary. What does that mean? So, if they made \$100 thousand and now they're making 41 thousand or would it..."

Biss: "Here's what it means, Representative. It means that there are some situations where I don't think you want to ban the practice. So, let's say, you had someone who was on the faculty and taught, was a distinguished contributor to the department and then wants to come back and teach one course or two, teach a one-third load. I think that's great for the students; we should enable that. And so the question... the tactical question facing us in drafting the Bill was what counts as reemployment which we don't want to go on while the person is still drawing their annuity and the threshold that I put in place was that 40 percent. So, if you come back and you're earning 41 percent and all the other conditions in the Bill are triggered and the university still wants to hire them, they got to reimburse SURS for the cost of the pension, but if you're under that 40 percent, then it's acceptable under this Bill."

Franks: "Okay. So, let's assume that professor was making a hundred thousand."

Biss: "Yeah."

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Franks: "But if he made... he came back and taught a couple of courses and only made 39 thousand, this would not trigger it, but if he made 40,100 it would."

Biss: "Correct."

Franks: "Okay. Is there any requirement here that the employee... and I'm not sure how this works... the employee would actually have to contribute to the annuity or would it only be the employer?"

Biss: "Oh, I see the reimbursement."

Franks: "Yes."

Biss: "It's only the employer. The idea is this, Representative. The idea is the employer is kind of getting an extremely good deal on the back of the pension system and so they would... the employer would be reimbursing the pension system for that cost and if it's still worth it for the employer to do it, then great and if not, then no. Now, there's a different question here. Does the employee, when they return, do they continue getting their annuity, in which case no one's paying into the pension fund for future benefits earned..."

Franks: "Correct."

Biss: "...or do they instead shut off their pension and continue accruing more credit. If they pick that option, none of the provisions of this Bill apply, but... and under that circumstance certainly the employee does keep on paying into the pension system."

Franks: "That's what I wanted to know. So, thank you for clarifying that then."

Biss: "Thank you."

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Speaker Lyons: "Representative Jim Dunkin... Durkin."

Dunkin: "Thank you, Mr. Speaker. Thank you, Mr. Speaker."

Speaker Lyons: "Mr. Ken Dunkin. I'm sorry, Representative Dunkin."

Dunkin: "Yeah. Jim Durkin and I look so much alike."

Speaker Lyons: "Representative, with all due respect, your names are similar and I got to be a little more careful reading them. Representative Dunkin."

Dunkin: "Thank you, Mr. Speaker. Rep.. Will the Sponsor yield for a question?"

Speaker Lyons: "Spon..."

Dunkin: "Representative, why... according to my analysis, the Chicago Bar Association is against your Bill. Why is that?"

Biss: "Well... well, I'm surprised to hear that. With all respect, is it possible you're looking at a different Bill of mine? They do oppose a different Bill of mine."

Dunkin: "Can you repeat that?"

Biss: "I'm not aware of their opposition of this Bill. This is... is this House Bill 4996? I've not... I've not heard from them about this."

Dunkin: "Yeah. They're on there. I'm just curious. I think it's responsible legislation and I plan on supporting it. I'm just curious why the... how they showed up on a SURS Bill."

Biss: "Just... just to be clear, you said the Chicago Bar Association?"

Dunkin: "Correct."

Biss: "I'm... not only have I not heard from them, I can't frankly envision why that might be, but I'm eager to learn. There's been a... there's been a fairly proactive negotiation

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with a lot of groups that initially had a lot of concerns and were... were actually very constructive participants. A number of universities and other employer... representatives, but I have not heard from the Bar Association, sorry."

Dunkin: "Thank you."

Speaker Lyons: "Representative Bob Pritchard."

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

Speaker Lyons: "Sponsor yields."

Pritchard: "Representative, could you just restate one more time what you feel the purpose of this legislation is?"

Biss: "Yes. Thank you, Representative. The purpose of the legislation is that it is possible under the current law and the current Pension Code for an employee of the university system, particularly an employee who is under 60 and has earned substantial service credit to effectively offload a substantial portion of their compensation from the university to the pension system by kind of artificially retiring and then returning to work. That simultaneously, as I said, offloads a portion of the compensation from the university to the pension system while additionally providing the employee in many circumstances depending upon details of their work history with a pretty substantial raise. And so, you'll find that this is a situation that both impairs the health of the pension fund while also providing a net cost to the taxpayer. And to me it seems that there isn't a clear... a clear compensatory benefit and so the Bill seeks to curb that practice."

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Pritchard: "Do you have any concept of what the financial impact will be for the State University Retirement System or University Retirement System?"

Biss: "The short answer is no. We weren't able to have detailed... to have detailed analysis done, but the belief of a number of people on all sides of this issue, I've spoken to, is that the impact would be non-trivial."

Pritchard: "Do you feel that this is a fairly common practice across our university systems?"

Biss: "Well, I feel that it's a practice that it persists that's not, you know, the definition of common is in the eye of the beholder, but it exists in a number of different institutions. It exists again and again. I feel strongly that it's not the case that this is one or two high profile instances. It is at least in some situations a habitual practice, yes."

Pritchard: "So, again, you have no idea what the fiscal impact is going to be on the universities to cover the costs of these people that have been rehired?"

Biss: "Well, there need not be any fiscal impact on the universities. If the universities choose to continue employing annuitants in a situation where they would have to reimburse the pension systems, there would be a cost, but that's of course the voluntary action on their part."

Pritchard: "Well, I do know that a number of universities have trouble finding staff on a short-term basis or certainly on a very quick turnaround basis and hiring some of these retirees has been a good practice in providing students in education by qualified personnel. Thank..."

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Biss: "Yes, I..."

Pritchard: "...thank you."

Biss: "Oh, thank you."

Speaker Lyons: "Representative Biss to close."

Biss: "Well, thank you. And quickly in response to that last point, Representative. I agree with that and that's why the Bill has several provisions to allow for that kind of activity. One is a provision which says that any activity for 18 weeks or less is completely exempted and a second is a point that the Bill... the action that the Bill triggers wouldn't go into effect until a year after the employment takes place. So, this is essentially a year-long freebie for any circumstance for anybody so as to allow for these kind of short-term situations where there's a sudden need placed upon the institution. My view, Ladies and Gentlemen, is that this is a reasonable and fair way of addressing this problem and avoiding some of the more problematic instances of this practice while still allowing for the flexibility that the institutions need. And I would certainly appreciate an 'aye' vote. Thank you."

Speaker Lyons: "The question is, 'Should House Bill 4996 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? Monique Davis, Jerry Mitchell, would you like to be recorded? Mr. Clerk, take the record. On this Bill, there's 112 Members voting 'yes', 0 voting 'no', 2 Members voting 'present'. This Bill, having received the Constitutional Majority, is

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hereby declared passed. Representative Chad Hays, for what purpose do you seek recognition, Sir?"

Hays: "A point of personal privilege."

Speaker Lyons: "Please proceed, Chad."

Hays: "Please welcome... and ladies would you please stand... the ladies from Vermilion County, the Vermilion County Republican Women are here today touring our Capitol. Ladies, welcome to your Capitol."

Speaker Lyons: "Thanks for coming down. Enjoy the day. Representative Chapin Rose, point of personal privilege, Chapin?"

Rose: "Yes, Mr. Speaker. I'm not sure if they're still here, but the Arthur FFA was here and if they are, maybe they can stand up. I, hopefully, got them, but if... Well, it looks like we missed them. But we appreciate the Arthur FFA coming today. Thank you."

Speaker Lyons: "Chapin, I think above you one of your people was here. So, let's acknowledge her with a round of applause. Representative Kent Gaffney, a point of personal privilege."

Gaffney: "Point of personal privilege, thank you. Today, up in the gallery behind me we have a wonderful person from Lake County, Brittani Schisler. She is the Illinois County Fair Queen and she will begin traveling the state to all the county fairs and has many wonderful experiences ahead of her. So, she's here today with her parents and some supporters. So, thank you for being here today."

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Speaker Lyons: "Congratulations, Your Majesty, enjoy your day here in Springfield. We're all very proud of you. Representative Kay Hatcher."

Hatcher: "Mr. Speaker and Members of the General Assembly, I wear my red jacket proudly today in honor, not only of the women of Vermilion County, but the women all over the State of Illinois. The Illinois Federation of Republican Women is a statewide organization that involves many thousands of women leaders from all over the State of Illinois. They come here every year to learn about the legislative process and to visit with Leaders. So, please, not only welcome them but remember they're learning from each of us so be on your best behavior."

Speaker Lyons: "Congratulations, Ladies. Enjoy your day at the Capitol. Representative Kelly Burke, on the Order of House Bills-Second Readings, on page 8 of the Calendar, you have House Bill 4602. What's the status on that Bill, Mr. Clerk?"

Clerk Hollman: "House Bill 4602, a Bill for an Act concerning education. This Bill was read a Second time on a previous day. Amendment #2 was adopted in committee. No Floor Amendments. No Motions are filed."

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

Clerk Hollman: "House Bill 4602, a Bill for an Act concerning education. Third Reading of this House Bill."

Speaker Lyons: "The Lady from Cook, Representative Kelly Burke."

Burke, K.: "Thank you, Mr. Speaker. House Bill 4602 is an initiative of one of the school districts in my area

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Ridgeland District 122. The district is seeking to restructure debt incurred in a 2000 and 2003 bond issue for the sole purpose of reducing the annual tax levy burden to the taxpayers of the district. The 2000 and 2003 bonds were issued after approval of voters in a referendum. In order to issue enough new bonds to refinance the old bonds to complete the restructuring, the district will need to go over its debt limit. The purpose of the legislation is to allow the district to restructure its debt in a less costly yet conservative way for the purpose of reducing the annual tax levy burden to the taxpayers of the district. I ask for an 'aye' vote."

Speaker Lyons: "You've heard the Lady's explanation. Is there any discussion? The Chair recognizes the Gentleman from DuPage, Representative Dennis Reboletti."

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

Speaker Lyons: "Sponsor yields."

Reboletti: "Representative, was... why didn't the school district try to put this on the ballot in March to have an opportunity for the con... your constituents to weigh in on the issue? I understand they would probably vote for it overwhelmingly, but was there a time crunch issue? They couldn't get it on the ballot?"

Burke, K.: "I don't know if there was a time crunch issue, Representative, but I believe their thought was that they needed the approval of the Legislature to go past their current debt limit."

Reboletti: "Thank you."

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Speaker Lyons: "The Chair recognizes the Gentleman from Lake, Representative Ed Sullivan."

Sullivan: "Thank you, Representative. I rise in support of the Bill. To answer the previous Gentleman's question, they cannot go to referendum on things of this nature because to go to referendum is to build things. This is to refinance things. So, that is the answer to the question. And I... well, are we on Third Reading?"

Speaker Lyons: "On Third on..."

Sullivan: "Okay. Sorry."

Speaker Lyons: "...Reading."

Sullivan: "So, yes, I... To the Bill. I rise in support of this Bill. This school district is trying to refinance, in essence, some bonds and by doing so, they need to extend their debt limit. That is solely what happens. If they do not do this, this will be an increase in the tax rate and the levies to try and accomplish what they're doing. So, in essence, this is going to help the people of this school district. And so, I rise in support of the Bill."

Speaker Lyons: "Representative Burke to close."

Burke, K.: "I ask for an 'aye' vote."

Speaker Lyons: "The question is, 'Should House Bill 4602 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 Mulligan, Reboletti and Rose, would you like to be recorded? Dennis. Mr. Clerk, take the record. On this Bill, there are 74 Members voting 'yes', 40 Members voting 'no', 0 voting 'present'. This Bill, having received the

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Constitutional Majority, is hereby declared passed. Representative LaShawn Ford on a point of personal privilege."

Ford: "Thank you, Mr. Speaker. I would like the Body to recognize today the Acute Care Center at the University of Illinois. They're down here to raise their awareness for sickle cell anemia. And they're here to ask this Body that we would join them and form a Legislative Sickle Cell Anemia Caucus to fight for their right to increase funding, better education in schools and a system to raise their awareness for this dreadful disease. And please welcome the people with sickle cell; they're here and Bonnye Johnson, she's leading the charge. They're in the gallery here. Please join me in recognizing them. Thank you for com..."

Speaker Lyons: "Thank you, U of I. Welcome to your Capitol. Glad to have you. Representative DeLuca, point of personal privilege."

DeLuca: "Yes. Thank you, Mr. Speaker. Ladies and Gentlemen, maybe if you... many of you have seen this photograph that I have on my computer here. It's been here for a couple years. Please join me in welcoming Mr. Jim Clancy. He's with us today. He was the doorkeeper for 10 years here. He has since retired. Let's wish him well. Mr. Clancy."

Speaker Lyons: "Jim, you look terrific. Retirement must agree with you. Glad to see you, our friend. Leader Dan Burke, on page 4 of the Calendar, under House Bills-Second Reading, you have House Bill 3812. What's the status on that Bill, Mr. Clerk?"

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Clerk Hollman: "House Bill 3812, a Bill for an Act concerning insurance. This Bill was read a Second time on e previous day. No Committee Amendments. Floor Amendment #4, offered by Representative Dan Burke, has been approved for consideration."

Speaker Lyons: "Leader Burke on Floor Amendment #4. Take that Bill out of the record on the request of the Sponsor. Representative Patti Bellock, on the Order of Third Readings, on page 21 of the Calendar, you have House Bill 5679. Read the Bill, Mr. Clerk."

Clerk Hollman: "House Bill 5679, a Bill for an Act concerning health. Third Reading of this House Bill."

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

Bellock: "Thank you very much, Mr. Speaker. House Bill 5679 is an issue that we addressed several years ago when Representative Kathy Ryg was here. And what this addresses is that when a state facility would close we thought that we had set up a fund that the money would follow the individuals into the community, if they chose to go into the community. What happened was only the money from the sale of the building would follow into the community. So, what this Bill does is say that the money would follow the individual into the community and that is if that's what their choice would be. And it also says that the General Assembly must have a report from DHS within 30 days of when they say that a facility would be closing. Does the two things. I'd be glad to ans..."

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Speaker Lyons: "You've heard the Lady's explanation. The Chair recognizes Representative Jack Franks."

Franks: "Thank you, Mr. Speaker. I have a parliamentary inquiry."

Speaker Lyons: "State your inquiry, Sir."

Franks: "If House Bill 5679 is identical to the Governor's Amendatory Veto of House Bill 1659, which was overridden unanimously in both chambers, isn't this already law?"

Speaker Lyons: "Representative, we'll have to get back to you on that. We'll make the call..."

Franks: "Please."

Speaker Lyons: "...and have the parliamentarian address the issue."

Franks: "May I ask the Sponsor a question, then?"

Speaker Lyons: "Sure. Go ahead, Jack."

Franks: "Patti, could this be the Governor's suggested changes according to the Amendatory as a follow up to the House Bill 1659, which we had unanimously overridden?"

Bellock: "Right. This was a trailer Bill that they had asked me do... to do after we did that last year."

Franks: "Well, I'm concerned that maybe... can we pull it out of the record for a minute 'cause I'd like to check..."

Bellock: "Sure."

Franks: "...because our... our analysis indicates that this is identical to the Bill that we had previously overridden."

Speaker Lyons: "Well, to..."

Bellock: "No, I'd be glad to."

Speaker Lyons: "Patti, you're fine with that? We'll take that Bill out of..."

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Bellock: "Yeah. I'd be glad to."

Speaker Lyons: "...the record temporarily and see if we can get these issues resolved and then we'll get back to you. Thank you. Take the Bill out of the record, Mr. Clerk. Representative Dena Carli, on page 7 of the Calendar, you have House Bill 4393. Representative Carli. What's the status on that Bill, Mr. Clerk?"

Clerk Hollman: "House Bill 4393, a Bill for an Act concerning criminal law. This Bill was read a second time on a previous day. No Committee Amendments. No Floor Amendments have been approved for consideration. And no Motions are filed."

Speaker Lyons: "Hold this Bill on the Order of Second Reading, Mr. Clerk. We'll get back to it. Mr. Clerk, what's the status on House Bill 5679, Representative Bellock?"

Clerk Hollman: "House Bill 5679, a Bill for an Act concerning health. Third Reading of this House Bill."

Speaker Lyons: "Representative Bellock, I was informed by the parliamentarian there's a question of Representative Franks that could be answered by the Member. So, Representative Bellock."

Bellock: "Thank you very much. And we just talked about it. And we think that the problem with the Amendatory Veto was that the Governor had overstepped his constitutional authority and that's why we're doing the Bill again. And Representative Franks is fine with that."

Speaker Lyons: "Okay. Any further discussion? Seeing none, the question is, 'Should House Bill 5679 pass?' All those in favor signify by voting 'yes'; those opposed vote 'no'. The

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voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Carli, Crespo, Mary Flowers, like to be recorded? Representative Carli, be recorded? Mr. Clerk, take the record. On this Bill, there's 114 Members voting 'yes', 0 voting 'no'. This Bill, having received the Constitutional Majority, is hereby declared passed. Representative Kelly Cassidy, on page 13 of the Calendar, you have House Bill 5290, on the Order of Second Reading. What's the status on that Bill, Mr. Clerk?"

Clerk Hollman: "House Bill 5290, a Bill for an Act concerning education. This Bill was read a second time on a previous day. Amendment #1 and 2 were adopted in committee. Floor Amendment #3, offered by Representative Cassidy, has been approved for consideration."

Speaker Lyons: "Representative Cassidy on Floor Amendment #3."

Cassidy: "Thank you, Mr. Speaker, Members of the House. This Amendment addresses concerns about unfunded mandates raised by Members of the committee. We worked together along with the School Management Alliance and the Safe Schools Initiative to address concerns while still putting forth... I'm sorry... I'm sorry. We need to withdraw Amendment 3. Amendment 4 is the appropriate one."

Speaker Lyons: "Mr. Clerk, withdraw a Floor Amendment #3. What's... Any further Amendments, Mr. Clerk?"

Clerk Hollman: "Floor Amendment #4, offered by Representative Cassidy, has been approved for consideration."

Speaker Lyons: "Representative Cassidy on Floor Amendment #4."

Cassidy: "I'm sorry about that. So, Floor Amendment 4 is the Amendment we discussed in committee yesterday that would

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address the concerns raised by the School Management Alliance and Members of the committee concerning unfunded mandates. At the same time, we... we continue to achieve our goal of creating meaningful policies in order to address the issues of school bullying. I would appreciate adoption of the Amendment."

Speaker Lyons: "You've heard the Lady's explanation. Seeing no discussion, all those in favor of the adoption of Floor Amendment #4 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 Hollman: "No further Amendments. No Motions are filed."

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

Clerk Hollman: "House Bill 5290, a Bill for an Act concerning education. Third Reading of this House Bill."

Speaker Lyons: "Representative Cassidy."

Cassidy: "Thank you. House Bill 5290 builds on progress made in 2010 when we passed the School Violence Prevention Act and created the School Bullying Prevention Task Force. The task force's recommendations included in need for some meaningful definitions and policies to be put in place to protect our students. Bullying continues to be a very serious problem in our schools, produces negative health, social and academic outcomes for our youth. Over a third of the... of students report that they feel unsafe in school because of one or more personal characteristics, half of Illinois students report that they've been verbally harassed, nearly a quarter of students reported that they

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had been physically harassed or assaulted in school in the past year. Over 25 percent of the Illinois high school students report skipping school in the past 30 days due to feeling unsafe. Students targeted by bullying behaviors are more likely to consider, attempt and commit suicide. We've seen this all over the country. Recently, in Minnesota, after a rash of suicides related to bullying, there was a court decision mandating policies very similar to what we are implementing here in order to protect students. And I ask for your favorable consideration."

Speaker Lyons: "The Chair recognizes Leader Mike Bost."

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

Speaker Lyons: "Sponsor yields."

Bost: "Representative, I know that there's many groups that are concerned about what the actual language says that bullying is and let me tell you that I'm opposed to bullying. And I don't think anybody on this floor says, oh, yeah, bullying is the right thing to do, but a clarification maybe of... could it be some... something that a child has been taught not to be abusive but just a statement in itself that might be considered bullying. It may be there's a... a difference in religious beliefs or something like that. If a... What's the definition..."

Cassidy: "No, Sir. This... this would early as... this is behavior..."

Bost: "...what is the definition that you have for bullying?"

Cassidy: "If you are asking if this covers, it sounds like you're asking about the... the applicability of the policy to

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religious institutions and schools. And religious schools are exempted from the Bill completely."

Bost: "No, no. I'm not... I'm not talking about..."

Cassidy: "Okay."

Bost: "...the religious schools. I'm talking about a situation that occurred... could occur in a public school based on this. What is your definition of what bullying is? What is... what... what is the definition, please?"

Cassidy: "The definition of bullying is already in the underlying law."

Bost: "Okay."

Cassidy: "It is not part of this Bill."

Bost: "Okay."

Cassidy: "It means any severe or pervasive physical or verbal act or conduct directed toward a student or students that has or can be reasonably predicted to have the effect of one or more of the following: reasonable fear of harm to the student, the person or property, causing a detrimental effect on physical or mental health, affecting an academic performance, interfering with the student's or students' ability to participate or benefit from the services, activities or privileges provided by a school. But that is in the underlying Bill passed in 2010."

Bost: "Okay."

Cassidy: "This is not part of this Bill."

Bost: "Okay. I understand that. Then what does your Bill add to the... to this particular law?"

Cassidy: "What this does... the underlying Bill required that school districts adopt a policy on bullying. We have not

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had compliance statewide and many of the schools have simply... have very minimal policies that do not fully address. This actually defines what a policy on bullying would look like to include the definition... the policy needs to include the definition that in... that is in the underlying Bill includes a statement that bullying is contrary to State Law and the policy of the school district or a nonpublic, nonsectarian elementary or a secondary school and includes procedures for reporting, investigating and addressing responses to bullying."

Bost: "Okay. The definition you gave that was in the original Bill I'm... if someone has a different belief than you, and they explain..."

Speaker Lyons: "Leader Bost, your time expired. We'll give you another minute."

Bost: "Okay. Thank you, Mr. Speaker. If they try to explain that belief and express their belief and express it in a... in a hard way but not necessarily doesn't put the... doesn't put a hand on the person or anything like that, could that be considered bullying?"

Cassidy: "I don't believe it does. This would be... this would have to rise to the level of harassment and torment. This is... this..."

Bost: "But what is torment to you..."

Cassidy: "...to..."

Bost: "...and harassment might not be torment to me and harassment."

Cassidy: "A single statement..."

Bost: "That's what I'm..."

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Cassidy: "...I don't think could be reasonably."

Bost: "...that's my concern."

Cassidy: "Given that this refers to reasonably predicted to have the following outcome, there is no reasonable person under any standard of law that would say one statement... one simple statement that I disagree with you, would put me at fear of physical harm. So, I don't believe that your situation would rise to that level. And bullying... bullying is the behavior. This is about behavior not belief. This is about..."

Bost: "Okay. But I understand that from what you're saying, but when you put it in law like... legislation like this, now all of a sudden you're putting... you're trying to describe what bullying is and if bullying is could... could saying something that you disagree with, is that bullying?"

Cassidy: "No, it is not. Putting someone in fear is. I disagree with you and this will happen to you is different than I disagree with you."

Bost: "Okay. All right, I thank you."

Speaker Lyons: "Representative Sandy Pihos."

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

Speaker Lyons: "Sponsor yields."

Pihos: "Yes. Rep... the Representative and I have been working on this for a very long time. This Bill has changed dramatically since its original introduction and since the underlying Bill. I think that the requests that have been made by most groups... I'm not saying all groups, most groups that had a concern... have been strongly addressed. I made one more request to the Representative in committee

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yesterday. I think no student should be bullied and I think it was a mistake when we did the original law in 2010 to start creating a list of students who should be protected. So, with the agreement with the House Sponsor on this Bill, she will... she has guaranteed that in the Senate we will take out the new additional list that was created by this Amendment and it will come back to us in that portion of the Bill just with the list from 2010 and no new people added to that list. I don't believe there should be protected classes. Again, no students should be bullied. And I will vote behalf on the Bill because I know I have the Representative's commitment."

Speaker Lyons: "Representative Jerry Mitchell."

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

Speaker Lyons: "Sponsor yields."

Mitchell, J.: "Representative, there... there was a lot of confusion and a lot of concern in committee for this particular Bill and we had to wait for quite some time for it to even come out of committee. Could you go over what that promised Amendment will have in it that the former Representative was talking about?"

Cassidy: "Yes. The original Bill added a few categories to this... to the list of protected classes. Excuse me. So, the current language includes adding physical appearance, socioeconomic status, academic status, pregnancy, parenting status and homelessness to the list that was already there for 2010. I have committed to having those removed in the Senate."

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Mitchell, J.: "Well, Representative, why don't you simply take this Bill out of the record, make that Amendment a Floor Amendment, bring it back with it there so that the Bill we're voting on is the Bill that we all understand it to be, rather than send it over there with a promise, again. And most of the people in this Body have been around long enough to know that we can make all the promises in the world that it will be changed in the Senate, but we have absolutely no control over what the Senate does with the Bills we send them. We can make this promise. We can also say we will not concur with a Bill if it isn't done the way we say; however, if you send a Bill over there with the... with the number of votes that it needs to get out of this chamber, they don't change the Bill. They vote it out. We have no more say. It's done. It goes to the Governor. There's no concurrence on a Bill unless there's an amended change. Now, there are many Members here that have had that promise made to them and it does not happen because they run into... to various buzz saws and they come back here and say, well, sorry, I couldn't get the Amendment on because so and so objected; therefore, I passed it the way it came to me. So, once you lose control of a Bill, it's no longer yours even though your name's on it. You're still responsible for it, but it's not solely yours when you send it to the Senate. You understand what I'm saying?"

Cassidy: "With all due respect, I will keep my word."

Mitchell, J.: "Well, you can't keep your word; your word means nothing when it gets to the Senate, if you've given up control of the Bill to the Senate."

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Cassidy: "I already have a commitment that it will be done."

Mitchell, J.: "Well, I've had those commitments before and Representative, they don't always hold. Ladies and Gentlemen, the problem with the Bill, the concern that we have is, once you begin to describe billy... bullying to enhance the definition that's there, you sometimes run into problems with other... with various groups and that's what's happened with this Bill. It's also... now requires much more of school districts; therefore, it's a huge unfunded man..."

Speaker Lyons: "We'll give you another minute, Jer."

Mitchell, J.: "It's a huge unfunded mandate on our schools and that the... the situation that we have, the way this Bill is written I recommend that we vote 'no', go back to the drawing board, get it right. When it comes out of the House and don't send a flawed piece of legislation to the Senate with a promise it'll be fixed in a ver... in another chamber. Thank you, Mr. Speaker."

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

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

Speaker Lyons: "Sponsor yields."

Reboletti: "Representative, during some of your testimony a little bit earlier you said that there were schools that were not in compliance with the bullying statute that we passed a few years back. How many schools are not in compliance?"

Cassidy: "There are three school districts with no policy at all and over 20 with simple... with inadequate policies, one line policies at best."

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Reboletti: "Let me take this one at a time. So, where are the three schools located?"

Cassidy: "I don't have those with me."

Reboletti: "And isn't or shouldn't ISBE be working with them to get a policy up and running?"

Cassidy: "Actually, ISBE would like this Bill passed so they have guidelines to provide to help school districts comply. This is not an unfunded mandate. This does not... this gives school districts the tools they need to comply with the mandate that was passed in 2010."

Reboletti: "My other concern is that you said there were about 20-some odd schools that did not have an adequate policy. Whose standard are you judging the adequacy by? Is that your standard, my standard or is that the school board's standard and..."

Cassidy: "This is ISBE's response. This is their evaluation of those... of those policies."

Reboletti: "Because my concern is, Representative, that I elect the school board officials in District 205 in Elmhurst and I would hope that they're able to come together and put together a very comprehensive bullying policy and if we don't like how they're doing it, then they should be voted out of office, but I'm not sure if we need to have a state solution, again, because we just did that. So, I don't know if we are searching a solution to a problem we've already addressed. So, I appreciate what you're trying to do. I just cannot support the legislation. We should leave local control up to our school boards and let them address the individual policy themselves, let the local officials deal

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with it. I understand bullying is a problem and, I want to make sure that all of our students, including my son who's a fourth-grader, can go to school and learn in a safe environment, but I think we've already addressed this issue. Thank you."

Speaker Lyons: "Leader Lou Lang."

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

Speaker Lyons: "Sponsor yields."

Lang: "Representative, as you see I'm a cosponsor of the Bill, but the... the Bill has changed a few times, so I want to make sure I understand what we're talking about. And... and I... I came in a little late and I heard some of the comments, but I... you're probably aware that a few years ago I was the Sponsor of a Bill that became law that required the State Board of Education to monitor every school district in Illinois to make sure they had an individual bullying policy in those school districts. And has the state board done that?"

Cassidy: "This Bill is the result of both the work of the task force that was created in your original Bill and the work of the state board who brought to... to my attention the absence of policies in at least three school districts and the inadequacies in the other policies that they found. And the desire on the part of school districts to have more guidance and that came out from the task force as well, that there needed to be more guidance for these school districts in order to comply."

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Lang: "And so, the state board would say that every school district in Illinois complied with that law except for three?"

Cassidy: "No. Three did not comply at all. More than 20 were found to be inadequate. They did not... they did not fully... they did not define bullying or responses or any of the pieces that we've put into this to give these school districts the guidance they need in order to... yo create effective policies on bullying."

Lang: "And what sanctions, if any, did the state board put into place for the school districts that either didn't do a policy or had inadequate policy?"

Cassidy: "They were not empowered to sanction under the original Act or under this one."

Lang: "And did they make an effort with those 23 school districts to resolve those issues?"

Cassidy: "The desire was to have a full... a more fully defined guideline for the school districts under the Act so that they can use this to help them comply."

Lang: "And so, is there... are there sanctions in this lit... piece of legislation?"

Cassidy: "No, there are no sanctions."

Lang: "Well, then wouldn't we be right back where we were, previously?"

Cassidy: "I don't believe so. I believe that the lack of compliance is based on a lack of understanding of what is needed. This helps to define what is needed. This gives these school districts the tools they need to comply with the original intent of the Safe Schools Act."

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Lang: "And you believe then that if we pass this legislation the original intent of my Bill will be fulfilled?"

Cassidy: "I do."

Lang: "And that would be that every school district in Illinois have a bullying policy that's enforceable locally by parents and students?"

Cassidy: "Absolutely. Parents and students will know what is expected of them. They will know what is expected of their schools in terms of compli... or in terms of responding to acts of bullying. I hear very often from parents who feel like they aren't heard, that their... that their efforts to find help are silen... fall on deaf ears. I hear tragedies from parents as well."

Lang: "Thank you. If I could just make a comment, Mr. Speaker... a few more seconds."

Speaker Lyons: "We'll give you extra time, Lou, that's no problem. Continue."

Lang: "Thank you. Mr. Speaker, Ladies and Gentlemen, we all know bullying to be an insidious part of what goes on in schools, some of it is physical, some of it is emotional and psychological intimidation. We began to take the steps when we passed a Bill a few years ago, now we need to take more steps. We see more and more of these problems. And yes, maybe the State Board of Education shouldn't take over all of it, and yes, we're all for local control, but something must be done to stem the tide. Perhaps, as some have suggested, there are further refinements that are necessary to this Bill. I want to think that through, but those refinements can take place in the Senate. We have a

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good Sponsor who's responsible about this legislation and cares deeply about it and I know she will follow this through in the Senate. And I would urge your 'aye' votes."

Speaker Lyons: "Representative Jim Sacia."

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

Speaker Lyons: "Sponsor yields."

Sacia: "Representative, I apologize. I was called off the floor and I missed a lot of the conversation. But I was advised that perhaps the... those that are in opposition will be addressed in the Senate. Is that correct? There are still some groups in opposition to this?"

Cassidy: "I don't know that their opposition will be fully removed, but the concerns that were raised in committee yesterday will be addressed in the Senate."

Sacia: "Thank you, Representative."

Speaker Lyons: "Representative Cassidy to close."

Cassidy: "As we've discussed very... very clearly, we took great and important steps in 2010 to address what is happening to our children in our schools. And through that work, the task force has worked since then, it became very clear that what was needed was more clarity, more tools for school districts to create policies that... that are effective while still addressing their local needs and fitting the character of their local communities. This Bill does exactly that without placing any unfunded mandates on these districts. I ask for your 'aye' vote."

Speaker Lyons: "The question is, 'Should House Bill 5290 pass?' 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? Crespo, DeLuca, Gaffney, Hatcher, Thapedi, Unes. Have all voted who wish? Take the record, Mr. Clerk. On this Bill, there are 61 Members voting 'yes', 49 Members voting 'no', 2 Members voting 'present'. This Bill, having received the Constitutional Majority, is hereby declared passed. Sacia, do you seek recognition, Jim?"

Sacia: "Thank you, Mr. Speaker. Ladies and Gentlemen, I wish you would join me in a round of applause. I have several FFA groups here from Lena-Winslow, Eastland, Scales Mound, all from Northwest Illinois. They're in the gallery. Could we give them a warm welcome."

Speaker Lyons: "Welcome to your Capitol, kids. Enjoy the day. Representative Linda Chapa LaVia, on the Order of Third Readings, on page 21 of the Calendar, you have House Bill 5825. Read the Bill, Mr. Clerk."

Clerk Hollman: "House Bill 5825, a Bill for an Act concerning education. Third Reading of this House Bill."

Speaker Lyons: "Representative Linda Chapa LaVia."

Chapa LaVia: "Thank you, Speaker and Members of the General Assembly. The analysis on 5825 is actually cleanup language, but it amends the School Code to increase the amount school districts are eligible to be reimbursed per... per teacher for student requiring home and hospital instruction from 8 thousand to 9 thousand. I hope for its passage. Thank you."

Speaker Lyons: "You've heard the Lady's explanation. Is there any discussion? Seeing none, all those in favor of the passage of House Bill 5825 signify by voting 'yes'; those

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opposed vote 'no'. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Dunkin and Hatcher, would you like to be recorded? Mr. Clerk, take the record. On this Bill, there's 113 Members voting 'yes', 0 voting 'no'. This Bill, having received the Constitutional Majority, is hereby declared passed. Representative Rich Brauer, on page 8 of the Calendar, under House Bills-Second Readings, you have House Bill 4566. What's the status on that Bill, Mr. Clerk?"

Clerk Hollman: "House Bill 4566, a Bill for an Act concerning children. This Bill was read a second time on a previous day. No Committee Amendments. Floor Amendment #3, offered by Representative Brauer, has been approved for consideration."

Speaker Lyons: "Representative Brauer on Floor Amendment #3."

Brauer: "Thank you, Mr. Speaker. Floor Amendment #3 simply takes away any opposition that DCFS had on this Bill. And this Amendment will allow children from the ages of three to five to have a developmental screening if they are abused or neglected. I'll answer any questions."

Speaker Lyons: "Gentleman moves 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 Floor Amendment #3 is adopted. Anything further, Mr. Clerk?"

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

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

Clerk Hollman: "House Bill 4566, a Bill for an Act concerning children. Third Reading of this House Bill."

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Speaker Lyons: "Representative Brauer on 45... House Bill 4566."

Brauer: "Thank you, Mr. Speaker. House Bill 4536 looks at the children from the ages of three to five. It is in law now that if someone is abused, neglected from birth to the age of three they will automatically go through a screening. This just codifies what's being done today. I'll answer any questions."

Speaker Lyons: "You've heard the Gentleman's explanation. Is there any discussion? Seeing none, the question is, 'Should House Bill 4566 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? Colvin, Dunkin, Kay Hatcher, Camille Lilly. Mr. Clerk, take the record. On this Bill, there's 113 Members voting 'yes', 0 voting 'no'. This Bill, having received the Constitutional Majority, is hereby declared passed. Representative Will Davis, on page 17 of the Calendar, you have House Bill 5831. Out of the record. Representative du Buclet, on page 21 of the Calendar, under House Bills-Third Readings, you have House Bill 5459. Out of the record. Representative Keith Farnham, on page 18 of the Calendar, under House Bills-Third Readings, you have House Bill 1535. Keith, 1535. Representative Farnham. Out of the record? Out of the record? Out of the record. Representative Sara Feigenholtz, Sara, on the Order of Second Readings, on page 11 of the Calendar, you have House Bill 4985, 4985. Out of the record. Representative LaShawn Ford, on page 18 of the Calendar, under House Bills-Third Readings, you have House Bill 3779. Read the Bill, Mr. Clerk."

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Clerk Bolin: "House Bill 3779, a Bill for an Act concerning State Government. Third Reading of this House Bill."

Speaker Lyons: "The Gentleman from Cook, Representative LaShawn Ford."

Ford: "Thank you, Mr. Speaker and Members of the House. I move for the adoption of House Bill 3779. It's a simple Bill to do everything that we can to reduce and make gaining employment in Illinois a little easier. Right now, the process for gaining employment in Illinois is to go and take a test at Central Management Services downtown and at different places in Illinois and you also go to the unemployment office to apply for unemployment when you're unemployed. The goal of this Bill is to bring the two agencies together and make sure that if you're applying for unemployment, that you have an opportunity to take a state test to be hired by the State of Illinois. So, this Bill simply creates a pilot... a five-year pilot and makes sure they we bring the two agencies together to put people to work in Illinois. And I move for the adoption of House Bill 3779."

Speaker Lyons: "You've heard the Gentleman's explanation. The Chair recognizes the Gentleman from DuPage, Representative Dennis Reboletti."

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

Speaker Lyons: "Sponsor yields."

Reboletti: "Representative, as I look at the analysis, it indicates that DES may have some issues with this because of their locations, if they'll have space, if they'll have enough employees there to administer the tests. Have they

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indicated that they would be able to administer the tests and not have additional budgetary issues to address?"

Ford: "Yes. We removed it. In the initial Bill, it was my initiative to try and have the test take place every month at every location, at every DES office in Illinois. But the Amendment, Amendment 1, now limits it to quarterly and there's no opposition with that Amendment."

Reboletti: "So, they'll be enough staff to administer the concerns and needs of the people that are there for unemployment issues at the same time administer these tests. Are... Is that what you're saying?"

Ford: "That's my understanding with no opposition with CMS and IDES. That's correct."

Reboletti: "And why is there a five-year time limit on the pilot program? Wouldn't we want to see maybe in a shorter time frame if this is working out, maybe a two-year or one-year or three-year program?"

Ford: "Well, this Amendment, I worked with IDES and CMS and they were fine with five years. It's not going to cost the state any money now. They were going to do this quarterly, so there's no problem with bringing the two agencies together."

Reboletti: "Is there any reporting requirements by the agencies to let the General Assembly know or the Governor's Office know how this is functioning..."

Ford: "There's no re..."

Reboletti: "...so if there's any issues that we can address them?"

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Ford: "There's no reporting requirements, but what we do know is that if the two agencies come together, Central Management Services and DES, if they allow people to test at their sites, we're going to put more people to work or qualify more people for employment with the State of Illinois. And that's the whole objective of the Bill is to make it easier for people to apply for work in the State of Illinois."

Reboletti: "No, I don't have an issue with that part. I just want to make sure that there are some issues that come up in the next six months or a year that we're not waiting for some information from these departments that we're able to deal with it legislatively if we need to. So, that's why I was saying, if we're going to wait five years for all this information, there could be problems along the way that needed to be addressed."

Ford: "Yes, so there's no reporting here."

Reboletti: "So, thank you, Representative."

Ford: "Thank you."

Speaker Lyons: "Representative Dwight Kay."

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

Speaker Lyons: "Sponsor yields."

Kay: "Yeah. Thank you. Representative, do the various departments and state agencies that employ people in Springfield or throughout the state have accurate job descriptions?"

Ford: "I would... Are you saying, are the agencies that post jobs, do they post descriptions of the available jobs that they have?"

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Kay: "Well, no. I'm saying the jobs that are available. Do the agencies or departments have accurate job descriptions that accurately reflect what is done on that job? What functions have to be performed?"

Ford: "I mean, it would be accurate if they put it out. I mean, it's not up to me to determine whether or not their job description is accurate or not."

Kay: "Well, it seems to me like... and I'm just... I'm thinking off the top of my head here... but if you're asking people to apply for a job and you specifically are asking about capabilities and knowledge and so on and so forth, that that would all have to be cross-referenced to some job description. So, where I'm going with this is, if we have a job description, this may have merit; if we don't, then we need to have job descriptions first. Would that mean... not be the case?"

Ford: "Well, if there's a job posted, then there must be a job description."

Kay: "Well, no, but I'm asking you. Are there job descriptions?"

Ford: "Yes. Let me just answer your..."

Kay: "And let me..."

Ford: "Yes."

Kay: "Well, let me... let me answer it this way. In my work with certain agen... certain parts of CMS I've found that there is not. That's where I asked the question. So, I think maybe you ought to pull this Bill and check to see how many departments and agencies actually..."

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Ford: "I think you're missing the purpose of the Bill. If you're asking me to pull a Bill when the only purpose of the legislation is to bring two agencies together, for example, you have an individual that's going to apply for unemployment at a unemployment office. At that point, the only thing that the individual, the unemployed person in Illinois, can do is ask for help from the unemployment security office. I'm saying, why not allow CMS to be there at the same time to allow the individual, while they're asking for unemployment, to apply for jobs that are available, that's posted, on CMS website."

Kay: "Yeah. I'm just... I'm just trying... I'm just trying to help you here to make it somewhat less confusing and to better assist the process for you. My question was really appropriate and that if you're doing... if you're going this far, how do you know it, when it's all said and done, that you have anything out there based on an accurate des... job description that you can actually place somebody?"

Ford: "Well, then, I think your question is, is CMS accurate? It has nothing to do with this Bill."

Kay: "Well, it does, Representative. I... I would just encourage you to take a look because I think you're going to find that, at least in one of the larger agencies in the state, there are no jobs..."

Speaker Lyons: "Representative Kay, we'll give you another minute."

Kay: "Thank you, Mr. Speaker. I'm not going to oppose your Bill. I simply would tell you that I think you need to go a little bit further here and find out whether or not you can

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fit the testing and the people into jobs that actually exist based on accurate job descriptions. It's done in the private sector every day. Thank you, Mr. Speaker."

Speaker Lyons: "Representative Ford to close."

Ford: "Thank you very much. It's my attempt to do everything that we can in Illinois to make it easier to apply for employment and to move people off the unemployment roll, and I believe that this Bill would do it. There's no opposition. I move for the passage of House Bill 3779. Thank you."

Speaker Lyons: "Representative Ford moves for the passage of House Bill 3779. 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? Representative Gabel, Representative Pihos, would you like to be recorded? Robyn. Mr. Clerk, take the record. On this Bill, there are 98 Members voting 'yes', 16 voting 'no'. This Bill, having received the Constitutional Majority, is hereby declared passed. Representative Chapa LaVia, on the Order of Second Readings, Linda, on page 16 of the Calendar, you have House Bill 5826. Read the Bill, Mr. Clerk."

Clerk Bolin: "House Bill 5826, a Bill for an Act concerning education. The Bill was read for a second time on a previous day. No Committee Amendments. No Floor Amendments. No Motions are filed."

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

Clerk Bolin: "House Bill 5826, a Bill for an Act concerning education. Third Reading of this House Bill."

Speaker Lyons: "Representative Chapa LaVia."

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Chapa LaVia: "Thank you, Speaker, Members of the House. This Bill is brought to me by ISBE in cleanup language. The proposal to... House Bill 5826 removes language requiring school districts with an average daily attendance of more than a thousand and less than 50 thousand to qualify for poverty grants of general state aid, submit a plan for the use of the funds for the poverty grants for the improvement of instruction in which priority is given to meeting the educational needs of disadvantaged children. Districts under this Section report to the State Board of Education prior to October 30 of each year. And I ask for a 'yes' vote."

Speaker Lyons: "You've heard the Lady's explanation. Is there any discussion? Seeing none, all those in favor of the passage of House Bill 5826 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', 1 Member voting 'no'. This Bill, having received the Constitutional Majority, is hereby declared passed. Leader Dan Brady, on page 21 of the Calendar, under House Bills-Third Readings, you have House Bill 5635, Dan. Read the Bill, Mr. Clerk."

Clerk Bolin: "House Bill 5635, a Bill for an Act concerning local government. Third Reading of this House Bill."

Speaker Lyons: "Leader Dan Brady."

Brady: "Thank you very much, Mr. Speaker, Ladies and Gentlemen of the House. House Bill 5635 is really just to clarify some language in a previous piece of legislation that was

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offered by Representative Sacia. And that is that this particular Bill would clarify that homicide investigation and the coroner's investigations related provisions from the Police Training Act that that would not impede the powers of the coroners under existing statute to investigate deaths established in the County Code presently. And I'd be happy to answer any questions."

Speaker Lyons: "You've heard the Gentleman's explanation. Is there any discussion? Chair recognizes the Gentleman from Cook, Leader Durkin."

Durkin: "Will the Sponsor yield?"

Speaker Lyons: "Sponsor yields."

Durkin: "I have no clue what you just said. Could you repeat that?"

Brady: "Let me... let me say it for the legal scholar..."

Durkin: "Could you speak... could you..."

Brady: "...the legal scholar that you are, Sir."

Durkin: "Thank you."

Brady: "It simply is a piece of legislation and..."

Durkin: "The mortician's hat off for a second, it'd be great."

Brady: "No, this is a coroner's Bill. There's a distinct difference between coroner and funeral director, but I'll explain that to you some other time. The legislation seeks to clarify that the lead investigator designation from the Police Training Board does not impede the statutory authority of the coroner."

Durkin: "How would it impede? What's the problem which has prompted you to..."

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Brady: "That law enforcement then would not, because of a change in designation, have authority over the coroner at a death scene."

Durkin: "Oh, you're saying that the coroner will preempt a... the local sheriff or city investigator in a homicide investigation, correct?"

Brady: "No, that's not correct. What it seeks to do is make sure that when it pertains to the body in a death investigation it does not impede any of the existing law in statute with the authority as presently given to the coroner."

Durkin: "Well, that's clear as mud, but I appreciate your response."

Brady: "I... and I appreciate the questions."

Speaker Lyons: "Leader Brady to close."

Brady: "Thank you very much, Mr. Speaker. I simply ask for an 'aye' vote and I thank..."

Speaker Lyons: "The question is, 'Should...'"

Brady: "...Representative Durkin."

Speaker Lyons: "The question is, 'Should House Bill 5635 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? Dunkin, Gabel. Mr. Clerk, take the record. On this Bill, there are 114 Members voting 'yes', 0 voting 'no'. This Bill, having received the Constitutional Majority, is hereby declared passed. Representative Jack Franks, on page 4 of the Calendar, under House Bills-Second Readings, you have House Bill 3816. What's the status on that Bill, Mr. Clerk?"

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Clerk Bolin: "House Bill 3816, a Bill for an Act concerning State Government. The Bill was read for a second time on a previous day. Amendments 1 and 3 have been adopt... adopted. Floor Amendment #4, offered by Representative Franks, has been approved for consideration."

Speaker Lyons: "Representative Franks on Floor Amendment #4."

Franks: "Thank you. Floor Amendment #4 makes two substantive changes. What we're doing now is shifting notification requirements to the Secretary of State Office to the Governor's Office simply because the Governor's Office has the most up-to-date information concerning boards and commissions. It'd be in the best position to provide notice. This was a extensively negotiated Bill in committee and I think now we've finally got it right."

Speaker Lyons: "Is there any discussion? Seeing none, all those in favor of the adoption of Floor Amendment #4 signify by saying 'yes'; those opposed say 'no'. In the opinion of the Chair, the 'ayes' have it. And Floor Amendment #4 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 3816, a Bill for an Act concerning State Government. Third Reading of this House Bill."

Speaker Lyons: "Representative Franks."

Franks: "This Bill genesis was a report that we received from the Auditor General that showed that many boards and commissions have been inactive for years. This Bill simply would say that if these boards and commissions haven't met for a period of two years that they would be dissolved. But

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there are procedural safeguards for those boards and commissions that would like to appeal..."

Speaker Lyons: "Hey, Jack, are you back on? I lost the board here too."

Franks: "Okay. We got it now."

Speaker Lyons: "Are you all right? Okay."

Franks: "Thank you."

Speaker Lyons: "Continue, Representative."

Franks: "And there are procedural safeguards for those boards and commissions that would like to appeal. And I'd be happy to answer any questions."

Speaker Lyons: "You've heard the Gentleman's explanation. Is there any discussion? The Chair recognizes the Lady from Cook, Representative Monique Davis."

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

Speaker Lyons: "Sponsor yields."

Davis, M.: "Representative, if a person or group hasn't met in two years, how will you notify them that they're dissolved?"

Franks: "Now, it's... As you know, in committee we talked about this. The Governor's Office would be required. Before we thought the Secretary of State should do it because they were the keeper of records, but apparently after meeting with the Governor's Office, after our last committee, that they thought that they would have better records."

Davis, M.: "And how much would the state save by dissolving these boards and commissions?"

Franks: "It would be a minimal amount. There's not... there wasn't a fiscal note that was filed. But I think it's a way

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to help streamline our government and to focus on these things that are more important than working on boards and commissions that haven't met for years and haven't done anything."

Davis, M.: "Well, to the Bill, Mr. Speaker. As Representative Franks knows, I spoke against the Bill in committee because I believe that the Bill states that after they have decided or whoever... who will make the decision? Who... somebody will make a decision that these particular boards..."

Speaker Lyons: "You're on, Jack."

Davis, M.: "...there's a reason for it."

Franks: "Now, it's working. Thank you. The Governor because these are... these are... only boards and commissions are appointed by the Governor, so the Governor would be the ultimate authority..."

Davis, M.: "So, let's..."

Franks: "...as the Governor should be."

Davis, M.: "Well, let me tell you the unfairness with that. Let's say the Governor doesn't want a board or a commission and he's to appoint to that board and he has failed to make appointments to the board. So, since he has failed to make appointments to the board, they have not been able to meet as a full body and can conduct business. So, then, that would be to me just what he would want. Well, I can now... this abolished because they haven't met, but the reason they haven't met is because the obligation to name the members to the board has not been fulfilled."

Franks: "There's nothing..."

Davis, M.: "So... do you know I can... I can..."

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Franks: "...there's nothing that would prohibit the..."

Davis, M.: "Pardon?"

Franks: "There's nothing that would prohibit the reenactment of a board and commission because it's up to the Governor."

Davis, M.: "Well, let me just say this. You know, I've been here a very long time. It is not easy getting a board or a commission in place in the Legislature. It is not an easy task. You have to do what we do to get Bills passed and then sometimes it takes years. It took eight years for me to pass the racial profiling commission. It took eight years to get that commission in place. Today we are waiting for the Governor to appoint eight members to that board. So, this isn't something to be taken lightly, Ladies and Gentlemen. We're taking the desire of two Houses and giving the authority to one person, the Governor. Now, I know we all love and respect the Governor as best..."

Speaker Lyons: "Representative Davis, we'll give you another minute. Go ahead, Monique."

Davis, M.: "Thank you. I know we all love and respect the Governor, especially Jack Franks does; we all do. However, I do not want to take the authority of the Illinois General Assembly or the authority from the Illinois State Senate and give it and put it in the Governor's hands. As... as wonderful and as great as he may be, if these commissions or boards have not met, if they don't meet, they're not hurting anyone. It isn't the same as if, say, you're going to take the rules from CMS. You're going to take all the different rules for hiring and go through that and then eliminate some. This is something different. Some of these

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boards only meet twice a year. Some of them only meet twice a year and they're not funded at all. There's no funding involved. In fact, most of these boards and commissions do not get one dime, even for expenses or travel. Some of them are community organizations. I think, a community organization came and testified against this Bill. Some of them are committees, for example, to assist the autistic. Some of them may be commissions or boards to provide the dollars to AIDS programs. So, I mean, this isn't anything, in my opinion, to take lightly. And I would not want to give up the authority of the Illinois General Assembly to the Governor. I think we should keep our authority in naming boards and commissions and voting on them. I urge a 'no' vote."

Speaker Lyons: "Representative Mike Bost."

Bost: "Sorry, Mr. Speaker, I lost track of what I was actually going to say; it took so long to get there, but hey. Will the Sponsor yield?"

Speaker Lyons: "Sponsor yields."

Bost: "Representative, do we... and maybe you said this earlier, I don't remember... but did... how many total boards are we talking about here, do we know?"

Franks: "I want to... Can I clarify a few things from the previous speaker?"

Bost: "Yeah, but..."

Franks: "There's nothing... we would not be giving up any authority. This is a onetime deal and some of the boards and commissions that the previous speaker talked about haven't met in over five years, if they've ever met at all."

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I think the number is about 60 of these boards and commissions and I have a list of 47 of them that have not met since 2007."

Bost: "Okay. Now, do each one of these boards actually... are they... most of them paid boards?"

Franks: "No, but they get reimbursements."

Bost: "Reimbursements..."

Franks: "Right."

Bost: "...travel."

Franks: "Right. That type of thing."

Bost: "It does things like that."

Franks: "And whatever there might be for miscellaneous expenses."

Bost: "Okay, okay. So... so, and I know that was asked before, but whatever savings it is it'll just be the... probably that. It just... it's just removing some of the encumbersomes."

Franks: "Absolutely. And it... this is probably the lowest hanging fruit we're going to see. We're going to see some bigger problems coming very shortly with our budget numbers and this is... these are things that are out there that are unnecessary. They're extraneous. And that they need... if we really think they're that important, there is an appeal process here for the onetime and there's nothing that would bar us from putting these back in."

Bost: "They... they can be reinstated, correct?"

Franks: "Absolutely."

Bost: "All right. Thank you."

Speaker Lyons: "Representative Dennis Reboletti."

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

Speaker Lyons: "Sponsor yields."

Reboletti: "Representative, I wasn't able to hear what you were saying about the fact that of how many of these commissions actually exist at this time which would be in danger of being eliminated. Is there a number that exists already?"

Franks: "Well, I just asked the Governor's Office and they're not even really sure because they have to do a... an inventory yet and we have to get the information from the Secretary of State. But according to the Auditor... Auditor General's report and that's what made me think of this Bill, there's was a management audit of the state boards and commissions and they listed 47 of them that haven't met since 2007."

Reboletti: "And... and I know that you and I spent time on a Streamlining Government Task Force and here we are with groups that we've put together or under governmental responsibilities and they're not doing anything."

Franks: "Correct."

Reboletti: "So, what is the purpose of having them if they're not meeting? They're not producing any information. They're not producing any reports and they exist or the Governor is not appointing anybody which he should. He has an affirmative responsibility to do that. So, is there any explanation as to why these groups have not met? Is that because they're not constituting with enough members? They're just not following the directives of the commission. What is the reason, Representative?"

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Franks: "In some cases, the Governor has not made appointments, according to the audit. There was a recent audit by the Auditor General that came out last month that was critical of the Governor for not naming many boards and commissions, but in other aspects, they don't meet because they don't have a quorum or they can't meet or they haven't been appropriated. They haven't done anything. So, as you and I, we sit on that done on the local consolidation commission and I guess what's good for the goose is good for the gander. We're looking at how to consolidate locally. Well, we need to lead by example. When we have extraneous governmental entities laying out there doing nothing, we have to eliminate them."

Reboletti: "And... and..."

Franks: "And if we need... and if feel as though they need to be put back in, that's enough... that's another debate for a different day. But I think now we have an affirmative obligation to show that we can cut as well instead of just asking our locals to cut."

Reboletti: "And I agree, Representative, we don't need to have feel good commissions that aren't presenting us with any valuable information whatsoever and we're wasting time and we're not making anything any better around here and if we need to cut back, we should be cleaning our own house. If we're going to have to streamline government and consolidate, if we can't consolidate ourselves, who are we to tell other governmental agencies that they need to be consolidated. So, I support your legislation. Thank you, Representative."

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Speaker Lyons: "Representative Rosemary Mulligan."

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

Speaker Lyons: "Sponsor yields."

Mulligan: "Representative, let me ask you. You were the cochair of the Senior Pharmaceutical Board; we haven't met in two years. What's the problem with that considering that.. considering what's going to happen here with Medicaid and whatever that board may become extremely important for us to discuss what's going to happen to the seniors in Illinois and the drug program?"

Franks: "And we've... That's a really good point. And we put in safeguards. The original Bill didn't have the safeguards and that's why we're on our fourth Amendment which would give, if you believe that we should be keep going we probably should depending on what happens with the Supreme Court decision and some other things, then we could appeal and say, hey, let's get together or to avoid the two-year deal, we could have a meeting and at onetime I thought we were useful."

Mulligan: "Well, I thought you were going to call a meeting, I've asked you this a couple different times, but quite frankly I think we will be because I think as soon as we pass some of the legislation that's going to happen this year and what happens with Obama Health Care and whatever, constituents, seniors are going to just flood our offices when they find they're not going to be able to walk in and get help with their prescriptions at the pharmacy any longer. So, I think you're going to have a lot of Legislators that wish that we had given them some direction

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on how to handle this and that we could come up with a plan that will be successful in helping the seniors in Illinois."

Franks: "Yeah, at the appropriate time, but right now we don't have any answers for them 'cause we don't know what... we don't know what... what's going to happen. I think we have to see what happens with the budget, but I'm happy to constitute that, if you'd like, but that's a different issue than this Bill."

Mulligan: "Well, is this Bill going to eliminate that board?"

Franks: "It depends when the last time we met and it would give us the opportuni..."

Mulligan: "I'm sure it's not for two years. I would bet on it."

Franks: "You're probably right. I'm not disputing that. So, we would have the ability to say, no, we would like to meet and the reason we haven't is we're waiting to see what's going to happen with the budget."

Mulligan: "So, you want to call a meeting in the back in about five minutes?"

Franks: "No, I'd like to follow the rules. But, yeah, we can talk."

Mulligan: "Thank you."

Speaker Lyons: "Representative David Reis."

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

Speaker Lyons: "Sponsor yields."

Reis: "Representative, we moved a Bill through State Government this year that would change the appointment process for the Southeastern Illinois Economic Development Authority. Would this be considered one of your boards and commissions?"

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Franks: "I don't think so, no."

Reis: "Does your legislation specifically exclude all the bonding authority groups or..."

Franks: "All what groups?"

Reis: "The bonding authority groups. These groups are throughout the State of Illinois. Most of them have county board members that are on there that approve bonding authority for economic development purposes, but some of them still have all their members appointed by the Governor and I know in my particular situation, they have not met in over two years because the Governor won't make the appointments. Now, I don't think it's fair that we disband a bonding authority that represents 17 or 20 some counties just simply because the Governor won't make the appointments. I think that should come back to us and if we decide to..."

Franks: "Well, again, you have... you have a procedural safeguard in this Bill."

Reis: "What if... Well, first you said it wouldn't affect it and now you say I have a procedural..."

Franks: "I'm getting clarification from the Governor's Office as we speak and yes, it would, but you do have the procedural safeguard."

Reis: "Well..."

Franks: "It wasn't on the initial list that I was looking at, let's put it that way."

Reis: "What's to keep... if your Bill should become law, what's to keep partisan politics from creeping in, a Governor of either Party doesn't like a board or commission, he or she

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simply doesn't make any appointments and that's how they get rid of this board or commission."

Franks: "That's what they're doing now. Effectively they're doing that now. With the Governor... Now, if you look at the last audit, Auditor General said that the Governor is effectively doing this. The difference is we continue to fund these things and waste money and we're wasting time."

Reis: "But mine... mine doesn't get any funding."

Franks: "My point is we can have these reconstituted if necessary under a new Governor. Any Governor is going to have the ability not to put people on."

Reis: "But the..."

Franks: "Even though they should do it, they don't have to."

Reis: "But the board and commission is still in statute; it's still there. While there may not be meetings, there may not be anything going on, it's still in statute. And I don't find myself..."

Franks: "But why would we exult form over substance. And wouldn't... if you're going to have something, shouldn't it actually do something."

Reis: "Absolutely. I don't agree with it. Why don't we just look at all the boards and commissions and put the Bill together that says we're going to eliminate all of these, let the General Assembly and the Senate approve it and get rid of them that way."

Franks: "I would like to see follow-up legislation. I think we could get rid of most of the boards and commissions, but I... I picked the lowest hanging fruit. Some of these haven't met for five years and I... and I made it even tougher

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because in the committee, and I wish you would have been in the committee 'cause you would have seen how much debate we had and it passed 17 to 1 because we had so many changes. They had some of the same questions that you had, but the fact is, is now we've knocked it down to two years instead of these five.."

Speaker Lyons: "Gentlemen, your three minutes are up. David, one more minute, please, to finish this train of thought."

Franks: "We knocked it down to the two year. I think this is an eminently reasonable approach. I think this is a good starting point. Preferably, I'd like to go much further. I'd like to get rid a lot of the boards and commissions. We have some boards and commissions where executive directors are making six figures and they have not met. That is and just an affront on the taxpayers of the State of Illinois. We need to go much farther. This is a baby step. This doesn't solve the problems, but it's a place we need to start with and I'd like to go much farther."

Reis: "To the Bill. Thank you for the extra minute. I'm going to continue to listen to the debate here, Representative. I'm not quite sure that this is the way we need to get rid of them. I think those boards and commissions were formed by the General Assembly and they should have some say as to whether or not they are dissolved more than just the Governor not making the appointments. Thank you."

Speaker Lyons: "Final speaker will be Representative Lang and then Representative Franks to close. Leader Lang."

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

Speaker Lyons: "Sponsor yields."

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Lang: "Representative, I'm... you may have answered this, but some of these boards and commissions may have either a) money in the bank or b) bills that they're paying. If one of these would be dissolved by action of this Bill, what would happen to either of those items?"

Franks: "I'm not sure that your hypothesis is correct."

Lang: "Well, it's certainly possible that a board or commission could have a bank account and it could be that they would not have had a meeting in two years and thus, become inactive under your Bill, and what would happen to their money? What would happen to their debts?"

Franks: "I don't think what you're asking is correct. There was no mention whatsoever from the Governor's Office of any of those potentials. But, let's assume, for the sake of argument, then I would, presumably it was a steal to the state and the state would take either those bank accounts or those debts, but again, I don't see that as a... as a probability."

Lang: "So, would you commit to at least take a look at these issues, if the Bill goes over to the Senate?"

Franks: "Absolutely."

Lang: "And that would include any money they have or any money they owe..."

Franks: "Sure."

Lang: "...or any books of account that need to be resolved in some way."

Franks: "We'll get on it today."

Lang: "Thank you, Sir."

Speaker Lyons: "Representative Franks to close."

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Franks: "Thank you. I appreciate the questions on this. I... There was a lot of work on this Bill and I want to thank the committee. It was a... it was a better Bill because of it. And I want to thank the Governor's Office for working with us on this Bill and also the Auditor General for pointing out this issue. And what this Bill will do, it'll help us streamline government. This is something that's critically important at a time when we have unprecedented debt, when we have up... our state is essentially insolvent. Our state has not come up with the ideas of how it's going to pay its bills and here we have an opportunity to cut extraneous governmental expense and governmental entities that are not providing any service whatsoever. I'd encourage an 'aye' vote. I think we need to send a very strong message that we're prepared to clean up our own house especially when we're asking others to do the same. Please vote 'yes'."

Speaker Lyons: "The question is, 'Should House Bill 3816 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? Biss, Evans, May, Mell. Bob Rita. Mr. Clerk, take the record. On this Bill, there's 106 Members voting 'yes', 8 Members voting 'no'. This Bill, having received the Constitutional Majority, is hereby declared passed. Representative Costello, on page 21 of the Calendar, you have House Bill 5565. Out of the record. Representative Costello, you also have House Bill 5100. Both of them. Out of the record. Representative Luis Arroyo, on page 14 of the Calendar,

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under House Bills-Second Readings, you have House Bill 5531. What's the status on that Bill, Mr. Clerk?"

Clerk Hollman: "House Bill 5531, a Bill for an Act concerning education. This Bill is read a second time on a previous day. No Floor Amendments. No Committee Amendments... or no Committee Amendments. No Floor Amendments have been approved for consideration. No Motions are filed."

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

Clerk Hollman: "House Bill 5531, a Bill for an Act concerning education. Third Reading of this House Bill."

Speaker Lyons: "Representative Arroyo."

Arroyo: "Excuse me, Mr. Speaker, but I wanted to keep that on Second. I put an Amendment on it. The Amendment hasn't come through yet."

Speaker Lyons: "Mr. Clerk, put that Bill on the Order of Second Reading on the request by the Member. Representative Gabel, on page 18 of the Calendar, on House Bills-Third Reading, you have House Bill 1666. Out of the record. Representative Lisa Hernandez, on page 7 of the Calendar, under House Bills-Second Readings, Lisa, you have House Bill 4531. 4531. What's the status on that Bill, Mr. Clerk?"

Clerk Hollman: "House Bill 4531, a Bill for an Act concerning State Government. This Bill was read a second time on a previous day. No Committee Amendments. No Floor Amendments. No Motions are filed."

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

Clerk Hollman: "House Bill 4531, a Bill for an Act concerning State Government. Third Reading of this House Bill."

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Speaker Lyons: "Mr. Clerk, take the Bill out of the record. Representative Mike Fortner, on page 20 of the Calendar, on House Bills-Third Readings, Michael, you have House Bill 5362. Read the Bill, Mr. Clerk."

Clerk Hollman: "House Bill 5362, a Bill for an Act concerning local government. Third Reading of this House Bill."

Speaker Lyons: "Representative Mike Fortner."

Fortner: "Thank you, Speaker, Members of the House. 5362 simply extends the sunset date for the mis... the non-Home Rule use of sales tax. A couple years ago, to help out municipalities through the difficult times, we allowed them by front-door referendum to use their sales tax proceeds for non-home rule communities, for operations as well as for the infrastructure type of uses. This simply extends that date five years recognizing the municipalities still are in need. Those who wish to take advantage of it would like to have sufficient time. I'd be happy to answer any questions."

Speaker Lyons: "You've heard the Gentleman's explanation. Is there any discussion? Seeing none, all those in favor of the passage of House Bill 5362 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 Barickman, Brady, Brauer, Will Davis, would you like to be recorded? Mr. Clerk, take the record. On this Bill, there are 76 Members voting 'yes', 37 Members voting 'no', 1 Member voting 'present'. This Bill, having received the Constitutional Majority, is hereby declared passed. Leader Frank Mautino, on page 2 of the Calendar,

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Frank, you have House Bill 404. What's the status on that Bill, Mr. Clerk?"

Clerk Hollman: "House Bill 404, a Bill for an Act concerning State Government. This Bill was read a second time on a previous day. No Committee Amendments. Floor Amendment #1, offered by Representative Mautino, has been approved for consideration."

Speaker Lyons: "Leader Mautino on Floor Amendment #1."

Mautino: "Thank you, Speaker, Ladies and Gentlemen of the House. Floor Amendment #1 is the culmination of the groups that have some great concerns for the Department of Natural Resources coming together throughout the course of this year. We called in everyone from the fishermen to the hunters to the municipalities, people who are mining... who run mining operations, to take a look at the overall structure of our Department of Natural Resources. It had basically three goals that we're trying to achieve. One is the reduction of mandates; the other would be the... looking for sustainable funding. You saw parts of that operation yesterday when we did the park fees Bills. And the other item's, we're looking for savings and efficiencies. What you see before you is the reduction of mandates. We took the... the hundreds of mandates that are in DNR and we gave them to these 38 groups. Everyone came together and agreed on items that could be reduced to save money. Additionally, since they used to have 2600 employees, now they have 1100 employees, some are doing two, three, four jobs. This would eliminate and refocus their efforts on what they... what they should be doing. And so, I want to thank all those groups

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and the departments and Representatives Osmond, Representative Phelps for this piece of the Bill that has come forward. There are a number of mandates that are removed within the Bill itself. It'll save about a million dollars and be able to repurchase some... or repurpose some of the jobs and priorities within the department. Additionally, there were savings and efficiencies that were discussed and I'd like to go through a few of those which is about another 10.7 million in savings. And... and to give you an idea and I won't go through the full list of them, but to achieve those savings the department has consolidated some areas. They have reduced travel, vehicle usage, telecommunications, printing. Matter of fact, some of you might have seen the last issue of Outdoor Magazine, which will save them approximately a million dollars there; elimination of the private fish stocking program, the savings there; reduction of 150 vehicles in their fleet. These are some of the items. I can answer more in questions. We have two Amendments to put this Bill in final form. Amendment #1 reduces the main... mandates, causes savings of between 700 thousand and a million dollars and will allow DNR to go ahead and take their tremendous employees who have been doing multiple jobs and refocus them. Be happy to answer any questions."

Speaker Lyons: "You've heard Representative Mautino's explanation on Floor Amendment #1. Floor... the chamber recognizes Representative Karen May for a question?"

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

Speaker Lyons: "Sponsor yields."

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May: "Yes. I just want to make sure that in combining Floor Amendment 1 and 2 you have deleted the questionable language about the storm water management agencies?"

Mautino: "Yes. Amendment #2 actually takes that out. When we took the three mandated paragraphs out in this Amendment, it eliminated the ability of counties to do their water planning."

May: "Yes. And that was the concern."

Mautino: "And then the purpose of the next Amendment will be to reinstate that so counties will be able to do their storm water management as the statutes allow for and that was unintentionally taken out in this Amendment. It will be replaced in Amendment #2 that we'll put on in a moment."

May: "That you'll put on in a minute. Okay. Thank you very much for a clarification."

Speaker Lyons: "All those in favor of the adoption of Floor Amendment #1 signify by saying 'yes'; those opposed say 'no'. In the opinion of the Chair, the 'ayes' have it. And the Amendment is adopted. Leader Mautino, is it your intention to leave this Bill on Second Reading for another Amendment?"

Mautino: "Yes. I believe we have... I believe the Amendment has been filed. It's on the floor here now."

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

Clerk Hollman: "Floor Amendment #1 was just adopted. Floor Amendment #2, offered by Representative Mautino, has been approved for consideration."

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

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Mautino: "Thank you. Floor Amendment 2, as Representative May correctly stated, puts in the paragraph that will allow counties to continue the fine work they're doing in the area of storm water management."

Speaker Lyons: "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 Hollman: "No further Amendments have been approved for consideration. No Motions are filed."

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

Clerk Hollman: "House Bill 404, a Bill for an Act concerning State Government. Third Reading of this House Bill."

Speaker Lyons: "Leader Mautino."

Mautino: "Thank you. This is a... I'm proud to bring forward House Bill 404 and we have taken input and advice from between 38 and 50 groups who have a deep concern about the stewardship of our natural resources and the preservation of the Department of Natural Resources. They have seen the budget of the Department of Natural Resources go from a hundred million dollars to \$49 million to \$45 million this year while having more mandates placed on it and half the number of people provide... still doing all of the work for decades that they've done and they've done to the best of their ability. These groups have come together. They have eliminated items from the department's statutory requirements which we no longer fund or some which are partially funded, but this will allow the department to better use that money to provide services in areas towards

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their core mission. The Amendment itself has between 700 thousand and a million dollars worth of savings. The talks also produced for... towards this year's budget about \$10.7 million in savings and reductions and they... and we continue those to this point. Representative Osmond has done a wonderful job participating in the meetings with these groups as has Representative Phelps and many of you have expressed concern and support. So, you've now seen two pieces of three... three Bills which are designed to protect... provide sustainable funding for the Department of Natural Resources going into the future. We'll see the... the final round of agreed fees between all the groups in a later Bill after the break and I will share that with all the Members very shortly, but this an important piece for all of us. I commend the department and those groups for looking towards the future of the Department of Natural Resources. And I would ask an 'aye' vote and encourage anyone who's interested in participating to please join with us."

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

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

Speaker Lyons: "Sponsor yields."

Reboletti: "Leader, I had a chance to sit in the Agriculture Committee and I thought I heard the same Bill. It says that this went through Exec, on our analysis. There was one Bill about DNR with rewritten mandates... oh, the shell Bill..."

Mautino: "Could you repeat that? I couldn't quite hear you."

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Reboletti: "Disregard that. Leader, I guess I would ask that you would amend this Bill to add all the other agencies in so that we could take all the mandates off and we could save millions of dollars and streamline government because to me this is something of beauty that we don't see here very often because it saves money, it takes away mandates. We see an agency streamlined, being as efficient as possible and I would hope that at some point we could do this agency by agency 'cause I think this is the prototype, this is the model. We see everybody working together and coming together with some real solutions to help us in these difficult times. So, I commend the work that you have done on this as well as all the folks over at DNR and the proponents and appreciate all your efforts. So, thank you."

Speaker Lyons: "The Chair recognizes Representative John Cavaletto."

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

Speaker Lyons: "Sponsor yields."

Cavaletto: "Representative, do I understand this right, then, that the pheasant hunts on the IDNR grounds will be dismissed now, we will no longer be able to have those."

Mautino: "No, that's not correct."

Cavaletto: "That's not correct. So, there's still... those pheasant hunts will continue to happen?"

Mautino: "Yes, yes, they will."

Cavaletto: "Well, it says here, IDNR indicates that these Sections are no longer being used and they pertain to the controlled pheasant hunts that IDNR runs every year."

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Mautino: "Okay. The... let me go through the points that are repealed. There are basically 14 mandates that are taken out. I'll run through those real quickly, what the savings is. We're removing the... the State Employees Housing Act mandate that is in there, savings of \$80 thousand. The State Museum Construction Act that takes care and takes out audit findings and it was built in the '60s, there's no longer need for that. There are three Sections in the Conservation Law... the Administrative Code. The first Section is the cash incentive for concessionaires at the complex at Fort Massac. That has been completed. We have a concessionaire there. There's no reason to budget that 400 thousand. So, there'll be no money to appropriate towards that and none will be needed. The next Section is a Conservation Resource Marketing by attrition of two positions. The people that previously worked on this mandate will no longer be doing that job. That's a savings of about 212 thousand a year. The final portion on the Mandate Section is the property from the Bicentennial Commission had been accomplished. That takes care of their audit findings. Geographic Information Collection Council Act, and removing that provision for that group that met twice a year saves about 80 thousand each for those two positions; that's 200 thousand there. Repealing the Parks Recreational Facility Construction Act, without the removal of this Act, DNR would have had an audit finding. That takes care of their audit finding and they would not be able to administer their program which is a \$10 million grant that comes into them. Flood Insurance Department

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advises the county storm water management. We took out some outdated provisions there but left in the language so that the counties can... can go ahead and do their storm water management. Let's see. We're talking... in the Section you were looking at about... we repealed a Section that required a report to the Governor and the General Assembly. And there is no impact on the pheasant program, so people will still be able to go to the area where we have the controlled pheasant hunts up in Ohio, the Village of Ohio..."

Speaker Lyons: "Gentlemen, your time expired. John, we'll give you another minute to finish your question."

Cavaletto: "Thank you, Mr. Speaker. The creating and maintained wildlife management habitat area is on lands owned by and controlled by individuals, corporation, association and municipalities. We're eliminating that?"

Mautino: "Yes, but as a result, they won't have the... there won't be any savings of staff money or eliminating these Sections, but this elimination... this Code here is no longer used by the departments."

Cavaletto: "So, I assume that all the elimination of the programs, that we are also saving money. We're not eliminating any ways to make funds, revenue."

Mautino: "You... correct, correct. As a matter of fact, we're looking at those areas for some enhancements on their... through the use of fees that will be agreed on by the sportsman's, other areas. That's the final piece yet to come, but no, we're not eliminating any programs which generate revenue for the department because that would defeat our entire purpose."

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Cavaletto: "Thank you, Representative."

Speaker Lyons: "Leader Mautino to close."

Mautino: "I'd ask for an 'aye' vote."

Speaker Lyons: "The question is, 'Should House Bill 404 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? May, Rose. Karen May, like to be recorded? Mr. Clerk, take the record. On this Bill, there's 114 Members voting 'yes', 0 voting 'no'. This Bill, having received the Constitutional Majority, is hereby declared passed. Leader Chuck Jefferson, on page three of the Calendar, under House Bills-Second Reading, you have House Bill 2886. Out of the record. Representative Karen May, on page 11 of the Calendar, under House Bills-Second Readings, you have House Bill 4986. Read the Bill, Mr. Clerk."

Clerk Hollman: "House Bill 4986, a Bill for an Act concerning safety. This Bill was read a second time on a previous day. Amendment #1 was adopted in committee. Floor Amendment #2, offered by Representative May, has been approved for consideration."

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

May: "We want to table Amendment #2, please."

Speaker Lyons: "Lady moves to table 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 Floor Amendment #2 is tabled. Anything further, Mr. Clerk?"

Clerk Hollman: "Floor Amendment #3, offered by Representative May, has been approved for consideration."

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Speaker Lyons: "Representative May on Floor Amendment #3."

May: "Yes. Floor Amendment #3 is a gut and replace and it basically expands the size of the task force to include more members from the business community, recycling and waste management industry, so that we... everyone who wished to be represented at the table in this task force could be... have a seat at the table."

Speaker Lyons: "The Lady moves 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 Floor Amendment #3 is adopted. Anything further, Mr. Clerk?"

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

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

Clerk Hollman: "House Bill 4986, a Bill for an Act concerning safety. Third Reading of this House Bill."

Speaker Lyons: "Representative Karen May."

May: "Yes. Thank you, Speaker and Ladies and Gentlemen. House Bill 4986 creates a task force for the Advancement of Materials Recycling. I think we all understand the importance of reducing materials in our landfill to reduce, recycle, reuse building material, composting and other, creates more jobs. So, this creates a task force including everyone in all facets of the industry to make recommendations to us. There is a typo in the Democratic analysis. The report should be two years not two days after... after they have met."

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Speaker Lyons: "You've heard the Lady's explanation. Is there any discussion? The Chair recognizes the Gentleman from DuPage, Representative Dennis Reboletti."

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

Speaker Lyons: "Sponsor yields."

Reboletti: "Representative, I have some concerns. It's my understanding that both DuPage County and Will County were looking for more representation or local government representation on the task force and I don't see that that occurred in Amendment #3. I was hoping you could address that."

May: "Yes. We did increase it to two from local government and two from local solid waste management agencies. So, SWALCO is interested; SWANCC is interested. We specifically didn't address that iss... concern."

Reboletti: "And what do you anticipate the budget will be..."

May: "There..."

Reboletti: "... 'cause I see that there'll be reimbursement for expenses?"

May: "There will just be reimbursement. There are no salaries."

Reboletti: "Thank you."

Speaker Lyons: "The Chair recognizes the Gentleman from McHenry, Representative Jack Franks."

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

Speaker Lyons: "Sponsor yields."

Franks: "Representative, I'm looking at our analysis and it indicates there's a fiscal impact because there's an elimination of the fee exemptions. Is that in..."

May: "That's..."

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Franks: "...the final draft?"

May: "No, no. That was gotten rid of a long time ago."

Franks: "Okay. They..."

May: "No fee changes. It's just simply a task force so that all people who have an interest in more recycling will be at the table."

Franks: "Is there any cost to the state for this new task force?"

May: "No, there are no salaries only..."

Franks: "Is there... then..."

May: "...they will be paid expenses."

Franks: "Just expenses. Okay. Thank you."

Speaker Lyons: "Representative May to close."

May: "Yes. I think we all agree that we need to recycle, reuse and reduce the amount of waste going into our landfill, to create green jobs. I ask for an 'aye' vote."

Speaker Lyons: "The question is, 'Should House Bill 4986 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? Costello, du Buclet, like to be recorded? Mr. Clerk, take the record. On this Bill, there are 69 Members voting 'yes', 44 voting 'no', 1 Member voting 'present'. This Bill, having received the Constitutional Majority, is hereby declared passed. Representative Mike Fortner, on page 20 of the Calendar, Representative, you have, on Third Readings, House Bill 5201. Read the Bill, Mr. Clerk."

Clerk Hollman: "House Bill 5201, a Bill for an Act concerning elections. Third Reading of this House Bill."

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Speaker Lyons: "Representative Mike Fortner."

Fortner: "Speaker, I believe there is an Amendment that is approved for adoption."

Speaker Lyons: "Mr. Clerk, the status on this Bill? Put this Bill back on the Order of Second Reading and see what's on the Bill on Amendments."

Clerk Hollman: "Floor Amendment #1, offered by Representative Fortner, has been approved for consideration."

Speaker Lyons: "Representative Fortner, correct you were, on Floor Amendment #1."

Fortner: "Thank you, Speaker, Members of the House. Floor Amendment 1 clarifies an area for the employees of the State Board of Elections in regards that could be a potential conflict of interest with respect to their bar against participating in campaign contributions and would prevent them from being engaged in collective bargaining for that reason."

Speaker Lyons: "The Gentleman moves for the adoption of Floor Amendment #1, and recognize Representative Dunkin on the Amendment."

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

Speaker Lyons: "Sponsor yields."

Dunkin: "Representative, I'm curious as to what brought on this piece of legislation.?"

Fortner: "Well, the State Board of Election has a very special place in state statute in the Constitution and has a very specific bar on the ability of its employees from being engaged in any political activity of any sort. There is the potential for a conflict that could occur if you had that..."

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those employees engaged indirectly in political conduct.
This just clarifies that."

Dunkin: "Which Constitution are you referring to?"

Fortner: "Well..."

Dunkin: "The State Constitution or the U.S. Constitution?"

Fortner: "Well, we... after we created the State Constitution, we then, back in 1970 we created the State Board of Elections pursuant to that with a very specific bar related to participation in political activity."

Dunkin: "So... so, are you saying that there... is there intent in the... in the Constitution or there is a particular Article in the Illinois State Constitution that strictly prohibits a State Board of Elections employee from contributing his or her personal dollars to a campaign committee?"

Fortner: "I believe there's specific language in the Constitution related to the State Board of Election."

Dunkin: "Well, you believe or it's in there?"

Fortner: "Well, I could look up the Art... I don't have the Article in front of me. I'd be happy to pull up the Constitution and quote you the Article."

Dunkin: "Can you do that?"

Fortner: "Could we move that to Third Reading and then take that up on Third Reading? If we could move the Amendment now; this is just Second Reading."

Dunkin: "Sure. Okay, that's fine. That's fair."

Speaker Lyons: "Concluded your remarks, Representative Dunkin? Thank you. Seeing no further discussion, all those in favor of the adoption of Floor Amendment #1 signify by saying 'yes'; those opposed say 'no'. In the opinion of the Chair,

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the 'ayes' have it. And the Amendment is adopted. Anything further, Mr. Clerk?"

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

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

Clerk Hollman: "House Bill 5201, a Bill for an Act concerning elections. Third Reading of this House Bill."

Speaker Lyons: "Representative Fortner on House Bill 5201."

Fortner: "Thank you. This Bill now has two different components: one clarifying what is a benefit for election judges. That's the underlying Bill and also the provision of the Amendment that I just described a few moments ago. To the earlier question, at this point I've... so far I've pulled up the statute. I'm still going to see if I can pull up the constitutional language that created it, but in the statute it specifically says no employee of the State Board of Elections, including its executive director and assistant executive director, shall engage in any partisan political activity whatsoever except to vote at elections; nor shall such person contribute either financially or in services or goods or any other way to any Political Party, candidate or organization engaged in political activity. So, it says either directly or indirectly there is a bar in participation with political activity."

Speaker Lyons: "You've heard the Gentleman's explanation. The Chair recognizes Representative Ken Dunkin."

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

Speaker Lyons: "Sponsor yields."

Dunkin: "Can you cite the exact Article and Section of the Illinois Constitution, Representative Fortner?"

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Fortner: "The part I just read was from a statute which was authorized and we created pursuant to the Illinois Constitution which created... when the 1970 Constitution created the State Board of Elections. This statute that I just cited which is statute 5-1a-13 in 10 ILCS specifically outlines this. So, without this clarification in the Labor Relations Act, which I would note that there are many other activities, such as our Inspector General, such as the employees of this... of this very Body that have the similar language related in that Labor Relations Act. This simply clarifies what would otherwise be a potential conflict between the statute I just read to you and the provision in the Labor Relations Act."

Dunkin: "So, Representative, why... according to my analysis the opponents for this is the AFL-CIO, AFSCME, Council of Illinois Labor Midwest Region, Illinois Federation of Teachers. Why are they opposed to this Bill?"

Fortner: "I... I can only cite what they said in committee as... and what they said in committee is they felt that they represent other bodies that also do election work. What I would say in response to that is those other bodies are not one specifically created by the Constitution with specific statutory language barring all their political activities. So, this is a very unique circumstance within the State of Illinois."

Dunkin: "Okay. So, Representative, this is in statute, correct?"

Fortner: "Right. This is a statute..."

Dunkin: "All right."

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Fortner: "...that was enacted pursuant to its creation under the Constitution."

Dunkin: "And that... what year was that?"

Fortner: "The... the most recent revision would seem to be from, I guess, it looks like 1991 was the original statute, though this original language goes back before that, back to the period of 1973."

Dunkin: "Well, here's my concern. Any and every state employee, municipal employee, private employee, has the right in America to participate or not based under the First Amendment in the United States Constitution to join... give free speech, join a particular organization, be it one you like, I don't like or whatever suits their fancy. Doesn't this piece of legislation, House Bill 5201, speak to a potential violation..."

Speaker Lyons: "Representative Dunkin, your time's expired. Give you another minute."

Dunkin: "Representative... Mr. Speaker, I didn't realize we had a time, Short Debate."

Speaker Lyons: "Well, I be... I've been using the timer all day, Ken. I know you haven't been on the floor, but we've been using the timer all day. So, I'll give you another minute."

Dunkin: "Oh. Rep... Thank you for that clarification, Mr. Speaker. Well, I guess, Representative Fortner, my concern is we are potentially setting up ourselves... our state for, against a United States violation of the Constitution or the federal Constitution for a federal lawsuit. And there's a reason that these unions are against it because it simply violates an individual's right to assemble, participate in

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any organization or contribute the way they want to with their own money. I mean, what's next. Are we going to start legislating how a private public employee should contribute their dollars that they earn that they work for? So, we're treading on pretty thin grass here by prohibiting a U.S. citizen from doing whatever he or she wants to do with their money. That's why there's major opposition toward this piece of legislation. And my other question is, why is this necessary right now, if it... if you say it's already in the statute. Representative."

Fortner: "I wasn't sure. You did ask to conclude his remarks."

Dunkin: "No, I'm asking you."

Fortner: "I understand. This is a question for Speaker. He had asked to conclude his remarks..."

Speaker Lyons: "Let... finish the question. You can answer that..."

Fortner: "Thank you."

Speaker Lyons: "...Representative, if you care to and then we'll move on if other people wish to get into the debate."

Fortner: "Thank you. To the first part, it is not true that every employee in areas where we demand the highest level of impartiality, we do provide exceptions. These... one area being our Inspector Generals and their employees have the same restriction that this Bill would do. So, this is not the only case where this would be in effect. Second of all, we... because we have this high level of expectation, of impartiality, the reason for this now is it... it was brought to my attention that there was this statute and there was a conflict, potential conflict with the language in the Labor Relations Act. And all I'm trying to do is make it... that

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conflict clear that our existing statute with respect to the State Board of Elections is the controlling statute."

Dunkin: "Well, Representative, if it exists right now in statute, why... and who brought this to you, by the way... why is this important now if it's already law..."

Fortner: "This... well, the problem is that there's a potential conflict because the language in the Labor Relations Act which provides for specific exemptions such as the Inspector General Offices that I mentioned, does not mention this. So, we have a potential conflict. So, what I'm trying to do here is resolve that potential conflict."

Dunkin: "Representative, you just cited that..."

Speaker Lyons: "Gentlemen, I've given you a couple extra minutes, Representative. Make your final point and then we're moving on."

Dunkin: "Yes. Thank you, Mr. Speaker. I guess, Representative, I see your intention. I understand where you're trying to go with this, but what I'm trying to get some clarification on, why now, if it... and especially since you've cited the state statute that we have in place now that prohibits certain employees from contributing politically even though it's of a direct violation of the U.S... of the U.S. Constitution of their First Amendment right, why do we need to have this legislation if it already exists in state statute? And... and..."

Speaker Lyons: "Representative Jack Franks. The Chair recognizes Representative Jack Franks."

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

Speaker Lyons: "Sponsor yields."

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Franks: "Just want to clarify something on the underlying Bill, I'm not talking about the Amendment #1. Currently, when a person is appointed as an election judge, they have to give the employer at least 20 days written notice and the purpose can... and the person can be absent to be an election judge and the employer may not penalize the employee for that absence other than a deduction in salary, correct?"

Fortner: "That's right. That's... that's existing statute."

Franks: "Okay. So, the underlying Bill says did you take out the 20 day written notice requirement?"

Fortner: "No, the only thing that we did is cl... and this is... the underlying Bill is identical to the Bill that was passed unanimously. We thought it might have gotten into the omnibus election Bill in the Senate, it didn't. So, I'm now running it again with the intent to get that through. No, all it's doing is clarifying because it was brought to my attention there was an election judge in my area where the employer was saying, well, no, we think a vacation day is salary. And this just clarifies what most employers I've talked to think that it's actually a benefit. It's not... that's a benefit not a salary. And so the employer was making the election judge give up a vacation day in order to be a judge which is not what the statute..."

Franks: "Okay."

Fortner: "...I think says. And so, I'm just clarifying that."

Franks: "Okay. But it doesn't require the employer to necessarily pay the employee on election day."

Fortner: "No, no. And I'm not changing that in any way. They... the one thing they can withhold is their pay..."

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Franks: "Right."

Fortner: "...for that election day. But they cannot withhold..."

Franks: "Make them burn a vacation day."

Fortner: "...or any other benefit."

Franks: "Okay. Thank you."

Speaker Lyons: "Representative Dennis Reboletti."

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

Speaker Lyons: "Sponsor yields."

Reboletti: "Representative Fortner, with respect to the Amendment, is part of the problem that you see is that we... if there was collective bargaining for election judges, they... they'd have to be fair share members, right, because there'd be money that would be used for political purposes if they were full members? That make any sense to you?"

Fortner: "Yeah. I mean, anything connected with our conduct of elections through the state board is an activity that we want to have the maximum possible neutrality and separation from the main goings on of the political process. That's what we've tried to establish through the statute that I cited earlier and this just really clarifies that that statute we really intend that to apply what it means would, in terms of indirect contributions throughout."

Reboletti: "Well, would it not also be an additional burden to trying to get election judges? I know in DuPage County we don't have every spot filled. Not only do they have to take a class, they would now be talking about joining a union to be a member... be an election judge for two elections in a year. Is that fair to say?"

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Reboletti: "Well, as I say, this is really, you know, for the employees of the State Board of Elections, but in general, yeah, the idea is not to introduce an element which could potentially bring it into conflict with this other statute. That's all we want to do is to try to avoid that circumstance."

Reboletti: "And I'm just trying to take it to its natural conclusion because then I'd think about election judges. I know, that's not be the full intent, but they're employees then too and then they would have the right to strike. So, I can... just can only imagine what would happen if we took it to its fullest logical conclusion. So, that's where I would have some concerns with allowing these folks to have collective bargaining. Is that... is that part of it also? Would they have the right to strike if they were union?"

Fortner: "This is only the employees of the State Board of Elections not the hired... not the people who volunteer as judges."

Reboletti: "Okay."

Fortner: "The underlying Bill deals with an issue of the under... of the judges of election. The Amendment deals with the employees of the state board."

Reboletti: "Okay."

Fortner: "So, I... Does that answer..."

Reboletti: "That's... that's fine."

Fortner: "...your concerns?"

Reboletti: "Thank you."

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Speaker Lyons: "The Chair recognizes the Lady from Grundy, Representative Pam Roth. The Lady's not seeking recognition. Representative Fortner to close."

Fortner: "Thank you. Both the underlying Bill and the Amendment seek to clarify two different areas with... that involve the conduct of elections here in the State of Illinois. I think they both will improve our ability to continue to have fair and open and elections that benefit the state. I ask for your 'aye' vote."

Speaker Lyons: "Representative Fortner moves for the passage of House Bill 5201. 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? Brauer, Chapa LaVia, Colvin, like to be recorded? du Buclet, du Buclet. Mr. Colvin. Mr. Clerk, take the record. On this Bill, there are 97 Members voting 'yes', 15 voting 'no'. This Bill, having received the Constitutional Majority, is hereby declared passed. Representative Deb Mell, on page 13 of the Calendar, Deb, under House Bills-Second Readings, you have House Bill 5451. Read the Bill, Mr. Clerk."

Clerk Hollman: "House Bill 5451, a Bill for an Act concerning criminal law. This Bill was read a second time on a previous day. No Committee Amendments. No Floor Amendments. No Motions are filed."

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

Clerk Hollman: "House Bill 5451, a Bill for an Act concerning criminal law. Third Reading of this House Bill."

Speaker Lyons: "The Lady from Cook, Representative Deb Mell."

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Mell: "Thank you, Mr. Speaker, Ladies and Gentlemen of the House. House Bill 5451 amends the Sexually Dangerous Persons Act to provide that psychologists in addition to psychiatrists may conduct the examination of a person alleged to be sexually dangerous. It addresses the lack of available psychiatrists, a shortage in the state. I welcome any questions. Thank you."

Speaker Lyons: "You've heard the Lady's explanation. Is there any discussion? The Chair recognizes the Gentleman from DuPage, Leader Jim Durkin."

Durkin: "Will the Sponsor yield?"

Speaker Lyons: "Sponsor yields."

Durkin: "Representative, maybe you can educate this Body and give us an explanation between the educational differences between a psychologist and a psychiatrist?"

Mell: "Well, I think, typically a psychiatrist prescribes medication, a psychologist does not, but you know, their criteria is the same. I mean, we're not changing any... any of the criteria, just who was."

Durkin: "Does a psychologist receive... are they cert... are they licensed by the State of Illinois?"

Mell: "Yes."

Durkin: "All right. Does a psychologist need any type of graduate studies to be qualified... to be licensed in the State of Illinois?"

Mell: "Yes. They're doctors as well."

Durkin: "Psychologists are?"

Mell: "Yes."

Durkin: "Okay. The only difference is... okay."

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Mell: "The ability..."

Durkin: "Who brought this to you? Whose... whose initiative is this?"

Mell: "The Attorney General and the Illinois State's Attorneys Office."

Durkin: "Is there a shortage of psychiatrists..."

Mell: "Yes, there is."

Durkin: "Okay. And that is the reason why we are doing this, correct?"

Mell: "Yes, we are."

Durkin: "All right. Thanks."

Speaker Lyons: "Representative Mell to close."

Mell: "Oh, I urge an 'aye' vote. Thank you."

Speaker Lyons: "The question is, 'Should House Bill 5451 pass?' All those in favor signify by voting 'yes'; those opposed say 'no'. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Chapa LaVia, Franks, Jones and Morrison. Thaddeus. Mr. Clerk, take the record. On this Bill, there's 113 Members voting 'yes', 1 Member voting 'no'. This Bill, having received the Constitutional Majority, is hereby declared passed. Representative Gabel, for what purpose do you seek recognition?"

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

Speaker Lyons: "Please proceed, Robyn."

Gabel: "Today, Representative Lilly and I would like to recognize a group of young leaders who have come to visit the Capitol from the Illinois Coalition of School Health Centers and especially a group from Evanston Township High

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School. So they're up in the gallery. Please stand. Let's give them a warm Springfield welcome."

Speaker Lyons: "Welcome to your Capitol, students. Enjoy your day. We're proud to have you down here. Representative Ken Dunkin, on page two of the Calendar, you have House Bill 830 on Second Reading. Out of the record. Representative Kosel, on page 10 of the Calendar, Leader, you have House Bill 4937 on the Order of Second Reading. What's the status on the Bill, Mr. Clerk?"

Clerk Hollman: "House Bill 4937, a Bill for an Act concerning criminal law. This Bill was read a second time on a previous day. No Committee Amendments. Floor Amendment #1, offered by Representative Kosel, has been approved for consideration."

Speaker Lyons: "Leader Kosel on Floor Amendment #1."

Kosel: "Thank you. I move for the adoption of Floor Amendment #1 and we'll debate it on Third Reading. This Bi..."

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 the Amendment is adopted. Anything further, Mr. Clerk?"

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

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

Kosel: "Thank you. Floor Amendment #2 removes all opposition to the Bill and makes it permissive. And I would ask for its adoption."

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Speaker Lyons: "Lady 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 Floor Amendment #2 is adopted. Anything further, Mr. Clerk?"

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

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

Clerk Hollman: "House Bill 4937, a Bill for an Act concerning criminal law. Third Reading of this House Bill."

Speaker Lyons: "Leader Renée Kosel, House Bill 4937."

Kosel: "Thank... thank you very much, Mr. Speaker. This Bill amends the forfeiture distribution provisions of the Illinois Controlled Substance Act, the Cannabis Act and the Methamphetamine Control and Community Act and provides that a local municipality or county law enforcement agent that enters into an agreement to provide police services with a municipality of a population exceeding 20 thousand may, pursuant to intergovernmental agreement, share any drug forfeiture proceeds with that municipality. I'll gladly answer any questions."

Speaker Lyons: "You've heard the Lady's explanation. Is there any discussion? The Chair recognizes the Gentleman from DuPage, Representative Dennis Reboletti."

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

Speaker Lyons: "Sponsor yields."

Reboletti: "Leader, I know that Homer Glen... and that's probably one of the communities that you're dealing with... they actually contract out to the local county sheriffs for police. Is that where some of the issues are coming from?"

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Kosel: "That is... that is part of the initiative behind this. This actually was brought to me by the State's Attorney of Will County, Mr. Glasgow, asking me to do this at the bequest of the sheriff also. So, it's..."

Reboletti: "And so... and so that way then the money could be shared... 'may' be shared instead of 'shall' be shared."

Kosel: "It may be shared only through intergovernmental agreement stipulating how and where and it can only be used for very specific police... police power type things such as a surveillance camera, police training and so forth."

Reboletti: "I appreciate you making it a 'may' instead of a 'shall'. So, I would urge an 'aye' vote. Thank you."

Speaker Lyons: "Leader Kosel moves for the passage of House Bill 4937. All those in favor vote 'yes'; those opposed vote 'no'. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Mike Fortner, would you like to be recorded? Mr. Clerk, take the record. On this Bill, there are 114 Members voting 'yes', 0 voting 'no'. This Bill, having received the Constitutional Majority, is hereby declared passed. Representative Jehan Gordon, on page five of the Calendar, you have, on Second Reading, House Bill 3893. 3893. I'm sorry. Representative Golar, my mistake. Jehan, you get the next Bill. Representative Golar, you have House Bill 3893. Is the Lady on the floor? No, she's not. Representative Gordon, you have, on page 18 of the Calendar, under House Bills-Third Readings, House Bill 1384. Out of the record. Representative Elaine Nekritz, on page 14 of the Calendar,

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under House Bills-Second Readings, Elaine, you have House Bill 5495. What's the status on that Bill, Mr. Clerk?"

Clerk Bolin: "House Bill 5495 has been held on the Order of Second Reading pending the filing of notes. Still needed is a Fiscal Note, a State Mandates Note and a home rule note."

Speaker Lyons: "Hold that Bill on the Order of Second Reading. Representative Art Turner, on page 20 of the Calendar, under House Bills-Third Readings, you have House Bill 5289. Read the Bill, Mr. Clerk."

Clerk Bolin: "House Bill 5289, a Bill for an Act concerning revenue. Third Reading of this House Bill."

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

Turner: "Thank you, Mr. Speaker, Members of the House. House Bill 5289 does three things. It creates a new crime of sales tax evasion, alters existing penalties for offenses of failure to file a sales and use tax return and fraudulent filing of a sales and use tax return and extends the statute of limitations for sales tax related crimes from three to five years. We've had the discussion in... for Floor Amendment 2 which made the Bill apply only to retail businesses and individual sellers who would be sub... would be subject to sales tax evasion provisions and the staggered offenses. And this would all fall under the Retailer's Occupation Tax Act. I'd be happy to answer any questions."

Speaker Lyons: "You've heard the Gentleman's explanation. Is there any discussion? The Chair recognizes the Gentleman from Cook, Representative Jim Durkin."

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Durkin: "Will the Sponsor yield?"

Speaker Lyons: "Sponsor yields."

Durkin: "Representative, could you tell me what the sentencing structure is now going to be for these evasion penalties?"

Turner: "When the amount... where the amount due is less than 500, it will be a Class IV Felony. When the amount due is from 500 to 9,999, it's a Class III felony. From 10 thousand and 99,999 dollars, a Class II felony. Any amount over \$100 thousand is a non-probational Class I felony."

Durkin: "But the non-probational Class I felony, it is?"

Turner: "Yes, Sir."

Durkin: "But the Class II is still probationable. The Class II felony is a probationable offense, correct?"

Turner: "Yes, Sir."

Durkin: "Is this... who will be responsible or who has jurisdiction with enforcing this... this new law?"

Turner: "The Attorney General's Office."

Durkin: "Would a county prosecutor be able to utilize this law for an investigation or for prosecution?"

Turner: "Yes, Representative."

Durkin: "They would?"

Turner: "Yes."

Durkin: "So, it would be in... jurisdiction would... I mean, I would... so, it's available for county prosecutors, Cook County State's Attorney but also the Attorney General? Are you sure... you're sure that's accurate?"

Turner: "The Bill came from an investigation out of the Attorney General's Office and the Department of Revenue. They had some actual cases. There was a gas station

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project. In November... in 2009, they recovered 60... from permanent... November of 2009, we recovered \$64 million in individual cases."

Durkin: "No, I understand that."

Turner: "Oh."

Durkin: "I just want to be purposely..."

Turner: "I'm sorry."

Durkin: "...perfectly clear. I understand why we're doing this, but I just want to make sure that we're... we have a clear understanding of who is going to be responsible for enforcing this law. Is it going to be the Attorney General and/or the local state's attorney or strictly the Attorney General?"

Turner: "And the local state's attorneys."

Durkin: "Okay. I'm not sure if that is currently how these revenue prosecutions are handled and I'm not sure if this actually... actually... if that's correct."

Turner: "Well, we're not trying to change who..."

Durkin: "All right."

Turner: "...currently can enforce the..."

Durkin: "Are you saying that the county prosecutors can enforce Illinois tax violations?"

Turner: "I'll have to get back to you with that answer, Representative."

Durkin: "That's it. I mean, it's... no, I'm going to support the Bill, but I want to make it perfectly clear..."

Turner: "Sure."

Durkin: "...that who has jurisdiction to enforce this. I think it's strict... only the Attorney General 'cause when you... So,

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if you could... Yeah, if you can get back to me, it'd be great."

Turner: "Okay."

Speaker Lyons: "Representative Turner to close."

Turner: "I appreciate an 'aye' vote. Thank you."

Speaker Lyons: "The question is, 'Should House Bill 5289 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 Jones, Representative Morthland. Thaddeus. Mr. Clerk, take the record. On this Bill, there's 114 'yes', 0 voting 'no'. This Bill, having received the Constitutional Majority, is hereby declared passed. Representative Dennis Reboletti, on the Order of House Bills-Third Readings, on page 20 of the Calendar, you have House Bill 5266. Read the Bill, Mr. Clerk."

Clerk Bolin: "House Bill 5266, a Bill for an Act concerning aging. Third Reading of this House Bill."

Speaker Lyons: "Representative Dennis Reboletti."

Reboletti: "Thank you, Speaker, Members of the House. 5266... well, my computer's having some problems here... is an initiative from the DuPage County State's Attorney's Office. In the past, we've shared records regarding elder abuse and neglect with various agencies, but some of those agencies weren't the prosecutors, weren't the police when they're responding to an elder abuse situation or a potential situation. So, they would have the information available to them on the front end so that they would know what they may encounter when they're dealing with seniors

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when they enter a home for a 911 call or a... any type of other call. So, to be proactive, we would have them be able to share some of the information that we have from our senior services and those would not be used for... to start an investigation but just as information... additional information for them when they visit a senior's house. I'll entertain any questions."

Speaker Lyons: "You've heard the Gentleman's explanation. Is there any discussion? Seeing none, the question is, 'Should House Bill 5266 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 114 Members voting 'yes', 0 voting 'no'. This Bill, having received the Constitutional Majority, is hereby declared passed. Representative Skip Saviano, on page 20 of the Calendar, Representative, you have House Bill 5104 on the Order of Third Readings. Read the Bill, Mr. Clerk."

Clerk Bolin: "House Bill 5104, a Bill for an Act concerning regulation. Third Reading of this House Bill."

Speaker Lyons: "Representative Saviano."

Saviano: "Thank you, Mr. Speaker, Members of the House. House Bill 5104 is an initiative of the Physician's Assistant Association. This is legislation resulted from some cleanup discussions with the department. There are no opponents. And I would ask for a favorable vote."

Speaker Lyons: "You've heard the Gentleman's explanation. Is there any... are there any questions? Seeing none, all those in favor of the passage of House Bill 5104 signify by

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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 Cole, Representative Krezwick, would you like to be recorded? Representative Krezwick, would you like to be recorded, Chuck? Mr. Clerk, take the record. On this Bill, there's 114 Members voting 'yes', 0 voting 'no'. This Bill, having received the Constitutional Majority, is hereby declared passed. Representative Zalewski, on page three of the Calendar, you have House Bill 1693. Out of the record. Mike, you also have, on page 12 of the Calendar, House Bill 5190, Second Reading. What's the status on the Bill, Mr. Clerk?"

Clerk Bolin: "House Bill 5190, a Bill for an Act concerning business. The Bill was read for a second time on a previous day. No Committee Amendments. Floor Amendment #1, offered by Representative Zalewski, has been approved for consideration."

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

Zalewski: "I move for the adoption of the Amendment. It clarifies the approach to dealing with an issue of UCC improper filings. I can discuss the Bill on Third Reading, but it handles it in a more appropriate way. I move for the adoption of the Amendment."

Speaker Lyons: "The Gentleman moves for the adoption of Floor Amendment #1. The Chair recognizes the Lady from Cook, Representative Rosemary Mulligan."

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

Speaker Lyons: "Sponsor yields."

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Mulligan: "Who's the one that determines whether it's fraudulent or not?"

Zalewski: "The Secretary of State."

Mulligan: "Someone in his office just looks at it and says this isn't correct; something's wrong with it?"

Zalewski: "Representative, if you've ever dealt with a UCC Article 9 filing affidavit, they're a complicated matters on liens and whatnot. Their counsel division, it's my understanding, handles the determination of whether it's a proper filing and what they're experiencing is difficulty where individuals are filing liens or documentation just to be rabble-rousers. So, this would remedy that situation."

Mulligan: "All right. But what happens if they delete something that's valid?"

Zalewski: "Well, again, I don't think, to this point, we've heard a hue and cry where the Secretary of State has inappropriately handled liens. What they are telling us is they're getting an abundance of cases where the liens are inappropriate from these groups that don't believe in the sovereignty of the United States and this is what that addresses."

Mulligan: "So, if they're in doubt, can't they have a small core of, say, paralegals that would refer it to an attorney so that they would have to go into court rather than just have the discretion to do whatever they want and perhaps they delete somebody who's going to be in trouble but the filing was correct?"

Zalewski: "The statute does not allow the Secretary of State to adequately remedy this situation in a way that eliminates

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false filings and they need to be able to get these filings off the books quickly, if they're wrong, so that peoples credit histories aren't hurt or their livelihood isn't damaged in any way."

Mulligan: "I'm trying to see who else is for this. The Bankers are for this. Credit unions are for it?"

Zalewski: "Your analysis might be better than mine, Representative. This came from the Secretary of State's Office. It would make sense that those organizations are for it because of their expertise in secured transactions."

Mulligan: "Well, I'm trying to just think what would happen if they deleted something that was supposed to stay on and that's of some concern. And I know whenever you have any kind of filing either with the Illinois Revenue Department or anything, it's like a game that goes on forever and ever and the people could never get their information straightened out. It's really hard to get it done. I would hate to see that happen with the Secretary of State's Office."

Zalewski: "I don't think that's what this Amendment and Bill would do."

Mulligan: "I hope so."

Speaker Lyons: "Representative Jack Franks."

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

Speaker Lyons: "Sponsor yields."

Franks: "Representative, I'm looking at the... our analysis when it comes to the penalty provisions and I see a hybrid of penalties and I'm not sure where we've seen those in other situations because this would not only be a criminal

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sanction, a Class A misdemeanor for a first offense and then a Class IV felony for a second or subsequent offense, but there'd also be civil penalties."

Zalewski: "You are correct."

Franks: "Have we done that before and..."

Zalewski: "I don't want to give you inaccurate information, Representative. This is a... this is a unique circumstance because these UCC filings, again, they affect someone's credit history, livelihood, ability to get a loan and we have these individuals that are like renegades and they don't believe in the sovereignty of the United States and they think that they... the way they exact their revenge is they file these false liens. So, I think what the Uniform Law Commission, which is a sort of a quasi-bar association that studies Article 9 that the UCC came up with, was an Amendment that was before... that's before you today. I don't know if we do this in other instances."

Franks: "I'm just concerned. I understand it is a problem and I've seen it happen, but I think we're sending a mixed message. Is this a criminal or is it a civil issue because let's assume you wanted to take this to the state's attorney..."

Zalewski: "Right."

Franks: "...to have them prosecute. They're going to say, well, this is a civil issue."

Zalewski: "Well, I think the flip-side of that coin is, there are... been maybe instances where a state's attorney going to say, I'm dealing with drug dealers and gangbangers and other instances where I don't have time to go after some

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recluse in the woods of Illinois, so your better bet is a civil remedy. So, I think it's more of a belt and suspenders approach than mixing and matching."

Franks: "Well, here's my... here's my concern. I think that the civil penalties make sense because the UCC is part of the Civil Code, Article 9. The question is, if someone gives a fraudulent statement. Well, then I think you could charge them under different issues for fraud. But to give a specific penalty for both criminal and civil, I think it's unprecedented and I also think it's confusing."

Zalewski: "Yeah."

Franks: "I think we'd be better off having a higher civil penalty and allow the state's attorney or the Secretary of State to make a separate finding of fraud and have that go forward, but I think the way this is done here I'm just worried that it's going to be very difficult, a) to enforce and b) very confusing."

Zalewski: "I understand your concern. Again, I would only say that there may be a belief that it'll be difficult or... to convinced state's attorneys to indict someone if they're considered to be... I don't want to use disparaging words... but they're someone who just isn't all there."

Franks: "Right."

Zalewski: "Whereas, this will give it..."

Speaker Lyons: "Representative Zalewski... and we have run out of time, Representative Franks, but we'll let you... give you one more minute to conclude this conversation."

Franks: "Thank you."

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Zalewski: "I don't... I think that there's instances where the state's attorney will refer to, in many other instances, say, your remedy here is civil not criminal."

Franks: "Would you consider, and maybe you have... I'll wait 'til you're ready."

Zalewski: "I just... staff just told me... wait, one moment, Representative."

Franks: "Sure."

Zalewski: "So, what was just explained to me by staff is the criminal element that we just described only comes in if it's the second offense of this Act. So, the civil is the primary instance of remedy."

Franks: "But that's... but that's not how it's written. Because they say a first offense is a Class A misdemeanor and a second offense is a Class IV felony. So, I was wondering if you may consider taking out the criminal aspect of this, leaving the civil one because I think we have a remedy under the fraud... under fraud for criminal sanctions."

Zalewski: "Representative, I appreciate your concern. Believe me, I know what you're saying, but given that this was an Amendment that came back after we agreed to hold it on Second and the Uniform Law Commission worked with the Secretary of State, who's primarily in charge of these. I'm not inclined to take the Bill out of the record right now."

Franks: "Okay. Thank... Well, maybe we can fix it in the Senate."

Zalewski: "I... I think we can."

Franks: "Okay. Thank you."

Speaker Lyons: "Representative Reboletti on the Amendment."

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

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Speaker Lyons: "Sponsor yields."

Reboletti: "Representative, who would make a determination if the filings were fraudulent? Would that be the Secretary of State?"

Zalewski: "The Illinois Secretary of State, Representative."

Reboletti: "Would that be an attorney that would be making that determination?"

Zalewski: "Well, most likely."

Reboletti: "And then upon that, the Secretary of State would have to go into court to get an order to stop any fraudulent filings? Is that... is that what happens next?"

Zalewski: "They can... my language in front of me says that they can do what's called an administrative action."

Reboletti: "Is there... as the previous speaker was mentioning... when you file these documents are... is there something about basically an affidavit saying that these are true and accurate to the best of the person's belief?"

Zalewski: "Well, it's... the language doesn't require that affidavit."

Reboletti: "And... and I guess the other thing is, why couldn't we, if you had fraudulent findings, say, the Secretary of State just turned those over to the State's Attorney's Office for prosecution, if there's a determination that something is fraudulent, deal with things administratively and see if the state's attorney wants to deal with some type of perjury charge or some type of fraud charge."

Zalewski: "Well, not... nothing in my Bill, in the Amendment, removes that Secretary of State's ability, and we just had this dialogue with the previous speaker. I just... my feeling

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is that the Uniform Law Commission felt that they were going to have a difficult time convincing state's attorneys to prosecute these. So, that's why we need this backup approach."

Reboletti: "And I can understand that sentiment because state's attorneys got a lot of things to review already. This will add thousands of new things. So, I understand and I think it does need a little bit of work in the Senate, and I'm sure that you'll follow through on it. So, thank you."

Speaker Lyons: "Representative Zalewski 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 the Amendment's 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 5190, a Bill for an Act concerning business. Third Reading of this House Bill."

Speaker Lyons: "Representative Mike Zalewski."

Zalewski: "Please vote 'aye'."

Speaker Lyons: "Is there any discussion? Seeing none, all those in favor of House Bill 5190 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 114 Members voting 'yes', 0 voting 'no'. This Bill, having received the Constitutional Majority, is hereby declared passed. Representative Gordon, on page 15 of the Calendar, Representative Gordon, you also had on Second Reading,

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House Bill 5659, Jehan. You had a second Bill on the list, a Second Reading Bill on page 15 of the Calendar, House Bill 5659. Out of the record. Representative Esther Golar, on page five of the Calendar, under House Bills-Second Readings, you have House Bill 3893 on Second Reading, Esther. What's the status on that Bill, Mr. Clerk?"

Clerk Bolin: "House Bill 3893, a Bill for an Act concerning health. The Bill was read for a second time on a previous day. Amendment #1 was adopted in committee. Floor Amendment #2, offered by Representative Golar, has been approved for consideration."

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

Golar: "Thank you, Mr. Speaker. Floor Amendment #2 actually is an agreed Bill by... We have some opponents. It is agreed. It actually allows uniform screening. There was some opposition in regards to the language. And what this Bill will do will actually eliminate the recidivism that we currently have in substance abuse programs, mental health and et cetera. I'd be happy to take any questions."

Speaker Lyons: "You've heard the Lady's explanation and 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 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, Mr. Clerk."

Clerk Bolin: "House Bill 3893, a Bill for an Act concerning health. Third Reading of this House Bill."

Speaker Lyons: "Representative Golar."

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Golar: "Thank you, Mr. Speaker. Ladies and Gentlemen, for a very long time in the State of Illinois in regards to the issues that are facing individuals that have substance abuse problems, mental health and so forth, it has been a revolving door. This Bill is an agreed Bill with HFS, who has really worked with the individuals that actually put this Bill together which is CEBA. And they've been working very, very hard for the past, I would say, 8 or 10 weeks. The Bill was actually was 50... the original Bill was 5326. It came out in 2010, but it actually passed out of committee and was on the floor. It was never called because of the saga that we had with nursing homes. There was a task force put in place, but basically, out of that task force, we still had a system that was broken. And so, this Bill has actually addressed some of the things that is of concern to HFS in regards to individuals with mental illness and alcohol and drug dependency. To determine the extent of disability and the level of functioning to ensure that the individual needs for treatment of mental disorders a substance abuse disorder is determined by using a uniform screening assessment and evaluation process. I encourage for your consideration an 'aye' vote. And I'll be happy to take any questions."

Speaker Lyons: "You've heard the Lady's explanation. Is there any discussion? Seeing none, all those in favor of the passage of House Bill 3893 signify by saying... 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? Durkin. Mr. Clerk, take the record. On this Bill, there's

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114 Members voting 'yes', 0 voting 'no'. This Bill, having received the Constitutional Majority, is hereby declared passed. Leader Lou Lang in the Chair."

Speaker Lang: "House Bill 4514, Representative Yarbrough. Out of the record. House Bill 5922, Representative Cunningham. Please read the Bill."

Clerk Bolin: "House Bill 5922, a Bill for an Act concerning civil law. The Bill was read for a second time on a previous day. No Committee Amendments. Floor Amendment #1, offered by Representative Cunningham, has been approved for consideration."

Speaker Lang: "Mr. Cunningham."

Cunningham: "Mr. Speaker, Members of the House, the Amendment was added to address concerns by the Attorney General's Office and it will basically allow for police departments from throughout the state to use one form for three different kinds of short form notification. I ask that it be adopted."

Speaker Lang: "The Gentleman moves for the adoption of the Amendment. Those in favor say 'yes'; opposed 'no'. The 'ayes' have it. The Amendment is adopted. Mr. Clerk."

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

Speaker Lang: "Third Reading. Please read the Bill for a third time."

Clerk Bolin: "House Bill 5922, a Bill for an Act concerning civil law. Third Reading of this House Bill."

Speaker Lang: "Mr. Cunningham."

Cunningham: "House Bill 5922 is an initiative of the Cook County Sheriff's Office working in cooperation with the

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Attorney General. Basically, what it does is it allows law enforcement to use the short form notification process to serve orders of protection that come out of civil court that... that could arise from a stalking situation. Any time one of these orders are issued in the criminal courts, right now, a deputy will try to serve that order of protection. If he can't, there's sort of a backstop in place and that's the short form. If a police over... pulls over that individual for speeding, let's say, who is not initially served by the deputy, the police officer can check his in-car computer, run a LEADS entry and see that this person has not been served yet and he can issue that notice of that order of protection with what is called the short form. This Bill will expand it to similar orders that come out of civil court in stalking situations. I'd appreciate an 'aye' support with... an 'aye' vote and would be happy to answer any questions."

Speaker Lang: "The Gentleman moves for the passage of the Bill. There being no debate, those in favor vote 'yes'; opposed 'no'. The voting is open. Have all voted who wish? Have all voted who wish? Mr. Leitch. Please take the record. On this question, there are 114 voting 'yes', 0 voting 'no'. And this Bill, having received the Constitutional Majority, is hereby declared passed. House Bill 3895, Mr. Farnham. Please read the Bill."

Clerk Bolin: "House Bill 3895, a Bill for an Act concerning local government. Third Reading of this House Bill."

Speaker Lang: "Mr. Farnham."

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Farnham: "Thank you, Mr. Speaker, Members of the House. House Bill 3895 amends the Sanitary District Act of 1917 by requiring that the five-member board of trustees of the Fox River Water Reclamation District be elected rather than appointed as of the 2015 Municipal Election. It also puts in place the process by timeline by which they'll be elected allowing that all people that are on the board now or up until 2015 will finish out their terms. It'll be a four-year term."

Speaker Lang: "Gentleman moves for the passage of the Bill. And on that question, the Chair recognizes Mr. Ramey."

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

Speaker Lang: "Sponsor yields."

Ramey: "Representative, why are you presenting this Bill?"

Farnham: "I'm sorry, what was that, Rep..."

Ramey: "Why are you presenting this Bill? Was it brought to you with a constituent concern?"

Farnham: "My belief is always to lean towards elections as opposed to appointments and..."

Ramey: "So, to answer the question, is nobody brought this as an issue to you. It was your idea alone."

Farnham: "There's been some conversations about it."

Ramey: "What's the... how are you answering the question, Representative?"

Farnham: "I'm bringing the Bill."

Ramey: "Okay. And so, it's your idea that you feel that we need to elect these positions and not appoint them. Who appoints them, Representative?"

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Farnham: "Right now, it's appointed by Legislators who have a piece of the Fox River Water Reclamation District in their area."

Ramey: "So, that would include you."

Farnham: "Yes. The majority of it is in my district."

Ramey: "And me?"

Farnham: "Yes."

Ramey: "And Representative Crespo."

Farnham: "Correct."

Ramey: "And Representative Schmitz."

Farnham: "Yes."

Ramey: "And Senator Noland."

Farnham: "And the corresponding Senators, yes."

Ramey: "And Senator Lauzen, Senator Millner. Have we made bad choices?"

Farnham: "I... I think that's strictly up to interpretation."

Ramey: "Well, I'm asking you the question. How do you interpret it 'cause you want to make a change? Do you feel we have made bad choices?"

Farnham: "I'm not putting a finger on anybody as a bad choice."

Ramey: "Okay. So, it's... I think that we've made some great choices and that Water Reclamation District happens to be running very well and not costing the taxpayers more money but, in fact, they're saving money, are they not?"

Farnham: "I think that it is always better to have it open to the public..."

Ramey: "I'm asking your opinion..."

Farnham: "...so that the public knows."

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Ramey: "...of the body. That particular water district, are they not running very well and being responsive to the public's needs?"

Farnham: "I think there are issues."

Ramey: "So, you think it's running badly."

Farnham: "I don't think in general it's running badly. I think that there are issues."

Ramey: "Well, what... what issues?"

Farnham: "I... That board meets once, twice a month. It's covered by pension; it's covered by complete health and welfare; it's salaried and I think the public needs to know that this is going on and why and it needs to be justified and I think the best process to do that is during an election."

Ramey: "How many water reclamation districts are now appointed by the Legislature?"

Farnham: "I can't say. I don't know."

Ramey: "Well, there's more than one 'cause this is not the only one in the state. Is that... would that be a correct statement?"

Farnham: "That is correct. There are others that are elected."

Ramey: "Then why are you not making your Bill applicable for all appointed water reclamation districts?"

Farnham: "Because I think it's a choice that they need to make themselves in their district."

Ramey: "But you just stated that you're for elections."

Farnham: "I am."

Ramey: "So, to be consistent you should add all water reclamation districts to your Bill."

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Farnham: "I think that's just diversionary. This is in my district."

Ramey: "Diversionary?"

Farnham: "I... The largest portion of it is in my district and I will always lean toward letting the public make the decisions just like they do on the Elgin Community College Board, on the Library Board, on the Township Board. Those are all elected and what's... what's wrong with that process? What have we got to hide from the public for?"

Ramey: "We're not hiding anything because the public hires us to make good decisions and we appoint to this board and we put very good people on this board and we sign off as a group. It's not just one of us appointing one person. At least four of us have to sign off to put somebody on that board. Is that correct?"

Farnham: "I'm not arguing about the way it is right now. I'm suggesting that it would be better served to be elected."

Ramey: "To the Bill, Ladies and Gentlemen. For years, the Legislature and us... and many of who are currently in this Body have made appointments to the water reclamation board which has ran very well, saved the taxpayers money and has used it responsibly. To think that bringing in an election would make anything better is under false pretense. And I would remind the Body that just a few weeks ago that there was a discussion on a Bill about an appointed individual who's a county board chairman and he wanted to elect him and they were appointed by the board. That Bill was soundly defeated by a hundred votes. I would suggest the same happens to this Bill. Thank you, Mr. Speaker."

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Speaker Lang: "Representative Mulligan."

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

Speaker Lang: "Gentleman yields."

Mulligan: "Representative, you made a statement in your discussion with Representative Ramey that the largest portion of the district is in your area. Wouldn't that tend to make it be that because you're a Democrat and the largest portion is in your area that the proportion of the board would change politically because of the way the board... the district is situated?"

Farnham: "No, absolutely not. The... the whole idea of this is to make it a nonpartisan board, anybody running would be running as not a Democrat or a Republican but nonpartisan in the municipal election."

Mulligan: "Well, people know that that's not true. Not only that, it also puts us... what happens is people that have money can run as opposed maybe people that are qualified. From what I see of who's appointed now, it seems to me that it's a pretty good mix of Democrats and Republicans and the other thing, having worked for a law firm that represented two water districts and one sanitary district 20 years ago, in my past history, the whole deal was to have people on the board that knew what was happening so that they could actually make the district function well and negotiate as far as where they were going to get water, where their sewage was going, what was going to happen, not necessarily making it a political election. It's more important that you... you have appointments but the appointments need to be people that are actually qualified to know how to run a

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sanitary district. So, why would you want to change something where the balance is mixed right now and nobody is complaining about how the district's running?"

Farnham: "Because it, right now, is more political than it would be if we were to do it as a nonpartisan election. And I believe that there's one person on that board that actually has some type of engineering or water background. Others are just citizens as barbers and I'm not opposed to that. I just believe run on your merits, let the public decide, open this up so that the public knows who this board is because right now I can tell you, people don't even know it exists."

Mulligan: "So, how long would each member serve and are you going to stagger the terms so that there's always a few members that know what they're doing so that maybe three run one year, six run another year?"

Farnham: "Yes."

Mulligan: "Right now, currently, what you have is you have on the Representative side three appointments by Democrats, three by Republicans; on the Senate side, you have three by Republicans and one by a Democrat. I... I think there's no reason to change this and I think this is a really interesting reason why this Bill is being promoted out there. I would definitely urge a 'no' vote."

Speaker Lang: "Mr. Fortner."

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

Speaker Lang: "Yes, he will."

Fortner: "Representative, in my district we had a situation where an appointed board, in this case, a fire protection

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district, wanted to switch over, but before they could become elected, they had a referendum to decide from those who'd be served which form they would like. Has there been any vote any... whether binding, advisory, any kind of referendum to give us a sense of whether or not the public in that area would prefer an elected versus an appointed board?"

Farnham: "No, because this comes under the Sanitary District Act of 1917 and it would have to be changed here."

Fortner: "Yes, but people could still put... yeah, would you even still put an advisory question out to see if that's what the public wants? I'm just saying that it seems to me that to make that change when our general practice in most of the types of districts that have appointed boards is to make that change after soliciting the public opinion through a referendum question, seems to be missing in this particular case. And I would not be comfortable making that change without having that same level of public input that I would expect to see and we certainly require in many cases with other units of government. You know, 'cause I want to go back... you answered a point to the previous questioner about... the concern about qualifications for membership because, I can certainly tell you, an elected board anyone who is a resident of that district can put themselves forward as a candidate. There's no guarantee at all probably less so than if... than if the appointed... the appointing powers chose to say, hey, we want to make sure there's such a candidate. So, I don't know that that would improve that situation in any way because, again, you know,

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people will run who are interested in the position regardless of whether or not we or some other member of the public thinks they would better make a fit for the kind of knowledge that would be helpful on that board. So, I'm going to reluctantly have to say that I don't think this is the time until we can get that information. And I would urge a 'no' vote."

Speaker Lang: "Mr. Schmitz."

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

Speaker Lang: "Gentleman yields."

Schmitz: "Representative, we've had lengthy discussions about this and we have some similar beliefs and some differences on this. Is there anything in this statute that has a geographic district for the board members so they, you know, two would come from one area, one... Is there anything that outlines it?"

Farnham: "No."

Schmitz: "And Representative, that's... that's a problem because that sanitary district covers a large geographic span. You just named off all the Legislators who cover that area and when the appointments are coming through, that's something we always try to take into consideration to make sure each area is represented because as we know, as develop and moves and sanitary districts or water districts cover those areas. some of the growth is limited by where those sanitary districts are and I have a concern that maybe, you know, you had stated that the largest part of this district is in your district, which that's true, you could have too much representation coming out of that one area and you're

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not going to get something out of the west or the north or the south which, you know, may be... may be a problem. That's something that we take care of when we look at the appointment process. Would you agree that could be an issue?"

Farnham: "I... I understand your point and it is a... I think that's a valid point. I don't know that in the appointment process that it has always worked out that all these areas are represented by an individual on the board from those areas, not always."

Schmitz: "But you could admit that we do take that into consideration when we're looking at people to appoint to this board, the location where they live, if they live in a district which is clear very crucial."

Farnham: "Well, I... I think it's always been impor... I mean, it's always important to me that the person live in the district, but I'm more interested in the person's qualifications, if they live in the district, what are... what's your qualification to be sitting on a board that is basically engineering and water treatment and recently somebody was appointed to the board, I don't believe he's actually taken the seat yet but he will shortly, who is a water engineer. And I would like to see people running on their qualifications to be on this type of board more than just, well, I live here; I would like to be on the board. You know, the whole pension and health and welfare thing and the payment and the... and doing educational seminars in other parts of the country, it just..."

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Schmitz: "Representative, with all due respect, I figure you could save some of that for your closing. I just wanted to point out that..."

Farnham: "Sure."

Schmitz: "...without geographic boundaries that does raise a concern for myself is dealing with an entire area that may have the population center could control the majority of the board and that's something that all of us in the appointment process work on. And I did not see, is there any type of provision in there for a recall measure?"

Farnham: "No, I don't believe so."

Schmitz: "And... and that's my second point of concern."

Farnham: "Four-year term."

Schmitz: "A four-year term and you can recall that there is a board member that there were some issues with and the check and balance was us. And that board member was removed off the board and there was another appointed."

Farnham: "When his term came up."

Schmitz: "But he was removed off the board because some issues had come up..."

Farnham: "Right."

Schmitz: "...that the person should no longer serve there. Without a recall provision, you get somebody in there and their... there's recall provisions in all these other offices. You get somebody in there for a four-year term and they're not cutting the mustard, I mean, the public's kind of stuck with that individual for the entire term. Would you... would you believe that could be a possibility?"

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Farnham: "Yeah. But in the instance that you're talking about, that was through the appointment process; he's been replaced at the end of his term. So, he did finish out his whole term."

Schmitz: "But in the appointment process a new petition could start right now for any individual."

Farnham: "The petition could, yes."

Schmitz: "There's no guarantee they'll finish the term out."

Speaker Lang: "Mr. Schmitz, can I ask you to bring your remarks to a close, Sir?"

Schmitz: "I would love it. If I could just a couple more minutes because we had about a three-minute response on a... on a question there."

Speaker Lang: "I'll give you one more minute, Sir."

Schmitz: "Thank you, Speaker. I guess, to the Bill. I know what the Sponsor's trying to do and like I said, we have some differences in this, but this Bill's not ready for primetime yet. We've got multiple sanitary districts throughout the state where the appointment process is working. This is one of them where the appointment process, I believe, is working. You have geographic concerns. You're going to have a population center control, a very important process, of local development. And I think with all due respect to the Sponsor, that this Bill's not ready to be voted upon here, that it still needs some more work. Why don't we include... if it's good for the sanitary district, why don't we include it for the rest of the sanitary districts in the state? I think some previous speakers brought up those points as well. But with that Speaker, and

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with all due respect to the Sponsor, I would urge a 'no' vote."

Speaker Lang: "Mr. Reboletti."

Reboletti: "I would just ask for a verification prior to the... after the people are done speaking."

Speaker Lang: "That request will be acknowledged. Mr. Farnham to close."

Farnham: "Thank you, Mr. Speaker. This... this Bill merely... this is a taxing body. It's a body where everybody in the district pays for these services through their taxes through their bill. And I just believe that they have the right to a voice, to representation, to let these people go before the voters and make their case that they are the best qualified to do this. In all due respect, Legislators should not be mixing our hands into these local water districts and just like the... if it's good enough for the community colleges, for the township boards, for the library district, for the school boards; it's good enough for all of them, why is it not good enough for a water reclamation district which has upwards of \$40 million in reserves while they're still collecting money from the public? And there's no real oversight. Now, you would say, yes, we have that oversight and that's our responsibility, true to a point, but I believe that it's really important that these people make their case to the public and that the public have an opportunity to ask them directly about specific issues to do with the finances of that water reclamation district. And that's why I'm calling for this to be passed and to have it be an elected process,

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nonpartisan. This is not about Republican or Democrat. Everybody knows I work in a very, very nonpartisan way. I would like to see this Bill passed."

Speaker Lang: "The Gentleman moves for the passage of the Bill. There is a request by Mr. Reboletti for a verification. Members will be in their chairs and vote their own switches. Those in favor of the Bill will vote 'yes'; opposed 'no'. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Acevedo, Costello, DeLuca, Lilly, May. Representative May. Please take the record, Mr. Clerk. On this question, there are 60 voting 'yes' and 53 voting 'no'. And Mr. Reboletti has requested a verification. The Clerk will call the names of the affirmative vote."

Clerk Hollman: "A poll of those voting in the affirmative. Representative Acevedo; Representative Arroyo; Representative Beiser; Representative Berrios; Representative Biss; Representative Bradley; Representative Daniel Burke; Representative Kelly Burke; Representative Carli; Representative Cassidy; Representative Chapa LaVia; Representative Colvin; Representative Costello; Representative Crespo; Representative Cunningham; Representative Currie; Representative D'Amico; Representative Monique Davis; Representative Will Davis; Representative DeLuca; Representative du Buclet; Representative Dugan; Representative Farnham; Representative Feigenholtz; Representative Flowers; Representative Ford; Representative Franks; Representative Gabel; Representative Golar; Representative Gordon;

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Representative Greg Harris; Representative Hernandez;
Representative Howard; Representative Jackson;
Representative Jakobsson; Representative Jefferson;
Representative Jones; Representative Krezwick;
Representative Lang; Representative Lilly; Representative
Lyons; Representative Mautino; Representative Mayfield;
Representative McAsey; Representative McGuire;
Representative Mell; Representative Mussman; Representative
Nekritz; Representative Penny; Representative Phelps;
Representative Rita; Representative Sente; Representative
Soto; Representative Thapedi; Representative Turner;
Representative Verschoore; Representative Williams;
Representative Yarbrough; Representative Zalewski, and Mr.
Speaker."

Speaker Lang: "Mr. Reboletti."

Reboletti: "Representative Jehan Gordon."

Speaker Lang: "Representative Gordon. Representative Gordon is
up near the podium."

Reboletti: "Arroyo."

Speaker Lang: "Mr. Arroyo is standing over here."

Reboletti: "Feigenholtz."

Speaker Lang: "Representative Feigenholtz."

Reboletti: "Oh, there we go. Is there any other Democrats in
the back?"

Speaker Lang: "Representative Feigenholtz is down here."

Reboletti: "Leader Lang, is there any other Democrats that
might be coming out from the back?"

Speaker Lang: "Oh, we'll let you check back there, if you
wish."

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Reboletti: "I may have to take a few moments to go back there.
I withdraw the verification."

Speaker Lang: "60 having voted 'yes', 53 'no', this Bill,
having received the Constitutional Majority, is hereby
declared passed. House Bill 4514, Representative Yarbrough.
Please... please read the Bill."

Clerk Hollman: "House Bill 4514, a Bill for an Act concerning
local government. Third Reading of this House Bill."

Speaker Lang: "Representative Yarbrough."

Yarbrough: "Thank you, Mr. Speaker. House Bill 4514, as
amended, allows county recorders in counties of less than
500 thousand to microphotograph or reproduce on film or
electronically store any written instrument he or she
receives without seeking authorization from the county
board. Currently, recorders in such counties may only
reproduce written instruments on film and that film is
becoming increasingly expensive. There's nothing in the
current law allowing for electronic storage. I'm happy to
answer any questions. There's no opposition to this
legislation."

Speaker Lang: "Lady moves for the passage of the Bill. There
being no debate, those in favor vote 'yes'; opposed 'no'.
The voting is open. Have all voted who wish? Have all voted
who wish? Mr. Rose. Please take the record. On this
question, there are 114 voting 'yes', 0 voting 'no'. And
this Bill, having received the Constitutional Majority, is
hereby declared passed. House Bill 5189, Representative
Coladipietro. Please read the Bill."

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Clerk Bolin: "House Bill 5189, a Bill for an Act concerning State Government. The Bill is read for a second time on a previous day. Amendment #1 was adopted in committee. Floor Amendments 2 and 3 have been approved for consideration. Floor Amendment #2 is offered by Representative Coladipietro."

Speaker Lang: "Mr. Coladipietro."

Coladipietro: "Good to see you in the Chair, Leader Lang, by the way. Leader, I'd like to... I'd like to withdraw Amendment #2 and we have Floor Amendment #3 that I'd like to adopt."

Speaker Lang: "Amendment #2 is withdrawn. Mr. Clerk."

Clerk Bolin: "Floor Amendment #3, offered by Representative Coladipietro."

Speaker Lang: "Representative Coladipietro."

Coladipietro: "Thank you, Speaker, Ladies and Gentlemen of the House. Floor Amendment #3 authorizes the secure check account as a method of direct payment for state employees for payroll and reimbursement. And I would move for the adoption of the Amendment."

Speaker Lang: "Gentleman moves for the adoption of the Amendment. Those in favor say 'yes'; opposed 'no'. And 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 Lang: "Third Reading. Please read the Bill."

Clerk Bolin: "House Bill 5189, a Bill for an Act concerning State Government. Third Reading of this House Bill."

Speaker Lang: "Representative Coladipietro."

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Coladipietro: "Thank you, Mr. Speaker, Ladies and Gentlemen of the House. House Bill 5189 authorizes the Comptroller to deposit payroll or reimbursement requests through a secure check account. And the... the purpose of this legislation is to allow those people who would like a printed check to be able to get... to get the printed check without having to pay the \$2.50 charge that the state is currently authorized to bill the account and the state employee to utilize that service. There's no opposition to the Bill. And I'd be glad to take any questions on this Bill."

Speaker Lang: "The Chair recognizes Mr. Reboletti."

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

Speaker Lang: "Gentleman yields."

Reboletti: "Representative, is this your last House Bill?"

Coladipietro: "It is my last Bill, Representative."

Reboletti: "Will you be carrying any Senate Bills? Have you made that determination as of yet?"

Coladipietro: "Well, you know, I haven't had a chance to look at the Senate Calendar to see if there's any Bills that I want to pick up."

Reboletti: "Well, I look forward to seeing what your last Senate Bill will be. So, I... I urge the support of the Body for Representative Coladipietro's last House Bill."

Coladipietro: "Thank you, Representative, and God willing I'm looking forward to you representing me as a constituent next year."

Speaker Lang: "Let us know when the love fest is over, Gentlemen. Those in favor of the Bill shall vote 'yes'; opposed 'no'. The voting is open. Have all voted who wish?"

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Have all voted who wish? Have all voted who wish? Franks, Howard, McGuire. Mr. McGuire. Please take the record. On this question, there are 102 voting 'yes', 12 voting 'no'. And this Bill, having received the Constitutional Majority, is hereby declared passed. House Bill 5025, Mr. Lyons. Please read the Bill."

Clerk Bolin: "House Bill 5025, a Bill for an Act concerning utilities. The Bill was read for a second time on a previous day. No Committee Amendments. Floor Amendment #2, offered by Representative Lyons, has been approved for consideration."

Speaker Lang: "Mr. Lyons."

Lyons: "Thank you, Mr. Speaker. Amendment #2 allows for a technical change on the time commitment here. It originally said 48 hours; they backed it up to five days. I'll explain the Bill on Third Reading."

Speaker Lang: "Those in favor of the Amendment say 'yes'; opposed 'no'. The 'ayes' have it. The Amendment is adopted. Mr. Clerk."

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

Speaker Lang: "Third Reading. Please read the Bill."

Clerk Bolin: "House Bill 5025, a Bill for an Act concerning utilities. Third Reading of this House Bill."

Speaker Lang: "Mr. Lyons."

Lyons: "And also for a point of clarification. On the Amendment, I did mention in committee that we'd probably be bringing this back to committee, but with the small change that was here, Rules decided to bring this to the floor. I did talk to the Minority Spokesperson, and to the Chairman

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and they both understood the process. Basically, what this Bill does, Ladies and Gentlemen, it gives the consumer some protection from utilities that, rightly so, put bricks on somebody's credit score if they determine that somebody's ignored notices and become delinquent and had the, you know, had become a problem on the collection end of the utility. I have no problem with that. They have every right in the world to go after deadbeats and do whatever legal recourse they have. My Bill tries to address the other end of this issue. When a person makes themselves whole or comes to an agreement with the utility, the utility has to be... is equally responsible to make sure that the credit reporting agencies, in a timely manner, are notified to put somebody back in good graces. So, my original Bill asked for a 48-hour notice to get somebody back on... off a credit reporting notice. This Bill, I did back it off. The only... the only Amendment the industry brought me was to make it a 30-day window for them to get the information back to the credit rating agency. That's just not acceptable. I gave... I moved... the technical Amendment moved back the issue to 5 days. I think that's a reasonable amount of time in the computer age in which we live. I've had two people in my district that had problems with utilities. If they can offer something to improve this in the Senate, I'll make sure Senator Mulroe, who will have this Bill in the Senate, will listen to it. But I think in order to cons... to protect a couple of consumers, especially people that we have probably in all our districts, I've asked you for an 'aye' vote."

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Speaker Lang: "Gentleman moves for the passage of the Bill. There being no debate, those in favor of the Bill vote.. Before we proceed, saved by the bell, Representative Will Davis."

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

Speaker Lang: "Gentleman yields."

Davis, W.: "I just have one question, Representative. How does the utility company know that that payment has been made?"

Lyons: "They're the ones who are.. it's their customers, Will."

Davis, W.: "So, you're.. so, you're saying a payment has been made 'cause sometimes, if you make the payment at one of their.. I'm not sure what the technical term is.. but at a payment center that's an authorized agent, then it takes a little while for that payment to show up in the system of the utility company. So, how is it.. so, again, and some.. what some people don't know is that sometimes it takes time for that to travel to the utility company. So, they go through an authorized agent or they go to a bill payment center, they make the payment; it still takes time for that information to show up on the system of the utility company, so.."

Lyons: "And I understand your question, Will. I'll ask you the question. Don't you think five working days is a reasonable window to do that in the computer age in which we live in?"

Davis, W.: "I'm.. I'm not disagreeing with you, but.."

Lyons: "No, I'm just asking the question. The Amendment allowed for 5 days, 5 working days."

Davis, W.: "Well, that's five days for the utility company to take the brick off the customer, but I'm saying, an

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authorized agent, that takes time for that information to travel from the authorized agent to the utility company. That's... that's my concern. If you think that what you're doing is fine and there are no challenges, okay, I'm with you. Don't get me wrong; I'm with you. I'm just curious."

Lyons: "Will, if they want to.. if the utilities want to talk to me further on this thing in the Senate, I'll make the promise of course, you know, not that... you know, we issue, we've discussed that issue about, if you lose control of a Bill when it goes to the Senate earlier today on a different Bill, my Senator will gladly keep his door open if something is needed to offer more time or to solve the issue that you're talking between communications between an agent and the utility itself."

Davis, W.: "Okay."

Lyons: "But I think their counter proposal of 30 days is ridiculous."

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

Lyons: "Thank you, Will."

Speaker Lang: "Those in favor of the Bill vote 'yes'; opposed 'no'. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Please take the record. On this question, there are 98 voting 'yes', 15 voting 'no', 1 voting 'present'. And this Bill, having received the Constitutional Majority, is hereby declared passed. House Bill 4444, Mr. Mautino. Please read the Bill."

Clerk Bolin: "House Bill 4444, a Bill for an Act concerning transportation. Third Reading of this House Bill."

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Speaker Lang: "Out of the record. House Bill 4453, Representative Will Davis. Please read the Bill."

Clerk Bolin: "House Bill 4453, a Bill for an Act concerning health. Third Reading of this House Bill."

Speaker Lang: "Representative Davis."

Davis, W.: "Thank you very much, Mr. Speaker. Very briefly, House Bill 4453 is an initiative involving the AIDS Foundation of Chicago. And it's an effort to reduce HIV and sexually transmitted infections by improving the community and prison partner notification. A couple points to know about this Bill is that it will improve community and correctional HIV and sexually transmitted infection partner notification, will increase early access to HIV and sexually transmitted infection and testing and treatment and will reduce HIV and STIs in the community. I will do my very best to answer any questions that Members may have."

Speaker Lang: "The Gentleman's moved for the passage of the Bill. Those in favor vote 'yes'; opposed 'no'. The voting is open. Have all voted who wish? Have all voted who wish? Mr. Clerk, please take the record. On this question, there are 82 voting 'yes', 32 voting 'no'. And this Bill, having received the Constitutional Majority, is hereby declared passed. Mr. Clerk, Rules Committee Report."

Clerk Bolin: "Committee Reports. Representative Currie, Chairperson from the Committee on Rules, reports the following committee action taken on March 28, 2012: recommends be adopted Floor Amendment #2 for House Bill 5823."

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Speaker Lang: "House Bill 4444, Mr. Mautino. Sponsor requests the Bill be moved to the Order of Second Reading. Please read the Bill, Mr. Clerk."

Clerk Bolin: "House Bill 4444, a Bill for an Act concerning transportation. The Bill was read for a second time on a previous day. No Committee Amendments. Floor Amendment #1, offered by Representative Mautino, has been approved for consideration."

Speaker Lang: "Leader Mautino."

Mautino: "Thank you. House Bill 4444 is an initiative of the Department of Transportation. Floor Amendment #1 reduced... or removes the fees that would have been increased for pilots and airplanes. Be happy to answer any questions."

Speaker Lang: "Those in favor of the Amendment will say 'yes'; opposed 'no'. The 'ayes' have it. The Amendment is adopted. Mr. Clerk."

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

Speaker Lang: "Third Reading. Please read the Bill."

Clerk Bolin: "House Bill 4444, a Bill for an Act concerning transportation. Third Reading of this House Bill."

Speaker Lang: "Mr. Mautino."

Mautino: "Thank you. What is left in the Bill now is an initiative of the Department of Transportation which will combine three funds at the Department of Transportation, the state, local and federal fund. These moneys, it's currently from the fees generated from pilots, is about 145 thousand that... dollars... that'll be deposited into one fund. That money will be used towards the federal match. The Department of Transportation has put \$6.2 million into this

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fund and that provides about three years of our federal match, and for that, this money will go specifically to building runways and improving runways. It gives us about access to a \$100 million in federal funding by virtue of us coming up with our state match. So, that's what this does. It combines three funds into one and allows that money to be used in order to fix runways."

Speaker Lang: "Gentleman moves for the passage of the Bill. The Chair recognizes Mr. Sullivan."

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

Speaker Lang: "Gentleman yields."

Sullivan: "Representative, the earlier version of this had a fee increase, but with Floor Amendment #1 you have removed that fee. Is that correct?"

Mautino: "That is correct. For the past 40 years, pilots have paid \$5 for a license to fly. That fee increase would have made it \$10 per year instead of \$5. They objected and so, the fee has been removed."

Sullivan: "Okay. With Floor Amendment #1, did any of the opposition from the Pilots Association or the Associated General Contractors, any of their opposition has been removed?"

Mautino: "Yes it has."

Sullivan: "Okay. So, our analysis says we are waiting for a position. It is your belief, with Floor Amendment #1, all opposition has been removed at this point?"

Mautino: "That's my understanding from the Department of Transportation."

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Sullivan: "Okay. One moment, please. So, one of the issues that I believe the Associated General Contractors were opposed to was the 6.3 million diversion from the Road Fund. Are they still opposed because of the diversion from the Road Fund?"

Mautino: "I would have to... and what I can also do is I can take the Bill out of the record to find that out. My understanding... and just so you know... that the funding for aeronautics comes from Series B transportation bonds that are sold currently; it will now, it will in the future. The reason that the Department of Transportation wanted to do this is that if we do not sell bonds in this next round under the Series B, then they will not be able to provide the federal match. So, it was their idea to make the switch. So, it will still be paid from the same funds with or without this Bill."

Sullivan: "Okay. Do you want to try and..."

Mautino: "Look, why don't we take it out of the record..."

Sullivan: "Okay."

Mautino: "...and I'll confirm that for you."

Sullivan: "I'd appreciate it. Thank you."

Speaker Lang: "The Bill will be taken from the record. Next item would be House Bill 3892, Representative Osmond. Please read the Bill."

Clerk Bolin: "House Bill 3892, a Bill for an Act concerning local government. The Bill was read for a second time on a previous day. No Committee Amendments. No Floor Amendments. No Motions are filed."

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Speaker Lang: "Third Reading. Please read the Bill for the third time."

Clerk Bolin: "House Bill 3892, a Bill for an Act concerning local government. Third Reading of this House Bill."

Speaker Lang: "Representative Osmond."

Osmond: "Thank you, Mr. Speaker. House Bill 3892 is an initiative of the Lake County Forest Preserve District and it's two parts. The first part they want to have the same language as park districts do on the disposal of a piece of furniture or whatever, and the second part of this is for removal of property off of land. We're not selling any land. It would be like a barn or a building that is no longer in need at the forest preserve. And I would answer any questions."

Speaker Lang: "Lady moves for the passage of the Bill. There being no debate, those in favor vote 'yes'; opposed 'no'. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Please take the record. On this question, there are 114 voting 'yes', 0 voting 'no'. And this Bill, having received the Constitutional Majority, is hereby declared passed. The Chair recognizes Representative Zalewski."

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

Speaker Lang: "Please state your point, Sir."

Zalewski: "If the chamber could give a warm welcome to the good village trustees of the Village of Brookfield, home of the great zoo: Mike Towner, C.P. Hall, Brian Oberhauser and Cathy Colgrass. They're up in the gallery, right there. If

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we could just give them a round of applause, a welcome to Springfield."

Speaker Lang: "Thank you. Welcome to Springfield. The next Bill is House Bill 5823, Representative Thapedi. Out of the record. House Bill 4031, Representative Yarbrough. Representative Yarbrough. Please read the Bill."

Clerk Bolin: "House Bill 4031, a Bill for an Act concerning criminal law. Third Reading of this House Bill."

Speaker Lang: "Representative Yarbrough."

Yarbrough: "Thank you, Mr. Speaker. House Bill 4031 extends the sunset of the Illinois Sentencing Policy Advisory Council from December 31, 2012 to December 31, 2015. The purposes of the Advisory Council is to review sentencing policies and practices and examine how these policies and practices impact the criminal justice system as a whole. There's no opposition to this Bill and I'd be happy to answer any questions."

Speaker Lang: "Lady moves for the passage of the Bill. There being no debate, those in favor of the Bill vote 'yes'; opposed 'no'. The voting is open. Have all voted who wish? Have all voted who wish? Representative Dugan. Representative Dugan. Please take the record. On this question, 113 voting 'yes', 0 voting 'no'. And this Bill, having received the Constitutional Majority, is hereby declared passed. Returning to House Bill 4444, Mr. Mautino. Please read the Bill."

Clerk Bolin: "House Bill 4444, a Bill for an Act concerning transportation. Third Reading of this House Bill."

Speaker Lang: "Mr. Mautino."

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Mautino: "Thank you. This is the initiative of the Department of Transportation. I would ask if we could go to Representative Sullivan. The answer to his question of whether the opposition has been removed is, yes. He has confirmed that and if I can have him go to the record."

Speaker Lang: "Mr. Sullivan."

Sullivan: "Thank you, Mr. Speaker. We have confirmed that the opposition is removed. I stand in support of this Bill. It's something that needs to be done to... for the Series... bonds."

Speaker Lang: "Mr. Reboletti."

Reboletti: "Will the Sponsor yield?"

Speaker Lang: "Gentleman yields."

Mautino: "Yes."

Reboletti: "Representative, is... this in no way impacts construction at O'Hare or Midway. Is that correct?"

Mautino: "No, that's correct."

Reboletti: "And with respect to the..."

Mautino: "As part of the... as part of the Transportation Bill and the structure of our Series B bonds, we're required to come up with a match and in order to do that, so... the local, downstate and suburban airport authorities, since we didn't have the money to come up with our match, in the past few years has been fronting that money for us in hopes that we would sell bonds. Now, we have, just in time, for the past two years and that allowed us to get the federal money to do the work at those runways both downstate and the suburbs. By agreement with the road builders and the construction industries, we put this Bill together to

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collapse the state and local and federal funds into one fund and the seed money from the Department of Transportation of \$6.3 million will actually cover the next three years of construction drawing in a hundred million dollars for that \$2 million each year."

Reboletti: "Will that money at some point be put back into the Road Fund? Is that anticipated or is that..."

Mautino: "If, when we do the bonds, the bonds is... the Series B bonds, those payments are actually made from the Road Fund. With or without this Bill, it would be the same dollars that do this. This is a much cleaner way and a way to be certain that we have three years worth of match so we can go ahead and start those construction projects this year."

Reboletti: "Thank you very much."

Speaker Lang: "Those in favor of the Gentleman's Bill vote 'yes'; opposed 'no'. The voting is open. Have all voted who wish? Have all voted who wish? Please take the record. On this question, 114 voting 'yes', 0 voting 'no'. And this Bill, having received the Constitutional Majority, is hereby declared passed. House Bill 5482, Mr. Morthland. Please read the Bill."

Clerk Bolin: "House Bill 5482, a Bill for an Act concerning human trafficking. 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 Morthland."

Speaker Lang: "Mr. Morthland on Amendment 1."

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Morthland: "Thank you, Mr. Speaker. I would prefer to do away with #... Amendment 1 and move on to Amendment 2 as it is a gut and replace Amendment."

Speaker Lang: "The Gentleman withdraws Amendment 1. Mr. Clerk."

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

Speaker Lang: "Mr. Morthland."

Morthland: "Again, Sir, as it is a gut and replace Amendment, I would like to attach and then move on to discussion on Third Reading."

Speaker Lang: "Those in favor of the adoption of the Amendment say 'yes'; opposed 'no'. In the opinion of the Chair, the 'ayes' have it. The Amendment is adopted. Mr. Clerk."

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

Speaker Lang: "Third Reading. Please read the Bill."

Clerk Bolin: "House Bill 5482, a Bill for an Act concerning human trafficking. Third Reading of this House Bill."

Speaker Lang: "Mr. Morthland."

Morthland: "Thank you, again, Mr. Speaker and Members of the House. This Bill, as it now stands, very simply does one thing and that is it makes those people who are convicted of a Class I felony of human trafficking on an involuntary servitude offense a non-probationary conviction. I ask for your 'aye' vote. I'm open for questions."

Speaker Lang: "Gentleman moves for the passage of the Bill. Mr. Reboletti is recognized."

Reboletti: "Will the Sponsor yield?"

Speaker Lang: "Gentleman yields."

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Reboletti: "Representative, you and I had a conversation regarding this, but if you would share with the Body what the opposition was from the Chicago Coalition for the Homeless."

Morthland: "Absolutely. And I want to say I really want to thank them for working so hard. We just simply couldn't come to terms. Their primary concern is that in some cases those people who are initially victims of human trafficking can be moved up the ladder and eventually become a higher level offenders and might not be quite as easily turned by prosecutors to turn to the state side if there were any limitations whatsoever in sentencing options, which I don't think this severely limits."

Reboletti: "And I would anticipate... and I'm not sure if you know... that that will be a smaller percentage of the offenders that would be involved in this type of offense."

Morthland: "Well, actually, it's such a small number that DOC, which would normally stand in opposition to this, as well as certain attorneys' groups who may passively oppose not so publicly oppose are all standing completely neutral because they understand this is a very small number of very bad actors."

Reboletti: "And I would assume that the prosecutor would still have discretion on how to charge this or reduce charges or make a determination that the person has been a victim even though they have moved up the food chain but that they, nonetheless, are still a victim and that could still be identified as such throughout the process of charging your grand jury or even at a sentencing hearing."

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Morthland: "I couldn't have possibly have said it better, Representative."

Reboletti: "Thank you."

Speaker Lang: "Representative Yarbrough."

Yarbrough: "Thank you, Mr. Speaker. Will the Gentleman yield?"

Speaker Lang: "Gentleman yields."

Yarbrough: "So, Representative, I just want to follow up on the last speaker's comments. Were you saying that the Coalition... Chicago Coalition for the Homeless they are neutral on your Bill?"

Morthland: "No, they do still stand in opposition. It's the DOC and various attorney groups who have no opposition."

Yarbrough: "What about the state's attorney, Appellate Prosecutor? Are they still in opposition?"

Morthland: "Certainly not to my knowledge. I... the only people who have come forward in committee in opposition has been that one homeless advocacy group."

Yarbrough: "Great. Well, unless my analysis is incorrect, I still see them as in opposition. So, I'll be voting 'no' on this Bill."

Speaker Lang: "Representative Kay."

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

Speaker Lang: "Sponsor yields."

Kay: "Thank you. Representative, I'm curious. What do our neighboring states do with respect to this issue, do you know?"

Morthland: "Well, actually, the good news is that Illinois has been a leader in legislation on this issue. It's the second Bill we'll have been... that's now on Third Reading this

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week. And my neighbor, Iowa, has also been trying to... to get up to speed with us. But, to be perfectly honest, Illinois is a leader but still, Chicago in particular, is a hub for trafficking. It has not changed. Consequently, I think it's important that this Body send a message to those people who are engaging in this extraordinarily heinous act that we are not forgetting that they have a price to pay to society and they should cut this out."

Kay: "Representative, isn't it true that all of our neighboring states with the exception of Wisconsin are taking proactive steps to do what you're doing here today?"

Morthland: "Very similar and actually, one of the reasons for that is because of Illinois'... the downside of our central location as a transportation hub. We are a transportation hub for human traffickers and it's a dreadful conclusion of the fact that we are so accessible to all of our neighbors."

Kay: "Representative, thank you. I think it's a proactive step and I'm going support your Bill."

Morthland: "Thank you very much."

Speaker Lang: "Mr. Thapedi."

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

Speaker Lang: "Sponsor yields."

Thapedi: "Representative, I recall this Bill when it was in committee yesterday, I believe, and there were a couple of dissenting votes. It was myself and Representative Turner and that was prompted primarily by some objection from the Illinois State Bar Association. Has that been resolved?"

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Morthland: "It actually has. And one of the things to remember, again, is that it's a different Bill than it was yesterday when we talked about it in committee. We talked about it in committee; it was Committee Amendment 1. Now, we're talking about Floor Amendment 2. Committee Amendment 1 applied the same... the same sentencing restrictions to Felony Class I and II. Now, it's just Felony Class I which would make it like a Class X."

Thapedi: "Okay."

Morthland: "So, we... again, we've given latitude back to prosecutors and judges to be able to handle this as they see fit."

Thapedi: "Okay. So... so, that judicial discretion is still there. Is that what you're saying?"

Morthland: "Yes, Sir."

Thapedi: "Excellent. And with respect to the treble damages and the civil damages provision, is that still a viable portion of the Bill or is that now gone?"

Morthland: "That was all removed even in Amendment 1, but it's all been superseded now by Amendment 2 because both were gut and replace Amendments."

Thapedi: "Hey, Art. Is that it? Okay. Thank you."

Speaker Lang: "Representative Williams."

Williams: "Thank you, Mr. Speaker. I apologize if I missed this. So, what is the status of the Amendment, Representative?"

Morthland: "I'm sorry. Would you please ask that question again?"

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Williams: "What... what is the status of the Amendment we discussed earlier?"

Morthland: "We have now attached Amendment 2 which was a Floor Amendment. Yesterday's Amendment from committee was a Committee Amendment. It did pass out with some people having some reservations, but it did pass out of committee. On the Floor Amendment 1... I mean, on... sorry, Committee Amendment 1. Now, Floor Amendment 2 moves it from being... moves it from changing the sentencing status of Felony Class I and II to only being Class I which makes it only like Class X."

Williams: "Okay. Well, to the Bill. I did talk to the Representative about this Bill and I've heard subsequently from a couple of groups including the Coalition Against Sexual Exploitation and the Coalition for the Homeless who are concerned about how this might impact the ability to process and prosecute other parties within a trafficking scheme. While I certainly support your efforts to crack down on the human trafficking, obviously, it's a terrible, terrible crime and impacts and devastates many, many lives. I'm concerned when I hear from the groups that have such expertise in this area that this may not be the most effective way to go about it. So, I would urge those of you to look beyond the caption and think about the people who have weighed in opposed to this Bill who, again, are the Coalition Against Sexual Exploitation, the Illinois Coalition for the Homeless that work with a lot of victims of trafficking and think if there's maybe a better approach

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to addressing this issue that would be supported by the experts in the area. Thank you."

Speaker Lang: "Mr. Morthland to close."

Morthland: "Thank you very much, Mr. Speaker. Again, I will return to where I started and I understand that there are certain advocacy groups who probably have as their prime constituencies those people who, in some sense, actually can be caught up in this. And what we're talking about is moving from being just a victim to actually being a perpetrator, is... are the only people that are very concerned and that's the basis of their opposition. When we look at the fact that even DOC and prosecuting organizations that generally oppose sentencing Bills have removed their opposition. And this is an extremely heinous offense and there's a fairly significant list of offenses on the books now that actually have non-probation as a stipulation. I simply ask for an 'aye' vote of the chamber."

Speaker Lang: "Those in favor of the Gentleman's Bill vote 'yes'; opposed 'no'. The voting is open. Have all voted who wish? Have all voted who wish? Please record yourselves, Members. Have all voted who wish? Mr. Biss, Ms... Representative Jakobsson, Mr. Rita. Please take the record. On this question, there are 82 voting 'yes', 32 voting 'no'. And this Bill, having received the Constitutional Majority, is hereby declared passed. House Bill 5850... Sorry, Mr. Clerk. House Bill 5866, Mr. Zalewski. Please read the Bill."

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Clerk Bolin: "House Bill 5866, a Bill for an Act concerning revenue. The Bill was read for a second time on a previous day. No Committee Amendments. Floor Amendment #1, offered by Representative Zalewski, has been approved for consideration."

Speaker Lang: "Representative Zalewski."

Zalewski: "House... Floor Amendment #1 simply removes the requirement of withholdings from casino way... racetrack winnings. I'd ask for its adoption."

Speaker Lang: "The Gentleman moves for the adoption of the Amendment. Those in favor say 'yes'; opposed 'no'. In the opinion of the Chair, the 'ayes' have it. The Amendment is adopted. Mr. Clerk."

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

Speaker Lang: "Third Reading. Please read the Bill."

Clerk Bolin: "House Bill 5866, a Bill for an Act concerning revenue. Third Reading of this House Bill."

Speaker Lang: "Mr. Zalewski."

Zalewski: "House Bill 5866 is a number of components that are initiatives of the Department of Revenue that deal with revoking certificates of registration if one of the owners or partners is in arrears to the Department of Revenue. It allows some clarification on the ability to keep petty cash. And it adds a six-year statute of limitations for a Notice of Deficiency. I'd ask for an 'aye' vote."

Speaker Lang: "There being no debate, those in favor vote 'yes'; opposed 'no'. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Representative Dugan. Please take the record. On this

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question, there are 114 voting 'yes', 0 voting 'no'. And this Bill, having received the Constitutional Majority, is hereby declared passed. House Bill 5146, Mr. Sacia. Please read the Bill."

Clerk Bolin: "House Bill 5146, a Bill for an Act concerning transportation. The Bill was read for a second time on a previous day. No Committee Amendments. Floor Amendment #1, offered by Representative Sacia, has been approved for consideration."

Speaker Lang: "Mr. Sacia."

Sacia: "Thank you, Mr. Speaker. Ladies and Gentlemen of the House, I would want you all to be aware that I have no desire to move this Bill to Third. My purpose is to make it a matter of record. When the Bill was initially drafted, it's drafted as farm equipment. This Bill specifically deals with manure tankers. Those of us with large livestock operations more and more are dealing with heavy weight tankers being pulled by large, four-wheel drive farm tractors doing commercial manure pumping and applying it by injecting it into the soil and they are heavy. Empty weight of one unit in my district is 55 thousand pounds, loaded he was dinged by the Illinois State Police at 120 thousand pounds on an 80 thousand pound road. Needless to say, it's a significant issue. I'm working with IDOT, county engineers, Farm Bureau, Pork Producers, all of the ag groups. We're trying to come up with a way of helping these folks out, but at this point, in time all I want to do is adopt the Amendment. I do not want to roll the Bill to

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Third. I'd be happy to answer any questions and deal with your comments."

Speaker Lang: "Those in favor of the adoption of the Amendment say 'yes'; opposed 'no'. The 'ayes' have it. The Amendment is adopted. And the Gentleman wishes to hold the Bill on the Order of Second Reading, Mr. Clerk. House Resolution 788, Mr. Costello. Please proceed, Sir."

Costello: "Thank you, Mr. Speaker and Members of the General Assembly. House Resolution 788 directs the Auditor General to do an audit of CMS and the state's Space Utilization Program. It also directs them to determine if procedures are in place to adequately identify excessive and surplus properties and whether the process of disposing surplus properties is adequate and timely. I thank you. And I ask for an 'aye' vote."

Speaker Lang: "There being no debate, those in favor of the Gentleman's Resolution will vote 'yes'; opposed 'no'. The voting is open. Have all voted who wish? Have all voted who wish? Please take the record. On this question, there are 114 voting 'yes', 0 voting 'no'. And the Resolution is adopted. House Bill 4496, Representative Sente. Please read the Bill."

Clerk Bolin: "House Bill 4496, a Bill for an Act concerning regulation. The Bill was read for a second time on a previous day. No Committee Amendments. Floor Amendment #2, offered by Representative Sente, has been approved for consideration."

Speaker Lang: "Representative Sente."

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Sente: "Thank you, Mr. Chairman... Speaker. I would like to adopt House Floor Amendment 2. This... Excuse me. Yes. House Floor Amendment 2... it is identical to House Committee Amendment #1 which is a gut and replace. What we're talking about here is updating the Illinois Plumbing Code to include some more important water... what do I want to say... utilizing natural resources for plumbing purposes. The code is supposed to be updated by January 1 and it will go to JCAR by May 31. We've been working very proactively with all the Members and there are no opponents."

Speaker Lang: "Lady moves for the adoption of the Amendment. Those in favor say 'yes'; opposed 'no'. The 'ayes' have it. The Amendment is adopted. Mr. Clerk."

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

Speaker Lang: "Third Reading. Please read the Bill for a third time."

Clerk Bolin: "House Bill 4496, a Bill for an Act concerning regulation. Third Reading of this House Bill."

Speaker Lang: "Representative Sente."

Sente: "Thank you, Mr. Speaker. As I mentioned before, the Floor Amendment is a gut and replace. There are no opponents. We've been working hard on this. The Plumbing Code in Illinois has not been updated for many decades, and we're looking now to just work with the Plumbing Advisory Commission as well as the IDPH to move and improve what we're doing today to allow some uses like gray water, rain water, et cetera, and those are topics that will all be discussed. The various union groups, plumbers, pipefitters will all be part of this process and they are all either

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neutral or proponents of this Bill. I'm happy to take questions."

Speaker Lang: "Lady moves for the passage of the Bill. The Chair recognizes Mr. Reboletti."

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

Speaker Lang: "Lady yields."

Reboletti: "Representative, as I look to see about modernization of plumbing and alternative fixtures, is this going to add additional cost for construction of new buildings or repair of current structures? Is that something that you anticipate by passage of this legislation?"

Sente: "What this is going to do is, right now, new types of environmentally friendly standards are taking place. What happens is they have to not only get a permit from IDPH, but they have to get a variance that actually taxes the department and maybe that causes more... more fees or time. What we're doing here is the owner, if they choose to utilize this measure in their building, private or public, they would need the funds to support that. It could cost more; it could not, it depends on what they're deciding to do with the building. There would be not a cost to the state."

Reboletti: "And... but I'm saying, there's also... there might be an additional cost to somebody in the private sector or in the public sector to build and that's what I'm saying. Is this... is this going to require... require people to follow with a... new fixtures, new different types of technology?"

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Sente: "Absolutely not. They can choose to. It is the owner of the building or... the owner of the building that would make that decision. They don't have to use that. Right now the code is silent on that issue, and so, we just want to address it if someone chooses to adopt that type of measure."

Reboletti: "I just wanted to make sure this was not a mandate. So, thank you very much."

Sente: "Correct. It is not."

Speaker Lang: "Mr. Verschoore."

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

Speaker Lang: "Lady yields."

Verschoore: "Representative, you said that the... all the plumbers and pipefitters unions and the contractors association are okay with this. There's no..."

Sente: "Yes, they all are. And I'll tell you this Bill is four years in the making. And so, we're really excited that we're all here. Not only are they in agreement, but they will all have the opportunity to meet. There'll be ongoing meetings to identify some of their issues and incorporate that as the code gets revised."

Verschoore: "Well, there needs to be some revisions to it. I just wanted to make sure that they were on board with it. Thank you."

Speaker Lang: "Those in favor of the Bill will vote 'yes'; opposed 'no'. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Record yourselves, Members. Brady, Hays, Mulligan. Representative Mulligan. Please take the record. On this question, there

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are 100 voting 'yes', 14 voting 'no'. And this Bill, having received the Constitutional Majority, is hereby declared passed. House Bill 4863, Representative Hammond. Please read the Bill."

Clerk Bolin: "House Bill 4863, a Bill for an Act concerning transportation. The Bill was read for a second time on a previous day. No Committee Amendments. Floor Amendment #2, offered by Representative Hammond, has been approved for consideration."

Speaker Lang: "Representative Hammond."

Hammond: "Thank you, Leader Lang. House Bill 4863 amends the Illinois Vehicle Code and it provides that a motor vehicle that is used in violation of the Section concerning driving on a suspended or revoked license is subject to seizure and forfeiture if the person's driving privileges were revoked or suspended as the result of a similar provision of a law in another state relating to the operating or being in physical control of the vehicle while under the influence of alcohol or any other drug. And I'd be happy to answer any questions."

Speaker Lang: "Those in favor of the Amendment say 'yes'; opposed 'no'. The 'ayes' have it. The Amendment is adopted. Mr. Clerk."

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

Speaker Lang: "Third Reading. Please read the Bill."

Clerk Bolin: "House Bill 4863, a Bill for an Act concerning transportation. Third Reading of this House Bill."

Speaker Lang: "Representative Hammond."

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Hammond: "Thank you Leader. And again, what I just said and this Amendment removes any opposition from the Attorney General's Office or the Secretary of State's Office."

Speaker Lang: "Those in favor of the Bill will vote 'yes'; opposed 'no'. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Representative Mulligan. Please take the record. On this question, there are 114 voting 'yes', 0 voting 'no'. And this Bill, having received the Constitutional Majority, is hereby declared passed. The Chair recognizes Mr. Morthland."

Morthland: "Thank you, Mr. Speaker. I wish to inform the Body and ask the record to reflect that on House Bill 4996 I should have been recorded as a 'present'."

Speaker Lang: "The record will reflect your intentions, Sir. Representative Yarbrough."

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

Speaker Lang: "Please state your point."

Yarbrough: "I have above me, I think, my Mayor from the Village of Westchester, Mayor Sam Pulia. There you are. Hi. Say hello to him. He's the best."

Speaker Lang: "Welcome to Springfield. House Bill 3859, Representative Sente. Please read the Bill. 3859, Mr. Clerk."

Clerk Bolin: "House Bill 3859, a Bill for an Act concerning local government. Second Reading of this House Bill. Amendment #2 was adopted in committee. No Floor Amendments. No Motions are filed."

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Speaker Lang: "Please hold that Bill on the Order of Second Reading. Mr. Clerk, House Bill 4110, Representative Verschoore."

Clerk Bolin: "House Bill 4110, a Bill for an Act concerning revenue. Second Reading of this House Bill. Amendment #1 was adopted in committee. No Floor Amendments have been approved for consideration. No Motions are filed."

Speaker Lang: "Please hold that Bill on the Order of Second Reading. House Bill 5336, Representative Dugan."

Clerk Bolin: "House Bill 5336, a Bill for an Act concerning State Government. Second Reading of this House Bill. No Committee Amendments. No Floor Amendments. No Motions are filed."

Speaker Lang: "Third Reading. House Bill 5444, Mr. Biss."

Clerk Bolin: "House Bill 5444, a Bill for an Act concerning State Government. Second Reading of this House Bill. Amendment #2 was adopted in committee. No Floor Amendments. No Motions are filed."

Speaker Lang: "Third Reading. House Bill 5655, Representative Golar."

Clerk Bolin: "House Bill 5655, a Bill for an Act concerning regulation. Second Reading of this House Bill. Amendment #1 was adopted in committee. No Floor Amendments. No Motions are filed."

Speaker Lang: "Third Reading. House Bill 411. Please read the Bill. Mr. Bradley to handle."

Clerk Bolin: "House Bill 411, a Bill for an Act concerning State Government. The Bill was read for a second time on a previous day. No Committee Amendments. Floor Amendments 2

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and 3 have been approved for consideration. Floor Amendment #2, is offered by Representative Bradley."

Speaker Lang: "Mr. Bradley on Amendment 2."

Bradley: "This is a technical change to address a drafting error that came up in committee as a result of questions from Representative Sullivan. I'd ask for it be adopted and then debate it on Third."

Speaker Lang: "Those in favor of the Amendment say 'yes'; opposed 'no'. The 'ayes' have it. The Amendment is adopted. Mr. Clerk."

Clerk Bolin: "Floor Amendment #3, offered by Representative Bradley."

Speaker Lang: "Mr. Bradley."

Bradley: "This is the actual cleanup. Technical Amendment 2 was the substance of the Bill, 3 is the cleanup Amendment."

Speaker Lang: "Those in favor of the Amendment say 'yes'; opposed 'no'. The 'ayes' have it. The Amendment is adopted. Mr. Clerk."

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

Speaker Lang: "Third Reading. Please read the Bill."

Clerk Bolin: "House Bill 411, a Bill for an Act concerning State Government. Third Reading of this House Bill."

Speaker Lang: "Mr. Bradley."

Bradley: "Thank you. This is an initiative of the Department of Labor. It will allow them to access some additional funds to help provide services. I'd ask for an 'aye' vote."

Speaker Lang: "Gentleman moves for the passage of the Bill. There being no debate, those in favor of the Bill vote 'yes'; opposed 'no'. The voting is open. Have all voted who

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wish? Have all voted who wish? Representative Chapa LaVia. Please take the record. On this question, there are 114 voting 'yes', 0 voting 'no'. And this Bill, having received the Constitutional Majority, is hereby declared passed. The Chair recognizes Mr. Moffitt."

Moffitt: "Rise to a point of personal privilege, Mr. Speaker."

Speaker Lang: "Please state your point, Sir."

Moffitt: "It seems to be the day when a lot of staff has been down visiting and I would like to introduce my new legislative staff from the district office up in the west gallery at the north side is Lester Davis, his first visit down here and then Pam Weber's also helping. If they'd stand. If you'd welcome them. Thank you for being here."

Speaker Lang: "Welcome to Springfield. House Bill 4177, Lea... Speaker Madigan's Bill to be handled by Mr. Bradley. Please read the Bill."

Clerk Bolin: "House Bill 4177, a Bill for an Act concerning government. The Bill is read for a second time on a previous day. Amendment #1 was adopted in committee. No Floor Amendments. No Motions are filed."

Speaker Lang: "Third Reading. Please read the Bill."

Clerk Bolin: "House Bill 4177, a Bill for an Act concerning government. Third Reading of this House Bill."

Speaker Lang: "Mr. Bradley."

Bradley: "Thank you. This is another initiative of the Department of Labor. This would clean up a loophole that was created as a result of the Medicaid reforms. I know of no opposition to this Bill. It passed out of committee unanimously. I believe I've asked for an 'aye' vote."

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Speaker Lang: "The Gentleman moves for the passage of the Bill.

The Chair recognizes Mr. Durkin."

Durkin: "Will the Sponsor yield?"

Speaker Lang: "Gentleman yields."

Durkin: "Representative Bradley, could you give me a little bit of explanation of what..."

Bradley: "Not really."

Durkin: "...this Bill is? Well, then, I think we should all vote it down."

Bradley: "Yeah."

Durkin: "Well, I would ask you a second time..."

Bradley: "I'm teasing, Jim."

Durkin: "...you could give me... I know you're teasing, but we're extending collective bargaining rights to certain individuals and we're just briefly going through the announcements. Can you give me an explanation of what we're doing?"

Bradley: "Yeah. That's essentially it. When there was a change... my understanding is it's complicated... but when there was a change in the Medicaid reforms that there was a group of people that were intended to be included and were not included and so this is a definitional change that would allow those home health care workers to continue to be included."

Durkin: "Last... two years ago, SEIU and AFSCME raised... they put on a very aggressive campaign and showed up at a number of individuals homes who were parents who were caretakers for their disabled children. And there was an election; it was..."

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it failed. Is this legislation going to override these elections that have lost?"

Bradley: "I'm not aware of that. I don't have that institutional background."

Durkin: "Right."

Bradley: "But I'm not... I don't believe that's the case."

Durkin: "I think it is... 'cause I think that the fact is we did not want the parents who are maintaining these disabled children, they did not want to be part of organized labor. They were receiving some type of state funding and that is what the tie-in was to try to get these individuals to be part of a collective bargaining unit. I've consid... Right now, I'm looking at this Bill and I'm not convinced that this is not going to further the efforts against the wills of the families who are maintaining these disabled children. So, I... at this time, I can't support it and I think everybody should be aware of this because this is a similar situation that happened all throughout the State of Illinois a couple years ago where there was elections held and I know a lot of people were... they were visited at their homes on Saturdays and Sundays, a very aggressive organizing campaign for these individuals who participate. So, I... I hope some people have further questions, but I do have some concerns that that's going to validate these actions in the past elections."

Speaker Lang: "Representative McAsey."

McAsey: "Thank you, Mr. Speaker. I have a question for purposes of legislative attent... intent, if the..."

Speaker Lang: "Please proceed."

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McAsey: "...Sponsor will yield? Representative Bradley, does this legislation in any way alter the unique employment arrangement of maintenance home health workers or recipients or will it in any way diminish the recipient's control over the hiring in home supervision and termination of personal assistants within the limits established by the Home Services Program?"

Bradley: "No."

McAsey: "Thank you."

Speaker Lang: "That was really well done. I like that. Representative Watson."

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

Speaker Lang: "Gentleman yields."

Watson: "Representative, does this... I guess I'd follow up on Representative Durkin's questions, and that is what is the true intent then of your Bill here?"

Bradley: "My understanding was this is to make sure that is clarifies that these folks that are covered under this... the home healthcare workers would be covered under the collective bargaining agreement. There may have been a change in that inadvertently as a result of the Medicaid reforms and this would clarify that."

Watson: "And so, do you think that this would be used as a format to come back in the future and ask for further privileges or rights such as..."

Bradley: "I... I don't..."

Watson: "...state healthcare?"

Bradley: "I don't believe so and the issues that just came up today are the first time I've heard that and we had it in

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committee and it came out of committee unanimously on a bipartisan Roll Call. So, it's news to me."

Watson: "So, is it your intent though, but on the record you will say it's your intent not to have these individuals become eligible for state health insurance and that you would oppose that should that... should any maneuver happen?"

Bradley: "Jim, that's a question which is outside of this Bill. It's my intent to carry this Bill for the Speaker which I was not aware of any objection to it or any kind of opposition to it, as was reflected by what happened in committee that day. Beyond that, I'm not prepared to make comments about other issues which may or may not be out there."

Watson: "I just think, given our financial situation, this sets a day, this sets a path to possibly head that way and I think we need to be really careful here."

Speaker Lang: "Mr. Reboletti."

Reboletti: "The Sponsor yield?"

Speaker Lang: "Gentleman yields."

Reboletti: "First, I was going to object to the leading nature of Representative McAsey's questioning of the good counselor, but my question is, is that you were saying that there were... and I know that you're not the Sponsor, so... and I appreciate that part... you said there was a medic... some of the reforms that happened and these folks were left out of that. What happened in practice? Did some companies buy some other companies and so, therefore, people were put into a different position than they normally would have been?"

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Bradley: "I think it was the result of an interpretation of a law that we passed in a labor re... labor relations board decision. And so, there was a group that was basically ruled could not collectively bargain and this would make sure and say that they could."

Reboletti: "But they... they normally would have been able to collectively bargain..."

Bradley: "Correct."

Reboletti: "...but for the Medicaid reform?"

Bradley: "Correct. That's my understanding. Now, if I'm mistaken in that, I apologize, but that was my understanding of this Bill. It's complicated, and again, these are issues that I've heard for the first time on the floor and so, if there were problems with this, given my presentation of it in committee, I would have appreciated people coming and bringing those to me before the floor action."

Reboletti: "I understand that and I... since I wasn't in the committee I would have known that, but I do appreciate your explanation."

Speaker Lang: "Mr. Kay."

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

Speaker Lang: "I'm certain he will, Sir."

Kay: "Thank you. Representative, I'm curious, if this Bill passes, are we saying that the people that would be unionized then would have the ability to strike?"

Bradley: "I don't believe that's what's covered in this Bill, but I'm not an expert on collective bargaining. Obviously, this Bill deals with collective bargaining, so..."

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Kay: "Well, let me ask it a different way, John. Have you seen a collective bargaining agreement X-Way paper that allows... that doesn't permit strikes for collective bargaining people?"

Bradley: "I think that that's an unfair characterization. I... we... I think we all have a cursory understanding of what collective bargaining is, what collective bargaining means. My understanding is this is not a drastic department from previous law. That there was a change in the law, I believe it may have been inadvertent, and this would clarify that, so..."

Kay: "Okay. John, let me ask..."

Bradley: "I mean, you... you're a human resource manager. You know what collective bargaining rights are."

Kay: "Yeah. Well, and I've negotiated many agreements, so I know that most of those agreements, in fact all of them, have a strike provision in them and some of them can be very crippling. Let me ask you a different question. Are some of these people that we want to unionize, Representative, are they... are they, in fact, parents?"

Bradley: "What's that?"

Kay: "Are they parents that want to..."

Bradley: "I... I don't know."

Kay: "You don't know. Well, they are. They are. So, are we trying to unionize in-home mothers and fathers who are trying to take care of their kids?"

Bradley: "We're unionizing this group of home health care workers, potentially."

Kay: "Well, but did..."

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Bradley: "And we're giving them the ability to do that, if they so choose, which I understand was something they had before and was taken away."

Kay: "But John, you have to help me here. I'm asking a very serious question. Are we... are we attempting to unionize people in their homes, mothers and fathers, who are taking care of their kids?"

Bradley: "I don't believe it says anything in this Bill about mothers or fathers."

Kay: "Well, what do you think the intent is?"

Bradley: "I don't believe that it says anything in this Bill about mothers and fathers, Representative."

Kay: "Well, that... that's..."

Bradley: "I believe that it says... I believe it says personal care attendants, personal assistants."

Kay: "So, it... it could be parents."

Bradley: "So, you're certainly... you certainly wouldn't want to limit the ability of a mother or father to take care of their kids, right?"

Kay: "Well, no and that's my concern."

Bradley: "Okay."

Kay: "Are we attempting..."

Bradley: "So, we agree."

Kay: "No, we don't agree. I guess because I think it's a bad plan if we're..."

Bradley: "It has..."

Kay: "...if we're saying, Representative..."

Bradley: "...it has nothing to do with this Bill."

Kay: "Wait a minute. Let me have my..."

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Bradley: "That's fine. That's fine."

Kay: "Just a second, please. What I think we're saying, Representative, is that we're attempting to unionize those people who want to take care of their kids themselves and we think they ought to be a member of a collective bargaining unit and I think that's wrong."

Bradley: "There'll be licensed nurses and nurse practitioners."

Kay: "Well..."

Bradley: "So, that answers your question. Sorry, it took me a little while to get to it."

Kay: "Are you sure that's right?"

Bradley: "That's what I've been advised by staff. I'm sorry you had to get that speech, but it took me a minute to get the answer."

Kay: "Well, here's... Representative, here's my real concern. And the reason I ask the questions and I understand that this may not be your Bill, but I think it's important to understand that Representative Durkin brought up a very compelling point and that is that there were some pretty harsh activities at the doors of people in various counties in the State of Illinois where people were literally threatened, threatened because they didn't want to be members of a particular collective bargaining unit and some of these people were moms and dads. That's why I ask the question. So, if you're saying..."

Bradley: "Well, if they're... is they're licensed nurses..."

Kay: "No, no."

Bradley: "...and nurse practitioners..."

Kay: "Now, wait a minute. Please..."

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Bradley: "...is what I've been advised by staff."

Kay: "John, don't interrupt me, please."

Bradley: "Okay."

Kay: "I guess what I'm saying is, that I think the tactic was bad and I think it was high-handed and I think this is an attempt to get around something that happened two years ago that wasn't favorable to unions and I think we ought to vote this down as a bad practice because I think we're trying to open the door of a home for those people who are taking care of their kids and they don't want to be a part of the union. I think I've just spoken to the Bill, Mr. Speaker. Thank you very much."

Speaker Lang: "Representative Bellock."

Bellock: "Thank you very much. Will the Sponsor yield?"

Speaker Lang: "Gentleman yields."

Bellock: "I'm not sure, Representative, if you spoke that this was part of the Medicaid reform. Is that what you said to start out with?"

Bradley: "Well, that was my understanding. And there was a... there was a State Labor Relations Board opinion that was derived by something that happened. And it held that it lacked jurisdiction over the relationship between the state and personal assistants because the state is not the employer of personal assistants."

Bellock: "I would just say that I've been working on the Medicaid reform now for two years and this was not part of the Medicaid reform. But I do remember when this issue came up that Representative Kay and Representative Durkin were talking about 'cause it was very large in our area. And the

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parents... we received hundreds and hundreds of e-mails of the parents saying that they we... we pressurized and they did have to take a vote, but that was not a part of any part of the Medicaid reform that I have seen whatsoever. Thank you."

Speaker Lang: "Mr. Sullivan."

Sullivan: "Thank you, Mr. Speaker. Will the Sponsor yield? Rep... Representative, we believe that what was brought to us in Labor it's not quite what we thought. The Governor signed Executive Order 09-15 that gave away private information of home health care workers in essence so the unions could unionize these workers. These very workers then voted down to not join the union. So, is this an attempt and what it's appearing to us to go around these workers who voted against unionization?"

Bradley: "That's not my understanding of the intent of this Bill."

Sullivan: "But the very nature is you're now adding a group of workers that can be added to the collective bargaining agreements, but there's an Executive Order 1 that kind of brought out the information. They were very opposed to it. They voted against unionization under my understanding and what I'm reading right now and it appears that we're trying to go around a vote, if you will."

Bradley: "The majority of the people that are included in this are already members of the union. What the state is moving to managed care correctly as the result of the Medicaid reforms that we did..."

Sullivan: "Certainly."

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Bradley: "...and so we're moving towards managed care. And so, you have a group of people that are kind of lost in-between."

Sullivan: "Yeah. I..."

Bradley: "And so this would clarify what happens when the folks that are moving from..."

Sullivan: "Yeah."

Bradley: "...state employees to managed care..."

Sullivan: "I don't think the managed care portion of Medicaid reform has anything to do with what we're talking about here."

Bradley: "Yes. This is..."

Sullivan: "You're talking about unionizing the folks."

Bradley: "...that's what it absolutely has to do with in terms of..."

Sullivan: "No."

Bradley: "...when the state started shifting to managed care, they're no longer state employees. So, they're kind of left in the lurch. So, we have to deal with that group of people that are caught..."

Sullivan: "Okay."

Bradley: "...in-between..."

Sullivan: "All right."

Bradley: "...managed care and former state employees and we have... and they have to define who they are whether they are whether or not they have collective bargaining rights."

Sullivan: "Okay. Okay. Thank you. To the Bill. We certainly have a disagreement on whether this has to do with the managed care portion of the Medicaid Reform Act. What I

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read is that we had an Executive Order. We had people that went to a vote. They did not vote to be part of a union and now, this Bill appears on its face to go around that very vote, the American way, and so here we are to force them to do something that they voted not to do. I urge a 'no' vote."

Speaker Lang: "Mr. Nybo."

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

Speaker Lang: "Sponsor yields."

Nybo: "Mr. Speaker, I ask, first of all, for a verification of this vote should it get the requisite number of votes."

Speaker Lang: "Your request is acknowledged."

Nybo: "Representative Bradley, my analysis says that this... that this proposal will define employer to include the state with respect to home care and home health workers who provide services through the Home Services Program no matter whether those persons... persons provide those services through direct fee-for-service arrangements, a managed care organization or other intermediary. Is that an accurate assessment or description of the proposal?"

Bradley: "Maintenance home health care workers are already included. We're adding another class of employees that were excluded as a result of..."

Nybo: "But..."

Bradley: "...these previous actions."

Nybo: "If my understanding is correct, that if we contract out the Home Services Program, either through a managed care organization or another vendor, that what your proposal is going to do is automatically employees who are providing

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those services through these vendors will automatically be considered state employees?"

Bradley: "They're already state employees."

Nybo: "But we don't contract out these services right now, do we?"

Bradley: "Well, they're already state employees, but as our shift to manage care, there's people that are caught in-between."

Nybo: "No further questions. Thank you."

Speaker Lang: "Mr. Reis."

Reis: "Thank you, Mr. Speaker. I'd like to give my time to Representative Durkin."

Speaker Lang: "Mr. Durkin."

Durkin: "Be very brief. These home health care workers, these parents, the people that are treating our profoundly, profoundly disabled individuals, I've been to their homes. I've received countless letters from these individuals over the past two years. Think about what you're voting for. I don't believe that the home should turn into a union shop and I'm afraid that this Bill is going to do that. Vote 'no'."

Speaker Lang: "Representative Kelly Burke."

Burke, K.: "Will the Sponsor yield?"

Speaker Lang: "Mr. Bradley yields."

Burke, K.: "John... or Representative Bradley, I'm just a little confused about the maintenance... the house... maintenance health workers versus the folks who are already state employees. Can you clarify that for me, please?"

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Bradley: "Yes. And as we moved from managed care, these were... my understanding this is a group of people that were state employees. As we moved to managed care, there's some confusion over the classification as to whether or not they're going to be covered under collective bargaining rights and so..."

Burke, K.: "So, is it... is it only one type of worker that wouldn't be covered or three?"

Bradley: "All home health workers under the home health services program."

Burke, K.: "Thank you."

Bradley: "Okay."

Speaker Lang: "Mr. Franks."

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

Speaker Lang: "Mr. Bradley yields."

Franks: "Mr. Bradley, will this save the state any money?"

Bradley: "You're going to have to speak up."

Franks: "I'm sorry. Will this save the state any money?"

Bradley: "Well, the underlying revisions and the move to managed care was, I think, intended to save the state money and as a result of that, sometimes you have to tweak things and you have to make sure that folks that got caught in-between are properly accounted for and we don't want to leave anybody behind."

Franks: "Could you speak into your microphone?"

Bradley: "No. We want to make sure that people that are kind of in-between in terms of whether or not they're covered under these rights or not, are actually covered and so, this clarifies an unclarity in the law. Is unclarity a word?"

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Franks: "I took the SAT a while ago, but I think it is. I'll give it to you. We'll give it to you."

Bradley: "So, this would clarify that so."

Franks: "It's... well, I guess I need to ask some more. I'm told I need to. Right now, there are some folks that are classified as state employees and others that are doing the exact same work are not classified as state employees because they happen to be working in a home setting as opposed to an institutional setting. Is that... is that..."

Bradley: "It's my understanding."

Franks: "So, this would have those folks who are getting paid by the state and doing the same work as other folks, you would allow them to become state employees and be able to unionize like the others that are doing the same work?"

Bradley: "Yeah. And my understanding was they were able to before, but as a result of moving to managed care, there's a question now as to whether or not they can."

Franks: "Does this mandate that or just simply allow it?"

Bradley: "I think it's simply an allowance of a right."

Franks: "So, it's not requiring that they be unionized. It just gives them the opportunity."

Bradley: "That would be my understanding, Representative."

Franks: "'Cause I've heard other speakers indicate that it was man... a mandate."

Bradley: "No. I thought I clarified that with my previous comments, but apparently I didn't do a very good job of that."

Franks: "So, tell me, what's the genesis of this Bill? When did you think of it?"

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Bradley: "Well, I didn't. I'm just a cosponsor."

Franks: "Well, how did it end up in your hands when we have so many other capable Representatives? I'm wondering how this got to you."

Bradley: "Because I'm the only one that has almost as much gray hair as you do, Jack."

Franks: "And that's right. Apparently, that's the only criteria on this Bill. I need some more time. I have... I have some more pertinent questions here."

Speaker Lang: "Well, Mr. Franks, I do think that the very unhappy people on this side of the aisle have a point. Could you bring your remarks to a close?"

Franks: "I just need some more information. Can I have a little bit more time?"

Speaker Lang: "Why don't you bring your remarks to a close, Sir?"

Franks: "Okay. Well, then I'll stop for now and Mr. Farnham might have some questions to ask."

Speaker Lang: "Mr. Cavaletto."

Cavaletto: "I move to the previous question."

Speaker Lang: "Gentleman moves the previous question. Those in favor say 'yes'; opposed 'no'. In the opinion of the Chair, the 'ayes' have it. And the question is put. Mr. Bradley to close."

Bradley: "I think there's a lot of misconceptions about this which came up for the first time on the House Floor. This is not the end of the world; the sky is not falling. This is simply giving folks a symptom that they've had in the past that got caught in-between when the state started

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moving to managed care to try to save the taxpayers some money. So, this is a fundamental right and should give these folks some clarity as to whether or not they can actually be covered by collective bargaining. I would ask for an 'aye' vote."

Speaker Lang: "Gentleman's moved for the passage of the Bill. Mr. Nybo has asked for a verification, so Members will be in their own chairs and vote their own switches. Those in favor of the Bill will vote 'yes'; opposed 'no'. The voting is open. Have all voted who wish? Have all voted who wish? Mr. Bost, Representative Carli, Mr. Dunkin. Carli. Mr. Clerk, please take the record. On this question, there are 63 voting 'yes', 49 voting 'no' and 1 voting 'present'. And Mr. Nybo has requested a verification. Mr. Clerk, please read the affirmative."

Clerk Hollman: "A poll of those voting in the affirmative:
Representative Arroyo; Representative Beiser;
Representative Berrios; Representative Biss; Representative
Bradley; Representative Brown; Representative Daniel Burke;
Representative Kelly Burke; Representative Cassidy;
Representative Chapa LaVia; Representative Colvin;
Representative Costello; Representative Crespo;
Representative Cunningham; Representative Currie;
Representative D'Amico; Representative Monique Davis;
Representative Will Davis; Representative DeLuca;
Representative du Buclet; Representative Dugan;
Representative Dunkin; Representative Farnham;
Representative Feigenholtz; Representative Flowers;
Representative Ford; Representative Franks; Representative

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Gabel; Representative Golar; Representative Gordon;
Representative Greg Harris; Representative Hernandez;
Representative Howard; Representative Jackson;
Representative Jakobsson; Representative Jefferson;
Representative Jones; Representative Krezwick;
Representative Lang; Representative Lilly; Representative
Lyons; Representative Mautino; Representative May;
Representative Mayfield; Representative McAsey;
Representative McGuire; Representative Mell; Representative
Bill Mitchell; Representative Mussman; Representative
Nekritz; Representative Penny; Representative Phelps;
Representative Riley; Representative Rita; Representative
Sente; Representative Soto; Representative Thapedi;
Representative Turner; Representative Verschoore;
Representative Williams; Representative Yarbrough;
Representative Zalewski, and Mr. Speaker."

Speaker Lang: "Representative Nybo."

Nybo: "I withdraw the verification, Mr. Speaker."

Speaker Lang: "Gentleman withdraws his verification request.
There are 63 voting 'yes', 49 voting 'no', 1 voting
'present'. And this Bill, having received a Constitutional
Majority, is hereby declared passed. House Bill 5877,
Speaker Madigan to be handled by Representative Nekritz.
Please read the Bill."

Clerk Hollman: "House Bill 5877, a Bill for an Act concerning
the judiciary, which may be referred to as the Michael
Lefkow and Donna Humphrey Judicial Privacy Improvement Act
of 2012. This Bill was read a second time on a previous

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day. Committee Amendment #1 was adopted in committee. No Floor Amendments. No Motions are filed."

Speaker Lang: "Third Reading. Please read the Bill."

Clerk Hollman: "House Bill 5877, a Bill for an Act concerning the judiciary, which may be referred to as the Michael Lefkow and Donna Humphrey Judicial Privacy Improvement Act of 2012. Third Reading of this House Bill."

Speaker Lang: "Representative Nekritz."

Nekritz: "Thank you, Mr. Speaker. House Bill 5877 creates the Judicial Privacy Act. This is in response to some rather unfortunate filing incidents against judges. And there are lots of place out there where their personal information, their... the location of their home is published and this is an effort to make that private, so it's to protect our judiciary. There are six components to the Bill. I mean, it has a civil prohibition against posting or publishing judges' personal information for government agencies and for businesses. It has a criminal portion that makes it a crime to post the judges' personal information if the person posting knows or should know that the posting poses as imminent threat to the safety of the judge or his or her family. If there... it creates an exemption to FOIA. It amends the Election Code so that when the... their petitions are filed and that can then be made private at some point along the... as the process moves along. And then for the Secretary of State it amends the ID Card Act, the Vehicle Registration and Driver's License Act so that they could use a business lic... a business address rather than a personal address."

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Speaker Lang: "Lady moves for the passage of the Bill. The
Chair recognizes Mr. Durkin."

Durkin: "Sponsor yield?"

Speaker Lang: "Lady yields."

Durkin: "Representative, I just want to make it perfectly
clear. When judges file their petitions with the State
Board of Elections, they have their addresses on the
petition. What will be... when this law, if it goes into
effect, what will the... will they still have to put their
addresses on the petitions? How is that going to be
protected?"

Nekritz: "They'll still have to put the address on the
petition, but once the petition is filed and once the
ballot is certified, then that information would be
redacted out."

Durkin: "Okay. And... and if a FOIA is made for those petitions,
that would be redacted in the response, correct? That
information is..."

Nekritz: "Again, once... once the ballot is certified."

Durkin: "Okay. And likewise, the information also that is on
the computer which gives our addresses that will likewise
be... that information will be redacted on the State Board of
Elections computer system, correct?"

Nekritz: "Correct."

Durkin: "Great. Thank you very much."

Nekritz: "Thank you."

Speaker Lang: "Mr. Franks."

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

Speaker Lang: "Representative Nekritz yields."

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Franks: "Representative, I'm wondering what would happen in a situation... I'm not sure this has been contemplated... let's assume the judge has a minor child and she goes to grade school. And they have like a list of the families for the phone trees and that type of thing. Would there be a penalty if the school put together the booklet would have the child's name which also included the home address of the judge?"

Nekritz: "Representative, the judge has to make a request of the school that that information be not... that that be removed or atten... and..."

Franks: "Let's assume..."

Nekritz: "...excluded."

Franks: "Okay. Let's assume the judge made that re... that request and unfortunately, there was a clerical error because you have, you know, volunteers in who put together the yearbook or whatever it might be. Would there be... Does this... Is this a knowing violation or would it just be... would they be penalized simply because it occurred?"

Nekritz: "Representative, the criminal portion of this only... only would kick in when the person publishing knows or should know that there's an imminent threat. And I don't think you could... I don't think the school would be in that position, so this would fall under the civil provisions which would mean that if it's on the Internet the school would have to remove it, but if it's otherwise out there, there's really no penalty."

Franks: "Thanks for clarifying that."

Speaker Lang: "Representative Cole."

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

Speaker Lang: "Lady yields."

Cole: "Thank you. Representative Nekritz, would this Bill prohibit anyone from creating a Facebook using the judge's name or a Twitter account using a judge's name? Would this Bill affect that in any way?"

Nekritz: "No. It only affects their personal information regarding their address, contact information, that kind of thing. So, the use of their name would be fine."

Cole: "So, if they used the judge's name, giving information or false information on a Twitter or Facebook that would be okay?"

Nekritz: "Well, I took it to be ok... I mean, he could still sue for defamation or something like that, but there's nothing about the use of the name in particular that would be covered in this Bill."

Cole: "So, that doesn't address the privacy issue with the judge in those two circumstances. You do have Internet and that's why I was wondering if that would apply as well."

Nekritz: "No. Well, the Internet has, again, the Internet portion of it deals with the judge's address or some... something that would... that would... where you could locate them not just... not simply the use of their name."

Cole: "So, if your Twitter or Facebook gave away the address of the judge, that would be different?"

Nekritz: "That would... that would be different, yes. The judge, again, the judge could ask that that be removed and if you... if you, you know, if you didn't do it, I don't see where there's, again, no penalty unless there's... unless you know

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as the perpetrator that the judge is in imminent harm.. if he's under threat of imminent harm."

Cole: "Okay. So, if.. just say a Twitter released.. says I'm Judge Humphries or Judge Smith and here's my address. Would that.. if this Bill passes, would that be grounds then for that judge to be able to go to Twitter or Facebook and say based on this Illinois State Law, which makes this unlawful, I would like this removed. Would that give them a little bit of a.. at least an edge to be able to do that?"

Nekritz: "Yes, I believe it would."

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

Speaker Lang: "Representative Nekritz to close."

Nekritz: "Ask for your support."

Speaker Lang: "Those in favor of the Bill will vote 'yes'; opposed 'no'. The voting is open. Have all voted who wish? Have all voted who wish? Please record yourselves, Members. Representatives Carli, Crespo, Davis, Dunkin and Turner. Please take the record, Mr. Clerk. This question, there are 109 voting 'yes', 0 voting 'no'. And this Bill, having received the Constitutional Majority, is hereby declared passed. Representative Zalewski."

Zalewski: "Point of personal privilege, Mr. Speaker."

Speaker Lang: "Please state your point, Sir."

Zalewski: "Oh, we have the West Suburban Municipal Conference members down here today. We did an acknowledgement a few minutes ago. I'd also ask the Body to give a warm welcome to Village President Jim Discipio, Julie Cedillo, Scott Mesick and Patty Rockwell from the Village of LaGrange

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Park. They're up in the gallery. Could you just give them a round of applause and welcome to Springfield."

Speaker Lang: "Welcome to Springfield. The Chair recognizes Mr. Bost for an announcement."

Bost: "Thank... thank you, Mr. Speaker. Upon adjournment, the House Republicans would like to have a caucus immed.. immediately upon adjournment. Probably take about an hour."

Speaker Lang: "Your caucus will be one hour, Sir?"

Bost: "It is our hope to be done in a hour, yes."

Speaker Lang: "Thank you. Mr. Clerk, Agreed Resolutions."

Clerk Hollman: "Agreed Resolutions. House Resolution 894, offered by Representative Gordon. House Resolution 895, offered by Representative Cavaletto. House Resolution 896, offered by Representative Flowers. And House Resolution 899, offered by Representative Saviano."

Speaker Lang: "Leader Currie moves for the adoption of the Agreed Resolutions. Those in favor say 'yes'; opposed 'no'. The 'ayes' have it. And the Agreed Resolutions are adopted. Mr. Clerk, Adjournment Resolution."

Clerk Hollman: "House Joint Resolution #77, offered by Representative Currie."

RESOLVED, BY THE HOUSE OF REPRESENTATIVES OF THE NINETY-SEVENTH GENERAL ASSEMBLY OF THE STATE OF ILLINOIS, THE SENATE CONCURRING HEREIN, that when the two houses adjourn on Friday, March 30, 2012, the House of Representatives stands adjourned until Tuesday, April 17, 2012 at 12:00 noon, or until the call of the Speaker; and the Senate stands adjourned until Tuesday, April 17, 2012 at 12:00 noon, or until the call of the President."

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Speaker Lang: "Leader Currie moves for the adoption of the Adjournment Resolution. Those in favor say 'yes'; opposed 'no'. The 'ayes' have it. The Adjournment Resolution is adopted. Mr. Clerk, Committee Announcements."

Clerk Hollman: "Committee schedule. Meeting one hour after Session, so at 5:30, are the following committees: Personnel & Pensions in Room 115, Elementary & Secondary Education in Room 114, Agriculture in Room 413, Counties & Townships in Room C-1, Consumer Protection in Room D-1. Meeting an hour and a half after adjournment at 6:00 is the following committees: Housing in Room 114, Disability Services in Room 115, Cities & Villages in Room C-1, Judiciary II-Criminal Law in D-1, Environment & Energy in Room 413."

Speaker Lang: "Mr. Bost."

Bost: "Thank you, Mr. Speaker. Also, we want to remind everybody about the Sportsman's Caucus tonight."

Speaker Lang: "Mr. Mathias."

Mathias: "Yes. I also would like to remind everybody tomorrow morning at 7:30 the Local Government Caucus is meeting at the Illinois Municipal League Building. Thank you."

Speaker Lang: "And now, allowing perfunctory time for the Clerk, Leader Currie moves that the House does stand adjourned 'til Thursday, March 29, at the hour of 10 a.m. Those in favor say 'yes'; opposed 'no'. The 'ayes' have it. And the Motion is adopted and the House is adjourned until tomorrow at 10 a.m."

Clerk Bolin: "House Perfunctory Session will come to order. Committee Reports. Representative Nekritz, Chairperson from

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the Committee on Personnel & Pensions, reports the following committee action taken on March 28, 2012: do pass Short Debate for House Bill 4513. Representative Dugan, Chairperson from the Committee on Agriculture & Conservation reports the following committee action taken on March 28, 2012: recommends be adopted Floor Amendment #1 to House Bill 4819. Representative Verschoore, Chairperson from the Committee on Counties & Townships reports the following committee action taken on March 28, 2012: recommends be adopted Floor Amendment #2 to House Bill 5479. Representative Berrios, Chairperson from the Committee on Consumer Protection reports the following committee action taken on March 28, 2012: recommends be adopted Floor Amendment #3 to House Bill 4083. Representative Yarbrough, Chairperson from the Committee on Housing reports the following committee action taken on March 28, 2012: recommends be adopted Floor Amendment #3 to House Bill 4333, Floor Amendment #1 to House Bill 5453, and Floor Amendment #1 to House Bill 5454. Representative Riley, Chairperson from the Committee on Cities & Villages reports the following committee action taken on March 28, 2012: recommends be adopted Floor Amendment #1 to House Bill 4753. Representative Howard... yes, Representative Howard, Chairperson from the Committee on Judiciary II-Criminal Law reports the following committee action taken on March 28, 2012: do pass as amended Short Debate for House Bill 5771; recommends be adopted Floor Amendment #1 to House Bill 5182 and Floor Amendment #2 to House Bill 5280. Representative May, Chairperson from the Committee on

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Environment & Energy reports the following committee action taken on March 28, 2012: recommends be adopted Floor Amendment #1 to House Bill 4761. Second Reading of House Bills to be read and held on the Order of Second Reading. House Bill 4320... House Bill 4320, offered by Speaker Madigan, a Bill for an Act concerning gaming. House Bill 4513, a Bill for an Act concerning public employee benefits. House Bill 4828, a Bill for an Act concerning local government. House Bill 4866, a Bill for an Act concerning business. House Bill 5771, a Bill for an Act concerning certificate of good conduct and relief from disabilities. Second Reading of these House Bills. First Reading of Senate Bills. Senate Bill 180, offered by Representative Reboletti, a Bill for an Act concerning government. Senate Bill 278, offered by Representative Feigenholtz, a Bill for an Act concerning State Government. Senate Bill 638, offered by Representative Biss, a Bill for an Act concerning education. Senate Bill 680, offered by Representative Mathias, a Bill for an Act concerning regulation. Senate Bill 820, offered by Representative Gabel, a Bill for an Act concerning children. Senate Bill 1064, offered by Representative Hernandez, a Bill for an Act concerning corrections. Senate Bill 2545, offered by Representative Bradley, a Bill for an Act concerning business. Senate Bill 2569, offered by Representative Soto, a Bill for an Act concerning civil law. Senate Bill 2578, offered by Representative Golar, a Bill for an Act concerning health. Senate Bill 2837, offered by Representative Fortner, a Bill for an Act concerning the

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Secretary of State. Senate Bill 2840, offered by Representative Cassidy, a Bill for an Act concerning public aid. Senate Bill 2864, offered by Representative Greg Harris, a Bill for an Act concerning insurance. Senate Bill 2867, offered by Representative Winters, a Bill for an Act concerning safety. Senate Bill 2869, offered by Representative Reis, a Bill for an Act concerning certain court orders. Senate Bill 2876, offered by Representative Mautino, a Bill for an Act concerning insurance. Senate Bill 2877, offered by Representative Mautino, a Bill for an Act concerning insurance. Senate Bill 2882, offered by Representative Roth, a Bill for an Act concerning State Government. Senate Bill 2886, offered by Representative Jefferson, a Bill for an Act concerning revenue. Senate Bill 2897, offered by Representative Feigenholtz, a Bill for an Act concerning business. Senate Bill 2934, offered by Representative Will Davis, a Bill for an Act concerning State Government. Senate Bill 3137, offered by Representative Franks, a Bill for an Act concerning regulation. Senate Bill 3168, offered by Representative Chapa LaVia, a Bill for an Act concerning public employees. Senate Bill 3171, offered by Representative Brady, a Bill for an Act concerning regulation. Senate Bill 3177, offered by Representative Colvin, a Bill for an Act concerning residential mortgages. Senate Bill 3180, offered by Representative Lang, a Bill for an Act concerning insurance. Senate Bill 3182, offered by Representative Tracy, a Bill for an Act concerning local government. Senate Bill 3183, offered by Representative Winters, a Bill

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for an Act concerning local government. Senate Bill 3184, offered by Representative Ramey, a Bill for an Act concerning local government. Senate Bill 3214, offered by Representative Tryon, a Bill for an Act concerning local government. Senate Bill 3240, offered by Representative Bradley, a Bill for an Act concerning insurance. Senate Bill 3241, offered by Representative Costello, a Bill for an Act concerning revenue. Senate Bill 3245, offered by Representative Dugan, a Bill for an Act concerning government. Senate Bill 3373, offered by Representative Lang, a Bill for an Act concerning State Government. Senate Bill 3414, offered by Representative Beiser, a Bill for an Act concerning safety. Senate Bill 3456, offered by Representative Lang, a Bill for an Act concerning liquor. Senate Bill 3484, offered by Representative Chapa LaVia, a Bill for an Act concerning government. Senate Bill 3504, offered by Representative Sullivan, a Bill for an Act concerning transportation. Senate Bill 3629, offered by Representative Dan Burke, a Bill for an Act concerning public employee benefits. Senate Bill 3671, offered by Representative Chapa LaVia, a Bill for an Act concerning State Government. Senate Bill 3685, offered by Representative Fortner, a Bill for an Act concerning regulation. First Reading of these Senate Bills. There being no further business, the House Perfunctory Session will stand adjourned."