

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

148th Legislative Day

5/31/2012

Speaker Madigan: "The House shall come to order. The House shall come to order. The Members shall be in their chairs. We shall be led today in prayer by Fred Robinson, a member of the St. Catherine Drexel Parish in Springfield, Illinois. The Members and guests are asked to refrain from starting their laptops, turn off all cell phones and pagers, and rise for the invocation and the Pledge of Allegiance."

Fred Robinson: "God, our Father, whom every family in Heaven and on earth takes its name, we thank You for the power of Your presence, which brings to us a new horizon and a promising day. We do not doubt that You are here, for there is no place You are not. Your spirit surrounds us all in such a deep and personal way. In this moment of quiet, we ask Your blessing and guidance. As we begin this day, we pray for our elected officials. We also pray for our legislative staff, who work quietly behind the scenes in their supporting roles to make our state a place of promise and peace for all who seek a home, a home where little people and little needs come first, a home where justice speaks loudly. As we work and assemble here this morning, inspire us to think, act, and live our great capacity for goodness, love and justice, enable all of us to be men and women eager to be among Your people as ones who serve. As a diverse human family, teach us, Your sons and daughters, to see and appreciate the beauty, blessings, gifts that You create in each of us. By the power of Your holy spirit, as we journey through uncertain terrain and as we struggle through darkness seeking paths of justice, and peace, and

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answers to budgetary need... needs, lead us beyond the divine and all-dimming views that we might outgrow fear that blinds the way. Enlighten the darkness of our hearts and instill in us a faith that is committed, a hope that is certain, a love that is perfect, a sensitivity and knowledge that we may rise to task we must accomplish today, Amen."

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

Howard - 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 Madigan: "Roll Call for Attendance. Representative Currie."

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

Speaker Madigan: "Mr. Bost."

Bost: "Thank you, Mr. Speaker. Let the record reflect that all Republicans are present today."

Speaker Madigan: "The Clerk shall take the record. There being 117 Members responding to the Attendance Roll Call, there is a quorum present. Mr. Clerk."

Clerk Bolin: "Committee Reports. Representative Burke, Chairperson from the Committee on Executive reports the following committee action taken on May 31, 2012: do pass Short Debate for Senate Bill 2404, Senate Bill 2455, and Senate Bill 2461. Representative Jack Franks, Chairperson from the Committee on State Government Administration

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reports the following committee action taken on May 31, 2012: recommends be adopted House Resolution 1040, House Resolution 1043, House Resolution 1053, House Resolution 1072, House Resolution 1079, and House Resolution 1115; recommends be adopted as amended House Resolution 1088. Representative Jackson, Chairperson from the Committee on Armed Forces & Military Affairs reports the following committee action taken on May 31, 2012: recommends be adopted House Resolution 1098. Representative Nekritz, Chairperson from the Committee on Personnel & Pensions reports the following committee action taken on May 31, 2012: recommends be adopted Motion to Concur with Senate Amen... Amendment #1 to House Bill 4996, and Senate Amendment #2 to House Bill 4996, Floor Amendment #4 to Senate Bill 1673, and Floor Amendment #6 to Senate Bill 1673. Representative Riley, Chairperson from the Committee on Cities & Villages reports the following committee action taken on May 31, 2012: recommends be adopted Motion to Concur with Senate Amendment #1 to House Bill 4753, and Motion to Concur with Senate Amendment #4 to House Bill 4753. Representative Howard, Chairperson from the Committee on Judiciary II-Criminal Law reports the following committee action taken on May 31, 2012: recommends be adopted Motion to Concur with Senate Amendment #1 to House Bill 196, and Motion to Concur with Senate Amendment #1 to House Bill 1907, Floor Amendment #1 to Senate Bill 3824, and recommends be adopted as amended to House Joint Resolution 90. Representative Dugan, Chairperson from the Committee on Agriculture & Conservation reports the

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following committee action taken on May 31, 2012:
recommends be adopted Motion to Concur with Senate
Amendment #1 to House Bill 4819. Introduction of
Resolutions. House Resolution 1141, offered by
Representative Will Davis."

Speaker Madigan: "Mr. Clerk, on the Order of Senate Bills-
Second Reading, what is the status of Senate Bill 1673?"

Clerk Bolin: "Senate Bill 1673, a Bill for an Act concerning
public employee benefits. The read.. the Bill was read for a
second time on a previous day. No Com..."

Speaker Madigan: "Mr. Clerk, leave that Bill on the Order of
Second Reading. What is the status of Senate Bill 2404, on
the Order of Senate Bills-Second Reading? Senate Bill 2404.
Brad."

Clerk Bolin: "Senate Bill 2404, a Bill for an Act concerning
appropriations. Second Reading of this Senate Bill. No
Committee Amendments. No Floor Amendments. No Motions are
filed."

Speaker Madigan: "Mr. Clerk, leave that Bill of the Order of
Second Reading. Mr. Clerk, what is the status of Senate
Bill 2455?"

Clerk Bolin: "Senate Bill 2455, a Bill for an Act concerning
appropriations. Second Reading of this Senate Bill. No
Committee Amendments. No Floor Amendments. No Motions are
filed."

Speaker Madigan: "Mr. Clerk, leave that Bill on the Order of
Second Reading. Mr. Clerk, Senate Bill 2461, what is the
status of that Bill?"

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Clerk Bolin: "Senate Bill 2461, a Bill for an Act concerning appropriations. Second Reading of this Senate Bill. No Committee Amendments. No Floor Amendments. No Motions are filed."

Speaker Madigan: "Mr. Clerk, leave that Bill on the Order of Second Reading. Mr. Lyons in the Chair."

Speaker Lyons: "Ladies and Gentlemen, on page 4 of the Calendar, under Senate Bills-Third Readings, Representative Dan Beiser, on the bottom of page 4, you have Senate Bill 3428. Read the Bill, Mr. Clerk."

Clerk Bolin: "Senate Bill 3428, a Bill for an Act concerning education. Third Reading of this Senate Bill."

Speaker Lyons: "The Gentleman from Madison, Representative Dan Beiser."

Beiser: "Thank you, Mr. Speaker, Members of the House. This is an initiative of the Community College Board, and it basically says of the 11 appointees from the Governor to this Community College Board, one of them has to be either a president, a chancellor or a chief executive... chief executive officer of a community college."

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

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

Speaker Lyons: "Sponsor yields."

Reboletti: "Representative, did we already pass a House Bill, basically with the same identical language?"

Beiser: "Yes. And I believe that's not moving in the Senate."

Reboletti: "So, this would... this would be the one that would become law, if we pass this?"

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Beiser: "Yes, Sir. And I think that, Dennis, the reason was there was some technical drafting error. We identified the chancellor and chief executive officer, but... but we did... we forgot Eastern Community College. They have a president, or a chief... of one of those three titles, other than a president... or two titles other than a president, they've got a we identified chancellor of a different college and it should have been Eastern Community College. So, this corrects the drafting error that went over there."

Reboletti: "Thank you."

Speaker Lyons: "No one seeking further discussion, the question is, 'Should Senate Bill 3428 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... on this Bill, there's 116 Members voting 'yes', 0 voting 'no', 1 Member voting 'present'. This Bill, having received the Constitutional Majority, is hereby declared passed. Mr. Clerk."

Clerk Bolin: "Committee Reports. Representative Currie, Chairperson from the Committee on Rules reports the following committee action taken on May 31, 2012: recommends be adopted Floor Amendment #2 to Senate Bill 179, Floor Amendment #4 to Senate Bill 2537, Floor Amendment #2 to Senate Bill 3415, Floor Amendment #3 to Senate Bill 3522, Floor Amendment #3 to Senate Bill 3592, Floor Amendment #6 to Senate Bill 3802: recommends be adopted Motions to Concur Senate Amendments 1 and 4 for

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House Bill 1554, Senate Amendments 1 and 2 for House Bill 1882, and Senate Amendment #1 for House Bill 4521."

Speaker Lyons: "Representative Bob Rita, on the Order of Senate Bills-Third Readings, Bob, you have Senate Bill 38. Read the Bill, Mr. Clerk."

Clerk Bolin: "Senate Bill 38, a Bill for an Act concerning professional regulation. Third Reading of this Senate Bill."

Speaker Lyons: "Representative Bob Rita."

Rita: "Thank... thank you, Mr. Speaker, Ladies and Gentlemen of the House. Senate Bill 38 as amended, sunsets the Funeral and Embalmers Licensing Act for 10 more years to the year 2023. It's agreed legislation. I'd ask for your favorable vote."

Speaker Lyons: "Leader Dan Brady."

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

Speaker Lyons: "Sponsor yields."

Brady: "I'm actually... I... I guess I just really want to speak to the Bill. I want to thank Representative Rita for moving this forward and working together on the legislation. As a licensed funeral director and embalmer, I appreciate his efforts on behalf of... of that profession. Thank you very much. And I intend to vote 'yes'."

Speaker Lyons: "Representative Brady and Representative Rita move for the passage of Senate Bill 38. 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 Crespo and

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Turner, would you like to be recorded? Fred. Mr. Clerk, take the record. On this Bill, there's 117 Members voting 'yes', 0 voting 'no'. This Bill, having received the Constitutional Majority, is hereby declared passed. Representative Mike Zalewski, on the Order of Senate Bills-Third Readings, on page 5 of the Calendar, you have Senate Bill 3824. Read the Bill, Mr. Clerk. Mr. Zalewski, the Clerk has advised that there is an Amendment. Wish to take that back to Second Reading? Put that Bill on the Order of Second Reading, Mr. Clerk. Status on that Bill, Mr. Clerk?"

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

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

Zalewski: "I wish to move for the adoption of Floor Amendment. It becomes the Bill dealing with sealing of records. I'd be happy to discuss the Bill in chief on Third Reading."

Speaker Lyons: "The Gentleman 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 Bolin: "No further Amendments. No Motions are filed."

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

Clerk Bolin: "Senate Bill 3824, a Bill for an Act concerning criminal law. Third Reading of this Senate Bill."

Speaker Lyons: "Representative Zalewski."

Zalewski: "Thank you, Mr. Speaker. I ask for the Body's support of Senate Bill 3824, which Representative Ford and I have worked on this Bill in the last couple of days. It... it does

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a very... it does a very basic thing with regards to the... to the... certain criminal records. It allows the judge to seal the record in... in his or her discretion for certain... for certain offenses. We had a pretty robust discussion of the Bill in Judiciary II this morning. I know there's some concerns among the business community about their... its affect on hiring practices. If... if I could get the Body's support to get the Bill out, I've committed to the... to the other... to the opponents of the Bill that I will continue to work on the Bill over the summer. I truly believe in my heart of hearts that we can work out an agreement similar to what... to a Bill we passed a couple of days ago on seals. I ask, respectfully, for an 'aye' vote. And I'd be happy to take any questions."

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

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

Speaker Lyons: "Sponsor yields."

Reboletti: "Representative, I'm looking at the Floor Amendment and the crimes that are included, and you want to be able to seal records after four years of a termination of their sentence. Is that correct?"

Zalewski: "I want to give the judge, Representative, the discretion to seal those records."

Reboletti: "So, it's after the termination of their sentence, and it says 'last sentence'. So, I assume that means that in theory, they may have prior convictions while they're trying to seal a new offense, right?"

Zalewski: "Potentially, Representative."

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Reboletti: "Potentially. I... I would assume that might be one of the areas you would work on."

Zalewski: "Correct."

Reboletti: "What about DUI? Can you... after four years of completing your DUI sentence, maybe for aggravated DUI, reckless homicide, you'd be able to seal that four years after the completion of your mandatory supervised release, or what we commonly call parole, or at the end of your conditional discharge or probation."

Zalewski: "I don't see Ag DUI or reckless in... in my analysis, Representative."

Reboletti: "I'm... according to my analysis, it says that DUI and reckless driving are part of those offenses. Am I looking at the excluded list?"

Zalewski: "Those are excluded, Representative."

Reboletti: "Is domestic battery excluded?"

Zalewski: "Yes. Yes. I believe so, Representative."

Reboletti: "What were the concerns from the Illinois Bankers Association?"

Zalewski: "They... they're guided in their hiring practices by certain federal regulatory practices whereby they have to investigate the... the... the history... history of their employees. Their concern is, with this... the passage of this Bill, they won't be able to invest... and make that due diligence. I... I'm fully aware of their... So, what I'm told, Representative, by... by counsel is that we actually sent language to the Governor that would address the bankers' concern and would become operative and... and effective upon this legislation and... and would, hopefully, help... I didn't

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realize that, but would hopefully help the bankers with their concerns."

Reboletti: "Yesterday, we passed a Bill that looked to seal convictions. One conviction, we had the offenses already enumerated. We had these... the bankers were neutral. Why do we need this when we just passed something yesterday that effectively does the same thing?"

Zalewski: "I... I think that... that our articulation of different offenses. I mean, I'm looking the offense... at the offenses listed in the Bill, and as I said in committee this morning, these are offenses where if the petitioner says, I was young, I made a mistake, I've paid my debt to society, I've done everything I can possibly do, I go before the judge, I make my case, and the judge grants in his or her discretion to... to seal, then these additional offense... offenses should be included in that list."

Reboletti: "Well, I appreciate that, I'm not sure how you mistakenly deliver drugs to somebody, considering the amount of heroin overdoses that we have statewide. And the fact that drug overdoses is now, actually, eclipse deaths in car accidents for... for children, so I... I don't know if that's something that you can be... considered being young and not understanding of the system."

Zalewski: "So..."

Reboletti: "But again, Representative, we just passed a Bill yesterday. It had safeguards in it that let the PRB review and by unanimous consent, send a report to the Circuit Court for them to have a hearing. So, we have already addressed this issue. We had the bankers already neutral

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because we addressed their concerns, and the manufacturers and the retailers were neutral. So, I'm not sure why we want to pass something that is duplicative. I think we had a good Bill yesterday that was vetted. And I would urge a 'no' vote."

Speaker Lyons: "The Chair recognizes Representative Dwight Kay."

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

Speaker Lyons: "Sponsor yields, Representative."

Zalewski: "Yes. I... I yield. I yield."

Kay: "Representative, are you available?"

Zalewski: "Yes. I'm sorry..."

Kay: "Okay."

Zalewski: "...Representative."

Kay: "I'm curious about this Bill, and I guess just the general con... context and then, maybe more specific, but why... why do you want to do this?"

Zalewski: "Because I'm of the opinion that in instances such as what's being... and I want to... in instances as being described in the Bill, for a limited amount of instances, there should be a mechanism whereby a petitioner goes before a judge, makes a case... and... and I want to address something that was said by the previous speaker. I apologize; I didn't get a chance to address it. The Bill calls for implement... implementation of a drug test for... for some of these offenses. So, I understand the Gentleman from DuPage's concern, but I think, for what it's worth, we... we try to address that. But there are instances where this... this... this avenue should be granted."

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Kay: "Mike, I didn't hear your last two sentences."

Zalewski: "I think... I think there are instance... limited instances..."

Speaker Lyons: "Shhh."

Zalewski: "...such as what's articulated in this Bill, where a petitioner in good faith should be able to go before a judge and ask for the relief that's being granted in the Bill."

Kay: "Well, maybe so. Let me ask this question then. If you feel that way, do you believe then that companies who have to hire, and they have to do strict background checks, should be held harmless for negligent hiring because records are sealed?"

Zalewski: "Representative, I... I certainly acknowledge and appreciate the business community's concerns about the Bill. What I said before is what I meant, that if we... if we could address the... the concerns that were a brought before the bankers, then we certainly can... I mean, I'm willing to revisit this issue and come back and say, let's come together with the manufacturers and IRMA, and... and everybody over the summer, get a trailer Bill and say, let's talk about what we could do to adjust for the purposes of your hiring Bills. But for right now, I want to give the ability for people to go before a judge and get these records sealed."

Kay: "Well, Representative, I appreciate what you're trying to do. I'm not sure you understand the concerns that this Bill causes the business community. Mine are far more severe than bankers, but I appreciate your answers. Thank you."

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Speaker Lyons: "Representative Jim Sacia."

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

Speaker Lyons: "Sponsor yields."

Sacia: "Representative Zalewski, we had a very... I... I would say, intense discussion, in committee this morning on your Bill. And I want you to know, and I think you do know the profound regard and respect I have for you..."

Zalewski: "Thank you, Jim."

Sacia: "...and even though I have a struggle with your Bill, I have the greatest appreciation in what you told us in committee, that there will be a trailer Bill to address some of the issues of the bankers and some of the other concerned parties. And I... I... I'm going to have to be a 'no', but those that can support your Bill, I respect that. And I have the greatest respect for you, Representative, and I know that that trailer Bill will be down the road. So..."

Zalewski: "Thank..."

Sacia: "...thank you."

Zalewski: "...thank you, Rep..."

Speaker Lyons: "Representative Will Davis."

Davis, W.: "Thank you, Mr. Speaker. Simply, to the Bill. I certainly want to thank Representative Zalewski for his efforts to try to work on such a very, very tough issue. I mean, I think sometimes when these types of things come up, people have concerns, as was just stated by some of the... some of the previous speakers. But at some point, Ladies and Gentlemen, we have to give people a chance. Now, some people would think that when we talk about sealing of... of

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criminal offenses that that's not the type of chances that we should be giving people by sealing those offenses. But we do it all the time, Ladies and Gentlemen, when we pass legislation to provide medical resources for individuals. We're giving them a chance at a better quality of life from their medical issues. When we pass Bills that protect the environment, again, we're giving people a chance to protect their environment. So, these are things that we do all the time. It's unfortunate that sometimes individual do caught.. get caught up in the criminal justice system, but certainly, they deserve compassion from this chamber and from this Body just like the type of compassion that we provide for individuals in any other situation or circumstance. Please, Ladies and Gentlemen, think about the opportunity to help individuals. One of the things that we're challenged sometimes is that we don't always want to provide welfare, if I could use that word, benefits, or assistance for individuals who are in those systems. But what we're doing is that if we're not allowing individuals an opportunity to work, to be employed, to take care of their families and their children, then we're ultimately pushing more and more people into systems like that that we want to try to take people off. So, here's an opportunity for an individual, mal... male or female, regardless of what race or color they are, an opportunity at employment so that they can take care of themselves and take care of their family. Trust me, Ladies and Gentlemen, this is the type of legislation that we need to be trying to push forward. Apparently, there are some concerns from other

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parts of various industries, various bankers and other things like that, and what we need to do is take the opportunity to maybe figure out how we can address their specific concerns moving forward. But this Bill is definitely a step in the right direction to try to give residents of the State of Illinois the best opportunity to provide for themselves and for their family, and I certainly encourage everyone to support the Bill. Thank you."

Speaker Lyons: "Representative Zalewski to close."

Zalewski: "Thank you. To the Bill. I appreciate all the concerns about the Bill. I appreciate the debate we've had. I appreciate all the comments. I will say this about the Bill; I truly believe this is a good piece of policy for the State of Illinois. I meant what I said in committee this morning. If a young person makes a mistake, and they do everything they possibly can to pay their debt to society, and they go before a judge and make a case, according to the burden of proof that they're required to make, and the judge seals that record, that's an appropriate result. That's the way it should work. I... I appreciate all the feedback I've had. We've had constructive dialogue over the last few days, and this is one of the instances where we can... we can... we can work together on some of the issues that are facing the State of Illinois when it comes to both crime and helping people get a fresh start. I would... I would implore the Body for an 'aye' vote on this Bill."

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Speaker Lyons: "The Gentleman moves for the passage of Senate Bill 3834. 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? Acevedo, Gordon, would you like to be recorded? Mr. Clerk, take the record. Representative Zalewski. 47 voting 'yes', 68 voting 'no'. The Gentleman moves to put the Bill on Postponed Consideration. Leader Dan Burke, on page 8 of the Calendar, Dan, you have, on Senate Bills-Second Reading, Senate Bill 2861. Representative Burke. Senate Bill 2861. What's the status on that Bill, Mr. Clerk?"

Clerk Bolin: "Senate Bill 2861, a Bill for an Act concerning transportation. 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: "Senate Bill 2861, a Bill for an Act concerning transportation. Third Reading of this Senate Bill."

Speaker Lyons: "Leader Dan Burke."

Burke: "Thank you, Mr. Speaker and Ladies and Gentlemen of the House. Very basically, this Bill would amend the Department of Transportation Law of the Civil Administrative Code to state that when the Department of Transportation is required to enter into an agreement with any carrier for the payment of railroad maintenance expenses that they would be able to create an escrow account. These escrow accounts shall have not... shall have not had terms that exceed 20 years. I'd be happy to answer any questions."

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

Reboletti: "Will the Leader yield?"

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

Reboletti: "Leader Burke, is the... and it... it is a little loud in here, so I... I wasn't able to hear the Gentleman's..."

Speaker Lyons: "All right, Dennis, yeah."

Reboletti: "...conversation."

Speaker Lyons: "Ladies and Gentlemen, the noise level keeps rising. I know there's a lot to be talked about, but we have a Third Reading discussion. Can we please bring the noise level down? Shhh. Thank you very much."

Reboletti: "Leader, as I look at the analysis, this Bill has to do with IDOT and high-speed rail maintenance in an escrow account. Can you tell us what... how this... all these parts function together?"

Burke: "Well, as you might certainly surmise, the Department of Transportation would have a great involvement with any consideration of high-speed rail or the promotion of that activity in our state, and being the agency that would have a very serious concern and interest in that promotion, they would have involvement."

Reboletti: "Would the high-speed rail be new tracks or would they be using existing tracks?"

Burke: "I believe that's yet to be determined, I... and it might be a combination of both."

Reboletti: "So, it could be a private-public partnership, potentially."

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Burke: "I would surmise that that could be the case."

Reboletti: "Who are the proponents on this?"

Burke: "Department of Transportation, and we did have a witness representing... Union Pacific Railroad."

Reboletti: "And they're supportive?"

Burke: "They are supportive."

Reboletti: "Thank you, Representative."

Speaker Lyons: "No one seeking further recognition, the question is... Representative Burke moves for the passage of Senate Bill 2861. 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? Leader Bost. Leader Currie. Mike. Mr. Clerk, take the record. There's 108 Members voting 'yes', 9 Members voting 'no', 0 voting 'present'. This Bill, having received the Constitutional Majority, is hereby declared passed. Representative Bill Mitchell, for what purpose do you seek recognition, Representative?"

Mitchell, B.: "A point of personal privilege, Mr. Speaker."

Speaker Lyons: "Please proceed, Representative."

Mitchell, B.: "There's a... there is a rumor here today that this might be our last day in Session, so I wanted to thank our legislative secretaries, both in our district and here at the Capitol. They're getting inundated by calls today. They're doing a great job. So, let's every... give all our secretaries a great big hand."

Speaker Lyons: "A great recognition, well-deserved. Thank you, Representative Mitchell. Representative Norine Hammond, for what purpose do you seek recognition, Norine?"

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Hammond: "Thank you, Mr. Speaker. On House Bill 3881, I was recorded as a 'yes' vote, and I would like to be recorded as a 'no'."

Speaker Lyons: "The Journal will reflect..."

Hammond: "Thank you."

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

Mulligan: "Thank you, Mr. Speaker. I'd like to make a comment that I've made before. In the Senate, when the Bill changes, particularly with the Sponsor or Amendments, they make the... what is written on the board what is actually in the Bill. We never do that. Half the time it shows up that you're voting for something on the board that is not what's in the Bill any longer, and I've asked that for years. I don't understand if the Senate is able to change and make it sufficient for what's in the Bill, why the House can't do that too. There's a couple of reasons for that, but lots of times it has nothing to do with the fact that you can use it in... in a campaign piece, you can use it when somebody wants to know why you voted for something that has nothing to do with what you actually voted for. So, I would really like to see that taken into consideration. I've asked that for several years. I think it's really important that the board identifies what we're actually voting for."

Speaker Lyons: "Point well-taken, Representative. Thank you. Ladies and Gentlemen, I'm going to go to the Order of Concurrences on page 10 and 11. Most things... many things will be ready to go, some will not, but if you'd be so kind as to follow the Calendar along on page 10 and 11, we'll

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see how many of the Concurrences we can move out of the chamber to the Governor's desk. I'll start with Representative Michael McAuliffe, you have House Bill 196. Representative McAuliffe on House Bill 196."

McAuliffe: "Thank you, Mr. Speaker, Ladies and Gentlemen of the House. I concur in Senate Amendment #1. What this would do was... it would provide an additional fee for any fine or cost if a person would plead guilty and go to court. With this extra money, what this would do would be for State Police cadets. And I'd be happy to answer any questions that anyone has, and ask for a favorable vote."

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

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

Speaker Lyons: "A little power surge there, Sir? Sponsor yields."

Franks: "Thank you. Representative, this Senate Amendment #1 is a gut and replace. Doesn't it completely change the underlying Bill?"

McAuliffe: "Yes, it does."

Franks: "Okay. In the underlying Bill, there wasn't any fees assessed, correct?"

McAuliffe: "Correct."

Franks: "Okay. So, why are we assessing fees now? Why is it necessary to do so?"

McAuliffe: "Well, the... the whole Bill does change, but I believe in the original bill, it did have a fee and that would've been for... for criminals would've had to pay. So... but now we've changed it, this... the change in the Senate.

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What we're trying to do is have a streamline... a consistent streamline for cadets for the State Police."

Franks: "Okay. And can you explain the new fees for us?"

McAuliffe: "Current... what this would do is if somebody would plead guilty and go to a court, not if they mailed in a fine a fine, if they went to a court and pled guilty or got supervision, it's up to the clerk of the Circuit Court to charge up to \$15. Currently, right now, in the other cases, they charge between 1 and 2 dollars. The State Police would get the equal match and from that, it would go to a cadet training only."

Franks: "Okay. But right... so, right... this would just increase the fee for those that are either found guilty or plead guilty."

McAuliffe: "Correct."

Franks: "Now, is there any specific cases in which this provides, or is this for all with things, including ordinance violations and traffic..."

McAuliffe: "Yeah. All of that."

Franks: "...violations. So, all."

McAuliffe: "All of that."

Franks: "Okay. So, just want people to understand that the traffic violations probably will have an additional \$15 fee on them."

McAuliffe: "If you go to court, not if you mailed it in."

Franks: "Oh, only if you... only if you go to..."

McAuliffe: "Only if you appear in court."

Franks: "Okay. So, this is... say if you plead guilty and send it in, there's no additional fee."

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McAuliffe: "No fee."

Franks: "Okay. Thank you."

McAuliffe: "Thank you."

Speaker Lyons: "Representative Sacia."

Sacia: "Mr. Speaker, to the Bill. Ladies and Gentlemen, this is a Bill created out of necessity due to the significant number of retirements from the Illinois State Police. We're going to lose over 150 this year, 150 troopers again next year. This would help fund cadet classes, which would get us nowhere near the number we are losing, but it would be very strong in support of that. It's good legislation, and I urge your support. Thank you."

Speaker Lyons: "Representative Dennis Reboletti."

Reboletti: "To the Bill. While we are in difficult financial times, we still have to try to find some ways to generate some revenue to deal with one of the most basic services we provide here as State Government, which is public safety. And while this additional \$15 fee is something that is... we'd like... is definitely necessary. We know that it's going to be used directly to put troopers through rigorous training for one year so that they can add into our already depleted resources and manpower. If we don't do this, what will happen? Troopers might make night time stops and have no backup for 10, 15, or 20 miles. We also need... we... and we always think of troopers on a tollway. We think of them on the... in the interstates. But in my previous occupation, they worked major crimes. They helped local law enforcement. They helped rural communities deal with major crimes. They deal with DNA analysis, with narcotics

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analysis. So, we need to make sure that we have the best and the brightest working for the State of Illinois, and I would urge your support. Thank you very much, Mr. Speaker."

Speaker Lyons: "Representative David Harris."

Harris, D.: "Thank you, Mr. Speaker. Just a question of the Sponsor, please."

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

Harris, D.: "Representative, you indicated that if you mailed in the fine, you wouldn't pay the fee. Is that correct?"

McAuliffe: "Correct."

Harris, D.: "Where does that say that in the Bill?"

McAuliffe: "I'm checking on that."

Harris, D.: "Thank... thank you."

McAuliffe: "Oh, okay. I'm sorry. I'm... I don't see where it's in the Bill, but I remember now. It's in the Illinois Supreme Court... or the Supreme Court rules. They say that you cannot assess a fee if somebody mails in their fine. They have to... they have to presently go into the court. If the clerk of the Circuit Court's going to impose a fee on them, they have to go physically in the court."

Harris, D.: "Thank you for that clarification."

Speaker Lyons: "Representative McAuliffe to close."

McAuliffe: "Thank you, Mr. Speaker. And for all the Members that asked questions, currently, there's 1800 State Troopers. They like to see that level at 2200. I believe by passing this Bill, they would be able... it would allow them to at least have 100 cadets in next year's class. And we need State Troopers because there's just not enough of them there. And they're the backbone, and also the backup for

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the County Sheriffs when they can't respond. So, I ask for a favorable vote. Thank you."

Speaker Lyons: "Representative McAuliffe moves for the adoption of House Amen... of Senate Amendment #1. This is final action. All those in favor signify by saying 'yes'... 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? Gordon, Ramey, Mulligan, Winters, would you like to be recorded? Mr. Clerk, take the record. On this issue, there's 80 Members voting 'yes'; 37 vote... 37 Members voting 'no'. And the does... House does concur with Senate Amendment #1 to House Bill 196. This Bill, having received the Constitutional Majority, is hereby declared passed. Representative Larry Walsh, on the Order of Concurrences, on page 10 of the Calendar, Representative, you have House Bill 1151. Representative Walsh on House Bill 1151."

Walsh: "Thank you, Mr. Speaker. I would move to concur with the Senate Amendment 1 that keeps the language from the underlying Bill and makes two changes. One, allowing the Secretary of State employee, rather than an inspector, to inspect a homemade trailer. And second, takes out the free meter parking for new or lesser disabled veterans to receive a disabled veteran license plate. And I'm glad to take any questions."

Speaker Lyons: "You've heard the Gentleman's explanations. Is there any discussion? Representative Mike Bost."

Bost: "I... first off, I have a... will the Sponsor yield?"

Speaker Lyons: "The Sponsor yields."

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Bost: "This is your first Bill? Well, actually, it's not a Bill. It's a Concurrence. I don't know..."

Walsh: "It's..."

Bost: "...if we can call it a Bill or not, but is it?"

Walsh: "Yes, it is."

Bost: "Oh. I love when that happens. Who... who gave you the Bill? Obviously, you hadn't carried it all the way through. You weren't here."

Walsh: "Pardon me. I didn't hear you."

Bost: "Who gave you... who... who gave you the Bill?"

Walsh: "Who gave me the Bill? The Senate. Secretary of State's Office."

Bost: "So, who was the original Sponsor of the Bill while it was here in the House?"

Walsh: "Representative Tom Holbrook."

Bost: "Oh. Did you call Tom? I know he's probably hard to reach today, but did you... would you... did you clearance from him to go ahead and carry this Bill?"

Walsh: "No, I did not speak to him about it."

Bost: "Well, oh no. Yeah. That's... that's going to make things a lot harder. Well, what exactly did... was it that the Senate did again to this?"

Walsh: "Pardon me. I still didn't hear you."

Bost: "What... what did the... boy, I must have trouble with this microphone. Just a minute. Maybe the way I slapped it the other day. What is the... what exactly did the Senate do to your Bill? You can't... you can't have a Concurrence unless there's a change that occurred over there. What exactly was that change? Wow, I have never seen..."

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Walsh: "Naw, this is..."

Bost: "...a red coat quite like..."

Walsh: "...this is interesting."

Bost: "...that before though. That's very impressive."

Walsh: "This is interesting. The change was adding the language for the homemade trailer. Basically, right now, the way the Secretary of State's driver license facility works is they have to have an inspector come out and inspect that. There is only six of them in the state, and what they want to do is train an employee at the driver's license facility to be able to come out and inspect it to verify that it's a homemade trailer."

Bost: "So, this is a trailer Bill?"

Walsh: "This Amendment deals with a homemade trailer."

Bost: "It's... well, we have a term as a trailer Bill on the floor, and I'm needing to find out. Is that what this is then?"

Walsh: "I would not think this is a trailer Bill."

Bost: "It's not a trailer Bill. You know, I know, and this is not a joke, I... you know, I was in the trucking business for many years and quite often, we'd construct trailers and modify trailers. So, you say there's how many inspectors to do this?"

Walsh: "From my understanding, there's only six of... inspectors within the Secretary of State's Office."

Bost: "And they... and they actually have to go out and inspect them before they can license them?"

Walsh: "Currently, yes."

Bost: "Do you know when that Bill came into effect?"

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Walsh: "No, I don't."

Bost: "It... it hasn't been too long ago 'cause it used to be they could just send a picture and... and kind of show what was going on and we just recently changed that. Can I... just... with that red jacket, can you just say let... let my people go? I think... I think I can actually... I... that is so amazing. I..."

Walsh: "You like that, huh?"

Bost: "If I'd only known that was available."

Walsh: "You... would you like to wear it?"

Bost: "No. I'm... I'm perfectly fine with... with the outfit I have. So, your Bill, though, does... is it a fee increase at any at all?"

Walsh: "No. In fact, the driver's license plates are free for disabled veterans, and with the... the change that's in there that it's for a disabled veteran that, say, has Post Traumatic Stress Disorder or a hearing loss, he would qualify as a disabled vet, but not have the universal parking emblem, the universal free parking emblem."

Bost: "Okay. I'm... I'm trying to figure out... and... and just so you know, I haven't actually... I... I've let... let me look at the language, but the Amendment... the Amendment that just deals with the... the trailer inspectors, but the Bill itself, then, deals with the creation of these veterans' plates?"

Walsh: "There's already a veterans' plate in place. It has the universal handicap symbol on it for the free park... free handicap parking..."

Bost: "Okay."

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Walsh: "...and this would re... create a dis... disabled veteran plate without that emblem. So, somebody that doesn't have a physical disability requiring that parking permit would be able to have a dis... disabled veteran plate and... but he wouldn't have that parking."

Bost: "Is... is it possible that with this Amendment on that it might violate the single subject rule..."

Walsh: "What do you mean?"

Bost: "...'cause we're not dealing with... with the plates now. Now we're dealing with the... the registration of the trailer, correct?"

Walsh: "Well, it's supposed... it... no. It's... it's..."

Bost: "Are you sure? You... I... I saw you kept looking back at the staffer there. You want to go in and check it one more time?"

Walsh: "From my understanding, it all falls under the Secretary of State. So..."

Bost: "So... so, it... you know, we're not in danger of having one thing thrown out. You know, I... I really don't know if this Bill will make it or not. The... I'm a little concerned about one, the outfit you have on and two, whether it's going to violate that single subject matter, but good luck with it. I'll... I'll figure out whether I'm going to support it or not."

Walsh: "Thank you."

Speaker Lyons: "Representative Jim Sacia."

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

Speaker Lyons: "Sponsor yields."

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Sacia: "Representative, on your first Bill we're supposed to beat you up; however, wearing that shawl, I think, is abuse enough."

Walsh: "I think so too."

Sacia: "However, it would look nice on a... on a lady's back. I'll qualify that. I just want to stand in strong support of your Bill. The... the trailer industry has... has gone through a very difficult evolution, if you will, and... and Representative Bost alluded to it regarding homemade trailers. And we thought we fixed it a year ago saying that SOS inspectors had to go out... and you are right. I'm surprised they're six. I thought there were only five throughout the state. And the issue was such that people that had a homemade trailer had to take it to the inspector, and they were running six and seven months behind. So, it's a very necessary piece of legislation. And in spite of the red shawl, I... I urge its support."

Speaker Lyons: "Representative Moffitt."

Moffitt: "Thank you, Mr. Speaker. Just to the Bill. And Representative, it's fun because it's your new Bill, but I do want to point out and join Representative Sacia in supporting this Bill. This actually is consumer-friendly. It... it makes it easier for someone to get a... get their trailer licensed and titled. There are only six locations, I believe, presently, they have to drive distances. Isn't that correct? And... and this will speed up the process, so much more consumer-friendly. That's what we should be about. So, agree it's a good Bill. Thank you."

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Speaker Lyons: "Our final two speakers will be Dennis Reboletti and Karen May. Representative Reboletti."

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

Speaker Lyons: "Sponsor yields."

Reboletti: "Representative, I know this is your first Bill. Does a Concurrence from the... from the Senate actually meet the requirements of a first Bill? You didn't draft this Bill, did you?"

Walsh: "No, I did not."

Reboletti: "Inquiry of the Chair. I'd asked that the Gentleman take the Bill out of the record. This is not his first Bill."

Speaker Lyons: "We'll take that under consideration and get right back to you, Representative."

Reboletti: "I know it's going to be a long day and we have some very heavy issues. Have you ever spoken with Representative Osmond about trailer Bills?"

Walsh: "No, I have not."

Reboletti: "I would suggest you take the Bill out of the record, because she had a trailer Bill regarding the transportation of horses, and she got 94 'no' votes. Did you want to reconsider this Bill?"

Walsh: "No, thanks."

Reboletti: "And so, where'd you get that garb that you have on?"

Walsh: "Somebody put it on me, and I don't know who did. Rep..."

Reboletti: "I... I would be very concerned. I mean, we... we're going to have a long Session tonight and God only knows

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what you might be wearing in about two hours. So, who... you...
you have no idea where you got that?"

Walsh: "What's that, again?"

Reboletti: "You have no idea where you got that?"

Walsh: "I think Representative Lilly gave it to me."

Reboletti: "Is that... is that true, Representative Lilly? Is
that true?"

Walsh: "From what I'm hearing, that's true."

Reboletti: "Have you... have you met Representative Lilly
before?"

Walsh: "Yes, I have."

Reboletti: "She's a very nice lady. She's very kind to... to give
you that. I'm familiar with a Senator Walsh from Will
County. Are you of any relation to him?"

Walsh: "Pardon me."

Reboletti: "I'm familiar with a Senator Walsh from Will County.
Are you in relation to him?"

Walsh: "The former Senator?"

Reboletti: "The former Senator. Yes."

Walsh: "Yes."

Reboletti: "When he did his first Bill, did he have to wear
something like that?"

Walsh: "I... I would doubt it."

Reboletti: "Well, good luck on your first Bill. I'm not going
to consider this your first Bill, so next year I'll be
awaiting some other legislation to talk to you about. So..."

Walsh: "All right."

Reboletti: "...good luck."

Walsh: "Looking forward to it."

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Speaker Lyons: "Final speaker will be Representative Karen May."

May: "Thank you, and I do apologize, Representative, that working on pensions and a bunch of different Bills that are assigned to my committee, I didn't hear all the debate. But you're changing the Bill that I just passed and is sitting on the Governor's desk?"

Walsh: "Not that I'm aware of."

May: "Our... our analysis says that it takes out the free parking meter for new less or disabled veterans."

Walsh: "This... this Concurrence is to flow po... properly with your Bill."

May: "Oh. Tha... okay. Yes. And does the Sec... is the Secretary of State... I mean, it sounds like you're taking something away from veterans. And I know, as I crafted that Bill, the Secretary of State was very concerned to... to not..."

Walsh: "No."

May: "...hurt veterans. You know, anyone with a veterans' plate is still included and all. So, you..."

Walsh: "Basically... "

May: "I just want to make sure we're not singling out..."

Walsh: "Basically..."

May: "...and hurting vets. That's..."

Walsh: "...all they did was create another disabled veteran plate, one with the universal handicap parking and one without."

May: "Okay. The analysis made it unclear because, you know, as a freshman, maybe you'd know that if it did affect a Bill, maybe you could let someone know; Republican, Democrat or

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whatever, you know. So, I guess we're kind of harassing you on that. So, I... you explained it very well. So, I think you'll have a good career here, if you just get rid of that scarf."

Walsh: "I plan on it, shortly."

Speaker Lyons: "Representative Walsh to close."

Walsh: "I would appreciate an 'aye' vote."

Speaker Lyons: "The Gentleman moves for the adoption of Senate Amendment... Senate Amendment #1 to House Bill 1151. This is final action. All those in favor vote 'yes'; those opposed vote 'no'. Voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Representative Acevedo. Leader Acevedo. Mr. Clerk, take the record. On this issue, there's 113 Members voting 'yes', 4 Members voting 'no'. And the House does concur with Senate Amendment #1 to House Bill 1151. This Bill, having received the Constitutional Majority, is hereby declared passed. Congratulations, Representative Walsh. Leader Dan Brady."

Brady: "Thank you very much, Mr. Speaker. On the previous Bill, prior to the Representative's last Bill, House Bill 196, I intended to vote 'yes' on that Bill. I'd like the record to reflect that."

Speaker Lyons: "The Journal will reflect your wishes, Leader. Representative Frank Mautino, we have, on the Order of Concurrences, House Bill 1577. Leader Frank Mautino."

Mautino: "I would move that the House concur in Senate Amendments 1 and 6 to House Bill 1577. Amendment 6 is actually a gut and replace, Amendment becomes the Bill. And what this does is it brings Illinois into compliance with

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the Federal Dodd Frank Act regarding surplus lines. We need to put these... this Bill in place actually by July 1. This will allow for our Department of Insurance to maintain collecting the taxes for surplus line insurance. And I would be happy to answer any questions. Ask for your 'aye'..."

Speaker Lyons: "You've heard the Gentleman's explanation. The Chair recognizes Leader JoAnn Osmond."

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

Speaker Lyons: "Sponsor yields."

Osmond: "Representative Mautino, is there anything in this Bill that relates..."

Mautino: "Hey, I just saw the title."

Osmond: "...that relates to what is posted on that board, Health Benefit Exchange Act?"

Mautino: "That group of 50 of us that met all summer long?"

Osmond: "Right. Did..."

Mautino: "No."

Osmond: "Thank you."

Mautino: "Okay."

Osmond: "Did everybody please pay attention to that. This board... Representative Mulligan, a short time ago, asked that we change what goes up on the board. I'm with her 100 percent on that issue. This needs to be changed. There is nothing in this Bill that deals with Health Benefit Exchange Act."

Mautino: "And actually, if we change the title of the Bill, it would have to go back to legislative first day..."

Osmond: "And I understand that."

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Mautino: "...according to our rules. So..."

Osmond: "We need to look at that."

Mautino: "...but it's in the right Section of the law. It does allow us to... means about \$30 million to our General Revenue Fund. The ability to collect that tax by putting ourselves in compliance with the Federal Law. So, if we don't do this, that just goes away."

Osmond: "Thank you."

Speaker Lyons: "Representative... Leader Mautino moves for the adoption of Senate Amendments #1 and 6 to House Bill 1577. This is final action. All those in favor signify by voting 'yes'; those opposed vote 'no'. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? David Harris, Darlene Senger, Karen Yarbrough, would you like to be recorded? Mr. Clerk, take the record. On this issue, there's 85 Members voting 'yes', 31 voting 'no', 0 voting 'present'. And the House does concur with Senate Amendments #1 and 6 to House Bill 1577. This Bill, having received the Constitutional Majority, is hereby declared passed. Representative Sara Feigenholtz. Sara, on the top of page 11, on the Order of Concurrences, you have House Bill 1645. Representative Feigenholtz."

Feigenholtz: "Thank you, Mr. Speaker. House Bill 6... 1465 creates the Sexual Assault Service and Prevention Fund. It requires that strip... strip clubs that serve alcohol to pay into this fund, which is administered by the Illinois Department of Human Services. The goal of the Bill is to ameliorate the negative secondary effects associated with sexually oriented businesses to promote the health, safety,

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and welfare of the citizens of the State of Illinois. Many of my colleagues on the Human Services Appropriations Committee are aware that rape crisis centers have faced a 27 percent cut in general revenue over the past three years, resulting in fewer staff, longer waits for victims to receive services, and this Bill is designed to mitigate those cuts. It's actually agreed by the industry and has wide support. I'd be glad to answer any questions."

Speaker Lyons: "Representative Feigenholtz, just to set the record straight, I think you inverted two numbers. You called the Bill House Bill 1465, and it was House Bill 1645, for the record. You've heard the Lady's explanation. Is there any discussion? The Chair recogni... recognizes Representative Mike Zalewski."

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

Speaker Lyons: "Sponsor yields."

Zalewski: "For the purposes of legislative intent, Representative, the intent of this Bill says it is to ameliorate the negative secondary effects associated with sexually oriented businesses, so as to promote the health, safety and welfare of the citizens of Illinois. Can you explain what that means?"

Feigenholtz: "Representative Zalewski, I think I, in my opening remarks, mentioned that we have extraordinary budget constraints, as you know. And the state funding for sexual assault and rape crisis has dropped dramatically over the last five years. The Act is not intended to limit or restrict live nude dancing, nor is it intended to restrict or deny access by adults to live nude dancing."

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Zalewski: "Representative, that was a really good answer. I'm going to ask you to elaborate on that a little bit more."

Feigenholtz: "Our courts have consistently held at preventing or limiting the harmful secondary effects of increased crime, including violent crimes like rape, is an important or substantial government interest that we may further through legislation, such as this Bill."

Zalewski: "Thank you, Representative."

Speaker Lyons: "Leader Mike Bost."

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

Speaker Lyons: "Sponsor yields."

Bost: "Representative, do you know of other states that might have this particular fee or tax in place?"

Feigenholtz: "Representative Bost, I believe the State of Texas just approved this."

Bost: "Okay. And now, this is actually a... a tax that will be... it... it's almost like a tax on a... a cover charge. Is that correct? For... for..."

Feigenholtz: "There's also an..."

Bost: "...entering in..."

Feigenholtz: "...opportunity to do it... a tiered... a tiered system."

Bost: "A tiered system. Okay. Can you explain that to me?"

Feigenholtz: "They could choose to pay a surcharge at a rate of \$3 per person, or a graduated scale based on the gross receipts. And there are three categories for those."

Bost: "Okay. Okay. So... 'cause I... originally, when this Bill was first explained to me, I... I thought that basically it would

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be like when you entered an establishment that that would be included in the fee of... of entering the establishment and that's the way it would be covered. So, this is a little different than what I... I thought. And I'm... I'm being very sincere about this. I know there's a lot of people who would like to joke around with this, but I... I'd like to know exactly where we're going with it."

Feigenholtz: "So, it's... no, actually, it's based on sales, Representative. So, less than 2 million is a \$25 thousand annual fee, 500 thousand to 2 million is 15 thousand, and for establishments with less than 500 thousand it's a 5 thousand annual fee."

Bost: "So, it is actually charged to the company, per se, based on their gross receipts?"

Feigenholtz: "Correct."

Bost: "Okay. That... that answers my question. Thank you very..."

Speaker Lyons: "Representative Jil Tracy."

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

Speaker Lyons: "Sponsor yields."

Tracy: "Representative Feigenholtz, I just wondered if you've visited many of these establishments?"

Feigenholtz: "No, Representative, I do not."

Tracy: "Do... do you have any in your district?"

Feigenholtz: "I don't think I do."

Tracy: "Do we know how much money they're going to generate?"

Feigenholtz: "You know, I... I think that the... it's hard to know, but I think the guesstimate is around \$2 million."

Tracy: "And... and how do we define live adult entertainment? I have, I think, I've not been there, but I think I have like

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a live cinema type. I mean, it's a cinema operated by a live person. Will he be included within that tax? I think it's a he, but I'm not sure. I've not been."

Feigenholtz: "It... this Bill is... I'm not sure I know what you mean by cinema, Representative. But this... this Bill is live nude dance... and it... for establishments that have live nude dancing and also serve alcohol."

Tracy: "Well, I was just thinking of like a video place, where they play videos operated by a live person."

Feigenholtz: "This is not... this does not apply to that."

Tracy: "Well, why not?"

Feigenholtz: "'Cause it's not live."

Tracy: "Thank you. I... I, actually... I think we very definitely need a funding for domestic violence since we've run out of a lot of options. And I... I applaud you and appreciate your sincerity, and all kidding aside, I do think it's a very serious Bill. Have you thought of a name for this Bill?"

Feigenholtz: "Oh, please, don't make me go there."

Tracy: "Well, I think it might help your cause. I mean, no one likes a tax to businesses. We want to bring businesses into Illinois."

Feigenholtz: "Why don't you name it, Jil."

Tracy: "Well, I'll have to think on that one. And I'm sure male colleagues probably could, just to be honest. But thank you for bringing this, and I... I do support..."

Feigenholtz: "Thank you, Representative."

Tracy: "...your Bill. And I..."

Feigenholtz: "Coming from you it's high praise."

Tracy: "Okay. I..."

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Speaker Lyons: "Representative Bellock. Representative Patti Bellock. Seek recognition, Patricia?"

Bellock: "Thank you very much, Mr. Speaker. To the Bill. I know that this Bill, originally, when I heard about it, sounds frivolous, but what you're talking about is strip clubs. But what you're really talking about is rape and sexual assault and that's why I strongly support this Bill. We have worked together, Representative Feigenholtz and Representative Mulligan and all of us, on human services over the last year, but we know that the money for rape crisis centers has been cut down. And this money from this fund will help that. So, you are helping the women in Illinois on an extremely serious subject of rape."

Speaker Lyons: "Representative Ed Sullivan."

Sullivan: "Thank you, Mr... Thank you, Mr. Speaker. To the Bill. I rise in support of House Bill 1645. This is a creative solution to a problem in Illinois. As we know, the General Revenue Fund for rape crisis centers has been cut, roughly, 27 percent in the past three years and these centers provide critical services to all victims around the state. I want to commend the Sponsor and the Senate Sponsor, Senator Hutchinson, for addressing concerns of the industry and to get this as an agreed Bill. Now, earlier, we heard that the State of Texas has already implemented this. Some people might think that there's some constitutional grounds, or some constitutional problems, their Supreme Court has already upheld it. So, I think some of those concerns should be laid aside. This fee will only apply to the people that want to go to these clubs and serve

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alcohol, or bring your own. And if you don't go to these establishments, you don't have to pay. So, it's a... it's a user's tax. Thank you very much."

Speaker Lyons: "Representative DeLuca."

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

Speaker Lyons: "Sponsor yields."

DeLuca: "Representative, how does this Bill, or this tax, prevent or reduce sexual assault?"

Feigenholtz: "Representative, there are studies that have been... that have shown that strip clubs and communities around them. Strip clubs that serve alcohol are actually hot spots of crime and there's a lot of geo-mapping that have been... that's proven that more crime happens around these clubs than in other parts of the community. As I said in my opening remarks, the intention behind this legislation is to ameliorate the negative secondary effects."

DeLuca: "Would you agree that there is a disproportionate share of these type of clubs in economically depressed communities?"

Feigenholtz: "You know, I really don't know the answer to that. I'm... I'm getting... I'm uncertain that I can answer that correctly because they're not registered and we don't actually have all of that data. But I would... I would, with a little bit of hesitance, say yes."

DeLuca: "But with your experience, just in talking to people and meeting with the industry, would... you're saying you assume that, yes, that is accurate?"

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Feigenholtz: "As I said, there... these are hot spots, and I think that there is an indication that there is a lot of activity in communities that are close to these areas."

DeLuca: "'Cause I... I did see a fact sheet that talked about the criminal activity around these facilities and really, that's a result of these facilities being in, generally speaking, in high crime areas. It has nothing to do with criminal activity on or inside the facility. Would you agree with that?"

Feigenholtz: "I... I'm sorry, Representative. Could you repeat the question?"

DeLuca: "Yes. I said I received a fact sheet that talked about the criminal activity around these establishments. And what I was saying to you is that, would you agree that the crime is within the community, in the high crime communities, where these establishments, generally, are located. It's not about criminal activity that's taking place on or inside the premises."

Feigenholtz: "Yeah, I... I did not infer that, Sir. So, no, I... I'm not saying that this is going on in those establishments. I'm saying that these are communities, where these locations are..."

Speaker Lyons: "Shhh."

Feigenholtz: "...have some hot spots."

DeLuca: "Well, that's the conclusion I'm trying to draw here is that these facilities, generally, are in economically depressed communities, because that's where they have the ability to obtain the licensing and generally, those are higher crime areas. So, I don't want us to believe that

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there is crime taking place within these facilities. It might be taking place within the community where they're located. And I'm asking you if you would agree with that assumption."

Feigenholtz: "I can be agreeable about it."

DeLuca: "Okay. 'Cause one thing for sure is that these establishments, they cannot afford to have any criminal activity, or any problems taking place within their facility. That's why they have quite a bit of security taking place that they bring on. A lot of times, they hire off duty police officers..."

Feigenholtz: "I agree with you, Representative."

DeLuca: "...from within the community to help protect their facility."

Feigenholtz: "I understand exactly what you're saying and I... like I said, this is not a judgment on the owners and how they run their establishments. This is not designed to suppress their business or free expression. This is simply a Bill to help Illinois fund a very worthy line in the Human Services budget so that we can help ameliorate the problem."

Speaker Lyons: "Representative DeLuca..."

DeLuca: "It is... it is..."

Speaker Lyons: "...Representative DeLuca, I have five other speakers. So, if you could bring your remarks to a close..."

DeLuca: "Well, give me a..."

Speaker Lyons: "...I'd appreciate it. We'll give you another minute."

DeLuca: "I ask for a little leeway. I ask for a little leeway."

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Speaker Lyons: "Give you another minute."

DeLuca: "And... and, Representative, I agree. The line item is not... there... 100 percent on the line item. I'm just... my line of questioning here is how we are obtaining the funding for that line item, and how we are singling out a specific industry here. Are you aware that in the City of Chicago, we have night clubs... Representative, in the City of Chicago we have night clubs that do sell alcohol and have pretty exotic dancing taking place within the... within the club that are not patrons, they're employees. Are you aware of that?"

Feigenholtz: "I don't believe so, Representative."

DeLuca: "You're not aware of it?"

Feigenholtz: "No. I am aware of it, but it's not covered under this law."

DeLuca: "Right. Exactly. Exactly. That's why I'm asking it is, why have they been excluded in this legislation? Why haven't these type of night clubs that have employees that are dressed similarly to how some of the people are dressed in these adult entertainment facilities, dancing similarly, there is alcohol. Why did you see fit that they should be excluded and not carry the burden of this tax?"

Feigenholtz: "You know, Representative, one of things that we tried to do when we drafted this law is to follow the Texas model so that we could be constitutional. If you have an interest in amending this or filing a trailer Bill, I would be glad to work on it with you."

DeLuca: "Do you have any other thoughts on why, other than copying another state's law on this..."

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Feigenholtz: "Yes."

DeLuca: "...why you don't feel that they should be included as part of this legislation..."

Feigenholtz: "You... this..."

DeLuca: "...to help... to help fund the pro... to help fund a very worthy program within the State of Illinois?"

Feigenholtz: "Representative, this was a Bill that the industry worked on with rape crisis advocates, sexual assault advocates, and a long list of people. My analysis shows me that there was agreement with them. It was Senator Hutchinson in the Senate, who very carefully and painstakingly, negotiated this with the industry. And they are proponents from what I understand."

DeLuca: "Who's propo... who's a proponent?"

Feigenholtz: "I'm sorry. They're neutral. They have no position on this now."

DeLuca: "Well, aren't they very rel... reluctantly taking a no position? Isn't that accurate?"

Speaker Lyons: "Representative."

Feigenholtz: "They testified in committee as neutral, Representative DeLuca."

DeLuca: "Okay. One last comment. Mr. Speaker, thank you for giving me a little extra time. Representative Feigenholtz, thank you very much for answering the questions. I do think that it's interesting here where we have to make a decision on how we're going to vote on this, your moral beliefs, when you compare them to the role of government. There are many people in this room, on a lot of different issues, about intrusive government and singling out, specifically,

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picking losers and winners. This is very specific here, so it's going to be interesting to see how people vote when you take what you believe the role of government is and their taxing authority to what your moral beliefs are. So, thank you very much for the extra time, Mr. Speaker."

Speaker Lyons: "Ladies and Gentlemen, I did not use the timer. We have five speakers left: Dunkin, May, Barickman, Morthland, and Mautino will be the last speaker. I'd appreciate it if you'd stay within the two minute time frame, please. We've thoroughly discussed this Bill. I know you have concerns. You want to be on the record, but please be considerate of everybody else's time. Representative Ken Dunkin, two minutes."

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

Speaker Lyons: "Sponsor yields."

Dunkin: "Repre... Representative, this is a very serious matter. Certainly the subject matter that's tied into this particular tax on... on business. So, I'm looking at all the proponents, Illinois Coalition Against Sexual Assault, and there are a number of women organizations. So, was it explained of how much money is going to be generated? How much is that exactly?"

Feigenholtz: "I think the estimate is \$2 million."

Dunkin: "About \$2 million. And so, of these organizations... so these organizations will benefit directly? Is that why they're supporting this?"

Feigenholtz: "It's going into a fund, Representative, and these are organizations that typically... likely appr... apply for

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grants and are direct... that provide direct services to these victims of rape and sexual assault."

Dunkin: "Sure. So, that... so, these organizations that are for this, or proponents, they're likely to benefit from the tax. Moneys not going to the General Revenue Fund?"

Feigenholtz: "These are non-for-profit service providers..."

Dunkin: "I get it."

Feigenholtz: "...Representative."

Dunkin: "I... I get it now."

Feigenholtz: "I'm not sure that I would characterize it the same way you did."

Dunkin: "Well, Representative, it's just a question because... Okay. The question is relevant because there are a lot of other venues, there are party places, there are bars, that have alcohol, male/females dancing, and that they can... I mean, you can assume a lot happens after the party's over, after they leave a bar, male and females. And so, I'm trying to get a sense of, you know, sort of the... the additional motivation 'cause, you know, sex sells. Now, it's unfortunate that violence is connected with, you know, alcohol and some of these places, but I'm just trying to really get the rationale with it or this is sort of, you know, this is sort of what's going on right now. Because I can... we could also add a tax on, additional tax, where there's alcohol and dancing to also benefit domestic violence issues."

Speaker Lyons: "Representative Dunkin, your two minutes are up. I'll give you one more minute, please, Sir."

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Dunkin: "Thank you, Mr. Speaker. And I... I'm just trying to get some... some clarity with this here. I'm not speaking against the Bill, trying to get some understanding because there's money involved. Representative, are... of these organizations, are there any organizations that deal with stopping... talking or communicating with males. Because we have to start dealing with the root of the problem and that's males at a early age, and how males are conditioned to deal with women when it comes to sex, when it comes to power, and when it comes to violence. Any organizations potentially that deal or work with youth at the grammar school, at the high school level, to really stop... you know, I have two daughters. God forbid a man or a boy put his hands on my two daughters. All right. State Representative Ken Dunkin or not. So, but... I also have a son that I speak with. So, what programs that will benefit from this tax that talks to males?"

Feigenholtz: "Representative, I applaud your insight to this issue. I really do. And it... I'm glad you asked about it. This year in the Human Services Appropriations Committee, we are funding a lot of after school programming, Teen REACH, things that are important to..."

Dunkin: "Yeah, those are..."

Feigenholtz: "...youth and communities and, hopefully, these are the kinds of things that empower children..."

Speaker Lyons: "Time has expired. Representative Feigenholtz, if you want to finish your answer, that's fine, otherwise, I'll go to Representative Karen... Representative Karen May."

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May: "Thank you, Speaker. I would just like to mention that I am very pleased that there are Republicans and Democrats, men and women, speaking in favor of this Bill. The Sexual Assault Services Prevention Fund is a very important fund, and everybody has spoken to the fact the cuts have been made. This is a creative way to get money into very important programs. I also note, as we look at the proponents, that the Zachariah Sexual Abuse Center in my area, in Vermilion and all parts of this state, in Chicago and all parts of this state, this is... this will affect all of us and help provide these services. To the best of my knowledge, the Conference of Women Legislators does not have an opinion on this issue, but we should have. I know that many of us will support this. It is really very important. And I would just like to say at the suggestion of an esteemed colleague on the other side of the aisle, asking for a name or something, only in the moment of levity because it is a serious issue, I suggest we call this the best little tax in Illinois and vote 'aye'."

Speaker Lyons: "I clearly announced there would be five speakers left. The last two speakers will be Representative Barickman and Morthland. Representative Barickman, two minutes."

Barickman: "Thank you, Mr. Speaker. Mr. Speaker, I rise in opposition in this Bill. I, first, want to commend the Sponsor for her efforts on what is a very noble cause. The... the funding for rape crisis centers, for the programs, for the victims of sexual assaults is certainly an important priority, I think, to many Members in this chamber. What I

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find ironic, though, is that we stand here today, not 24 hours after a budget has passed this chamber, a budget that was passed on a highly partisan vote. And in that budget, those who favored the budget could not find within themselves an ability to fund such a noteworthy program, that as the Sponsor's indicated, would only cost \$2 million... or will only raise \$2 million through this new tax. Just yesterday, proponents of the budget passed a budget that included \$50 mil... million in new spending. Yet, proponents of the budget couldn't find the \$2 million to go for what many of us would say should be a absolute priority of this chamber. How is it so that we're standing here today, again, not 24 hours after you passed a budget, for which you couldn't include funding for this priority? And you turn around today and are asking taxpayers to pony up even more dollars. To me, this vote goes to the unquenchable taste that this Assembly has for taxpayer dollars. You can't get enough of the taxpayers' dollars. You pass a budget that doesn't include our priorities. You pass a budget that doesn't include funding for rape centers and sexual assault... for programs for sexual assault victims. And you turn around the day after and ask the taxpayers for more money. If you could find the \$50 million in additional revenue to spend money on your priorities yesterday, how is it today that you can turn around and ask for 2 million more? When does it stop? When do you con... when do you stop asking the taxpayers for more money, and live within the means that the taxpayers want us to live within? To the Sponsor, I..."

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Speaker Lyons: "Representative, your two minutes have expired. We'll give you another minute."

Barickman: "To the Sponsor, I say I... I commend you on the goals of what you're trying to achieve, but I implore on you to find the funds within the budget that exists. The Democrat Majority, just yesterday, passed a budget that spends more money this year than last year. It spends \$50 million more than it did the day before. How could you have not found the \$2 million to fund this priority? I urge a 'no' vote."

Speaker Lyons: "Our final speaker will be Representative Morthland. I announced clearly that there would be a final speaker. Representative Morthland, you're it, and then Representative Feigenholtz to close. Representative Morthland, two minutes."

Morthland: "Thank you, Mr. Speaker. In the interest of time, to the Bill. I rise with two significant concerns about this Bill. Number one, like the previous speaker, I am concerned about the question specifically of finance. And every dollar that we get is not necessarily a good dollar. Ladies and Gentlemen, please hear me out. I've spent my entire adult life being told that rape is not about sex. It is about violence. It is about control. Now, you won't find me paying this tax should we pass it, but I have seen advertisements for these places, and it seems to me they're about sexual arousal. Why on earth would we reconnect sex and violence? That's bad money. Number two, the second concernment, and then hear me out, this comes from the people who do this through a proponent of the Bill. Women who are these performers have come with a concern and I

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don't understand how this works, but they are not employees of these places, these establishments. They are private contractors. They must meet a quota each night. They fear deeply that this quota will be placed upon their heads and if they do not meet it, that they will be penalized. The method of penalization is work in what is called the VIP room, where there is no oversight. Where there is prostitution. Where there is rape. My colleagues, I ask you to consider, a) not trying to find every dollar because these are very, very dirty dollars, even for a noble cause and I commend the Sponsor for that. But b) let us not further endanger those who are already victims of this vile trade. Thank you."

Speaker Lyons: "Representative Feigenholtz to close."

Feigenholtz: "Thank you, Mr. Speaker. I'd like to clarify one thing import..."

Speaker Lyons: "Go ahead, Sara."

Feigenholtz: "...important for... for a point of clarification is both males and females will benefit from the services of sexual assault because not only women are assaulted. I thank the Members for such lively and diverse debate and for their various opinions. I feel as though we have found a creative way to help these victims, and I encourage an 'aye' vote. Thank you."

Speaker Lyons: "The Lady moves for the adoption of the Senate Amendments #2 and 3 to House Bill 1645. This is final action. All those in favor signify by voting 'yes'; those opposed vote 'no'. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish?"

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Krezwick, Lang, Winters. Leader. Mr. Clerk, take the record. On this issue, there's 92 Members voting 'yes', 23 Members voting 'no', 3 Members voting 'present'. And the House does concur with Senate Amendments #2 and 3 to House Bill 1645. This Bill, having received the Constitutional Majority, is hereby declared passed. Leader Lou Lang in the Chair."

Speaker Lang: "Page 9 of the Calendar appears Senate Bill 3802, Leader Currie. Please read the Bill."

Clerk Bolin: "Senate Bill 3802, a Bill for an Act concerning finance. The Bill was read for a second time on a previous day. Amendment #1 was adopted in committee. Floor Amendments 2, 3, 4, 5, and 6 have been approved for consideration. Floor Amendment #2 is offered by Representative Currie."

Speaker Lang: "Leader Currie on Amendment 2."

Currie: "Thank you... thank you, Speaker. I'd like to withdraw Amendments 2, 3, 4, and 5."

Speaker Lang: "Amendments 2, 3, 4, and 5 are withdrawn. Mr. Clerk."

Clerk Bolin: "Floor Amendment #6, offered by Representative Currie."

Currie: "Thank..."

Speaker Lang: "Leader Currie."

Currie: "Thank you, Speaker. Can we amend the Bill and then I'll discuss it on Third Reading?"

Speaker Lang: "Seeing no objection, those in favor say 'yes'; opposed 'no'. The 'ayes' have it. The Amendment is adopted. Mr. Clerk."

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

Speaker Lang: "Third Reading. Please read the Bill."

Clerk Bolin: "Senate Bill 3802, a Bill for an Act concerning
finance. Third Reading of this Senate Bill."

Speaker Lang: "Leader Currie."

Currie: "Thank you, Speaker and Members of the House. The Bill now does two things. First, as you may remember, a year ago, we said that no agency will have the authority to make grants until we have established that these are all done in the sunshine that we know and how transparent and accountable the grant making activity is. And the sunset on that authority is July 1, 2012. We have asked the agencies to give us information about the grants that are out there. Some have been slow to respond, so as of yesterday afternoon, there were some agencies that still weren't certain which of the grants they make are subject to this review, this accountability in sunshine process. We can't leave here, leaving those agencies without the authority to continue their grant making opportunities on July 1, 2012, but we are very unhappy that the agencies have been so slow to give us good information about what grant programs they cover, that ought to be part of this review activity. So, part of this Bill now says that that death date, the elimination of the authority to make grants, will happen January 1, 2013, rather than July 1, 2012. That will give the agencies time over the summer months to make sure that they have all of their grants before us when we come back in the fall Veto Session. The second part of the Bill is a redo of one of the Budget Implementation Acts that we did

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yesterday afternoon. Unfortunately, there was a procedural problem with that Bill, so this would just redo it. This was the Budget Implementation Bill that did things like extending IDOT's authority to pay the RTA for reduced subsidies, the cash transfer problem... cash flow problem in terms of the Tobacco Settlement Recovery Fund. So, we... we do in this Bill as we had done since 2002. We would let the Tobacco Recovery Settlement Fund have access to \$80 million in General Revenue Fund, which they would pay back at the end of the year. The problem is the Tobacco Recovery money does not come in until April. There are a variety of other, very specific, provisions in the Bill. Again, as I say, most of them we have done at least last year and the year before, if not since as long ago as 2002. So, I would be happy to answer your questions rather than go through this line by line, piece by piece. But I'm more than happy to answer questions if you've got a concern with any particular part of the proposal."

Speaker Lang: "Lady moves for the passage of the Bill. The Chair recognizes Mr. Reboletti for two minutes."

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

Speaker Lang: "Leader Currie yields."

Reboletti: "Leader, as I look at Amendment #6, you were... as you were talking about the Bill, you said that this is a BIMP Bill, right, that..."

Currie: "Right. There are two portions to the Bill you see before you. One has to do with the ability of our state agencies to make grants, to make... to... to do grants to local agencies and so forth. That was not part of the Budget

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Implementation Act yesterday, but the remainder of the Bill was."

Reboletti: "You said that the..."

Currie: "But we're redoing it because there was a procedural problem."

Reboletti: "And what is that procedural problem?"

Currie: "I... I think it... it was... it's a procedural problem in the Senate. What we did was just dandy, but apparently, it doesn't meet some of their procedural requirements. So, we're just... there's no substantive change between the Budget Implementation Act that we adopted in Senate Bill 3641 yesterday afternoon, and those provisions in Senate Bill 3802 today."

Reboletti: "And you said that some of the agencies were having trouble putting their grant information together. Did they give any reason for that?"

Currie: "You know, all I can tell you is it was disappointing that they were not able to give us... to give us the actual grants, actual numbers, and this is... this issue's been out there since a year ago. And why suddenly at the eleventh hour, groups are coming up to me at 11:00 yesterday morning, when we're prepared to go with the Bill that would identify which grant making authorities should extend for another five years, and it turns out their program isn't in it. So, they were distraught. They were distressed. And all I could suggest to them was that the agency that gives them that money ought to be a little bit more on top of responding to legislation that's part of the Illinois State Statutes. So, I don't know why the agencies didn't do it,

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but I would certainly say this, if we don't get a good accounting between now and the fall, between now and the Veto Session, I would be prepared just to extend those grant authorities that the agencies are able to tell us about."

Reboletti: "Thank you."

Speaker Lang: "Mr. Kay for two minutes."

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

Speaker Lang: "The Lady yields."

Kay: "Leader Currie, I'm curious. I think I heard you make a comment about we... we don't know what these grants have really accomplished. Is that correct?"

Currie: "What I said was we put the agencies on notice a year ago. We said your grant making authority expires July 1, 2012."

Kay: "Okay."

Currie: "We want to know what you are doing. We want you to account for the moneys that you are giving to local community agencies, purchase of care agreements, whatever they might be. And the agencies knew, we put them on notice some months ago, that we plan to look at their grants. We plan to offer a measure that would extend their authority another five years, but we can't do that without knowing what those grants are. And it was disappointing and disheartening that, apparently, some agencies were not able to get the job done in a timely fashion."

Kay: "Leader, here's what I... here's what I heard in your explanation, you correct me if I'm wrong. But it seems like we have a lot of grants that are out there with a lot of

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money out there that we're giving away with no reasonable performance expectation, and now we're asking how did you spend the money and why, and did you get the job done? Is that, basically, correct?"

Currie: "Not entirely, but it is correct to the extent that we want to know who got what, how, what were your criteria for offering the grants. This was not an auditing function, a performance audit, but we did want to know under what authority they are offering grant money. And we wanted to find out whether they... ways they were doing it looked legit."

Kay: "Thank you, Leader."

Speaker Lang: "Leader Currie to close."

Currie: "Thank you, Speaker. I appreciate your 'aye' votes."

Speaker Lang: "Those... those in favor of the Lady's Bill will 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? Cassidy, Mathias, Moffitt. Please take the record. On this question, there are 68 voting 'yes' and 50 voting 'no'. And this Bill, having received a Constitutional Majority, is hereby declared passed. On page 5 of the Calendar, Senate Bills-Second Reading, appears Senate Bill 179, Leader Currie. Please read the Bill."

Clerk Bolin: "Senate Bill 179, a Bill for an Act concerning government. The Bill was read for a second time on a previous day. Amendment #1 was adopted in committee. Floor Amendment #2 is offered by Speaker Madigan."

Speaker Lang: "Leader Currie."

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Speaker Lang: "Thank you, Speaker. Can we put this... adopt the Amendment and discuss the Bill on Third? The Amendment becomes the Bill."

Speaker Lang: "Lady moves for the adoption of the Amendment. Those is 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."

Clerk Bolin: "Senate Bill 179, a Bill for an Act concerning government. Third Reading of this Senate Bill."

Speaker Lang: "Leader Currie."

Currie: "Thank you, Speaker and Members of the House. This measure would create a state actuary in the offices of the... of the Illinois General Assembly's Auditor General. The idea is that this would be an actuarial position, somebody who could go and look at the state systems to have a second guess, a second look, at the accuracy, the validity, of the actuarial assumptions those systems are making. I know of no opposition, and I would appreciate your 'yes' vote."

Speaker Lang: "Mr. Reboletti."

Reboletti: "Thank you, Speaker. Would the Majority Leader yield?"

Speaker Lang: "Majority Leader will yield."

Reboletti: "Leader, as I look at the House Floor Amendment #2 that Speaker Madigan filed, I see that it says that we're going to create the position of State Actuary. What is the genesis of this? Is this something the Auditor General asked... asked for?"

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Currie: "No. We are asking for it because we want... we want someone to have a second look at the actuarial assumptions that are made by the state systems. So, it's really just a kind of a second look to give us some security that, indeed, their assumptions match some kind of reality."

Reboletti: "And will this position... do we know what the pay scale will be?"

Currie: "Pardon me?"

Reboletti: "Do we know what the pay scale will be for this position? Is this a new employee?"

Currie: "I think... I think it'll be a contracted position, and I think the value for us is that we'll have the assumptions that the... that the systems are making, but we'll have this that we can get information from this individual to respond to our questions."

Reboletti: "How long would the contract be for? Is it six months, one year? Do we know what that would be yet?"

Currie: "I would imagine year to year, but I don't know the detail. I've not talked to the Auditor General, specifically, about this."

Reboletti: "Is... is that something that we would review, or is that something that the Auditor General would review? Is that contract, when it expires, is that something that..."

Currie: "It'll be..."

Reboletti: "...we would then..."

Currie: "...he will... he will make the contract and, as I say, we're doing it because we think we... we would like security that the information we're getting from the systems is sound."

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Reboletti: "No. I can appreciate that. So, I'm saying if the contract comes to an end, the Auditor General is the one that would say we like this person, or the General Assembly is going to be the one that says we like..."

Currie: "Yeah. The... the Aud... the Auditor General would be responsible for hiring the person, and the... or doing the contract, yes."

Reboletti: "Thank you very much."

Speaker Lang: "Mr. Riley for two minutes. Mr. Riley. Representative Nekritz."

Nekritz: "Thank you, Mr. Speaker. To the Bill. It's no secret that we have an... a very large, you know, \$83 billion unfunded liability. This last year, our pension... the increase in our pension payment went up a billion dollars, and I think that those... those numbers ought to give us some pause, and we ought to be able to understand them better as Members of the General Assembly. This important legislation will give us an opportunity to have a second review, a second look, at the actuarial assumptions that are going into the equation when those numbers are calculated. As a member of the Governor's pension working group, and I'm sure my... my colleague from Naperville would agree with me, it's been a little... the... the actuarial science is a bit muddled and a bit confusing. And I think it would really help us because of the enormity of the numbers... of the dollars that go into our pension systems, to have a second look at how those... how those numbers are calculated. And someone who is responsible to us, as policy makers, to help

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us understand those... that, as well. I'd urge an 'aye' vote."

Speaker Lang: "Mr. Riley."

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

Speaker Lang: "Lady yields."

Riley: "Leader Currie, was there any consideration as to the qualifications of the act... I think this is a great idea..."

Currie: "I... I..."

Riley: "...any consideration about the qualifications of the actuary?"

Currie: "I think we can count on the Auditor General to establish the right kind of criteria. He knows what we're looking for and I think he will do... he will make sure that whoever he's hiring is up to the task and has the right kind of background, the right kind of credentials."

Riley: "Because, as you know, there are different levels of actuary. There are tests that they take, and I would say that, you know, the highest level of actuarial qualifications would be something that... that we should expect this person to have because of the nature of... of our concerns are very complex. So I..."

Currie: "Right."

Riley: "...would think that the highest level of actuary..."

Currie: "Yeah. But... but let me just clarify that we're not asking this person to come in and recreate the entire actuarial experience. We are asking them..."

Riley: "Understood."

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Currie: "...to review... to review what the state... what the systems, themselves, have done by way of assumptions and... and arithmetic."

Riley: "And understood, and part of the ability to do that though, I think, has a lot to do with the knowledge, skills, and experiences of the person."

Currie: "Absolutely right and, you know, you might want to talk to the Auditor General to make sure he gets how important it is to insist upon the highest possible qualifications."

Riley: "Great Bill. Thank you."

Speaker Lang: "Mr. Pritchard."

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

Speaker Lang: "Leader Currie yields."

Pritchard: "Leader, do we understand that there has been problems with the actuarial experience and work done by the five pension systems?"

Currie: "I... I think there are questions rather than that we are certain that something is wrong, but they're always... they're first, all... always questions about the investment assumptions that the actuaries are making. And as you know, we are living in an era of relatively low interest returns on investments, and yet the systems often continue describing an 8 or an 8.5 percent return on investment. So, we think that we might get some external, some outside, second guessing, second look, at the numbers that the actuaries give us from the systems and maybe they'll agree entirely that these assumptions look reasonable and that the numbers that they're giving us look right. But I don't see... it seems to me, just as we hire an Auditor General

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responsible to the Legislature, not to the Executive Branch, that we ought to have some way of independently gauging the accuracy of the information the systems give us. And that's exactly what this measure would do."

Pritchard: "And... and we don't have that expertise on the state staff right now?"

Currie: "We do not. Not to my know... not from the General... under the General Assembly staff..."

Pritchard: "Do we..."

Currie: "...which is why we think the Auditor General is the right place to house the... the..."

Pritchard: "Do we have any..."

Currie: "...the activity."

Pritchard: "...idea of the cost of this new office that we're creating?"

Currie: "I do not."

Pritchard: "Can you give a range of..."

Currie: "I... I can't because, as I say, this person will... will have actuarial expertise, will be reviewing the information that the systems give him or her rather than recreating the whole dataset."

Pritchard: "But do we envision..."

Currie: "This is not going to be a..."

Pritchard: "...this to be an office of five people, or one person, or what?"

Currie: "You know, I would think it's going to be one, although, I don't know that at this point. This is not a full-time job. This is somebody coming in at the back end, looking over the materials provided by the systems just to

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make sure we have some security in the information we get from the systems."

Pritchard: "Thank you."

Speaker Lang: "Representative Senger."

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

Speaker Lang: "Lady yields."

Senger: "Yeah. I... I agree this is a very good piece of legislation. It... it really... we've been working on this and it... and we've discussed this a lot. And I also believe this is part of the pension Bill that... that you have drafted. So, I do support this, and I hope you support the Bill as it comes on board."

Speaker Lang: "Leader Currie to close."

Currie: "I think Representative Seng... Senger closed very well for me. Please vote 'yes'."

Speaker Lang: "Those in favor of the Lady's Bill vote 'yes'; opposed 'no'. The voting is open. Have all voted who wish? Please record yourselves, Members. It's Thursday. Have all voted who wish? Please take the record. On this question, there are 112 voting 'yes', 6 voting 'no'. And this Bill, having received the Constitutional Majority, is hereby declared passed. On page 7 of the Calendar, Senate Bill 2621, Leader Currie. Please read the Bill, Mr. Clerk."

Clerk Bolin: "Senate Bill 2621, a Bill for an Act concerning corrections. The Bill was read for a second time on a previous day. No Committee Amendments. No Floor Amendments. No Motions are filed."

Speaker Lang: "Third Reading. Please read the Bill."

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Clerk Bolin: "Senate Bill 2621, a Bill for an Act concerning corrections. Third Reading of this Senate Bill."

Speaker Lang: "Leader Currie."

Currie: "Thank you... thank you, Speaker and Members of the House. This is a measure that would make it possible for the State Department of Corrections to provide limited service credits to inmates who are behaving well, accessing educational programs, other programs in the facility; perhaps, volunteering to do community service. For example, if there's a flood, going out and providing sand bags and so forth. This measure came out of the Senate 55 'yes', 1 'no'. It also had 63 proponent witnesses when we heard it in committee. The point, really... really, there are two points. One is that our prison system is severely overcrowded. Built for 34 thousand inmates, today we're pushing 49 thousand. Some of our inmates are living in really quite miserable conditions because they are so overcrowded. And there is a second and very important risk. You know what happened in the State of California. Ultimately, the Federal Courts came in and decided that they, not the state, should run the prison system. Now, the Federal Courts didn't pay the costs of the changes they required. No, indeed, that of course fell to the citizens of California and to their elected Representatives. The result has been open the doors, large numbers of people leaving the system, people who are not good for the rest of the body politic. I think if we pass this Bill, we may alleviate the likelihood that we will become another California and that to me is very important. A second value

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of this Bill is that it gives the guards on the ground some incentives to offer their inmates. It gives people a reason to behave well, not badly. The sentence credits that are offered under this proposal are limited to those who are not violent offenders. There's a list that references the Crime Victims and Witnesses Act so that the violent people will not be eligible for this and that to me, is... is very critical. And the... because they will not be eligible for the credit, there is no, I think, risk to the body politic that the wrong people are going to be walking out of those prison doors. This is very different from the old good time push that we had, in which the department could not take into consideration things like an inmate's prior criminal history. In this measure, the department will be able not just to look at the... the charge that got this person into the slammer in... today, but what kind of criminal history did this person have in the past. The department has gone out for a risk assessment tool. They've done the RFP. That, too, will help ensure that only people who are safe for the rest of society will be able to take advantage of this program. The total number of days of credit that can be offered by the department is 180. This is not an expansive program, but it is one that will, as I say, enable us to avoid California. We don't want to be California. And at the same time, will help us manage the people in the prison system more effectively. I'd appreciate your questions, your comments, and I certainly would appreciate your 'yes' votes."

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Speaker Lang: "Lady moves for the passage of the Bill. The
Chair recognizes Mr. Sacia for two minutes."

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

Speaker Lang: "Lady yields."

Sacia: "Leader Currie, occasionally, you and I have been in... in
difference on some Bills here, but I stand very proudly
with you on this particular issue, as your cosponsor, one
of your cosponsors. Leader, as... as you presented this in
committee, you made some very interesting observations
along with one of the finer legal minds that I think all of
us have come to respect here in the House and... and I
believe in the Senate as well, and that's Matt Jones. Matt
pointed out, and I think his comment was to the point that
this is far from perfect, but it's very, very good, and you
articulated it so well saying we don't want to end up like
a California. And exactly what we have here is a good piece
of legislation that's going to help nonviolent offenders.
Give those a chance that go out and work at a flood. Give
those a second chance that have accomplished their GED
while in the county jail. Give those an opportunity that
truly do not want to be repeat offenders. I think you have
a good piece of legislation. I stand very proudly with you,
Leader Currie, and I admire your fortitude on this and
certainly ask for 'yes' votes as well. Thank you."

Speaker Lang: "Mr. Dunkin for two minutes."

Dunkin: "I, too, would like to commend the Sponsor, certainly
for this... this legislation, and certainly with
Representative Sacia. To have Representative Sacia on this
legislation speaks volumes. He is someone that I have the

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upmost respect for and, really, taking our... our system back into the realm of rehabilitation is where all of us want to see happen, especially with inmates successfully completing programs within IDOC and just staying in compliance, bettering themselves, doing service to the community, service to the institution, and service to our state. Congratulations, Representative Currie, on this positive and forward legislation on rehabilitating our inmates and giving folks a second chance. Thank you."

Speaker Lang: "Representative Bellock for two minutes."

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

Speaker Lang: "Lady yields."

Bellock: "I wanted to ask how the ATCs are affected by this legislation. The people... the centers that the Governor..."

Currie: "Yeah, I... I..."

Bellock: "...wanted to close down and the COGFA?"

Currie: "I... I think... I think they would be covered, Representative. I..."

Bellock: "Well, bottom line, I mean, because after touring the ATCs, I found that they were extremely well run. The people had a chance to have work experience for two years, and in the program by the Governor, he wanted to shut down the ACTs and put 60 percent of those people back in prison that had already gotten into the ATC and had work experience."

Currie: "Well, I'd hope that we..."

Bellock: "So, it seems counter... I mean, I am in support what you're doing here..."

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Currie: "Yeah. I know you do, and I appreciate that, Representative. And I would hope that if they're not going to keep some of these ATCs open, then the inmates are transferred to other ATCs where there may be more space or to halfway houses. I don't know at what point people are eligible for the ATC program, but your concern is a legitimate one."

Bellock: "Thank you very much. To the Bill. I support the Bill, but I just want to point out how impressive the ATCs were when we went visiting them and how in support I am of them, and not for their closures. Because I really feel it's unconscionable to allow people out and to get work experience for two years, and then all of a sudden, put 60 percent of those people back in prison. Thank you."

Speaker Lang: "Leader Currie to close."

Currie: "Thank you, Speaker. I... I left out one element of the Bill, which I think is important, and that is that the department would be required to create an advisory committee that would report to us, and to the Governor, and the general public, telling us the number of inmates that get the sentencing credits, the average time and so forth, the types of offenses that were... offenses that were involved. And we would get the first of th... these reports January 1, 2014. So, we will know at the end of the day how well and how effectively these programs operate. I'd appreciate your 'yes' vote."

Speaker Lang: "Those in favor of the Lady's Bill vote 'yes'; opposed 'no'. The voting is open. Have all voted who wish? Have all voted who wish? Record yourselves, please,

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Members. Barickman, DeLuca, Harris, Mitchell, Ramey, Watson. Please take the record. On this question, there are 68 voting 'yes', and 50 voting 'no'. And this Bill, having received the Constitutional Majority, is hereby declared passed. On page 6 of the Calendar, appears Senate Bill 1566, Leader Mautino. Mr. Clerk, please read the Bill."

Clerk Bolin: "Senate Bill 1566, a Bill for an Act concerning revenue. The Bill was read for a second time on a previous day. No Committee Amendments. Floor Amendment #2, offered by Representative Mautino, has been approved for consideration."

Speaker Lang: "Mr. Mautino on the Amendment."

Mautino: "Thank you. Speaker, Ladies and Gentlemen of the House, Senate Bill 1566 is the IDNR Sustainability Package and it's a process that has taken a year. And just to take you back to where this started from, a year ago, the week before Memorial Day, the Illinois and Michigan Canal went dry. The pump that pumps the water into that canal had broken. The backup pump had broken five years ago. And so, 10 thousand people come to the area to learn about the Illinois and Michigan Canal and the canal boat, an \$800 thousand boat sat resting on the bottom of the canal, slumped to its side. DNR did not have the funds to fix the problem prior to that weekend. In addition, they did not have the ability to do the maintenance... to do the maintenance with this. So, local people, the Illinois Cement rented a pump. The operating engineers brought in a volunteer and... and the problem was solved. They fixed the pumps, but it led us to a... to a bigger, larger problem. So

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we put together a plan which would save DNR, whose funds, by 10 years, are... of underfunding of the department or using resources of an agency that take \$80 million to run and funding at a level of about 50, making them burn down their reserves. We got together, we introduced a budget where the department came in under the Governor's level. We sat in downstairs with the groups who were interested, and we eliminated mandates and programs that the department could no longer afford to do. You all voted for that. That was House Bill 404. This package today has been agreed to by 50 groups that sat downstairs in Room 100 and looked at all of the fees necessary to fund the Department of Natural Resources. The fees in the Bill are agreed to. They have dedicated funds. There is no sweep language in the Bill. We have a letter from the Bureau of the Budget and the Governor that says these funds will go where they're intended, and they will not reduce the GRF payments to do a bait and switch. The final piece is... the Governor called and also, when... when I was asked by Members, the Bureau of the Budget promises, fine, what about the Governor. The Governor called, he looked at the package, he said that this structure and these fees saved DNR, not only just the parks, the Division of Waters, the Division of Mines. He will not reduce the GRF. He will not sweep these funds, and they will go to where they are intended to go. The Bill contains a \$2 increase in the Illinois license plates. There were concerns by the roadbuilders and some of the groups. We have created dedicated funds. One dollar of that fee increase will go, specifically, to the State Park

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Construction Fund, unsweepable and protected. That \$1 generates \$11 million. It is bondable to 90 million. I don't recommend they do that, but PAYGO for 11. The other dollar keeps the parks open. We do not have to put booths at the parks. If you have an Illinois license plate on your car, take your family, go to the parks, visit, fish. There's no booths. No one will stop and ask for stickers. Sportsmen's fees, hunters are not increased. I ask for an 'aye' vote. And I'll ask... answer questions."

Speaker Lang: "The Gentleman has moved for the adoption of the Amendment. With everyone's indulgence, can we move this Amendment to Third and then take questions? 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: "Senate Bill 1566, a Bill for an Act concerning revenue. Third Reading of this Senate Bill."

Speaker Lang: "Mr. Mautino's explained the Bill. We'll go directly to debate. Mr. Sacia for two minutes."

Sacia: "Thank you, Mr. Speaker. I stand proudly with Representative Mautino on a... on a difficult piece of legislation and yet, a very necessary one. I think one thing that can be said about every Member of the General Assembly is we love our state. And in loving our state, we love to show it off and what better way is there than giving individuals the opportunity to visit our state parks. I have... I... I think the number is seven or eight in my district and one of them is impassable. The road cannot

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be accessed. For two years, the director has promised to try to get some... some blacktop up there. I've dealt with IDOT. Unfortunately, this beautiful park has sat, for all practical purposes, closed. DNR is in crisis. And yes, there are those who will make the argument, well, this money should come from somewhere else. Ladies and Gentlemen, there is nowhere else. We have come up with a funding source. It's a source of funding that makes sense. It will help keep this beautiful state in a position to show itself. It's a... it's an opportunity for us to pull together for the benefit of the Department of Natural Resources. I urge your support. Thank you."

Speaker Lang: "Mr. Ramey for two minutes."

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

Speaker Lang: "Gentleman yields."

Ramey: "Thank you. Representative, you know, I understand the problems of DNR. I sit on the Appropriations Committee. We listen to them every year about how their budgets are cut, you know, but they do a lot with a little, and it's unfortunate that we have to go this route, but I just have a couple of specific questions. Will people from out of state be paying any fees?"

Mautino: "Yes."

Ramey: "And how would that be collected?"

Mautino: "Well, under the structure of... for... point of sales system that already exists. So, we don't have to recreate anything. So, if you have a license plate on your car, go to the... that's from Illinois..."

Ramey: "That you'll just pass on through..."

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Mautino: "Right."

Ramey: "...but if you're..."

Mautino: "Pass on through."

Ramey: "...out of state, then you stop in and they..."

Mautino: "Stop in, see the ranger."

Ramey: "Okay. Very good. Well, I have a state park in my district, used to be called Tri-County State Park. It's now called the Pate Phillips State Park. And a few years back, after it was renamed, a certain Governor decided to defund that park. And, currently, it's being funded by our county forest preserve and Bartlett Park District. Are any funds going to go to this park with this increase?"

Mautino: "It has the designation of a state park. And, first of all, I'm sorry about that. I... you told me about that today. I didn't realize. The park's fund, currently, will go bankrupt this year, and please understand, these fees would not come into to play until after January. So, about half of the money in this Bill would be generated, so there would not be the opportunity for that park system to be added back. I do support it. I didn't... I was a... I did not know that Pate Phillips State Park had been taken out by Governor Blagojevich. But I guess it also points that... that this fund is broke, so if we wanted to, we have to fix the fund."

Ramey: "Well, the funny part was is wasn't broke then. He just decided he didn't want to fund it because of the naming of it. But I... I understand the concerns now, but there's no guarantee that this park will get any funding..."

Mautino: "Yes, I... I..."

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Ramey: "...after next year, or the year after that?"

Mautino: "Yeah, I can't guarantee that. This fund... thanks to the Appropriations Committee, DNR budget will survive through this year, but they will have to use their reserves. Takes 80 million to run it. There's about 42 million there. Their reserves in the five basic areas outside of parks will be depleted. So..."

Ramey: "Are any of the..."

Mautino: "...in the future..."

Ramey: "...state parks now..."

Mautino: "...I'd like to help."

Ramey: "...revenue generators?"

Mautino: "Excuse me?"

Ramey: "Are any of the state parks now revenue generators for DNR? Do they take..."

Mautino: "Yes."

Ramey: "...in any fees or any income?"

Mautino: "Through concessions and licenses that are out there. The concessionaires, basically, bid and a portion of the moneys that they bring in comes back, and it might... based on their gross sales that they take in."

Ramey: "But most of it goes back into general revenue."

Mautino: "And this... this deal actually saves those businesses, and that's general revenue."

Ramey: "Okay. Very good. All right, thank you. To the Bill. It's unfortunate that we're in this position, but it is a... a fee increase. I... I'm going to have vote 'no' because of the lacking of funding for a state park in my specific district. I hope there are no other state parks out there

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under the same duress, but I'm advising a 'no' vote. Thank you."

Speaker Lang: "Mr. Brady for two minutes."

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

Speaker Lang: "Gentleman yields."

Brady: "Representative, how... how many... how many state parks do we have in Illinois? Any id... ballpark?"

Mautino: "One hundred twenty-two."

Brady: "I'm sorry?"

Mautino: "And 324 total sites."

Brady: "And... and what was the number, 324 total sites?"

Mautino: "Total sites on there, that'd be your natural areas. That would be 500 thousand acres of property, as well."

Brady: "And maybe I missed it in your early... earlier remarks, if I did I apologize, but how many... dollar-wise, what is this expected to raise revenue-wise that is dedicated to DNR?"

Mautino: "That's a great question. Thank you for allowing me to break that out. The total amounts of revenues would be the \$22 million primary source of revenue from the \$2 license fee. The total package, which would include mine fees for the Office of Mines and Minerals, that is \$4 million. That is paid for to make sure we have mine inspectors, and that we can get rid of the backlog of a year worth of permits that's undone. Total package is just a little bit under \$31 million. It will generate, in the next year, about half of that because by the time you start in January you would

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have half of a fiscal year. So, say about 14 million next year, fully actualized in '14 would be 32."

Brady: "So, with the occurrence of yesterday's events, budget related, where there's approximately \$50 million added on in spending in our budgets, or the budget for the state, how much of that 50 million is going to be dedicated to DNR?"

Mautino: "The 50 million inside the budget was achieved by refinancing the state's \$20 billion in debt. A portion of that, any that was available, where the times they could be refinancing... refinanced, and by taking the savings from that, on the lower interest rates for refinancing, it generated \$50 million towards the budget. That's where that 50's from. And I believe that was the general state aid education. That's... that's inside the budget, itself. These fees would be dedicated funds to go to each of the funds that they were set for, and it would supplement our General Revenue Fund level of \$42 million."

Speaker Lang: "Mr. Brady, your time has expired. Please complete your comments, Sir."

Brady: "Is it fair to say that the 50 million add-on to the budget, none of that's going to DNR?"

Mautino: "No. I believed as it passed, I think that was to the Common School Funds, a move the... to move the proration of the schools from 88 percent next year, up higher, so they're prorated less. I believe."

Brady: "And briefly, in my... my closing remarks or a question to you, briefly, the \$2 to a license plate, can you explain briefly how that is going to be enforced, recognized?"

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Mautino: "Yes. Actually, it's through the Secretary of State. It is patterned off what we do for the State Police. The State Police receive \$1 from the sale of a license plate. That goes to purchase their cars. There's an automatic transfer that goes from the Secretary of State, over into that fund. In this case, \$1 will go to the Construction Fund, which will pay for roads in the parks and infrastructure. We've got \$780 million worth of undone work. The other dollar will go to the Parks and Conservation Fund, and that dollar will keep those parks stable and operational. It's personal."

Brady: "And if... and if you have an Illinois license plate, does that get you through the gates?"

Mautino: "Yep. And they... we don't have to build the gates. There won't be any gates. We don't have to hire anyone to collect it. If you have a license plate, go to the park. If you're from out of state, stop and see the ranger and enjoy our facilities. If you're going to a lodge or a concessionaire area, those are sticker-free zones. Go there, bring your family, enjoy our... our Illinois. And for Illinoisans, there is no sticker."

Brady: "Thank you very much."

Speaker Lang: "There are still four people wishing to speak. The first is Mr. Harris for two minutes."

Harris, D.: "Thank you, Mr. Speaker. And I will try to be brief. Ladies and Gentlemen, let's make no mistake about it. The headline in tomorrow's paper, if you... if this Bill passes, is going to be the Legislature votes an increase in license plate fees. And for all of those in tough races, be

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prepared, the fliers are going to go out if you vote for this. Representative X never made... never met a fee he or she didn't like. You voted for license plates increases. You voted for tax on ATVs. You voted for tax or fees on... on voters. But I'm a cosponsor of this legislation and I don't have any parks in my district, but let me tell you why I am a cosponsor and why I think this Bill is so important. It says a lot about the State of Illinois and the finances in the State of Illinois. We cannot properly fund this state and provide the services that are so needed for people who deserve and... and expect the services that... that the state should be providing. It is easy to say cut. I'm probably one of the first ones to say the first thing the state should do is cut. Unfortunately, our cuts have not been provided or have not been applied evenly, and many departments in this state cannot function properly, and DNR is a... really a prime example. In FY07, the department's general revenue funding was 100 and roughly 10 million dollars. For the next fiscal year, it's going to be about \$45 million. I'd say that's a fairly substantial cut. I say that's a fairly substantial reduction. So, they say... yesterday, the Gentleman from DuPage said, well, why didn't the direct... director of the department simply come and ask for more money. I was a director of a department. When your boss, the Governor, says submit a budget that is nine percent lower, that's what you do. You submit a budget that is nine percent lower. He's not going to go in there and argue for a higher budget. This department needs additional funds. And it's not just parks. It's hunting, fishing,

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boating, waterways, mines and minerals, oil and gas. How do they operate now? Let me tell you what they're doing because they're not getting enough general revenue, they're using what's known as other state funds. Funds like the state park's funds, the Natural Acquisition... Natural Area Acquisition Fund, the Parks and Conservation Fund, and the boating fund. You would think that these funds would be used to spruce up our parks, for boats, for natural acquisition. They're not. They're used to fund employees and they are being depleted. This is a tough vote, no question about it. But I will tell you something, this department is eating itself alive. It needs the assistance. Tough vote, but I recommend strongly an 'aye' vote."

Speaker Lang: "Mr. Phelps for two minutes."

Phelps: "Thank you, Mr. Speaker. To the Bill. I want to commend Leader Mautino on this issue. He truly is being a... a great leader on this, getting all the groups together. He's been working on it for about a year. Remember, folks, this is an agreed Bill. All the groups, groups that this affects, had input on the Bill and they helped author this Bill. I was talking to my friend the other day, Jim Riemer, used to be deputy director of DNR, and he... we were afraid about the sweeps. Well, guess what. We have protections in here about any Governor trying to sweep these funds, because they're going to be dedicated. Ladies and Gentlemen, this Bill is going to save DNR, and we can't put it off another day. I urge an 'aye' vote."

Speaker Lang: "Representative Cole for two minutes."

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Cole: "Thank you, Mr. Speaker. To the Bill. In deference to the prior Member from the Republican side who spoke, I am a Republican spokesperson for the General Services Committee, and a number of agencies came to our committee and asked for changes to our cuts. They brought their position to us, why they needed the extra money and we were able to accommodate them. The Governor's Office came to our committee and asked for special accommodations, and we were able to accommodate them. The Department of Ag, we had made some cuts to the meat inspectors. They brought their case to us last week, and we were able to help them out and put that back in the budget. Not once, not once did the Department of Natural Resources come to the committee since we spoke to them two months ago in Chicago, that they needed additional funds for the Conservation Police, not once. If they had, we would've been able... and make their case, we would've been able to accommodate them, but they did not come because they had this tax deal in their back pocket. If they came in with a nine percent cut, or an eight percent or something in their original budget, it was with the knowledge that they were going to get a tax increase, fee increases to pay for that eight or nine percent cut in which they proposed. You know, everyone knows how they're going to vote on this Bill. I'm certainly not going to change anybody's mind, but the fact of the matter is we would not hear any comments in the General Services Committee when we were working on the budget that they were in dire need of Conservation Police. The fact of the matter is, they probably do, but they were

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predetermining that they had the votes for these fee increases, which are tax increases for everybody else, outside of whether you have a state park. Thank you."

Speaker Lang: "Representative Mulligan for two minutes."

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

Speaker Lang: "Gentleman yields."

Mulligan: "Do you know if the department still oversees the engineers that work on the flood projects? I live on the Des Plaines River and my community floods. It used to always be that they either had engineers, and the years they didn't have the engineers, they oversaw the..."

Mautino: "The Office of Water Resources."

Mulligan: "...hiring of engineers."

Mautino: "I believe you're referring to the Office of Water Resources, yes."

Mulligan: "But it's in DNR."

Mautino: "Yes."

Mulligan: "So, they still do that? And they're still the ones that would be responsible for flooding along the rivers, the many places that we have up and down the state? Is that not correct?"

Mautino: "Yes."

Mulligan: "Can you answer my seatmate, who just said that they never came to the committee to ask for an increase, and tell me why they didn't do that?"

Mautino: "The... I brought this up in the discussions. I'm also on General Services. The Bill, House Bill 405, which talked about the entire problem of not only the parks, went through Ag and Conservation. It... and there were three

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pieces to this whole program. Piece one, the departments had to go through and find savings and eliminate things in their department, and they did that, and introduced a budget below the Governor's level. So, in our... since they did that, in our Appropriation Committee, we said you can be passed the first round of general cuts. So, their budget introduction was less than the Governor had requested. So, that's why we did that. Secondly, we did House Bill 404 and which, incidentally, Representative Osmond and Phelps sat with the 50 groups while we reviewed 800 mandates and took them out. They're the ones that we could, and change and cut programs to save another million. The final piece of this, to make it sustainable, is this piece. And I have said that in each of the committees, and I've said I'm going to come with a Bill which is very hard but necessary and that's the reason. I've talked about this. Your staff has been in all of my meetings, and I appreciate their work. They helped us design these. Without both staffs, Representatives Osmond, Phelps, the entire package, those two Bills taken together save DNR and provide sustainable funding. That's my answer to the previous speaker."

Speaker Lang: "Representative Mulligan, your time has expired."

Mautino: "Please grant her time."

Mulligan: "Can I close?"

Speaker Lang: "Please... please complete your comments."

Mulligan: "Thank you, Representative. I'm sorry that she feels that way because I think that's really important. And I think that I'm disappointed in how the agency has reacted. But this agency, even though I live in suburban Cook

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County, is one of the most important agencies in my... for my district because of the flooding issues, and over the years, how helpful they've been. So, I intend to vote for this Bill. But I sure hope they get their act together because they reco... they do a lot in this state that has to do with what happens in natural resources, aside from having nice places for us to visit. It has to do with flooding when we live along rivers, and we have a lot of natural disasters. So, I will certainly support your Bill, but I hope they get their act together before next year."

Speaker Lang: "We have two speakers left for two minutes each, Mr. Rosenthal and Mr. Bradley. First, Mr. Rosenthal."

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

Speaker Lang: "Gentleman yields."

Rosenthal: "I just got a couple questions for you to clarify some stuff, things here. It says Off-Highway Vehicle Usage Stamp."

Mautino: "Yes."

Rosenthal: "What's... what's considered an OHV?"

Mautino: "ATVs that are being used for private use. It excludes agriculture at the request of the Farm Bureau. So, the... those are the... ABATE proposed this fee in order that the money would... to go into their funds with a promise of no sweeping."

Rosenthal: "Does it include golf carts?"

Mautino: "No."

Rosenthal: "Does it include any vehicle you use on the farm?"

Mautino: "There's an exemption. It's... it does not include the farm vehicles."

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Rosenthal: "What about the next line..."

Mautino: "Farm Bureau is also neutral on the Bill. We took care of their... that's important for people to know because they had three issues. We were able to get them resolved."

Rosenthal: "And how do you distinguish between farm use and nonfarm use?"

Mautino: "If you're using them out in... if you are taking them off into a public lands, recreational area on there, then they would have to have a sticker."

Rosenthal: "Okay. How about the next one down, in the owner responsibility. It's a... it says it provides and it shall be unlawful for the owner of an OH to be knowingly allow any minor child to operate his OH in violation of this Act. How does... how does that affect the 13-, 14-year-old kid that's using that on the farm?"

Mautino: "It doesn't; they're excluded."

Rosenthal: "So, it only affects it if they go to a recreational area?"

Mautino: "Right."

Rosenthal: "Is that correct?"

Mautino: "Correct."

Rosenthal: "Thank you."

Speaker Lang: "Mr. Bradley for two minutes."

Bradley: "Sponsor yield?"

Mautino: "Yes."

Speaker Lang: "Leader Mautino yields."

Bradley: "What was the headcount? How many employees did the Department of Natural Resources have 10 years ago?"

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Mautino: "When their budget was \$110 million of general revenue fund, they had 2602 employees."

Bradley: "And what is the headcount at Department of Natural Resources currently?"

Mautino: "It is 1115 employees, of which a third have applied to retire."

Bradley: "And we have just as many natural parks, right?"

Mautino: "We have more natural parks, more natural area, more purchased open space land."

Bradley: "And DNR, also, does a very important service for the state in terms of regulating natural resources?"

Mautino: "Yes, they do. And..."

Bradley: "And... and so, DNR is one of the agencies that actually has potential to generate money for the state, both with its regulation of natural resources and through the promotion of our natural beauty at the natural parks?"

Mautino: "That is very correct, Sir."

Bradley: "So, by starving this agency over the last 10 years, we've actually been starving ourselves, because this could be an economic engine if we would actually fund it adequately."

Mautino: "That's true. We have had a year-long backlog in trying to get new economic development projects set here in Illinois, get them their permits to start. And they generate for us, through the DNR and these, about \$32 billion a year."

Bradley: "To the Bill. This is an opportunity..."

Mautino: "And 90 thousand..."

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Bradley: "To the Bill. This is an opportunity for the State of Illinois to fund an organization and agency which actually has the ability to help develop, economically, two of our most underutilized resources and economies, natural resources and tourism. It's vitally important that we keep this agency going, that we provide adequate funding to do those things to make sure that our waterways are safe, make sure that our environment is clean, and make sure that we can continue to function these parks, and continue to manage and regulate natural resources in the state. I would strongly encourage an 'aye' vote."

Speaker Lang: "Mr. Mautino to close."

Mautino: "I thank everyone for their participation in the debate. This Bill, combined with House Bill 404, Senate Bill 1566, provides stable funding and future growth and potential for the Department of Natural Resources, safety for the parks, keeping our parks open, economic development, and it does this by an agreed process where every one of the 50 groups at the table proposed their fees, which were reasonable and doable to them, asked that it not be sweepable. We have a letter from the Bureau of the Budget. We have the word of the Governor that he will not sweep them, and he will not reduce GRF. And we have language in the Bill, thanks to the committee and Representative Watson making that suggestion. This Bill provides sustainable funding into the future. It is agreed, and the cost of doing that and providing stable funding is less than one gallon of gas per year. The contentious part is less than one gallon of gas per year, less than one

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penny a day. It creates stable funding. I would ask you to vote 'aye'."

Speaker Lang: "Those in favor of the Gentleman's Bill will 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. Walsh. Please take the record. This question, there are 58 voting 'yes', 60 voting 'no'. And the Gentleman asked for Postponed Consideration. Page 7, Senate Bill 2537, Mr. Franks. Please read the Bill."

Clerk Bolin: "Senate Bill 2537, a Bill for an Act concerning criminal law, which may be referred to as Caylee's law. The Bill was read for a second time on a previous day. Amendments 1 and 2 were adopted in committee. Floor Amendment #4, offered by Representative Franks, has been approved for consideration."

Speaker Lang: "Mr. Franks."

Franks: "Thank you, Mr. Speaker. I'd like to withdraw House Floor Amendment #4 and instead, adopt House Floors Amendment... House Floor Amendments 3 and 5. And if we could discuss this on Third Reading?"

Speaker Lang: "Mr. Franks, neither 3 nor 5 are out of Rules, so we should take this Bill out of the record until you straighten that out, Sir."

Franks: "Thank you."

Speaker Lang: "Next Bill would be Senate Bill 1064, Leader Acevedo. Please read the Bill."

Clerk Bolin: "Senate Bill 1064, a Bill for an Act concerning corrections. The Bill was read for a second time on a

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previous day. No Committee Amendments. Floor Amendment #1 has been adopted. No further Amendments. No Motions filed."

Speaker Lang: "Third Reading. Please read the Bill."

Clerk Bolin: "Senate Bill 1064, a Bill for an Act concerning corrections. Third Reading of this Senate Bill."

Speaker Lang: "Leader Acevedo."

Acevedo: "Mr. Speaker, I had an Amendment."

Speaker Lang: "Mr. Acevedo, I don't think the Amendment is out of Rules, because the Clerk doesn't have the Amendment."

Acevedo: "Well, that's why we brought it back to Second and..."

Speaker Lang: "Do you have something other than Floor Amendment 1? That Amendment was adopted. Mr. Clerk..."

Acevedo: "No. Okay. If it was..."

Speaker Lang: "...could you read the stat... could..."

Acevedo: "...if it was adopted, I apologize. Okay."

Speaker Lang: "Do you... do you have the right Amendment on the Bill?"

Acevedo: "I got it."

Speaker Lang: "Please proceed."

Acevedo: "All right. Thank you, Mr. Speaker, Ladies and Gentlemen of the House. Senate Bill 1064, the Bill extends existing state policy opposing private prisons. Since 1990, Illinois has barred contracting with private companies to run state prisons. Last year, we amended the statute to cover local governments so the county or city cannot privatize its jail. That Bill, House Bill 2590, passed 115 to 0 in the House, and 56 to 1 in the Senate. Existing laws do not cover civil detention. It only covers correctional

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facilities for criminal detention purposes. Senate Bill 1064 will extend this policy to cover any detention, criminal or civil, including immigration detention. The people of Crete, who you would think would be the most eager for these jobs, overwhelmingly, do not want this facility. More than 1 thousand residents out of 9 thousand have signed petitions rejecting it. They say the facility will place huge burdens on their community, traffic police and other costs, as well as abuse that a private prison company could bring. If you don't want the facility or the jobs that come with it, how credible are these claims about the benefit to the community? Any construction jobs that Crete would create would only be temporarily. We would just... we... we should be just as concerned about how the building will be used long-term. The people who work there, and the people who would be held there, and the burdens it will put on the community. We should be concerned of the record of abuses in companies like CCA that inflicted on inmates, on their workers. And real briefly, I'm going to tell you about some of those horrible... their record regarding detainees. I'm going to tell you two new stories that happened last week highlights, the problem with CCA and private prison generally. On May 25, the parents of Clifford Medina, sued CCA for its negligent handling of Medina, a 23-year-old disabled man who was killed by a fellow inmate in the CCA facility in Arizona. On May 20, a riot broke out at the CCA run Adams Correctional Facility in Mississippi, 1 guard died and 19 others were hurt. Ladies and Gentlemen, there's been cases of gladiator

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schools that allegedly ran at the Idaho Correctional Center where guards use violence to intimidate inmates, a lack of proper health care. And Ladies and Gentlemen, let me tell you about the story where someone came and told me that they're going to lose jobs. Well, I have proof here in a document that says the warden says that they hire within. They bring people from out of state to run these prisons. This is not about hiring people in the State of Illinois. He says it himself, we hire from within, from CCA. And CCA does not have the... a federal contract yet. So, I'm happy to answer any questions."

Speaker Lang: "Gentleman moves for the passage of the Bill. The Chair recognizes Mr. Reboletti for two minutes."

Reboletti: "Will the Sponsor yield?"

Speaker Lang: "Gentleman yields."

Reboletti: "Representative, it's my understanding that there are two other, or similar, detention centers already in the State of Illinois. Is that correct?"

Acevedo: "There... there's one."

Reboletti: "Where is that located at?"

Acevedo: "I... I stand corrected, Representative. I believe there's three. One's in Mt. Vernon and one's in Woodstock, and the other one is in Tri County."

Reboletti: "And how long have those facilities been in operation?"

Acevedo: "The Tri County is 1999. Jefferson is April 16, 2012. And McHenry/Woodstock is the same date, April 16, 2012."

Reboletti: "What is Tri County? What... where is that? What is that?"

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Acevedo: "It's in... it's in southern Illinois."

Reboletti: "How many detainees are in each of those facilities?"

Acevedo: "There are 215 in Tri County. There are 80 detainees in Mt. Vernon. And there are 268 detainees in Woodstock."

Reboletti: "Have... have there been any instances in those facilities of some of the injustices that you stated in other states that have occurred, such as the gladiator fighting or people starving, or any of those other things that have occurred elsewhere?"

Acevedo: "Well, I didn't get a chance to look at this... through the stack of this, but it tells about all the complaints that have been through Welch, the private prisons in the state, and here in the United States."

Reboletti: "If this were not to be built, what is your thoughts on where the detainees should go? Is there a need for an additional facility? Is that why there's..."

Acevedo: "Well..."

Reboletti: "...is... is that why they are trying to construct this in Illinois?"

Speaker Lang: "Mr. Reboletti..."

Acevedo: "No. I..."

Speaker Lang: "...your time has expired. I'll let Mr. Acevedo answer and you could make some closing comments, if you wish. Mr. Acevedo."

Acevedo: "Well, Representative, to be honest with you, I look at it this way; here in the State of Illinois, we're closing down prisons and people are losing their jobs. I... I prefer that the... the government deal with the detainees

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instead of a privatizing, because once that happens, it's no longer about a human being. It's about making money."

Speaker Lang: "Mr. Reboletti."

Reboletti: "Have you any... have you had any conversations with the administration, with respect to that request, that if there are... if there is a need for space for detainees that it be in one of our facilities that is closing like Murphysboro or Joliet, or anywhere else in the state?"

Acevedo: "Those... those are county facilities. Those are not state facilities."

Reboletti: "No, the state... what... Murphysboro was a youth center. Isn't that something that we could officially shut down and then reopen it for the purposes of holding detainees?"

Acevedo: "I'd be willing to talk to you about it, as long as the... the state runs the prison instead of a pri... privatizing it."

Reboletti: "Well... and that's... but... that's why I was asking you."

Speaker Lang: "Mr. Reboletti, time to bring your remarks to a close."

Reboletti: "That's okay."

Speaker Lang: "If you want to comment about the Bill, I'll let you do that."

Reboletti: "No. That's okay. I'm going to get some time yielded."

Speaker Lang: "Mr. Bost."

Bost: "Thank you, Mr. Speaker. First off, if this gets the required number of votes, I would ask for a verification."

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Speaker Lang: "Your request is acknowledged, Sir."

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

Speaker Lang: "Gentleman yields."

Bost: "Is there anything at all in your Bill for those existing facilities to, like, grandfather them in?"

Acevedo: "Yes. And... and that was a... the Amendment that I put in, Representative, due to the fact that there was some issues with labor downstate who are concerned that... the facilities that are open now, the people would lose their jobs. No. They are all grandfathered in."

Bost: "Have you... have we looked at the possibility and... and I think Dennis Reboletti was going that... Representative Reboletti was going down that path, that there would be any options that might be available because, we, the state, obviously are having trouble funding some facilities, and we've... we'll worked to keep those open. We've worked together to get that done. But if something in the future would come up and those facilities would all of a sudden then be vacant, that we, the state, can't afford to do it but one of these private companies could, what... what is our... what are our options? Just go ahead and let those buildings just close down and collapse?"

Acevedo: "Well, as... as I said, Representative, I don't think the... the... carrying over inmates in detention centers should not be privatized for humanitarian reasons."

Bost: "I... I'm sorry. Could you repeat that again? I'm sorry."

Acevedo: "I said I don't believe that any prison should be privatized for humanitarian reasons."

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Bost: "Well, I... I guess it's just a philosophical dis... difference. I think that when we put certain guidelines in place, and there are federal guidelines and requirements, and we have a certain constitutional rules that apply on... on how we handle those facilities. So, Mr. Speaker, to the Bill. I stand in opposition to the Gentleman's Motion and the Gentleman's Bill. I think that this is something, though I do not believe in the... the privatization of existing state facilities, I think that these are specific facilities that a private company should and could and may operate. And it does create an opportunity for... if the Federal Government is... is requiring certain holdings to be done in a... in a good and proper way... and if the Gentleman wants to work to... to make some guidelines to be put in place, that maybe he needs to think... need to go a little farther with the private facilities, I'll be glad to join him in that. But to automatically throw our hands up and say, no, we're not going to do it at all, when then that would mean that those particular... situations where it does provide for the communities could go to Missouri, or Kentucky, or Indiana and... and we would leave and lose those jobs, as well. And I stand in opposition to the Gentleman's Motion."

Speaker Lang: "Mr. Durkin for two minutes."

Durkin: "Will... will the Sponsor yield? Representative..."

Speaker Lang: "Gentleman yields."

Durkin: "...can you tell me the type of individuals who are... would be detained at this facility? There... I know they're

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illegal immigrants, but under what order or court orders have placed them in that position? What type of..."

Acevedo: "ICE are the one... is the group that usually puts them in there. They're undocumented."

Durkin: "Okay. Undocumented. So, what they've done, all they've done is that they've traveled... they violated our immigration laws by illegally entering into the United States of America. Correct?"

Acevedo: "Correct."

Durkin: "Have they already been adjudicated?"

Acevedo: "That I'm not sure. No, no. They're just being detained."

Durkin: "They're being detained? Okay."

Acevedo: "Yes."

Durkin: "If this facility was not... was... was to not operate, where would they be placed?"

Acevedo: "In the local prisons."

Durkin: "Do you think that would be any safer for people who have crossed into this country illegally... and I'll... there's a point I'm going to make out of this, as in putting them in Cook County Jail, do you think that's a safer place than any of these institutions you talked about earlier? Do you think the McHenry County Jail or DuPage County Jail are a safer environment for people who have crossed into the United States?"

Acevedo: "Compared to the abuse that's been documented with these private prisons, absolutely... okay." because..."

Acevedo: "...because the state is required to make sure

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these prisoners are cared for. There... these are not required for the private prison system."

Durkin: "I spent eight years representing a young man who left Guatemala, pro bono counsel. It took me eight years to represent him, it took me four years to put his life back together, and I chased after him and had to talk to him. I had to go up to McHenry, Broadview, and other locations, as his pro bono attorney to represent him. If there's a centralized location for these individuals, it is better for these... for these individuals who are seeking some type of asylum. And I'm not saying that breaking the law entering this country is something that is... we should, you know, look down at we should... we should minimize. But the fact is, what you're going to do is if you put them up in a McHenry County, Cook County Jail, you're putting individuals like my client, who had to flee Guatemala at the age of 18 because of gang threats, and his life was threatened, his cousin was executed in the streets of Guatemala because the street gang was looking for him and would not let him know where he was, putting this individual... he left that country for the right reasons, and we were successful, but this is what we're talking about. People who are frightened, who have left terrible situations in Central America, Europe, Africa and also in the Far East who've entered the United States and I'm not saying that it's right for them to come in and break those laws, but these are not the type of individuals who should be placed in a general population in the Cook County Jail, McHenry County Jail. I've been up there. I've had to

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interview him as his attorney. You and I are friends, but I... we're going to disagree on this. So, I think that this is a mistake. I think that there's some... the fact that the Democratic Administration in Washington has authorized this, I think speaks volumes. Let me ask you this, last question, what is the position of the Will and Grundy County's Building Trades Council, the Chicago Laborers, Operating Engineers, Pipe Trades Association, Painters District Council, Sheet Metal Workers, Pipe Fitters Local Union 597... what is their position on this Bill?"

Acevedo: "They oppose it, but Representative, you didn't give me a chance to respond to the comments you made before."

Durkin: "Please. Please."

Acevedo: "First of all, I congratulate you for doing the probono work on the immigration detainee. But don't you think that if you care about that indivi... individual so much, don't you think you want to put him in a safer environment than the abuse that these... that these prisoners are being taken care of in this private section?"

Durkin: "The last place I would want my client..."

Acevedo: "Secondly..."

Durkin: "...who is... who is left to... who... who is..."

Acevedo: "...secondly..."

Durkin: "...who fled his country is to put him in the Cook County Jail in the general population, as to placing him in the location where he is in the same place with people who are in a similar situation as him, who have fled horrible situations; men, and women, and children who have entered this country because of... human rights violations that are

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occurring every second in the countries that they came from."

Acevedo: "Well, I was... I was just going to finish my comment, and I was going to say that while these families are being torn apart and being held and... and detained, don't you think they'd rather be closer to their families so they can visit instead of coming all the way to the... from southern Illinois?"

Durkin: "I would rather have the families knowing that they're in a place that is a safer environment than the Cook County Jail, or the McHenry County Jail, or the DuPage County Jail. I have no further questions."

Speaker Lang: "Mr. Ramey for two minutes. I remind the Members that this is the day of adjournment. There are still five Members who wish to speak. Please keep your remarks as brief as you can. Mr. Ramey."

Ramey: "Thank you, Mr. Speaker. I would like to yield my two minutes to Mr. Reboletti, please."

Speaker Lang: "Mr. Reboletti."

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

Speaker Lang: "Gentleman yields."

Reboletti: "Representative, I know we didn't have a chance to finish our conversation. It's a pretty important issue to address, so it needs more than two minutes. How many beds will be at this new location if it was constructed, and how many detainees would it hold?"

Acevedo: "Seven hundred and eighty-eight beds."

Reboletti: "Would that then eliminate the need for any of the detainee sites in northern Illinois, up in the McHenry

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area, the DuPage County Jail? Would most of those individuals end up in the Crete area?"

Acevedo: "It... it would not eliminate the need for the other ones, no."

Reboletti: "Is it the intent of at least the Obama Administration, if this is sited in Crete, to try to centralize the location so that what you're talking about is when an individual is detained, that they're being detained from... and I assume... if... if I'm wrong, Representative, please correct me, that it will be from, basically, the Midwestern states. You'd have Michigan, Indiana, Wisconsin, those... would those individuals from those states be detained at this location?"

Acevedo: "That, I'm not aware of, Representative. But let... let me make something perfectly clear to everyone here. This facility has not been approved... final approved... approval yet. So, by all means, this company believes they already got it. This is an open bid contract. So, this is not... this is not finalized in any way that CCA has... has a contract."

Reboletti: "And... and I understand that."

Acevedo: "And... and as far as the Obama Administration, there... the Obama Administration is now looking at ways to go away from reducing the detention centers."

Reboletti: "I don't know if that's the administration's position. It's been very unclear to me for the last three and a half years. Is it possible..."

Speaker Lang: "Mr. Reboletti, your second set of two minutes..."

Reboletti: "Thank. Just one... I have just one..."

Speaker Lang: "...has expired."

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Reboletti: "...last question."

Speaker Lang: "Thank you, Sir."

Reboletti: "Is it then possible, Representative, that if we do pass this law that this company could simply go across the border to Hammond or St. John, and go into Indiana, locate the same facility, and house the same detainees we would in Crete across the border?"

Acevedo: "Well, I don't know if the administration would want to do that since Indiana doesn't have any privatized prisons."

Reboletti: "Thank you."

Speaker Lang: "Mr. DeLuca for two minutes."

DeLuca: "Thank you, Mr. Speaker. To the Bill. The Village of Crete is located in my district. As recently as yesterday, Legislators were coming up to me and asking me. And it's true. It is in my district. It's in the southern part of my district. It's where my legislative district office is located. And the mayor of the town, I have a very good relationship with him, have high regards for him. He's a long time mayor. I served, and have worked with him, at the time I was mayor. And long before there was legislation pending in the General Assembly, when this was just an issue that the Village of Crete was considering, I took the position that it's a local decision. I would not put any influence on it. I would not try to persuade them to take a certain position or go a direction. It was up to them to conduct their due diligence and make a decision on this matter. Well, when legislation popped up, and very quickly moved through the Senate, and all of a sudden was pending

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in the House, the situation had changed. I then went to the... the village and sent a letter. And I thank the Sponsor of the Bill for, at the time, I wasn't sure how quickly this might be coming up for a vote, and I asked for a little bit of time to send a letter to the village asking them to please take a position on this matter. Do you wish to pursue it, or do you not wish to pursue it? It's pretty... very basic so that I know how to represent them accordingly here in Springfield. You know, we all talk about it. Everyone here in Springfield knows why we're here, and that it's our responsibility to represent our constituents, to represent the communities, partner with them. Representative Bost said it so clearly the other day. We have to know how to represent our people. Well, unfortunately, that letter was not perceived in a way I had hoped. Apparently, they didn't understand how the representative government works. They... maybe they don't understand that it's important for them to tell me where they stand on this, how they feel on this issue, so then that I can come to Springfield on their behalf and represent their interest. Well, still to this day, they have adopted a wait and see approach. They couldn't even tell me, yes, Representative, we would like to at least continue to pursue it, and then I would know what to do here in Springfield. Ironically, they actually criticized me for showing them the respect, for going out of my way, giving them the time to conduct their due diligence. But when it came to the timer, we were getting close, where a Bill could be called for a vote to potentially kill a

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project in their town, I had to the send a letter and said the time is now. And I realize that it may be a burden on them. I realize they may view this as a controversial issue in their town, but nonetheless, a decision had to be made. Well, they've never made a decision, so I made the decision with my district office, and I have a wonderful district manager, Donna Fanning and with her help the last few weeks, we have conducted a very intense outreach to all of the residents of Crete. We made the decision that we had to bypass the village. We had to bypass the elected officials in Crete, and go directly to the residents to determine where they stand. Well, I'm convinced, as I stand here today and speaking with so many residents and conducting this outreach and opening up all lines of communication to find out where they stand, I believe the pulse of the people of the Village of Crete is to support this Bill. I intend to stand with the people of Crete, and I will be voting 'yes'. Thank you, Mr. Speaker."

Speaker Lang: "Mr. Watson for two minutes."

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

Speaker Lang: "Leader Acevedo yields."

Watson: "Leader, does... does the Governor's Office have an opinion on this Bill?"

Acevedo: "No, they have not."

Watson: "Okay. I... just to the Bill, Mr. Speaker. I... I just find it interesting that... and... and you may be right. I just find it interesting that the Sponsor says that a state-operated facility is a safer environment than if... it provides for more humane treatment, yet we have a Governor's Office that

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tells us that having state-operated developmental facilities are somehow inhumane. I just wonder where the consistency is."

Speaker Lang: "Last speaker will be Mr. Tryon for two minutes."

Tryon: "Thank you, Mr. Speaker, and I rise in support of the Gentleman's Bill. There's been a lot of discussion here about McHenry County and the detention facility that it operates. That was negotiated by our sheriff and the county board at that time, myself. And that facility was built as a detention facility under the requirements of the U.S. Marshals and INS, and it was negotiated with U.S. Marshals, just like this facility will be as well. But the problem that we have here is we have an excess of secured detention in the State of Illinois with Murphysboro and the different facilities that the Governor wants to close down. We have 1400 beds at least up in... up in Thomson. We could be negotiating with INS for a facility that could service even the Missouri region and St. Louis with Murphysboro or other places. But more importantly, we do have contracts that are already in place with facilities like McHenry County, and other INS detainment facilities. Secured detention is in such demand. For us to have an excess capacity and it not be utilizing by us contracting with U.S. Marshals or some of these other facilities is a mistake and we should do that. But I also want to point out that while it may be di... detainees today, if you have a private facility there and there's not the census level for detainees, U.S. Marshals could bring in other types of offenders, and other criminals that maybe the Village of Crete wouldn't want

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there. So, there's a lot of variables that go into negotiating of these contracts with U.S. Marshals when you're using a detention facility. That will be out of our control and... and in the control of INS and a private operator. Therefore, I... I support your Bill and I think we have an excess capacity of secured detention, and we should utilize that here, ourselves. Thank you."

Speaker Lang: "Mr. Acevedo to close."

Acevedo: "Thank you, Mr. Speaker, Ladies and Gentlemen of the House. You know, we talk about this facility bringing jobs. I beg to differ. This is going... we're going to lose jobs, folks. If this facility is... is built, the three... it's going to take away from the three other private detention centers that already held. And I want to tell you something to the trades people. I want to read a little story to you how they say that they're going to hire people to build this detention center. Today, the 27... 2... 270 View Internet blog would like to bring to the public's attention violations of several United State's laws by Corrections Corporation of America at the Stewart Detention Center while current CCA, Adams County Correctional Center Warden Vance(sic-Laughlin) was SDC's warden. During this time period, immigration and customs enforcement officials discovered that illegal immigrants were brought in to build these detention centers. Illegal immigrants. So, in other words, they're building their own home. Now, you heard the warden said himself, they hire within. They hire within their company. CEA(sic-CCA) does not have a facility in Illinois. Illinois citizens are not going to get these jobs, folks. And the

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people from the trade unions, believe me, you just... you just read it here in the story. They're hiring undocumented, and they're going to hire people from out of the State of Illinois. Please vote for this Bill."

Speaker Lang: "Those in favor of the... Mr. Acevedo moves to... for the passage of Senate Bill 1064, and Mr. Bost has asked for a verification of this Roll Call. All Members will be in their chairs and vote their own switches. Those who are in favor of the Bill will vote 'yes'; opposed 'no'. The voting is open. Have all voted who wish? Have all voted who wish? Representative Gordon. Please take the record. On this question, there are 55 voting 'yes', 61 voting 'no', and 1 voting 'present'. And the Gentleman moves for Postponed Consideration. Mr. Clerk."

Clerk Hollman: "Committee... Committee Reports. Representative Barbara Flynn Currie, Chairperson from the Committee on Rules reports the following committee action taken on May 30... correction, May 31, 2012: recommends be adopted for the floor is Senate Bill... Floor Amendments #3 and 5 to Senate Bill 2537."

Speaker Lang: "Ladies and Gentlemen, we're going to do some Concurrences, starting on page 12 of the Calendar. Because it's adjournment day, it would be good if people were ready. It would be good if we ran through these as quickly as we possibly can. Of course, those who wish to speak, may, although, it would be discouraged. House Bill 3826, Representative Chapa LaVia. Please proceed."

Chapa LaVia: "Speaker, does that mean me too? Can we just pass it? I concur."

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Speaker Lang: "You... you'll have to explain the Amendment though."

Chapa LaVia: "Oh, I'm sorry."

Speaker Lang: "Yeah."

Chapa LaVia: "I was a little confused. I was a little dizzy from yesterday's debate. Okay. What we do... I'd like to concur on Senate Amendment #1. It puts our... our Bill in compliance with ADA, a federal regulations. And I ask for its concurrence."

Speaker Lang: "Lady move that the House concur in Senate Amendment #1 to House Bill 3826. Those in favor of the Lady's Motion will vote 'yes'; opposed 'no'. The voting is open. Have all voted who wish? Have all voted who wish? Record yourselves, Members. Have all voted who wish? Flowers, Ramey, Senger. Please record yourselves. Representative Senger. Please take the record. On this question, there are 117 voting 'yes', 1 voting 'no'. And the House does concur in Senate Amendment #1 to House Bill 3826. And this Bill, having received the Constitutional Majority, is hereby declared passed. House Bill 4521, Leader Currie. Please proceed."

Currie: "Thank you, Speaker and Members of the House. This is an issue dealing with mortgage brokers. And my understanding is that... that it's an effort to make sure that everybody is behaving as he or she should, given the kind of... of license that he or she qualifies for. And the concern on the part of IDFPR that shows Illinois ranking among the top five states with the highest incidence of mortgage fraud, the prevalence of foreclosure practices

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like robo-signing, and the surge in borrowers trying to get loan modifications. As this Bill comes to us back from the Senate, it is supported by the agency, by the mortgage bankers, the Illinois Association of Mortgage Professionals, the Illinois Office of the Attorney General, the Housing Development Authority, Cit... Citizen Action, and AARP. I'd be happy to answer your questions. I know of no opposition to the Bill."

Speaker Lang: "Lady moves that the House concur in Senate Amendment... Senate Amendment #1 to House Bill 4521. The Chair recognizes Mr. Reboletti."

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

Speaker Lang: "Leader yields."

Reboletti: "Leader Currie, are there any fee increases in this piece of legislation?"

Currie: "I'm looking back, the only change the Senate made was to make this... give this Bill an effective... an effective date, and I'm just trying to check. Yes, there is an increase in the fee from \$2,043 under the Residential Mortgage Licensing Act, from \$2,043 to 2,700. But again, this is a... a Bill that was agreed to by the people who are subject to the Act."

Reboletti: "I... I appreciate that, Leader. And I'm looking at my..."

Currie: "I know. I said... pardon me?"

Reboletti: "I'm look... yeah... I said I appreciate that. I said I'm looking at what the annual fees would generate, and our analysis indicates about 4 to 500 thousand dollars. What

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would those fees be used for? Would that be to create a database? Is that what we're doing?"

Currie: "That... partly the database, yes. And that, as I say, this is an initiative of the department. Illinois does have a very high rate of instances of fraud, instances of inappropriate suggestions to buyers about what kinds of mortgage... what forms of mortgage might be appropriate for them."

Reboletti: "And there are no..."

Currie: "And again, all the Senate did, as I said earlier, was add an immediate effective date."

Reboletti: "Thank you."

Speaker Lang: "Representative Mulligan."

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

Currie: "Yes."

Speaker Lang: "Lady yields."

Mulligan: "Representative, when this Bill is done, the fees will be in place, or do they have to come through JCAR?"

Currie: "You know, it's not clear to me whether they would have to go to JCAR. The Bill is very specific as to the size of the fee. So, I think that this... if this Bill goes into effect immediately, as under the Senate Amendment, I think that the department would just promulgate the new schedule."

Mulligan: "So, the fee would be the fee?"

Currie: "The fee is the fee."

Mulligan: "Thank you."

Speaker Lang: "Leader Currie to close."

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Currie: "Thank you again. This is a... a measure that would just update the requirements for holding various licenses and making sure that we're doing a good job, seeing to it that Illinois goes way down from being fifth in bad practices to the top of the list in good practices. I'd appreciate your 'aye' vote."

Speaker Lang: "Those in favor of the Lady's Motion will 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? Durkin, Mathias, Tryon. Mr. Mathias. Please take the record. On this question, there are 66 voting 'yes', 52 voting 'no'. The House does concur with Senate Amendment #1 to House Bill 4521. And this Bill, having received the Constitutional Majority, is hereby declared passed. The Chair recognizes Representative Monique Davis."

Davis, M.: "Thank you, Mr. Speaker. I would like to give a Springfield warm welcome to Beaubien School, and to my good friend, school administrator, Marie Bahacsik. They're over here on this side, so let's give them a warm welcome to Springfield."

Speaker Lang: "Welcome to Springfield. We're happy to have you here. The next Bill is House Bill 4753, Mr. Hays. Please proceed, Sir."

Hays: "Thank you, Mr. Speaker. This Bill passed unanimously last year in both the House and the Senate and became law. This is a trailer Bill to a Bill from last spring. House Bill 4753 simply seeks to clarify language in terms of

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implementation of a renewable energy district. And I'd be happy to answer any questions."

Speaker Lang: "Gentleman moves that the House concur in Senate Amendments 1 and 4 to House Bill 4753. Those is favor of the Gentleman's Motion will vote 'yes'; opposed 'no'. The voting is open. Have all voted who wish? Have all voted who wish? Mr. Morrison, Mr. Unes. Please take the record. On this question, there are 115 voting 'yes', 1 voting 'no', 2 voting 'present'. And the House does concur with Senate Amendments 1 and 4 to House Bill 4753. And this Bill, having received the Constitutional Majority, is hereby declared passed. House Bill 4819, Mr. Sullivan. Please proceed."

Sullivan: "Thank you, Mr. Speaker. I'd like to concur on Senate Amendment #1 to House Bill 4819. This is a Bill that will allow the use of crossbows in... during deer season for the second half of the deer season. I would be happy to entertain any questions."

Speaker Lang: "Mr. Sullivan has moved that the House concur in Senate Amendment #1 to House Bill 4819. There being no debate, those in favor of the Gentleman's Motion 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 118 voting 'yes', 0 voting 'no'. And this... and the House does concur in Senate Amendment #1 to House Bill 4819. And this Bill, having received the Constitutional Majority, is hereby declared passed. House Bill 5078, Mr. Zalewski. Please proceed."

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Zalewski: "Thank you, Mr. Speaker. I move to concur in House Bill... Senate Amendments #2 and 3 to House Bill 5078. They deal with a compatibility issue with regard to serving as a... a village president, urban mayor, and a county commissioner. I ask for an 'aye' vote."

Speaker Lang: "Sir, do you also have a Motion to Nonconcur on an Amendment?"

Zalewski: "I move to nonconcur in Senate Amendment #4."

Speaker Lang: "All right. Just so we understand. The Gentleman's moved first to concur with Senate Amendments 2 and 3 to House Bill 5078. And on that question, the Chair recognizes Mr. Nybo."

Nybo: "Thank you, Mr. Speaker. Sometimes, just as important as what's in a Bill is what's not in a Bill. And so, I'd... would the Sponsor yield?"

Speaker Lang: "Gentleman yields."

Nybo: "Mr. Zalewski, this Bill did come over with three Amendments, correct?"

Zalewski: "Yes."

Nybo: "And Amendment 4 is an Amendment that repeals a portion of a 2007 law that allowed only one person, former Oak Brook police chief to shift five years of pension credit from one pension fund into IMRF. Correct?"

Zalewski: "Yes."

Nybo: "I'm sorry, Mr. Speaker. I didn't hear the..."

Zalewski: "Yes. Yes."

Nybo: "And the result of that shift, Mr. Zalewski, was that the individual's pension was boosted from \$45 thousand to \$77 thousand?"

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Zalewski: "I believe so, Representative."

Nybo: "And it also had the effect of creating an unfunded pension liability for the involved municipality to the affect of \$750 thousand?"

Zalewski: "Again, I believe so, Representative."

Nybo: "Mr. Zalewski, Amendment 4, which seeks to repeal that provision seems to be a good Amendment. Why are we nonconcurring in the Amendment?"

Zalewski: "Here's another question, Representative. Why are you... am I carrying the Amendment and not you? It's in your district."

Nybo: "Mr. Zalewski, I'll repeat the question. Amendment 4 is... is a good Amendment. Why are we not moving forward with Amendment 4?"

Zalewski: "Representative, it's my understanding that the... the article that came out about this appeared three weeks ago. It... it involves the Village of Oak Brook, which in not in my district."

Nybo: "Mr. Zalewski, you're... you're aware that... that the repealing..."

Zalewski: "Can I finish?"

Nybo: "...which in Amendment 4, is identical to language that we enacted last fall with respect to two IFT lobbyists and similar pension perks that allowed them to boost their pension, in which we declared that those laws were invalid, and we repealed those provisions in an effort to rein in the out of control pension systems that exist here in Illinois, correct?"

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Zalewski: "So, Chris, I'm going to finish my thought, 'cause I was trying to be as respectful as I possibly could. The Senate Amendment #4 was put on a Bill dealing with compatibility of office. There's a concern that Senate Amendment #4 could be potentially viewed as unconstitutional. It's not my job to put the Village of Oak Brook on the hook for a lawsuit. It's other people's jobs."

Nybo: "Mr..."

Zalewski: "The... let me finish. Let me finish. I've been interrupted twice now in the last 10 seconds... in the last 30 seconds. And I was told... and I... and in the article, I was... that was printed yesterday, I was called very disingenuous by yourself and I thought that was disrespectful. I've been nothing but honest with you about the process of this Bill. It's not my responsibility to... to deal with an Amendment that could be viewed as unconstitutional, and Senate Amendment #4 can put the Oak Brook taxpayers on the line for a lawsuit. The... the information came to light three weeks ago. The Bill came over. I filed... originally filed a Motion to Concur, and I reconsidered. I subsequently filed a Bill dealing with the matter and you're not a cosponsor on the Bill, Chris. So, I don't understand how this is my problem."

Nybo: "Mr. Zalewski, if I interrupted you, I apologize. And I will not do that again while we have this conversation, but I'm going to go back to my original question. You... you remember the Bill that we dealt with last fall involving Mr. Preckwinkle and another individual. Right?"

Zalewski: "Correct."

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Nybo: "And you're aware that the language, the repeal language, is exactly identical... that Bill has exactly identical language as the language in Amendment 4. Correct?"

Zalewski: "It's my... it's... it's my understanding that the... the Bills can be characterized as similar. I'll take your word for it as to whether the language is similar."

Nybo: "I'll tell you that the language is identical."

Zalewski: "Okay."

Nybo: "We passed the Bill last fall. Right, Mr. Zalewski?"

Zalewski: "Yes. And..."

Nybo: "And you... you've... I told you I wouldn't interrupt you. Sorry, Mike."

Zalewski: "But... but Chris, that doesn't change the fact that there could be a view that the Bill is unconstitutional. The statute of limitations on these Bills, it's my understanding, run for five years. And it's not my job to put a village in someone else's district in line for a potential lawsuit. I... I filed the Bill, a separate Bill, dealing with Senate Amendment #4. I've done everything I can possibly do to... to work on my Bill and in addition to that, deal with a separate constitutional issues in Senate Amendment #4. I implore you to... by joining me as a cosponsor on that Bill. I... I'm... I'm doing everything I possibly can here to work on that particular issue, but this is my Bill."

Nybo: "Representative, if you have such concerns with the constitutionality of a repeal provision like this, how could you possibly have voted 'yes' back in the fall on identical language in a similar Bill?"

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Speaker Lang: "Mr. Nybo, your time has expired. Mr. Zalewski will answer your question."

Zalewski: "I... Chris, I... I will agree with you. You can make a judgment on the propriety of that particular legislation, but it's not my job to tie a potentially unconstitutional Amendment to a Bill dealing with office compatibility. There's single subject questions, and there are constitutionality questions. Again, I would refer you to join me as a cosponsor on the second Bill dealing with... with the... with the Oak Brook issue. I would... I would further say that the DuPage County Mayors supported Senate Amendments 2, 3 and 4, and they're willing to go back and work on it over the summer. I'm literally doing the best I can on this particular issue. I... I'm inviting you to work with me on this, but we're talking about compatibility right now. I've nonconcurred on Senate Amendment #4."

Speaker Lang: "Mr. Nybo, if you have any closing comments, it would be all right."

Nybo: "Mr... Mr. Speaker, I'm going to ask for a Roll Call on all of these votes. We're going to have a Roll Call... I'd like to request a Roll Call on the Nonconcurrency Motion."

Speaker Lang: "You... your request is acknowledged, Sir. Mr. Mathias."

Mathias: "Tha... thank you, Mr. Speaker. Just to give a little background on this Bill. If the Body remembers, House Bill 5078 was originally my Bill, and if you recall, it had to do with budget officers. And I'm sure Representative Franks will remember the Bill because he spoke on the Bill, and he believed it was... I think his words were, to some effect,

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that he thought it was one of the worse Bills he's... he's ever seen. Although, he did have a Bill the day before that maybe he didn't think was worst, but the rest of the Body did since they gave him an award for bringing it."

Speaker Lang: "You've now used 24 of your seconds talking about a different Bill, but go ahead, Sir."

Mathias: "However, be that as it may, I just wanted to say that maybe there was some merit in... in his remarks at the time. And as a result of that, that's the reason why when the Senate... the Senate wanted to put a different Amendments on the Bill, I had no objection because I felt that maybe that Bill... even though that was not my intention. My intention at the time was to clear up some discrepancies in two laws to make those two laws similar so there would be no legal question, which we may have now with the... with the new Amendments. But that was the reason I gave up the sponsorship. And I know even though Representative Zalewski did not direct a question to me, I did, for the... for the record, want to say that Representative Nybo did ask me for sponsorship of the Bill. But it came too late after I already committed the Bill to Representative Zalewski. So, I just wanted to set the record straight on the... genesis and how this Bill got to where it is today. Thank you."

Speaker Lang: "Mr. Saviano for two minutes."

Saviano: "Thank you, Mr. Speaker. Not... notwithstanding the scenario with... with this Amendment that was put on in the Senate addressing the Oak Brook problem, the underlying Bill with these other Amendments is a good Bill. About 15 years ago, we passed legislation out of this Body that I

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sponsored to codify the scenario of local mayors being able to serve on the Cook County Board and that passed pretty overwhelmingly. Why we're here today with this underlying Bill... and I have to give credit to the Attorney General's Office who actually... who actually drafted the legislation in Amendments 2 and 3 that address the compatibility of being a village president and a county board member, and I think it... it spells it out very clearly on how to avoid conflict, and how to make it more compatible. So again, notwithstanding this other scenario with this... with this other Amendment, the Bill with those... the other two Amendments is a very much needed Bill. It clarifies what they're entitled to as far as not being entitled to two pensions. They're not entitled... in fact, I know at least one of the mayors involved, who just got elected to the county board, actually said he's not going to take any pay from the village he is mayor of. So, this... this... this whole other scenario was unfortunate that the Senate thought, well, let's put this Amendment on the Bill, and because it's got such good characteristics with the other Amendments, maybe we can get this through. I don't want to see this Bill fail on concurrence with the... to the Amendments that we really need who would affect people who are duly elected by the people in their respective towns, in their respective counties, and all of a sudden, not allow that to occur. The... the other scenario, I think everybody in this chamber would agree that that should be corrected, and I'm sure it will be corrected. But let's not lose sight of what we're trying to do, what the original

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intent of this Bill was to do with the Amendments... Amendments 2 and 3. So, I... I really would ask the Body to separate out the problem with the nonconcurrence and the good things that the other two Amendments do. Thank you, Mr. Speaker."

Speaker Lang: "Mr. Franks for two minutes."

Franks: "Thank you, Mr. Speaker. I actually had my light on before Mr. Mathias brought up my name in debate, 'cause I wanted to talk about this, 'cause I met with Mr. Nybo yesterday and he had an idea where he was trying to make this so it would be constitutional. I told him I agreed and we should try to put an Amendment on a Bill that I had, and I... I think that may still be in Rules, but I understand what the Gentleman's trying to do and it's something that I support. And I think it's very important. I think we've got a conundrum here because there's a lot of things happening with this Bill that probably shouldn't be happening. So, I want to put out to the Sponsor that, perhaps, we ought to consider nonconcurring in all of the Senate Amendments, and then simply sending it back over, the original Bill that Mr. Mathias had, and then they can recede from their Amendments and then we can put Mr. Nybo's Bill on the Bill that I've got, and actually deal with that, which would take care of the situation. Because I'm... I think procedurally that would be the cleanest thing to do. So, I would... I would ask the Sponsor to consider doing that, leaving the underlying Bill that Mr. Mathias is so proud of because in that Bill, as we had deemed it, we called it the Double Dipper Insider Protection Act, because we all know

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that we've got too much money in this state and we've got to make sure that people get two salaries for doing the same job, because that's what he thinks is important to do. So, I think that we should do that for him, because this is something... he told me this... the municipal league wanted them to do this... wanted him to do this. And instead of saying no, that we should repeal the whole Act so people who do the same job don't get two paychecks, instead, he wanted to codify it, which I think is ridiculous. And if... and that was the Bill that's been dubbed the Double Dipper Insider Protection Act. So, what I think we should do is let him have that Bill, because he wants that. Let's recede from this... let's nonconcur on all these, have the Senate recede, let's run Mr. Nybo's Bill on mine and let's straighten out the whole thing."

Speaker Lang: "Mr. Bost for two minutes."

Bost: "I yield my time to Representative Nybo."

Speaker Lang: "Mr. Nybo for two minutes."

Nybo: "Thank you, Mr. Speaker. To the Bill. And... and, Mike, I've got a lot of respect for you, and I... I don't mean anything personally towards you, and I didn't mean to interrupt you. I... I'm fighting for one of my municipalities that's been hit with a very unfair pension liability. You know, we're in an atmosphere where we're trying to do all that we can to correct pension abuses, and this is simply an instance where we've got a solution to a pension abuse, and all I'm asking for is a fair vote on that solution. I think Representative Franks's solution is fine. As I understand it, Mr. Speaker, we are going to have a Roll

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Call vote on the Motion to Nonconcur, and my request to... to you guys, my colleagues, is simple. I would ask you to oppose that Motion to Nonconcur. I would ask you to vote 'no' on the Motion to Nonconcur with Amendment 4. What you want to do with Amendments 2 and 3, I won't speak to, but I would ask you to vote 'no' on the Motion to Nonconcur. I would appreciate it and I know that the municipality of Oak Brook would very much appreciate it, and would be an opportunity to correct a very blatant wrong."

Speaker Lang: "Mr. Rose."

Rose: "Thank you, Mr. Speaker. Last week, we had a conundrum, now I'm just perplexed. From a point of procedure, let's just make sure everyone has this straight. We're dealing with Amendments 2 and 3 on Concurrence Motions, and it's your intention to take a Roll Call on them at... one Roll Call for both of those?"

Speaker Lang: "Sir, there will be a Roll Call vote on Mr. Zalewski's Motion to Concur with Senate Amendments 2 and 3. And then there will be a Roll Call vote on Mr. Zalewski's Motion to Nonconcur with Senate Amendment #4."

Rose: "So, two... two votes?"

Speaker Lang: "That would be correct, Sir."

Rose: "Thank you very much, Mr. Speaker."

Speaker Lang: "Mr. Mathias, your name was used in debate... several times."

Mathias: "I'm sorry. Yes, my name was used in debate and I just want to say, too, for the record that when I did give up sponsorship of this Bill, I did... and that... it wasn't... representation wasn't made to Representative Zalewski, so I

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don't want to infer that. But when I did do that is was with the intent that the Bill that did come over would be voted on in its entirety in the same manner that it would be concurred on, and that was the representation made to me. So, since that isn't what is happening now, I also urge a 'no' vote or I guess it would be a... yes, a 'no' vote on the Motion to Nonconcur."

Speaker Lang: "So, you're speaking on the Motion that's not before us yet. Is that correct? You stood up to do that. Mr. Zalewski to close on the Motion that's before us now."

Zalewski: "Which is concurrence on 2 and 3, Mr. Speaker. Okay. So, and I... I apologize for getting heated, too. I... I just want to be perfectly clear, and I... and if we do a Roll Call on Amendment #4, that... that, I think, is... is a positive result, because everyone, you know, and... there's... there's a judgment that I'm... on my act to nonconcur. But... but this Bill, as Rep... as the Gentleman from Cook dealing... talked about it... Representative Saviano, this Bill, it's... the core of the Bill is very basic. It codifies an Attorney General theory that the offices of village mayor, village president, and county board member, county commissioner are compatible. The AG is weighed in on this. There's been some, you know... we've never really had an issue with this before, except for some outliers. I would ask the Body to remove all the consideration of Amendment #4, or in the alternative, vote your switch and you get to make your judgment on the... on the policy judgment of Amendment #4. I, personally, would ask though for your vote on Amendments #2 and 3."

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Speaker Lang: "Mr. Franks, for what reason do you rise?"

Franks: "I'm confused."

Speaker Lang: "Why don't you allow the Chair to state the Motion and then you won't be confused."

Franks: "Thank you."

Speaker Lang: "Sit down, Sir. Thank you. The Motion before the Body is Mr. Zalewski's Motion for the House to concur in Senate Amendments 2 and 3 to House Bill 5078. Those in favor of the Gentleman's Motion will 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? Have all voted who wish? Dunkin, Yarbrough. Please take the record. On this question, there are 60 voting 'yes', 53 voting 'no', and 3 voting 'present'. And the House does concur in Senate Amendments 2 and 3 to House Bill 5078. Mr. Zalewski on the Motion to Nonconcur in Senate Amendment #4."

Zalewski: "I move to nonconcur. We had a robust discussion. I would ask the Body to remind themselves that we... we can deal with this on a separate... on a separate Bill that deals only with the matter before the Body, I ask... I ask for an 'aye' vote."

Speaker Lang: "Since this has been thoroughly debated, Mr. Zalewski moves that the House nonconcur with Senate Amendment #4 to House Bill 5078. And thoroughly debated or not, Mr. Franks rises."

Franks: "I'm glad you appreciate that. I have a question for the Sponsor, if I may."

Speaker Lang: "Please proceed, Sir."

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Franks: "Has the Senate agreed... is the Senator, who's handling this..."

Zalewski: "Frerichs."

Franks: "...agreed to recede?"

Zalewski: "Correct."

Franks: "Okay. And now, if we recede from this Motion, then the only thing that would be left would be the Bill that we just passed, 2 and 3."

Zalewski: "2 and 3."

Franks: "I want people to understand that."

Zalewski: "Correct."

Franks: "Okay. So, this would take out the issue where we would be dealing with taking away the pension from the individual in question?"

Zalewski: "Sure. Correct."

Franks: "Okay. Thank you."

Zalewski: "Thank you."

Franks: "That's what we needed to know. So, I wanted to make sure everyone knew what we were talking about. Thank you."

Speaker Lang: "Mr. Reboletti for two minutes."

Reboletti: "Mr. Speaker, I have a question of... of the Sponsor. Will he yield?"

Speaker Lang: "Please proceed."

Reboletti: "Representative, I apologize. I forgot to ask you this question on the other two. I know it's been very confusing with receding Motions and asking people to withdraw things, getting somewhat complicated here. My question is, if a Home Rule community or a county passes an ordinance stating that you can only hold one elected

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office, if you want to be an elected official in that community, does this Bill, now that it has 60 votes, does that preempt Home Rule and our law would prevail over a municipality or a county's ordinance, if they so chose?"

Zalewski: "So, Representative, I'm going to ans... I'm going to answer the... the question, because we had talked about this."

Reboletti: "And I apologize for being..."

Zalewski: "Yeah."

Reboletti: "...out of order."

Zalewski: "This... this is a... this is my best effort to answer your question in a way that I think is as thorough as possible. In the instance you described, where a Home Rule unit, such as a village, were to pass an ordinance with pre... preemption language, there... there is a... there is a legal theory that the state statute would be... would trump that ordinance; however, there could be litigation filed... there's conflicting case law on whether that Home Rule unit could then litigate the matter and see if they could, in fact, keep the validity of the ordinance."

Reboletti: "Well, that's... and I should have, that's my fault, addressed this previously, because there is a situation like that happening and it's not going to help at all because for legislative intent, we would need to know that. We may end up in litigation in different communities that are different than your communities. And so, that's why I voted 'present', 'cause I have a concern for that, and that if we want to let local municipalities decide that on a

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case by case basis, than by just doing a blanket State Law."

Zalewski: "So, you... Representative, what... what I would say is, the... the city... the village's Home Rule unit's ability to keep within it... the intent here is for the offices of Cook County... or for county board member and for village president or village... village mayor to be compatible. That's my intent of the language. To your specific, hypothetical, that you described, I would say that the Home Rule unit could potentially pass... adopt that ordinance that regulated within its Home Rule power, its own representation, but anything beyond that could be subject to... to a lawsuit."

Reboletti: "Well..."

Zalewski: "That's... I mean, I'm literally I'm trying, Representative."

Reboletti: "Well, and I... and I appreciate that, because you've talked about subjecting one community to a lawsuit, there may be another community subjected to a lawsuit. That's why I'm trying to provide some legislative intent, so that if there is a lawsuit, if there is an ordinance passed, we can provide the court some guidance with our intent."

Zalewski: "I..."

Speaker Lang: "Mr. Reboletti, your time has expired, Sir. Mr. Zalewski may answer."

Zalewski: "I... I would... Representative, I... I think it's the... I think it... I've... I've done my very best to answer your question. I'm doing my best to say that it is State Law trumps, in this limited instances, Home Rule units can

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attempt to... to regulate their own employee service, but the intent of the legislation is to make the county board and the village mayor officer compatible."

Speaker Lang: "Mr. Nybo."

Nybo: "Thank you, Mr. Speaker. I... I just want to be clear. I am asking for a 'no' vote on this Motion. It's in the best interest of Oak Brook and, frankly, I think it's in the best interest of our state that we vote 'no'. I circulated this article from the Better Government Association. I dropped it off at each one of your chairs today. This is the vote that they think we should be having. They think we should be ending abuses like this. And if you think that... that you've had enough of this stuff, like we had with... we've had enough of... of pension abuses, and people trying to spike their own pensions. We took care of a problem in the fall. I think we should take care of one right now. I would ask you to vote 'no'. You know, Mr. Zalewski has talked about lawsuits. Oak Brook believes the underlying statute that allowed this to all happen was unconstitutional anyway. So, I... arguably, lawsuits are inevitable. I would urge you to stand up for... for meaningful pension reform. Correct a wrong, vote 'no' on this Motion. Thank you."

Speaker Lang: "Mr. Zalewski to close."

Zalewski: "Thank you, Mr. Speaker. I... I ask for an 'aye' Motion on... on this particular Motion, and here's why... 'aye' I vote on this particular Motion. I understand the concerns with Amendment #4. I have filed a Bill to deal with the concerns in Amendment #4. I am trying, in my interest, to protect

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what I consider to be a potential litigation con... concerns. Mr... the concerns of the Gentleman from DuPage are... are understood, but I want my Bill to pass with Amendments #2 and 3, and I want to deal with Amendment #4 later in a... in a constructive, positive way. I... I would ask the Body for an 'aye' vote so that we don't jeopardize 2 and 3, and we live to... live to fight another day on what we're trying to do to address the concerns that... the legitimate concerns that have been raised about what the egregiousness of Amendment #4. I ask for 'ayes' on this particular Motion."

Speaker Lang: "Mr. Zalewski has... moves that the House nonconcur with Senate Amendment #4 to House Bill 5078. On that question, those in favor of the Gentleman's Motion will vote 'yes'; opposed 'no'. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Biss, Feigenholtz, Yarbrough. Please take the record. On this question, there are 40 voting 'yes', 75 voting 'no', 1 voting 'present'. And the Motion fails. Mr. Clerk."

Clerk Bolin: "Committee Reports. Representative Currie, Chairperson from the Committee on Rules reports the following committee action taken on May 31, 2012: recommends be adopted Motion to Concur with Senate Amendment #1 for House Bill 4674."

Speaker Lang: "On page 9 of the Calendar appears Senate Bill 3810, Leader Lyons. Please read the Bill."

Clerk Bolin: "Senate Bill 3810, a Bill for an Act concerning rent assignments. 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: "Leader Lyons is... do you want to move it to Third? Out of the record, Mr. Clerk. Let's try this one. On page 5 of the Calendar appears Senate Bill 3766, Leader Lyons. Please read the Bill."

Clerk Bolin: "Senate Bill 3766, a Bill for an Act concerning public utilities. Third Reading of this Senate Bill."

Speaker Lang: "Leader Lyons."

Lyons: "Thank you, Mr. Speaker. Appreciate the correction and priorities there on the Bill. Ladies and Gentlemen, this is a subject that's familiar for many of us, 'cause it's been around here for the last three or four years. It's the clean... Chicago Clean Energy Act, basically known as Leucadia that Representative Marlow Colvin championed for the many years that he was down here, dating back to 2008 when this first got started. Basically, it was an attempt to take a... a blighted brownfield commercial area in Chicago where the former site of Republic Steel and put in a coal gasification program that met every standard that's ever been asked for since it was originally initiated. Now, basically, what his Bill is doing... what 3766 is asking us to do is to ensure that the law will be enacted as written, consistent with our legislative intent as reflected in three pieces of legislation, and two referen... House Resolutions that we passed over to the Illinois Commerce Commission to do what exactly the Legislature intends them to do, and not have the tail wag the dog. So, just to refamiliar us with the background on this. Again, started 2008, it received a \$10 million facility cost report, a fee study. A year later, in 2010, the fee study was completed,

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and the Illinois Power Association affirmed the consumer savings on the low end of \$100 million, on the high end to a... a billion two hundred million dollars. Following that, we passed legislation in January 2008 that was negotiated and... and there was... it was... it was passed on the House and the Senate. The Governor had some concerns, vetoed it temporarily and with the results of that was that the consumer protection reserve that was originally in... in place for \$100 million was increased to \$150 million. With that agreement, the Governor went on-site and signed the legislation in 2011 and started the process of getting the clarification through the... through the agencies that we asked them to, including the Illinois Commerce Commission. Going through the hurdles, and going through the prescribed legislative requests that we put on these agencies, the ICC has decided to put additional information... put additional speed bumps in the legislation that never were intended to be there. So, I could go into this in more detail. There may be some questions that are asked on this. Mark Pruitt, the former director of the IPA came to the Executive Committee to make the point as clarification on the justification for the dollar amounts that are set on this thing on the price. There's some miscommunication going on by opponents on this issue, which really don't even belong on the floor. Here's what the matter is... is do we set the laws in the State of Illinois, or does the Illinois Commerce Commission? And I would say that all of us should be respectful of what we do, take pride in what we do, and have the agencies do what they're asked to do, prescribed

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by the law. So, I'll be happy to answer any questions, and if I can be of any further assistance, people, I certainly ask for your 'aye' vote on this important piece of legislation."

Speaker Lang: "Gentleman moves for the passage of Senate Bill 3766. And on that question, the Chair recognizes Mr. Bost for two minutes."

Bost: "Thank you, Mr. Speaker. I rise in support of the Gentleman's Motion. Ladies and Gentlemen, we have a tremendous amount of respect for... for the Gentleman and... and let me clarify if I can for... for the Members. Probably the most important thing about this is, is we passed this Bill. We sent this to the Commerce Commission three times to... to be clear on what we want, what we felt needed to be done. The Commerce Commission delayed having hearings. They drug it out. They said they weren't sure. They weren't sure what the Legislature wanted. We have already sent this to them. It is not their job to legislate. It is their job to do what, we, the Legislature require of them to do in law. They have chose not to do that. They tried to drag their feet. They... they... even to the point that this Bill was not going to move forward if they would've went ahead and had the hearing. So now, we have to take once again, and I ask for your support in this, to stay with us, to move forward with this piece of legislation and send them a clear message; we're the Legislature, they're not. I'd appreciate an 'aye' vote, and I support the Gentleman's Motion."

Speaker Lang: "Mr. Fortner for two minutes."

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

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Speaker Lang: "Leader Lyons yields."

Fortner: "I... I understand what you're trying to do here, your comments related to the legislators role with respect to the ICC, but I think this is still about a project which is mandating a... this doesn't change the fact that this'll still be mandating a purchase of gas at a price that, certainly with today's prices, would be above what we say is market price."

Lyons: "One, Representative, with all due respect, was never mandated. They always had the option to opt out if they so choose. And on the position of current gas prices, yes, they are at record lows, which have fluctuated by 400 percent in the past six years. The record lows that are here right now certainly won't be here forever. It's fluctuated tremendously in the past. There's plenty of history to the fact that it will be projected to fluctuate tremendously in the future. And the set amount there was to try to do an even keel for the next 30 years, of which nothing will be collected for the next 5 or 6 years before this thing is even built."

Fortner: "And I understand. And to the Bill. The... this Bill had concerns. I know it was not unanimous when it... when we passed that law, and I think the concern... we've seen gas prices only drop, not rise since then. And the Sponsor is right, they could fluctuate. They could get much higher. But right now that has not been the trend. We are asking people, businesses, other users of natural gas to have to make purchases at above market price to support a particular project. From my point of view, if there's

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investors here, the price of the underlying gas is one of the risks that an investor should be taking. That risk should not be all placed on that of the gas consumer. I would urge a 'no' vote."

Speaker Lang: "Mr. Pritchard for two minutes."

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

Speaker Lang: "The Leader yields."

Pritchard: "Representative Lyons, has this Bill changed since we approved it some time ago?"

Lyons: "No, Sir, it hasn't."

Pritchard: "Because when... when I remember the Bill that we passed originally, this wasn't going to cost consumers anything, that there was a fund set up, and the issue of rates wasn't going to be an issue. Now, it seems to be an issue because I'm being contacted by a lot of gas users that don't feel that this is going to make them competitive, that they're going to have to pay more and therefore, you know, have to... have to charge more for their product and may lose business."

Lyons: "Representative, there was a cost protection reserve account put in here, which I mentioned in my opening remarks, of \$100 million that has been raised to \$150 million, and will be added by \$50 million every year for the duration of this contract, for the next 30 years. So, I believe there's plenty of protection in there."

Pritchard: "So, your reading is that the customer should not have to pay more because this... a fund would be used to offset the higher price?"

Lyons: "Correct."

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Pritchard: "Thank you."

Speaker Lang: "Mr. Kay."

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

Speaker Lang: "Leader Lyons yields."

Kay: "Leader Lyons, I'm... I'm curious. We passed this legislation, and we did it some time ago, and apparently the commission decided to sit on this. Is that correct? Is that a fair understanding?"

Lyons: "Absolutely, Representative."

Kay: "And so, they sat on it and the landscape changed economically. Today, we have cheaper gas and so, the argument is that somebody's going to be left on the hook because there's more capacity at a cheaper price. But that doesn't eliminate the fact that, we, in this Body, passed a Bill and we asked somebody to do something and they didn't do it. Is that correct?"

Lyons: "Exactly, Representative."

Kay: "Okay. I think... I'm... I'm sensitive as anybody to the economy of scale and the economy of the day, and doing things as cheaply and efficiently as we can, but I think we have given this commission ample time to act. And I think since we acted, we placed this in their hands and they didn't do anything that we need to support your Bill and I'm going to... I'm going to support myself and ask the rest of the Body to do so just as a practical, fair manner."

Lyons: "Thank you, Representative Kay. Couldn't agree with you more."

Speaker Lang: "Leader Lyons to close."

Lyons: "I ask for an 'aye' vote."

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Speaker Lang: "Gentleman moves for the passage of Senate Bill 3766. Those in favor 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? I'm going to try it one more time. Have all voted who wish? Barickman, Bost, Cole, Evans, Hammond, Senger. Bost, Cole, Evans, Senger. Last call. Please take the record. On this question, there are 60 voting 'yes', and 50 voting 'no', 5 voting 'present'. And this Bill, having received the Constitutional Majority, is hereby declared passed. The Chair recognizes Representative Soto."

Soto: "Thank... thank you, Speaker and Members of the House. I stand to correct a vote that was cast on 5/30 for Senate Bill 3881. I was voted 'no' when I should have been 'yes', for the record. Thank you."

Speaker Lang: "The record will reflect your intentions. Next Bill on Concurrence is House Bill 1907, Mr. Zalewski. Please proceed, Sir."

Zalewski: "Thank you, Mr. Speaker. House Bill 1907, I move to concur in Senate Amendment #1 to House Bill 1907. This is a narrowly tailored version of the gang RICO Bill that we worked on. Representative... I would like to thank Representative Reboletti for his particular work on this Bill last spring with me. We've had some good, solid, productive conversations with the Senate. We've done a lot of things to make this Bill barely narrow. Thank you and I ask for an 'aye' vote."

Speaker Lang: "Gentleman moves that the House concur with Senate Amendment #1 to House Bill 1907. And on that

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question, those in favor will vote 'yes'; opposed 'no'. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Please record yourselves, Members. Please take the record. On this question, there are 93 voting 'yes', 18 voting 'no', 1 voting 'present'. And the House does concur with Senate Amendment #1 to House Bill 1907. And this Bill, having received the Constitutional Majority, is hereby declared passed. Members, pay attention, please. Mr. Clerk, Agreed Resolutions. No, we are not adjourning, but the Clerk will read the Agreed Resolutions."

Clerk Hollman: "Agreed Resolutions. House Resolution 1130, offered by Representative Turner. House Resolution 1132, offered by Representative Morthland. House Resolution 1133, offered by Representative Jakobsson. House Resolution 1134, offered by Speaker Madigan. House Resolution 1135, offered by Representative Walsh. (sic-House Resolution 1136, offered by Representative Rosenthal). House Resolution 1137, offered by Representative Lyons. House Resolution 1138, offered by Representative Berrios. House Resolution 1139, offered by Representative Crespo. And House Resolution 1140, offered by Representative Acevedo."

Speaker Lang: "Leader Currie moves for the adoption of Agreed Resolutions. Those in favor say 'yes'; opposed 'no'. The 'ayes' have it. The Agreed Resolutions are adopted. Mr. Clerk, committee announcements. Members, please pay attention to the committee announcements."

Clerk Hollman: "The following committees will be meeting immediately. The Executive Committee's meeting in Room 114.

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Personnel & Pensions is meeting in Room 115. State Government Administration's meeting in D-1. Judiciary I-Civil Law meeting in Room 413. Environmental Health is meeting in C-1. In a half hour, the following committees will meet. Labor will meet in D-1. Public Utilities will meet in Room 114. And Human Services will meet in Room 115."

Speaker Lang: "Mr. Clerk, the Adjournment Resolution."

Clerk Hollman: "House Joint Resolution 94, 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 Thursday, May 31, 2012, the House of Representatives stands adjourned until Wednesday, November 14, 2012, in Perfunctory Session, or until the call of the Speaker, and when it adjourns on that day, it stands adjourned until Tuesday, November 27, 2012 at 12:00 noon, or until the call of the Speaker; and the Senate stands adjourned until Wednesday, November 14, 2012, in Perfunctory Session, or until the call of the President; and when it adjourns on that day, it stands adjourned until Tuesday, November 27, 2012, or until the call of the President."

Speaker Lang: "Leader Currie moves for the adoption of the Adjournment Resolution. Those in favor say 'yes'; opposed 'no'. The 'ayes' have it. And the Adjournment Resolution is adopted. Ladies and Gentlemen, the House will stand in

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recess 'til the hour of 3:45 p.m. The House will be in order. Members will be in their chairs. Mr. Clerk."

Clerk Bolin: "Committee Reports. Representative Nekritz, Chairperson from the Committee on Judiciary I - Civil Law reports the following committee action taken on May 31, 2012: recommends be adopted Motion to Concur with Senate Amendment #1 to House Bill 5823. Representative Dan Burke, Chairperson from the Committee on Executive reports the following committee action taken on May 31, 2012: recommends be adopted Motion to Concur with Senate Amendment #1 to House Bill 3779, as well as Senate Amendment #5 and Senate Amendment #6 to House Bill 3779. Representative Nekritz, Chairperson from the Committee on Personnel & Pensions reports the following committee action taken on May 31, 2012: recommends be adopted Motion to Concur with Senate Amendments 1 and 2 to House Bill 3969. Representative Jack Franks, Chairperson from the Committee on State Government Administration reports the following committee action taken on May 31, 2012: recommends be adopted Motion to Concur with Senate Amendment #1 to House Bill 4510. Representative Brandon Phelps, Chairperson from the Committee on Public Utilities reports the following committee action taken on May 31, 2012: recommends be adopted Motion to Concur with Senate Amendment #1 to House Bill 5071. Representative Harris, Greg Harris, Chairperson from the Committee on Human Services reports the following committee action taken on May 31, 2012: recommends be adopted Motion to concur with Senate Amendment #1 to House

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Bill 3893, as well as Senate Amendment #2 to House Bill 3893."

Speaker Lang: "The Chair recognizes Representative Lilly."

Lilly: "Thank you, Mr. Speaker. I'd like to go on record as voting a 'no' on House Bill 1907."

Speaker Lang: "The record will reflect your intentions. On page 12 of the Calendar, under the Order of Concurrence, appears House Bill 3893, Representative Golar. Please proceed."

Golar: "Thank you, Mr. Speaker and Members of the House. House Bill 3893, I move to Concur in Senate Amendments 1 and 2 to House Bill 3893. And these Amendments... Senate Amendment is a gut and replacement Amendment and it makes the following changes: expands the definition of 'array of services' in regards to mental health and drug abuse; it also expands the community service category of client assessment and diagnoses to include ensuring the individual needs for treatment of mental disorders of substance abuse: and number 3, under Senate Amendment #1, currently, Healthcare and Family Services determines by rule the quantity and quality of the rate of reimbursement for the medical assistance for which this payment is authorized and the medical service to be provided. And Senate Amendment #2, there is a technical change that clarifies that uniform screening refers to the process of an appropriate evaluation as warranted, a referral, but not necessarily the use of a singular instrument tool or a process."

Speaker Lang: "The Lady moves the adoption that the House concur with Senate Amendments 1 and 2 to House Bill 3893. On that question, those in favor vote 'yes'; opposed 'no'."

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The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Please record yourselves, Members. Dunkin, Jakobsson. Mr. Dunkin. Please take the record. On this question, there are 118 voting 'yes', 0 voting 'no'. And the House does concur with Senate Amendments 1 and 2 to House Bill 3893. And this Bill, having received the Constitutional Majority, is hereby declared passed. On page 14 of the Calendar, House Bill 5823, Mr. Thapedi. Please proceed, Sir."

Thapedi: "Thank you, Mr. Speaker. We're just coming out of committee today, a few moments ago, and I move to concur in Senate Amendment #2 to House Bill 5823."

Speaker Lang: "Please tell us what the Amendment does, Sir."

Thapedi: "Essentially, what this Amendment does, Mr. Speaker, is it resolves the issue with subrogation and personal injury lawsuits. It.. it essentially establishes parity between the parties. The.. BlueCross BlueShield is a strong supporter of this particular proposition. The legal industry is also in support. The hospitals, the physicians are all neutral. And I'm available to answer any questions."

Speaker Lang: "The Gentleman moves that the House concur with Senate Amendment #2 to House Bill 5823. And on that question, the Chair recognizes Mr. Kay."

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

Speaker Lang: "The Gentleman yields."

Kay: "Representative, we had a fairly good hearing, I thought, today in Jud I."

Thapedi: "We did indeed."

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Kay: "Can you... can you explain to the Body exactly what your Bill does? It's a very complicated legal issue in terms of most people who don't have a real strong legal background. So, if you would, please explain your Bill."

Thapedi: "Well, I'll... I'll do the best that I can, Dwight and... and we've vetted this out. Essentially, what we're doing is that we're codifying existing practices in law as to how it relates to the Common Fund Doctrine. There have been several Supreme Court cases that have followed this progeny. And again, we're not doing anything absolutely special. The Supreme Court has spoken, and we're simply codifying what the Supreme Court has given us directives to do."

Kay: "What... what does the... in terms of what this does, though, please spell out for the Body what change... I know it codifies a recent case in Illinois..."

Thapedi: "Yes."

Kay: "...but in general, what does this do with respect to subrogation rights?"

Thapedi: "It... it establishes parity between all of the parties that are involved in litigation. Once a pool of money is made available, which is called a Common Fund, that fund is to be distributed proportionately to all of the individuals that are involved in the fund, from attorneys to plaintiffs to even insurance companies."

Kay: "So, I... is this... is this Bill mainly addressed for those people who are involved in an uninsured scenario or does it... does it make any difference?"

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Thapedi: "It really doesn't make any difference, primarily, Dwight. Essentially, the... the crux is... is that when there's inadequate insurance. If there's adequate insurance, generally, the insurers don't have an issue. Again, because in that scenario, when there's adequate insurance, the insurers are able to get all of their money, but when there is inadequate insurance, that's when you run into a problem."

Kay: "Okay. So, we had this conversation again in... in committee today. There is this issue about ERISA that sticks out there."

Thapedi: "I... I'm sorry, Dwight, I couldn't hear you."

Kay: "Yeah, ERISA."

Thapedi: "ERISA, correct."

Kay: "The... the issue of preemption and how that comes into play here, can you explain that to the Body, because that's an important legal aspect here that we need to make sure everyone understands."

Thapedi: "It certainly is, and... and I... and I have to probably quote my chairperson on this, preemption is preemption. When the Federal Courts and when Federal Law has spoken on a particular issue, we, as states, are to stay out of that. We are not to legislate within that area or that circumspect of issues. There are ways to do that legislatively by putting in magic words that we know. Generally, it's based upon adequate and independent state grounds, but that's not the case here."

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Kay: "So, if we're codifying a law and we recognize that there is a Federal Law that stands above it, do we not have a conflict here?"

Thapedi: "Well, there is no conflict. If we did that, Dwight, there would be a conflict, but that's not what we're doing here."

Kay: "Well, let me... let me give you a... a fact scenario that concerns me because..."

Thapedi: "Okay."

Kay: "...there's a case out there, I think it's Varco, that you're familiar with."

Thapedi: "I am familiar with Varco."

Kay: "And what we heard in committee today was that if indeed we codify this law today, then we're just simply going to en... we're going to force insurance companies to take everything up to a Federal Court. Is that... was not the testimony today?"

Thapedi: "I believe that that was the opinion of a few of the insurers, but that would not be accurate. In fact, if I recall correctly, and you were there the same way that I was, if I'm mistaken, I believe that the insurer that said that was Humana, which is the most litigious insur... health insurer in the state. So, having said that, I think it's pretty clear that we are not going to be legislating within the realm of what the feds are already doing by ERISA or Medicare."

Kay: "Well..."

Thapedi: "We're not doing that."

Kay: "...let me... let me ask you..."

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Speaker Lang: "Mr. Kay, can you bring your remarks to a close, Sir?"

Kay: "I'm sorry, Speaker."

Speaker Lang: "Can you bring your remarks to a close."

Kay: "Yeah. Representative, I think you have worked hard on this Bill, and I think it would.. we would've all been better served had we been able to put this off until Veto Session. This is a complex matter. I think we're going to be driving people to... to Federal Courts to get this thing adjudicated properly. I appreciate your hard work. I think you... I think you have a gen... a genuine interest in this, but I think it... I think the interest may need to be refined a little bit, and we haven't been able to do that today. So, I'm not going to be able to support this, but I appreciate the fact that you're... you've taken the time to work with me on this. And Mr. Speaker, I would like to ask for a verified vote on this."

Speaker Lang: "Your request is acknowledged, Sir."

Kay: "Thank... thank you, André."

Speaker Lang: "Representative Tracy for two minutes."

Tracy: "Thank you, Mr. Speaker. Representative Thapedi, following up on what Representative Kay was asking you, and... and I know a lot of us are very weary from a long week, and... and it's hard to kind of grasp all... all of the... what... because your... I... I do think your Bill is complex and it's, as I mentioned in committee, I think it's evolved from the time it was presented in Jud - II Committee earlier this spring, and... and at this point now with the Senate Amendments becoming the Bill. It... it still seems to

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me that even though Federal Government, ERISA plans and the like, preempt..."

Thapedi: "I... I'm sorry. Mr. Speaker, I'm trying to hear the... the questions. I know that there's a lot of legal..."

Speaker Lang: "Ladies and Gentlemen, could we... could we please give these folks your attention. It's adjournment day. Let's not run all the way up to midnight. How about it? Please proceed."

Tracy: "No. What I'm... I'm trying to express is that with your Bill in place, and without express language, that it does not seek to preempt ERISA plans. It seems to me, based on... on the way that the facts and circumstances played in the federal case, the Varco case, that we risk having a federal lawsuit filed in every case in which a similar fact circumstance has happened."

Thapedi: "No, no. I... I understand what you're saying, Jil and... and I... and I thought that we vetted this out thoroughly during committee, and... and perhaps maybe for the benefit of the Members, I'll do it again here on the floor. And I want to be very clear that this Bill does not relate to ERISA claims because it does not have 'a connection with or reference to such a plan.' That is the test that's been established by the United States Supreme Court. That's the United States Supreme Court's test... test. I'm not referring to the Illinois Supreme Court, but I'm talking about the Supremes in Washington. That's the test that they've set forth for ERISA, and where there is any correlation between them. This Bill does not do that."

Tracy: "Okay. And..."

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Thapedi: "None of that. So... so, quite frankly, there should be no discussions about preemption. And I understand that that's one thing that the insurers want to hang their hat on and again, I should be very clear, a few insurers want to hang their hat on, but that would not be accurate. There is no preemption here at all."

Tracy: "Well, I appreciate you saying that because, like I say, I mean, it is not specifically stated in the Bill and I do feel like we, without it, just be... if you look at the Varco precedent, if we have a similar case that might be the issue. But by your saying that your legislative intent is that always ERISA plans are going to be preempted by Federal Law, then we will not have a scenario where the insurer will have to sue..."

Thapedi: "That... that..."

Tracy: "...to prove that."

Thapedi: "That is a fundamental principle of law and... and not just ERISA claims, but also medical advantage plans. And these medical... excuse me..."

Tracy: "Or Medicare."

Thapedi: "...Medicare advantage plans, I misspoke, those also fall within the auspices of Medicare and how they operate. So, clearly, it would be, quite frankly, for a lack of better way of putting it, silly for me to try to present to the Body legislation that potentially would be preempted. That would be a waste of my time, your time, and all the Members' time. That's not our intention here."

Speaker Lang: "Representative Tracy, your time has expired. Do you have a closing comment you wish to make?"

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Tracy: "No. I... I appreciate the Gentleman expressing that legislative intent. Thank you."

Speaker Lang: "Representative Will Davis for two minutes."

Davis, W.: "Thank you very much. Representative, for the benefit of those of us who were not in committee, certainly did not hear, you know, what you said or about this Bill in committee, what can you briefly say to... speak to in terms of exactly what this Bill is about and what it does?"

Thapedi: "Again, Representative, and I appreciate the question. This is about parity. At the end of a lawsuit, everyone wants to be paid. The attorneys want to be paid. The plaintiff, primarily, has to be paid. And in fairness, all lien holders should be paid. The... the challenge here is certain insurance companies want to make sure that they have the ability to get more than their fair share. And I'm sure that some of us may not find that hard to believe, and some of us may find it hard to believe, but... but that's the scenario that we're trying to protect."

Davis, W.: "But correct me if I'm wrong, and... and I'm not a lawyer, but when you have claims as such, isn't it laid out, kind of, the percentages that... that, I guess, the size or the interest get at the end of a settlement? Isn't that kind of laid out and so... so, if this is trying to help fix a problem referenced to that, what exactly is that problem?"

Thapedi: "And again, that's one challenge that I could not understand in committee. It... it's very straightforward. The issues have been laid out, and you said correctly that everyone knows how much they're entitled to receive. So,

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say, for an example, the opponents here are smaller, litigious insurance companies that want to get all of the money. So, regardless of how much is actually available, they want to get as much money as they possibly can, and I don't fault them for that, but the scenario becomes a problem when there's inadequate money to go around. And when there's inadequate money to go around, this Bill simply says that everyone will get there pro rata share. It's a matter of fairness and parity."

Davis, W.: "Okay. So, also, what I understand about this Bill is that this is an attempt to codify a Supreme Court case."

Thapedi: "Yes, yes. The Bishop case, it was decided by here, by the Illinois Supreme Court, laid out the entire Common Fund Doctrine. And in fact, there was a subsequent case that came down in 2011, the Wendling case, that talked about the application of a Common Fund Doctrine to physicians and hospitals. And that's why physicians and hospitals are not a part of this Bill because the Supreme Court has already spoken. So, therefore, there was no reason to legislate on that particular issue. So, the case that they're talking about out there, this Varco case, over and over again, was a federal case. It was a federal case involving diversity in which the court, the Federal Court and the Seventh Circuit Court of Appeals was utilized in State Law to make a decision. That particular decision is inapplicable to what we're talking about here today."

Davis, W.: "Okay. And... and..."

Speaker Lang: "Mr. Davis, your time has expired. You have some closing remarks, Sir?"

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Davis, W.: "Very, very quickly. And as..."

Speaker Lang: "Thank you."

Davis, W.: "...and I as close, again, if the intent of your Bill is to codify a Supreme Court case, while there may be interested parties in this chamber that don't necessarily agree with the Supreme Court decision, but if it's to codify exactly what was put forth by the Supreme Court, I would assume that if they disagree with this then they should litigate this matter in court."

Thapedi: "I think you've just closed..."

Davis, W.: "Correct me, if I'm wrong."

Thapedi: "You've closed for me, Representative. That's exactly it."

Davis, W.: "Thank you very much. I encourage you to support the Gentleman's Bill."

Thapedi: "Thank you."

Speaker Lang: "Representative Williams for two minutes."

Williams: "Will the Sponsor yield?"

Speaker Lang: "The Gentleman yields."

Williams: "Representative, I just wanted to thank you for all your hard work on this Bill. I know you did a tremendous amount of work in the Senate to get it where it is today. Just a couple questions. What is the position of the State Medical Society?"

Thapedi: "They're neutral."

Williams: "Okay. So, the Med Society is neutral."

Thapedi: "Correct."

Williams: "How about the Hospital Association?"

Thapedi: "They are also neutral."

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Williams: "Okay. Again, just to reiterate, both the Med Society and the Hospital Association, two of the big opponents when we started out on this journey, have now become neutral thanks to the hard work of the Sponsor. And I urge an 'aye' vote."

Thapedi: "Thank you, and I would add, Representative, that BlueCross BlueShield, who is the largest health insurer in the state, is a proponent of this particular legislation."

Speaker Lang: "Mr. Thapedi to close."

Thapedi: "I... I urge favorable votes on the Motion to Concur with respect to Senate Amendment #2. Thank you, Mr. Speaker."

Speaker Lang: "Mr. Thapedi has moved that the House concur in Senate Amendment #2 to House Bill 5823. Mr. Kay has asked that the vote be verified. All Members will be in their chairs and vote their own switches. Those in favor of the Motion... 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? Record yourselves, Members. Bost, DeLuca, Durkin. Please record yourselves. Mr. Bost. Please take the record. On this question, there are 66 voting 'yes', 52 voting 'no'. Mr. Kay, do you persist in your verification, Sir? The Gentleman withdraws his verification. 66 voting 'yes', 52 voting 'no', the House does concur with Senate Amendment #2 to House Bill 5823. And this Bill, having received the Constitutional Majority, is hereby declared passed. Mr. Clerk."

Clerk Bolin: "Committee Reports. Representative May, Chairperson from the Committee on Environmental Health

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reports the following committee action taken on May 31, 2012: recommends be adopted Floor Amendment #3 to Senate Bill 3280. Representative Bradley, Chairperson from the Committee on Labor reports the following committee action taken on May 31, 2012: recommends be adopted Motions to Concur with Senate Amendments 2 and 3 to House Bill 1084."

Speaker Lang: "The Chair recognizes Mr. Smith."

Smith: "M... Mr. Speaker, I wanted to be recorded as a 'no' on House Bill 1907."

Speaker Lang: "The record will reflect your intentions. On page 13 of the Calendar, under Concurrences, appears House Bill 4510, Mr. Acevedo. Please proceed, Sir."

Acevedo: "Thank you, Mr... Speaker. I Motion to Concur with Senate Bill num... Amendment #1, which basically just changes the name to State Asian Employees Plan."

Speaker Lang: "Gentleman moves that the House concur with Senate Amendment 1 to House Bill 4510. There being no debate, those in favor of the Gentleman's Motion vote 'yes'; opposed 'no'. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Franks, Gabel, Jakobsson. Please take the record. On this question, there are 118 voting 'yes', 0 voting 'no'. The House does concur with Senate Amendment #1 to House Bill 4510. And this Bill, having received the Constitutional Majority, is hereby declared passed. Page 11 of the Calendar, under Concurrence, House Bill 3292, Representative Williams. Please proceed. Out of the record? Out of the record. Page 11 of the Calendar, under Concurrence, House Bill 3027, Representative Lilly. Please

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proceed. Out of the record. Page 10 of the Calendar, Concurrence, House Bill 1084, Representative Mussman. Please proceed, Representative."

Mussman: "Are we good? Thank you, Mr. Speaker, Members of the House. House Bill 1084 does two things. First, it addresses the drafting error that left a group of appointees out of the reforms we made last year that prevents appointees from remaining in office after their terms have officially ended. Second, it adjusts the Workers' Compensation Act so that starting in 2014 the arbiters' terms will expire in three-year shifts, and allows the chairman of the IWCC to make recommendations to the Governor, who will then make the appointments with the advice and consent of the Senate. I ask for an 'aye' vote."

Speaker Lang: "The Lady's moved that the House concur with Senate Amendments 2 and 3 to House Bill 1084. On that question, the Chair recognizes Mr. Reboletti for two minutes."

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

Speaker Lang: "The Lady yields."

Reboletti: "Representative, as I look at Senate Amendment #3, it amends the Workers' Compensation Act. Does this in any way add causation as something that can be looked at with respect to workers compensation awards?"

Mussman: "No. It simply adjusts the length of the members terms."

Reboletti: "And who is supporting the Business Mandate Note?"

Mussman: "The Business Mandate Note is no longer a part of the Bill."

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Reboletti: "Ah. So, we have something here that deals with the Workers' Compensation Act, and deals with the Ethics Act, and so, what happens with the Ethics Act?"

Mussman: "With the Ethics Act? It addresses the drafting error."

Reboletti: "What was the drafting error?"

Mussman: "Well... Okay. So, it corrects... let me get the right paper. Okay. So, it addresses the appointees whose terms have expired before August 26, 2011, so that they may not continue longer than 60 days in... 60 calendar days after their expiration date, and it considers appointees' terms vacant when the term of office expires more than 60 calendar days prior to the effective date of this Act, and that a vacancy shall be filled only pursuant to the law applicable to making appointments to that office."

Reboletti: "Thank you, Representative."

Speaker Lang: "Mr. Brady for two minutes."

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

Speaker Lang: "The Sponsor yields."

Brady: "Representative, I... if I understood all that... first off, in the workers' comp rewrite that we worked on that actually is a year old today, anniversary wise, from legislation, and the jury's very much still out on what was actually created. But my question to you is, talking about the arbitrators, this still has the language in which the arbitrators or attorneys. Is that correct?"

Mussman: "It doesn't make any changes to that language, so I would assume it is still in there."

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Brady: "Okay. And you also referenced that someone can make a recommendation. Was it the... the chairman of the..."

Mussman: "Yes."

Brady: "...Industrial Commission or Work Comp Commission, who's going to make the recommendation to the Governor regarding these reappointments. Is that correct?"

Mussman: "Correct. Yes."

Brady: "And some of these people could be reappointed or it's the actual end of their term and it would be a new appointment?"

Mussman: "I believe it would be considered a new appointment for a three-year shift."

Brady: "And is the Governor then solely responsible for that appointment on the advice and consent of the chairman, or does their Senate approval as well?"

Mussman: "It is the advice and consent of the Senate."

Brady: "Of the Senate?"

Mussman: "Yes."

Brady: "The chairman can make a recommendation or give input..."

Mussman: "Yes."

Brady: "...but he's does not have the last word, the Governor would, but then on the advice and consent of the Senate."

Mussman: "Correct."

Brady: "Okay. Thank you very much."

Speaker Lang: "Mr. Kay for two minutes."

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

Speaker Lang: "The Sponsor yields."

Kay: "Representative, I'm... I'm curious about this Bill. We had a rewrite last year and I think Representative Brady

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referred to that just briefly, and I think the Devil's in the detail because last year's Bill we passed was supposed to be the end all do all, and we found out in the business community that we've saved no money. So, I want to be real careful here with what we do. These appointees, do they have to take a Civil Service Test, and is there any formal training that they will receive?"

Mussman: "If that is part of the original language in the Bill, then... then, yes, they do. It does not make any changes to any of the requirements for the appointees. It only adjusts the length of their terms."

Kay: "Well, one of the problems with the... the Bill last year was that we appointed people who were attorneys, but they, for some reason, didn't have to take a Civil Service Test, they weren't trained, and in the process, we were hiring criminal lawyers to handle workers' compensation which seemed kind of... kind of backwards to me. But I... I'm curious about whether or not we're going to follow protocol that we have for 30, 40 years or longer."

Mussman: "Sir, I can tell you, officially, a formal training program for newly hired arbiters shall be implemented."

Kay: "Okay."

Mussman: "The training program shall include numerous school appoints that I'm happy to read off to you or show you at the conclusion of this Session..."

Kay: "Okay."

Mussman: "...moment."

Kay: "This... I don't mean... mean to make this unfair, but why didn't we do that last year?"

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Mussman: "We did do this last year. This... this is already in the existing Bill."

Kay: "So, we did... we..."

Mussman: "This Amendment does not change that language in any way."

Kay: "So, we just didn't bother to give them the test or the... the training."

Mussman: "No. The... the test is in the Bill. It's in the language that we passed..."

Kay: "You're not..."

Mussman: "...last year."

Kay: "...aware then that they didn't take the training or get a Civil Service Test then?"

Mussman: "A formal training program for..."

Kay: "No. No. No."

Mussman: "...newly hired arbiters."

Kay: "They didn't get it."

Mussman: "Well, the..."

Kay: "They didn't get it. We didn't do it."

Mussman: "I... I can't control that."

Kay: "So, that's... that's something you understand will happen here?"

Speaker Lang: "Mr. Kay, your time has expired."

Kay: "Thank you, Mr. Speaker."

Speaker Lang: "Can you bring your comments to a close."

Kay: "I just want to make real sure that, again, we're very, very careful with what we do here because we passed a very expansive Bill last year that has not saved anything. It's cost a good deal. And we've put people in place who very

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well may not be qualified, or... or not as well-qualified as they should've been to do the job. Thank you, Mr. Speaker."

Speaker Lang: "Representative Mussman to close."

Mussman: "All right. Again, this Bill simply makes minor adjustments to the timelines and cleans up some language from other Bills. And I ask for an 'aye' vote."

Speaker Lang: "The Lady moves that the House concur in Senate Amendments 2 and 3 to House Bill 1084. Those in favor of the Motion will vote 'yes'; opposed 'no'. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Mulligan, Poe. Please take the record. On this question, there are 110 voting 'yes', 7 voting 'no', 1 voting 'present'. And the House does concur with Senate Amendments 2 and 3 to House Bill 1084. And this Bill, having received a Constitutional Majority, is hereby declared passed. Mr. Clerk."

Clerk Bolin: "Committee Reports. Representative Currie, Chairperson from the Committee on Rules reports the following committee action taken on May 31, 2012: recommends be adopted, Floor Amendment #4 to Senate Bill 3280."

Speaker Lang: "On page 11 of the Calendar, House Bill 10... 1882, Mr. Moffitt. Please proceed."

Moffitt: "Thank you, Mr. Speaker. Ladies and Gentlemen of the House. This is one of those Bills that says... it's the Brush Truck Revolving Loan Fund; it... is... it's a gut and replace. Tell you what's... what's in it. We did pass a Bill this year that does just that on the brush truck, so that was a separate Bill. This got changed in the Senate, and it... it

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does two things. It's... the main part of it carries language from House Bill 5007, which passed the House unanimously earlier this spring. That language amends the Energy Assistance Act to allow the Department of Commerce and Economic Opportunity to spend federal weatherization funds at the 200 percent of poverty level for another year, until June 30, 2013. It's federal money, it's already there. The current law allows spending until June 30 of this year. So, if it's going to continue for another year, we need this legislation. The Federal Government has authorized continued spending for another year at the 200 percent level. This Bill will enable the state to continue to make the funds available. There's no state money involved, only the authority to spend the federal money. The Senate Amendment includes other language from the Department of Commerce and Economic Opportunity directing them that, one, to survey businesses leaving Illinois and report back to the General Assembly as to why they left; second, to work with major universities in the state to promote engineering programs; third, to post information on its website regarding moneys recaptured that have been provided to businesses under the Corporate Accountability for Tax Expenditure Act. The major part of this Bill is just simply the extension of the authority for the state to continue to make available the federal authorization money. I'd appreciate your support, entertain any questions."

Speaker Lang: "The Gentleman moves that the House concur in Senate Amendments 1 and 2 to House Bill 1882. Those in favor of the Gentleman's Motion will vote 'yes'; opposed

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'no'. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Record yourselves. Cavaletto, McAuliffe, Saviano. Please take the record. On this issue, 118 voting 'yes', 0 voting 'no'. And the House does concur with Senate Amendments 1 and 2 to House Bill 1882. And this Bill, having received the Constitutional Majority, is hereby declared passed. Page 10 of the Calendar, House Bill 1554, Representative Sente. Please proceed."

Sente: "Thank you, Mr. Speaker. House Bill 1554, I move to concur with Senate Amendments 1 and 4, which make two changes to the underlying Bill. You will recall we passed the Bill last year on underage drinking parties. One change I made in the Senate was in response to a concern Representative Rose had on the Bill about an owner of a building being responsible when they lease their building out. We addressed this issue by referring to if there's a tenant or a lessee, there's a presumption that they occupy the residence of the owner and are responsible. Change two the Senate removed the language regarding a public gathering, which eliminates the concern about how to knowingly be aware of drinking at a block party or a forest preserve district, for example. To review the Bill's intent, we're trying to curb the hosting of underage drinking parties by all adults, not just parents in residences and in or on other private property. I will be happy to take questions."

Speaker Lang: "The Lady's moved for the Concurrence with Senate Amendments 1 and 4 to House Bill 1554. And on that

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question, the Chair recognizes Mr. Reboletti for two minutes."

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

Speaker Lang: "The Lady yields."

Reboletti: "Representative, with your Amendments, is... is there any opposition?"

Sente: "There is no opposition."

Reboletti: "And... could you explain the situation that's been... that's happened up in... in Lake County? I know this is not a new issue. We've tried to address this issue before regarding underage drinking and people who are responsible for allowing parties to happen in their places."

Sente: "The original Bill was with Representative May and Senate... Senator Garrett, and in that Bill, it required... if there was no... if there was bodily injury, there was a penalty, and it was only a parent hosting a party in their home. So, this Bill is expanding it to any adult, not just a parent, hosting an underage drinking party and expands it also to any private place. It does not change the penalty. If there is bodily injury, that's a Class IV Felony, and if there is not, it's a Class A misdemeanor with up to a hun... \$500 fine."

Reboletti: "And I... I think there was an issue about public places not being part of the Bill, and if you can explain that to the Body why that is."

Sente: "Public places was removed, as I mentioned, because we thought it was, perhaps, too difficult or challenging to be aware at a block party to have one person responsible for, you know, who's wondering in and out of that type of a

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setting. And so, we wanted to just deal with the immediacy of what we could control. We did want to take a bite of the apple, per se, and try and curb this issue of underage drinking. I would like to add there's 29 Lake County municipalities that had adopted the original ordinance that we passed back last year."

Reboletti: "Thank you."

Speaker Lang: "Mr. Rose for two minutes. The Lady... Mr. Rose does not wish to speak. The Lady has moved that the House concur in Senate Amendments 1 and 4 to House Bill 1554. Those in favor of the Lady's Motion will vote 'yes'; opposed 'no'. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Leader Currie, Davis, Evans, Turner. Mr. Davis. Please take the record. On this question, there are 111 voting 'yes', 6 voting 'no', 1 voting 'present'. And the House does concur with Senate Amendments 1 and 4 to House Bill 1554. And this Bill, having received the Constitutional Majority, is hereby declared passed. House Bill 1981, Mr. Jefferson. Please proceed."

Jefferson: "Thank you, Mr. Speaker, Members of the Legislature. House Bill 1981, I move to concur with Amendment #4, which is actually a gut and replace Amendment because the Bill abolishes the office of township collector in counties with more 2 million people after the effective date. I would ask for an 'aye' vote."

Speaker Lang: "The Gentleman moves that the House concur with Senate Amendment 4 to House Bill 1981. And on this question, the Chair recognizes Representative Hernandez."

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Hernandez: "Speaker, may the Sponsor yield?"

Speaker Lang: "The Sponsor yields."

Hernandez: "Representative, just a quick question. Does this apply to a municipal government that has superseded a civil township?"

Jefferson: "I don't believe so."

Hernandez: "Thank you, Representative."

Speaker Lang: "Mr. Jefferson moves for the Concurrence with Senate Amendment 4 to House Bill 1981. Those in favor 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? Cole, Krezwick. Mr. Krezwick. Please take the record. On this question, there are 94 voting 'yes', 24 voting 'no'. And the House does concur with Senate Amendment 4 to House Bill 1981. And this Bill, having received the Constitutional Majority, is hereby declared passed. On page 12 of the Calendar, under House Bills 3969. Representative Senger to handle for Leader Cross. Please proceed."

Senger: "Thank you, Mr. Speaker. Concurrence on House Bill 3969, basically it does two things. It's... this has to do with the General Assembly system. When someone leaves the system and they work for a short period of time, and they work from someone else and they have a huge pension system, that new system or employer needs to pay for the difference. The Amendment #1 basically states that if the bill isn't paid, there's the right to go to the Comptroller and receive payment. And Amendment #2 talks to the fact that the individual has to be in the new system after the

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effective date and working two years. So, the intent here is to make sure that those who are really abusing the system, that worked one month and then leave, are... are taken care of. So, I'd appreciate a 'yes' vote for the Concurrence."

Speaker Lang: "The Lady moves that the House concur in Senate Amendments 1 and 2 to House Bill 3969. There being no debate, those in favor of the Lady's Motion vote 'yes'; opposed 'no'. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Penny, Pritchard, Riley. Mr. Riley. Please take the record. On this question, there are 117 voting 'yes', and 1 voting 'present'. And the House does concur with Senate Amendments 1 and 2 to House Bill 3969. And this Bill, having received a Constitutional Majority, is hereby declared passed. House Bill 5071, Representative Williams. Please proceed."

Williams: "Thank you, Mr. Speaker. I'd like to move that we concur in Senate Amendment 1."

Speaker Lang: "Please explain the Amendment."

Williams: "This is an agreed Amendment. The original Bill simply provided that electric vehicle charging stations were not considered to be public utilities under the Public Utilities Act. Senate Amendment #1 provides clarity and direction to the ICC for further regulation as necessary, and for vendors who install, maintain, and repair these charging stations. I'm happy to answer any questions or elaborate with the details, if necessary."

Speaker Lang: "The Lady moves for the Concurrence of Senate Amendment 1 to House Bill 5071. There being no debate,

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those in favor of the Lady's Motion vote 'yes'; opposed 'no'. The voting is open. Have all voted who wish? Have all voted who wish? Please record yourselves, Members. Barickman, Pritchard, Sacia. Mr. Pritchard. Mr. Sacia. Please take the record. On this question, there are 92 voting 'yes', 25 voting 'no', 1 voting 'present'. And this Bill, having received the Constitutional Majority, is hereby declared passed. Returning to House Bill 5071, let me state that correctly. The House does concur with Senate Amendment #1 to House Bill 5071. And that Bill, having a Constitutional Majority is hereby declared passed. Page 7 of the Calendar, under the Order of Senate Bills-Second Reading, appears Senate Bill 2537, Mr. Franks. Please read the Bill."

Clerk Bolin: "Senate Bill 2537, a Bill for an Act concerning criminal law, which may be referred to as Caylee's law. The Bill was read for a second time on a previous day. Amendments 1 and 2 were adopted in committee. Floor Amendments 3, 4, and 5 have been approved for consideration. Floor Amendment #3 is offered by Representative Franks."

Speaker Lang: "Mr. Franks."

Franks: "Thank you, Mr. Speaker. What I'd like to do if we could is adopt Floor Amendment #3, then also withdraw Amendment #4, and also adopt #5. If we can do that, then go to Third."

Speaker Lang: "Well, because there's an intervening one in between, let's just do them one at a time. Mr. Franks moves for the adoption of Amendment 3. Those in favor say 'yes';

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opposed 'no'. The 'ayes' have it, and the Amendment is adopted. Mr. Clerk, withdraw Amendment 4. Mr. Franks on Amendment 5."

Franks: "Would ask for that to be adopted."

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: "Senate Bill 2537, a Bill for an Act concerning criminal law, which may be referred to as Caylee's law. Third Reading of this Senate Bill."

Speaker Lang: "Mr. Franks on the Bill."

Franks: "Thank you, Mr. Speaker. We had passed this Bill prior, unanimously in the House, and I won't go through that again. But Amendment #3 that we had was a gut and replace and became the Bill, and it was filed due to a technical error; however, House Floor Amendment #5 is substantively different. What it does is, it adds to the law, and this was brought to us by Senator Sullivan, and what this will do would... would add threatening a public official, those that work as a social worker, case worker, or investigator, those that are employed by the Department of Human Services, Department of Children and Family Services, or the Department of Healthcare and Family Services, and this would add to the list that already contains elected officials, Assistant State's Attorneys, Assistant Attorney Generals, Appellate Prosecutors, and sworn law enforcement officers."

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Speaker Lang: "The Gentleman moves for the passage of the Bill.
On that question, the Chair recognizes Mr. Rose for two
minutes."

Rose: "Thank you, Mr. Speaker. Will the Sponsor yield for
question?"

Speaker Lang: "The Gentleman yields."

Rose: "Two questions, Representative Franks. First, if... since
the... there's a difference in age between under 13 and under
2, in terms of the time limit, for a child under 2, if
they're missing for an hour and... what if you have a
babysitter and the parents are out and come home and find
out the child's missing. Is that hour... the kid could've
been conceivably missing for an hour, the parents wouldn't
have known about it. Is there any issue there?"

Franks: "I'm sorry. I wasn't... could you repeat that? I was
really concentrating on Amendment #5. We already passed
that underlying..."

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

Franks: "...Bill unanimously."

Rose: "I'm just asking you a question on Amendment #1."

Franks: "I'm... I couldn't hear you."

Rose: "So, if you have a babysitter and the child goes missing
while the parents are out, and they're under 2 years of
age, and the one hour reporting requirement runs, that
doesn't begin to run if the parents come home and find the
child is missing. Is that correct?"

Franks: "I couldn't hear you, Chapin. I don't mean to be rude.
I'm having trouble hearing you."

Rose: "Sure. No problem."

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Speaker Lang: "Ladies and Gentlemen... Ladies and Gentlemen, please. We're near adjournment. The Gentlemen can't hear each other. Let's give them some respect. Mr. Rose, why don't we ask the question a third time, maybe we'll get it across."

Rose: "Thank you. So, if the parents are gone, the child under 2 is in the care of babysitter, parents come home, child is missing, the one hour period does not begin to run until the parents come home. Correct?"

Franks: "Correct."

Rose: "All right. Very good. Then the other question is, on the Class IV Felony for false information, wouldn't that also already be a obstruction of justice, which is a Class IV Felony?"

Franks: "I'm not sure what... how that's classified, obstruction of justice. I don't do criminal law. I'm not sure of the answer."

Rose: "It would be, but we'll give you the benefit of the doubt this time. Thank you."

Speaker Lang: "Mr. Reboletti for two minutes."

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

Speaker Lang: "Mr. Franks yields."

Reboletti: "Representative, I appreciate your work on this, and I... I see that based on #4... Amendment #4, there's the offense of threatening a public official, and you've named those officials. What's the level of penalty on those?"

Franks: "Actually, #4 was withdrawn."

Reboletti: "I'm sorry."

Franks: "So, we're on #5."

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Reboletti: Number 5. Thank you."

Franks: "Right now, we didn't change the penalty. What we did is we added a Class. So, right now, threatening a public official is a Class III Felony or a Class 2 felony for a second or subsequent offense. So, all we did was add the social worker, case worker, investigator to the protected Class of public official, but we did keep the penalties the same."

Reboletti: "Thank you."

Speaker Lang: "Mr. Brady for two minutes."

Brady: "Thank you very much, Mr. Speaker. Rep... Representative, question, if I understand the analysis right with the Floor Amendments, I just want to make sure. Have... have you gutted and replaced the existing part of this Bill that started out about the notification of missing..."

Franks: "What... what..."

Brady: "...or a child that is found dead?"

Franks: "We gut... it was actually the same. We gut and replaced it under a Floor Amendment... I'm sorry, with the House Floor Amendment #3 because there was a technical error."

Brady: "Okay."

Franks: "But the substance... there's been no change in the substance."

Brady: "Okay. And I... I just want to see if you could help clarify for me. I... I think it... and I'm just reading the analysis, so forgive me, but it deals with if there is a delay or no notification of law enforcement authorities, the coroner, et cetera, medical examiners, state's

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attorney. Am I reading that correctly? Is it the fact that there's just no report or a delayed report..."

Franks: "Well, there's..."

Brady: "...of a child missing or dead?"

Franks: "Well, there's... there's different levels, because I... I worked with Mr. Reboli... Reboletti on the underlying Bill and he was..."

Brady: "I... I've heard of him."

Franks: "...yes, and he helped draft this Bill, and what they have, there's... there's levels for different ages. So, if the children... if the child would be less than 13 years of age, there's a less... they have to... less time to report. And there's a longer period of time if the child is over... over that age."

Brady: "So, if..."

Franks: "If that answers your question."

Brady: "...if I understand correctly, if the child is under 2 years of age, it has to be done within one hour of the time of death. Am I reading this correctly, or am I missing something in our analysis, and that... that's entirely possible?"

Franks: "Yes, it is."

Brady: "And now, I'll you what I'm getting at, and maybe..."

Franks: "Yeah."

Brady: "...maybe you could explain it for me. In... in a situation as tragic as it is, when we have a infant that has died from SIDS, oftentimes, we have a situation where law enforcement may not understand or be trained adequately to understand that what appears to be maybe something out of

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place is a natural death; and, therefore, if the infant would show signs that the child has been dead for a lengthy period of time, and when I say that, I mean hours through the night, things along those lines, we have had situations where those family members, parents that are grieving, very upset, you know, had nothing to do with it, are brought down..."

Franks: "Yeah. That's terrible."

Brady: "...interrogated, go through things because it looks..."

Franks: "Right."

Brady: "...as though there may be something foul play in nature. It all gets sorted out, I... you know, in the end, I hope. Sometimes it..."

Franks: "But..."

Brady: "...it gets very involved. But my... my question, simply, to you is, there's not something now out of this that the police, the law enforcement investigator could say, ah ha..."

Franks: "No."

Brady: "...not only does it look suspicious, but here's what we're going to charge you with if you don't get down and talk to us about it."

Franks: "I... I appreciate that, and that would be not the intent of this Bill, obviously."

Brady: "And I... I have... I have no doubt it's not the intent of the Bill, but..."

Franks: "But I think we have that covered because the... the language indicates that the parent has to reasonably believe that the child's death was caused by a homicide, accident, or other suspicious circumstances."

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Brady: "Okay. Thank... thank you. 'Cause I did not... I hadn't gotten that far in the analysis, so I'm glad I asked. Thank you very much."

Franks: "Thank... thank you."

Speaker Lang: "Representative Will Davis for two minutes."

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

Speaker Lang: "The Sponsor yields."

Davis, W.: "Representative, as I'm trying to keep up with what appears to be our analysis here, House Floor Amendment #5, is that a part of the Bill?"

Franks: "Yes, Sir. It's been adopted."

Davis, W.: "Okay. So, in the Section where it adds to the definition of public official, social worker, case worker, or investigator, then it says who is employed by the Department of Human Services, DCFS, or Healthcare and Family Services. Are those referring to only state employees?"

Franks: "Yes."

Davis, W.: "So, what about social workers and others that fit this category, who may work for a nonprofit organizations, who are contracted with the state?"

Franks: "I'd like..."

Davis, W.: "Do they fit into this category?"

Franks: "No. I wish they would. I'd like to do that, and I'd like to do a trailer Bill. This is what we got though from the Senate, and we got it just very recently. So, I'd be happy to do that trailer Bill with you in the fall."

Davis, W.: "So, was House Amendment #5, is that germane to what the original Bill was..."

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Franks: "Sure. I mean, it deal..."

Davis, W.: "...or is it a gut and replace Amendment?"

Franks: "No. It's not a gut and replace. It's germane."

Davis, W.: "It's germane?"

Franks: "Yes, Sir."

Davis, W.: "Okay, so..."

Franks: "We had the lawyers check it out before we had the Amendment placed on the Bill."

Davis, W.: "So, I understand you said this is what you got when it came over from the Senate, but this is a House Amendment. So, why not include individuals like that in there when you... when you..."

Franks: "It just came to us 'cause this was a..."

Davis, W.: "...when you filed Amendment #5?"

Franks: "This was a Senate Bill that became the House Floor Amendment, and that's why we got it as we did. And we... and we just learned about that... that other absence. I'm glad you're pointing that out, and we agree with you. And I think Representative Cassidy will be filing a... a follow-up Bill on this... this very measure."

Davis, W.: "Okay. Well, certainly, if I understand Amendment #5, that it appears that it did leave out, you know, a class of people who, by definition, are these titles..."

Franks: "Right."

Davis, W.: "...but are not necessarily state employees."

Franks: "Correct. And you're 100 percent correct, and we plan on fixing that later."

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

Franks: "Thank you."

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Speaker Lang: "Mr. Franks to close."

Franks: "Thank you, Mr. Speaker. And I appreciate the... the questions, and Mr. Davis pointing out that issue. We will have that fixed. This is a Bill that's... whose time has come. I'm sorry that we have to pass a Bill like this, but unfortunately, we do. I'd ask for an 'aye' vote."

Speaker Lang: "Mr. Franks moves for the passage of the Bill. 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? Please vote, Members. Biss, Feigenholtz, Mell, Nekritz, Rita, Turner. Please vote. Biss and Rita. Please take the record. On this question, 118 voting 'yes', 0 voting 'no'. And this Bill, having received the Constitutional Majority, is hereby declared passed. Mr. Clerk, Senate Bill 2643, Representative Lilly. Please read the Bill."

Clerk Bolin: "Senate Bill 2643, a Bill for an Act concerning employment. The Bill was read for a second time on a previous day. Amendment #1 was adopted in committee. Floor Amendment #2 has been adopted. Floor Amendment #3, offered by Representative Lilly, has been approved for consideration."

Speaker Lang: "Representative Lilly on the Amendment."

Lilly: "Thank you, Mr. Speaker, and Ladies and Gentlemen. I rise to adopt Amendment #3 to Senate Bill 2643. It reflects the Amendments 1 and 2, but removes the requirements that reported hourly have to be specifically identified as either journeymen or apprentice. If there's no questions,

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thank you for your attention. I ask for... thank you for your attention."

Speaker Lang: "The Lady moves for the adoption of the Amendment. And on that question, the Chair recognizes Mr. Reboletti for two minutes."

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

Speaker Lang: "The Lady yields. Mr. Reboletti, I'm just wondering if you're interested in allowing this to go to Third Reading and then..."

Reboletti: "Represent... I'm sorry. Mr. Speaker, I just wanted.. I couldn't hear what the Lady said, so..."

Speaker Lang: "All right."

Reboletti: "...it's kind of loud in here."

Speaker Lang: "Please proceed. Ask your question."

Reboletti: "Representative, if you could just repeat what you said Floor Amendment # does. I know this is going to be probably a pretty contentious Bill, so I want to make sure all the Members in the Body understand what Floor Amendment #3 tries to accomplish."

Lilly: "Thank you. I will hap... I will be happy to. Amendment #3 reflects the changes made with Amendment 1 and Amendment 2, but removes the requirement that reports hours, how to be specifically identified as either journeymen or apprentice."

Reboletti: "Thank you."

Speaker Lang: "Representative Mell."

Mell: "Mr. Speaker, are there... I have an inquiry of the Chair. Are there a couple of speakers in front of me?"

Speaker Lang: "Please, please ask your inquiry. There are..."

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Mell: "Are there... are there speakers in front of me right now?"

Speaker Lang: "There... there are no other speakers wishing to speak on this legislation."

Mell: "Okay. Will the Sponsor yield?"

Speaker Lang: "The Sponsor yields."

Mell: "I was under the impression that this... this wasn't coming up, so, if you could just give me one second."

Lilly: "We are... we're just moving this. I'm just adopting..."

Mell: "Okay. Okay. I'll..."

Lilly: "...the Amendment."

Mell: "I'll wait then. I'll wait."

Speaker Lang: "Thank you. I now have two other speakers, not just one. Mr. Sacia, can we move the Bill to Third, Sir? The Lady moves for the adoption of the Amendment. Those in favor of the Amendment say 'yes'; opposed 'no'. The 'ayes' have it. And the Amendment is adopted. Mr. Clerk."

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

Speaker Lang: "Third Reading. On page 9 of the Calendar, under the Order of Second... Senate Bills-Second Reading, appears Senate Bill 3616, Mr. Bradley. Please read the Bill."

Clerk Bolin: "Senate Bill 3616, 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 Bradley, has been approved for consideration."

Speaker Lang: "Mr. Bradley on the Amendment."

Bradley: "Thank you, Mr. Speaker, Members of the Body. This is the enterprise zone rewrite. It's a result of comprehensive ongoing bipartisan efforts, bicameral efforts to create a

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stronger, long-term, enterprise zone system for the State of Illinois. We brought the interest holders together, all four caucuses, the Governor's Office, business leaders from throughout the state. The Senate had hearings prior to the meetings that we convened and went through and came up with we... what we think is a system, which is more transparent, which is more accountable, which we do a better job of tracking what exactly is going on with the systems. We're going to limit the number of zones, but we're creating a competitive process for the zones. We'll have an enterprise zone board made up of experts in the field of economic development and business that will help decide where the appropriate places are for enterprise zones. We've eliminated three exemptions in this Bill which should have a tax savings for the State of Illinois and have an... a positive revenue impact for the state. And we've created a system where we'll extend zones appropriately for an initial period of 15 years followed by a possible 10-year extension. I'd like to compliment Representative Harris for his fine work, as well as Senator Frerichs and Senator Althoff, and the Governor's Office, as well as the business leaders, the Illinois Manufacturers Association, Retail Merchants, the Chambers and the Enterprise Zone Association. I know of no opposition in this Bill. I think the committee, the folks that worked on this are proud of what we came up with. And we've managed to prolong a system which has done some good things, but make it stronger, make it a little leaner, make it a little meaner, and make it more transparent and accountable, and save the taxpayers

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some money going forward. So, I would ask for an 'aye' vote."

Speaker Lang: "The Gentleman moves for the adoption of the Amendment. On that question, the Chair recognizes Mr. Harris."

Harris, D.: "Thank you, Mr. Speaker, and... to the Bill. I... I second what the Gentleman said. The enterprise zone program has been one of, I think, one of our most successful endeavors here in the State of Illinois. There are a number of enterprise zones that are getting ready to expire so it was timely to look at the enterprise zone legislation, which we did do. There was a Bill that came over from the Senate, we worked with that, we worked with the Illinois Manufacturers Association, the Illinois Enterprise Zone Association, the Taxpayers Federation of Illinois and crafted a Bill through a whole series of meetings which... which meets the agreement of everyone. There is an extension for enterprise zones. They... they potentially can be extended for 25 years with a midterm 15-year review as to whether or not they should be further extended. There's the opportunity for new communities or new zones to be set up if others are... are ended. It tightens up the... the issue of whether or... one of the benefits, the tax benefits that we give to com... companies located in the enterprise zone. What does that mean for the state, so we now have better clarity and transparency in what that is. So, overall, I think we put together a... a solid package and the... and the chairman, Representative Bradley, is really to be complimented for working with all of the parties, both on

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this side of the aisle as well as with the other chamber to come up with a Bill, which I think is agreeable to everyone. I urge an 'aye' vote."

Speaker Lang: "There being no further debate, those in favor of the Amendment say 'yes'; opposed 'no'. The 'ayes' have it. And the Amendment is adopted. Mr. Clerk."

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

Speaker Lang: "Third Reading. Please read the Bill."

Clerk Hollman: "Senate Bill 3616, a Bill for an Act concerning revenue. Third Reading of this Senate Bill."

Speaker Lang: "Mr. Bradley."

Bradley: "Again, I would reiterate my remarks. And again, compliment the safe... oh, I guess David Harris and I thought we were on Third Readings. So, anyway, we've made our presentation during the event, but... then we'd ask for an 'aye' vote."

Speaker Lang: "Mr. Franks."

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

Speaker Lang: "Two minutes."

Franks: "Representative, I... well, he might have a 10 minute answer. Have you ever heard him answer before?"

Speaker Lang: "Then you better talk fast."

Franks: "I'm trying, you know."

Bradley: "You... start his clock."

Franks: "Mr... Repres..."

Bradley: "He's already... he's already burned 20 seconds."

Franks: "Rep... see, I rest my case. Representative..."

Bradley: "Yes. It's nice to see you today, Representative."

Franks: "I under... I understand the Bill..."

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Bradley: "Pleasure."

Franks: "...but my question it goes to this. On the transparency issue I'm noticing on the reporting requirements that these are going to be aggregated and not broken down by individual corporations that may get these incentives. Why are we doing it as an aggregate and not individually? And don't you think it would make more sense to show what each company gets instead of doing it as an aggregate?"

Bradley: "Well, we had tried to do that. We have confidentiality problems and we'll have to change other laws with regards to confidentiality, and to be able to do that. So, in this particular time, we're going to do the aggregates and we'll gain that information, and that will put us in a better position in the course of... of evaluating the existing zones and any new applications by getting the aggregated data. I'm with you. If we could get the individual data, the corporate data, I would be fine with that, Representative..."

Franks: "Well, I appreciate..."

Bradley: "...but the law does not allow us to do that currently."

Franks: "But... but when they're getting our tax dollars..."

Bradley: "But..."

Franks: "...and they're getting incentives..."

Bradley: "I... I make this speech all the time and I don't disagree with you. The best we can do currently, this is going to help us evaluate these zones and moving forward, we'll work on the other."

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Franks: "Can we do... can we work together on making sure that we do these individually instead of in the aggregate, maybe a trailer Bill in the Veto Session?"

Bradley: "If you would... if you would like to take that cause on, I will be happy to assist you. But it doesn't just apply to enterprise zone, it applies to all Corporate Accountability Acts, it applies to confidential information; however, it's going to be a difficult thing to do because you're talking about confidential tax information essentially, and that's going to be a very difficult thing. So, under the current law, under the current situation, this was... aggregation was a way for us to break it down as micro as possible... as micro as possible to get the information to try to evaluate what's going on."

Franks: "Thank you. And to... to the Bill then, Mr. Speaker. I understand what the Gentleman's trying to do, but we just passed some transparency Bills here that requires DCEO to put on websites the agreements that they do when they're giving EDGE credits and when they're giving corporations incentives and they're giving them money. And I think that we ought to do this with the enterprise zones as well because we have to determine, quite frankly, whether the taxpayers are getting a return on their investment, and you can't do that in the aggregate, you have to do it individually. Plus, I'd like to know what individual corporations are receiving. And I would... I would submit that if they're not willing to show what they're getting from the state, then they're probably not worthy of receiving it because when you're receiving tax dollars,

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there ought to be 100 percent transparency. And I'd like to work with the Sponsor in the fall with its follow up Bill, should this pass, for that reason. But this is giving me great concern because we've had enough... enough backroom deals in the dark in this state, and we need to shine a bright light on every dollar that's being spent."

Speaker Lang: "Mr. Harris."

Harris, D.: "Thank you, Mr. Speaker. And just... just a comment to the previous Gentleman's remarks. The difference between the EDGE tax credits is they go to an individual company. They go to one company, by name, that company. In an enterprise zone, there might be 5, 10 different companies in that enterprise zone, and it is the zone itself that is... is... receiving those credits overall. So... or those ben... that benefit overall. So, there's a big difference between an individual company and an aggregate of multiples. Thank you."

Speaker Lang: "Mr. Bradley to close."

Bradley: "I appreciate everyone's hard work. I'd like to thank staff for their hard work on this. Again, thank all the caucuses. Senator Althoff has joined us, Jack Franks' Senator by the way and we appreciate... we appreciate all the hard work and would ask for an 'aye' vote on this important piece of legislation."

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? Mr. Saviano. Take the record. 118 voting 'yes', 0 voting 'no'. This Bill, having received the Constitutional Majority, is

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hereby declared passed. Senate Bill 3522, Representative Yarbrough. Please read the Bill."

Clerk Hollman: "Senate Bill 3522, a Bill for an Act concerning business. This Bill was read a second time on a previous day. Amendment #1 was adopted in committee. Floor Amendments 2 and 3 have been approved by.. for consideration. Floor Amendment #2 is offered by Representative Yarbrough."

Speaker Lang: "Leader Yarbrough."

Yarbrough: "Mr. Speaker, I'd like to adopt Amendment #2, and have it adopted and then debate the Bill."

Speaker Lang: "Are you also adopting Amendment 3, Representative?"

Yarbrough: "No. We're receding from Amendment #3."

Speaker Lang: "You're withdrawing Amendment 3."

Yarbrough: "Yes."

Speaker Lang: "One thing at a time."

Yarbrough: "Okay."

Speaker Lang: "The Lady moves to adopt Amendment 2. Those in favor say 'yes'; opposed 'no'. The 'ayes' have it. And the Amendment is adopted. And the Lady withdraws Amendment 3. Mr. Clerk."

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

Speaker Lang: "Third Reading. Please read the Bill."

Clerk Hollman: "Senate Bill 3522, a Bill for an Act concerning business. Third Reading of this Senate Bill."

Speaker Lang: "Leader Yarbrough."

Yarbrough: "Thank you, Mr. Speaker. These last three years have been quite a journey for me and for the Bill that we have

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in front of us. For many of my constituents and for many of yours, there's no more important issue in our districts. They're... they're neighborhoods, they're great people and great organizations who have labored mightily to build. Now, in the last few years, the foreclosure crisis has continued to decline our communities, and how do we start now to help our neighbors build? I started last Session with a comprehensive package to generate funding for pro... programs like housing counseling to help families save their homes from foreclosure. We want to give local governments tools to stabilize neighborhoods. Now we're ready to go home and though the problems we're trying to address have only grown worse, and we're focusing now on one part of the solution. Now this Bill, 3522, is going to help local governments around the state to better address the foreclosure crisis. It was drafted with input for close to 100 local governments. They are facing a huge problem. Homes where the... the owner is gone, but the foreclosure process is incomplete. These homes are vacant now, and may remain vacant for months, sometimes even years. During that time, the properties aren't cleaned up or secured. They become magnets for squatters and scavengers, and criminals. While the neighbors suffer, local governments, of course, bear the costs, and the costs are huge. A single vacant property can cost a municipality more than \$30 thousand. Taxpayers and local governments just don't have the money to do that job. We've spoken to building departments in places like Alton and Decatur, DeKalb, Peoria, Springfield and Waukegan, and they say they're spending as much as 60

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or 70 percent of their time dealing with these vacant properties. It requires a huge amount of time and staff time, and if they have the money, they spend a huge amount of money mowing lawns, removing trash, sealing up windows and doors. Now, the community banks and the credit unions are generally doing an excellent job in communities making sure that these vacant properties don't cause problems for neighbors. But the bigger banks aren't doing such a good job. This Bill will allow municipalities to hold everyone to a higher standard, like the one that the community banks and credit unions stand. The Bill will also speed up the foreclosure process for abandoned properties. If a property is clearly abandoned, we want to get it into the hands of a responsible owner as quickly as possible. Senate Bill 3522 includes fast-track provision that'll shorten that process by 18 months. When we started working on this Bill, we faced substantial opposition from the banks and the realtors, and I've always been committed to trying to find a common ground. The banks, the credit unions, the thrifts and the realtors had concrete ideas on how to improve the Bill, and we made significant changes to accommodate their concerns. This helped us to make a better Bill. We worked with the banks to improve the fast-track foreclosure language for abandoned properties, and as a result, we made significant changes to this Bill. A big debt of gratitude goes to Senator Mulroe, Senator Collins and President... the President of the Senate, Sam Tuttle from the Heartland Alliance for their great work. And the Governor's Office has been our constant partner. Now, I, like you, would've

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liked to have an agreed Bill. I worked to find a common ground on the middle ground, but the end of the day, we have a fundamental disagreement with the big banks on a... it's only on one key point, and that's the fees. When I talked to mayors, residents, and just plain people from the community that I met at the hearings that we had, they let me know that they support this Bill. The community banks, the credit unions, the thrifts support this Bill. The Attorney General supports this Bill. The Bill is supported by municipalities, AARP, but the big banks oppose it. That's unfortunate because this Bill will be good for banks too. Senate Bill 3522 will get properties cleaned up. It will make neighborhoods safer and attractive. It'll bring stability to housing markets, and it'll raise property values. No matter who supports this Bill, remember that we're going to go back to our districts; some of us are going to familiar territory, and others are going back to new territory, but a great many of us are going back to communities where far too many people are struggling to save their homes and struggling to save their neighborhood. They sent us here. That's why I support this Bill and hope that you will too. Mr. Speaker, I stand to answer any questions."

Speaker Lang: "The Lady moves for the passage of Senate Bill 3522. Ladies and Gentlemen, there are 8 people... 9... 10 people wishing... eleven people wishing to speak on this Bill. You certainly get your chances to do so, but I would urge restraint so that we can move through this expeditiously. I remind you this is the 31st of May. The

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first person to speak would be Mr. Pritchard for two minutes or less. You don't have to take the whole two minutes, Sir."

Pritchard: "Well, thank you, Mr. Speaker. I will try to be restrained. Will the Sponsor yield?"

Speaker Lang: "The Lady yields."

Pritchard: "So, isn't the problem that we're trying to deal with here with foreclosures is the time that it takes to transfer the title back to the bank?"

Yarbrough: "That's part of the problem."

Pritchard: "So, why don't we..."

Yarbrough: "That's only part of the problem."

Pritchard: "So, why don't we release and... and have a vote on Senate Bill 2534, which sets up a faster time period to bring closure to these issues?"

Yarbrough: "That language is in this Bill."

Pritchard: "Excuse me?"

Yarbrough: "That language, the fast-track language, that's what you're talking about? That is in this Bill."

Pritchard: "That would bring what? Ninety day..."

Yarbrough: "The fast-track..."

Pritchard: "...ninety day closure."

Yarbrough: "...it'll bring it from close to 600 days down to about 100 days. That's in this Bill."

Pritchard: "Well, I'm not sure that's fast enough yet to do what we want to do."

Yarbrough: "Well, I'd like to be... have it cleaned up immediately, but..."

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Pritchard: "So, does any of your \$1250 fee per transaction get shared with the homeowner?"

Yarbrough: "No."

Pritchard: "Why not? The home... doesn't the homeowner..."

Yarbrough: "This... this..."

Pritchard: "...share some responsibility..."

Yarbrough: "...the fee..."

Pritchard: "...in this?"

Yarbrough: "Well, you know what, I don't want to blame... that's what the... the banks have been doing, they've been blaming the victims. You know, people want to own homes and so they depend on their lawyers and their bankers and their lenders to tell them what they need to do to buy a home. And so, when they went through this process of these no-doc loans and all these fancy products, people ended up with these homes and now they're, in many cases, they're under water. They can't pay. So, that... that's, you know, somebody else created this, not the people who have the property."

Pritchard: "One last question. I assume that some of these fees are going to be used to educate homeowners or..."

Yarbrough: "Absolutely."

Pritchard: "...future homeowners."

Yarbrough: "Yes, absolutely."

Pritchard: "Don't we already have several funds that have education dollars that aren't being spent?"

Yarbrough: "They're not enough, and this money is going to go..."

Pritchard: "Well, what... they... there's millions of dollars already in the fund that's not being spent."

Yarbrough: "You're talking about the IHDA funds?"

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Pritchard: "I believe so."

Yarbrough: "Yes. Those... IHDA has drafted rules and have identified agencies to receive that money. They've got signed agreements with most of these agencies, but it's not enough money. There are some counties that only have one... one housing counselor. We need to have more housing counselors. I know that if people know better, they can do better."

Speaker Lang: "Mr. Pritchard, your ti... doesn't make any difference if your time is expired. Representative Tracy for two minutes."

Tracy: "Thank you, Mr. Speaker. Representative... or Leader Yarbrough, could we go over the amount of those fees?"

Yarbrough: "Sure. So, the foreclosure filing fee, it currently is \$50. And for banks that have assets greater than \$10 billion, there'll be an additional \$500."

Tracy: "Okay."

Yarbrough: "On the judicial sale fee, it's currently \$300, and it will go up to \$750. It only applies if the purchaser at the auction is a mortgagee of the property subject to the auction, who, together with its affiliates, has assets greater than \$10 billion."

Tracy: "Okay. So, actually then, the fees could ran... run where earlier they'd been \$350, total on the other side now with the increases that you're proposing, they could go to \$1200. Is that correct?"

Yarbrough: "No. On the front end fee, it's currently \$50..."

Tracy: "And it would go to 500."

Yarbrough: "...and it goes to \$550."

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Tracy: "Okay."

Yarbrough: "On the back end fee, it's currently \$300 and it goes to \$750."

Tracy: "And this will go to a fund. Is that correct?"

Yarbrough: "If there are two... there are two funds involved here. One of them is the... the foreclosure filing fee fund, and then the other one will be abandoned properties fee."

Tracy: "And who will be responsible for the trust, or holding, of those funds?"

Yarbrough: "IHDA is... is the agency on the front end fee, and the abandoned property funds... that... that's also distributed through IHDA..."

Tracy: "Do we know if those funds..."

Yarbrough: "...to... at... directly to municipalities."

Tracy: "Is... are... do those funds have a risk of ever being swept to use for other purposes?"

Yarbrough: "Representative, I... the Governor's Office has worked with me, has held my hand through this entire process, and they are committed to making sure these dollars get to the inten... intended destination. He has been throughout the state and has seen these communities and they're in travail. He wants to make sure on the front end that people get counseling. He wants to make sure on the back end that communities get the dollars so they can clean up these properties."

Tracy: "Okay. So..."

Speaker Lang: "Representative Tracy, your time is expired."

Tracy: "I have two other very important points."

Speaker Lang: "You'll have to make them very quickly."

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Tracy: "Okay. I want to know... Okay. At the time when you're filing, and if you're a bank that has holdings of more than 10 billion, how much... how will the filing clerk know that you fall into this category for the new fees?"

Yarbrough: "Are you talking about when they file the... with the clerks?"

Tracy: "Either time. I mean, there was an increase of fee that's going only apply..."

Yarbrough: "They will..."

Tracy: "...to banks."

Yarbrough: "...they will self... they will self certify, and it's my understanding that there are serious penalties if you don't tell the truth."

Tracy: "So, is that in the Bill?"

Yarbrough: "The courts make their own rules. The counties make their own rules, it's the clerk."

Tracy: "So, at this point, that... that rule..."

Yarbrough: "They will make their..."

Tracy: "...is not in there."

Yarbrough: "...own rules."

Tracy: "But that's not yet in your Bill."

Yarbrough: "It would not be in my Bill. We..."

Tracy: "Okay. Now, we also have mentioned about servicers that actually hold these now, and... and how will we distinguish whether a servicer of a mortgage loan is actually a holder of the 10... is..."

Yarbrough: "Represent..."

Tracy: "...is one of those banks that is over a \$10 billion in holdings."

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Yarbrough: "Representative, just like in all court cases with filing fees, this filing fee will be paid by the plaintiff and the foreclosure... foreclosure case, though, it's only paid if the plaintiff and its affiliates have assets over \$50 billion... 10. I'm sorry, \$10 billion."

Speaker Lang: "Representative Tracy, your time is expired. Mr. Sullivan for two minutes."

Sullivan: "Thank you. To the Bill. Most of the questions already answered are... or, asked been answered. Ladies and Gentlemen, when we're dealing with mortgages... I know right now we want to blame big banks for all the problems of the world, but let's get back to mortgages and one of the reasons why people cannot get into and out of homes. Two words: risk and cost. They're very well associated together because the more cost you have, the more risk for the people that have to loan them money. The more risks, the more costs. They're kind of inner... inner... they cannot be interchanged. They're both the same. These have a lot of fees. And I understand what the Lady's trying to do, she's trying to, you know, get abandoned properties cleaned up so they get off the market and so forth. But the more costs you put on these properties, the less money is going to be available to loan out to the very people you're trying to help. So, in the end, by passing this legislation, you're going to create more costs, and it's going to be harder for people to get loans. And if it's harder for more people to get loans, how are we going to move these properties. It's kind of a cyclical little problem that we're having. This is not the answer. There is a Bill out there that we can

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move right now, Senate Bill 2534 that would address many of these concerns. The main concern that is not addressed in this, how do we get the properties to the banks sooner, complying with law and the... the rights of homeowners that presently own the properties? So, I would advocate we defeat this Bill... and I understand that the Sponsor, the Leader's done a wonderful job advocating for... for her beliefs and I... and I truly respect that, but this isn't the answer. This compounds the problem to home ownership in the end. I don't think that's what we want to do here. So, Ladies and Gentlemen, with that said, please vote 'no'."

Speaker Lang: "Mr. Arroyo for two minutes."

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

Speaker Lang: "The Lady yields."

Arroyo: "Representative, why is the fast-track foreclosure important?"

Yarbrough: "Representative, this fast-track... these fast track provisions are negotiated language. The... the Bill creates a better foreclosure process for banks, and there's really good protections in this Bill. The fast-track provisions, they'll allow banks to shorten the foreclosure process for abandoned properties by about 18 months. Banks will maintain and secure these properties more quickly, which will be good for neighbors, good for neighborhoods, and good for local government. The banks benefit, too, because they get titled to these properties that have suffered less damage and deterioration and they can be sold for more. And they'll save, again, about 18 months of costs like property taxes, insurance, and loan servicing fees."

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Arroyo: "Representative, will the fast-track foreclosure help get properties back into the hands of homeowners who will take care of them and pay for their property tax?"

Yarbrough: "Absolutely."

Arroyo: "Does the fast-track provision include any protection for renters? I know there's in my district has happened a couple of times where a foreclose happens and there's 20... 20 units, and now everybody has to move. What does this do for that?"

Yarbrough: "Ye... yes. Fast track only applies to abandoned properties. Consumer advocates have worked for, literally, months to ensure that this Bill includes a number of good protection for renters and all other lawful occupants who might be living in that building. Renters and... they... they... we... we hear from them all the time. A lot of times the property is in foreclosure. They're paying their... their rent, and then they get tossed out because the property's in foreclosure."

Arroyo: "Representative, would this create jobs?"

Yarbrough: "I'm glad you asked that question. Yes, it does. You know, municipalities could really use that money to contract with local businesses or nonprofits that'll work to clean up these... these properties and secure them. The housing counseling money is going to create approximately 350 new jobs."

Arroyo: "Thank you, Representative. Ladies and Gentlemen, this is an epidemic. This is a problem that we've been working with for the last couple of years. This is an epidemic in a lot of our districts, especially in my district. It's been

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one of the highest home foreclosure problems in my district, and I think that this has to stop. I... I thank the Speaker... I thank the Sponsor of this Bill for coming forward and doing something about it. We've been working on it for a long time. I think this is well overdue time to be able to move forward and pass something. The banks are not willing to go and do the right thing, and I think by this Bill passing, I think it's going to put the cherry on the top. Since we passed a budget, we've been doing a lot of good work. We're about to vote... we'll about to talk about pensions. Let's talk about foreclosures. Foreclosure's a big epidemic in all our districts, and I stand in support of this Bill and I hope that all of you also support this Bill. Karen, wonderful job. Thank you."

Speaker Lang: "Mr. Dunkin for two minutes."

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

Speaker Lang: "The Sponsor would be happy to yield."

Dunkin: "All right. The last speaker spoke of a cherry on the top. Speaking of which, which Bill... Senate Bill 3522, this Bill, and Senate Bill 1853 will actually incentivize cherry picking?"

Yarbrough: "I... this Bill will not incentivize cherry picking. Let me tell you that this Bill... we've got some language in this Bill that... that has some reporting features, because we were concerned about that. And so, every six months, there's going to be an opportunity for the banks to report back to IDFPR to let them know where they've actually done the fast tracking."

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Dunkin: "Sure. Now, Representative, I know you... you've worked on this Bill very diligently. There's a lot of discussion in this... in this Capitol as it relates to this. None of us wants this problem to... to persist, so we get that. That's where we're headed. But this Bill actually goes from a filing fee of 250 to about 1250, close to what, \$1300; 500 plus 750, that's 1250. Would that play a role in cherry picking?"

Yarbrough: "I'm sorry."

Dunkin: "If... if we raise the fees on the front end and on the back end, wouldn't that create a cherry picking scenario even with the sma... with the bigger banks, as well as the smaller banks?"

Yarbrough: "Representative, there are other states that charge much, much more than we do. We've verified several states. Now, I know that's a bone in contention with the big banks, but I'd like to see their data. I mean, they're in the neighborhood of 3, 4, and 5000 dollars is being charged on... yet, and they're being charged, and banks are paying it."

Dunkin: "So, who would pick up this fee? Would it be banks or the cu... or the... I'm only trying to..."

Yarbrough: "The banks. The banks."

Dunkin: "All... the front and the back end?"

Yarbrough: "The... the plaintiff in the foreclosure, whoever that is, and if it's less than 10 billion, you know, they wouldn't have to... to pay. The..."

Speaker Lang: "Mr..."

Yarbrough: "...the purchaser on the... on the back end."

Dunkin: "Okay. I... I... because I'm not sure..."

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Speaker Lang: "Mr. Dunkin, your time has expired. Please complete your remarks, Sir."

Dunkin: "Representative, I'm not trying to put anymore hurt... an additional hurt on any resident at all."

Yarbrough: "No."

Dunkin: "And... and I want the banks to, all the banks, the credit unions, the small banks, the big banks, to be incentivized to do the right thing. Last question, there's about \$4.5 million in the Illinois Department of Housing Authority's Fund. Why haven't this money been spent, and how much would be generated if we passed this legislation?"

Yarbrough: "Okay. I... I answered that question before because I had concerns about that as well, but IHDA has drafted the rules, identified the agencies to receive this money, signed agreements with most of these agencies, and the money should be out the door in two weeks."

Dunkin: "Like, in two weeks of this year?"

Yarbrough: "Yes."

Dunkin: "Because it's not doing any of us any good."

Yarbrough: "Not at all."

Dunkin: "So, how far apart were you from 1825, or 25... help me out, 2534."

Yarbrough: "Well, 1825 was my Bill."

Dunkin: "Excuse me, 2534. How far apart were you?"

Yarbrough: "Well... well, we both have the fast-track foreclosure. There was no money in that... the bank's Bill. There was no money for housing counseling, which it won't save anybody's home from foreclosure. It won't help reduce the number of foreclosures. And it only provided 25 million

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to local governments, and it posed all new fees on all the banks, which we have not. We have exempted the small banks. We have exempted the community banks, the credit unions, and the thrifts. They are not the problem."

Dunkin: "Who..."

Yarbrough: "They didn't cause the problem."

Speaker Lang: "Mr.. Mr. Dunkin, your time..."

Dunkin: "She..."

Speaker Lang: "...has expired. Do you wish to address the Bill, Sir?"

Dunkin: "Yes. All I want to do is to find out who controls the majority of these foreclosed properties in most of our communities in Cook County? Is it the larger banks? Is it a combination?"

Yarbrough: "Eighty percent are the big banks."

Dunkin: "They control 80 percent of the market share..."

Yarbrough: "They're..."

Dunkin: "...of the..."

Yarbrough: "...for..."

Dunkin: "...foreclosed houses?"

Yarbrough: "Yes. Yes."

Dunkin: "I'm just asking for clarification purposes."

Yarbrough: "Yes."

Dunkin: "Thank you."

Speaker Lang: "Mr. Leitch for two minutes."

Leitch: "Thank you very much, Mr. Speaker. We've been visiting and revisiting this issue for several years in the Housing Committee. I think this is a very unfortunate Bill for this reason; first of all, the bulk of the Bill, the fast

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tracking on foreclosure has taken a long, long time to negotiate. It makes a lot of sense. It should fly out of here with everyone voting for it; however, all of a sudden at the last minute this \$1250 fee on banks, the big banks, have shown up, but not community banks and not the credit unions. Why... why... how can you impose these fees on a larger group as opposed to exempting smaller groups in the same business? I mean, this, to me, makes absolutely no sense. I suspect it won't make any sense when it gets into a court. So, instead of simply resolving a very important problem, which has been the ability to fast-track these properties, every community is suffering from the problems of foreclosures and this whole mess. I hope we could get rid of this Bill, amend out these fees, and get on with it. I would strongly urge a 'no' vote. Thank you."

Speaker Lang: "Mr. Kay for two minutes."

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

Speaker Lang: "The Sponsor yields."

Kay: "Representative, have you ever made a loan?"

Yarbrough: "Have I ever made a loan?"

Kay: "Right."

Yarbrough: "Yeah. You don't want to hear about it. It was not a pretty picture. Okay. And I don't want to discuss it here..."

Kay: "Okay. You did..."

Yarbrough: "...but it was bad."

Kay: "I... I gather by this legislation, you don't much care for banks."

Yarbrough: "Not true. I love the community banks and the credit unions. They're not the problem."

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Kay: "How many big banks are you talking about that need to... to have this \$1250 assessed to them?"

Yarbrough: "I'm... there... there probably are as little as 5, no more than 20."

Kay: "Yeah, there's... there's 23 to be exact."

Yarbrough: "Not that many, but..."

Kay: "And so, exact... so, let me... let me ask you this. How... they're... they're really a big problem in the..."

Yarbrough: "The..."

Kay: "...the scenario that you're talking about, aren't they?"

Yarbrough: "The big banks? Yeah. The ones that got bailed out, they're a big problem. Yes."

Kay: "Well, here, let me... let me explain to you how this whole process works, because I think it's important for the Body to know this. When there is a foreclosure, a bank will have to take 5 to 25 thousand dollars to put into that home to repair it. Then they have to go through what is called a credit sale and they will get far, far less than they ever had invested in the property, and then they'll go through a thing called deficiency. At no point in time does this bank become enriched. They don't even get their downstroke back, if you will. So, my question is, why do we want to penalize banks more? They're the risk taker."

Yarbrough: "Rep... Representative, I don't know where your district is and I don't know what goes on in your neighborhood, but I've been in neighborhoods all across the state. And in Waukegan, and Chicago, and Peoria, and Decatur and other communities, it's not like that's not what's happening in those communities. Not at all."

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Kay: "But, Ma'am, why... why should banks be penalized for making loans?"

Yarbrough: "Why should banks not own up to... it's their responsibility. Now, I had a lender responsibility Bill here that the language passed in the City of Chicago, it passed in Cook County. They weren't interested in that particular Bill, the lender responsibility, because we felt that lenders should be responsible for the properties. They have a financial interest when people walk away from..."

Kay: "Yeah. Well..."

Yarbrough: "...the properties. And the reason they walk away from the properties is because they're underwater, they've got these exotic loans, and it's just a bad deal for consumers."

Kay: "Well, let me... let me just say I don't think you heard the pro..."

Speaker Lang: "Mr. Kay, your time has expired, but certainly complete your comments, Sir."

Kay: "Okay. Yeah, I... I just want to say this. This is... this is some engineering from an economic standpoint that I have not seen in the State of Illinois, nor any place else. This is bad legislation for a number of reasons. It's business unfriendly. It sends the sign that we're going to cradle the grave, take care of somebody simply because we have 23 big banks. That's the wrong signal to... to send. And I'm going to recommend everyone vote 'no' because it sends a bad, bad sign."

Speaker Lang: "Representative Soto for two minutes."

Soto: "Will the Sponsor yield?"

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Speaker Lang: "The Lady yields."

Soto: "Yes. Representative Yarbrough, I have a question. This Bill only puts fees on banks with assets above \$10 billion. Why? Why is there a \$10 billion threshold?"

Yarbrough: "Representative, there are... there are a number of Federal Laws that treat banks above \$10 billion differently than it treats banks with 10 billion or less, like Dodd Frank. So, there are precedents in Federal Law for doing this."

Soto: "Thank you. I did hear... to... to the Bill. I did hear my... one of... a few of our colleagues, and I just want to mention, our colleague just mentioned... previous... a colleague just mentioned that the big banks are not putting... I mean, that they're putting... why should they put money in abandoned houses, or they are already? They're not putting them in abandoned houses because I live in those communities where there not putting it. A lot of our colleagues here from Chicago, we have a big issue. I also want to mention this is a big issue, especially for me. I take this personal. I think it's long overdue. It's time that we pass a... a Bill that will really help communities. I have to say, my mother lives by herself. There was an abandoned house next to her. She thought that somebody was in that house because she would see things that were moved around. She could look inside that house. The previous owner of that house purchased a new house. Somebody... anyway, took... anyway, they purchased a prev... a home. They couldn't pay that existing mortgage that they had so they had to leave the house and they had to abandon that home. I

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have to say that my mom called the police over and over, and they told her that they couldn't do anything about it because it was private property. Unless somebody had knocked down the... the door, or... or pushed it open, or broke the window and gotten inside that house, that that's the only way they could do anything about it. So, for a long time there was somebody living in there. Sure enough, the neighbors got involved and they went in there and they found a man living in there. My mom, you know, was not living in a safe environment. She lives by herself. She works. When she gets home... and if she's out visiting family members, even like her own daughter, when she gets home we have to call her to make sure that she got in the house safely because, again, the police were not doing anything about it. I think it's time to do something about this, and I... I'm... I live with Representative Yarbrough and Representative Lisa Hernandez, and we're..."

Speaker Lang: "Representative Soto..."

Soto: "...we're... we're roommates. All I want to say that this is a very important... one... one, really quick, if you give me one more minute. I have to also mention my... my sister-in-law was renting to a young girl that was 19 years old. Down the corner from their house, there was an abandoned property. This girl was 19 years old, going to... to work. She got raped by three young men. She was so scared that she didn't even want to report it to the police because she thought... she didn't know what to do. She was in shock. Once we found out about it, we hurried her up to the hospital. But again, these are some of the stories that are happening

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in our community. We just want you to understand that this is a very important Bill, and that I'm urging my colleagues to support something like this because it's really, really lon... long overdue. It... maybe it's not your family right now, but God forbid that that happens to anybody in our family. Thank you so much."

Speaker Lang: "Representative Cassidy for two minutes."

Cassidy: "Thank you, Mr. Speaker. To the Bill. The banks are saying that they only need the fast-track language and that these other... these other components, the fees, and counseling, and funds to preserve these properties are not necessary and I beg to differ. Last fall, I bought a beautiful home. Within a month, my neighbor was moving out in the middle of the night. Last night in committee, the representative of the bank that holds the mortgage on that home said that within 45 days they do a well-being check when a home... when a... when a mortgage isn't paid. Now, if that were true, I don't believe that the home next to me would be crumbling into my yard, that my boys and I would have raked leaves, shoveled snow, picked up garbage every day. We've gone through three seasons watching this house deteriorate. We're actually watching a dead squirrel deteriorate in the front yard. I have notified the bank. They said they would secure the property and they have not. Without these protections in place, cherry picking will happen. It is happening. We have to do something to preserve our communities. We have to do something to get these homes back into the marketplace. My colleague on the other side of the aisle referred to the funds that... that

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banks have to invest in order to repair the homes. If they secured the homes sooner, they wouldn't need to do that. If the banks were taking care of these properties, we would have a much smaller issue to address. Representative Soto is correct. Our communities are plagued by this. Our neighborhoods are deteriorating. This is not just an economic issue. This is a public safety issue. Studies have shown public health impact when... when families face foreclosure. This is a enormous issue facing us. This is our opportunity. I thank Representative Yarbrough for all her work on this, and I strongly urge an 'aye' vote."

Speaker Lang: "Representative Mulligan for two minutes."

Mulligan: "Thank you, Mr. Speaker. I'm not quite sure what some of the debate has to do with her Bill, quite frankly. And I don't understand, at one point, she misspoke on the fees. She said that the fees were \$300 and that they're \$750. I'm not sure the genesis of her Bill. It seems to me that some of the people that are very unhappy with what's going on with this Bill have had bad actions in the neighborhoods. That... that's not necessarily the bank's fault. Quite frankly, large banks sometimes buy paper from small banks, but then there would be no money. And if you keep charging them fees, there's no money to make good loans. The fact that for a number of years bad loans were made to people that really wanted them was a crime that was going on in our country. But that's been changed, both at the federal level and somewhat at the state level. So, I'm not quite sure what her Bill does, particularly, when she says it's going to create 350 jobs. She didn't tell us where those

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jobs are coming from. I don't think that penalizing banks so that they don't loan money for us to go about and redo how we're... how we do mortgages and what happens, is a good thing for us to be doing in Illinois. I think we ought to be bolstering banks, helping them to make sure that they do lend money, and that they do give good mortgages to people that can afford them. If you give a bad mortgage to someone that can't afford it, pretty soon they can't pay for it, but that is something that should be passed. So, I don't think her Bill is a good Bill. I think it just penalizes banks, and it's apparent from what she was asked, that she had some problem with banks, so she goes out and she does a Bill. I don't think that's what's going to help our state. I think our state... state needs to look at banks and bolster them in a good way and help people by giving them tutoring on credit, giving students in high school classes on how to do credit, what's the smart thing to do so that they don't do ill-advised things. I think this is just a very punitive Bill and I would urge a 'no' vote."

Speaker Lang: "Representative Berrios for two minutes."

Berrios: "I'd like to yield my time to Representative Arroyo."

Speaker Lang: "Mr. Arroyo for two minutes."

Arroyo: "Thank you, Mr. Speaker. A question to the Sponsor.
Karen..."

Speaker Lang: "The Lady yields."

Arroyo: "...who administers the money that... the funding that's collected, or the fees that's collected?"

Yarbrough: "I'm sorry. I didn't hear your question."

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Arroyo: "Who administers the money and the fees that's collected from these fines?"

Yarbrough: "IHDA."

Arroyo: "IHDA?. Is IHDA a state agency?"

Yarbrough: "Yes."

Arroyo: "So, are we... do you have a provision in this Bill that says that they have to come back to the General Assembly every year and give us a report of what's been done or what's not been done?"

Yarbrough: "I was talking about the fast tracking. Twice a year they have to report to the department on what properties that they've fast tracked so that we will know whether they are cherry picking or not."

Arroyo: "Okay. Because I have a... a line item, or a portion, in the gaming Bill with Sponsor Lou Lang, that I... I'm also putting \$6 million for foreclosures in the Bill, and every two years, but... in our... in our gaming Bill, we don't have no provision that they have to come back and tell us what they did with that \$6 million. So, I would like for you to also include that or say something in there that they should come back and give us a report for that \$6 million that we put in there to IHDA."

Yarbrough: "We don't... Representative, we don't have nearly enough money for housing counseling in this state. There are some counties that only have two counselors. In... in the case of Lake County, they have two counselors and they have almost 6 thousand foreclosures. Every counselor can service about 100 people a year. So, we... having the number of

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foreclosures that we have in this state, we need a number of new counselors."

Arroyo: "So, your Bill would be able to hire people with the fees to be able to..."

Yarbrough: "Yes. We..."

Arroyo: "...take more cases?"

Yarbrough: "...we've figured about \$20 million for... on... on that side and that will allow us to hire housing counselors. And that's where the 350 housing counselor came from."

Arroyo: "Okay. Thank you. I... I rise in support of this Bill for the second time. Maybe I can vote twice. Thank you very much."

Speaker Lang: "Mr. Reis for two minutes."

Reis: "Mr. Speaker, should this receive the requested number of votes, I ask for verification. And I yield my time to Representative Kay."

Speaker Lang: "Your request is acknowledged. Mr. Kay for two minutes."

Kay: "Mr. Speaker, I think we've had a lot of good debate on this. I'd just like to call the previous question."

Speaker Lang: "Mr. Kay, there's only one more speaker, so we'll take that person and then we'll close. Representative Monique Davis for two minutes."

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

Speaker Lang: "The Lady yields."

Davis, M.: "Karen Yarbrough, is this your last Bill?"

Yarbrough: "Yes."

Davis, M.: "What a legacy to leave with the General Assembly, where there has been a major attack against home mortgage

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fraud, blighted neighborhoods, unkempt property. And those of us who've been around a long time, we know that this issue has gained momentum in many communities where people are losing their property. Those next door are losing the value of their property, but the taxes are not going down, just the value of the property. So, this is legislation that will help all of us who support and represent homeowners and who represent communities who have really been under attack with unfair mortgages. Karen Yarbrough, what a wonderful legacy to leave. I think the Attorney General is in support of this. Is that correct? The Attorney General has been very supportive of this kind of legislation, to prevent the harm to homeowners. All of us who care about the people we live around, all of us who care about the residents that we represent will vote 'aye'. I urge an 'aye' vote."

Speaker Lang: "Leader Yarbrough to close."

Yarbrough: "I think that we certainly had a vigorous debate on... on this issue. And I hope that when I leave here that you all will continue to do whatever you can to help people in the communities that you represent across this state. I got involved in this issue, not just today. Many of you can remember House Bill 4050. We were vilified in the media. They said it was discriminatory. The predatory lenders were doing what they do and a lot of that resulted in what we have today. Our Leader on this side of the aisle, Speaker Madigan, led the fight with House Bill 4050. Many of us put our zip codes in that Bill and we wanted to get help for people giving them counseling so that they could learn

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better and do better. But guess what happened? On the way to... and you know, putting that law in place and getting those things done, somebody said it was discriminatory, the former Governor pulled the program back. I just wonder how many people's homes could we have saved over these past several years. And so, here we are in 2012, the problem is in full bloom. Either you do something today about it... go back home and tell the people at home that you did nothing on this issue, continue to watch the grass grow up and your property values go down. Vote 'yes' for this Bill. Thank you."

Speaker Lang: "The Lady moves for the passage of Senate Bill 3522. Ladies and Gentlemen, there's been a request by Mr. Reis 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? Mr. Clerk, please take the record. On this question, there are 67 voting 'yes', 48 voting 'no', 2 voting 'present'. And Mr. Reis has asked for a verification. Do you persist in your request, Sir? Mr. Reis persists. Mr. Clerk, please read the affirmative."

Clerk Bolin: "A poll of those voting in the affirmative: Acevedo; Arroyo; Berrios; Biss; Bradley; Brauer; Dan Burke; Kelly Burke; Carli; Cassidy; Chapa LaVia; Costello; Crespo; Cunningham; Currie; D'Amico; Monique Davis; Will Davis; DeLuca; du Buclet; Dugan; Marcus Evans; Farnham; Feigenholtz; Flowers; Ford..."

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Speaker Lang: "Mr. Clerk, the... the request for a verification has been withdrawn. There being 67 'yes' votes, 48 'no', 2 voting 'present', this Bill, having received the Constitutional Majority, is hereby declared passed. On page 8 of the Calendar, there appears Senate Bill 3280, Representative Jakobsson. Mr. Clerk, please read the Bill."

Clerk Bolin: "Senate Bill 3280, a Bill for an Act concerning regulation. The Bill was read for a second time, previously. Amendment #1 was adopted in committee. Floor Amendments 3 and 4 have been approved for consideration. Floor Amendment #3 is offered by Representative Jakobsson."

Speaker Lang: "Representative Jakobsson on Floor Amendment 3."

Jakobsson: "I have a question before I do this. I have... I have House Amendment 3 and 4, and I want to adopt both of them."

Speaker Lang: "All right. Do you want to adopt them both?"

Jakobsson: "Yes."

Speaker Lang: "Mr. Reboletti. The Lady moves to adopt Amendments 3 and 4. Those in favor say 'yes'; opposed 'no'. The 'ayes' have it. Both Amendments are adopted. Mr. Clerk."

Clerk Bolin: "No further Amendments, but several notes have been requested on the Bill and have not been filed."

Speaker Lang: "The Bill will be held on the Order of Second Reading pending the notes. Page 5 of the Calendar, Senate Bills-Third Reading, Senate Bill 3592, Representative Feigenholtz. Please read the Bill. Representative, you need to move this Bill back to the Order of Second Reading. Mr. Clerk, please place the Bill on the Order of Second Reading and read the Bill."

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Clerk Bolin: "Senate Bill 3592, a Bill for an Act concerning civil law. The Bill was 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 Feigenholtz."

Speaker Lang: "Representative, you want to move both of these Amendments to Third Reading?"

Feigenholtz: "Yes."

Speaker Lang: "Mr. Reboletti. The Lady moves to adopt Amendments 2 and 3. Those in favor say 'yes'; opposed 'no'. The 'ayes' have it. Both Amendments are adopted. Mr. Clerk."

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

Speaker Lang: "Third Reading. Please read the Bill."

Clerk Bolin: "Senate Bill 3592, a Bill for an Act concerning civil law. Third Reading of this Senate Bill."

Speaker Lang: "Representative Feigenholtz."

Feigenholtz: "Thank you, Mr. Speaker. Senate Bill 3592 amends the Guardianship and Advocacy Act by requiring the court to include, in a court order, the reasons necessary to appoint the office of the guardian, rather than another interested party. It adds a Section to termination adjud... adjudication of disability, allowing the court the discretion to terminate an adjudication of disability if a report is filed, and adds a... a \$100 flat fee on the administration of estates in probate court. These fees will be deposited into the Guardianship and Advocacy Fund and will help defray the

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cost of maintaining and operating this agency here in the State of Illinois."

Speaker Lang: "The Lady moves for the passage of the Bill. The Chair recognizes Mr. Reboletti for two minutes."

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

Speaker Lang: "She yields."

Reboletti: "Representative, what's the current fee to file whatever documents that need to be filed in these... in these situations? You said you're adding \$100 fee. What's the... what's the current cost?"

Feigenholtz: "I believe it's different in every county, and we're going to check on that right now, but this is not a substantial increase."

Reboletti: "And... and do we know how much money will be raised by the fee?"

Feigenholtz: "They're estimating about a million dollars, which is... you can ask anyone from Human Services Appropriations, Representative Reboletti, a million dollars is a game changer for this agency that is struggling to stay afloat."

Reboletti: "And... and what will this be... if we're able to do this, what would this be able to accomplish with a million dollars?"

Feigenholtz: "Representative, we have a lot of wards of the state that this agency has responsibility over. They are... are aunts, are uncles, people who don't have children, who have disabilities, mental illness, who require a guardian. And unfortunately, the budget constraints have given us pause to think about how this agency can reinvent itself, because they really do God's work."

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Reboletti: "And... and for those unfamiliar, what is the role of the guardian, if the guardian is not a related person?"

Feigenholtz: "I'm sorry. What was the question?"

Reboletti: "What's the role of a guardian?"

Feigenholtz: "The guardian is exactly that. The... the... ultimately, the person who makes life decisions for the ward."

Reboletti: "And... and so, there... is there a person who has some type of legal control over a person's estate, over a person's health decisions."

Feigenholtz: "Correct."

Reboletti: "It's run by the estate and I can't think of the other term, but they have the control to be able to take care of the person and their condition. Most of them I'm sure are persistent and permanent."

Feigenholtz: "Correct."

Reboletti: "Thank you, Representative."

Speaker Lang: "Mr. Saviano for two minutes."

Saviano: "Thank you, Mr. Speaker and Members of the House. As a member of the Guardianship and Advocacy Commission, I could personally attest to the... to the good work that the commission does. I mean, the people that we take care of are people who have no one else to make those decisions, no one else to make sure they're in a safe environment, make sure they're protected from any fraudulent acts against them. There's a provision in here, too, if you can't afford the fees, the judge could waive the fees. All the safety nets are in there. And... and actually, this commission and this state agency, as the Representative... the Sponsor has

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said, does... are like angels to these people. We sit there every month in these meetings, looking at these reports, the amount of people that this commission takes care of. I, personally, when I first joined the commission, I wasn't... I really didn't know how in depth they were involved in so many people's lives in our state, and over the years have found that they are such a necessity. They're not high profile. You don't hear a lot about the commission or the agency, but they truly are needed in this state. And we... we go through this year after year where we don't have the resources that we could provide the level of service or take as... care of as many people as we need to take care of. There's a wai... waiting list. We're scurrying around. Some counties don't even have guardians. We have to go out there and fill in those gaps. This truly, truly is needed, and it's not a lot of money but it covers the cost of effectuating that safety net for the people, who I think in this state, need it the most. I would appreciate your 'aye' vote."

Speaker Lang: "Representative Feigenholtz to close."

Feigenholtz: "Ladies and Gentlemen, you've heard from Representative Saviano, myself, about how important this agency is. Please vote 'aye' so we can take care of the most vulnerable in Illinois."

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? Have all voted who wish? That's four times. Bost, Brady, Franks, Hays, Jefferson, Sosnowski, record yourselves. Please take

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the record. On this question, there are 74 voting 'yes', 43 voting 'no'. And this Bill, having received the Constitutional Majority, is hereby declared passed. Mr. Clerk."

Clerk Bolin: "Committee Reports. Representative Currie, Chairperson from the Committee on Rules reports the following committee action taken on May 31, 2012: recommends be adopted Motion to Concur with Senate Amendment #2 for House Bill 4568."

Speaker Lang: "On page 5 of the Calendar, Senate Bill 3621, Mr. Acevedo. Please read the Bill. Mr. Acevedo, there's an Amendment. We'll move the Bill back to the Order of Second Reading and read the Bill."

Clerk Bolin: "Senate Bill 3621, a Bill for an Act concerning State Government. The Bill was read for a second time on a previous day. No Committee Amendments. Floor Amendment #1, offered by Representative Acevedo, has been approved for consideration."

Speaker Lang: "The Gentleman moves to... 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."

Clerk Bolin: "Senate Bill 3621, a Bill for an Act concerning State Government. Third Reading of this Senate Bill."

Speaker Lang: "Mr. Acevedo."

Acevedo: "Thank you, Mr. Speaker, Ladies and Gentlemen of the House. Senate Bill 3621 is just a cleanup Bill to address the... some issues the Comptroller's Office had with House

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Bill 1316, which passed both Houses last spring. House Bill 1316 attempted to make the Illinois State Police Projects Trust Fund and interest bearing fund, in order to comply with the general federal grants. I'll 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? Have all voted who wish? Please take the record. On this question, there are 113 voting 'yes', 1 voting 'no'. And this Bill, having received the Constitutional Majority, is hereby declared passed. Senate Bill 3415, Representative Will Davis. Please read the Bill. Mr. Clerk, please move this Bill back to the Order of Second Reading and read the Bill."

Clerk Bolin: "Senate Bill 3415, a Bill for an Act concerning education. The Bill was read for a second time on a previous day. Amendment #1 was adopted in committee. Floor Amendment #2, offered by Representative Will Davis, has been approved for consideration."

Speaker Lang: "Mr. Reboletti. 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."

Clerk Bolin: "Senate Bill 3415, a Bill for an Act concerning education. Third Reading of this Senate Bill."

Speaker Lang: "Mr. Davis."

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Davis, W.: "Thank you very much, Mr. Speaker. We attempted to try to move this Bill the other day... yesterday, day before. They're all starting to run together now. And there were a myriad of concerns that came up from Members on this side of the aisle, as well as that side of the aisle. So, the Amendment that we have adopted was an attempt to try to alleviate many, if not all, of the concerns that were presented by Members on the floor, to address the issue of the... the offenses that will be part of this category. The issue of dealing with students that are... that have IEPs was addressed as well. So, again, we attempted to try to address those concerns that were brought on the floor with the purposes of this Amendment. So, I'll be more than happy to answer any questions."

Speaker Lang: "The Gentleman moves for the passage of the Bill. The Chair recognizes Representative Monique Davis for two minutes."

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

Speaker Lang: "The Gentleman yields."

Davis, M.: "Could you tell us what Amendment issue... what did you correct? What did you put on the Bill and what does it do?"

Davis, W.: "Well, if you will indulge me. Hold on, Representative and I can... What we attempted to do on Amendment #2, first thing, is that it gives school leadership discretion as it relates to assault and batteries, which means they have the discretion to decide what they want to do in those situations. Number two, carves out a provision for special education students. And

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number three, it removes the consequences for teachers who don't report the incidents except for gun-related incidents, which they already had the requirement to do anyway."

Davis, M.: "So, in other words... is it a House Amendment 2 or Senate Amendment 1?"

Davis, W.: "I believe it's House Amendment #2 we just adopted, Ma'am."

Davis, M.: "So, you adopted House Amendment 2 and it states that you will exactly do what? And I apologize."

Davis, W.: "Well, again, the Amendment corrects the three things that I just read for you."

Davis, M.: "Could you read them again, please?"

Davis, W.: "Absolutely. The three things that House Amendment #2 will correct is, for instance, it gives school leadership the discretion to deal with the issues of assaults and batteries. So, it kind of removes that from where we were the other day. The second thing, it carves out a provision for special education students, which was brought up by a Representative on the other side of the aisle. And three, it removes the consequences for teachers who don't report the incidents... incidences, except for gun-related crimes, which they already have a requirement to do."

Davis, M.: "So, the other only thing your Bill will do is urge school administrators to report to the State Police if a child has a gun incident. Is that correct?"

Davis, W.: "No, no."

Davis, M.: "No."

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Davis, W.: "It ex... it still expands reporting. So, again, these are corrections from what we attempted to move the other day. So, you have to be aware or remember what we attempted to do the other day, and these three things were brought up in the debate in our attempt to do that. So, for instance, the original Bill does... so it... so it does expand mandated reporting for offenses of criminal... excuse me, criminal sexual assault, aggravated criminal sexual assault, criminal sexual abuse, and aggravated criminal sexual abuse. So, again, part of the challenge that I believe you had before was that assault and batteries were lumped into that as well. And so, there's a lot of gray area as it relates to those particular offenses..."

Davis, M.: "But..."

Davis, W.: "...so they were taken out."

Davis, M.: "Criminal sexual assault. A child that commits criminal sexual assault, I mean, I believe there's an arrest, right?"

Davis, W.: "I'm sorry."

Davis, M.: "Is there an arrest by the police if there's criminal sexual assault?"

Davis, W.: "Well, again, this is about reporting the incidences to law enforcement."

Davis, M.: "Exactly what will have to be reported?"

Speaker Lang: "Representative Davis, your time has expired. We'll have..."

Davis, M.: "Can I just..."

Speaker Lang: "...Representative Davis answer your question, and then we'll let you make some comments."

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Davis, M.: "Thank you."

Davis, W.: "I... I just... the list that I just read, Ma'am."

Davis, M.: "Okay. To the Bill, Mr. Speaker. I'm really not that clear, and I apologize. I just ran in from out in the lobby there. But I just think that having administrators or anyone have a responsibility to report to the police what, perhaps, the police may already know. If there's a criminal sexual assault, surely the police are called and they will already know this. But your objective is to get information to the State Police, and that's what we object to. We object to school officials having to report what happens at school with a child to the State Police. We feel that a parent should be notified. A parent who's at work, a parent who's at school, a parent who's at home should be called and notified for any problem or trouble his or her child gets into. And I think that if the police, who have to be called at the local level, choose to give it to the State Police, that might be something different. But I don't think anybody should be mandated to report children's behavior to the State Police."

Speaker Lang: "Representative, your time has expired."

Davis, M.: "Thank you."

Speaker Lang: "Mr. Durkin for two minutes."

Durkin: "Will the Sponsor yield? Representative..."

Speaker Lang: "The Gentleman yields."

Durkin: "...last Saturday we had a rather spirited debate on this issue. One of the concerns we had was the imposition of a criminal penalty against a superintendent who failed to file on the second time an incident was brought to his

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attention. We no longer... your legislation, as amended, no longer imposes that criminal penalty against that superintendent. Correct?"

Davis, W.: "Only as it relates to firearm issues."

Durkin: "Thank you. Thank you. All right. Well, I appreciate. You did listen to the concerns that we raised on Saturday. I do accept what you are doing with this Amendment, and I would encourage my colleagues to vote 'aye'."

Davis, W.: "Thank you."

Speaker Lang: "Mr. Mitchell for two minutes."

Mitchell, J.: "Thank you, Mr. Speaker. Representative Davis, does this remove any of the people that were opposed to this Bill?"

Davis, W.: "Does it remove opposition?"

Mitchell, J.: "Does it remove any of the opponents to the Bill?"

Davis, W.: "When we... well, based on... based on what we thought were the challenges of the opponents, the Amendment was drafted for that purpose, and they were happy with the Amendment to address those particular concerns. But they may have additional concerns that are not necessarily addressed by the Amendment."

Mitchell, J.: "Well, it seems they are because the CPS Juvenile Justice Initiative and the Health and Disability Advocates are still opposed to the Bill. So, apparently, the Bill needs some more work and I'd suggest that you wait 'til next time around, talk to those people, get some agreements and bring the Bill back. Folks, the Bill's not that much better. It still deserves a 'no' vote. Thank you."

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Speaker Lang: "Mr. Reboletti for two minutes."

Reboletti: "Will the Sponsor yield?"

Speaker Lang: "The Gentleman yields."

Reboletti: "Representative, I'm looking at the... the police reporting requirements shifted to local law enforcement. Can you briefly explain that portion?"

Davis, W.: "I'm... I'm sorry. Repeat that again, very quickly."

Reboletti: "It's the completion of police report requirement. You're shifting it to local law enforcement agencies with respect to what the man... the mandate of the superintendent, what they're supposed to do."

Davis, W.: "I'm not... Repre... Representative, I'm not really sure I understand your question."

Reboletti: "Wasn't the superintendent supposed to... or... or was required to have... make sure a police report was completed upon reporting an incident and then you changed that to making local law enforcement make that decision?"

Davis, W.: "Well, I think there was some push back because I guess advocates didn't think that a principal could ensure that a police report would be generated, that the principal could generate a police report from law enforcement."

Reboletti: "And with respect to the assault and battery, and you may have said it, but sometimes the... the volume fluct... fluctuates in here, what will happen with assault and battery cases? Is it a may instead of a shall?"

Davis, W.: "It's a may."

Reboletti: "Representative, we appreciate you addressing those concerns, and I would urge an 'aye' vote."

Davis, W.: "Thank you."

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Speaker Lang: "Mr. Rose for two minutes."

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

Speaker Lang: "Of course."

Rose: "Representative Davis, thank you very much for listening, particularly with respect to the developmentally disabled folks. I appreciate that very much. I do want to ask just a couple quick questions if I may, about how this would work. Is the reporting of the sexual assaults, is that with respect to school personnel or to other children?"

Davis, W.: "What... It's... it's both, Representative. It's attacks on school personnel, as well as if there are incidents involving children."

Rose: "So, if... eighth-grade playground, a young man says something to a young lady and it's overheard with or visual... or seen by a teacher's aide, they have to report that to the superintendent, who then has to call the police."

Davis, W.: "Well, I guess the concern, based on what you just said, is whether or not it meets the definition of the offenses that were listed here that are, again, criminal sexual assault, aggravated criminal sexual assault, criminal sexual abuse, and aggravated criminal sexual abuse. Now, you said..."

Rose: "Well..."

Davis, W.: "These are meant to stop, what I'm being told, is Penn State, like, incidences."

Rose: "Sure."

Davis, W.: "So, you suggested is there... if a... if a student says something to another student, and the question is whether

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it... it would meet, kind of, these definitions of these types of offenses."

Rose: "Okay. I... you know, I... I guess I get a little... I get a little concerned on a... on a playground that some, you know, young man may be chasing a young lady, and say or do something, and suddenly there's a police report filed based upon... upon that, when it may have been, you know..."

Davis, W.: "Well..."

Rose: "...quite frankly, kids being kids."

Davis, W.: "Well... well, again, Representative, unlike before, you know, there is discretion now given to..."

Rose: "But not in the sexual assault Section. The sexual assault Section is mandatory, correct? And if not, that'd be great."

Davis, W.: "Well... well, the question is whether something on the playground rises to the level of the offenses that were just addressed."

Rose: "Right. But..."

Davis, W.: "And so..."

Rose: "...but those offenses are mandatory reporting to the police."

Davis, W.: "Are you talking about, maybe, something like sexual harassment?"

Rose: "Well..."

Speaker Lang: "Mr. Rose, your time has expired. Please bring your comments to a close, Sir."

Rose: "Thank you. I guess the question is... the question is, those things have to be reported automatically to the police, correct?"

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Davis, W.: "Yes."

Rose: "Okay. And I've got... I've... you have some people that'll yield me some time, but we'll get to that in a minute. Thank you."

Davis, W.: "Thank you."

Speaker Lang: "Mr. Halbrook for two minutes."

Halbrook: "Thank you, Speaker. I yield my time to Representative Rose."

Speaker Lang: "Mr. Rose for two more minutes."

Rose: "Thank you. So, let's carry on with it. Let's assume you're in a multibuilding district with four or five different buildings. Is it the teacher that has to report it to the superintendent that might be in a different building and the reporter... the superintendent may or may not report it to the police unless it's a sexual offense, which they have to report to the police?"

Davis, W.: "Well, I believe the... the Bill talks about school leadership. So, maybe in the situation that you're speaking of where you have a multischool district, it's school leadership. And for attacks on school personnel, the superintendent is the one that..."

Rose: "Or his or her designee."

Davis, W.: "...is... is the one that reports. Correct."

Rose: "So, theoretically, the superintendent can designate a principal in a building to be the one."

Davis, W.: "I'm... I'm sorry."

Rose: "Theoretically, a superintended could designate a principal in the building to be the one to make the reporting."

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Davis, W.: "Yes... yes, they could."

Rose: "Okay. Well, I... I greatly appreciate you taking the time to look into this. I'm going to think about it a little bit more. I... I, honestly, I... it's come a long way. It really has. I get a little concerned that, you know, perhaps some young kid could be an idiot on a schoolyard and do something that everybody's done throughout the history of time, and suddenly get reported to the police. But I do appreciate the fact that it's in the discretion on the nonsexual offenses and the... and the school personnel, as opposed to mandatory. So, I do appreciate you being a Gentleman on this."

Davis, W.: "Thank you."

Speaker Lang: "Mr. Coladipietro for two minutes. The Gentleman wishes not to speak. Representative Golar for two minutes."

Golar: "Thank you, Mr. Speaker. I yield my time to Representative Monique Davis."

Speaker Lang: "Representative Davis for two minutes."

Davis, M.: "Thank you very much. In looking at the Bill, I see that the Health and Disabilities Advocates are still opposed. The Juvenile Justice Initiative is still opposed. And if a principal and his or her designee does not report this to the police, they can still be charged with a Class C misdemeanor. And it looks like... it looks like the police are the ones who notify the parent, rather than the school notifying the parent, and that is a big no-no. Some of these kids are 12 years old. Some of these children are 12 years old, 11 years old, in sixth grade, and you really haven't changed that much. You are allowing children to be

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questioned in the presence of police without a parent being... being present. That's less support than an adult has. It's a... it's not... it's not fair to our children. I had an incident when I was a school teacher. A little girl had a gun. We called the parent, and we did call the police, but she was protected by the assistance of her grandmother, and the fact that she had been a very good person and today, she is a teacher with a master's degree. And she thanks me... she thanks me for not allowing her to have a criminal record, and her whole future being destroyed. I really hesitate to pass any legislation that would label a child for his or her life for a bad mistake, any mistake, but for a bad mistake. That's what education is all about, changing the behavior of children, changing their behavior, educating them, teaching them right from wrong, not calling the State Police on them. It is wrong. It is wrong. I urge a continued 'no' vote. As Representative Mitchell stated, Jerry Mitchell, Jerry Mitchell, who is a very supported educator in the State of Illinois, who's worked in this Body on issues for schools, who knows that this is not the right way to go. Jerry Mitchell has always advocated, advocated for our schools, and he says we should not vote for this Bill. I urge a 'no' vote."

Speaker Lang: "Mr. Davis to close."

Davis, W.: "Thank you very much, Mr. Speaker. Again, we took what was said in debate a couple of days ago and we made significant changes to this legislation to try to appease some of the advocates. And again, sometimes when you try to appease them, you give them an inch, they want to take a

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mile. So, what their initial challenges were to this Bill, we worked to address those challenges, and they were okay with the Amendment that we put before them, but they want more. And that's fine. And maybe we can come back in a trailer Bill after we've had an opportunity to talk to them about what their additional concerns are, and try to address those. But this Amendment currently addresses the concerns of what was presented to us when we began. I want to thank Representative Rose, Representative Reboletti, Representative Durkin, on their comments and how we have now been able to change the Bill to try to adjust their part... particular concerns. And I certainly want to thank the young lady standing behind me, to my left, Rachel, for working very hard to help put this Amendment together and present what we think is a Bill that is indeed palatable, and I certainly urge your support. Thank you."

Speaker Lang: "The Gentleman moves for the passage of the Bill. Those in favor vote 'yes'; opposed 'no'. The voting is open. Record yourselves, Members. Have all voted who wish? Have all voted who wish? Have all voted who wish? Mr. Bost, Leader Currie, Gabel, Harris, Sullivan. Please record yourselves. Please take the record. On this question, there are 56 voting 'yes', and 61 voting 'no'. The Gentleman moves for Postponed Consideration. The Chair recognizes Representative Cole."

Cole: "Thank you, Mr. Speaker. I was away from my desk just for a moment and there was a Bill for the Illinois State Police Federal Projects Fund, SB3621. I would prefer with my ride

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home tonight that I not be the 'no' vote. Could the record reflect a 'yes' vote, please?"

Speaker Lang: "The record will reflect your intentions. Page 12 of the Calendar, under the Order of Concurrences, appears House Bill 3892, Representative Osmond. Please proceed."

Osmond: "Thank you, Mr. Speaker. The... I'd like to concur with Amendment #1 from the Senate, and it basically just narrows it down to Lake County."

Speaker Lang: "Perhaps you could tell us what it narrows down to Lake County."

Osmond: "Well, the original Bill was dealing with surplus at a... at a forest preserve, and the first part of the Bill allows the... office supplies, desks, and that to be sold. The second part allows property such as, in this particular instance, it's barn wood. In other words, they want to take down a barn and they want to be able to sell the wood."

Speaker Lang: "The Lady moves that the House concur in Senate Amendment #1 to House Bill 3892. And on that question, the Chair recognizes Mr. Franks."

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

Speaker Lang: "The Lady yields."

Franks: "It wouldn't be an Osmond Bill without asking a question."

Osmond: "Thank you."

Franks: "My question is, why is it only for Lake County? When we initially passed the Bill, it was for all the forest preserve districts, and I think it passed unanimously. So, how does this make it a better Bill if you only use it for

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Lake County instead of the other existing forest preserve districts?"

Osmond: "President Cullerton asked for it to be only in Lake County at this time."

Franks: "Is there any reason for that? Could we... could it... he just as easily exempted Cook County, instead of just having it for one county?"

Osmond: "I'm not exactly sure what his thought process was, Sir."

Franks: "Really? You didn't have dinner and talk it over and figure it out?"

Osmond: "No. No."

Franks: "He usually calls me before he does those things. I'm surprised."

Osmond: "Well, I'll... I'll point that out to him if I have that occasion."

Franks: "Okay. Well, thank you."

Osmond: "You're welcome."

Speaker Lang: "Representative Osmond to close. Representative Osmond, do you wish to close?"

Osmond: "I'm sorry. I... I'd appreciate the support on this."

Speaker Lang: "The Lady moves that the House concur in Senate Amendment... Amendment #1 to House Bill 3892. Those in favor of the Lady's Motion vote 'yes'; opposed 'no'. The voting is open. Have all voted who wish? Have all voted who wish? Bost. Moffitt. Please take the record. On this question, there are 116 voting 'yes', 1 voting 'no'. And the House does concur with Senate Amendment #1 to House Bill 3892. And this Bill, having received the Constitutional Majority,

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is hereby declared passed. House Bill 4674. Mr. Rita, please proceed."

Rita: "Thank you, Mr. Speaker. Ladies and Gentlemen of the House, we're just going to concur with Senate Amendment #1. It just changes the date from July 1 to January 1, 2014."

Speaker Lang: "The Gentleman moves that the House concur in Senate Amendment #1 to House Bill 4674. Those in favor of the Gentleman's Motion vote 'yes'; opposed 'no'. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Mr. Bost, Dunkin, Mussman. Mr. Dunkin. Mr. Bost. Please take the record. On this question, there are 117 voting 'yes', 0 voting 'no'. And the House does concur with Senate Amendment #1 to House Bill 4674. And this Bill, having received the Constitutional Majority, is hereby declared passed. House Bill 4996, Mr. Biss. Please read the Bill. Excuse me. Mr. Biss."

Biss: "Thank you, Mr. Speaker. We're here to concur on two Senate Amendments to House Bill 4996, which as you may recall is a solution to a problem that arises from the unfortunate economic system in our pensions in the State of Illinois. The State University Retirement System and Teachers' Retirement System are both funded by an entity that is State Government, which is not responsible for making determinations of human resources for those systems. Consequently, it's possible for the state universities to allow their employees to terminate, sometimes, prematurely, and then return to work; thus, obligating the retirement system to pay the pension while the employer is still paying a far lower salary. It's essentially a... a shifting

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of the burden in a way that's kind of dangerous and irresponsible. The Bill that we passed unanimously nearly out of this chamber had a... was a little bit overbroad and the Senate has narrowed it in a couple of different ways. And I move that we concur with their Amendment so we can send this important Bill to the Governor. Thank you."

Speaker Lang: "The Gentleman moves to... that the House concur with Senate Amendments 1 and 2 to House Bill 4996. Those in favor of the Gentleman's Motion will vote 'yes'; opposed 'no'. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Bost, Golar, Jackson, Mell. Please take the record. On this question, there are 115 voting 'yes', and 2 voting 'present'. And the House does concur with Senate Amendments 1 and 2 to House Bill 4996. And this Bill, having received the Constitutional Majority, is hereby declared passed. Members, we're going to Resolutions now. We're going to try to do these very rapidly. There are many Resolutions. So, let's do these as quickly as we can. Some of them will require a voice vote; some of them will require a record vote. The first one is on page 15, House Resolution 680, Mr. Brown. Out of the record. House Resolution 701, Mr. Dunkin. Out of the record. House Resolution 757, Mr. Ford. Please proceed, Sir."

Ford: "Thank you, Mr. Speaker and Members of the House. House Resolution 757 modifies the due date for the reporting of the Fire Public Awareness Task Force that this House adopted with House Resolution 550. It extends the date to December 31, 2012. I ask for the passage."

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Speaker Lang: "The Gentleman moves for the adoption of the Resolution. Those in favor vote 'yes'; opposed 'no'. The voting is open. Have all voted who wish? Have all voted who wish? Please vote, Members. Have all voted who wish? Have all voted who wish? Mr. Clerk, please take the record. On this question, there are 101 voting 'yes', 13 voting 'no', 1 voting 'present'. And the Resolution is adopted. House Resolution 1117, which is on page 14 of the Calendar, Representative Hammond. Please proceed."

Hammond: "Thank you, Mr. Speaker. House Resolution 1117 congratulates Dave Steelman on his retirement as the Governmental Liaison for Western Illinois University. And I would ask that everyone join me in honoring Dave and thanking him for his years of service since 1997, and he will sincerely be missed."

Speaker Lang: "Those in favor of the Resolution say 'yes'; opposed 'no'. The 'ayes' have it. And the Resolution is adopted. Moving back to page 15 of the Calendar, House Resolution 824, David Harris. Please proceed."

Harris, D.: "Thank you, Mr. Speaker. This Resolution deals with American forces in... in Afghanistan. It asks for the President to begin an expedited withdrawal of forces from Afghanistan. It does not state a specific date, simply says there's a plan in place, expedite the plan within strategic objectives."

Speaker Lang: "The Gentleman moves for the adoption of the Resolution. The Chair re... recognizes Mr. Reboletti."

Reboletti: "Will the Sponsor yield?"

Speaker Lang: "The Gentleman yields."

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Reboletti: "Representative, Representative Watson wanted to speak to this issue. Would you take it out of the record briefly so he'd be able to address it? I'm not sure where he's at."

Harris, D.: "I'd be... if... can we come back to it, Mr. Speaker?"

Speaker Lang: "We'll come back to it."

Harris, D.: "Thank you."

Reboletti: "Thank you."

Speaker Lang: "Thank you, Gentlemen. House Resolution 830, Mr. Zalewski. Please proceed. Out of the record. House Resolution 913, Representative Yarbrough. Out of the record. House Resolution 930, Mr. Brady. Please proceed, Sir."

Brady: "Thank you very much. Ladies and Gentlemen of the House, House Resolution 930 is simply depicting Crime Victims' Rights Week. And I certainly ask for an 'aye' vote."

Speaker Lang: "The Gentleman moves for the adoption of the Resolution. Those in favor say 'yes'; opposed 'no'. The 'ayes' have it. And the Resolution is adopted. House Resolution 963, Representative Golar. Please proceed."

Golar: "Thank you, Mr. Speaker. House Resolution 963 recognizes the importance of services provided by the non-for-profit social service organization in the state, which are our 501(c)(3)s. We urge the Comptroller to prioritize the payment of obligation owed to those organizations. I'm requesting an 'aye' vote."

Speaker Lang: "The Lady moves for the adoption of the Resolution. Those in favor say 'yes'; opposed 'no'. The

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'ayes' have it. And the Resolution is adopted. House Resolution 1003, Representative Golar."

Golar: "Thank you, Mr. Speaker and Members of this Assembly. In my community, there are many issues in regards to violence. And the Muslim community came to me along with a pair of professionals and wrote this Resolution in regards to what is happening in my community, especially in Englewood. It encourages faith-based organizations to develop and implement universal intervention aimed to prevent violence in Illinois's impoverished, underserved, and at-risk communities by providing employment opportunities, media, and educational programs, after-school programs, mentoring programs, and other activities that replace negative messages, activities, beliefs and attitudes with positive and productive activities, beliefs and messaging.. messages through a transparent and collaborative process with a community that takes full advantage of state and federal funding resources. This particular Resolution, Ladies and Gentlemen, addresses some systemic issues in my community. In Englewood, we have the highest youth violence. The highest in the nation and something has to be done. And in the Resolution, it points out individuals that are either a part of the problem, and individuals that can solve those problems. I would urge an 'aye' vote."

Speaker Lang: "The Lady moves for the adoption of the Resolution. Those in favor say 'yes'; opposed 'no'. The 'ayes' have it. And the Resolution is adopted. House Resolution 1010, Representative Bellock. Please proceed.

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Members, please be looking on the Calendar so you're ready when your Resolution is called. Representative Bellock."

Bellock: "Thank you very much, Mr. Speaker. House Resolution 1010 is regarding... shows appreciation of National Osteo... Osteoporosis Awareness and Prevention Month in the month of May. Just tries to raise the awareness of how to address this issue, especially in our youth."

Speaker Lang: "The Lady moves for the adoption of the Resolution. Those in favor say 'yes'; opposed 'no'. The 'ayes' have it. And the Resolution is adopted. House Resolution 1013, Mr. Franks. Please proceed."

Franks: "Thank you, Mr. Speaker. House Resolution 1013 supports the United States Fish and Wildlife Service in its effort to establish a new national wildlife refuge on the Illinois-Wisconsin border to be named the Hackmatack National Wildlife Refuge."

Speaker Lang: "The Gentleman moves for the adoption of the Resolution. Those in favor say 'yes'; opposed 'no'. The 'ayes' have it. And the Resolution is adopted. House Resolution 1022, Mr. Cavaletto. Please proceed."

Cavaletto: "Thank you, Mr. Speaker. And... the House Resolution 1022 encourages state and federal officials to provide funding for a Route 50 expansion project between Indiana state line and connecting with Interstate 64 in Illinois. I ask for an 'aye' vote."

Speaker Lang: "The Gentleman moves for the adoption of the Resolution. Those in favor say 'yes'; opposed 'no'. The 'ayes' have it. And the Resolution is adopted. House Resolution 1029, Mr. Barickman. Please proceed."

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Barickman: "Thank... thank you, Mr. Speaker. House Resolution 1029 commemorates the Endangered Species Day in the State of Illinois. I'd... I'd ask for an 'aye' vote."

Speaker Lang: "The Gentleman moves for the adoption of the Resolution. Those in favor say 'yes'; opposed 'no'. The 'ayes' have it. And the Resolution is adopted. House Resolution 1110, Mr. Reis. Please proceed, Sir."

Reis: "Thank you, Mr. Speaker. House Resolution 1110 directs the Auditor General to conduct a performance audit of the state moneys provided through the Neighborhood Recovery Initiative. I ask for an 'aye' vote."

Speaker Lang: "The Gentleman moves for the adoption of the Resolution. The Chair recognizes Mr. Franks."

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

Speaker Lang: "The Gentleman yields."

Franks: "Representative, do we have a... I'd like to know why we need to have an audit. Has there been some allegations of misconduct?"

Reis: "Well, not necessarily allegations of misconduct. We've been following this program through the Public Safety Appropriations Committee for the last couple of years. The Governor, back in September of '10, increased their budget from 4 million to 37 million. We found this out in the spring of last year. We reduced their budget from 10... or, from 37 to 10. The Governor went ahead and gave them another 11 or 12. In all, \$90 million has been given, and dozens, and dozens, and dozens of agencies throughout Chicago have to be issued RFPs and applications. And we

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just want to make sure that everything's being done right there. It was kind of the concern of all the committee."

Franks: "Has this been audited before, because typically we have authorities that are... are they on an audit cycle, or is it... would this be a... I'm sorry. Go ahead."

Reis: "Yes. Their most recent audit was conducted in the end of June 30 of 2010, which is before all the money came in. And there was no mention of NRI, and it was not a performance-based audit, it was just fiscal."

Franks: "Do you know if they have a fiscal agent, or do they have someone who's full-time?"

Reis: "We've asked a lot of questions and haven't gotten very many answers."

Franks: "Well, then, I think it's time for an audit. Thank you."

Speaker Lang: "Mr. Riley."

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

Speaker Lang: "The Sponsor yields."

Riley: "Representative Reis, in... in light of the process that you just went through, through the... the Public Safety Committee, why... why would you want to go ahead and do an audit, you know, at... at this time?"

Reis: "Well, we want to make sure that things were done right. This goes back for fiscal year '10 and... excuse me, '11 and '12, and I know we changed things going forward, but we're still... a lot of us, in our heart of hearts, believe that the Governor will give them money, even though it's not been appropriated. So, we want to make sure things are done right, and I'd be..."

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Riley: "But Representative Reis, can't we say that about... just about every... every program that this state runs?"

Reis: "And that's a legitimate question that was brought up in our committee. We discussed this many times, many days this year. There were a lot of concerns by Democrats and Republicans that this program... a lot of these programs weren't created legislatively. They were done through the Governor's Office. We just want to make sure things are being done right. That's it."

Riley: "Well... but I want to make sure that one particular program is not singled out. Now, one of the things that you said, and I have to tell you it's an error. You mentioned Chicago... and actually, I've heard a lot about this program, and it's Chicago, Chicago, Chicago, as if it's a buzz word that is supposed to engender some sort of question about the validity or efficacy of the program. This program actually runs all throughout the Chicago metropolitan area."

Reis: "Yes, it does."

Riley: "Well, that's not Chicago. Chicago's just one city. And I just..."

Reis: "And many of the people on the committee are from Chicago, too, that had concerns."

Riley: "Well... okay. Mr. Speaker, can I request that we take a Roll Call vote on this Resolution?"

Speaker Lang: "This... this will be a Roll Call vote, Sir."

Riley: "Thank you."

Speaker Lang: "Representative Chapa LaVia."

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

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Speaker Lang: "The Gentleman yields."

Chapa LaVia: "Mr. Reis, did you bring your concerns to the Audit Commission, the State Audit Commission, which I sit on, and Representative Pihos, and Mautino is actually one of our chairs?"

Reis: "No. When this came about late last week when we were putting our final deal together in Public Safety, we were wanting to zero out these lines, and there were many, many people that had passionate concerns that we keep these programs in place. So, kind of as a compromise.."

Chapa LaVia: "Can you..."

Reis: "...we put this Resolution out."

Chapa LaVia: "...can you do me a favor, Mr. Reis? Maybe do a letter in writing to Chairman Lauzen and Chairman Mautino to request an audit on them, as well, just out of courtesy? I'd really appreciate it."

Reis: "Absolutely. We'll do that."

Chapa LaVia: "Thank you, Sir."

Speaker Lang: "Mr. Kay."

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

Speaker Lang: "The Gentleman yields."

Kay: "Just... just to clarify here, the... the approps committee, Safety Approps Committee spent a lot of time discussing the particular moneys that went into these programs, and I think it's fair to say that there were numerous request, not only this year but last year, for salaries, the number of people involved, the kind of activities that they were involved in, minutes of meetings, directors of these programs, and never once was anything brought to the

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committee. So, I think that prompted Representative Reis to ask for this audit."

Speaker Lang: "Mr. Harris."

Harris, G.: "Thank you, Mr. Speaker. To the Resolution. I... I don't want folks to believe that this is a partisan issue here. I think that there are folks on, you know, both sides who were concerned that the money that's being spent was spent in appropriate ways, for appropriate goals and objectives, and this was our goal since no audit had been done on these particular grants, that as Representative Franks and I looked at the audit that uncovered from the Executive Inspector General \$18 million of DCFS funds that were being inappropriately spent by one person, we just wanted to be sure that the people of the State of Illinois are getting their money's worth and that these moneys are being used to protect our communities and reduce violence, as they're intended."

Speaker Lang: "Representative Lilly."

Lilly: "Yes, Representative, in committee we did know that an audit was done and released in '11... 2011. Did you get the opportunity to review that?"

Reis: "Yes, I did, Representative. And there was no mention in this audit about neighborhood renewal, because a lot of that money came in after this audit concluded, which was in June of 2010. In addition to that, it was just a fiscal audit. This would be a performance audit that would reflect RFPs and... and the application process as well. So, I have a copy of this if you'd like to have it."

Lilly: "Thank you."

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Speaker Lang: "Mr. Reis to close."

Reis: "I simply ask for an 'aye' vote."

Speaker Lang: "The Gentleman has moved for the adoption of House Resolution 1110. Those in favor will vote 'yes'; opposed 'no'. The voting is open. Have all voted who wish? Have all voted who wish? Gabel, Walsh. Please take the record. On this question, there are 100 voting 'yes', 16 voting 'no', 1 voting 'present'. And the Resolution is adopted. Turning to page 18 of the Calendar, please, the following Representatives be ready to run your Resolution: Monique Davis, Mautino, Saviano, Bradley, Biss, and Brown. The first one is House Resolution 1111, Representative Davis. Please proceed."

Davis, M.: "Thank you, Mr. Speaker. House Bill... House Resolution 1111. It was on June 19 in 1865 that President Abraham Lincoln announced the Civil War had ended and that slaves were liberated. However, during the post-Civil War era, the African Americans faced significant challenges as liberated men and women. Juneteenth became... June 16 became a time for prayers, gathering of families or friends, entertainment at events such as barbeques, rodeos, fishing and baseball. Juneteenth also emphasizes the education, self-improvement, guest speakers, and prayer services. Juneteenth is a celebration of the contributions that African Americans have made since 1865 when they were free to go where and free do to what. I ask for your 'aye' vote."

Speaker Lang: "The Lady moves for the adoption of the Resolution. Those in favor say 'yes'; opposed 'no'. The

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'ayes' have it. And the Resolution is adopted. 68... Senate Joint Resolution 51, Mr. Mautino. Is Mr. Mautino in the chamber? Out of the record. Senate Joint Resolution 62, Mr. Saviano. Please proceed."

Saviano: "Thank you, Mr. Speaker. This simply names a stretch of Roosevelt Road in Berwyn after the patriarch of Turano Baking. And I would ask for its approval."

Speaker Lang: "The Gentleman moves for the adoption of the Resolution. 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? Mr. Walsh. Please take the record. On this question, there are 117 voting 'yes', 0 voting 'no'. And the Resolution is adopted. Senate Joint Resolution 63, Mr. Bradley. Please proceed."

Bradley: "Thank you, Mr. Speaker. This would name a... a small highway in Franklin County after one of our fallen soldiers. I'd ask for an 'aye' vote. Travis Picantine."

Speaker Lang: "The Gentleman moves for the adoption of the Resolution. Those in favor vote 'yes'; opposed 'no'. The voting is open. Have all voted who wish? Have all voted who wish? Unes. Please take the record. On this question, there are 117 voting 'yes', 0 voting 'no'. And the Resolution is adopted. Senate Joint Resolution 69, Mr. Biss. Please proceed."

Biss: "Thank you, Speaker. I ask for your 'aye' votes."

Speaker Lang: "Well, perhaps, you could give us like three seconds about what it does, Sir."

Biss: "Oh, sorry. You seemed like you were in a real hurry."

Speaker Lang: "I am."

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Biss: "This is a repeat of a Resolution we've done before that was a House Joint Resolution that got tabled in the Senate. It asks for a task force to study ways to improve the MAP program."

Speaker Lang: "Those in favor of the Resolution vote 'yes'; opposed 'no'. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Sommer. Please take the record. On this question, there are 117 voting 'yes', 0 voting 'no'. And the Resolution is adopted. Mr. Brown, for what reason do you rise? Just prepared for the next Resolution, Sir?"

Brown: "That's correct."

Speaker Lang: "All right. Senate Joint Resolution 73, Mr. Brown. Please proceed."

Brown: "I'd like to introduce SJR73, which honors the memory of fallen officer Jeremy Hubbard and renames a portion of Route 128 in his honor."

Speaker Lang: "The Gentleman moves for the adoption of the Resolution. 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? Mr. Bost. Mr. Biss. Please take the record. On this question, 117 voting 'yes', 0 voting 'no'. And the Resolution is adopted. Senate Joint Resolution 51, Mr. Mautino. Out of the record. Page 15, House Resolution 701, Mr. Dunkin. Please proceed, Mr. Dunkin. Please proceed, Mr. Dunkin. We're ready for you, Sir."

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Dunkin: "Right away. This Bill here, House Resolution 701 simply congratulates Pearl Lucrecia McCoy on her hundredth birthday, you all. I ask for an 'aye' vote. Centennial."

Speaker Lang: "Those in favor of the Resolution say 'yes'; opposed 'no'. The 'ayes' have it. The Resolution is adopted. Referring now to Supplemental Calendar #1, under the Order of Resolutions, appears House Joint Resolution 90. Mr. Dunkin, you're still up, Sir. Mr. Dunkin, HJR90. Your turn."

Dunkin: "All right. Ladies and Gentlemen of the House, thank you for your indulgence. House Joint Resolution 90 simply is a criminal law Bill that deals with a task force of criminal justice reform. And we're going to try to model our system very closely to that of Texas, and Georgia, and Pennsylvania. Clearly, we're spending a lot of money on crime. If they can reform their... their criminal justice system, so can we, and this... this task force speaks to that. And I ask for an 'aye' vote. Thank you."

Speaker Lang: "The Gentleman moves for the adoption of the Resolution. On that question, the Chair recognizes Representative Osmond."

Osmond: "Mr. Speaker, the Republicans wish to caucus in Room 114 for one half hour."

Speaker Lang: "You will get your caucus shortly, Representative. Representative Tracy."

Tracy: "One moment. There we go."

Speaker Lang: "Very high tech there, Representative. Please proceed."

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Tracy: "Thank... thank you, Mr. Speaker. Representative Dunkin, you brought this earlier in committee today, and at the time I didn't realize that we already have different groups studying this actual purpose that you have behind your task force. I... I believe we have SPARC that's been independently contracted with by the state to make a study of the very things that are purported to be covered in your Resolution. Are you aware of that?"

Dunkin: "That's... no. We have the... with the Governor's se... we have a... a special sentencing project that the... that our House and Senate created. There probably is a similar Bill. What we're trying to do is to come up with an expedited approach in assessing our criminal justice system and its cost over the summer, over the fall, and being prepared to introduce this Bill, hopefully, in the spring."

Tracy: "Right. I..."

Dunkin: "Minority Leader Christine Radogno over in the Senate is also an active Member who is trying to make sure that we pursue looking at our criminal justice system in short order."

Tracy: "My only suggestion is that we not duplicate any of the... the groups or the procedures that are being done over the summer, to duplicate the same things that you're trying to accomplish. You would be using Department of Corrections to put together your task force, right?"

Dunkin: "Well... well, we'll look at the... the Governor's sentencing project that exists already that... that's due to expire in 2015 to... to do most of the research, and to have

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consolidate an effort and approach with an intelligent data, current data that we have currently in our system..."

Tracy: "Right, but..."

Dunkin: "...at DOC..."

Tracy: "...but wouldn't the..."

Dunkin: "...with our probation office, et cetera, and so forth."

Tracy: "...but what I'm asking is is... are... is wouldn't the Department of Corrections be the agency that would have to staff and carry out this task force?"

Dunkin: "No. We plan on having a comprehensive approach, not just DOC. We want to look at some of the Cook County data, the City of Chicago, maybe DuPage County, statewide data, corrections data, probation data, watermelon data. I mean, a data of all across the state that we can garner up."

Tracy: "Right, but..."

Speaker Lang: "Representative Tracy, your time has expired. Please complete your comments."

Tracy: "To the Resolution. What I... I heard from the Department of Corrections earlier today is that they do have concerns that there's already Stack, Arena, Dis... Disparate Impact, several different agencies, or groups, that have been asked by the state to compile the data that... that this Resolution covers. And the Department of Corrections has concerns that the cost for them would be detrimental and that they would have to provide data that's already been asked for by other groups compiling this same data, and that it would duplicate those services. So, that... that's all I have. Thank you."

Speaker Lang: "Mr. Reboletti for two minutes."

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Reboletti: "Will the Sponsor yield?"

Speaker Lang: "The Sponsor yields."

Reboletti: "Representative, why are there only... why are there two Members appointed by the Speaker and the Senate President, and one Member appointed by the... the Leaders in both chambers?"

Dunkin: "Representative, the drafting of this Bill is very reflective of the State of Georgia in terms of some of the... the actives on it. I mean, I don't mind adding an additional Member from your side of the aisle."

Reboletti: "Well, Representative..."

Dunkin: "As a matter of fact, I want to make sure that you participate on this committee, as we talked about."

Reboletti: "Representative, I think I have participated on every Criminal Justice Task Force since I've been here in 2007. So, I'm aware that there are a lot of them, but I don't think it's fair that we only have one Member. That's not reflective of how we've done task forces in the past, so I'm going to urge a 'no' vote."

Dunkin: "Representative, now, I'm surprised to hear that from you given the fact that each in one of our committees have one more Democrat than... than Republican. So, this is not a new phenom. I mean, the goal is to get it done. We simply want to utilize your type of opposition... excuse me, your type of expertise to make sure that we're successful with our... with our crime Resolution."

Reboletti: "Representative..."

Dunkin: "We want to reinvest in crime... start looking at those... looking at how much we spend in our criminal justice

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system, because there are too many nonviolent offenders taking up \$30 thousand per year bed space..."

Reboletti: "Rep..."

Dunkin: "...with three joints in their pockets."

Reboletti: "Representative, I've served on 10 of these task forces. I know what the outcomes usually are. I..."

Dunkin: "So..."

Reboletti: "...know I'll be appointed to one of them... this one, I'm sure, but I'm just telling you that usually in a task force community, we have one Member from each caucus."

Dunkin: "Representative..."

Reboletti: "This is not equal representation, and I will be more than glad to work with you, Representative, but only if I have two other... at least one other Member from each caucus."

Dunkin: "Representative, we can add an Amendment..."

Speaker Lang: "Mr. Sullivan for two minutes."

Sullivan: "Representative, is justice blind? It's a very simple question. We have a judicial system based on the fact that justice is blind, but in this Resolution you want to have all the power about what would happen in our correction system and... and the purpose of this Resolution based in Chicago, but there's many of us that serve outside of Chicago. So, in this Resolution, you allow the judges in the City of Chicago to be part of this task force but not in suburban residence or downstate. You allow the circuit clerk in the City of Chicago to be on this task force but not a clerk outside of the City of Chicago. Why is that? In the end, there's going to be a recommendation that will

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affect, I'm assuming, everybody, but driven from the City of Chicago. So, can you explain to me why you have loaded this up to the detriment of the rest of the state outside of Cook County?"

Dunkin: "Representative, for a point of clarification. There is no intention for any dismissal or disregard. If we need to modify it, I have no problems with this. We are trying to get to a solution. The reason that we have the Cook County Sheriff Department, the clerk of the City of... Cook County, the City of Chicago's heavily loaded is because that's where the majority of the prisoners come when they go downstate, when they go..."

Sullivan: "Will... will the recommendations..."

Dunkin: "...across the state."

Sullivan: "...of this task force only apply to Cook County?"

Dunkin: "Representative, we can make a... make modifications on this legislation. Would you be amenable to further suggestions?"

Sullivan: "I certainly would love to work with you on it."

Dunkin: "Great."

Sullivan: "It's not bad, but not this Resolution. If you want..."

Dunkin: "Representative..."

Sullivan: "...to bring back something in the Veto Session..."

Dunkin: "...how about if we do this here."

Sullivan: "...I'm more than happy to."

Dunkin: "We move this out and we'll add an Amendment on it."

Sullivan: "Okay. Thank you. To the Resolution. Ladies and Gentlemen, I understand what the Gentleman's doing, but here's the thing; this is all about Cook County. It would

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affect the rest of the... the state on anything that they might come up with. I don't know why anybody outside of Cook County would vote for this."

Speaker Lang: "Mr. Dunkin to close."

Dunkin: "Ladies and Gentlemen of the House, I have the upmost respect for this Body and it's history of task force, and I am very clear with... and as we are, very clear where the majority of the prison population comes from. And so, there's a financial... a bigger financial impact in the county of Cook compared to Winnebago County, compared to Macoupin County or Pike County. And so, we are trying to get a handle, especially, in the northeastern part of the state, even more so to deal with this issue. Let's not make this more complicated than what it is. Ladies and Gentlemen, it's a task force and we're dealing with where the majority of the citizens live in this state. So, I beg your indulgence, your support, your intelligencia, your legal expertise, your intellectual prowess, we need your support. So, Ladies and Gentlemen, vote 'aye'."

Speaker Lang: "Mr. Jones, the Gentleman has closed. For what reason do you rise, Sir?"

Jones: "I'm sorry, Mr. Speaker. I think I hit my button by accident. Inquiry of the Chair. Has the Century Club ever been given for a Resolution?"

Speaker Lang: "No. I don't think that's permissible under the rules, but it's possible an exception would be made."

Jones: "Okay."

Speaker Lang: "Those in favor of the Resolution will vote 'yes'; opposed 'no'. The voting is open. Have all voted who

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wish? Have all voted who wish? Mr. Beiser. Mr. Beiser. Please take the record. On this question, there are 16 voting 'yes', a lot more than 16 voting 'no', which is 102, and the Resolution fails. Somebody get out the rule book. The Chair recognizes Mr. Winters."

Winters: "Thank you, Mr. Speaker. As the founder of the Century Club, I want to acknowledge that we now have an all-time champion. I believe this is the third time for Representative Dunkin. Here's the trophy. We will present it to him."

Speaker Lang: "The Chair wonders whether the trophy should now be retired and called the Ken Dunkin Honorary Award. Mr. Sullivan."

Sullivan: "Thank you, Mr. Speaker. While this is entertaining, the Republicans would like to caucus immediately."

Speaker Lang: "Shortly, Sir. Mr. Franks."

Franks: "Thank you, Mr. Speaker. You stole my thunder. First of all, Mr. Dunkin, I want to let you know that I love you. It was very... very important that... that he won this for the third time, and it's unprecedented, so I'd like to make a Motion that we rename the Century Club as the Ken Dunkin Memorial Trophy... Honorary Trophy."

Speaker Lang: "Well, he's not dead yet, Sir. We're going to move on with the Calendar. House Resolution 1040, Representative Flowers."

Flowers: "Thank you, Mr. Speaker and Ladies and Gentlemen of the House. House Resolution 1040 will call for the week to be known as the Falun Dafa Week. And I move for the Resolution."

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Speaker Lang: "The Lady moves for the adoption of the Resolution. On that question, the Chair recognizes Mr. Sullivan."

Sullivan: "Representative, I... or, Mr. Speaker, I realize you want to continue this on, but we would like to go to caucus right now."

Speaker Lang: "You'll go to caucus shortly, Sir. Those in favor of the Resolution will 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 85 voting 'yes', 0 voting 'no'. And the Resolution is adopted. The Republicans are going to caucus. For how long? Will somebody tell the Chair? The Republicans have requested a 30-minute caucus, and the House will be at ease and in recess 'til the... the hour of 7:30. The Republicans promise to be on time. The House will be in order. Continuing down the House Calendar, the Supplemental Calendar #1, under the Order of Resolutions, the next one is House Resolution 1043, Mr. DeLuca. Please proceed, Sir."

DeLuca: "House Resolution 1043 designates the date of May 19, 2012 as Glenwood Academy Day."

Speaker Lang: "The Gentleman moves for the adoption of the Resolution. Those in favor say 'yes'; opposed 'no'. The 'ayes' have it. And the Resolution is adopted. House Resolution 1053, Representative Sente. Out of the record. House Resolution 1072, Representative Mayfield. Please proceed."

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Mayfield: "This Resolution would designate the week of August 26 through September 1 of this year as Workforce Development Week in the State of Illinois."

Speaker Lang: "The Lady moves for the adoption of the Resolution. Those in favor say 'yes'; opposed 'no'. The 'ayes' have it. The Resolution is adopted. House Resolution 1079, Mr. Dunkin. Out of the record. House Resolution 1098, Mr. Reboletti. Please proceed, Sir."

Reboletti: "Thank you, Mr. Speaker, Members of the Body. House Resolution 1098 urges local government officials that are covered by the Illinois Flag Display Act to register with the Governor's website that lets us know when there are fallen soldiers and law enforcement, and firefighters and not all... not everyone is signed up for this. I spoke with the top officials of Illinois. They're going to put it in their next addition of their magazine, in their monthly. And I'm urging all officials to put this on their website, and asking all the media that's here if you might run it in your newspaper, or magazine, or on your Internet site so that more people become aware of when we have fallen heroes, and that they can fly the flag correctly when that situation happens. As a matter of fact, we had a soldier who was laid to rest on Wednesday, who was born in Elmhurst, and was from Wheaton. And you saw some of those flags at half staff and that's the reason why. So, I would urge its passing."

Speaker Lang: "The Gentleman moves for the adoption of the Resolution. The Chair recognizes Mr. Bost."

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Bost: "Thank you, Mr. Speak... Speaker. I rise in strong support of the... of the Resolution. Quite often, the reason why people are not flying their flags at half mast is because just a lack of communication. This should open up the communication so that we can properly do this."

Speaker Lang: "Those in favor of the Resolution say 'yes'; opposed 'no'. The 'ayes' have it. The Resolution is adopted. House Resolution 10... 1115, Representative Nekritz. Out of the record. Mr. Thapedi, for what reason do you rise, Sir?"

Thapedi: "Yes, Mr. Speaker, I've made an error with respect to House Bill 2621. I was recorded as a 'no', but will the Journal reflect that I should be a 'yes'?"

Speaker Lang: "The Journal will reflect your intentions, Sir."

Thapedi: "Thank you, Sir."

Speaker Lang: "Under the Order of Resolutions appears House Resolution 1088, Mr. Bradley."

Bradley: "This is a voluntary audit request by the Chicago Port District. They have new leadership there and they'd like to have an audit. They're going to pay for it themselves. I ask for an 'aye' vote."

Speaker Lang: "The Gentleman moves for the adoption of the Resolution. Those in favor vote 'aye'; those opposed vote 'no'. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Have all voted who wish? Berrios, Biss, Burke, Carli, Cavaletto, Ramey, Sommer. Please take the record. On this question, there are 118 voting 'yes', 0 voting 'no'. And the Resolution is adopted. The Chair recognizes Mr. Rose."

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Rose: "Thank you, Mr. Speaker. The other day, I inadvertently hit the 'no' button on Senate Bill 3367. I intended to vote 'aye'. Please let the record reflect that... my intention."

Speaker Lang: "The record will reflect your..."

Rose: "Thank you."

Speaker Lang: "...reflect your intention, Sir. Mr. Lyons in the Chair."

Speaker Lyons: "Representative Lang, on page 12 of the Calendar, under Concurrences, you have House Bill 3779. Leader Lang."

Lang: "Thank you, Mr. Speaker. Ladies and Gentlemen, I move to concur in Senate Amendments 2, 5, and 6, and if we could just put them... never mind. So, I move to re... concur in the Amendments, and 5 and 6 are the actual guts of this. And what this does is simply extend the Advance Deposit Wagering Law, which expires very shortly, to January to give us a chance to work out new details over the summer. It also has some new splits of the money for the harness horsemen. I would ask for your support."

Speaker Lyons: "The Gentleman... the Gentleman moves for the adoption of Senate Amendments 2, 5, and 6. Seeing no discussion, all those in favor of adopting those Amendments, signify by voting 'yes'; those opposed vote 'no'. The voting is open. This is final action. Have all voted who wish? Have all voted who wish? Have all voted who wish? Patti Bellock, Linda Chapa LaVia, Ken Dunkin, Jack Franks, would you like to be recorded? Mr. Clerk, take the record. On this issue, there's 106 Members voting 'yes', 10 Members voting 'no'. And the House does concur with

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Amendments 2, 5, and 6 to House Bill 3779. This Bill, having received the Constitutional Majority, is hereby declared passed. Representative Reboletti. Leader Cross."

Cross: "Thank... thanks, Mr. Speaker. Just, on a point of personal privilege."

Speaker Lyons: "Please, Tom, proceed."

Cross: "I want to talk about Senate Bill 1673 that I became the recipient of, or at least I was... it was offered to me last night. And the last couple of days, I think we would all agree, has gotten... it's been a little tense around here, and emotional, and some things have happened even, frankly, I hadn't seen in a while but nevertheless, it got that way, and pension issues and debates create controversy and a lot of emotion and that's part of this process, and I think we're realizing there'll never be an easy solution with respect to pensions. Darlene Senger and Elaine Nekritz have done incredible work on the issue of pensions and I want to applaud them for their strong, strong effort. I want... I want to thank the 30 people on our side of the aisle that were ready to vote on Senate Bill 1673 tonight and their commitment to that. I think though, as we've seen over the last few days, this is a very difficult issue, and we've seen it be... it's been a difficult issue for some time now, but the fact remains we have an \$85 billion unfunded liability. And maybe even bigger than that, the bond houses are focusing on Illinois and saying to us, you've got some big issue there; you have to address them or you may see us take you down a notch or two from a credit rating situation, and we don't want that. So, we need to find, in

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a bipartisan way, from both sides, a solution to this pension issue. As I said a minute ago, I... the Speaker indicated last night he didn't want Senate Bill 1673. And as we worked on it throughout the day, and in working with the Governor's Office throughout the day and last night, it became clear that there were problems with that Bill; that a number of folks on the other side of the aisle, and I don't say this in any... any way to accuse, were not going to support it after it changed this morning. And the Governor's Office asked me this afternoon not to call the Bill, and I've agreed to do that. It doesn't do us any good to continue to fight. We have a problem. We need to take a break. We need to find a Bill that does what we need to do to solve the unfunded liability and improve our credit rating. We need to let emotions settle down. We have to be willing to find some common ground on some issues, and I'm certainly willing to do that. So, for those reasons and others, and at the request of the Governor, Senate Bill 1673 will not be called. I believe that we will hear from the Governor some time tonight. And I want to applaud the Governor for his efforts in trying to find a solution to this issue and to others. To his credit, he's been vocal in the need to do this, and taking a... a strong stance. So, I appreciate that, and we will continue, on this side of the aisle, to work with you, Governor, and find that solution in a... in a... in a fair, collaborative, bipartisan, even way, from both sides of the aisle and, hopefully, we will do that soon. My understanding is that he is going to suggest we get together sooner than later, that this is a summer

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issue, not a fall issue, and that this is an issue that needs to be done, as I said earlier, because of the bond houses. So, thank you for the time, Mr. Speaker, and I will certainly be glad to answer any questions after, either... after I get through speaking, or in my office, you can certainly ask me any questions you want. Thank you."

Speaker Lyons: "Thank you, Leader Cross. Representative Elai... Elaine Nekritz."

Nekritz: "Thank you, Mr. Speaker. It has, indeed, been quite a journey for all of us as we have gone through this debate and learned more about public employee pensions than I think any of us thought we would ever know. It has been a... a real pleasure to be on the working group with Representatives Senger, Senator Brady, and Senator Noland; working with Jerry Stermer and hours, and hours, and hours of meetings. Leaders were very engaged in this issue and I never thought I'd see Leaders sit through hours and hours of difficult meetings as well. So, it was really an honor to be doing that. I just want to point out to the Body that in addition to our concerns about the bond houses, I think that we can anticipate that the fact that next year the pension payment increase for the... the existing systems, since we were unable to address that issue this year, will be probably another \$800 million, which would, again, exceed if... if we had the same revenue increase we had this year of \$750 million, we're again looking at every new penny going into the pension systems. That's how dire this is. So, I'm looking forward to continuing to work on this, making sure that we receive... we achieve a solution that

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will address, not only the unfunded liability, but our ability to stop fighting about cuts and start working on rebuilding the Illinois state budget for the future."

Speaker Lang: "Representative Jack Franks."

Franks: "Mr. Speaker, I... I rise, too. I was surprised to hear Leader Cross's decision based on the Governor's recommendation. We're all disappointed, but I don't think we should get off that easy. I... we have a job to do, and I think that all the elements are here, all the items are here. There's room for compromise and we need to do it. I don't think we should go home. I think that the Governor should call a Special Session tomorrow. I think he should have a Committee of the Whole right here, in this chamber, in the front. Let's bring all the stakeholders here. Let's bring our retirees here. Let's have the current employees. Let's not lose the momentum. We need to do this. We've heard from the bond houses. The Governor told us that if we didn't get this done he was going to keep us. He ought to keep his word. We need to get this done. I think we're much closer than he... than he knows. And I think if we have the added incentive of the Special Session, starting tomorrow, and keep us here, that we will get it done. So, I'd ask the Governor to keep us here because we need to reform. We need to do it now. We can't wait to do it. We need to keep working. So, I'd ask that we all ask the Governor to call a Special Session to keep us in Session 'til we get this finished."

Speaker Lang: "Representative David Harris."

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Harris, D.: "Mr. Speaker, thank you very much. And, Ladies and Gentlemen, if I may, just a brief moment. I want to compliment the Speaker of the House and the Minority Leader on bringing this issue to a head, actually last year, with Senate Bill 512. Our pension problem is not unbeknownst to all of us, and I really compliment, as well, the working group and the Members of this House that participated in the working group, Representative Nekritz and Representative Senger, for all of the hard work that they did this year. But you know I've got a little bit of a problem which I think many of you may share with me, and I'd like to put that out to you. You know, they had a pension problem in Rhode Island as well. Rhode Island has a general revenue budget of \$3.6 billion. Our general revenue budget is 10 times that amount. They had an unfunded liability issue in their pensions of 6.8 to 9 billion dollars. Ours is 15 times that amount. But you know what they did in Rhode Island? Not they... and here's the report from Rhode Island, and many of you are aware of this. Their Treasurer, Gina Raimondo, said somebody's got to grab on to this problem. Somebody's got to go around the state and convince the stakeholders there's a serious problem. You've got to convince the... the citizens, you've got to convince the teachers, you've got to convince the public employees that there's really an issue. And I'm going to take fault with our Governor for a moment, because on April, I think it was the 9th, he put out... you can kind of call it a plan, maybe bullet points of what he would like to see happen. And he just put it out there and it sat. My friends, that's

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not leadership. He should've been in every corner of this state saying we've got a problem, here's my plan. Maybe they don't like it in the Legislature, but here's my plan. It's a plan that solves the problem. Just like Gina Raimondo did in Rhode Island, a state 10 times smaller than we are. And we're not well-served by the process when two days before the end of Session, the Speaker of the House drops a Bill to reform pensions. You know, the... the Pension Review Committee was supposed to come out some time in April and give their report. Well, it was evolving, and evolving, and evolving, 'cause they had to listen to the Leaders. What did the Leaders want to say? And then, it wasn't the Leaders, it was the Speaker. And I respect the Speaker, and I respect the power and the authority that he has, but we got a big pension problem, and you don't drop a Bill one hour before it goes to committee, and two days before the end of Session and expect there to be reasoned dialogue and buy in from the parties that have to buy in to a pension reform plan. We're not well-served by that process, but more importantly, the people of the State of Illinois are not well-served by that process. So, hopefully, if the Governor calls a Special Session, those... those folks who need to be in the room; the unions, the... the government representatives, the... the individuals from the House, and the Senate, and the Governor's Office, they got to sit down, they got to bang it out, and somebody has to come up, hopefully, that group, with a plan, and then it's got to be sold. It's got to go out to every teacher. It's got to go out to every citizen, and they've got to

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recognize how bad it is. You heard the Lady from Cook. Every single penny of new revenue, not just this year, but next year, and for several years into the future, most likely, is going to go to pay for pensions. Now, you can... you can stick your head in the sand, but the numbers add up and you can't change the numbers. I hope the process gets better. Thank you."

Speaker Lyons: "Back to the Calendar. Ladies and Gentlemen, on page 2 of the Calendar, House Bills-Second Reading, Representative Burke, you have House Bill 4277. What's the status on that Bill, Mr. Clerk?"

Clerk Hollman: "House Bill 4277, a Bill for an Act concerning education. This Bill was read a second time on a previous day. Floor... no Committee Amendments. Floor Amendments 1 and 2 have been adopted. No further Amendments. No Motions are filed."

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

Clerk Hollman: "House Bill 4277, a Bill for an Act concerning education. Third Reading of this House Bill."

Speaker Lyons: "Leader Dan Burke on House Bill 4277."

Burke, D.: "Thank you, Mr. Speaker and Ladies and Gentlemen of the House. House Bill 4277, which has been the topic of much discussion, much debate for several weeks now in the Legislature and as you notice, it's a House Bill. It's certainly not my intention to expect that this matter will be moved to the Senate. We, if successful in the passage of this legislation, certainly will work through the summer to encourage the Senate to act on it, as well. But the matter, I think, is very, very basic as we, each and every day, in

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this Body, talk about equality and fairness. This is something I would insist to you is simply a fair and equitable approach to funding charter schools equally to the way that we fund public schools in our state. This is about treating all children equally. There always seems to be great confusion, and sometimes, great consternation when it comes to charter school issues. Let... let me clarify some of the more common misrepresentations. Firstly, charter schools are open to all children. There is no selected enrollment. They are not magnet schools. They do not cherry-pick their students. Charter schools have a greater percentage of minority students, low-income students, and the same percentage of special needs students as traditional public schools. Many are surprised to know that there only 13 charter schools outside Chicago. Of those 13, 8 currently fund charters on par with traditional public schools. So, I would submit to you that this Bill, essentially, is about underprivileged, underserved, and those that literally need the opportunity to get a step up. I would ask in... in Chicago, 10 percent of Chicago Public School students attend charter schools. That is 10 percent. I would certainly encourage any questions. Be happy to answer any inquiry."

Speaker Lyons: "We'll be using the timer for two minutes, give you an extra minute if you need it. Representative Monique Davis, two minutes."

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

Speaker Lyons: "The Sponsor yields."

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Davis, M.: "Thank you. Representative Burke, how much money will the Chicago Public Schools lose if you fully fund the charter schools?"

Burke, D.: "I would insist to you, Representative, they would not lose one nickel in funding."

Davis, M.: "The report I have is they will lose \$126 million per year."

Burke, D.: "As you..."

Davis, M.: "And the other question I have for you is, how many charter schools did you say there are in Chicago?"

Burke, D.: "There are 3 charter organizations."

Davis, M.: "Three different organizations with how many schools?"

Burke, D.: "I believe there are 15."

Davis, M.: "So, there... oh, there are more than 15. There are many more than 15."

Burke, D.: "Let me check the number for you."

Davis, M.: "To the Bill, Mr. Speaker. We know that charter schools were created because people stated that the public schools were asking for too much money and they could do it for less. They met us outside the chamber and they said we can do this job for much less. They don't need all that money to educate these children. We don't need that much money. So, it was decided that they would receive, I believe, it's 75 percent of what the other children receive. But the reason for that is they don't have to obey the School Code. The majority of the rules and regulations that all the other schools have to adhere to, they can skirt those issues at will. One school may choose to not

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use this part of the School Code, another school may choose not to use another part of the School Code. And I believe to take more money from the Chicago Public Schools would simply continue to decimate..."

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

Davis, M.: "...you very much. I'll just say that, you know, as a former educator, I do appreciate people who have good and bright ideas. And then in... we also passed a Bill last year that stated we weren't going to do anything else with charter schools until the 2013 year, and the reason was we want to study it and make sure and see what's needed. But here again, they want to change something in the middle of the stream. To allow charter schools to get full funding would take a massive amount of money away from Chicago Public Schools, plus it would remove the authority of our local school board. I urge a 'no' vote."

Speaker Lyons: "Representative David Reis, two minutes."

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

Speaker Lyons: "The Sponsor yields."

Reis: "Representative, a lot of people have lobbied me on this and... and I've always stated my... my opposition to it. Where does the extra money come from that these charter schools might receive if this were to pass?"

Burke, D.: "Through... let me first say that there are 50 thousand children in the City of Chicago that attend charter schools. With respect to... and this is an issue that affects only the City of Chicago, by the way. The other charter schools are almost fully funded, if not 100 percent, very close to the 100 percent funding. This is

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strictly an issue for the City of Chicago where they are funded at less than the 100 percent, or 95 percent, sometimes as low as 75 percent. I might say to you that the CPS budget is 2.1 billion and the moneys that would be necessary to fund these individual students equitably would be less than 6.1 million. Those funds would come from their allocated amounts. They have three different funds associated with CPS. One would be dedicated to the student, one is dedicated to the maintenance of their facilities, and one fund handles their administration. I might suggest to the board that they would look to the funds that would account for their administration."

Reis: "Representative, I mean, how do those funds get their money? This comes... all this money comes from the Common School Fund, GRF, and you're allocated X number of dollars for charter schools. The rest of the state is allocated their money. So, we have this pie of money. You get a piece and the rest of the state gets a piece. It's our understanding that our remaining piece of the pie... and it's not just a Chicago issue. This is a downstate issue, as well. Our portion of the pie is going to get smaller and you're..."

Speaker Lyons: "Representative, your two minutes expired. We'll give you another minute."

Reis: "It took two minutes to answer the question. Two minutes to not answer the question. So, I mean, we're very concerned downstate. My superintendents have called me that the Common School Fund's going to get diluted even more by more money going to the charter schools."

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Burke, D.: "That is absolutely not the case here. This is not asking for one single nickel more in funding. And we all, I think, would agree that our public school system is underfunded. We don't have the additional resources to add any more, but this initiative would not ask for any additional dollars. This is strictly the allocation of the funds that they have already been allocated."

Reis: "Representative, I think there's going to be some more people speak to this Bill. I mean, the money has to come from somewhere. We have limited dollars in the State of Illinois. It's being divvied up now. Your Bill asks us to divvy more toward your area. The money has to come from somewhere else. And I'll let some other Representatives ask questions. Thank you, Mr. Speaker."

Speaker Lyons: "Representative Jerry Mitchell."

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

Speaker Lyons: "The Sponsor yields."

Mitchell, J.: "With all due respect, Representative Burke, your numbers don't add up very well. You just told us there's 50 thousand students in charter schools. And then you said there are 15 charter schools in Chicago."

Burke, D.: "There are."

Mitchell, J.: "Ooh, boy, those are big schools."

Burke, D.: "There are 110, I beg your pardon..."

Mitchell, J.: "Yeah."

Burke, D.: "...110."

Mitchell, J.: "Those are big schools."

Burke, D.: "I was talking about the organizations."

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Mitchell, J.: "Well, Representative, it moves the funding from 75 percent to 95 percent. That money has to come from Chicago Public Schools."

Burke, D.: "That is right."

Mitchell, J.: "Now, I agree, too, that the money follows the students. There's no question about that, and that's the way it should be. However, my main contention with this Bill is we didn't take the time to look at it. It came up very quickly. It came up from a side that agreed with a Memo Of Understanding that no legislation would come to this chamber 'til 2013. Now, I signed that Memo Of Understanding, along with Senator Lightford, and we worked extremely hard two years ago to increase the number of charters, to increase the number of schools that are for reenrolling dropouts. That's what it started from. It took a full year. The charter school Bill came to us and said we need more charter schools. We got that. I understand you weren't there, and many of the new people weren't there, and you didn't sign that Memo of Understanding. But your word is as good as your bond. A lot of the people that are lobbying for that on the charter school side and they're friends of mine, did sign that Memo of Understanding, and now they have just simply walked away from it. I don't think that's the way we want to do business in this chamber. They can wait. I think you filed an Amendment that says that it wouldn't take effect until 2013. So, why don't we wait 'til then, study the issue and talk about it. I have a real problem with this Bill simply because I gave my word, I know those in the Senate gave their word, I know

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that Representative Chapa LaVia gave her word. We all worked on the charter school Bill. It's not that we're against charters. The problem is the timing.."

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

Mitchell, J.: "Thank you, Mr. Speaker. And it really, really looks bad for us to do that. I realize, with all due respect, you weren't a party of that issue. You weren't in those negotiations, but I spent a year of my life in those negotiations working for both the public school system and the charter school system, and they are public school students. I realize that. The money does have to come from somewhere. It does shift money, 10 percent for those students in charter schools. You can't create money, so to say that it doesn't cost a nickel more is really pretty disingenuous. It... it moves the money to the charter schools. Chicago Public Schools is counting on that money right now. They have no advanced warning, and you just can't play the game that way. This deserves a 'no' vote simply because the timing is so bad. Thank you, Mr. Speaker."

Speaker Lyons: "Representative Jim Sacia."

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

Speaker Lyons: "He indicates he will."

Sacia: "Ladies and Gentlemen of the House, I'm about to speak of a former Representative, and for those of you that didn't know the Gentleman, let me just say that his son serves here today, and the apple did not fall far from the tree. I'm talking about Art Turner Sr., who was a Member of this House for many, many years, an amazing, competent,

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tremendously brilliant Legislator. Education has always been one of my passions, having served eight years on a school board. Charter schools have always been something that I struggled with, but I remember one evening when Art Turner, the senior, spoke about this very issue, and it was the turning point of my conviction of why... and... and I think Representative Monique Davis said it so well earlier this evening, the importance of our public schools. Art pointed out that he represented... I... I can't recall the number, somewhere between 4 and 10, of the worst schools in the entire state, perhaps in the nation. And he talked about the importance that if we started pulling the most competent students out of those schools and sending them to charter schools, the unbelievable collapse it would cause to public schools that were already struggling to hold themselves together. I've never forgotten that, and I have always admired how eloquent Art spoke about that on that particular evening. I join Jerry Mitchell. I join Monique..."

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

Sacia: "I'll wrap it up. This is a Bill that's totally not ready for prime time. I urge a 'no' vote. Thank you."

Speaker Lyons: "Representative Sullivan."

Sullivan: "Thank you, Mr. Speaker. I rise in favor of the Gentleman's Motion... or his Bill. I, myself, have a charter school just outside my district, between the Representative to the north and I. But one of the things I want to talk about is what's happening nationally and the models that we see nationally and how successful they are. The problem with the success that we're seeing throughout the country

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and why they won't come here is because of the very reason why this Gentleman has brought this Bill, funding levels. Their models they cannot bring here because the funding levels will not allow them to, and so they're bypassing the State of Illinois. You have national charters, like Uncommon Schools, and Achievement First, and Hesperian public schools. And one that I want to point out specifically is demo... Democracy Prep. This is a charter school in the City of Chicago... I'm sorry, in the City of New York that is immensely successful. Ladies and Gentlemen, they have 100 percent graduation rate. Where do we see that in the State of Illinois? I know we do. We have schools. But 100 percent graduation rate on one of these charters that won't come here because of our funding levels. So, Ladies and Gentlemen, I don't want to see these national charters bypass Illinois. They're models of success that can help our students in the inner cities. I want to see those same successes that are seen in New York City. I'd like to see them here in Chicago. So, please vote 'yes'."

Speaker Lyons: "Representative Esther Golar."

Golar: "Thank you, Mr. Speaker and Members of this Assembly. House Bill 4277, I took time out today and spoke with Representative Burke very briefly in regards to it. I know that he is genuine in terms of trying to do the very best that he can to make sure for the shortfall. However, we have approximately, in the City of Chicago, 600 public schools, which equates to 410 thousand students. Many of those schools have all kinds of issues: peeling paint, no

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bathrooms on the doors. So, as the Gentleman that just spoke talked about how wonderful the charter schools are, so Ladies and Gentlemen, let's think about it. Equity. We need equal equity for all students, not for some. So, as you look at the choice of many of the people in my community that actually choose charter schools and are trying to exit some of the public schools that I'm over.. I have 46 public schools in my district, and they are trying to do an exodus and I can't blame them because they feel that it is safer, that there are things there that they don't have and they are absolutely right. So, to shift money now over to the public school system because they say they want equal funding. Well, I want equal equity for all of the schools. Because, you know what, Mr. Speaker, this is what is happening in this country. Something very dismal is happening."

Speaker Lyons: "Representative, your time expired. We'll give you another minutes."

Golar: "I understand. Trying to abolish public education. Come on now, please. So, let's look, Representative. I have some questions if the Speaker would please allow me. Is it true that CPS is facing a \$712 million deficit due to the fiscal crisis as federal, state, and local revenues have decreased? Yes or no? Yes or no, Representative?"

Burke, D.: "Yes."

Golar: "Okay. Thank you. Your answer is correct. I appreciate that. Isn't it true, Representative, that F 2012 budget already includes a funding increase for charter schools of a tune of \$348 million? Can you explain where that 348

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million will be appropriated? So, put a footnote there, 'cause I have some more questions. If the base contribution, Representative, is increasing from 75 percent to 95 percent, where will that revenue be coming from? Or will you be transferring the revenue from one source to the next? In 1999, Representative, Public Act 91-407, Senate Bill 648 funding level increased to 100 percent and that was a four-year transition period put in place in order for there not to be a burden on the district. Wouldn't increasing the base..."

Speaker Lyons: "Representative Golar, in respect to people who have spoken, and seven or eight people that want to speak..."

Golar: "But Repre..."

Speaker Lyons: "...please bring your..."

Golar: "...Mr. Speaker..."

Speaker Lyons: "...bring your remarks to a closure."

Golar: "...all due respect. This is an attack on public schools. And I do understand the time, but I wish you would allow me to finish, if you don't mind. What is the criteria, Representative..."

Speaker Lyons: "Representative, this will be your last question, if it is a question..."

Golar: "Okay."

Speaker Lyons: "...please."

Golar: "...to determine which schools receive revenue funding, levels from 75 percent to 100 percent of the district's per capita tuition? For example, what percentage does Uno Charter Elementary, St. Mark receive, Polaris Charter Academy? And as I close, I want you to tell me, I am not

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against charter schools. My granddaughter attends Noble. They are doing an absolutely phenomenal job. She's a freshman there, and she's very excited. But why can't all schools have that? Come on, Ladies and Gentlemen, please do not be bamboozled in regards to this request. Let us move forward in 2012 to understand that equity is the problem, money for everyone. Thank you."

Speaker Lyons: "Representative Chapa LaVia."

Chapa LaVia: "Thank you, Speaker and Members of the General Assembly. I am simply going to talk to the Bill, itself. I have, here in my hand, a copy of the Memorandum Of Understanding for Senate Bill 612, Public Act 96-15 (sic-96-105). This Memorandum of Understanding reflects a voluntary... a voluntary agreement among... among the undersigned MCs which was reached during the negotiation process of Senate Bill 612. The purpose of this MOU is to re... reduce that agreements to writing and it is not made as a result of any requirement. Understanding of the nonagency parties... the nonagency parties in... that engaged in the negotiations of the Act agreed that through June 30, 2013, any subject to any legislative change required by Federal Law, such parties shall not pose any change to Article 27A of the School Code other than legislation to establish an independent state level charter school authorization entity. Parties to the agreement. The nonstate agency parties to the agreement including the Alternative School Network, the Chicago Public Schools, the... the Chicago Teacher's Union, and the Illinois Education Association, the Illinois Federation of Teachers, and the Illinois

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Network of Charter Schools, plus the Legislators that were involved in this. I've spoken to Senator Lightford and she, too, is not... she... she believes in charter schools, but she also believes that she signed this contract saying that we would not open this up. Now, last year, you remember, I was trying to get a charter school in Aurora, and I really didn't understand the vehemently opposition to what I was trying to accomplish last year until I read this agreement. It's a contract. That's what it states. I know the Gentleman that, as the Sponsor of the Bill, as honorable as he is and how much I... I have feelings for him, and he's very intelligent on issues, wants to do what he needs to do for his district, but this is a contract that was signed by some Legislators and the parties that went... took this under. So, I'm... I'm hoping that we'll..."

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

Chapa LaVia: "Thank you, Sir. Thank you, Speaker. That we'll be able to reconcile this, maybe over the summer, but definitely I would urge a strong... a 'no' vote on this, and just to really realize that, you know, the Legislators that put their name on there, they did it on all good intentions. So, thank you."

Speaker Lyons: "Representative Brauer."

Brauer: "Mr. Speaker, I yield my time to the Honorable Representative Mitchell."

Speaker Lyons: "Representative Mitchell, two minutes."

Mitchell, J.: "Thank you, Mr. Speaker. Ladies and Gentlemen, I... I just received a phone call from a very well-known

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lobbyist. I won't mention his name, but he wanted to assure me that even though they do lobby for charter schools, they are not lobbying for this Bill, and they are simply honoring the Memo of Understanding. There's a lot of mixed feelings on this Bill. A lot of people that are going to vote against this Bill... or for this Bill, don't... don't really understand the significance of it at this time. This is an issue that needs a lot of study. The last charter school Bill we passed took over a year to formulate. This has happened very, very quickly. I, again, urge you to think about the fact that there has not been time to study this issue, and please don't compare apples to oranges. When you look at charter schools from other states, many of those are private and privately funded. Ours are not. Ours are public school charters and you can't compare one to the other. The rules are completely different. So, if you're going to look at schools, you have to look within our own state because that's the way they are set up. I'm not saying I agree with that, but I just simply say don't compare private charter schools with public charters, 'cause they're totally different. Thank you, Mr. Speaker."

Speaker Lyons: "Representative Kay."

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

Speaker Lyons: "The Sponsor yields."

Kay: "Representative, how about this MOU? That's news to me, and did you know about that?"

Burke, D.: "I certainly did, Representative. I might want to suggest to you that the two individuals that spoke earlier suggested they signed this MOU. I don't have a copy of

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that. The one that was just raised in debate a moment ago does not include either of those Legislators' signatures. I might insist to the... I might suggest to this Body that not a single... sitting Member of this Legislature signed that MOU and furthermore, the two individuals that referenced that MOU voted on House Bill 190 in 2011 that would've also been in violation of that MOU. If they were that concerned about it then, why would they have voted for it?"

Kay: "What about the signers of the MOU, were they a Sponsor of the particular Bill that's been referenced tonight?"

Burke, D.: "No, not at all."

Kay: "Okay. Thank you, Representative."

Burke, D.: "They're... they're not here any longer."

Kay: "Excuse me."

Burke, D.: "They are no longer in the Legislature."

Kay: "Okay. Thank you, Representative."

Speaker Lyons: "Representative Camille Lilly."

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

Speaker Lyons: "The Sponsor yields."

Lilly: "Thank you. Representative, you opened up your words with saying you would not take this to the Senate, and you'll spend some time in the summer massaging and bringing the people to the table. With that statement, and having heard a lot of the concerns about lack of funding, I would like to present an idea that you can consider where at time... phasing in funding for the charter schools. They are evaluated every five years, and at that time, that's when the funding can be issued as far as being equitable. Is that something you can consider?"

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Burke, D.: "Most definitely, Representative. As a matter of fact, I amended this Bill to accommodate the date of the MOU, so that is 2013. Aside from all of the references made to that MOU, having no existing Legislators still here, not seeing the two Legislators that just insisted they signed it, not seeing that document, I amended this Bill to accommodate what that MOU date is, and that's 2013. That is a red herring thrown out here that is nothing to do with the issue of equal funding. And yes, Representative, through the summer, we intend to work with all the concerned parties to try to find some reasonable agreement here."

Lilly: "Thank you, Mr. Speaker."

Speaker Lyons: "Representative Ken Dunkin."

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

Speaker Lyons: "The Sponsor yields."

Dunkin: "Representative, is there a... help me understand the... the distinction from 1997, when charter schools went into effect with the funding levels compared to today, and sort of... what was so different back then that they knew they were going in about 75 percent of the dollars compared to where you're trying to be today?"

Burke, D.: "Well, Representative, just as you've heard some of the comments of our colleagues earlier, there are those that who... who have never truly understood that charter schools are public schools. They are administered a little bit differently. They're given a little greater latitude as we can understand, seeing the test results, and some of the attendance rates being higher than what common, traditional

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public schools are. There's a different way that they handle things. But the bottom line is, Representative, these are public schools. Each child should be entitled to every dollar a traditional public school child receives..."

Dunkin: "Absolutely."

Burke, D.: "...without question."

Dunkin: "Sure."

Burke, D.: "That's what this Bill addresses. Nothing else."

Dunkin: "Well, see, I think part... that's... that's part of the problem. You know, I am just like you. I want every kid in this state to receive more than adequate funding for education. And it's sad that we're number 48 in the nation of underfunding our babies. These are our kids, who eventually are going to take care of us. I want to get to... to a more comprehensive approach to funding all schools, especially the ones in my district in Chic... and your district, as well in Chicago, but I don't want to be a part of some political football between charters or, you know, the Chicago Public School Systems or you know, we have to get to the substance of how we comprehensively fund schools all across..."

Speaker Lyons: "Representative, one more minute, please."

Dunkin: "Thank you. So, Representative, I would like to work with you, along with others, I sit on the Elementary & Secondary Education, to really look at the entire scope of how we educate, how we fund schools, come up with a very equitable and fair way, 'cause no one in their right conscience wants to have... wants to leave any school, or kid, out of the financial mix. I know you want to be a part

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of the solution. Most of us here do, as well. We simply have to move in that direction. This Bill, unfortunately, simply does not do it. So, I'm... on the next one. Thank you."

Speaker Lyons: "Representative Turner."

Turner: "Thank you, Mr. Speaker. To the Bill. First, I'd like to thank Representative Sacia for those kind words regarding myself and my father. Education was a very important issue to him, and it's difficult to watch some of the struggling institutions that we have in my neighborhood, and the disservice that... that the students experience there with the quality of education that they receive. This Bill is first and foremost, for me, about equal rights for every child. For those of you with strong traditional public schools in your district, think of the families that can't afford to live there and... and depend on the choice that charters provide for them. The charter schools in my area have done very well and the families and the students that have graduated from there have gone on to do great things, and I... I believe that it is our... our duty to defend their right to a public education. I heard one of the Representatives say something before about the fact that charter schools can fundraise and that they should be able to do more with less, but the question for me is why are these schools fundraising to provide a public service that all children should have access to. I urge an 'aye' vote on this Bill."

Speaker Lyons: "Representative Thaddeus Jones."

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Jones: "Thank you, Mr. Speaker. You know, as I sat in my chair, I kind of struggle with if I was going to say anything on this Bill because I'm one of the cosponsors. In learning about some of the things that I have in the past days about charter schools, I'm looking forward to my colleague, who I gave my word to that I would support this Bill, of making this a better Bill and making sure that charter schools do what they say they're going to do. Particularly, I had the opportunity to visit a charter school in my district in Altgeld Gardens, Larry Hawkins Charter School. And it wasn't just a charter school in the 9th Ward in Altgeld Gardens, they had students from all over the City of Chicago and I got the opportunity to see the hope in... in their eyes, and where they came from, and the schools that they failed at, and the successes that they had at Larry Hawkins School. Now, is this a great Bill? No. Can it be a better Bill? Yes. So, hopefully, if this Bill passes, with the work of the Sponsor, we'll work to make this a better Bill and make sure that the... the charter schools live up to the promise that they say they're going to do, and I urge an 'aye' vote on this. And just so my colleagues know that I received over 13 resolutions from schools supporting charter schools, and I'll be happy to share this resolution with everyone. As I stated, I'm not happy with this Bill from learning some of the things I've learned about the things that are going on at the charter schools, but hopefully we can address those concerns if this Bill pass. And I urge an 'aye' vote."

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Speaker Lyons: "We'll have three final speakers: Representative Poe, Representative Winters, Representative Leitch, and then Representative Monique Davis, who I knows name was used in debate, will be final, and then Representative Burke. So, final call on speakers Poe, Winters, Leitch, Monique. Representative Raymond Poe."

Poe: "Yeah, Mr. Speaker, I'd like to yield my time to Representative Jerry Mitchell."

Speaker Lyons: "Representative Mitchell."

Mitchell, J.: "Thank you, Mr. Speaker. It's just two issues real quick. Number one, the issue of the Memo of Understanding. He already received a letter cosigned by Representative Chapa LaVia and I explaining that, makes no difference whether we signed it. It did not bind you, and I didn't say it did; however, I can show you the Memo of Understanding and it is signed by the charter school people, as well as the public school people. So, it is valid and the people that are pushing this Bill signed this letter. The second thing, the Memo of Understanding was not broken. The Bill that was run was run by me and it was done after summer meetings with both the charter schools and the public schools because there was a disagreement on the reenrolling dropout schools, not low... not low... kids with low academic standing who is... kids that had actually dropped out. They couldn't agree on how it was done, so we simply had a trailer Bill that explained it and cleared up the situation so that both sides could move forward. That was not a break in the Memo of Understanding because it was understood by both parties. Thank you, Mr. Speaker."

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Speaker Lyons: "Representative Dave Winters."

Winters: "Thank you, Mr. Speaker. I rise in support of this Bill with a little bit of personal experience. I was privileged as a youth to study in a school district that had competition between its high schools, and that is the whole point of charter schools. They are teaching public school students with public teachers, but they're trying to offer models that can show a better way to educate all the children in the public schools. We have to break through the bureaucratic organization of our larger school systems, try to break and allow some innovation in the schools, and the best way to do that is within the public school system through charter schools. Competition between ideas of how to organize this school, or how to educate our children, is the whole point of the charter school movement is competition. America was built on the competition of ideas and let the best idea win. Now, how can you do that with one arm tied behind your back, and that's what funding the charter schools at less than parity is all about. If they have their hands tied behind their backs because they don't receive the same amount per student, they cannot compete effectively. I'm simply asking, let every public school student, charter or noncharter, have the same access, and then let the best model be replicated throughout the public school system. That's the best way to get innovation and to get better education for our children. I urge a 'yes' vote."

Speaker Lyons: "Representative David... Leader David Leitch."

Leitch: "I move the previous question."

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Speaker Lyons: "Representative, with all due respect, you were the last speaker, and Monique Davis's name was used in debate, so I'll let her speak with your... you need to withhold that request and then Representative Dan Burke. Representative Davis, two minutes."

Davis, M.: "Thank you, Mr. Speaker. First of all, let me say this is not about whether you like charters or you don't like charters. This is about... and I want a verification if this should pass, a verification, please. But what this is about is we... we cut public education just last night. We were screaming and yelling because the education budget is cut. Chicago Public Schools negotiates with the charter schools about how much they will get. They already got 300, and almost 350 million. This legislation will give them 126 million more. From where? Where will it come from? Will they be at our back door saying we got to have more money for Chicago Public Schools? We don't have the money right now. They want equal funding, but they don't pay teachers union wages. They don't pay their... their janitors union wages. They don't have to adhere to the School Code. We all don't dislike charter schools, but you're losing local control. You're setting a precedent here in the State of Illinois that will say that the State of Illinois will determine what you pay a charter school in your district. The State of Illinois will make that determination because this Bill will set that precedent. Any State Law that states that you have to pay a certain amount to a charter school will affect this entire state. It will not just be Chicago. And if you want us to give more money to Chicago

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Public Schools, I'm sure that will be wonderful. They need 126 million more per year and I hope when you pass this Bill, you're willing to give out that dollar, 126 million more. The agreement, the Memorandum of Understanding, should not be violated. The people who are opposed to this are the IFT School of Management Alliance, Chica.."

Speaker Lyons: "Representative, your time is expired. Representative Dan Burke to close."

Burke, D.: "Thank you, Mr. Speaker. Ladies and Gentlemen, hearing this debate, as I suspected, there have been more red herrings thrown out in this discussion than an Alaskan fishery. Much of what you heard, this MOU is a nonissue. We have adjusted the date of the effectiveness of the legislation to go past the date of the MOU. Those that suggested earlier that they had signed it did not. Any of those signatories that were on that Memorandum of Understanding no longer are a part of this government in any form. That is an entirely different issue. Those two Legislators that spoke about that MOU, literally voted for legislation that affected charter schools, previously, in 2010. I cannot understand how we could be confused at this date, after the length of time charter schools have proven their importance in our community. I can speak from my experience, having one of the most overcrowded school systems in this state, that the charter schools have been a blessed relief, a welcome addition to my experience in my district and that of the kids that I represent. We know they're doing a good job. I can tell you about the teachers that are un... undercompensated. After five years... they start

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off equal to what public school teachers are making. Five years down the line, they are far under that rate and they are lost to the public school system. The charter schools develop them, they matriculate them, they get them on par with what they expect to develop in these kids, and the public schools steal them away because of the salary. Ladies and Gentlemen, again, I can't be more emphatic; charter schools are public schools. Students that attend charter schools are public school students. They deserve the same amount of funding that we afford to the traditional public schools. If we do less than that, it's a crime. We are not asking for more money. We are not taking money away from traditional public school students. We are asking for fairness and an equitable treatment of those who have been fortunate to attend charter schools. The parents make a decision; they have to be accepted. There's a lottery. There... it's not a special treatment situation. They are entitled to the exact same funding as what we provide traditional public schools. If you take this matter seriously, you would agree with me that charter schools, again, are public schools, if we fund them, start spreading the money equally. I would certainly encourage you to vote favorably in this matter. And again, I don't expect to work a miracle and have the Senate consider this on the last day of Session, but we intend to work very intently, very diligently on a matter to get all parties on board, in agreement and bottom line, these kids deserve the same funding as we provide to public school students in our state. Thank you very much."

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Speaker Lyons: "Verification has been requested by Representative Davis. So, Members are asked to please vote their own switches. And the question is, 'Should House Bill 4277 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? Feigenholtz, Sommer, would you like to be recorded? Mr. Clerk... Have all voted who wish? Mr. Clerk, take the record. On this issue, there are 45 Members voting 'yes', 69 Members voting 'no', 4 Members voting 'present'. The Motion fails. Representative Frank Mautino, on page 6 of the Calendar, under Senate Bills-Second Readings... Mr. Clerk, status on Senate Bill 1566."

Clerk Hollman: "Senate Bill 1566 is on the Order of Postponed Consideration."

Speaker Lyons: "Representative Mautino, Senate Bill 1566."

Mautino: "Thank you, Mr. Speaker. I appreciate the opportunity to bring before you the Senate Bill 1566. This is the DNR sustainability package. We've talked about it at lengths. The agrees... the fees within the Bill are agreed by all the groups. We had a year's worth of negotiations to get to them, and this will save the DNR. It provides money to dedicated funds. There is a guarantee from the Bureau of the Budget and in the language of the Bill that they won't be swept. The Governor has said he will sign the Bill. He will not sweep the funds, nor will he reduce the GRF. It raises \$32 million. Next year, that would be \$15 million, and it makes the DNR sustainable. I ask for your 'aye' votes."

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Speaker Lyons: "You've heard the Gentleman's explanation. The question is, 'Should Senate Bill 1566 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? Acevedo, Currie, Feigenholtz, Gordon, Mell, Nekritz, Thapedi. Acevedo, Gordon. Mr. Clerk, take the record. On this issue, there are 61 Members voting 'yes', 56 Members voting 'no'. This Bill, having received the Constitutional Majority, is hereby declared passed. Representative Acevedo, on Postponed Consideration, on page 6 of the Calendar, you have Senate Bill 1064. Leader Eddie Acevedo."

Acevedo: "Thank you... thank you, Mr. Speaker. Ladies and Gentlemen of the House, we... we debated the Bill, but you know, I... I failed to... to let people know the supporters of this legislation, because I know some people were talking about the unions and... but let me tell you, as far as law enforcement goes, the Fraternal Order of Police of Illinois Lodge... Illinois FOP Labor Council, Police Benevolent and Protective Association of Illinois, sheriffs of Lake, McHenry and Kane Counties, the Illinois Sheriffs' Association, AFSCME Council 31, SEIU Local 1, Teamsters 743, United Electrical Workers, United Food and Commercial Workers, Local 881, ARISE Chicago, Chicago Workers' Collaborative and many, many more. Civic organizations: concerned centers of Crete and surrounding communities, American Civil Liberties Union of Illinois, Illinois Coalition for Immigrant and Refugee Rights, and many others. I ask for your support."

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Speaker Lyons: "Leader Acevedo moves for the passage of Senate Bill 1064. 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, Gordon, Jakobsson, Leitch. Mr. Clerk, take the record. On this issue, there's 59 'yes', 54 'no', 1 'present'. The Motion fails. Continuing on the Order of Postponed Consideration, on page 5 of the Calendar, is Senate Bill 3824. Representative Mike Zalewski. Out of the record. Representative Monique Davis, you have your light on. What purpose do you seek recognition?"

Davis, M.: "Thank you, Mr. Speaker. I just really want to have the... the Body say goodbye to my Issues person in the Insurance Committee, Monica K. Gamble. She's leaving us tomorrow, and we just want to say goodbye and thanks for her wonderful work. Monica K. Gamble."

Speaker Lyons: "Thank you, Monica. Good luck in your future. Thanks for your hard work. On the Order of Considered Postponed, we have, on page 10 of the Calendar, Representative Sente, you have Senate Bill 967. Out of the record. Representative Reboletti, on the Order of Concurrence, you have House Bill 3801. Representative Dennis Reboletti."

Reboletti: "Mr. Speaker, I move to concur with Senate Amendments #1, 2, and 3."

Speaker Lyons: "The Gentleman makes the Motion to Concur with Senate Amendments #1, 2, and 3. Representative Durkin."

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Durkin: "Thank you, Mr. Speaker. Pursuant to House Rule 72(a), I ask for a separate vote on each Motion for Concurrence. And I believe there may be a second.."

Speaker Lyons: "The Gentleman moves for a voting on each one of these Amendments, Representative Reboletti. So, Mr. Clerk, Amendment #1. Representative Reboletti on Amendment #1."

Reboletti: "Well, Amendment #1 dealt with the underlying Caylee's law. The other two supersede that Amendment. So, I ask for an 'aye' vote."

Speaker Lyons: "The Gentleman moves for the adoption of Amendment #1. All those in favor of its adoption signify by saying 'yes'. Representative Lang on Amendment #1. Representative Cassidy on Amendment #1. Okay. All those in favor of the adoption of Amendment #1 signify by saying 'yes'; those... Concurrence, okay. All those in favor of the adoption of Amendment #1 to House Bill 3801 signify by voting 'yes'; those opposed vote 'no'. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Burke, Durkin, Dunkin, Howard, and Jakobsson, Jones, Turner. Mr. Clerk, take the record. On this, there's 103 Members voting 'yes', and 8 Members voting 'no', 4 Members voting 'present'. And the House does concur with Senate Amendment #1 to House Bill 3801. Mr. Clerk. Amendment #2, Representative Reboletti."

Reboletti: "Mr. Speaker, Ladies and Gentlemen of the Body, I'm asking your support on Senate Amendment #2. For those of you that have been here for some while, I have run this Bill probably for the last three or four years. In my hometown of Elmhurst, and in my district, we have seen

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numerous young people in high school die from the scourge of heroin. When I was a narcotics prosecutor in Will County, we began to see dozens of young people die from heroin overdoses. And then, we saw heroin continue to spread rapidly throughout the collars, the City of Chicago, and the Metro East. Let me share some statistics with you as to why I'm asking you to join me in changing the way that we prosecute and sentence drug dealers. This Amendment would allow prosecutors to charge what we call nonprobationable felonies for heroin dealers that sell more than three grams of heroin, where the weight is now five grams. The reason for that is that a friend of mine who serves the Metro... metropolitan area narcotics squad based in Will County, talked about how heroin dealers can carry three or four grams, which in reality is probably about 70 doses, 70 hits. I ask for your support because I also serve on an advisory board at a halfway house known as Serenity House in the Village of Addison. Sixty percent of the residents... Mr. Speaker, can I have some quiet, please?"

Speaker Lyons: "Shh. Ladies and Gentlemen, the Gentleman is presenting his Amendment. Need to bring that voice level down, please. Representative Reboletti."

Reboletti: "Thank you, Speaker and Members of the Body. Sixty percent of the people in that halfway house are under the age of 18 and are fighting a heroin addiction. The City of Naperville, which I know my colleague, Representative Connelly, will speak to, has seen numerous overdoses with approximately a 78 percent increase in felony drug arrests in 2011 for the previous year. My home county of DuPage

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County reported 59 seizures and undercover purchases throughout the county in 2011. And in Will County, where I prosecuted, there were over 30 fatal doses a year out of 14 towns over the last three years. We have seen Chicago had the largest number of emergency department mentions because of heroin, making..."

Speaker Lyons: "Shh."

Reboletti: "...it the heroin capital of the world. And while I know there are other important things that are being discussed right now, we now have more people overdosing on drugs and dying for our youth in the State of Illinois that are killed by drug overdoses than we have in car accidents. There is no ethnicity that is left with different numbers. It is time that we take some affirmative steps to try to deal with the issue. The Bill has passed out of here four times and unfortunately, has not met with any success on the Senate side. Please join me in trying to take our streets back, trying to take more heroin dealers off the street by locking them up, as they continually poison our communities and kill our young people. Thank you, Mr. Speaker. I'll entertain any questions on Senate Amendment #2."

Speaker Lyons: "Ladies and Gentlemen, we have seven people looking to speak. I would ask that you please try to keep your remarks within the two minute in respect to all the other speakers. Representative Zalewski, two minutes."

Zalewski: "Mr. Speaker, very briefly. Representative, just so we're clear, Senate Amendment #2 includes everything the... the heroin piece and the blunts piece?"

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Reboletti: "That is correct, Representative, and I appreciate you bringing that to my attention. As I was thinking about Amendment #3, I forgot to talk about the complete part of Amendment #2, which would ban what we know... commonly know as cigar wraps, flavored cigar wraps, or flavored cigarette wrapping paper."

Zalewski: "So, just... and just so we're clear, there is a causal connection here between the wraps that have this sort of packaging element to them that attracts to the younger crowd versus... and that's the reason why we're dealing with this specific portion of... of the statute in addressing this specific concern, correct?"

Reboletti: "Representative, that's correct. In my hand, in my left hand, I have a cigar blunt wrap that is how it is sold and marketed, this one I believe is grape delicious, and this one is a fruit roll-up made for children. So, you can see how this is marketed."

Zalewski: "I... I appreciate the effort you put into this Bill. I thank you for answering my question, and I urge a... a strong 'aye' vote."

Speaker Lyons: "Representative Mayfield, two minutes."

Mayfield: "Will the Sponsor yield?"

Speaker Lyons: "The Sponsor yields."

Mayfield: "Representative, can you tell us how this Bill came about that... I understand what you're trying to do with the heroin, but with the blunt wraps, because this Bill has been debated in this chamber for at least three times that I've been here and it has failed every time, because this Bill would actually put a small business out of business

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here in the State of Illinois at a cost of \$7.2 million of tax reven... sales tax revenue."

Reboletti: "Well, let me take that question. The opportunity was there, Representative, of being able to make a difference with the heroin. The Bill has changed from last year, with respect to dealing with all flavored cigar wraps. So, as much as I don't control this chamber, I think you're aware of that, I have no doubt that the State of Illinois loses much more than seven and a half million dollars when young people are either dead or they end up in treatment at Serenity House. This costs thousands of dollars a week, and multiply that times thousands of addicts, and I'm sure that the \$7.2 million pales in comparison to what the taxpayers are already picking up."

Mayfield: "Do you have any statistics to support your claim that it is youngsters under the age of 21 that are buying these products? Do you have any statistics?"

Reboletti: "Representative, all I can tell you is... is how it is marketed, and it's marketed for people who use illicit substances, narcotics, and I would suggest to you that it's marketed towards young people when you look at the different flavors like banana split, raspberry, tropical passion, peanut butter and jelly, orange overload..."

Mayfield: "Okay."

Reboletti: "...black and berry..."

Mayfield: "Sponsor, I'm sorry, I only have two minutes..."

Reboletti: "...sour... I..."

Mayfield: "...and I need to argue that..."

Reboletti: "...I was answering..."

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Mayfield: "...because as an adult..."

Reboletti: "Representative, I was answering your question."

Mayfield: "...I, myself, like those flavors and yet, if I smoke cigarettes, I may want a cigarette flavored in those.. on those..."

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

Mayfield: "Thank you. You know, I'm... there is no statistics to support that children are buying these products. We're looking at a \$7.2 million loss in revenue at a time when we are cutting valuable services to our most vulnerable populations. What we are doing here is putting a bus... looking to put a small business out of business, and for nothing. I definitely am asking for a 'no' vote on this. We've voted 'no' on this three times in the past. I ask that we continue to vote 'no'. I'm willing to work with the Sponsor to separate out your heroin issue, which I feel is a very good issue, but it should not be considered in the same venue as this. I appreciate the fact that you're willing to help a fellow Democrat, but that's a bad Bill that you're willing to help out on and I just cannot be a part of that. And I really... you know, I have a lot of respect for you, but I just don't think that this is the right time to do this for that particular person. I will support your piece of it if you will take this out of... if you take this out of the record, put an Amendment on here that only addresses heroin, I'm sure it will fly out of this chamber. But we do not want to affect our small businesses. The General Assembly should not be used in this way so that we are taking competitors and saying, okay, for

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a sma... big competitors who are afraid of small retail businesses and saying we're going to put you out of business, and we're going to use the General Assembly to do that. That is not what we are here for and I totally..."

Speaker Lyons: "Representative Mayfield..."

Mayfield: "...am asking for a 'no' vote on this Bill. Thank you."

Speaker Lyons: "Representative Connelly, two minutes."

Connelly: "Thank you, Mr. Speaker. To the Bill. I rise in strong support of this legislation. I want to thank my friend Senator Kwame Raoul, who I saw on the floor, is the Senate Sponsor, and of course my friend, Dennis Reboletti from Elmhurst. Folks, about a year ago, I received a call from a friend in town. He said let's go downtown in Naperville and have lunch. On a sunny, summer day, sitting outside Jimmy's Grill on Washington Street, the guy said, Mike, what's the number one issue in Naperville. And I gave him the usual budget, taxes, spending. And he said, cut the crap. The number one issue in Naperville is heroin. I said, heroin, are you kidding me? Two months ago, there was a town hall in Naperville. The police expected a hundred-plus people. A thousand people showed up. A thousand people: parents, school children, teachers. There had been six heroin-related deaths in Naperville in 2011. This is a serious issue for the suburbs. So, folks, whether these kids are from North Lawndale, or from gated communities in south Naperville, the law enforcement, the parents in the communities deserve help, particularly, our prosecutors. And I thank the Sponsor for this Bill. I thank Senator Raoul for this Bill. Folks, this is the end of Session.

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There are Committee Amendments, Rules, changes, there's thing flying every which way. No Bill is perfect, but we must address the heroin issue that's pervading, not just the cities, folks, but the suburbs. Thank you, Mr. Speaker."

Speaker Lyons: "Representative Lang. Leader Lang, two minutes."

Lang: "Thank you, Mr. Speaker. Ladies and Gentlemen, I find it interesting that in the Sponsor's entire explanation of the Bill, he never said a word about the blunt wrap, or the cigar wrap part of this. All he talked about was heroin. All the previous speaker talked about was heroin. We're all against heroin. Raise your hand if you're against heroin. We're all against heroin in this chamber, but look how this Bill has been used. And I understand how the process works, so I mean no disrespect to Mr. Reboletti or to the Senate Sponsor, both of whom are my good friends, but this Bill has been hijacked for a reason. It's been hijacked to take one business and put them out of business, happens to be an African-American-owned business. And the fact is that this business only sells three percent of all the flavored paper sold in America, or sold in Illinois. There's all kinds of flavored cigar wraps that are not covered by this piece of legislation. This legislation is here to try to ram through what they couldn't ram through on two previous occasions. So, what is this all about? It's about the use of this heroin piece to deal with this other matter that we've rejected previously. Additionally, to satisfy one lobbying group, in Amendment 3 they're going to take out menthol flavors. Menthol flavors which are, for teens, the most

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attractive flavor that all the studies have shown that. And so, if you allow this to happen, what you're doing is allowing the most popular flavor to be sold, and the least popular flavors to be eliminated. And this is all to satisfy the needs of one particular lobbying group. Now, they're entitled to do that, but we're entitled to know the facts, and the facts are that this Bill has been rammed together, two different subjects. Yes, it proba..."

Speaker Lyons: "Give you another minute, Leader."

Lang: "Thank you. It's probably constitutional, but the fact is that these are two separate subjects put together for a purpose of passing a Bill that they can't pass any other way. Mr. Reboletti could easily pass the heroin portion of this. Mr. Raoul could easily pass the heroin portion of this. We could send that off to the Governor's desk in five minutes, but the use of this Bill in this way is wrong. It's discriminatory. It's going after one business, and it's inappropriate to do it. And this cries out for your 'no' votes."

Speaker Lyons: "Representative Farnham, two minutes. Representative Nekritz, two minutes."

Nekritz: "Thank you, Mr. Speaker. This is not a marriage made in Heaven. Both of these Bills have failed in this chamber before. This is one of... the first one is one of these end of Session industry fights that comes here. We've had several of them this year, and we... they... there is no good answer to any of them. The second one is a Bill that I think that... folks that... that have really looked at this. I... all these... all the... the folks that are going to be affected

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by that Bill are people that should be in substance abuse treatment, not going to jail. So, again, we should give these Bills a divorce and be done with it."

Speaker Lyons: "Representative Kelly Cassidy, two minutes."

Cassidy: "Thank you, Mr. Speaker. A question of the Sponsor?"

Speaker Lyons: "The Sponsor yields."

Cassidy: "Representative, is it true that the City of Chicago has already banned these products?"

Reboletti: "That is correct. The City of Chicago has already banned the products."

Cassidy: "And there's been no question of the appropriateness of that ban to my knowledge."

Reboletti: "No, there hasn't. And actually, to the... two speakers ago, the Gentleman from Skokie, he could've easily filed a Bill to preempt the City of Chicago so that we can allow the sale of the product in the City of Chicago, so we have three million people that can't access it. So, now, we're just going to try and take it statewide."

Cassidy: "Thank you. To the Bill. First of all, I'm going to very quickly thank you for your consistency on working with me on the heroin issue. We had a very contentious debate last year on the other end of her... heroin users that we wanted... wanted to protect, and your... your heroin language goes after the people that provide that heroin to those kids that we want to protect. But on the blunt wraps issue, most of you know I have three little boys. This product looks like what I put in their lunchbox every day. This is not a product for adults. This is a product targeted at children. And I'm sorry that someone is making their living

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marketing a product that encourages children to use drugs. That is not an appropriate business that we should be supporting. I apologize that that is offensive to some, but I'm more interested in protecting my children. Candy flavored blunt wraps exist specifically for young people to use drugs. The menthol exemption is to be consistent with Federal Law, and there is a gulf of difference between menthol and chocolate chip cookie dough flavored wraps.

It's insanity. I strongly urge an 'aye' vote. Thank you."

Speaker Lyons: "Representative Jerry Costello, two minutes."

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

Speaker Lyons: "The Sponsor yields."

Costello: "Representative Reboletti, would you please hold those packages up again and tell me how they're labeled?"

Reboletti: "Representative, in my hand I have grape delicious. You see how shine... the shiny package it comes in, very colorful. And this is a fruit roll-up. Same type of packaging, same size."

Costello: "Thank you, Representative. Ladies and Gentlemen, let's think about this and let's be responsible in our actions and our thoughts. These products are designed to be sold to children. They're designed to be sold to children. It's wrong. Okay? Heroin is obviously an epidemic. It's grown in this state and something we absolutely, positively have to deal with. These blunt wraps can be part of a gateway to get kids to start using drugs and get into more serious drugs. I strongly, strongly urge an 'aye' vote. I'm speaking as a past law enforcement officer, and I'm for the Bill. Thank you."

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Speaker Lyons: "Leader Dan Burke. Two minutes, Dan."

Burke: "Thank you, Mr. Speaker. Very briefly to the Bill. As I couldn't say it any better than one of the previous speakers. This Bill, it came to my attention, with respect to the blunt wraps and the cigar papers, and the cigarette papers two years ago, and we promptly killed it in the Executive Committee. And I... my question is very simply, if we're going to ban flavored wrapping paper, why don't we just ban every flavored tobacco product in our state. Let's be genuine here, Ladies and Gentlemen. How can, as one of the previous speakers said, how could we attack one manufacturer that's a good corporate citizen here in Illinois that's only one percent of the market? If that's what we're about in this Body, to disengage business, let's be honest. If we're going to do it, do it the right way. Get rid of every flavored tobacco product in our state and call it a day. Thank you very much."

Speaker Lyons: "Representative Patti Bellock, two minutes."

Bellock: "Thank you very much, Mr. Speaker. To the Bill. We've had this discussion over and over again, but what's happened is the problem has just gotten worse. As Representative Reboletti told, in our own county of DuPage, we had almost 28 deaths last year; that's since we debated the Bill last year. In reaction with the statistics to how many young people use these drugs, in the latest magazine, one out of every 11 eighth graders in the U... in the U.S. used drugs last week. One out of every 5 twelfth graders used drugs last week. We have over 33 thousand kids in some

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type of substance abuse treatment now. This is the time to move forward on this Bill. Thank you."

Speaker Lyons: "Representative Ken Dunkin, two minutes."

Dunkin: "Thank you, Mr. Speaker. To the Bill. Ladies and Gentlemen, I couldn't have said it better than Lou... the Representative Lou Lang, Representative Burke, Representative Rita in dealing with the facts. The facts are that this is two Bills. One's based on heroin; the other one is about flavored wraps, less than one percent of the market. The fact is that cigar wraps do not constitute drug paraphernalia here in this country and that's according to the Federal Tobacco and Tax and Trade Bureau. If the DEA says it's not a drug, it's not a drug. This is about one company getting the upmanship on another company, Republic versus National Tobacco, and the only black tobacco company in the United States, which they only touch less than 3.9 percent of the entire flavored market. I mean, it's amazing. The Bill failed in 2010. The Bill failed last year. And so, they want to hide it under the heroin Bill. And Representative Reboletti, you mentioned to a colleague here three Bills ago why they were adding... why they had on... had three separate Amendments. The Bill went in three different directions, but because some people don't want to overextend themselves on the wrong vote, for political purposes, they voted for the Bill. You know this is a trick. This is a wealthy company spreading resources down here for the third time, trying to sneak it and hide behind heroin usage. You don't think this Bill can pass on its own, again, for the third time? Or this is us really

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outsmarting all the other competition? Well, I'm not for one company over another company. Let's put this Bill on equal footing, head to head, with National, who they're really..."

Speaker Lyons: "Representative, one more minute, please."

Dunkin: "So, Ladies and Gentlemen of the House, let's not be fooled. We're far more intelligent than this. We can vote 'present', or we can vote 'no', but to let one particular clique, one private entity take over in another's space is unfair, and it's something that we really should not be in the business of doing, especially since menthol cigarettes is a flavored package. That's a flavored cigarette. But because the market is so great, and children really are so attracted to menthol, which they've become even more so addicted to, this Bill seems to be, oh, we've got to be politically correct. I would urge a strong 'no' vote."

Speaker Lyons: "Representative Monique Davis, two minutes."

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

Speaker Lyons: "The Sponsor yields."

Davis, M.: "Mr. Reboletti, you know I have great respect for you. Tell me, please, what is the penalty when you change the amount of heroin that a person has? What's the penalty?"

Reboletti: "Representative, the penalty does not change. It's still a... it's a Class I Felony, which is punishable by 4 to 15 years in prison. Right now, state statute says that over 5 grams to 15 grams of heroin..."

Davis, M.: "Okay. So, we're..."

Reboletti: "...is nonprobationable."

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Davis, M.: "...we're reducing the amount."

Reboletti: "We would move that to 3."

Davis, M.: "So, in other words, we're saying I don't condone drug use at all, but I don't condone criminalizing a group of college kids who are doing a bad thing to themselves. I would like to see a huge push to in... inform these young people the ravages of heroin rather than criminalizing them to the point that they go to jail for 15, or 4 years, or whatever. Sometimes these kids are coming from Northwestern, they're coming from the University of Chicago, they're coming from the University of Illinois. They're no longer the west side street kids. These are kids who go to school and for some reason they have not been informed of the results of the use of heroin. The second point is on the blunt wrap. This Bill completely ignores the billions of flavored cigarettes that are used to make blunts, and everyone knows it's easier to use a prerolled machine cigar for a blunt. It's already in a tube form. People want to talk about flavors. They want to talk about fine ice cream..."

Speaker Lyons: "Representative Monique Davis, please, one minute."

Davis, M.: "I'll just... I'll conclude by saying you have three issues that I don't think are germane on this Bill. I think it's a very bad Bill because you're... you're hurting those children and you're hurting a business that is successful in our state. I urge a 'no' vote."

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Speaker Lyons: "Our final speakers will be: Saviano, Mulligan, Kay, Golar and Brauer, and I'm cutting off the base. Saviano, two minutes, Skip."

Saviano: "Move the previous question."

Speaker Lyons: "The Gentleman moves the previous question. All those in favor say 'aye'; those opposed 'no'. In the opinion of the Chair, the 'ayes' have it. And the question is so moved. Representative Reboletti to close."

Reboletti: "Mr. Speaker, I appreciate the robust debate. Not only do we have the heroin epidemic with children dying throughout the state, there are many others who overdose that are brought back. The... with respect to the blunt wraps, those flavors are used to mask the taste of narcotics like crack cocaine, marijuana, and PCP. In the General Assembly, you have decided to... you've decided to ban bath salts and potpourri, which were legal substances. You already done that. They were sold across the counter, the same places you could buy these blunt wraps, and we banned those. We also banned alcopops, where you married candy with alcohol. One of the other speakers talked about the fact of drug use. This Bill goes after drug dealers and the only penalties there are is for those who would sell them in a commercial setting, it would be a petty offense. If you possessed it, it would not be an... any offense. I would urge an 'aye' vote on Amendment #2."

Speaker Lyons: "The Gentleman moves for the adoption of Amend... Senate Amendment #2 to House Bill 3801. All those in favor vote 'yes'; all those opposed vote 'no'. The voting is open. Have all voted who wish? Have all voted who wish?"

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Have all voted who wish? Gordon, Harris, Jackson, Jakobsson. Gordon. Mr. Clerk, take the record. On this, there are 93 Members voting 'yes', 19 Members voting 'no', 6 voting 'present'. And Amendment #2 passes. Mr. Clerk... on Amendment #2 is adopted. Mr. Clerk. Amendment #3, Representative Reboletti."

Reboletti: "Mr. Speaker, I move for the adoption of Senate Amendment #3, which is identical to Senate Amendment #2, but exempts tobacco or menthol flavored cigar wraps from the prohibition. And this Bill was brought.. this Amendment was asked by IRMA. And I would urge an 'aye' vote."

Speaker Lyons: "The Gentleman moves for the adoption of Amendment #3. Leader Lang."

Lang: "Thank you, Mr. Speaker. Ladies and Gentlemen, I speak in opposition to the Gentleman's Motion. Now, I hope my... you, my colleagues, will listen to me carefully. If you voted for the last Bill, or the last Amendment, because you feel that we should get these flavored wraps out of the market, then you must not vote for this Amendment, and the reason is that this puts some of those back into the market. It says that the... all the other wraps are not any... or... be out of the market, but we're going to put the menthol wraps back. And why? The Sponsor just told you. Because one lobbying group says that it will hurt their business if they can't sell the flavored wraps. So, they want the one flavored wrap still in the market that is the hottest selling, best selling type. So, they say the menthol's okay. Now, let me remind you, Ladies and Gentlemen, that we don't outlaw pipes, but people smoke heroin in a pipe. We

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don't... we don't outlaw those. People... people use all kinds of implements to use drugs, but we don't outlaw them. We don't outlaw all of them. And let me also remind you that you can't buy these papers if you're under 18 years old. So, if... if one of these 7-Eleven folks sell something to someone they shouldn't sell... that... they shouldn't sell it, they should go to jail. But we should not... we should not take a look at a Section of a Bill that's really hypocrisy and approve it. So, if we're going to sit on the floor and if you all think Amendment 2 is so great, it got out of here, it's all wonderful, but that means you're against all flavored wraps that would be marketed to children. This takes most of the flavored wraps, put them right back into the market for children. I don't see how you can be for both of these Amendments. You should be voting 'no' on this Amendment."

Speaker Lyons: "Representative Durkin, two minutes."

Durkin: "Thank you, Mr. Speaker. Pretty much what Mr. Lang previously stated, but yeah, I recall about a year and a half ago, we had a very, very, very robust debate, which this vers... portion of the Bill was defeated for the right reasons. It's all about competition, and this Amendment in itself speaks about competition by exempting menthol. Now, listen to this, this comes from the Surgeon General. I just want you to listen to this very closely. The March 8, 2002, Surgeon General report: Preventing Tobacco Use Among Youth and Young Adults. A higher percentage of adolescent young adult smokers smoked mentholated cigarettes in any... than any other age group. Mentholated flavoring increases the

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addictive potential of smoking among youth. In recent years, adolescent and young adults smoking of menthol cigarettes has increased significantly, while smoking nonmentholated cigarettes has gone down significantly. Menthol cigarettes are more likely to be marketed in stores near schools with higher proportion of African-American students. There is no reason why menthol products should be exempt. Vote 'no', or vote 'present' on this Amendment... on this Motion."

Speaker Lyons: "Representative Brauer will be our last speaker, and in the order, there'll be five ahead of him: Mayfield, Dunkin, Cassidy, Kay and Brauer, if he wishes to speak. Representative Mayfield."

Mayfield: "I stand in strong opposition to this. If we're going to pass a Bill to ban flavored wraps, we should not be eliminating any flavored wrap. There should be no hypocrisy on this floor, and we should definitely not be... as Representative Lang mentioned, menthol is the top selling flavor, but yet you want to exempt that. Why? To spare a big a business, while at the same time putting a small business out of business. I stand in strong opposition. I ask everyone to vote 'no', or vote 'present' on this... Bill. Thank you."

Speaker Lyons: "Dunkin, Cassidy, Kay and Brauer. Representative Dunkin, two minutes."

Dunkin: "Thank you, Mr. Speaker. Again, Representative Rita... Representative Lang could not have said it better. So, are we going to hide behind heroin on this Amendment as well? Are we going to hide behind the kids again on this one?"

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Because it, politically, we know that doesn't make sense. Menthol is a flavor. It's a... an addictive flavor. One company is paying for an advantage over another company. What part of that don't we understand? The Bill failed twice in this chamber alone. And so, now they get creative and come up... come up with a phony scheme to hide behind heroin. I'm amazed of how people really think that we are just easily bamboozled or conned, or they can come here and throw money around, come up with lobbying groups and tell us one script, and not the entire script. This is a phony Bill. Putting one company over another company is not the business that we should be in. Let's vote 'no' on this. Let's use our collective intelligence and not let people come down here and pimp us to no end. Vote 'no'."

Speaker Lyons: "Representative Cassidy."

Cassidy: "Thank you, Mr. Speaker. Quite frankly, kids don't like menthol. You give them a menthol cough drop, they don't think it's a piece of candy. If one business chooses to make products that are specifically aimed at children, they deserve for their product to be banned. Cotton candy is for kids. Menthol is not. It's that simple. I urge an 'aye' vote."

Speaker Lyons: "Representative Kay."

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

Speaker Lyons: "The Sponsor yields."

Kay: "So, Representative Reboletti, I have one question. I've... I've been defending business today. I started out with banks. I'm not having a lot of luck here, so let me give it

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a second try. If the wraps on these particular products were white, would you oppose that?"

Reboletti: "Rep... Representative, all I can tell you is that the menthol flavored is... is consistent with the tobacco flavor. It's based off of some FDA federal language. So, I... I'm asking you to stay... if you voted 'yes' last time, to stay 'yes' with me."

Kay: "Well, the only rea... the only reason I'm asking the question is it seems like the fix is pretty simple to me. If you had a white wrap or a brown wrap as opposed to this multicolored wrap, wouldn't the problem go away?"

Reboletti: "Representative, the... the flavors' names don't change."

Kay: "Okay. Thank you, Representative."

Reboletti: "Thank you."

Speaker Lyons: "The final speaker will be Representative Brauer, and then Representative Reboletti to close."

Brauer: "Thank you, Mr. Speaker. Just move the previous question."

Speaker Lyons: "Very good, Rich. You were the last one anyway. Representative Reboletti to close."

Reboletti: "I'm not sure if Representative Rita wanted to speak to this Bill 'cause his name's been used in debate about three times. My name is Representative Reboletti. Mr. Speaker, I just would ask those of you who stayed with me on Amendment #2, that you stay with me on Amendment #3 so that the Bill passes in its complexity and goes to the Governor's Office. If those of you who want to ban menthol flavored cigarettes or wrappings, feel free to file the

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Bill. I'll be more glad to talk to you about it in Veto Session or next year, but I would urge an 'aye' vote."

Speaker Lyons: "The Gentleman moves for the adoption of Senate Amendment #3 to House Bill 3801. 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? Carli, Durkin, Gaffney, Mautino, Sullivan, Unes. Mr. Clerk... Durkin. Take the record. On this, there are 61 Members voting 'yes', 47 Members voting 'no', and 9 Members voting 'present'. And Senate Amendment #3 is adopted. On Amendment #1, 2, and 3 having been adopted, that question is, 'Should House Bill 3801 pass?' This is final... the House concurs with Senate Amendments 1, 2, and 3 to House Bill 3801. This being final action, the Motion carries. Supplemental Calendar #1, we have House Resolutions for those Members who weren't on the floor when we did Resolutions earlier. Representative Carol Sente, you have House Resolution 1053."

Sente: "Thank you, Mr. Speaker. That Resolution designates June 10 through the 16 as Illinois Small Business Week. Illinois is home to one... over one million small businesses."

Speaker Lyons: "The Lady moves for the adoption of House Resolution 1053. All those in favor signify by saying 'yes'; those opposed say 'no'. In the opinion of the Chair, the 'ayes' have it. And House Resolution 1053 is adopted. Representative Ken Dunkin, you have House Resolution 1079. Is Representative Dunkin on the floor? Representative Dunkin. On House Resolution 1079, Ken."

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Dunkin: "Thank you, Representative. House Resolution 1079 simply resolves that the month of May, which we're still in, is Foster Care Month in Illinois. And I would urge an 'aye' vote."

Speaker Lyons: "The Gentleman moves for the adoption of House Resolution 1079. All those in favor signify by saying 'yes'; those opposed say 'no'. In the opinion of the Chair, the 'ayes' have it. And House Resolution 1079 is adopted. Continuing on Supplemental Calendar #1, Representative Reboletti. Dennis, you have House Resolution 1098. Representative, did... Representative Nekritz, you have House Resolution 1115. Back to the Calendar, on page 16, on the Order of Resolutions. Representative Yarbrough, you have House Resolution 913. Leader Yarbrough."

Yarbrough: "Thank you, Mr. Speaker. House Resolution 913 does three things. It urges the Illinois General Assembly to consider developments for national security when addressing issues concerning carbon emissions and oil dependencies. It also recommends partnerships between Illinois and surrounding states on clean energy and oil reduction programs. And lastly, this Resolution acknowledges American service members and their families for their service and sacrifices made for the country. I move for its adoption."

Speaker Lyons: "The Lady moves for the adoption of House Resolution 913. All those in favor signify by voting 'yes'; those opposed... say 'yes'; those opposed say 'no'. In the opinion of the Chair, the 'ayes' have it. And the Resolution's adopted. Representative Harris, David Harris, you have, on page 15 of the Calendar, under the Order of

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Resolutions, House Resolution 824. Representative David Harris."

Harris, D.: "Thank you, Mr. Speaker. Ladies and Gentlemen of the House, this Resolution compliments the action of all of our military that has served in Afghanistan. It is not in any way critical of any of the decisions that have been made there, but it is... it indicates that the presence of our military and that military of other countries has not really been fully accepted by the people of Afghanistan, and it asks for an expedited withdrawal of forces from Afghanistan to the fullest extent possible, consistent with military objectives. This does not state a certain date, does not state levels, simply says speed up the plan that is already in place."

Speaker Lyons: "Jim Watson on the Resolution."

Watson: "Thank you, Mr. Speaker. Ladies and Gentlemen, to the Bill. About five years ago, a... a very distinguished colleague on the other side of the aisle had a similar Resolution about the Iraqi surge, and a lot of us stood up and said how do you know the intelligence? How do you know what the President knows? And to be consistent, I have to say the same thing, Representative. How do you know what our current President knows? How do you know that he can afford to get out at the quickest withdrawal? So, I urge a 'no' vote on this vote. Think about this; to what end on this action. We have Illinoisans serving over there right now, and it is not a happy place. How would you like to be one of those individuals that say, oh, by the way, guess what, the Illinois General Assembly just said we want... we..."

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we don't appreciate what you're doing; we want you out of here. I've been there. I can tell you this is a morale buster. We've got enough problems in this state. We don't need to be telling the President, or Washington, or anybody else what to do. Let's focus on the stuff that we control and let Washington handle their stuff. Thank you."

Speaker Lyons: "Representative Riley."

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

Speaker Lyons: "Sponsor yields."

Riley: "Representative, it's been... it's been so clear, you know, over the last, actually, weeks and months about the actions of the President with regard to the wars in both theaters, Iran and Afghani... Afghanistan... Iraq and Afghanistan. So, I guess maybe... maybe you're saying with all deliberate speed, if you will, there should be a withdrawal, but that's exactly what the plan is. And if it's not specific as to date or to... well, it's a date as you had said, then really, what's the purpose of this particular Resolution?"

Harris, D.: "Well, let me tell you, but first of all, I want to address what my colleague just said on this side of the aisle. There is nothing, nothing in this Resolution that... that expresses a... a sentiment that we are not appreciative, as you said, not appreciative of everything that our military has done. There is nothing in this Resolution that says this. Secondly, I would tell you this; the President already has a plan in place as of November of... of 2014, we're out. We're gone..."

Riley: "That's correct."

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Harris, D.: "...and all this Resolution says is this, to the fullest extent, consistent with... with military strategic objectives, speed up the plan. Whether it's a week, a month, whatever, speed up the plan that is already in place. That's what it says."

Riley: "But I... but I guess, since... and... and one of the things... well, I guess since he has made that known, that they are, in fact, going with all deliberate speed. And it's my understanding, of course, that what he's done is he's consulted with the Pentagon, the Generals on the ground, if you will and so, I would make the assumption that that's what he's doing. Wouldn't... wouldn't you agree?"

Harris, D.: "Well, certainly. And this doesn't call for any... this doesn't call for any strategic decision. Commitment of U.S. forces anywhere is a public policy decision for which the American public deservedly has the right and should have the opportunity to express their opinion about the commitment of our forces."

Riley: "Mr. Speaker, to the... to the Resolution. First of all, let's... let's all of us be clear. The two previous speakers are two men who could be held in supreme esteem. One being a flag officer, the other one being a person who... I'll never forget the day that he left to serve our country and left this Body, and I really wouldn't want to see any... any acrimony between really any of us on this issue. I have some reservations as to what the Resolution actually does. But I think we all really revere respect all of our men and women in uniform, especially those from this state who have gone over to serve, who frankly, had nothing to do with

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policy. They're just grunts and they went over to do their job. I'll be voting 'present' on this Resolution."

Speaker Lyons: "Representative Costello."

Costello: "Thank you, Mr. Speaker. To the Resolution. As a member of the... the Army, who served in the first Gulf War, I would tell you I am personally for the Resolution, as you can see my name on the board. I lost my best friend, godfather to my daughter, in Afghanistan. I understand and I respect every single person that wears the uniform, every person who has ever been deployed. And while I understand what Representative Watson is saying, what I say is all this Resolution asks is that we try to expedite the withdrawal from Afghanistan. One more point that I think everyone needs to know; when we were in Iraq and Afghanistan, we were spending \$10 billion a month to be there. What it cost for every set of boots that are on the ground in Afghanistan or Iraq is approximately \$1 million, annually. So, my question is, and I don't know the answer, what are we accomplishing? I support the troops. When you're called, you go, you serve. You don't make the decision where you go. You serve your country as you're asked. I support the Resolution and I ask for an 'aye' vote."

Speaker Lyons: "We'll have Representative Sullivan, Thapedi, Brauer, and then Watson, whose name was used in debate. Representative Sullivan."

Sullivan: "Mr. Speaker, I was just going to yield my time to Representative Watson."

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Speaker Lyons: "His name was used in debate. We'll get to him anyways, Ed, but Representative Watson."

Watson: "Thank you, Mr. Speaker. I would just say this, Representative. Number one, if you want to an enact policy like this, to... and to the previous speaker, then run for Congress. Our job here, you don't get intelligence briefings. You don't know what the President of the United States knows. And I would ask you to what end will this affect anything going... currently going on in Iraq. What positive will come out of this Body interjecting itself there? I see very little positive. What negative could it see? If you think this is such a great idea, I challenge you to go and meet every soldier, and Marine, and airman as they get ready to deploy to Iraq and go, here you go, pal, good luck. I am saying that you pass this, you will affect morale in a negative way. Who wants to say, hey, the Illinois General Assembly has decided, in the midst of the (unintelligible) of largest economic malaise and horrible budget situation, that they have the time and energy to take something like this up. It is absolutely ridiculous."

Speaker Lyons: "Representative David Harris to close."

Harris, D.: "Thank you, Mr. Speaker. And you know what, I would meet every single soldier, airman, Marine, or... or sailor coming back and I would read from him... or read to him or her one of the paragraphs from this Resolution which says, 'whereas, the United States military, in the finest traditions of American fighting forces has had great success in disrupting, dispersing, destroying al-Qaeda operations and eliminating many of its senior leaders'.

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Ladies and Gentlemen, this compliments the military action in Iraq. And let me close by just saying two things... three things really. One, it is appropriate for the public to express opinions on public policy, and the commitment of troops are public policy. But let me tell you two other things. And my son is in Afghanistan right now, as many of you know. They have a category of action, military action, in Afghanistan that is called green-on-blue. Green-on-blue means Afghan security people who have killed... Afghan security people that we are training who have killed NATO soldiers, NATO soldiers meaning U.S. or any other force operating under the blue helmet of NATO. That's a category that now we are tracking, and so far this year there have been 22 of those incidents, 35 of them last year. And secondly, and I'll pick up on what the Gentleman said back here about the billions of dollars that we're pouring in there. One of the leading Members of Congress, an influential member of the House... House Foreign Affairs Committee, Dana Rohrabacher, from California was told by President Hamid Karzai, the President of Afghanistan, that he couldn't go into that country because Congressman Rohrabacher didn't agree with what was happening in Afghanistan. We're pouring tens of billions of dollars into that country and a United States Congressman can't go in there. You know, I don't need intelligence to know that if he can speed up our withdrawal of the plan that's already there by a week, a month, whatever it is, I think we're better off as a nation. I'd urge an 'aye' vote."

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Speaker Lyons: "Representative Harris moves for the adoption of House Resolution 824. All those in favor signify by saying 'yes'; those opposed say 'no'. In the opinion of the Chair, the 'ayes' have it. And House Resolution 824 is adopted. On the Order of Concurrence, on Supplemental Calendar #2, Representative John Bradley, House... House Bill 4568."

Bradley: "Thank you, Mr. Speaker. This is the bond authorization for the Illinois Jobs Now Capital program for FY13. It's approximately \$1.6 billion of bonding for the program that was established, I believe, in '09 when we passed the Capital Bill. The revenue streams are in place. We would issue about 800... well, we would issue \$879,500,000 worth of Series B Bonds, those are the transit rail bonds, and \$817,300,000 highway Series D Bonds. This will allow us to continue the Capital program and the promises of the Capital program of which we all worked so very hard in previous years to get going. So, I would ask for, once again, a bipartisan 'aye' vote."

Speaker Lyons: "Representative Will Davis on the Amendment."

Davis, W.: "Thank you very much, Mr. Speaker. Do you want to adopt the Amendment first, or... you tell me."

Speaker Lyons: "What we'll do, we'll discuss it right now, and then..."

Davis, W.: "Okay."

Speaker Lyons: "...concur..."

Davis, W.: "We can discuss it right now then."

Speaker Lyons: "...or not concur."

Davis, W.: "So, will the Sponsor yield?"

Speaker Lyons: "The Sponsor yields."

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Davis, W.: "So, Representative, this is the Capital Bill that we passed a few years ago?"

Bradley: "Correct."

Davis, W.: "Okay. So... so, in that Bill..."

Bradley: "You want to... you... I thought it was on Third. Do you want to move it to Third and then debate it?"

Davis, W.: "I mean, that's... I don't really care."

Bradley: "We move it to Third and then debate it? Oh..."

Speaker Lyons: "It's a Concurrence, Representative."

Davis, W.: "It's a Concurrence."

Bradley: "It's late. It's under Concurrence. I'm sorry. I'm sorry. Okay. Well, then, this is part of the Capital Bill that we worked on together years ago."

Davis, W.: "Okay. Ver... just very briefly then. So, in that Bill were an opportune... when we passed it, there was opportunity that Members of the General Assembly who wanted to could direct where dollars went within the communities that they represent, correct?"

Bradley: "I think that's correct, yes."

Davis, W.: "We... well, there were Member projects in there too."

Bradley: "Yeah. Yeah. There were... there were projects throughout the Bill."

Davis, W.: "Okay. And the last list that I received, as an update to that, indicated that there were several projects, at least on my list, that had not been fund... had not even attempted to start going through the process toward being funded. So, I'm just simply asking, by passing this and asking for the reappropriation of that, will, when these

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bonds are sold, will they finally include the rest of the projects that are in my district?"

Bradley: "These bonds are simply for the road aspect of the plan. The other... a lot of the transit road, and transit part of the plan. A lot of the other projects were funded by... were supposed to be funded by the video gambling, which just now is getting going. This is simply the road and transit portion of the Capital program for FY13 that we passed previously."

Davis, W.: "So, only for the road. So, again, the Capital..."

Bradley: "Roads and... roads and mass transit."

Davis, W.: "...the Capital part. So, we're still ultimately going to be waiting until the video..."

Bradley: "When the vid... when the video gambling... it's... they've finally got something in place. When the video gambling gets going, then that will fund more of the vertical and the Member projects that were also included in this Capital program."

Davis, W.: "So, just out of curiosity, you have any timeline on that? Is that going to be another one or two years down the road..."

Bradley: "I..."

Davis, W.: "...to your..."

Bradley: "I would have to defer that to the Governor's Office. And as you know, I'm as frustrated about the delay in that happening as you are."

Davis, W.: "Okay. Thank you for the explanation, Representative. Appreciate it."

Speaker Lyons: "Representative Reboletti."

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Reboletti: "Will the Sponsor yield?"

Speaker Lyons: "The Sponsor yields."

Reboletti: "Representative, this Bill has nothing to do with procurement. Is that correct?"

Bradley: "I don't believe so."

Reboletti: "I hope at some point we change the House Rules that we actually know what the Bill does besides looking at how many different Amendments that have been filed, and I know that's a very difficult thing. With respect to..."

Bradley: "Sorry. Excuse me."

Reboletti: "...road construction and bonding, what amount did the Governor want to spend this year on road projects? What was his ask?"

Bradley: "Well, I think this is essentially the ask. The original amount of the bonding that they had requested was for this fiscal year, as well as next fiscal year. And so, this would just be for this fiscal year; it's 1.6 billion."

Reboletti: "What I'm saying is did he... did he want a larger amount through negotiations?"

Bradley: "Well, they wanted a larger amount for two fiscal years."

Reboletti: "Right. What amount was that? Was that 5 billion, 6 billion dollars?"

Bradley: "No, 2... 2.4 billion was the requested amount for both fiscal years."

Reboletti: "And what would the minimum amount be to keep the projects that have already started continuing through the..."

Bradley: "One point six, but we're doing..."

Reboletti: "This is... this..."

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Bradley: "This is the minimal. We're not getting carried away. This is simply honoring the previous promises of that Capital program."

Reboletti: "That's why I wanted everybody to make... they know that this is a continuation."

Bradley: "Continuation of..."

Reboletti: "This is not some additional..."

Bradley: "We just didn't do the bonding authority previously. This is simply the bonding authority to keep the program going for this fiscal year."

Reboletti: "Thank you, Representative."

Speaker Lyons: "Representative Zalewski."

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

Speaker Lyons: "The Sponsor yields."

Zalewski: "Representative, is the Bill have... does the bond authorization allow for spending the debt on... debt service on school construction?"

Bradley: "No. It simply... Series B and Series Ds Bonds, road... highways and transit."

Zalewski: "Do... do you happen to know why the school construction was left out of the Bill?"

Bradley: "Well, again, the school construction was a separate component of the Capital program. Right? They have been doing school construction. They just did a big letting for school construction funded by some of the same sources, but hopefully we can do more of that when the video gambling component gets up and running, hopefully, sometime this year."

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Zalewski: "It's also true that we're... there's schools on the list that already completed the construction and have yet to get paid for, correct?"

Bradley: "They're getting caught up. In fact... and I'm not defending, right, it's not my place to defend those, but they're getting caught up on that. They recently funded a bunch of schools on the '04 list. And so, I think there was just about another... was it \$500 million, 250 to \$500 million of school construction which was just released by the Governor's Office. I believe, as I recall, it was earlier this spring, and it was a large sum of money, one of the largest school construction lettings that we've had in the state in years. So, that's a different aspect of the Capital Bill. This is roads and transit."

Zalewski: "But there's no indication of when the next round will come out?"

Bradley: "Yeah, I don't know. I don't know since they just did such a big one."

Zalewski: "Okay. Thank you, Representative."

Speaker Lyons: "Representative Morrison."

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

Speaker Lyons: "The Sponsor yields."

Morrison: "Representative, I see 251 million going to high-speed rail. Is that correct?"

Bradley: "That's correct."

Morrison: "Do you know of other states that are abandoning their high-speed rail projects?"

Bradley: "I don't have that information."

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Morrison: "Okay. There... there are other states that have abandoned them because a) they see it's... there's no market demand for it and that even if there's federal money attached, the state doesn't have the money to fund it. So, I... I just wonder why we're... we're spending money on this. I've... I've... there are alternatives that the private sector is providing... provides transit from our city centers at much, much lower costs. Obviously, we're struggling to pay our bills in the state. We're struggling to find money for priority projects. Representative, I just wonder if it is wise to continue spending money in this way."

Bradley: "I... I assume that's coming out of the administration. I think it's still a priority for the Governor, and it's... and it... part of the attempt to create jobs to this program."

Morrison: "I would urge a 'no' vote. Thank you."

Speaker Lyons: "Final speak... Representative Arroyo. Final speaker."

Arroyo: "Thank you, Mr. Speaker. This is a very important Bill. This is jobs Bill, creates jobs. It helps the State of Illinois. Helps high-speed rail. I rise in support of this Bill. John, I would like to be added on as a Sponsor to this Bill, if you can. And I urge everybody to vote 'yes' on this Bill."

Speaker Lyons: "With all due respect, I said that Representative Arroyo would be the last speaker. Representative Bradley to close."

Bradley: "It's been a long evening. I'd ask for an 'aye' vote."

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Speaker Lyons: "The Gentleman moves for the adoption of Amendment... Senate Amendment #2 to House Bill 4568. 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? Cole, Ford, Franks. Mr. Clerk, take the record. On this issue, there's 106 Members voting 'yes', 12 Members voting 'no'. And the House does concur with Senate Amendment #2 to House Bill 4568. This Bill, having received the Constitutional Majority, is hereby declared passed. Representative Nekritz, last bite at the apple for House Resolution 1115, Elaine."

Nekritz: "Thank you, Mr. Speaker. This Resolution marks the 50th anniversary of the development of Contemporary Art Glass in the United States."

Speaker Lyons: "You heard the Lady's Motion. All those in favor of its adoption, signify by saying 'yes'; those opposed say 'no'. In the opinion of the Chair, the 'ayes' have it. And House Resolution 1115 is adopted."

Speaker Madigan: "Speaker Madigan in the Chair. Ladies and Gentlemen, let me have your attention. We're moving towards adjournment. We have two items that have already been considered, and we're going to be required to go back and do even further consideration. The plan is that there'll be one person for and one person against, and then we go to a vote. These are matters that have been thoroughly discussed. The first one is concerned with House Bill 3801, which is blunt wraps. And Mr. Connelly has filed a Motion to reconsider on all three Amendments. And so, the first

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Motion would be by Mr. Connelly to reconsider the vote by which the House did concur in Senate Amendment #1. Okay. All right. So, Mr. Connelly, very briefly, please."

Connelly: "Thank you, Mr. Speaker. I move to withdraw that Motion."

Speaker Madigan: "All right. The next Motion would be on Amendment #2."

Connelly: "I move to withdraw that Motion, Speaker."

Speaker Madigan: "And the next Motion would be on #3."

Connelly: "And I move to withdraw that Motion, as well."

Speaker Madigan: "Thank you, Mr. Connelly. The next matter would be concerned with Senate Bill 1064, which is concerned with the private detention facility in Crete, Illinois, and there was a Motion filed for reconsideration by Mr. Nybo. And then there was a Motion filed to lay that Motion on the table, and that was filed by David Reis. So, the first Motion to be considered would be the... the Motion to lie on the table. And Mr. Reis, briefly, please."

Reis: "I have a question, Mr. Speaker. I've been here eight short years compared to your many, but where does it say that someone can have three bites at the apple, and that's what this would allow is three votes and I..."

Speaker Madigan: "Mr... Mr. Reis, you're... you're correct. The parliamentarian is nodding and I would take that that is within the Rules, but if we move with just stats, we'll be done with this very quickly. And we'd like you to speak on behalf of your Motion to lie on the table."

Reis: "That's the reason I laid the Motion on the table is..."

Speaker Madigan: "Fine. Very good. Now, is there someone who..."

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Reis: "And we'd ask for a..."

Speaker Madigan: "Record vote? Record vote? Yeah. And then, is there someone who rises in opposition to the Gentleman's Motion to lie on the table? Mr. Acevedo."

Acevedo: "I do, Mr. Speaker. We have a pers... an individual on the prevailing side who wants to reconsider the vote. And I would suggest that we do that."

Speaker Madigan: "All right, Ladies and Gentlemen, the Motion before us is a Motion to lie on the table. This will require 60 votes. So, those in favor of Mr. Reis's Motion to lay on the table will vote 'yes'; those opposed vote 'no'. Have all voted who wish? The Motion requires 60 votes. Have all voted who wish? Have all voted who wish? Four people have not voted. The Clerk shall take the record. On the Motion, there are 47 'ayes', 70 'noes'. And the Motion to lie on the table fails. Now we will go to the Motion to reconsider by Mr. Nybo. Mr. Nybo."

Nybo: "Mr. Speaker, I think enough has been said on this Bill. I move to reconsider."

Speaker Madigan: "The Gentleman moves to reconsider. This Motion requires more 'ayes' than 'nays'. Excuse me. I've been corrected. It requires 60 votes. This Motion requires 60 votes. Those in favor will vote 'aye'; those opposed vote 'no'. Have all voted who wish? Have all voted who wish? Six people have not voted. Three have not voted. Please record yourself. The Clerk shall take the record. On this question, there are 60 'ayes', and 57 'noes'. And the Motion to reconsider is adopted. The matter before the Body

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now is the main Bill. And Mr. Acevedo, very briefly, on the Bill."

Acevedo: "Mr. Speaker, I think we voted... debated the Bill long enough. I just ask for an 'aye' vote."

Speaker Madigan: "Is there anyone who wishes to stand in opposition? Mr. Reboletti."

Reboletti: "Thank you, Mr. Speaker. We've tried this Bill now three times. It's failed twice. I suggest it should fail three times. I'd ask for a verification."

Speaker Madigan: "The question is, 'Shall this Bill pass?' Those in favor signify by voting 'yes'; those opposed by voting 'no'. Have all voted who wish? Please only vote your own switch. There's been a request for a verification. Have all voted who wish? Have all voted who wish? Have all voted who wish? The Clerk shall take the record. On this question, there are 57 'ayes', and 58 'noes'. And the Bill fails."

Speaker Lyons: "Ladies and Gentlemen, on the Order of Resolutions... Representative Lyons in the Chair. On the Order of Resolutions, on page 17 of the Calendar, Representative Senger, you have House Resolution 1032, Darlene. House Resolution 1032."

Senger: "Yeah. Ten... House Resolution 1033... 2 creates a 10-Member Illinois task force on gang violence to conduct subject matter hearings and anal... analyze data..."

Speaker Lyons: "Representative..."

Senger: "...regarding..."

Speaker Lyons: "Representative Senger, I do..."

Senger: "Oh, it has an..."

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Speaker Lyons: "...I do believe there's..."

Senger: "...Amendment."

Speaker Lyons: "...an Amendment on that."

Senger: "Yeah."

Speaker Lyons: "Mr. Clerk. You need to... to make the Motion to adopt the Amendment, Representative."

Senger: "I Motion to adopt the Amendment."

Speaker Lyons: "All those in favor of the adoption of Amendment #1 signify by saying 'yes'; those opposed say 'no'. In the opinion of the Chair, the 'ayes' have it. And House Resolution 1032, Amendment #1, passes. On the Amendment... on the Resolution as amended."

Senger: "The Resolution, as amended, creates a task force to study gang violence and I ask for your support."

Lyons: "The Lady moves for the adoption of House Resolution 1032. 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? Dunkin, Representative Jefferson. Take the Clerk... take the record, Mr. Clerk. 115 Members voting 'yes', 0 voting 'no', 3 Members voting 'present', this Bill... this House Resolution 1032 is adopted. Representative Mell, for what purpose do you seek recognition, Repre..."

Mell: "Just a quick point of personal privilege, Mr. Speaker."

Speaker Lyons: "Please proceed."

Mell: "I know it's getting late and I think we're wrapping up. I would just like to... to, kind of make a sh... do a shoutout to my seatmates. There... there were two major issues facing Illinois this year, and I had the privilege of sitting next

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to the two fabulous women who were at the forefront of those issues. They're intelligent. They're compassionate. They've been a huge help to me, and I just kind of wanted to say thank you and I'm really glad to be sitting where I am. Thank you."

Speaker Lyons: "Thank you, Representative Mell. The Speaker of the House, Michael J. Madigan."

Speaker Madigan: "Mr. Speaker, Ladies and Gentlemen, we are prepared to adjourn to the call of the Chair. As everyone probably knows, there's quite a bit of speculation about a possible Special Session concerning pensions. Just by way of information, if the Governor calls the Special Session, why, the Members will get their per diem allowance. If the Special Session is called by the presiding officers, then the Members will not get their per diem allowance. So, you can express your hopes to yourself. We're all very disappointed that we did not resolve the pension question before the Legislature. However, I think we should all recognize that there were significant accomplishments in this Session, this regular Session, of the General Assembly such as budget making. Although the final votes on the budget in this chamber were partisan, still 95 percent-plus, what was contained in those budget Bills was negotiated between Democrats and Republicans. It's unfortunate that we could've not carried all the way through in terms of bipartisanship, but at least 95 percent or more was negotiated between the Parties. And for the second year in a row, we have adopted a budget which is under the spending cap, again, negotiated between both

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Parties and adopted by vote on the floor of the House. Next, we have reduced the backlog of bills by over \$1.5 billion. Concerning Medicaid, we took epic action. We recognized the problem with the financing for the Medicaid program. We all came together, we worked collaboratively. We provided that there will be changes in eligibility for Medicaid. There'll be a reduction in the amount... in the amount of services provided under Medicaid, and we've provided that there would be a reduced reimbursement rate for almost all of the providers in the program, a savings of close to \$3 billion; an excellent job done by everybody in the General Assembly. Concerning retiree health care, we've been told that we've known for years that Illinois had a bad system, which provided that if you worked for the state for 20 years, you would have lifetime health care without any premium. We repealed that. That's part of the current bargaining going on between the administration and the appropriate unions, but the Legislature took the necessary action to remove that language from the statute. For the first time in the history of Illinois, we have reappointed an Auditor General for a third term. The office has only been in existence since about 1971. There's only been two Auditor Generals, but the current Auditor General has served with such distinction that he has merited an appointment to a third 10-year term. After much debate and wait, we finally eliminated the General Assembly scholarships. Concerning enterprise zones, we just adopted legislation, I expect that the Governor will sign the Bill, that provides that going forward with enterprise zones

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there will be more transparency, be more accountability. And in terms of the awarding of the enterprise zone, it'll be done in competition. People will be made to compete, to come in and to show to the state exactly how the state and the area would benefit from an enterprise zone. And the final decision will not be made by one director in a state agency. It'll be made by a multiperson board where at least three out of five members come from the business community of Illinois. And lastly, for the fourth year in a row, we have provided that Members of the Legislature have taken a pay cut, which is very appropriate in light of the condition of the national economy. So, we have some things, and maybe more things, that we're not happy about, we're not satisfied, we could've done more. Well, I think we ought to reflect what we have done, because reviewing this list that I just set out for you, it has been a productive Session. And I want to thank every Member of the House, and in particular Minority Leader Tom Cross, chairs of all the committees, the Republican spokespersons on those committees, all of the appropriate staff, Chiefs of Staff, directors, wherever they may be, because without good performing staff, why, we would not be able to do the productive things that we've been able to do. So, in conclusion, congratulations in large part, thank you very, very much. Hopefully, you'll get some rest, but there is some speculation about a return to Springfield to further address the question of pensions. Mr. Speaker, thank you."

Speaker Lyons: "Leader Tom Cross. Speaker Madigan, thank you.
Leader Tom Cross."

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Cross: "Thank you, Mr. Speaker. I want to spend some time thanking our side of the aisle, and our staff. Well, the Speaker mentioned staff, but I have never seen a staff in the time I've been here, led by our Chief of Staff Scott Reimers, work so hard all hours of the day, all hours of the night. Their capacity and knowledge and understanding of issues amazes me on a daily basis. And for those of us on Republican side of the aisle, we are very, very fortunate to have the type of leadership and team that you have, Scott Reimers. So, thank you very, very much for all that you do. He's right back there. Scott, thank you very, very much. Had some tough issues and they always stepped up. And then I want to thank our Members on this side of the aisle. You have, for a number of years, before it was en vogue, talked about the need to do some of the things that we did this year, and started doing last year, whether it was Medicaid, whether it was retiree health care, whether it was less spending, less borrowing, making sure our bills were paid. You drove this debate. You started it. You started it when people didn't want to hear about it, when we were not going in the right direction. And for our side of the aisle, I want to congratulate you for... for pushing the ball forward and making sure we stay focused and moved in the right direction. We still have a lot to do. We have over \$8 billion in unpaid bills. People who rely on us on a daily basis to get their bills paid and want to know that we are focused on getting those bills paid, that the idea of less spending is a permanent way of life, and that we will continue to say we're going to spend

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less. We're going to live within our means. We're going to pay our bills. We have an un... unemployment rate that continues to be at a level that is unacceptable, especially, when you look around the Midwest. We have talked about the need, as we've heard from the Attorney General, and from people like Dwight Kay, that we need to have a workers' compensation system that is viable, and that is strong, and that is done in the right way. So, some good things happened this Session and you should be proud of what you did, on both side of the aisle. There's a lot more to do. We have got to remain focused on those things and understand that having one good budget year, or paying bills one year, is not the end of all of our problems. And as the Speaker said, obviously, pensions, we cannot ignore; \$85 billion of unfunded liability will not go away. Some would say it's higher, and for us to think that we can ignore this 'til the fall, I think are... we'll be making a huge mistake. So, Mr. Speaker, thank you as well for the time. We appreciate the opportunity to express thanks to our staff and to our Members, and have a good... good summer until... until it's over. So, thank you."

Speaker Lyons: "Leader Tom Cross."

Cross: "Thanks."

Speaker Lyons: "Representative Reboletti."

Reboletti: "Thank you, Mr. Speaker. And I want to thank Leader Cross for the opportunity to be the floor leader here for the last few weeks, and to the opportunity to work with all of you, to thank all of our legislative aides at home, as well as our aides here. What I would like to suggest is

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that we have worked very diligently to solve the pension problems. I would like to ask of the unions to file... or I will file on their behalf, what their solution is to the pension problem. We know that there has to be something done and opposing measures but never giving us what the compromise is, is not enough, whatever that solution may be. It seems that the goal line changes constantly where we hear where people are... are supporting one measure, then they wish the other measure was supported. Let me give you some ideas that I would like to see, and others would like to see. That the pension Bill would recognize that the current system is unsustainable and changes must be made. It must reduce the rate of growth in payments from the state. It must be based on realistic assumptions for revenue and expenditures in changes due to actuarial and investment assumptions, and it must be able to be implemented in a timely manner, and able to last. I would suggest to the unions that you contact your Members now and tell them what your solution is, to explain to them... 'cause I've talked to my union members in my district. Many of them tell me they're willing to pay more, but they want to be guaranteed that when they retire the State of Illinois will make their timely pension payments into the system, as well as they will get their check into their senior years. I would ask them to e-mail, and robo-call, and send postcards to their Members to tell them what their solution is so that we can all move forward together. I have hundreds of teachers that have called me today, as all of you have had, tollway workers, IDOT workers. People are

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extremely nervous. Solving the pension crisis is not intended to have thousands of people run to the exit gates of employment in the State of Illinois. We'll be losing too much. When you have an idea, to any of the unions, any of them, I will file the Bill. I'm not a pension expert. I don't anticipate running the Bill, but that way everybody can see the legislation. The Members can review the legislation, our Members, the union members, all throughout the state. I see the energy that is spent to have constituents call us. Use your resources to contact your Members. I'm not sure if we'll be back here next week, two weeks, next month. It doesn't matter. All of us have to pull together. Whatever the pension Bill is, there should be 118 votes. It's going to take shared sacrifice and differences are going to have to be mended now so that the state can have solvency for the future. Our residents deserve it. Thank you very much, Mr. Speaker."

Speaker Lyons: "Ladies and Gentlemen, I believe everybody has received the fall Veto Session Calendar, so there should be no mistakes of the dates that we will be down here the end of November, early December. And now, seeing no further business to come before the Illinois House of Representatives, Speaker Madigan moves that we adjourn 'til the hour of 12 noon on Tuesday, November the 27th. All those in favor of the adjournment signify by saying 'yes'; those opposed say 'no'. In the opinion of the Chair, the 'ayes' have it. And allowing perfunctory time for the Clerk, the House stands adjourned 'til the hour of 12 noon on Tuesday, November 27, or to the call of the Chair in the

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event of the Special Session, which we all know is coming. God bless you, Members, until we see each other again. God bless you, State of Illinois."