

STATE OF ILLINOIS
94th GENERAL ASSEMBLY
HOUSE OF REPRESENTATIVES
TRANSCRIPTION DEBATE

137th Legislative Day

11/28/2006

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 in prayer today by Lee Crawford, the Pastor of the Cathedral of Praise Christian Center in Springfield. We ask the Members and our guests in the gallery to turn off laptop computers, cell phones, and pagers, and we ask the guests in the gallery to rise and join us for the invocation and the Pledge of Allegiance."

Pastor Crawford: "Let us pray. Omnipotent and most sovereign God, it is with great humility that we come before You, honoring You as the Lord of Lord and as the king of kings. Father, I ask Your blessings upon this House and all of its Members. I pray that Your face will shine upon them today with Your favor. I ask that Your choice blessing will be bestowed upon them. I ask, Father, that You would grant each one of them wisdom, grant them knowledge, and grant them the strength to do what You've called them to do. This we ask in Your Son's name, amen."

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

Fritchey - 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."

Clerk Mahoney: "Acevedo. Bassi."

Bassi: "(Inaudible)."

Clerk Mahoney: "Bassi is present. Beaubien. Representative Beaubien. Beiser."

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Beiser: "Here."

Clerk Mahoney: "Beiser is present. Bellock."

Bellock: "Present."

Clerk Mahoney: "Bellock is present. Berrios."

Berrios: "(Inaudible)."

Clerk Mahoney: "Berrios is present. Biggins."

Biggins: "(Inaudible)."

Clerk Mahoney: "Biggins is present. Black."

Black: "(Inaudible)."

Clerk Mahoney: "Black is present. Boland. Boland. Bost."

Bost: "Here."

Clerk Mahoney: "Bost is present. John Bradley."

Bradley, J.: "Present."

Clerk Mahoney: "John Bradley is present. Rich Bradley."

Bradley, R.: "Here."

Clerk Mahoney: "Rich Bradley is present. Brady. Brady."

Brady: "(Inaudible)."

Clerk Mahoney: "Brady is present. Brauer."

Brauer: "(Inaudible)."

Clerk Mahoney: "Brauer's present. Brosnahan."

Brosnahan: "(Inaudible)."

Clerk Mahoney: "Brosnahan is present. Burke."

Burke: "Here."

Clerk Mahoney: "Burke is present. Chapa LaVia. Chapa LaVia.

Chavez."

Chavez: "Here."

Clerk Mahoney: "Chavez is present. Churchill."

Churchill: "Here."

Clerk Mahoney: "Churchill is present. Collins."

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Collins: "(Inaudible)."
Clerk Mahoney: "Collins is present. Colvin. Colvin. Coulson."
Coulson: "Here."
Clerk Mahoney: "Coulson is present. Cross. Cross. Cultra."
Cultra: "(Inaudible)."
Clerk Mahoney: "Cultra is present. D'Amico."
D'Amico: "Here."
Clerk Mahoney: "D'Amico is present. Daniels."
Daniels: "Here."
Clerk Mahoney: "Daniels is present. Monique Davis."
Davis, M.: "(Inaudible)."
Clerk Mahoney: "Monique Davis is present. Will Davis. Will...
Will Davis. Delgado."
Delgado: "Here."
Clerk Mahoney: "Delgado is present. Dugan."
Dugan: "Here."
Clerk Mahoney: "Dugan is present. Dunkin."
Dunkin: "Here."
Clerk Mahoney: "Dunkin is present. Dunn. Dunn. Durkin."
Durkin: "(Inaudible)."
Clerk Mahoney: "Durkin is present. Eddy."
Eddy: "Here."
Clerk Mahoney: "Eddy is present. Feigenholtz."
Feigenholtz: "Present."
Clerk Mahoney: "Feigenholtz is present. Flider."
Flider: "(Inaudible)."
Clerk Mahoney: "Flider is present. Flowers."
Flowers: "Present."
Clerk Mahoney: "Flowers is present. Franks. Franks."

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Franks: "(Inaudible)."

Clerk Mahoney: "Franks is present. Fritchey."

Fritchey: "(Inaudible)."

Clerk Mahoney: "Fritchey is present. Froehlich."

Froehlich: "(Inaudible)."

Clerk Mahoney: "Froehlich is present. Giles. Giles."

Giles: "(Inaudible)."

Clerk Mahoney: "Giles is present. Golar."

Golar: "Here."

Clerk Mahoney: "Golar is present. Gordon."

Gordon: "Here."

Clerk Mahoney: "Gordon's present. Graham."

Graham: "Here."

Clerk Mahoney: "Graham is present. Granberg."

Granberg: "(Inaudible)."

Clerk Mahoney: "Granberg is present. Hamos."

Hamos: "(Inaudible)."

Clerk Mahoney: "Hamos is present. Hannig."

Hannig: "Here."

Clerk Mahoney: "Hannig is present. Hassert. Hassert. Hoffman.

Hoffman. Holbrook. Holbrook."

Holbrook: "(Inaudible)."

Clerk Mahoney: "Holbrook is present. Howard."

Howard: "(Inaudible)."

Clerk Mahoney: "Howard is present. Hultgren."

Hultgren: "(Inaudible)."

Clerk Mahoney: "Hultgren is present. Jakobsson."

Jakobsson: "(Inaudible)."

Clerk Mahoney: "Jakobsson is present. Jefferies."

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Jefferies: "(Inaudible)."

Clerk Mahoney: "Jefferies is present. Jefferson."

Jefferson: "(Inaudible)."

Clerk Mahoney: "Jefferson is present. Jenisch."

Jenisch: "Here."

Clerk Mahoney: "Jenisch is present. Joyce."

Joyce: "(Inaudible)."

Clerk Mahoney: "Joyce is present. Kelly."

Kelly: "(Inaudible)."

Clerk Mahoney: "Kelly is present. Kosel."

Kosel: "Here."

Clerk Mahoney: "Kosel is present. Krause."

Krause: "(Inaudible)."

Clerk Mahoney: "Krause is present. Lang."

Lang: "Here."

Clerk Mahoney: "Lang is present. Leitch."

Leitch: "(Inaudible)."

Clerk Mahoney: "Leitch is present. Lindner. Lindner. Joe
Lyons."

Lyons, J.: "Here."

Clerk Mahoney: "Joe Lyons is present. Mathias."

Mathias: "Present."

Clerk Mahoney: "Mathias is present. Mautino."

Mautino: "Here."

Clerk Mahoney: "Mautino is present. May."

May: "Present."

Clerk Mahoney: "May is present. McAuliffe."

McAuliffe: "Here."

Clerk Mahoney: "McAuliffe is present. McCarthy."

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McCarthy: "Here."

Clerk Mahoney: "McCarthy is present. McGuire."

McGuire: "Here."

Clerk Mahoney: "McGuire is present. McKeon."

McKeon: "Here."

Clerk Mahoney: "McKeon is present. Mendoza."

Mendoza: "Here. Present."

Clerk Mahoney: "Mendoza is present. Meyer."

Meyer: "Here."

Clerk Mahoney: "Meyer is present. Miller."

Miller: "(Inaudible)."

Clerk Mahoney: "Miller is present. Bill Mitchell."

Mitchell, B.: "Here."

Clerk Mahoney: "Bill Mitchell is present. Jerry Mitchell."

Mitchell, J.: "(Inaudible)."

Clerk Mahoney: "Jerry Mitchell's present. Moffitt."

Moffitt: "Present."

Clerk Mahoney: "Moffitt is present. Molaro. Molaro."

Molaro: "(Inaudible)."

Clerk Mahoney: "Molaro is present. Mulligan. Mulligan."

Mulligan: "Present."

Clerk Mahoney: "Mulligan is present. Munson."

Munson: "(Inaudible)."

Clerk Mahoney: "Munson is present. Myers."

Myers: "Present."

Clerk Mahoney: "Myers is present. Nekritz."

Nekritz: "Here."

Clerk Mahoney: "Nekritz is present. Osmond."

Osmond: "Here."

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Clerk Mahoney: "Osmond is present. Osterman."

Osterman: "Here."

Clerk Mahoney: "Osterman is present. Parke. Parke. Phelps."

Phelps: "Here."

Clerk Mahoney: "Phelps is present. Pihos."

Pihos: "Here."

Clerk Mahoney: "Pihos is present. Poe."

Poe: "Here."

Clerk Mahoney: "Poe is present. Pritchard."

Pritchard: "(Inaudible)."

Clerk Mahoney: "Pritchard is present. Ramey."

Ramey: "(Inaudible)."

Clerk Mahoney: "Ramey is present. Reis."

Reis: "Here."

Clerk Mahoney: "Reis is present. Reitz."

Reitz: "Here."

Clerk Mahoney: "Reitz is present. Rita."

Rita: "(Inaudible)."

Clerk Mahoney: "Rita is present. Rose. Rose."

Rose: "Here."

Clerk Mahoney: "Rose is present. Ryg."

Ryg: "Here."

Clerk Mahoney: "Ryg is present. Sacia."

Sacia: "Here."

Clerk Mahoney: "Sacia's present. Saviano."

Saviano: "Here."

Clerk Mahoney: "Saviano's present. Schmitz."

Schmitz: "Here."

Clerk Mahoney: "Schmitz is present. Schock."

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Schock: "(Inaudible)."

Clerk Mahoney: "Schock is present. Scully."

Scully: "Here."

Clerk Mahoney: "Scully's present. Smith. Smith."

Smith: "Here."

Clerk Mahoney: "Smith is present. Sommer."

Sommer: "Here."

Clerk Mahoney: "Sommer's present. Soto. Soto. Stephens."

Stephens: "Here."

Clerk Mahoney: "Stephens' present. Sullivan. Sullivan."

Sullivan: "Here."

Clerk Mahoney: "Sullivan is present. Tracy."

Tracy: "Present."

Clerk Mahoney: "Tracy is present. Tryon."

Tryon: "(Inaudible)."

Clerk Mahoney: "Tryon is present. Turner."

Turner: "(Inaudible)."

Clerk Mahoney: "Turner is present. Verschoore."

Verschoore: "Here."

Clerk Mahoney: "Verschoore is present. Wait."

Wait: "Here."

Clerk Mahoney: "Wait is present. Washington. Washington.
Watson."

Watson: "Here."

Clerk Mahoney: "Watson is present. Winters."

Winters: "Here."

Clerk Mahoney: "Winters is present. Yarbrough."

Yarbrough: "Present."

Clerk Mahoney: "Yarbrough is present. Younge."

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Younge: "Here."

Clerk Mahoney: "Younge is present. Mr. Speaker."

Mr. Speaker: "Present."

Clerk Mahoney: "Mr. Speaker is present. Acevedo."

Acevedo: "Here."

Clerk Mahoney: "Acevedo is present. Beaubien."

Beaubien: "Here."

Clerk Mahoney: "Beaubien is present. Boland."

Boland: "Here."

Clerk Mahoney: "Boland is present. Chapa LaVia."

Chapa LaVia: "Yes."

Clerk Mahoney: "Chapa LaVia is present. Colvin. Representative
Colvin. Cross. Representative Cross. Will Davis. Will
Davis. Dunn. Representative Dunn."

Dunn: "Here."

Clerk Mahoney: "Dunn is present. Hassert. Representative
Hassert. Hoffman. Representative Hoffman. Lindner.
Representative Lindner. Parke."

Parke: "(Inaudible)."

Clerk Mahoney: "Representative Parke is present. Soto.
Representative Soto. Representative Washington."

Speaker Madigan: "Mr. Bost."

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

Speaker Madigan: "Could you do it... could you do it again, Mr.
Bost?"

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

Speaker Madigan: "Thank you. Mr. Turner. Turner."

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Turner: "Thank you, Mr. Speaker. Let the record reflect that we have two excused absences today, Representative Currie and Representative Patterson."

Speaker Madigan: "Let the record reflect those excused absences from Mr. Turner. Mr. Clerk."

Clerk Mahoney: "There's 108 Members answering the Quorum Roll Call, 10 not responding."

Speaker Madigan: "There being 108 Members responding to the Attendance Roll Call, there is a quorum present. The Chair recognizes the Clerk for Committee Reports."

Clerk Mahoney: "Referred to the House Committee on Rules is House Resolution 1525, offered by Representative Black. Representative McKeon, Chairperson from the Committee on Labor, to which the following measure/s was/were referred, action taken on November 28, 2006, reported the same back with the following recommendation/s: 'recommends be adopted' is Floor Amendment #1 to Senate Bill 1268 and Floor Amendment #2 to Senate Bill 490. Representative Molaro, Chairperson from the Committee on Judiciary II-Criminal Law, to which the following measure/s was/were referred, action taken on November 28, 2006, reported the same back with the following recommendation/s: 'recommends be adopted' Floor Amendment #2 to Senate Bill 2737 and Floor Amendment #1 to Senate Bill 2684. Representative Lou Lang, Chairperson from the Committee on Rules, to which the following legislative measures and/or Joint Action Motion were referred, action taken on November 28, 2006, reported the same back with the following recommendation/s: 'approved for floor consideration' and referred to the Order of Second Reading

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is Senate Bill 490; and referred to the Order of Senate Bills-Second Reading is Senate Bill 1268. Chairperson from the Committee on Revenue, to which the following measure/s was/were referred, action taken on November 28, 2006, reported the same back with the following recommendation/s: 'do pass as amended Short Debate' Senate Bill 2300. Representative Delgado, Chairperson from the Committee on Human Services, to which the following measure/s was/were referred, action taken on November 15, 2006, reported the same back with the following recommendation/s: 'do pass Short Debate' Senate Bill 628 and Senate Bill 1269. Representative Yarbrough, Chairperson from the Committee on Housing & Urban Development, to which the following measure/s was/were referred, action taken on November 28, 2006, reported the same back with the following recommendation/s: 'recommends be adopted' is Floor Amendment #4 to House Bill 4342 and Floor Amendment #1 to House Bill 4342. Representative Hoffman, Chairperson from the Committee on Transportation & Motor Vehicles, to which the following measure/s was/were referred, action taken on November 28, 2006, reported the same back with the following recommendation/s: 'recommends be adopted' House Joint Resolution 148. Representative Giles, Chairperson from the Committee on Elementary & Secondary Education, to which the following measure/s was/were referred, action taken on November 28, 2006, reported the same back with the following recommendation/s: 'do pass as amended Short Debate' Senate Bill 380. Representative Burke, Chairperson from the Committee on Executive, to which the following measure/s

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was/were referred, action taken on November 28, 2006, reported the same back with the following recommendation/s: 'do pass as amended Short Debate' Senate Bill 947 and Senate Bill 2608; 'do pass Short Debate' Senate Bill 948. Representative Fritchey, Chairperson from the Committee on Judiciary I-Civil Law, to which the following measure/s was/were referred, action taken on November 28, 2006, reported the same back with the following recommendation/s: 'do pass Short Debate' Senate Bill 1195. Representative Rich Bradley, Chairperson from the Committee on Personnel & Pensions, to which the following measure/s was/were referred, action taken on November 28, 2006, reported the same back with the following recommendation/s: 'recommends be adopted' is Floor Amendment #2 to Senate Bill 36."

Speaker Madigan: "Mr. Clerk, on page 3 of the Calendar, on the Order of Senate Bills-Second Reading, there appears Senate Bill 1714. What is the status of the Bill?"

Clerk Mahoney: "Senate Bill 1714, a Bill for an Act concerning regulation. Third Reading of this Senate Bill."

Speaker Madigan: "Again, Mr. Clerk, what is the status of the Bill?"

Clerk Mahoney: "Senate Bill 1714 has been read a second time, previously."

Speaker Madigan: "And the Bill is on the Order of Second Reading?"

Clerk Mahoney: "Senate Bill 1714 is on the Order of Second Reading."

Speaker Madigan: "Have all the notes been filed?"

Clerk Mahoney: "All notes have been filed."

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Speaker Madigan: "Put the Bill on the Order of Third Reading and read the Bill for a third time."

Clerk Mahoney: "Senate Bill 1714, a Bill for an Act concerning regulation. Third Reading of this Senate Bill."

Speaker Madigan: "The Chair recognizes Mr. Scully who will propose Senate Bill 1714. Mr. Scully. Ladies and Gentlemen, please give your attention to Mr. Scully. Mr. Scully."

Scully: "Thank you, Mr. Speaker. Ladies and Gentlemen of the House, I present to you for your consideration Senate... Senate Bill 1714 as amended, which continues the current rate freeze on electric utility rates for another 3 years or until there is a determination by the ICC that the retail market for electricity is in fact competitive. Over the past 2 years, the Electric Utility Oversight Committee has spent a tremendous amount of time focusing its attention on the singular issue of whether or not the market for electric utilities in the State of Illinois is competitive. Approximately 6 years ago there was a finding by the ICC that the market was competitive, but they were referring to the wholesale market as opposed to the retail market. The original legislation did not address the issue of there are functionally being two markets. As well..."

Speaker Madigan: "Mr. Scully. I've been advised that the Republicans want to do a second caucus for today. Mr. Brady."

Brady: "Thank you, Mr. Speaker. The Republicans would request a caucus immediately downstairs in this building. We were directed to a room that we need to go to. So, if the

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Republicans would caucus downstairs we will direct you to the room in which we intend to go to. Thank you very much."

Speaker Madigan: "Mr. Brady."

Brady: "Yes, Mr. Speaker?"

Speaker Madigan: "Any estimate on time?"

Brady: "I don't have an exact time but would estimate within the half hour, 45 minutes. Somewhere in that neck of the woods is my guess."

Speaker Madigan: "Okay. We'll be waiting for you."

Brady: "Thank you."

Speaker Madigan: "Mr. Black."

Black: "Thank you very much, Mr. Speaker. I filed a Motion prior to Veto Session, it's been on the Calendar since we've been in, to discharge House Bill 5857 from the Rules Committee. And under House Rule 18(g), I would move for the discharge of House Bill 5857 from the House Rules Committee under 54(b) and assign to Standard Debate status. I think it's disingenuous for any of you to say that there's only one issue before us. I've worked on this Bill, I have filed the Bill, it wouldn't get out of Rules. I now move, Mr. Speaker, that we discharge my House Bill 5857 from the Rules Committee that deals with the subject matter at hand."

Speaker Madigan: "You've all heard the Gentleman's Motion. The Chair recognizes Mr. Hannig."

Hannig: "Yes, thank you, Mr. Speaker. I believe the Discharge Motion requires unanimous consent and I would object."

Black: "Mr. Speaker."

Speaker Madigan: "Mr. Black."

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Black: "I must say that I'm not particularly shocked by the Gentleman's Motion. I was hoping that we could actually discuss some options and alternatives today, but it appears that we'll not be given that fundamental right. I would ask for a Roll Call vote on my Motion to Discharge if the Chair would so allow. I make that request under Rule 49 and I'm joined by more than 5 Members on my side of the aisle that wish a record vote on the Motion to Discharge House Bill 5857 from the House Rules Committee."

Speaker Madigan: "Mr. Black."

Black: "Yes, Sir."

Speaker Madigan: "Because of the objection of Mr. Hannig, your Motion is out of order."

Black: "Mr. Speaker, then under Rule... House Rule 57(a), I would move to appeal the ruling of the Chair and that there be a record vote on my Motion to appeal the ruling of the Chair. I think we should be allowed to hear Bills on the subject matter at hand. I would ask for a record vote on my Motion to appeal the ruling of the Chair."

Speaker Madigan: "All right, you've all heard the Gentleman's Motion. The question is, 'Shall the Chair be sustained?' All right, the question is, 'Shall the Chair be sustained?' If you support the Chair, you vote 'yes' on the Roll Call; if you oppose the Chair, you vote 'no'. Mr. Clerk, take the roll."

Clerk Mahoney: "Acevedo. Acevedo. Bassi."

Bassi: "No."

Clerk Mahoney: "Bassi votes 'no'. Beaubien."

Beaubien: "No."

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Clerk Mahoney: "Beaubien votes 'no'. Beiser. Beiser.
Bellock."

Bellock: "No."

Clerk Mahoney: "Bellock votes 'no'. Berrios."

Berrios: "Yes."

Clerk Mahoney: "Berrios votes 'aye'. Biggins."

Biggins: "No."

Clerk Mahoney: "Biggins votes 'no'. Black."

Black: "No."

Clerk Mahoney: "Black votes 'no'. Boland. Boland. Bost."

Bost: "No."

Clerk Mahoney: "Bost votes 'no'. John Bradley."

Bradley, J.: "Yes."

Clerk Mahoney: "John Bradley votes 'aye'. Rich Bradley."

Bradley, R.: "Yes."

Clerk Mahoney: "Rich Bradley votes 'aye'. Brady."

Brady: "No."

Clerk Mahoney: "Brady votes 'no'. Brauer."

Brauer: "(Inaudible)."

Clerk Mahoney: "Brauer votes 'no'. Brosnahan."

Brosnahan: "Yes."

Clerk Mahoney: "Brosnahan votes 'aye'. Burke. Burke. Chapa
LaVia."

Chapa LaVia: "Aye."

Clerk Mahoney: "Chapa LaVia votes 'aye'. Chavez."

Chavez: "Aye."

Clerk Mahoney: "Chavez votes 'aye'. Churchill."

Churchill: "No."

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Clerk Mahoney: "Churchill votes 'no'. Collins. Collins.
Colvin."

Colvin: "Yes."

Clerk Mahoney: "Colvin votes 'aye'. Coulson."

Coulson: "No."

Clerk Mahoney: "Coulson votes 'no'. Cross."

Cross: "No."

Clerk Mahoney: "Cross votes 'no'. Cultra."

Cultra: "No."

Clerk Mahoney: "Cultra votes 'no'. D'Amico. D'Amico.
Daniels."

Daniels: "No."

Clerk Mahoney: "Daniels votes 'no'. Monique Davis. Monique
Davis."

Davis, M.: "Yes."

Clerk Mahoney: "Monique Davis votes 'aye'. Will Davis."

Davis, W.: "Yea."

Clerk Mahoney: "Will Davis votes 'aye'. Delgado."

Delgado: "Yes."

Clerk Mahoney: "Delgado votes 'aye'. Dugan."

Dugan: "Yes."

Clerk Mahoney: "Dugan votes 'aye'. Dunkin."

Dunkin: "Yes."

Clerk Mahoney: "Dunkin votes 'aye'. Dunn."

Dunn: "No."

Clerk Mahoney: "Dunn votes 'no'. Durkin. Durkin. Eddy.
Eddy."

Eddy: "(Inaudible)."

Clerk Mahoney: "Eddy votes 'no'. Feigenholtz. Feigenholtz."

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Feigenholtz: "Yes."

Clerk Mahoney: "Feigenholtz votes 'aye'. Flider."

Flider: "(Inaudible)."

Clerk Mahoney: "Flider votes 'aye'. Flowers. Flowers."

Flowers: "(Inaudible)."

Clerk Mahoney: "Flowers votes 'aye'. Franks."

Franks: "Aye."

Clerk Mahoney: "Franks votes 'aye'. Fritchey."

Fritchey: "(Inaudible)."

Clerk Mahoney: "Fritchey votes 'aye'. Froehlich."

Froehlich: "No."

Clerk Mahoney: "Froehlich votes 'no'. Giles. Giles."

Giles: "Yes."

Clerk Mahoney: "Giles votes 'aye'. Golar."

Golar: "Yes."

Clerk Mahoney: "Golar votes 'aye'. Gordon."

Gordon: "Yes."

Clerk Mahoney: "Gordon votes 'aye'. Graham."

Graham: "Yes."

Clerk Mahoney: "Graham votes 'aye'. Granberg."

Granberg: "Aye."

Clerk Mahoney: "Granberg votes 'aye'. Hamos."

Hamos: "Aye."

Clerk Mahoney: "Hamos votes 'aye'. Hannig."

Hannig: "Aye."

Clerk Mahoney: "Hannig votes 'aye'. Hassert."

Hassert: "(Inaudible)."

Clerk Mahoney: "Hassert votes 'no'. Hoffman."

Hoffman: "(Inaudible)."

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Clerk Mahoney: "Hoffman votes 'aye'. Holbrook."

Holbrook: "(Inaudible)."

Clerk Mahoney: "Holbrook votes 'aye'. Howard."

Howard: "Aye."

Clerk Mahoney: "Howard votes 'aye'. Hultgren."

Hultgren: "No."

Clerk Mahoney: "Hultgren votes 'no'. Jakobsson."

Jakobsson: "Aye."

Clerk Mahoney: "Jakobsson votes 'aye'. Jefferies."

Jefferies: "(Inaudible)."

Clerk Mahoney: "Jefferies votes 'aye'. Jefferson. Jefferson."

Jefferson: "(Inaudible)."

Clerk Mahoney: "Jefferson votes 'aye'. Jenisch."

Jenisch: "No."

Clerk Mahoney: "Jenisch votes 'no'. Joyce. Joyce. Joyce...
Kelly."

Kelly: "Yes."

Clerk Mahoney: "Kelly votes 'aye'. Kosel. Kosel."

Kosel: "(Inaudible)."

Clerk Mahoney: "Kosel votes 'no'. Krause. Krause."

Krause: "(Inaudible)."

Clerk Mahoney: "Krause votes 'no'. Lang."

Lang: "Aye."

Clerk Mahoney: "Lang votes 'aye'. Leitch. Leitch."

Leitch: "(Inaudible)."

Clerk Mahoney: "Leitch votes 'no'. Lindner."

Lindner: "No."

Clerk Mahoney: "Lindner votes 'no'. Joe Lyons. Joe Lyons...
Mathias."

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Mathias: "No."

Clerk Mahoney: "Mathias votes 'no'. Mautino."

Mautino: "Yes."

Clerk Mahoney: "Mautino votes 'aye'. May. May."

May: "I'm over here. Yes."

Clerk Mahoney: "May votes 'aye'. McAuliffe."

McAuliffe: "No."

Clerk Mahoney: "McAuliffe votes 'no'. McCarthy."

McCarthy: "Yes."

Clerk Mahoney: "McCarthy votes 'aye'. McGuire. McGuire.
McKeon."

McKeon: "Aye."

Clerk Mahoney: "McKeon votes 'aye'. Mendoza. Mendoza."

Mendoza: "(Inaudible)."

Clerk Mahoney: "Mendoza votes 'aye'. Meyer."

Meyer: "No."

Clerk Mahoney: "Meyer votes 'no'. Miller. Miller. Bill
Mitchell."

Mitchell, B.: "No."

Clerk Mahoney: "Bill Mitchell votes 'no'. Jerry Mitchell."

Mitchell, J.: "(Inaudible)."

Clerk Mahoney: "Jerry Mitchell votes 'no'. Moffitt."

Moffitt: "No."

Clerk Mahoney: "Moffitt votes 'no'. Molaro."

Molaro: "Aye."

Clerk Mahoney: "Molaro votes 'aye'. Mulligan. Mulligan.
Munson."

Munson: "No."

Clerk Mahoney: "Munson votes 'no'. Myers."

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Myers: "No."

Clerk Mahoney: "Myers votes 'no'. Nekritz. Mulligan votes
'no'. Nekritz."

Nekritz: "(Inaudible)."

Clerk Mahoney: "Nekritz votes 'aye'. Osmond."

Osmond: "No."

Clerk Mahoney: "Osmond votes 'no'. Osterman."

Osterman: "Aye."

Clerk Mahoney: "Osterman votes 'aye'. Parke."

Parke: "No."

Clerk Mahoney: "Parke votes 'no'. Phelps."

Phelps: "Yes."

Clerk Mahoney: "Phelps votes 'aye'. Pihos."

Pihos: "No."

Clerk Mahoney: "Pihos votes 'no'. Poe."

Poe: "No."

Clerk Mahoney: "Poe votes 'no'. Pritchard."

Pritchard: "(Inaudible)."

Clerk Mahoney: "Pritchard votes 'no'. Ramey."

Ramey: "No."

Clerk Mahoney: "Ramey votes 'no'. Reis."

Reis: "No."

Clerk Mahoney: "Reis votes 'no'. Reitz."

Reitz: "(Inaudible)."

Clerk Mahoney: "Reitz votes 'aye'. Rita."

Rita: "Yes."

Clerk Mahoney: "Rita votes 'aye'. Rose."

Rose: "No."

Clerk Mahoney: "Rose votes 'no'. Ryg."

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Ryg: "Aye."

Clerk Mahoney: "Ryg votes 'aye'. Sacia."

Sacia: "No."

Clerk Mahoney: "Sacia votes 'no'. Saviano."

Saviano: "No."

Clerk Mahoney: "Saviano votes 'no'. Schmitz."

Schmitz: "No."

Clerk Mahoney: "Schmitz votes 'no'. Schock."

Schock: "No."

Clerk Mahoney: "Schock votes 'no'. Scully. Scully. Scully."

Scully: "(Inaudible)."

Clerk Mahoney: "Scully votes 'aye'. Smith."

Smith: "(Inaudible)."

Clerk Mahoney: "Smith votes 'aye'. Sommer."

Sommer: "No."

Clerk Mahoney: "Sommer votes 'no'. Soto."

Soto: "Yes."

Clerk Mahoney: "Soto votes 'aye'. Stephens."

Stephens: "No."

Clerk Mahoney: "Stephens votes 'no'. Sullivan."

Sullivan: "No."

Clerk Mahoney: "Sullivan votes 'no'. Tracy."

Tracy: "No."

Clerk Mahoney: "Tracy votes 'no'. Tryon."

Tryon: "No."

Clerk Mahoney: "Tryon votes 'no'. Turner."

Turner: "Aye."

Clerk Mahoney: "Turner votes 'aye'. Verschoore."

Verschoore: "Aye."

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Clerk Mahoney: "Verschoore votes 'aye'. Wait."

Wait: "No."

Clerk Mahoney: "Wait votes 'no'. Washington. Washington."

Washington: "(Inaudible)."

Clerk Mahoney: "Washington votes 'aye'. Watson. Watson."

Watson: "(Inaudible)."

Clerk Mahoney: "Watson votes 'no'. Winters."

Winters: "No."

Clerk Mahoney: "Winters votes 'no'. Yarbrough."

Yarbrough: "Yes."

Clerk Mahoney: "Yarbrough votes 'aye'. Younge."

Younge: "Aye."

Clerk Mahoney: "Younge votes 'aye'. Mr. Speaker."

Mr. Speaker: "Aye."

Clerk Mahoney: "Mr. Speaker votes 'aye'. Acevedo."

Acevedo: "Aye."

Clerk Mahoney: "Acevedo votes 'aye'. Beiser."

Beiser: "Aye."

Clerk Mahoney: "Beiser votes 'aye'. Boland."

Boland: "Aye."

Clerk Mahoney: "Boland votes 'aye'. Burke."

Burke: "Aye."

Clerk Mahoney: "Burke votes 'aye'. Collins."

Collins: "Aye."

Clerk Mahoney: "Collins votes 'aye'. D'Amico."

D'Amico: "Aye."

Clerk Mahoney: "D'Amico votes 'aye'. Durkin. Durkin. Joyce.

Joyce. Joe Lyons."

Lyons, J.: "Aye."

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Clerk Mahoney: "Joe Lyons votes 'aye'. McGuire. McGuire."

McGuire: "Yes."

Clerk Mahoney: "McGuire votes 'aye'. Miller. Miller."

Speaker Madigan: "On this question, there are 61 'ayes' and 52 'nays'. And the Chair... Mr. Miller wishes to be recorded as 'yes'. Mr. Joyce wishes to be recorded as 'yes'."

Clerk Mahoney: "Representative Miller votes 'aye'. Representative Joyce votes 'aye'."

Speaker Madigan: "On this question, there are 63 'yes', 52 'nays', and the Motion fails. Mr. Scully, on Senate Bill 1714. Mr. Scully."

Scully: "Thank you, Mr. Speaker. And again, Ladies and Gentlemen of the General... the House, I ask your consideration of Senate Bill 1714 as amended by House Amendment #1, which extends the rate freeze on electric utility rates for an additional 3 years or until there is a finding that the retail market for electricity is competitive. Over the past 20 months, the Electric Utility Oversight Committee has held extensive hearings on the issue of the transition of the State of Illinois into a fully competitive market. The bottom line is, we're not there yet. There is a competitive market for business consumers. There is no competitive market for retail customers for electric utilities. Therefore, I ask that the Senate Bill 1714 be passed to extend the current rate freeze for an additional 3 years and I'd be happy to answer your questions."

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Speaker Madigan: "Mr. Scully moves for the passage of the Bill. Is there any discussion? Mr. Winters. Mr. Winters, if you could try to restrain yourself to 5 minutes."

Winters: "Fine."

Speaker Madigan: "Mr. Winters."

Winters: "I will certainly do so. If you wanna run the clock, that's fine. Representative Scully, you talk about the lack of a competitive market. As I understand the Bill, can the utilities recover their full costs of purchasing power after January 2? Can they recover their costs?"

Scully: "If their costs are higher than the rate that is frozen, the answer is 'no'."

Winters: "And as far as I have seen, the auction results ended up with market prices of power offered to them that was substantially above the rate that they now have coming from rate payers. Therefore, the answer is they cannot recover their costs. Your Bill, at the end of 3 years, would extend it indefinitely unless there is a competitive market place. If you were a businessman offering power into Illinois, would you do that if you knew that you would lose money on your entry into Illinois? Would you enter this market you were... if you were guaranteed that you could not recover your costs?"

Scully: "The question becomes what is the com... what is the cost of electricity? I..."

Winters: "Whatever has been offered on the open market, which the Commerce Commission ran the auction, publicly asked everybody in the country to offer power to Illinois. The bids that were offered were above what we can allow them to

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recover. Do you think any of those companies will bid into Illinois knowing that they cannot recover their costs?"

Scully: "I disagree that the auction achieved the low... the least expensive price."

Winters: "Well, you're not an expert in that. I am not an expert in that. The Commerce Commission, the Citizens Utility Board, and the Attorney General all determined that was the best way to purchase power in negotiations over several years. The agreement was that's the best way to purchase power. My point is if you cannot recover your costs we will never see utility regu... come into this state and as a result, this is a permanent freeze. Now, two other states, New York and Texas, both have retail competition. They allow their utilities to recover their costs and depending on the area you're in in New York, between 15 and 40 companies will offer you power. And the same thing, not quite as many competitors, but in the range of 10 to 15 companies in Texas will offer you power as long as they're allowed to recover theirs. This Bill will be a permanent rate freeze. It will be a permanent rate freeze. We'll never have open competition. I'd like to move on to one other area, and that is in the Ameren territory in Central Illinois they provide both electricity and gas. It's a combined utility. The way I understand it, their cash position... they have about 300 million in cash and borrowing power. Their gas purchases are almost \$200 million a month. They've been told if this rate freeze passes, 'You will pay us cash before we will deliver gas.' What will you, as the Sponsor of this Bill and the Speaker as a man forcing it

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through, what will you say to the senior citizens and the other utility customers of Central Illinois in January when there's blizzards outside and there is not gas in their pipelines to heat their homes? What response will you have when the utilities collapse this winter?"

Scully: "Mr. Winters, I disagree with the underlying assumption of your question. It is a misleading question; therefore, I have no response to your misleading question."

Winters: "The question I posed is the best financial data that we have is that Ameren will not have credit borrowing authority to purchase gas. What can you offer that would refute that other than an opinion?"

Scully: "I disagree with that statement."

Winters: "Well, unfortunately we're gonna find out real quick. And there are gonna be thousands upon thousands of Illinois citizens that will not have heat in Central Illinois. I think this entire Bill is put forward under false premises. We will never see retail rate competition in Illinois under this Bill, and I urge a 'no' vote. Thank you."

Speaker Madigan: "Representative Krause. Representative Krause."

Krause: "Thank you, Mr. Speaker. To the Bill. Thank you. To the Bill. I arise in opposition to this legislation. This legislation is not a rate freeze and it would not involve a rate freeze if in fact it were signed into law. What it would do would be to cause our seniors, our residences, our small- and medium-sized business to put their electric service in the most perilous situation. Through the past 9 years while we have had deregulation move forward, we have

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had the opportunity to make any changes that we may have been interested in doing so. As a result of the process and through the past several years, the Commerce Commission established several working groups in order to look into the implementation of the deregulation of the legislation that was passed in 1997. The working groups then recommended the reverse auction, and everyone in this chamber knew that that reverse auction was going to be going ahead, and we knew that as of February or January of this year. No action was taken and everyone supported it. We supported the work that was done; we supported the auction manager, the auction monitor. And when the consumer groups asked that in fact that we put through a prudent review, the Commerce Commission, over the objection of the utilities, worked in a post-auction prudent review. The auction was held, as we are all aware of, in September of this year. They went out, contracts have been signed. There were over 21 bidders and 16 contracts have been signed, entered into, and binding. As a result of the market price that was at the date in September, the rate that now will be paid under these contracts is \$63 a megawatt hour, whereas the pending Bill places it at \$36. So, we are requiring as a government that a business charge its consumers \$36, although we well are aware that the market price and the price that they are going to have to pay is \$63. Where else would a government ever require a business not to be even able to recover its cost? This is a pass-through. There is no profit for our utilities here in Illinois. It does not do anything. It is a pass-through of the cost. As a result of that, it is very

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clear and the records that we had before our House Oversight Electric Committee established time and time again that if this were to pass what would occur to the various utilities in Illinois. And Moody's, which issued a statement on November 10, stated that because the 2007 power purchase agreements have been executed at considerably higher costs, extension of the rate freeze beyond December 31 would substantially impair the credit quality of Commonwealth Edison and the Ameren utilities. As such, passage of a rate freeze would be expected in a multi-notch downgrade of the ratings and it would also occur if the rate freeze legislation is passed solely by the Illinois House. We are aware that that is going to occur. We heard the testimony repeated as to the impact on these utilities that they are going to have to pay a difference of \$4 million per day between what the rate..."

Black: "Speaker. Speaker. Can we have some order in the chamber?"

Krause: "Thank you."

Black: "This is an outrage. The Lady can't be heard. I don't know about you guys on that side of the aisle, but my mind functions when it's open. Yours appears to be closed. The least you can do is shut up and give her some attention."

Speaker Madigan: "Ladies and Gentlemen, please give your attention to Representative Krause."

Krause: "Thank you, Mr. Speaker. Thank you very much. Let me go back. You know, this is an important issue. It is a serious issue. Our House committee worked on this for several years. We heard all of the testimony from all of

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the parties that had an interest in this, and they appeared before our committee. And it has been clear and never contradicted in the record that, in fact, Moody's has indicated that because these contracts have been executed at considerably higher costs, extension of this rate increase, which is what is called for in this Bill, will have negative effects upon our utilities, that they will be downgraded, that they will be junk bonds, and that at the passage of this out of one House, out of the House committee itself, that the downgrade will occur because of that. We also heard the testimony of Ameren as to the serious nature that they will be put in upon the passage of this Bill, and that in fact they already had to give notice. And they have indicated that they had only a net income of \$165 million in 2005 and that they cannot under any circumstances absorb in any way this electric supply procurement cost of these contracts, which is what this legislation is requiring. This legislation that is up here today is requiring our utilities to pay and to put... to pay the purchase price, which they have had to sign and which every one of us knew that they were going to sign as to binding contracts and that those contracts came out at \$63 and this Bill is telling them to sell it at 36. And the difference is in hundreds of millions of dollars, which will push them into a bankruptcy. A number of us have, throughout these past several years, however, looked at and discussed a number of issues in which we totally felt that there was a compromise and that in fact we should've worked towards it. A number of Bills have been filed and I would like to bring to the

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attention of the chamber House Bill 5868, which I sincerely wish that we could discuss and move it forward. It is a consumer-friendly Bill, a number of us have signed onto it, and let me just briefly go through this because of the nature of this issue. What this Bill does is to provide that for those electric services companies of over \$2 million or more residential customers, that they would phase in at 7 percent in '07, 7 percent in '08, and 8 percent in '09, and that utilities that between a hundred thousand and less than 2 million, which is Ameren, would phase in into '07 at 14 percent, in '08 at 14 percent, and '09 at 14 percent, and that there would be no interest charged during that period of time. In addition, the legislation does go on and I do wish that we could've... give this serious attention. It does provide that the electric utilities would also be required for those over 2 million, which would be ComEd, would have to contribute \$25 million towards energy efficiency programs, purchase of renewable energy, funding of 4 million for senior citizens, 3 million for those additional under the LIHEAP, and 3 million for low-income customers who don't qualify for LIHEAP. And for Ameren, it would require a commitment of \$15 million towards energy efficiency and low-income assistance program. In addition, the legislation does... would provide that electric utilities could not increase at all the electric rates or defer costs or charge interest to customers that were customers prior to July 1, '06 if they have an all electric home service. That also is provided in it. Ladies and Gentlemen of the House, this legislation, as I said, does

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not provide for a rate increase. It would provide for a serious problems here in the State of Illinois if it were enacted. It would provide that our utilities, because we are asking them... requiring them to pay costs that we are not letting them recover, that they would be forced into a very serious condition and then ultimately bankruptcy. However, there are alternatives that we could do. There are alternatives that we should discuss and we should get into that area at this time. There is time to look into these areas, and I would urge very much that the chamber would look at what's in House Bill 5868 and other ideas that have been proposed. This legislation is not the answer. It will cause serious problems. I urge a 'no' vote. Thank you, Mr. Speaker."

Speaker Madigan: "Mr. Tryon. Tryon."

Tryon: "Thank you, Mr. Speaker. I rise to ask the Gentleman some questions regarding his Bill."

Speaker Madigan: "The Sponsor yields."

Tryon: "Okay. Representative Scully, I know that this is an issue you've worked on for many years and we have talked about it a few times, but I... I have a question. You answered Mr... Representative Winters that you didn't believe that the reverse auction yielded the best price. What do you think the best price is?"

Scully: "The best price varies depending upon the... the producer. For example, a well managed nuclear plant has an all-in cost of less than 2.5 cents per kilowatt hour. That's a statement made by the chairman of Exelon in his testimony before the nuclear energy... hearing on nuclear energy before

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the committee on environment and public works. Now, I admit that this testimony is from 5 years ago, but the all-in cost of producing electricity depends upon the producer. Now, gas-fired power plants have a much higher marginal cost of production. So to say that there is one price that is in fact the best... the best market price is really misleading because there are so many different costs for the different producers. A coal-fired power plant produces electricity at approximately 3 cents per kilowatt hour, a good 50 percent higher than a nuclear plant. Gas-fired peaker plants are more in the range of 10 cents per kilowatt hour, but that price is very volatile depending upon the price of natural gas."

Tryon: "Okay. Given your example that, based upon a cost to produce, and look at a market driven situation, what... what is... what... I can only assume that market driven processes which were used here in the reverse auction reflect the actual market price of what energy sells for. Given that case... and let's just look at Ameren as an example. If Ameren had roughly \$600 million in profits last year, 370 million which came from their Missouri-owned operations and 125 million which came from their Illinois operations, and in fact they have to exe... fulfill the contracts that have been executed this year and they have stated publicly that that would be almost a billion dollars in losses for them to assume, how would they then stay solvent if in fact they are only generating a profit at the old rate of \$125 million? How do we protect the... the users of energy and those utilities from insolvency?"

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Scully: "First of all, Representative, I do not agree with you... with the accuracy of those statements made by Ameren or Commonwealth Edison about the losses that they will sustain. I think those estimates are overstated for the purposes of convincing people to vote 'no' on this legislation."

Tryon: "Well, I'm assuming that the bond rating houses, such as Moody's and Standard & Poor (sic-Poor's), have looked at that very closely before they downgraded them financially. Would you not agree that they would have had reviewed that?"

Scully: "I agree that that is a logical assumption. I don't agree that they did it."

Tryon: "Well, let me ask you this, Representative. Suppose you're wrong and Ameren is right, and I have a feeling that Ameren knows their business just as much as any other business in Illinois. But suppose they're right and you're wrong and they become insolvent, what is the plan to keep electricity flowing to their ratepayers and their customers?"

Scully: "Well, first of all, I don't think they're going to become insolvent. Second, they do have capital reserves that can be turned to if they do sustain losses. For example, Commonwealth Edison sustained a loss last year of \$585 million. Now, a part of that loss was a \$1.2 billion write-off of goodwill. Had they not written off \$1.2 billion of goodwill, Commonwealth Edison would've had a profit again last year as they did in the 2 preceding years. The question is, where did their goodwill come from? Why did Commonwealth Edison have to write off \$1.2 billion of goodwill? I'll answer that question myself. Because they

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transferred their nuclear power plants on October 20 of 2000 to their affiliate in exchange for \$5 billion... excuse me, \$4.89 billion of nuclear power plants, they got \$4.8 billion of goodwill that they are now writing off. That's why Commonwealth Edison is sustaining a loss this year. It's not because of a loss in operations, it's because they sold their nuclear power plants and got goodwill in exchange."

Tryon: "Well, Representative, in all due respect, I'd like to speak to the Bill. I believe that the utility companies are making a very good case to us on why they need a rate increase. We're looking at being the easiest vote we could ever make, being one to keep the power on, and I think that's what this is about. Because I believe that Ameren isn't making up a story about what their financial position is. I believe that the financial institutions that rate them are not making up a story about what their financial condition is. And I don't think that we can vote to put our investor-owned utilities in a position where they are not solvent. And I believe that what is right to do is to vote this Bill down and consider some type of legislation that we're also discussing that would be some rate phase-in or some other approach than a rate freeze for 3 years. There are three specific lawsuits that have opined in court decisions that have said that an investor-owned utility has the right to recover its costs, and I don't think it means that you have to recover your costs from the ratepayers in Missouri when you're providing services in Illinois. So, I can't support the Bill as it is and I would urge my colleagues not to either. Thank you."

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Speaker Madigan: "Mr. Rose. Rose."

Rose: "Thank you, Mr. Speaker. To the Bill. Ladies and Gentlemen, I thought that this was gonna be between a rock and a hard place. You had two choices. On one hand, it would be a certain instability in the power marketplace that would lead to be brownouts and problems. Today, article.. Michael R. Peevey, who's president of the California Public Utilities Commission says, 'Even a casual follower of the energy woes in California can recall the serious problems that confronted the state in the short period,' after their law, which is almost identical to this concept, went into effect. 'Wild energy prices escalations, unusual generating plant outages, brownouts, rolling blackouts, endless litigation, and finger-pointing.' That's part of what happens on one side of being between a rock and hard place. The other part of what happens between being a rock and a hard place is people in my district, people all over, ComEd, Ameren, out of work. In my district alone I stand to lose hundreds of jobs. That's one side of the equation. I've heard from those people. Over 50 of them have called or sent me letters in the last two weeks. On the other side of the equation is countless ratepayers, seniors, low-income are gonna get hit. But this is the United States of America and whatever happened to ingenuity? I grew up knowing one thing, that if you sat down and thought about it, studied about it long enough and long and hard and looked at all options, all options, that's the key, then you could come up with something that would work for everyone. There is no zero sum game. There is no zero sum game. Speaker, could I

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get a...? Thank you. There is no zero sum game. Why do we have to be between a rock and a hard place? There is another way. In fact, there are several other ways. Representative Reis has a Bill. Representative Black has a Bill. Representative Holbrook filed a Bill on March 30 of 2006, never considered. I even had my own Bill. Why are we only considering one side of the rock and the hard place equation? Why aren't we looking for the middle that says to consumers, 'Yes, we can help you consumers.' And says to the Ameren employees, 'Yes, you can keep your job at the same time.' I refuse to believe that you can't find that if you look long, hard, and search for it. To that end today, Representative Krause... House Bill 5868 was a long sought after bipartisan compromise. Senate President Jones stood with Leader Cross this afternoon on a compromise Bill that protected consumers, capped rates, and would keep people employed. That's the type of ingenuity we need. We don't need to be stuck between a rock and a hard place because there is another way. And for what, Ladies and Gentlemen? For what? If this Bill passes today what happens? State Journal-Register, November 15, 'President Jones is not in favor of staying the rate freeze.' Chicago Business, November 14, 'President Jones has been a reliable opponent of the rate freeze extension.' November 15, Chicago Sun-Times, 'What pays... Jones still opposes rate freeze.' The bottom line of this is you are essentially guaranteeing that we all get hit with a 42 percent increase at... my people and 20 percent for those of you in the ComEd territory. You're guaranteeing that today. If this Bill goes to the Senate

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and dies what does that do? That's exactly what the utility companies want. That's exactly what the utility companies because then they get to have their cake and eat it too. There's a compromise out there. Let's all get about the business of compromise and figure this out so we can protect our consumers. Thank you."

Speaker Madigan: "Mr. Black. Black."

Black: "Thank you, Mr. Speaker. I have an inquiry of the Chair."

Speaker Madigan: "State your inquiry."

Black: "It's my understanding that this Bill has an immediate effective date. How many votes will be required for its passage?"

Speaker Madigan: "71 votes."

Black: "Thank you. Mr. Speaker, I would ask you... in deference to those who have a hard time hearing, the acoustics are not what we're used to. We're making a best of a situation in a remarkable building with great history. I would ask you to ask staff to retire from the chamber. There's no reason to have 35-40 staff members on both sides of the aisle. The conversations in the back on your side, the conversations in the back on our side simply will not allow us to hear. The acoustics are such. I would ask that you ask staff to leave the chamber and I would ask that you ask the head Doorkeeper to close the doors so we don't have to put up with the conversation from the army of lobbyists outside. That might lower the volume and maybe we could hear and conduct business in somewhat of an orderly fashion."

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Speaker Madigan: "I think Mr. Black has a good point in terms of asking staff to retire to the rotunda."

Black: "I'm not sure they even hear you. They're back there having such a good time, Mr. Speaker."

Speaker Madigan: "Mr. Black, speaking for our side, I don't know that we have that many staff here to begin with."

Black: "Well, then you have some visitors on your side of the aisle because I see people over there who are not Legislators."

Speaker Madigan: "Well, we'll... we'll be fully cooperative. But..."

Black: "Thank you."

Speaker Madigan: "...why don't you proceed."

Black: "I would ask that Mr. Crawford be instructed to close the doors. I don't need to hear lobbyists yelling at somebody to come out. Thank you very much, Mr. Speaker. I do appreciate that. Would the Sponsor yield?"

Speaker Madigan: "The Sponsor yields."

Black: "Representative Scully, you were here when we passed the rate freeze Bill as I recall, were you not?"

Scully: "Yes."

Black: "Okay. I've been lobbied heavily, as many of you have, by the Citizens Utility Board and AARP, of which I am a member. I just had a birthday that I did not find enjoyable because in the mail I got a Medicare card. A gift that keeps on giving that I would rather not have received. It's my understanding, correct me if I'm wrong, the original rate freeze Bill that gave a 20 percent rate discount as well as a 10-year freeze on electric rates, in my opinion... it passed

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the House overwhelmingly... in my opinion, this Bill would have never passed had not the Citizens Utility Board and AARP supported this Bill. Would... would... is that a fair statement?"

Scully: "Mr. Black, I really can't comment on, you know, why the Bill passed. The Bill did pass overwhelmingly. I voted against the Bill."

Black: "You were one of the handful of people who had great vision. I commend you on that. I would say, in my opinion, that this Bill would have never passed without the active participation and support of the Citizens Utility Board and the American Association of Retired Persons. Now, perhaps they've had a revelation in the last 10 years, but they now have changed their position. When a brief extension was passed, forgive me if I get the year wrong, 2002 as I recall, Commonwealth Edison set up a fund for energy conservation, but I recall that they also gave an amount of money to the Citizens Utility Board. Am I correct?"

Scully: "It is my recollection that there was a contribution, I don't recall what it was."

Black: "I got the year wrong. Let me apologize. It was 1999 when we further extended. In reviewing the transcripts of that debate on your side of the aisle handled by a good friend of mine and an outstanding Legislator, Representative Phil Novak, and on our side of the aisle former Representative Vince Persico. I found it fascinating reading last night. And then in 1999, I also found last night, and again, if I'm wrong somebody correct me, the Citizens Utility Board was given \$7 million by Commonwealth

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Edison, and I quote, that was \$1 million a year for 7, perhaps 8 years, '...to educate the public on the impact of electricity rate deregulation.' Now, unless the transcripts are wrong, and I don't... if I misrepresented this, I apologize and it's not my intent. But that's what I read in the transcript, that it was 7 million, perhaps 8 million. I have a little difficulty understanding that. Can any of you in the Commonwealth Edison service area tell me, did CUB ever produce a brochure or a speakers bureau that you're aware of that went out into the community to educate us about the impact of utility rate deregulation?"

Scully: "Representative Black, are you asking me that question?"

Black: "Yes. I mean, did... I..."

Scully: "I don't know."

Black: "I didn't see anybody in my district."

Scully: "I don't know."

Black: "I didn't know if anybody was up in your district doing that or not. Has... I will ask... I won't bother you with this question, it would not be fair. I intend to ask for an audit statement of the millions of dollars that CUB was given and to how that was spent, because if they produced a brochure or a speakers bureau to try to educate the public about utility rate deregulation I didn't see it and I was never invited to a meeting that did so. So, I... and I'm not casting aspersions on AARP. As I say, I am a card carrying member. But the fact is they were given money, I never saw any attempt to educate the public on energy deregulation, and now... and I think it's disingenuous. That's the most charitable term I can give. For these two organizations to

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decry this Bill, to say it was the worst thing ever done when I will submit on my deathbed it would never had passed without their active participation and support of that Bill. They were at the table then, they have been at the table every year since. They never raised their voice until the last seven months. Mr. Speaker, to the Bill. I think Representative Rose has tried to articulate what some of us feel. Let me back up, with apologies. Representative, who will Sponsor this Bill in the Senate? Do you have a Senate Sponsor?"

Scully: "No."

Black: "Do you anticipate getting a Senate Sponsor?"

Scully: "Yes."

Black: "Thank you. To the Bill. What we have here today is an opportunity where some of you are setting all of us up to an either/or situation. You either vote for the rate freeze or Commonwealth Edison will get everything they asked for and Ameren companies will get everything they asked for. Ladies and Gentlemen, that's untenable. I will not and do not and will never support a 55 percent rate increase from Ameren IP. That's untenable. I also have been in this process long enough to know that a rate freeze will not happen, and many of you know that as well. So, you will get a very good political vote today. My fear is on January 1 the two Bodies will not be able... be in agreement and we will see untenable and unnecessary rate increases. Many of us have promoted and brought forth compromises, rate caps, what is reasonable to the consumer, what is reasonable to the utilities. For whatever the reason, we haven't been able to

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get those out of Rules and to be heard in committee. Furthermore, in the last week of Veto Session here we are. Representative Gordon, if my memory serves, had a Bill 5766 that I believe she filed in February that would've allowed for a rate freeze. Never discussed the Bill, I don't believe it ever went to committee. Gee, that's a lifetime ago, Representative Black. Let's wait until the last possible moment. Representative Scully, I have great respect for you. I know you're an outstanding Legislator. I have worked with you on many issues. And I'm not saying this that you are doing this. I am saying as a Body we are taking ourselves today down a road that California traveled. Why don't we learn from other's mistakes? This very issue caused the recall of then-sitting Governor Gray Davis. If my memory serves me correctly, the only Governor to be removed from office by the voters of California. An intriguing possibility, but then I read the Illinois Constitution and we don't have recall. There are indisputable facts that happened in California. The largest utility went bankrupt. A referee in bankruptcy took over, allowed them to immediately sell 10 thousand pristine acres in the Sierra Madre Forest, imposed rate increases. Why would any of us give up our responsibility to a referee in bankruptcy? There were blackouts. There were rolling brownouts. I have relatives who lived in California. Businesses would be called at 8:00 in the morning and said by noon today we will not have power. We cannot buy it on the spot market, we ran out of money. The State of California invested billions of dollars in making up that

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difference between the market spot rate and what the companies were allowed to charge. Now, I'm not saying that we'll be in that bad of a shape, but let's not go down the road that California has already traveled. That was a disaster that they have still to this day not fully recovered from. Let me also ask all of you, who appoints the members of Illinois Commerce Commission? The Governor. He appointed four of the five sitting commissioners. He handpicked the chairman. An outstanding man, I believe was the mayor of Rockford at one time, if memory serves me correctly. And I have the quote. And the Governor told his handpicked appointees to the Illinois Commerce Commission, and I quote, 'If you vote for a reverse power auction I will fire you.' They did and he didn't. So now legislatively we are dealing with almost what is at this late hour a no-win situation for anybody, us, the consumers, the utilities, the future of reliable power and natural gas in this state, when in fact the Illinois Commerce Commission should be doing this. He appointed the members. Where is the leadership from the second floor? You know, there's a time that when you run for political office it sometimes is fun to campaign. After watching the television commercials of some months ago I wouldn't find it fun to campaign in this last election. But you know when the election's over you have to govern. You have to make the votes and you have to go home and explain that to your constituency. I find the silence from the Chief Executive Officer of the State of Illinois on this issue somewhat disturbing. And so, we are about to usurp the powers of the Illinois Commerce Commission. There

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is no easy answer. This is a dilemma. I define a 'dilemma' at which either vote today is not satisfactory to me. But I also stand before you, having the ability to read, I do not want to follow California down the bumpy path of unreliable power, bankruptcy, recall of executives. Again, an intriguing possibility, we don't have that in Illinois. This is a difficult issue. If all you want is a political vote, you are about to get that. If we are about the process of doing what people sent us here to do, I would submit we have Bills ready to go, and I'm sure on your side of the aisle as well, that will cap these rate increases, will allow for an orderly transition to a deregulated market, and at any time any of us can file a Bill to say, wait a minute, whoa, whoa, whoa, whoa, this isn't working. And we can move to go back to a reregulated market if that's what the majority of the House and the Senate want to do. But we started this process 10 years ago and here in less... barely a month before that process that we all knew would happen... happens, now we want to change the rules. It's disingenuous of CUB and AARP to say Commonwealth Edison can buy power at \$36 a megawatt, Exelon will subsidize them. Ameren can do that. Ameren... the Dynegy companies will subsidize them. From what I read in the Federal Energy Regulatory Commission, that will not be allowed by the Federal Government. The generating companies can no longer subsidize the transmission companies. All Ameren IP is in my district today is a company that has poles and wires. That's all they have. They don't generate any power. And who... who said that? Who said to us 10 years ago they must

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divest themselves of their generating plants? CUB and AARP were strong proponents of that divestiture. So here we go 10 years later with some of the strongest supporters of this Bill now saying that they're opposed to the Bill, and they have been at the table ever since this whole process started. I don't think we can turn back the clock in the next four weeks. Now, Ladies and Gentlemen, you're all very intelligent people. If you go to the store and say I want a bottle of soda and a Twinkie and you've always paid 25 cents for that, and the owner of the store says, 'I'm sorry, costs have gone up. The Twinkie and the bottle of soda is now 50 cents.' I'm not gonna pay 50 cents. Simple business. Then you're not gonna buy the soda and you're not gonna buy the Twinkie. Not for 25 cents. That's where we are. And it's disingenuous to say, 'Well, they can continue to sell it for what they sold it for before.' No, they can't. They don't own the generating companies anymore. And the generating companies, and I think there were over 20 on the reverse auction, said, 'Here's what we'll sell it for.' Now we're at the last minute telling the transmission companies, all they have is poles and wires, 'You will have to sell it to us for what you did in the last 10 years.' And they are saying to us, and I don't think that they're being the least bit disingenuous, 'How can I sell it to you for that when I can't buy it for that?' If we wanna continue the mistakes made by California, fine. You'll have that opportunity to do so. I think there's a time for us to reach across the aisle, to rea... to work with the Speaker, to work with the President of the Senate, to work with the Governor, and say

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what is a fair and equitable compromise to be fair to the consumers, to be fair to the utility companies so that they don't declare bankruptcy and then have a referee in bankruptcy tell us what we're gonna pay and how that'll be worked out, or we can sit here and just simply take political votes so that you can have great brochures and great television ads 2 years from now. I will just caution you this. I saw television ads this year aimed at people who had never served one day in the General Assembly. They'd never been elected to any office. And I saw television commercials that said 'John Doe' voted for a Bill to send workers to Mexico. He didn't vote... he never voted to do that. He'd never served in the elective office, but the campaign commercials were well done and they resonated with people. So, you know what? I used to worry about political votes. I used to worry about going to the coffee house on a Saturday morning and explaining what I do. I've... I've gone beyond that point. You can make a commercial against me, and boy, in the archives you have plenty of material to work with. But it doesn't make any difference anymore. We can portray the best Legislator in the world as the worst Legislator in the world in a 30 second commercial. So, at some point I think we have to stand up and do what we know is right and what I think is right by the end of the day is to agree that we will come together and try to reach a compromise that is fair to all parties concerned and not go down the path California went down. I don't want to do that. I don't think it's in the best interest of our state, of our people, of our business community. I have to have a

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reliable natural gas source. I have to have a reliable power source. I can't live without either one of them. And what we are about to embark on may endanger that reliability. In all due respect to the Sponsor, he's a well-meaning, well-intentioned, principled man, I just simply rise to say, Representative, I disagree with you on this Bill. I think it is the wrong avenue to take at the very last hour and I will not vote to freeze rates because it is a conundrum that I am fairly certain will never be enacted into law. I don't think it will be called in the Senate. I would daresay I would stake my reputation that it will not be called in the Senate. And I am not willing to go home under those conditions and then give the utility companies everything that they've asked for, which I don't think is fair, righteous, or correct. We have to take some action to rein in those rate increases, rein in the utility companies, and be fair to all parties. And I don't think this Bill is fair to all parties and I think we're about to embark on a terrible mistake. We embarked on this 10 years ago, you can't get off that horse now. It's too late. Thank you very much."

Speaker Madigan: "Mr. Durkin."

Durkin: "Will the Sponsor yield?"

Speaker Madigan: "The Sponsor yields."

Durkin: "Representative Scully, obviously we're here because of re... your rejection and displeasure with the ICC's recommendation and vote for the reverse auction. Is that an accurate statement?"

Scully: "Yes."

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Durkin: "Okay. Could you explain to me what is the role of the ICC with respect to ratemaking? Is it advisory or is it binding? Is it statutorily laid out or through rule of whether or not their decisions are, as I said earlier, statutory... are they binding or are they advisory?"

Scully: "Representative, I didn't anticipate your question so I... I did not research the statute to which creates the ICC. But it's my understanding that the lawmake... lawmaking power of the General Assembly was delegated to the ICC but it is not their exclusive jurisdiction."

Durkin: "Under what circumstances... 'cause I look at this legislation as really us turning that decision into an advisory opinion with... has no binding affect upon people in the State of Illinois. What would be a circumstance in which we can do an end-around? We discussed this a little bit in that committee hearing, an end-around on the ICC. What would be the circumstances in which the Legislature can take that action? 'Cause we're setting quite a precedent here, as you know."

Scully: "Yes, and I appreciate that. And in response to your earlier question I stated that I... it's my understanding that the authority of the ICC to establish law, it is not in their exclusive jurisdiction. We do... we do attain jurisdiction to pass laws in that... in that arena. And this is a very extraordinary step."

Durkin: "Do we, as the hundred and eighteen Members here in this... in this room, have the expertise and knowledge to make these types of decisions of what are the appropriate rates

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for consumers throughout the State of Illinois for electricity?"

Scully: "I think many of us have acquired the knowledge over the past 2 years to assess the issue of the extent to which the ICC has properly supervised the transition into a fully competitive market."

Durkin: "Do you believe that we have a greater command of these ratemaking decisions than the professionals and the staff within the ICC?"

Scully: "Could you restate your question?"

Durkin: "Do you think that the hundred and eighteen Members here in the Legislature have a greater command of the ratemaking decisions than the people who have... who work and have worked in the ICC for decades?"

Scully: "In response to your question as to whether or not we have a greater command of the issues, I do not think we have a greater command of the issues. I do believe that the people of the ICC with a budget of \$114 million working full time have command of the issues. But I strongly disagree with their decisions based upon those issues."

Durkin: "Under what circumstances should we defer to the ICC and allow their decisions to stand?"

Scully: "We should defer when we believe that their decisions are correct and we should assert our jurisdiction when we feel it is appropriate. That is a matter of public policy decision based upon the issues, and on this particular issue I am recommending that we assert jurisdiction."

Durkin: "Why don't we just strip the binding authority away from the ICC if this is going to be the precedent which we're

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setting today? Would you agree that that would be the next step?"

Scully: "No, I don't agree that that's the next step at all. But if you want to propose such a Bill, I think it's an issue that should be openly discussed."

Durkin: "Well, I... I don't even know why we have the ICC around if we're gonna say that, ya know, we're gonna pick and choose what type of decisions that we're going to stand by... that we're gonna stand by when they make these tough decisions. I mean... anyway, let me move on to my next question. Now, in that committee hearing that was done approximately two months ago both the executives from ComEd and Ameren indicated that if this legislation does pass the House, pass the Senate, signed by the Governor, that they will file for bankruptcy. Do you believe they were bluffing? Do you believe that the executives from ComEd and Ameren, when they made the statements said that if this legislation is signed into law that they would file for bankruptcy? Do you believe that they were bluffing?"

Scully: "Yes."

Durkin: "Do you think there is a possi... I would disagree, even though... and I would disagree with my colleague Bill Black that we should at least have thought out what would be the situation within... throughout the State of Illinois for our consumers if either one of these utilities does file for bankruptcy. Well, they said... they were not under oath, but they did clearly state on the record that that would be the course of action they would take. Correct? Correct?"

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Scully: "I don't specifically recall their testimony, Mr. Durkin."

Durkin: "I do recall that both the executives... so... they file for bankruptcy. I mean, I think that this is worthy of discussion. If they do file for bankruptcy, either one of these entities, it obviously would go to a bankruptcy judge who would be... who would ultimately... who would be the bankruptcy judge or a trustee be the one charged with administering the decisions for that utility?"

Scully: "It is not my understanding of the bankruptcy code that a bankruptcy trustee or a bankruptcy judge would have the ultimate authority to make a decision."

Durkin: "Who would have the ultimate authority to make a decision if either one of these entities filed Chapter 11 or Chapter 7?"

Scully: "I do not know why you are assuming that they would file Chapter 7."

Durkin: "Why wouldn't we assume otherwise?"

Scully: "Because I think it is more likely that they would file Chapter 11."

Durkin: "Okay. Chapter 11 is the reorganization, correct? It is not the dissolution. Okay."

Scully: "Yes."

Durkin: "Okay. And during the Chapter 11 the reorganization is basically a time in which the corporation can get their financial act together, come back to the court with a plan of how they're going to exist, correct? And in... in a very, you know, I would say lately..."

Scully: "I don't disagree with your summary, Mr. Durkin."

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Durkin: "Okay. Now, assuming that this legislation does pass and is signed by the Governor and one of the ComEd or Ameren files for bankruptcy, will the rate freeze continue during dependency of these proceedings?"

Scully: "I don't know."

Durkin: "Do you believe... well, let's... if the purpose of Chapter 11 is to reorganize, get their financial house in order is going to take place, but they are gonna continue under the extension of the rate freeze, how are they going to be able to reorganize if they're still living under those... under this legislation?"

Scully: "Mr. Durkin, I don't think they're gonna file for bankruptcy."

Durkin: "That's not my question, Representative."

Scully: "Well, your question assumes that they will file for bankruptcy."

Durkin: "Well, as I mentioned earlier, I sat in that committee, both executives in Ameren and ComEd stated that they will ultimately have to file for bankruptcy. And I don't believe... I take that statement very seriously and I wish other people in this chamber would take that statement seriously as well. But I think it's something that we need to discuss. We need to let the people of the State of Illinois... our constituents know that if this situation does take place, what is the plan? And that's what I'm trying to get at, Representative. So, I... I quite frankly don't know how they would be able to reorganize if the legislation is going to stay in place. That would leave them in Chapter 7, right? Dissolution, correct? If they cannot reorganize. I

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do not... do not know how they would be able to reorganize if they are to exist under the rate freeze which has passed out of these chambers and signed by the Governor. Could you explain to me how they would... how would the administration of power and electricity in the state... how would it be administrated at that point?"

Scully: "Mr. Durkin, you're asking me to explain something that I do not think is ever going to occur."

Durkin: "Well, I... all right. I... I could sit here for another hour asking a number of these questions, but I think that's something that we should take very seriously. And I don't think that the ComEd and Ameren are calling our bluff on this issue. And I think that there has to be some serious consideration about who will administer power throughout the State of Illinois if either one of these entities do file for bankruptcy. So, thank you for your... for your time."

Speaker Madigan: "Mr. Flider. Flider. Mr. Flider needs a microphone. Mr. Flider needs a microphone. All right. There being no one else seeking recognition, Mr. Scully moves that this Bill pass. Those in favor signify by voting 'yes'; those opposed by voting 'no'. The Clerk shall take the record."

Clerk Mahoney: "Acevedo. Acevedo. Bassi."

Bassi: "Pass."

Clerk Mahoney: "Bassi passes. Beaubien."

Beaubien: "(Inaudible)."

Clerk Mahoney: "Beaubien passes. Beiser."

Beiser: "(Inaudible)."

Clerk Mahoney: "Beiser votes 'ayes'. Bellock."

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Bellock: "Pass."

Clerk Mahoney: "Bellock passes. Berrios."

Berrios: "Aye."

Clerk Mahoney: "Berrios votes 'aye'. Biggins."

Biggins: "Pass."

Clerk Mahoney: "Biggins passes. Black."

Black: "Pass."

Clerk Mahoney: "Black passes. Boland."

Boland: "Aye."

Clerk Mahoney: "Boland votes 'aye'. Bost."

Bost: "Pass."

Clerk Mahoney: "Bost passes. John Bradley."

Bradley, J.: "(Inaudible)."

Clerk Mahoney: "John Bradley votes 'aye'. Rich Bradley."

Bradley, R.: "Aye."

Clerk Mahoney: "Rich Bradley votes 'aye'. Brady."

Brady: "Pass."

Clerk Mahoney: "Brady passes. Brauer."

Brauer: "Pass."

Clerk Mahoney: "Brauer passes. Brosnahan."

Brosnahan: "(Inaudible)."

Clerk Mahoney: "Brosnahan votes 'aye'. Burke."

Burke: "(Inaudible)."

Clerk Mahoney: "Burke... Burke passes. Chapa LaVia."

Chapa LaVia: "Aye."

Clerk Mahoney: "Chapa LaVia votes 'aye'. Chavez."

Chavez: "(Inaudible)."

Clerk Mahoney: "Chavez votes 'aye'. Churchill."

Churchill: "(Inaudible)."

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Clerk Mahoney: "Churchill passes. Collins."

Collins: "(Inaudible)."

Clerk Mahoney: "Collins votes 'no'. Colvin."

Colvin: "Pass."

Clerk Mahoney: "Colvin passes. Coulson."

Coulson: "Pass."

Clerk Mahoney: "Coulson passes. Cross."

Cross: "(Inaudible)."

Clerk Mahoney: "Cross passes. Cultra."

Cultra: "(Inaudible)."

Clerk Mahoney: "Cultra passes. D'Amico."

D'Amico: "(Inaudible)."

Clerk Mahoney: "D'Amico votes 'aye'. Daniels."

Daniels: "(Inaudible)."

Clerk Mahoney: "Daniels passes. Monique Davis."

Davis, M.: "Aye."

Clerk Mahoney: "Monique Davis votes 'aye'. Will Davis."

Davis, W.: "No."

Clerk Mahoney: "Will Davis votes 'no'. Delgado."

Delgado: "(Inaudible)."

Clerk Mahoney: "Delgado votes 'aye'. Dugan."

Dugan: "Aye."

Clerk Mahoney: "Dugan votes 'aye'. Dunkin."

Dunkin: "(Inaudible)."

Clerk Mahoney: "Dunkin votes 'present'. Dunn."

Dunn: "Pass."

Clerk Mahoney: "Dunn passes. Durkin."

Durkin: "Pass."

Clerk Mahoney: "Durkin passes. Eddy."

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Eddy: "Pass."

Clerk Mahoney: "Eddy passes. Feigenholtz. Feigenholtz.
Flider."

Flider: "Aye."

Clerk Mahoney: "Flider votes 'aye'. Flowers."

Flowers: "(Inaudible)."

Clerk Mahoney: "Flowers votes 'aye'. Franks."

Franks: "(Inaudible)."

Clerk Mahoney: "Franks votes 'aye'. Fritchey. Fritchey."

Fritchey: "(Inaudible)."

Clerk Mahoney: "Fritchey votes 'aye'. Froehlich."

Froehlich: "(Inaudible)."

Clerk Mahoney: "Froehlich passes. Giles."

Giles: "No."

Clerk Mahoney: "Giles votes 'no'. Golar."

Golar: "Aye."

Clerk Mahoney: "Golar votes 'aye'. Gordon."

Gordon: "(Inaudible)."

Clerk Mahoney: "Gordon votes 'aye'. Graham."

Graham: "Aye."

Clerk Mahoney: "Graham votes 'aye'. Granberg. Granberg."

Granberg: "Aye."

Clerk Mahoney: "Granberg votes 'aye'. Hamos."

Hamos: "Pass."

Clerk Mahoney: "Hamos passes. Hannig."

Hannig: "(Inaudible)."

Clerk Mahoney: "Hannig votes 'aye'. Hassert."

Hassert: "(Inaudible)."

Clerk Mahoney: "Hassert passes. Hoffman."

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Hoffman: "Aye."

Clerk Mahoney: "Hoffman votes 'aye'. Holbrook."

Holbrook: "(Inaudible)."

Clerk Mahoney: "Holbrook votes 'aye'. Howard."

Howard: "(Inaudible)."

Clerk Mahoney: "Howard votes 'aye'. Hultgren."

Hultgren: "(Inaudible)."

Clerk Mahoney: "Hultgren passes. Jakobsson."

Jakobsson: "Aye."

Clerk Mahoney: "Jakobsson votes 'aye'. Jefferies."

Jefferies: "(Inaudible)."

Clerk Mahoney: "Jefferies votes 'aye'. Jefferson."

Jefferson: "Pass."

Clerk Mahoney: "Jefferson passes. Jenisch."

Jenisch: "Pass."

Clerk Mahoney: "Jenisch passes. Joyce."

Joyce: "Aye."

Clerk Mahoney: "Joyce votes 'aye'. Kelly."

Kelly: "No."

Clerk Mahoney: "Kelly votes 'no'. Kosel."

Kosel: "Pass."

Clerk Mahoney: "Kosel passes. Krause."

Krause: "(Inaudible)."

Clerk Mahoney: "Krause passes. Lang."

Lang: "Aye."

Clerk Mahoney: "Lang votes 'aye'. Leitch."

Leitch: "Pass."

Clerk Mahoney: "Leitch passes. Lindner."

Lindner: "(Inaudible)."

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Clerk Mahoney: "Lindner passes. Joe Lyons."
Lyons, J.: "(Inaudible)."
Clerk Mahoney: "Joe Lyons votes 'aye'. Mathias."
Mathias: "Pass."
Clerk Mahoney: "Mathias passes. Mautino."
Mautino: "(Inaudible)."
Clerk Mahoney: "Mautino votes 'aye'. May."
May: "Aye."
Clerk Mahoney: "May votes 'aye'. McAuliffe."
McAuliffe: "Pass."
Clerk Mahoney: "McAuliffe passes. McCarthy."
McCarthy: "No."
Clerk Mahoney: "McCarthy votes 'no'. McGuire."
McGuire: "Aye."
Clerk Mahoney: "McGuire votes 'aye'. McKeon."
McKeon: "Aye."
Clerk Mahoney: "McKeon votes 'aye'. Mendoza."
Mendoza: "Aye."
Clerk Mahoney: "Mendoza votes 'aye'. Meyer."
Meyer: "Pass."
Clerk Mahoney: "Meyer passes. Miller."
Miller: "(Inaudible)."
Clerk Mahoney: "Miller passes. Bill Mitchell."
Mitchell, B.: "Pass."
Clerk Mahoney: "Bill Mitchell passes. Jerry Mitchell."
Mitchell, J.: "(Inaudible)."
Clerk Mahoney: "Jerry Mitchell passes. Moffitt."
Moffitt: "Pass."
Clerk Mahoney: "Moffitt passes. Molaro."

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Molaro: "Aye."
Clerk Mahoney: "Molaro votes 'aye'. Mulligan."
Mulligan: "Pass."
Clerk Mahoney: "Mulligan passes. Munson."
Munson: "Pass."
Clerk Mahoney: "Munson passes. Myers."
Myers: "(Inaudible)."
Clerk Mahoney: "Myers passes. Nekritz."
Nekritz: "Aye."
Clerk Mahoney: "Nekritz votes 'aye'. Osmond."
Osmond: "Pass."
Clerk Mahoney: "Osmond passes. Osterman."
Osterman: "Aye."
Clerk Mahoney: "Osterman votes 'aye'. Parke."
Parke: "Pass."
Clerk Mahoney: "Parke passes. Phelps."
Phelps: "Aye."
Clerk Mahoney: "Phelps votes 'aye'. Pihos."
Pihos: "Pass."
Clerk Mahoney: "Pihos passes. Poe."
Poe: "(Inaudible)."
Clerk Mahoney: "Poe passes. Pritchard."
Pritchard: "(Inaudible)."
Clerk Mahoney: "Pritchard passes. Ramey."
Ramey: "Pass."
Clerk Mahoney: "Ramey passes. Reis."
Reis: "Pass."
Clerk Mahoney: "Reis passes. Reitz."
Reitz: "Aye."

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Clerk Mahoney: "Reitz votes 'aye'. Rita."

Rita: "(Inaudible)."

Clerk Mahoney: "Rita votes 'no'. Rose."

Rose: "Pass."

Clerk Mahoney: "Rose passes. Ryg."

Ryg: "(Inaudible)."

Clerk Mahoney: "Ryg votes 'aye'. Sacia."

Sacia: "(Inaudible)."

Clerk Mahoney: "Sacia passes. Saviano. Saviano. Schmitz."

Schmitz: "Pass."

Clerk Mahoney: "Schmitz passes. Schock."

Schock: "Pass."

Clerk Mahoney: "Schock passes. Scully."

Scully: "Aye."

Clerk Mahoney: "Scully votes 'aye'. Smith."

Smith: "Aye."

Clerk Mahoney: "Smith votes 'aye'. Sommer."

Sommer: "Pass."

Clerk Mahoney: "Sommer passes. Soto."

Soto: "(Inaudible)."

Clerk Mahoney: "Soto votes 'aye'. Stephens."

Stephens: "Pass."

Clerk Mahoney: "Stephens passes. Sullivan."

Sullivan: "Pass."

Clerk Mahoney: "Sullivan passes. Tracy."

Tracy: "(Inaudible)."

Clerk Mahoney: "Tracy passes. Tryon."

Tryon: "Pass."

Clerk Mahoney: "Tryon passes. Turner."

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Turner: "(Inaudible)."
Clerk Mahoney: "Turner votes 'aye'. Verschoore."
Verschoore: "(Inaudible)."
Clerk Mahoney: "Verschoore votes 'aye'. Wait."
Wait: "(Inaudible)."
Clerk Mahoney: "Wait passes. Washington."
Washington: "(Inaudible)."
Clerk Mahoney: "Washington votes 'present'. Watson."
Watson: "Pass."
Clerk Mahoney: "Watson passes. Winters."
Winters: "Pass."
Clerk Mahoney: "Winters passes. Yarbrough."
Yarbrough: "Aye."
Clerk Mahoney: "Yarbrough votes 'aye'. Younge."
Younge: "Aye."
Clerk Mahoney: "Younge votes 'aye'. Mr. Speaker."
Mr. Speaker: "(Inaudible)."
Clerk Mahoney: "Mr. Speaker votes 'aye'. Acevedo."
Acevedo: "(Inaudible)."
Clerk Mahoney: "Acevedo votes 'present'. Bassi."
Bassi: "Yes."
Clerk Mahoney: "Bassi votes 'aye'. Beaubien."
Baubien: "No."
Clerk Mahoney: "Baubien votes 'no'. Bellock."
Bellock: "No."
Clerk Mahoney: "Bellock votes 'no'. Biggins."
Biggins: "No."
Clerk Mahoney: "Biggins votes 'no'. Black."
Black: "No."

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Clerk Mahoney: "Black votes 'no'. Bost."
Bost: "(Inaudible)."
Clerk Mahoney: "Bost votes 'present'. Brady."
Brady: "Yes."
Clerk Mahoney: "Brady votes 'aye'. Brauer."
Brauer: "No."
Clerk Mahoney: "Brauer votes 'no'. Burke."
Burke: "(Inaudible)."
Clerk Mahoney: "Burke votes 'present'. Churchill."
Churchill: "(Inaudible)."
Clerk Mahoney: "Churchill votes 'present'. Colvin."
Colvin: "(Inaudible)."
Clerk Mahoney: "Colvin votes 'present'. Coulson."
Coulson: "Yes."
Clerk Mahoney: "Coulson votes 'aye'. Cross."
Cross: "No."
Clerk Mahoney: "Cross votes 'no'. Cultra."
Cultra: "(Inaudible)."
Clerk Mahoney: "Cultra votes 'no'. Daniels."
Daniels: "(Inaudible)."
Clerk Mahoney: "Daniels votes 'no'. Dunn."
Dunn: "No."
Clerk Mahoney: "Dunn votes 'no'. Durkin."
Durkin: "(Inaudible)."
Clerk Mahoney: "Durkin votes 'no'. Eddy."
Eddy: "No."
Clerk Mahoney: "Eddy votes 'no'. Feigenholtz."
Feigenholtz: "(Inaudible)."
Clerk Mahoney: "Feigenholtz votes 'aye'. Froehlich."

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Froehlich: "Present."

Clerk Mahoney: "Froehlich votes 'present'. Hamos.
Representative Hamos. Hassert."

Hassert: "(Inaudible)."

Clerk Mahoney: "Hassert votes 'no'. Hultgren."

Hultgren: "(Inaudible)."

Clerk Mahoney: "Hultgren votes 'present'. Jefferson."

Jefferson: "Present."

Clerk Mahoney: "Jefferson votes 'present'. Jenisch."

Jenisch: "No."

Clerk Mahoney: "Jenisch votes 'no'. Kosel."

Kosel: "(Inaudible)."

Clerk Mahoney: "Kosel votes 'no'. Krause."

Krause: "(Inaudible)."

Clerk Mahoney: "Krause votes 'no'. Leitch."

Leitch: "No."

Clerk Mahoney: "Leitch votes 'no'. Lindner."

Lindner: "No."

Clerk Mahoney: "Lindner votes 'no'. Mathias."

Mathias: "Present."

Clerk Mahoney: "Mathias votes 'present'. McAuliffe."

McAuliffe: "(Inaudible)."

Clerk Mahoney: "McAuliffe votes 'aye'. Meyer."

Meyer: "No."

Clerk Mahoney: "Meyer votes 'no'. Miller."

Miller: "(Inaudible)."

Clerk Mahoney: "Miller votes 'present'. Bill Mitchell."

Mitchell, B.: "Aye."

Clerk Mahoney: "Bill Mitchell votes 'aye'. Jerry Mitchell."

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Mitchell, J.: "(Inaudible)."

Clerk Mahoney: "Jerry Mitchell votes 'present'. Moffitt."

Moffitt: "Aye."

Clerk Mahoney: "Moffitt votes 'aye'. Mulligan."

Mulligan: "No."

Clerk Mahoney: "Mulligan votes 'no'. Munson."

Munson: "Aye."

Clerk Mahoney: "Munson votes 'aye'. Myers."

Myers: "No."

Clerk Mahoney: "Myers votes 'no'. Osmond."

Osmond: "No."

Clerk Mahoney: "Osmond votes 'no'. Parke."

Parke: "(Inaudible)."

Clerk Mahoney: "Parke votes 'no'. Pihos."

Pihos: "(Inaudible)."

Clerk Mahoney: "Pihos votes 'no'. Poe."

Poe: "(Inaudible)."

Clerk Mahoney: "Poe votes 'present'. Pritchard."

Pritchard: "(Inaudible)."

Clerk Mahoney: "Pritchard votes 'aye'. Ramey."

Ramey: "(Inaudible)."

Clerk Mahoney: "Ramey votes 'present'. Reis."

Reis: "Aye."

Clerk Mahoney: "Reis votes 'aye'. Rose."

Rose: "(Inaudible)."

Clerk Mahoney: "Rose votes 'no'. Sacia."

Sacia: "(Inaudible)."

Clerk Mahoney: "Sacia votes 'no'. Saviano."

Saviano: "(Inaudible)."

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Clerk Mahoney: "Saviano votes 'present.' Schmitz."

Schmitz: "Aye."

Clerk Mahoney: "Schmitz votes 'aye'. Schock."

Schock: "Aye."

Clerk Mahoney: "Schock votes 'aye'. Sommer."

Sommer: "(Inaudible)."

Clerk Mahoney: "Sommer votes 'aye'. Stephens."

Stephens: "(Inaudible)."

Clerk Mahoney: "Stephens votes 'present'. Sullivan."

Sullivan: "(Inaudible)."

Clerk Mahoney: "Sullivan votes 'aye'. Tracy. Tracy."

Tracy: "No."

Clerk Mahoney: "Tracy votes 'no'. Tryon."

Tryon: "(Inaudible)."

Clerk Mahoney: "Tryon votes 'no'. Wait."

Wait: "Yes."

Clerk Mahoney: "Wait votes 'aye'. Watson."

Watson: "No."

Clerk Mahoney: "Watson votes 'no'. Winters."

Winters: "No."

Clerk Mahoney: "Winters votes 'no'."

Speaker Madigan: "Everybody will be recognized in time. Are you... are you Representative Tracy?"

Tracy: "Yes, I am."

Speaker Madigan: "I hope you're enjoying these early days."

Tracy: "Thank you, Mr. Speaker. They've been very interesting and I've learned a lot these last few days. I have learned a lot and I appreciate all your patience. I would like to change my vote to a... to a 'yes'."

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Clerk Mahoney: "Tracy votes 'aye'."

Speaker Madigan: "Mr... Mr. Clerk, change Representative Tracy to a 'yes'."

Clerk Mahoney: "Tracy votes 'aye'."

Tracy: "Thank you."

Speaker Madigan: "Are there others seeking recognition? Representative Hamos. Hamos, 'aye'. Representative Cultra."

Cultra: "Present. Change my vote to 'present'."

Speaker Madigan: "Change Mr. Cultra to 'present'."

Clerk Mahoney: "Cultra votes 'present'."

Speaker Madigan: "Anybody else?"

Scully: "Mr. Speaker, I ask for Postponed... I move for Postponed Consideration."

Speaker Madigan: "Yeah. The Gentleman requests Postponed Consideration. The Bill shall be placed on the Order of Postponed Consideration. On the Order of... page 2, on the Order of Senate Bills-Second Reading, there appears Senate Bill 36. Mr. Clerk, what is the status of the Bill?"

Clerk Mahoney: "Senate Bill 36 has been read a second time, previously. Amendment #1 was adopted in committee. Floor Amendment #2, offered by Representative Hannig, has been approved for consideration."

Speaker Madigan: "Mr. Hannig on the Amendment."

Hannig: "Yes, Mr. Speaker and Members of the House, if it pleases the Members... if it pleases the Members, the Amendment becomes the Bill and I'd ask that we adopt it on a voice vote and then we could debate the Bill on Third."

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Speaker Madigan: "The Gentleman has suggested that he will move for the adoption of the Amendment on a voice vote, put the Bill on the Order of Third Reading, then debate the Bill on Third Reading. The Motion is, 'Shall the Amendment be adopted?' Those in favor say 'aye'; those opposed say 'no'. The 'ayes' have it. The Amendment is adopted. Are there any further Amendments?"

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

Speaker Madigan: "Put the Bill on the Order of Third Reading and read the Bill."

Clerk Mahoney: "Senate Bill 36, a Bill for an Act concerning public employee benefits. Third Reading of this Senate Bill."

Speaker Madigan: "Mr. Hannig."

Hannig: "Yes, thank you, Mr. Speaker and Members of the House. This is a pension Bill that does several things, none of which will cost the State of Illinois any additional pension moneys. First, under the Teachers Retirement System from June 1 of '06 to June 1 of '09 it will provide that the Chicago... the people in the Chicago Teachers Pension could purchase up to 2 years of credit for time spent teaching or serving as an administrator in a private school."

Speaker Madigan: "Mr. Hannig."

Hannig: "It also provides a window for people who in the Teachers Retirement System who have also worked who have employment in organizations representing teachers. It would provides that... it additionally... last year when we did a technical cleanup on the early retirement option there were two areas that we failed to actually allow teachers to go

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back and pick up their service. And so it corrects this technicality. It provides that people who are in the... in the State Employment Retirement System, that is if it'd provide that AFSCME members who have worked in that system and who now work in a collective bargaining... who actually work for a organization that represents... that repre..."

Speaker Madigan: "Please give your attention to Mr. Hannig. Mr. Hannig."

Hannig: "Yes, thank you, Mr. Speaker. At the request of AFSCME, we have a provision that would provide that those people who worked in SERS and now work for a statewide labor organization, that they could buy their time as well. And it would provide that those individuals who were laid off and later called back to work, for example, at the Sheridan Prison, could buy the time that they lost while they were on layoff. And lastly, at the request of Representative Flider and Senator Frank Watson, there's a provision that provides that a group of people who were hired in the Macon/Piatt Regional Office of Education that... that were paying into TRS in good faith and have been determined to be ineligible by TRS could continue to pay in at full cost but that no additional... no additional employees in that program would be allowed into the Teachers Retirement System. So, all these provisions were discussed in the Pension Committee. There's been no opposition. There's no cost to the State of Illinois. And I'd be happy to answer any questions and move for the passage of the Bill."

Speaker Madigan: "The Gentleman moves for the passage of the Bill. Mr. Black."

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

Speaker Madigan: "The Sponsor yields."

Black: "Representative, in your opening remarks you said Floor Amendment... the Floor Amendment becomes the Bill?"

Hannig: "That's correct, Representative. The Floor Amendment that was approved in committee today."

Black: "Our staff would ask you to look at that. We think the Committee Amendment becomes the Bill and the Floor Amendment adds to the Bill. Doesn't... wasn't the Floor Amendment dealing only with a... some kind of preschool situation in the Macon County area?"

Hannig: "Representative, the original Bill had everything but that, and we adopted that in committee two weeks ago. And then today we met and we had an Amendment that's my understanding just rewrote the Bill and did everything that we had spoke of two weeks ago and put in this... this correction for the Piatt/Macon County area. So..."

Black: "So this would make sure that we're all... we're both on the same page. Committee Amendment #1 becomes the Bill, correct? It appears that everything has been rolled into Committee Amendment #1 and not a Floor Amendment."

Hannig: "Representative, I think we're... ya know, what is a Floor Amendment and what is a Committee Amendment? The... the Amendment that's on the Bill, everything is rolled into that Amendment that we just adopted."

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Black: "And there are six... six provisions of the Bill... six parts. Six Amendments, or whatever we want to say. Six parts."

Hannig: "There's, yeah, a number of parts. I didn't count them, Representative, but..."

Black: "Okay. Well, parts are parts. As I read this, particularly as it pertains to the Macon County situation..."

Speaker Madigan: "Mr. Black."

Black: "Yes?"

Speaker Madigan: "Just momentarily. Mr. Lyons in the Chair. Mr. Black."

Black: "Thank you, Mr. Speaker."

Speaker Lyons, J.: "Representative Black."

Black: "Thank you, Mr. Speaker. On the Macon County portion of the Bill, it would appear to me that those are certified teachers who for some reason were adjudicated by TRS as no longer being qualified to be in TRS. Now this Amendment, as I... if I understand this correctly, would put them back in TRS, and I think it's not correct to say there would be no cost to the state. At some point when they retire, if they retire under ITRS, there will certainly be a cost to the Illinois Teachers Retirement System pension when they retire. Would that not seem reasonable?"

Hannig: "Well, Representative, I think... what I was trying to say is that this is a group of people who have been paying into the system in good faith, they are certified teachers, all along they believed that they were doing this correctly. TRS made a determination that because they were not required to be certified teachers in this position that they no

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longer... that they no longer qualified for the system. So, my point I guess, is that we're not offering them a new benefit. I think what we're trying to do is correct what we believe is an inequity in the system, but then going forward to make it clear that anyone else who comes into this system, that they will not be covered by TRS. So, we're trying to give these limited number of employees over in the Macon County area what they thought they were entitled to all along."

Black: "Has... has ITRS indicated to you that this legislation will satisfy whatever objection they had? I mean, they must've had a reason for saying that these people suddenly were not covered."

Hannig: "Yeah, TRS worked with us on the language and.. and they're satisfied that this would correct the problem in Macon County."

Black: "All right. So the future cost of these people would be.. would be in at about 20 you say? About 20 people?"

Hannig: "In that neighborhood, Representative."

Black: "All right. There's another provision in the Amendment that... if I can find it... if you could bear with me for just a second. Okay, if... if I'm the executive... if I get hired by a statewide labor organization and when I left I was a person employed by the Secretary of State and I was a member of the Teamsters, or whatever union represents them, I go to work for the Teamsters for 8, 9, 10 years, I wanna come back and resume my employment with the state. This says that I can buy in those 10 years while I was working for a statewide labor organization. I can buy in the 10 years from SERS."

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Hannig: "Yeah, it provides... yeah, it provides that those years that you would pay in, Representative. And yes, you could buy the years. But you'd pay the employee and the..."

Black: "Okay. All right."

Hannig: "...employer and the interest."

Black: "That would beg the question, and I don't know the answer and I'm not trying to trick you. I've always assumed that if you joined a statewide labor organization, the Teamsters, AFL-CIO, whatever, that their pension plan would be comparable or as good as or even better than SERS. Evidently that isn't true. I mean, if they wanna come back they must assume that SERS is giving them better benefits than a union pension."

Hannig: "Representative, I don't know the answer to that question."

Black: "Yeah, I... it's food for thought. In the case of the Macon County situation, did your staff prepare any out year costs? What... what will the out year liability costs be to TRS?"

Hannig: "Well, Representative, I... I think that if we would've... if we would've assumed that TRS would've allowed this to continue there wouldn't... you know, there would just be the normal costs that... that the state would pay in matching those contributions. But what we've done is tried to limit this group and say, that well, it's a small group of people, there appears to be an honest error..."

Black: "All right."

Hannig: "...so we'll allow them this opportunity to stay in the system, but no one... no new people in this group will be able

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to come in. So, that's how we tried to limit the liability."

Black: "Representative, thank you very much. As always, I appreciate your answers. Mr. Speaker, to the Bill. Ladies and Gentlemen of the House, I defer to Representative Hannig's judgment. Staff on both sides have indicated the long-term liability to any state pension system would be minimal. But I would also caution all of us. We cannot continue to add people to our state public funded pension programs if we're not also willing to address the shortfall in pension funding. That is a monster that grows bigger every month. It will not go away. And while the impact seems to be minimal in this Bill, any impact, unless we get serious about funding the unfunded liability of our pension system, will eventually consume every new dollar of revenue that this state has. And I would submit to you, that's not 10 years away, that may not even be 5 years away. So I would hope that in the next budget year we will do the very best we can to face what is a growing crisis in this state, and that is that two items of our budget will soon consume... will very soon consume up to 65 percent of all new revenue in this state, that's the pension unfunded liability and Medicaid growth. And at some point we'll have to face that or way be this state in less than 10 years. Thank you, Mr. Speaker."

Speaker Lyons, J.: "The Chair recognizes Representative Dave Winter."

Winters: "Thank you, Mr. Lyon. Representative Hannig, let me get this straight. One of the provisions deals with

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statewide executives of labor unions. Is this limited to any specific union?"

Hannig: "No, Represent... well..."

Winters: "So any statewide union..."

Hannig: "They... they..."

Winters: "...who has executive officers..."

Hannig: "No, they... they have to have... first of all, in order to be eligible they have to have been a member of SERS."

Winters: "I under... I understand that."

Hannig: "Or TRS. So..."

Winters: "I understand that."

Hannig: "So you have to start there. And then in most cases these were people who probably worked as state employees or they worked as employees of a school district and then they became members of a collective bargaining or a group that work..."

Winters: "Has... has this been done in any other case to your knowledge?"

Hannig: "I understand TRS does this... does this more or less routinely."

Winters: "Well, you could argue though that a TRS member is a public employee. I'm questioning, is this... is this limited to labor unions, AFSCME specifically, or... or workers... unions that work for government or is it any labor union?"

Hannig: "Could you repeat that? I didn't hear the question."

Winters: "Is it restricted to unions that are public employees or is it any statewide union? Could the... could the United Mineworkers or the Teamsters or the Auto... ya know, the

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Autoworkers? Or is ha... is it restricted to AFSCME... the teachers retirement?"

Hannig: "It's not restricted to AFSCME, but there's a window that..."

Winters: "I understand the..."

Hannig: "...we'll be closing. So there's probably..."

Winters: "That's a red herring. I'm not interested in the window."

Hannig: "Well, all I'm saying is there's a... there's a..."

Winters: "I know that they have to do it within six months."

Hannig: "Right."

Winters: "They have to be former employees of the state in SERS."

Hannig: "And they would be required to, again, put in the full amount of cost."

Winters: "I... yes. But what..."

Hannig: "So they would put in their cost..."

Winters: "...what we're doing as a public policy is we are now guaranteeing by the Constitution of the State of Illinois that their pension will be paid. We cannot get out of pension payments to state employees, anybody in the state system. Now, if they happen to be in the union who embezzles in money, they invested poorly, there's no money when they retire, they'll be covered because they went into SERS. They wouldn't be if they were from a private union's pension plan. Now, let me ask another question. Why is it limited to executives of the unions? If you're the party of the working man why don't you allow any employee who's a union member of any union in the state to join into the

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state retirement system? Why do you limit it only to executives? I thought you guys were the champions of the working man. Instead what you're doing is going after the high-paid union executives who wanna tag on to the state pension systems and guarantee that they'll have a pension, totally against the working man and the working women of Illinois. And you Democrats who are the Sponsors of this ought to be ashamed of yourself. I urge a 'no' vote."

Hannig: "Representative, it... my analysis it just says 'individuals', it doesn't say 'executives'."

Winters: "It says a 'member'?"

Hannig: "It says 'individuals'."

Winters: "Well, our analysis says it has to be an executive. So if... if I misunderstood and instead of being restricted to very few people it's totally wide ranging, it's an even worse Bill, as Representative Black referred to. Our pension system is not fully funded, we raided it last year. We will not be able to, in our foreseeable future, pay the pension payments required without massive infusions of state dollars, and now we're gonna open it up to every member of the union who happened to at some point work for the state. Again, I think the Bill is far-reaching, overreaching, and the wrong public policy for this state."

Speaker Lyons, J.: "Is there anybody else seeking recognition on Senate Bill 36? Seeing none, the question is, 'Should Senate Bill 36 pass?' All those in favor signify by voting 'yes'; those opposed vote 'no'. The Clerk will call the record. Voting is open."

Clerk Mahoney: "Acevedo."

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Acevedo: "Aye."

Clerk Mahoney: "Acevedo votes 'aye'. Bassi."

Bassi: "Aye."

Clerk Mahoney: "Bassi votes 'aye'. Beaubien. Beaubien.
Beiser."

Beiser: "Aye."

Clerk Mahoney: "Beiser votes 'aye'. Bellock."

Bellock: "Pass."

Clerk Mahoney: "Bellock passes. Berrios."

Berrios: "Aye."

Clerk Mahoney: "Berrios votes 'aye'. Biggins. Bellock... Bellock
passes. Berrios."

Berrios: "(Inaudible)."

Clerk Mahoney: "Berrios votes 'aye'. Biggins."

Biggins: "Aye."

Clerk Mahoney: "Biggins votes 'aye'. Black."

Black: "Aye."

Clerk Mahoney: "Black votes 'aye'. Boland."

Boland: "Aye."

Clerk Mahoney: "Boland votes 'aye'. Bost."

Bost: "Aye."

Clerk Mahoney: "Bost votes 'aye'. John Bradley."

Bradley, J.: "Aye."

Clerk Mahoney: "John Bradley votes 'aye'. Rich Bradley."

Bradley, R.: "Aye."

Clerk Mahoney: "Rich Bradley votes 'aye'. Brady. Brady.
Brosnahan. Brosnahan."

Brosnahan: "Aye."

Clerk Mahoney: "Brosnahan votes 'aye'. Burke."

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Burke: "Aye."

Clerk Mahoney: "Burke votes 'aye'. Chapa LaVia."

Chapa LaVia: "(Inaudible)."

Clerk Mahoney: "Chapa LaVia votes 'aye'. Chavez."

Chavez: "Aye."

Clerk Mahoney: "Chavez votes 'aye'. Churchill."

Churchill: "(Inaudible)."

Clerk Mahoney: "Churchill votes 'no'. Collins. Collins."

Collins: "(Inaudible)."

Clerk Mahoney: "Collins votes 'aye'. Colvin."

Colvin: "Yes."

Clerk Mahoney: "Colvin votes 'aye'. Coulson."

Coulson: "Aye."

Clerk Mahoney: "Coulson votes 'aye'. Cross."

Cross: "Aye."

Clerk Mahoney: "Cross votes 'aye'. Cultra."

Cultra: "No."

Clerk Mahoney: "Cultra votes 'no'. D'Amico."

D'Amico: "(Inaudible)."

Clerk Mahoney: "D'Amico votes 'aye'. Daniels."

Daniels: "No."

Clerk Mahoney: "Daniels votes 'no'. Monique Davis."

Davis, M.: "Aye."

Clerk Mahoney: "Monique Davis votes 'aye'. Will Davis."

Davis, W.: "Yea."

Clerk Mahoney: "Will Davis votes 'aye'. Delgado."

Delgado: "Aye."

Clerk Mahoney: "Delgado votes 'aye'. Dugan."

Dugan: "Aye."

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Clerk Mahoney: "Dugan votes 'aye'. Dunkin."

Dunkin: "Aye."

Clerk Mahoney: "Dunkin votes 'aye'. Dunn."

Dunn: "Aye."

Clerk Mahoney: "Dunn votes 'aye'. Durkin. Durkin. Eddy."

Eddy: "Aye."

Clerk Mahoney: "Eddy... Eddy votes 'aye'. Feigenholtz.
Feigenholtz. Flider. Flider."

Flider: "Aye."

Clerk Mahoney: "Flider votes 'aye'. Flowers."

Flowers: "Aye."

Clerk Mahoney: "Flowers votes 'aye'. Franks."

Franks: "Aye."

Clerk Mahoney: "Franks votes 'aye'. Fritchey."

Fritchey: "Yes."

Clerk Mahoney: "Fritchey votes 'aye'. Froehlich."

Froehlich: "Aye."

Clerk Mahoney: "Froehlich votes 'aye'. Giles."

Giles: "Aye."

Clerk Mahoney: "Giles votes 'aye'. Golar."

Golar: "Yes."

Clerk Mahoney: "Golar votes 'aye'. Gordon."

Gordon: "Aye."

Clerk Mahoney: "Gordon votes 'aye'. Graham."

Graham: "Aye."

Clerk Mahoney: "Graham votes 'aye'. Granberg."

Granberg: "Aye."

Clerk Mahoney: "Granberg votes 'aye'. Hamos."

Hamos: "Aye."

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Clerk Mahoney: "Hamos votes 'aye'. Hannig."
Hannig: "Aye."
Clerk Mahoney: "Hannig votes 'aye'. Hassert."
Hassert: "Aye."
Clerk Mahoney: "Hassert votes 'aye'. Hoffman."
Hoffman: "Aye."
Clerk Mahoney: "Hoffman votes 'aye'. Holbrook."
Holbrook: "Aye."
Clerk Mahoney: "Holbrook votes 'aye'. Howard."
Howard: "(Inaudible)."
Clerk Mahoney: "Howard votes 'aye'. Hultgren."
Hultgren: "Aye."
Clerk Mahoney: "Hultgren votes 'aye'. Jakobsson."
Jakobsson: "(Inaudible)."
Clerk Mahoney: "Jakobsson votes 'aye'. Jefferies."
Jefferies: "(Inaudible)."
Clerk Mahoney: "Jefferies votes 'aye'. Jefferson."
Jefferson: "Aye."
Clerk Mahoney: "Jefferson votes 'aye'. Jenisch."
Jenisch: "(Inaudible)."
Clerk Mahoney: "Jenisch votes 'aye'. Joyce. Joyce."
Joyce: "Aye."
Clerk Mahoney: "Joyce votes 'aye'. Kosel."
Kosel: "Aye."
Clerk Mahoney: "Kosel votes 'aye'. Krause. Krause."
Krause: "(Inaudible)."
Clerk Mahoney: "Krause votes 'aye'. Lang."
Lang: "Aye."
Clerk Mahoney: "Lang votes 'aye'. Leitch. Leitch."

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Leitch: "No."

Clerk Mahoney: "Leitch votes 'no'. Lindner."

Lindner: "(Inaudible)."

Clerk Mahoney: "Lindner votes 'aye'. Joe Lyons."

Lyons, J.: "(Inaudible)."

Clerk Mahoney: "Lyons votes 'aye'. Mathias."

Mathias: "Yes."

Clerk Mahoney: "Mathias votes 'aye'. Mautino."

Mautino: "Aye."

Clerk Mahoney: "Mautino votes 'aye'. May. May."

May: "(Inaudible)."

Clerk Mahoney: "May votes 'aye'. McAuliffe."

McAuliffe: "Aye."

Clerk Mahoney: "McAuliffe votes 'aye'. McCarthy."

McCarthy: "Aye."

Clerk Mahoney: "McCarthy votes 'aye'. McGuire."

McGuire: "Aye."

Clerk Mahoney: "McGuire votes 'aye'. McKeon. McKeon."

McKeon: "(Inaudible)."

Clerk Mahoney: "McKeon votes 'aye'. Mendoza. Mendoza."

Mendoza: "Aye."

Clerk Mahoney: "Mendoza votes 'aye'. Meyer."

Meyer: "(Inaudible)."

Clerk Mahoney: "Meyer votes 'aye'. Miller."

Miller: "Aye."

Clerk Mahoney: "Miller votes 'aye'. Bill Mitchell."

Mitchell, B.: "Aye."

Clerk Mahoney: "Bill Mitchell votes 'aye'. Bill Mitchell votes
'aye'. Jerry Mitchell."

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Mitchell, J.: "Aye."

Clerk Mahoney: "Jerry Mitchell votes 'aye'. Moffitt."

Moffitt: "Aye."

Clerk Mahoney: "Moffitt votes 'aye'. Molaro."

Molaro: "Aye."

Clerk Mahoney: "Molaro votes 'aye'. Mulligan."

Mulligan: "Aye."

Clerk Mahoney: "Mulligan votes 'aye'. Munson."

Munson: "(Inaudible)."

Clerk Mahoney: "Munson votes 'aye'. Myers."

Myers: "Aye."

Clerk Mahoney: "Myers votes 'aye'. Nekritz."

Nekritz: "(Inaudible)."

Clerk Mahoney: "Nekritz votes 'aye'. Osmond."

Osmond: "Aye."

Clerk Mahoney: "Osmond votes 'aye'. Osterman."

Osterman: "Aye."

Clerk Mahoney: "Osterman votes 'aye'. Parke."

Parke: "(Inaudible)."

Clerk Mahoney: "Parke votes 'no'. Phelps. Parke votes 'aye'.

Phelps."

Phelps: "(Inaudible)."

Clerk Mahoney: "Phelps votes 'aye'. Pihos."

Pihos: "(Inaudible)."

Clerk Mahoney: "Pihos votes 'aye'. Poe."

Poe: "(Inaudible)."

Clerk Mahoney: "Poe votes... Poe votes 'aye'. Pritchard."

Pritchard: "(Inaudible)."

Clerk Mahoney: "Pritchard votes 'aye'. Ramey."

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Ramey: "Aye."
Clerk Mahoney: "Ramey votes 'aye'. Reis."
Reis: "Aye."
Clerk Mahoney: "Reis votes 'aye'. Reitz."
Reitz: "Aye."
Clerk Mahoney: "Reitz votes 'aye'. Rita."
Rita: "Aye."
Clerk Mahoney: "Rita votes 'aye'. Rose."
Rose: "(Inaudible)."
Clerk Mahoney: "Rose votes 'aye'. Ryg."
Ryg: "(Inaudible)."
Clerk Mahoney: "Ryg votes 'aye'. Sacia."
Sacia: "Aye."
Clerk Mahoney: "Sacia votes 'aye'. Saviano."
Saviano: "Aye."
Clerk Mahoney: "Saviano votes 'aye'. Schmitz."
Schmitz: "Aye."
Clerk Mahoney: "Schmitz votes 'aye'. Schock."
Schock: "Aye."
Clerk Mahoney: "Schock votes 'aye'. Scully."
Scully: "Aye."
Clerk Mahoney: "Scully votes 'aye'. Smith."
Smith: "Aye."
Clerk Mahoney: "Smith votes 'aye'. Sommer."
Sommer: "No."
Clerk Mahoney: "Sommer votes 'no'. Soto."
Soto: "Yes."
Clerk Mahoney: "Soto votes 'aye'. Stephens."
Stephens: "Aye."

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Clerk Mahoney: "Stephens votes 'aye'. Sullivan."

Sullivan: "Aye."

Clerk Mahoney: "Sullivan votes 'aye'. Tracy."

Tracy: "(Inaudible)."

Clerk Mahoney: "Tracy votes 'aye'. Tryon."

Tryon: "Aye."

Clerk Mahoney: "Tryon votes 'aye'. Turner."

Turner: "(Inaudible)."

Clerk Mahoney: "Turner votes 'aye'. Verschoore."

Verschoore: "Aye."

Clerk Mahoney: "Verschoore votes 'aye'. Wait."

Wait: "Aye."

Clerk Mahoney: "Wait votes 'aye'. Washington."

Washington: "Aye."

Clerk Mahoney: "Washington votes 'aye'. Watson."

Watson: "Aye."

Clerk Mahoney: "Watson votes 'aye'. Winters."

Winters: "(Inaudible)."

Clerk Mahoney: "Winters votes 'no'. Yarbrough."

Yarbrough: "Aye."

Clerk Mahoney: "Yarbrough votes 'aye'. Younge."

Younge: "Aye."

Clerk Mahoney: "Younge votes 'aye'. Mr. Speaker."

Mr. Speaker: "(Inaudible)."

Clerk Mahoney: "Mr. Speaker votes 'aye'. Beaubien.

Representative Beaubien. Bellock."

Bellock: "Aye."

Clerk Mahoney: "Bellock votes 'aye'. Brady."

Brady: "Yes."

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Clerk Mahoney: "Brady votes 'aye'. Durkin. Representative Durkin. Durkin."

Durkin: "Aye."

Clerk Mahoney: "Representative Durkin votes 'aye'. Feigenholtz."

Feigenholtz: "Aye."

Clerk Mahoney: "Feigenholtz votes 'aye'. Kelly."

Kelly: "Aye."

Clerk Mahoney: "Kelly votes 'aye'."

Speaker Lyons, J.: "Representative Jakobsson. Mr. Clerk."

Clerk Mahoney: "Jakobsson votes 'aye'."

Speaker Lyons, J.: "Have all voted who wish? Have all voted who wish? Is there any Member who has not been recorded who wishes to vote or any Member who wishes to change their vote? Have all voted who wish? Mr. Clerk, take the record. On Senate Bill 36, there are 109 Members voting 'yes', 6 voting 'no', 0 voting 'present'. This Bill, having received a Constitutional Supermajority, is hereby declared passed. Mr. Clerk."

Clerk Mahoney: "Rules Report. Representative Lou Lang for the Committee on Rules to which the following legislative measures and/or Joint Action Motion were referred, action taken on November 28, 2006, reported the same back with the following recommendation/s: 'approved for floor consideration' and referred to the Order of Resolutions recommends be adopted is House Resolution 1525, offered by Representative Black; 'recommends be adopted' and referred to... for floor consideration is Amendment #3, offered by Representative McKeon, to Senate Bill 1268."

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Speaker Lyons, J.: "Members, we still have some work to be done so don't be in a hurry to go anywhere. There's work to be done. Mr. Clerk, on the Supplemental Calendar... Supplemental Calendar #1 we have Senate Bill 380. Read the Bill, Mr. Clerk."

Clerk Mahoney: "Senate Bill 380, a Bill for an Act concerning education. Second Reading of this Senate Bill. Amendment #1 was adopted in committee. No Floor Amendments. No Motions filed."

Speaker Lyons, J.: "Put the Bill on the Order of Third Reading. Mr. Clerk, on the Supplemental Calendar we have Senate Bill 628. Read the Bill, Mr. Clerk. Mr. Clerk, we have on the Supplemental Calendar Senate Bill 628."

Clerk Mahoney: "Senate Bill 628, a Bill for an Act concerning State Government. Second Reading of this Senate Bill. No Committee Amendments. No Floor Amendments. No Motions filed."

Speaker Lyons, J.: "Place that Bill on the Order of Third Reading. Supplemental Calendar we have Senate Bill 947. Read the Bill, Mr. Clerk. 947. Senate Bill 947."

Clerk Mahoney: "Senate Bill 947, a Bill for an Act concerning liquor. Second Reading of this Senate Bill. Amendment #1 was adopted in committee. No Floor Amendments. No Motions filed."

Speaker Lyons, J.: "Move that Bill to the Order of Third Reading. Continuing on the Supplemental Calendar, we have Senate Bill 948. Read the Bill, Mr. Clerk."

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Clerk Mahoney: "Senate Bill 948, a Bill for an Act concerning liquor. Second Reading of this Senate Bill. No Committee Amendments. No Floor Amendments. No Motions filed."

Speaker Lyons, J.: "Third Reading. Page 2 of the Supplemental Calendar is Senate Bill 1195. Read the Bill, Mr. Clerk."

Clerk Mahoney: "Senate Bill 1195, a Bill for an Act concerning civil law. Second Reading of this Senate Bill. No Committee Amendments. No Floor Amendments. No Motions filed."

Speaker Lyons, J.: "Move that Bill to the Order of Third Reading. Page 2 of the Supplemental Calendar is Senate Bill 1269. Read the Bill, Mr. Clerk."

Clerk Mahoney: "Senate Bill 12..."

Speaker Lyons, J.: "1269, yeah. 1269."

Clerk Mahoney: "Senate Bill 1269, a Bill for an Act concerning employment. Second Reading of this Senate Bill. No Committee Amendments. No Floor Amendments. No Motions filed."

Speaker Lyons, J.: "Third Reading. Page 2 of the Supplemental is Senate Bill 2300. 2300. Read the Bill, Mr. Clerk."

Clerk Mahoney: "Senate Bill 2300, a Bill for an Act concerning revenue. Second Reading of this Senate Bill. Amendment #1 was adopted in committee. No Floor Amendments. No Motions filed."

Speaker Lyons, J.: "Third Reading. On page 2 of the Supplemental Calendar is Senate Bill 2608. 2608. Read the Bill, Mr. Clerk."

Clerk Mahoney: "Senate Bill 2608, a Bill for an Act concerning regulation. Second Reading of this Senate Bill. Amendment

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#1 was adopted in committee. No Floor Amendments. No Motions filed."

Speaker Lyons, J.: "Move that Bill to the Order of Third Reading. Mr. Clerk, Senate Bill 2300. The status of the Bill."

Clerk Mahoney: "Senate Bill 2300 is on the Order of Third Reading."

Speaker Lyons, J.: "Move that Bill back to the Order of Second Reading. Mr. Clerk, on page 2 of the Calendar, of the regular Calendar, is Senate Bill 505. What's the status of the Bill, Mr. Clerk?"

Clerk Mahoney: "Senate Bill 505, a Bill for an Act concerning regulation. Second Reading of this Senate Bill. Amendment #1 was adopted in committee. No... no Floor Amendments. No Motions filed."

Speaker Lyons, J.: "Move that Bill to the Order of Second Reading. Mr. Clerk, on page 2 of the Calendar is Senate Bill 821. What's the status of that Bill, Mr. Clerk? 821."

Clerk Mahoney: "Senate Bill 821 is on the Order of Third Reading."

Speaker Lyons, J.: "Move that Bill back to the Order of Second Reading. Mr. Clerk, on page 3 of the Calendar is Senate Bill 1856 on the Order of Third Reading. Ladies and Gentlemen and Members, this is Third Reading. Senate Bill 1856. Read the Bill, Mr. Clerk."

Clerk Mahoney: "Senate Bill 1856, a Bill for an Act concerning education has been read a second time, previously. No Committee Amendments. No Floor Amendments. All notes have been filed."

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

Clerk Mahoney: "Senate Bill 1856, a Bill for an Act concerning education. Third Reading of this Senate Bill."

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

Lang: "Thank you, Mr. Speaker, Ladies and Gentlemen. Senate Bill 1856 is the Bill brought to us by the State Board of Education to remove obsolete and duplicative sections of the statutes. That's all the Bill does. The committee asked for chapter and verse on what they were doing and why they were doing it. They all got that information and so we moved the Bill to Third and it's ready to be moved and I move passage of the Bill."

Speaker Lyons, J.: "The Chair recognizes Representative Jerry Mitchell. Representative Jerry Mitchell. Shh."

Mitchell, J.: Thank you, Mr..."

Speaker Lyons, J.: "Ladies and Gentlemen, if we can have a little quiet on the House Floor. We have a discussion going on."

Mitchell, J.: "Thank you, Mr. Speaker."

Speaker Lyons, J.: "Thank you."

Mitchell, J.: "To the Bill, Mr. Speaker. I had the opportunity over the summer to work with State Board of Education and review all of the material that's listed in this particular Bill that is duplicative, that is either that or completely out of date, no longer used. There's nothing in this Bill that will affect the situation for our students in the State of Illinois. The School Code is a very difficult body to

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read. If you are trying to find something in the School Code it is very tough to do unless you spend some time with it. By removing this material, which is outdated, it will make it somewhat easier to get through. I can find nothing in the State Board's recommendations that will affect school children whatsoever and I stand in strong support... support of Representative Lang's Bill. Thank you, Mr. Speaker."

Speaker Lyons, J.: "Is there anyone else seeking recognition regarding Senate Bill 1856? The Chair recognizes Representative Frank Mautino."

Mautino: "Thank you, Mr. Speaker. A question of the Sponsor or of one of the spokesmen from the Education Committee. There's a provision that I saw... see in the language... or in our staff analysis dealing with the children with disabilities. Are there rule changes for special education that have been rolled into this Bill?"

Lang: "As far as I know, there are no rule changes in this Bill other than to take out these extra and duplicative and obsolete sections. Some of us have gotten letters regarding rule changes regarding children with disabilities, but those are rule changes that have nothing to do with this Bill."

Mautino: "Thank you. I just wanted to make sure."

Speaker Lyons, J.: "Anyone else seeking recognition? The Chair recognize Representative Suzie Bassi."

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

Speaker Lyons, J.: "Indicates he will."

Bassi: "I want to commend the Sponsor for bringing to the floor a Bill that does not include any additional mandates for

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schools. I highly recommend an 'aye' vote. Thank you very much."

Speaker Lyons, J.: "Thank you, Representative. Anybody else on Senate Bill 1856? Seeing none, the question is, 'Should Senate Bill 1856 pass?' All those in fa... all those in favor should signify by saying 'yes'; those opposed should vote 'no'. The voting is open. Mr. Clerk."

Clerk Mahoney: "Acevedo."

Acevedo: "Aye."

Clerk Mahoney: "Acevedo votes 'aye'. Bassi."

Bassi: "Aye."

Clerk Mahoney: "Bassi votes 'aye'. Beaubien. Beaubien. Beiser. Beiser."

Beiser: "(Inaudible)."

Clerk Mahoney: "Beiser votes 'no'. Bellock."

Bellock: "Aye."

Clerk Mahoney: "Bellock votes 'aye'. Berrios."

Berrios: "Aye."

Clerk Mahoney: "Berrios votes 'aye'. Biggins."

Biggins: "Aye."

Clerk Mahoney: "Biggins votes 'aye'. Black."

Black: "No."

Clerk Mahoney: "Black votes 'no'. Boland."

Boland: "No."

Clerk Mahoney: "Boland votes 'no'. Bost."

Bost: "Aye."

Clerk Mahoney: "Bost votes 'aye'. John Bradley. John Bradley." Bradley, J.: "No."

Clerk Mahoney: "John Bradley votes 'no'. Rich Bradley."

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Bradley, R.: "Aye."

Clerk Mahoney: "Rich Bradley votes 'aye'. Brady."

Brady: "Yes."

Clerk Mahoney: "Brady votes 'aye'. Brauer."

Brauer: "(Inaudible)."

Clerk Mahoney: "Brauer votes 'aye'. Brosnahan."

Brosnahan: "(Inaudible)."

Clerk Mahoney: "Brosnahan votes 'aye'. Burke."

Burke: "Aye."

Clerk Mahoney: "Burke votes 'aye'. Chapa LaVia."

Chapa LaVia: "(Inaudible)."

Clerk Mahoney: "Chapa LaVia votes 'no'. Chavez."

Chavez: "Aye."

Clerk Mahoney: "Chavez votes 'aye'. Churchill."

Churchill: "Aye."

Clerk Mahoney: "Churchill votes 'aye'. Collins."

Collins: "Aye."

Clerk Mahoney: "Collins votes 'aye'. Colvin. Colvin. Coulson
vote... Coulson."

Coulson: "Pass."

Clerk Mahoney: "Coulson passes. Cross."

Cross: "(Inaudible)."

Clerk Mahoney: "Cross votes 'aye'. Cultra."

Cultra: "Yes."

Clerk Mahoney: "Cultra votes 'aye'. D'Amico."

D'Amico: "Yes."

Clerk Mahoney: "D'Amico votes 'aye'. Daniels. Daniels."

Daniels: "Aye."

Clerk Mahoney: "Daniels votes 'aye'. Monique Davis."

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Davis, M.: "Aye."

Clerk Mahoney: "Monique Davis votes 'aye'. Will Davis."

Davis, W.: "Yea."

Clerk Mahoney: "Will Davis votes 'aye'. Delgado. Delgado.
Dugan."

Dugan: "No."

Clerk Mahoney: "Dugan votes 'no'. Dunkin."

Dunkin: "Yes."

Clerk Mahoney: "Dunkin votes 'aye'. Dunn."

Dunn: "Aye."

Clerk Mahoney: "Dunn votes 'aye'. Durkin."

Durkin: "Aye."

Clerk Mahoney: "Durkin votes 'aye'. Eddy."

Eddy: "Aye."

Clerk Mahoney: "Eddy votes 'aye'. Feigenholtz."

Feigenholtz: "Aye."

Clerk Mahoney: "Feigenholtz votes 'aye'. Flider. Flider.
Flowers."

Flowers: "(Inaudible)."

Clerk Mahoney: "Flowers votes 'aye'. Franks."

Franks: "(Inaudible)."

Clerk Mahoney: "Franks votes 'no'. Fritchey. Fritchey."

Fritchey: "Yes."

Clerk Mahoney: "Fritchey votes 'aye'. Froehlich."

Froehlich: "Aye."

Clerk Mahoney: "Froehlich votes 'aye'. Giles. Giles. Golar."

Golar: "(Inaudible)."

Clerk Mahoney: "Golar votes 'aye'. Gordon."

Gordon: "No."

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Clerk Mahoney: "Gordon votes 'no'. Graham. Graham."

Graham: "Aye."

Clerk Mahoney: "Graham votes 'aye'. Granberg. Granberg.
Hamos."

Hamos: "Aye."

Clerk Mahoney: "Hamos votes 'aye'. Hannig."

Hannig: "Aye."

Clerk Mahoney: "Hannig votes 'aye'. Hassert."

Hassert: "Aye."

Clerk Mahoney: "Hassert votes 'aye'. Hoffman."

Hoffman: "Aye."

Clerk Mahoney: "Hoffman votes 'aye'. Holbrook."

Holbrook: "(Inaudible)."

Clerk Mahoney: "Holbrook votes 'no'. Howard."

Howard: "Aye."

Clerk Mahoney: "Howard votes 'aye'. Hultgren. Hultgren.
Jakobsson."

Jakobsson: "(Inaudible)."

Clerk Mahoney: "Jakobsson votes 'no'. Jefferies."

Jefferies: "Aye."

Clerk Mahoney: "Jefferies votes 'aye'. Jefferson."

Jefferson: "(Inaudible)."

Clerk Mahoney: "Jefferson votes 'no'. Jenisch."

Jenisch: "Aye."

Clerk Mahoney: "Jenisch votes 'aye'. Joyce. Joyce. Kelly."

Kelly: "(Inaudible)."

Clerk Mahoney: "Kelly votes 'aye'. Kosel."

Kosel: "Aye."

Clerk Mahoney: "Kosel votes 'aye'. Krause."

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Krause: "Aye."

Clerk Mahoney: "Krause... Krause votes 'aye'. Lang."

Lang: "Aye."

Clerk Mahoney: "Lang votes 'aye'. Leitch."

Leitch: "Aye."

Clerk Mahoney: "Leitch votes 'aye'. Lindner."

Lindner: "(Inaudible)."

Clerk Mahoney: "Lindner votes 'aye'. Lyons."

Lyons, J.: "(Inaudible)."

Clerk Mahoney: "Lyons votes 'aye'. Mathias."

Mathias: "Aye."

Clerk Mahoney: "Mathias votes 'aye'. Mautino."

Mautino: "Aye."

Clerk Mahoney: "Mautino votes 'aye'. May."

May: "(Inaudible)."

Clerk Mahoney: "May votes 'aye'. McAuliffe."

McAuliffe: "Aye."

Clerk Mahoney: "McAuliffe votes 'aye'. McCarthy."

McCarthy: "(Inaudible)."

Clerk Mahoney: "McCarthy votes 'aye'. McGuire."

McGuire: "Aye."

Clerk Mahoney: "McGuire votes 'aye'. McKeon. McKeon.
Mendoza."

Mendoza: "Aye."

Clerk Mahoney: "Mendoza votes 'aye'. Meyer."

Meyer: "(Inaudible)."

Clerk Mahoney: "Meyer votes 'aye'. Miller."

Miller: "Aye."

Clerk Mahoney: "Miller votes 'aye'. Bill Mitchell."

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Mitchell, B.: "(Inaudible)."

Clerk Mahoney: "Bill Mitchell votes 'no'. Jerry Mitchell."

Mitchell, J.: "(Inaudible)."

Clerk Mahoney: "Jerry Mitchell votes 'aye'. Moffitt."

Moffitt: "Aye."

Clerk Mahoney: "Moffitt votes 'aye'. Molaro."

Molaro: "Aye."

Clerk Mahoney: "Molaro votes 'aye'. Mulligan."

Mulligan: "(Inaudible)."

Clerk Mahoney: "Mulligan votes 'aye'. Munson."

Munson: "(Inaudible)."

Clerk Mahoney: "Munson votes 'no'. Myers."

Myers: "(Inaudible)."

Clerk Mahoney: "Myers votes 'aye'. Nekritz. Nekritz."

Nekritz: "(Inaudible)."

Clerk Mahoney: "Nekritz votes 'aye'. Osmond."

Osmond: "Aye."

Clerk Mahoney: "Osmond votes 'aye'. Osterman."

Osterman: "(Inaudible)."

Clerk Mahoney: "Osterman votes 'aye'. Parke."

Parke: "(Inaudible)."

Clerk Mahoney: "Parke votes 'aye'. Phelps."

Phelps: "(Inaudible)."

Clerk Mahoney: "Phelps votes 'no'. Pihos."

Pihos: "(Inaudible)."

Clerk Mahoney: "Pihos votes 'aye'. Poe."

Poe: "Aye."

Clerk Mahoney: "Poe votes 'aye'. Pritchard."

Pritchard: "(Inaudible)."

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Clerk Mahoney: "Pritchard votes 'no'. Ramey."

Ramey: "Aye."

Clerk Mahoney: "Ramey votes 'aye'. Reis."

Reis: "No."

Clerk Mahoney: "Reis votes 'no'. Reitz."

Reitz: "Aye."

Clerk Mahoney: "Reitz votes 'aye'. Rita."

Rita: "Aye."

Clerk Mahoney: "Rita votes 'aye'. Rose. Rose. Ryg."

Ryg: "(Inaudible)."

Clerk Mahoney: "Ryg votes 'aye'. Sacia."

Sacia: "(Inaudible)."

Clerk Mahoney: "Sacia votes 'aye'. Saviano."

Saviano: "Aye."

Clerk Mahoney: "Saviano votes 'aye'. Schmitz."

Schmitz: "Aye."

Clerk Mahoney: "Schmitz votes 'aye'. Schock. Schock. Scully."

Scully: "Aye."

Clerk Mahoney: "Scully votes 'aye'. Smith."

Smith: "Aye."

Clerk Mahoney: "Smith votes 'aye'. Sommer."

Sommer: "Aye."

Clerk Mahoney: "Sommer votes 'aye'. Soto."

Soto: "Yes."

Clerk Mahoney: "Soto votes 'aye'. Stephens."

Stephens: "No."

Clerk Mahoney: "Stephens votes 'no'. Sullivan. Sullivan."

Sullivan: "No."

Clerk Mahoney: "Sullivan votes 'no'. Tracy."

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Tracy: "No."

Clerk Mahoney: "Tracy votes 'no'. Tryon."

Tryon: "Yes."

Clerk Mahoney: "Tryon votes 'aye'. Turner."

Turner: "(Inaudible)."

Clerk Mahoney: "Turner votes 'aye'. Verschoore."

Verschoore: "(Inaudible)."

Clerk Mahoney: "Verschoore votes 'no'. Wait."

Wait: "(Inaudible)."

Clerk Mahoney: "Wait votes 'aye'. Washington."

Washington: "(Inaudible)."

Clerk Mahoney: "Washington votes 'aye'. Watson. Watson."

Watson: "(Inaudible)."

Clerk Mahoney: "Watson votes 'no'. Winters."

Winters: "(Inaudible)."

Clerk Mahoney: "Winters votes 'aye'. Yarbrough."

Yarbrough: "Aye."

Clerk Mahoney: "Yarbrough votes 'aye'. Younge. Representative
Younge. Mr. Speaker."

Mr. Speaker: "(Inaudible)."

Clerk Mahoney: "Mr. Speaker votes 'aye'. Beaubien.
Representative Beaubien. Colvin. Representative Colvin.
Coulson."

Coulson: "Yes."

Clerk Mahoney: "Representative Coulson votes 'aye'. Delgado.
Representative Delgado. Flider."

Flider: "No."

Clerk Mahoney: "Flider votes 'no'. Giles. Representative
Giles."

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Giles: "Aye."

Clerk Mahoney: "Giles votes 'aye'. Granberg. Representative Granberg. Hultgren. Representative Hultgren. Colvin."

Colvin: "Yes."

Clerk Mahoney: "Representative Colvin votes 'aye'. Hultgren. Joyce."

Joyce: "(Inaudible)."

Clerk Mahoney: "Joyce votes 'aye'. McKeon."

McKeon: "Aye."

Clerk Mahoney: "McKeon votes 'aye'. Rose."

Rose: "(Inaudible)."

Clerk Mahoney: "Rose votes 'no'. Schock."

Schock: "Aye."

Clerk Mahoney: "Schock votes 'aye'. Younge. Representative Younge."

Speaker Lyons, J.: "Have all voted who wish? Have all voted who wish? Is there any Member whose name wasn't... was called and was not present that wishes to be recorded or anybody who wishes to change their vote? Have all voted who wish? Mr. Clerk, take the record. On Senate Bill 1856, there are 88 Members voting 'yes', 23 voting 'no', 0 voting 'present'. This Bill, having received the Constitutional Supermajority, is hereby declared passed. Ladies and Gentlemen, I've just been informed from the top of the mountain that we have a few more minutes of issues to deal with. There'll be a couple more issues to deal with and hopefully within 10 or 15 minutes we will be adjourning, so hang on. Thank you. Mr. Clerk, on Supplemental Calendar #1 are the Agreed Resolutions."

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Clerk Mahoney: "On the Order of Agreed Resolutions. House Resolution 1521, offered by Representative Churchill. House Resolution 1522, offered by Representative Churchill. House Resolution 1523, offered by Representative Currie. House Resolution 1524, offered by Representative Pritchard. House Resolution 1526, offered by Representative Hamos. House Resolution 1527, offered by Representative Rose. House Resolution 1528, offered by Representative Rose. House Resolution 1529, offered by Representative Rose. House Resolution 1530, offered by Representative Granberg. House Resolution 1531, offered by Representative Acevedo. House Resolution 1532, offered by Representative Cross. House Resolution 1533, offered by Representative John Bradley. House Resolution 1534, offered by Representative Cross. House Resolution 1535, offered by Representative Washington. And House Joint Resolution 149, offered by Representative John Bradley."

Speaker Lyons, J.: "All those in favor of the Agreed Resolutions should signify by saying 'yes'; those opposed say 'no'. In the opinion of the Chair, the 'ayes' have it and the Agreed Resolutions are adopted. The Chair recognizes the Gentleman from DeKalb, Representative Bob Pritchard."

Pritchard: "Mr. Speaker, I rise for two announcements. Number one, for the information of this chamber, we are creating an Education Caucus that will hold its first steering committee meeting tomorrow morning at 7:30 in Room 118 of the Capitol. This entire Body is welcome to join us, along with other organizations that are interested in addressing the issue of education reform and funding. The second announcement, for

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those that are interested in veterans' affairs, one of my constituents had always dreamed of bringing the remembrance table for the POW MIAs to the State Capitol. He passed away this spring, but his spouse will be here tomorrow morning at 10:45 to hold that remembrance ceremony with veterans from across the state. We would invite all Members of the General Assembly to be present to witness this impressive ceremony. Thank you."

Speaker Lyons, J.: "Thank you, Representative Pritchard. The Chair recognizes the Gentleman from Vermilion, Representative Bill Black."

Black: "Thank you very much, Mr. Speaker. A point of personal privilege."

Speaker Lyons, J.: "Point of personal privilege."

Black: "Thank you."

Speaker Lyons, J.: "Representative Black."

Black: "I would thank the Speaker and the Chair and all of our colleagues for what I thought was a quiet and reasoned debate on what was a very emotional and controversial Bill perhaps, but the electric dereg Bill is how we used to debate Bills. I appreciate the attention of all of our colleagues and certainly appreciate the Speaker's willingness to clear the chamber and lower the volume. As a result, I think we had a very reasoned debate. And I appreciate the indulgence of the Chair on that issue."

Speaker Lyons, J.: "Thank you, Representative Black. Representative Black, another point?"

Black: "Yes. Mr. Speaker, for those of you who are die-hard Illini fans, as I am, it's 33 to 28 at halftime. Who's

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winning? Maryland is ahead 33 to 28 at half. I think if we can adjourn and get to a television set we may be able to bring 'em back in the second half."

Speaker Lyons, J.: "We all vote 'aye' on that Motion, Representative Black. Mr. Clerk for announcements. Ladies and Gentlemen, I think there was a purple sheet..."

Clerk Bolin: "Committee schedule. The committee schedule..."

Speaker Lyons, J.: "...a purple sheet was hung out... passed out to all Members. Committee schedules, Mr. Clerk."

Clerk Bolin: "The committee schedule for Wednesday, November 29, has two committees meeting at 8:30 a.m. Human Services will meet in Room D-1 Stratton and the Local Government Committee will meet in Room C-1 Stratton."

Speaker Lyons, J.: "Allowing perfunctory time for the Clerk, Representative Hannig moves that the House stand adjourned until the hour of 9:30, 9:30 tomorrow, Wednesday, November 28... 29. We stand adjourned 'til the hour of 9:30 tomorrow on Wednesday morning. Before we adjourn, Mr... the Chair recog... Ladies and Gentlemen, one moment. The Chair recognizes Representative Bill Black."

Black: "Mr. Speaker."

Speaker Lyons, J.: "Hold on."

Black: "Mr. Speaker, we again ask the indulgence of the Chair for 60 seconds. We need to file a written Motion before we adjourn and we didn't... we don't have the sheet, the papers, with us. We'll print one off. Representative Krause needs to file a written Motion so the Clerk has it before we adjourn. If you will accommodate her we would be very grateful."

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Speaker Lyons, J.: "Well, we... Representative Black, she can file the Motion in perfunctory."

Black: "All... She is preparing to file it as we speak, I think."

Speaker Lyons, J.: "She can file it in perfunctory, Representative Black."

Black: "There will be Perfunctory Session when you adjourn... when we adjourn this evening? All right. It's already filed. Thank you."

Speaker Lyons, J.: "Thank you, Representative. Again, seeing no further business to come before the House, the House stands adjourned."