

STATE OF ILLINOIS
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HOUSE OF REPRESENTATIVES
TRANSCRIPTION DEBATE

85th Legislative Day

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Speaker Madigan: "The House shall come to order. The Members shall be in their chairs. The Members and guests are asked to turn off laptop computers, cell phones and pagers. And the guests in the gallery are asked to rise for the invocation and the Pledge of Allegiance. We shall be led in prayer today by Wayne Padget, the Assistant Doorkeeper."

Wayne Padget: "Let us pray. Dear Lord, we come before You today in sound body and mind praying that on this day You grant us wisdom and guidance. We pray that during this Legislative Session everyone can come together on one common ground and resolve the issues for the people of Illinois. We pray for the men and women in our Armed Services, both here and abroad, provide them with Your protection, give them the strength to make it through these tough times. And let us also pray for the men and women and their families who have made the ultimate sacrifice to defend our country. These things we ask in Your Son's name, Amen."

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

Rita - et al: "I pledge allegiance to the flag of the United States of America and to the republic for which it stands, one nation under God, indivisible, with liberty and justice for all."

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

Currie: "Thank you, Speaker. I have no excused absences among House Democrats to report."

Speaker Madigan: "Mr. Bost."

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

Speaker Madigan: "Let the record reflect that request. The Clerk shall take the record. There being 112 Members responding to the Attendance Roll Call, there is a quorum present. Mr. Clerk."

Clerk Mahoney: "Rules Report. Representative Barbara Flynn Currie, Chairperson from the Committee on Rules, to which the following legislative measures and/or Joint Action Motions were referred, action taken on January 12, 2010, reported the same back with the following recommendation/s: 'approved for floor consideration' referred to the Order of Concurrences is House Bill 2688. Referred to the House Committee on Rules is House Resolution 805."

Speaker Madigan: "Mr. Sacia."

Sacia: "Mr. Speaker, point of personal privilege."

Speaker Madigan: "State your point."

Sacia: "Mr. Speaker and Ladies and Gentlemen of the House, I have placed on each of your desks a copy of a self-explanatory letter that I submitted to the Attorney General and to the Secretary of State and Mr. Speaker, I'll bring one to the podium as soon as I'm finished here and I'll be brief. I believe the letter is very self-explanatory. It deals with Public Act 96-0034, wherein, we, the General Assembly pass legislation requiring that Illinois vehicle titles would go from \$65 to \$95 effective the first day of January. Due to a decision on behalf of the Secretary of State's Office, they summarily determined that rather than

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giving dealers the normal 20 days from the time a purchaser gets a vehicle until that money is submitted to the Secretary of State that all of these moneys had to be collected no later than the 31st day of January forcing many dealers to charge the additional \$30 at significant cost to the hundreds of vehicles sold throughout the State of Illinois. I honestly don't know specifically what I'm asking of you other than you assist me in rectifying this situation. I have spoken with both the Secretary of State's Office and the Attorney General's Office. Hundreds of Illinois citizens were assessed an additional \$30 because of something the Secretary of State summarily decided to do. So, any input you would have I would deeply appreciate. Thank you, Mr. Speaker."

Speaker Madigan: "Representative Osmond."

Osmond: "Thank you, Mr. Speaker. The Republicans would like to caucus in Room 118 for 90 minutes."

Speaker Madigan: "Ladies and Gentlemen, you've all heard the request. The Republicans will go to caucus for an hour and a half. And we shall return to the floor at about 1:00. Thank you. Mr. Mitchell."

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

Speaker Madigan: "State your point."

Mitchell, J.: "Ladies and Gentlemen of the House, I'd just like to thank everybody who sent me cards and letters and phone calls. I really appreciated it. I went through cardiac surgery. I'm doing fine. The bypass was successful and I feel just as good as I ever did. My doctor said, well,

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you'll probably have more energy and he said, no, I guess you'll probably can't. I don't think there's any way you can have any more energy. But I feel great and I really, really appreciate everybody that sent me cards and letters and made phone calls. My seatmate, Representative Leitch, was a wonderful host. I was in Peoria at St. Francis Hospital and David came up to see me two or three times. So, thank you, everyone. I really appreciate it."

Speaker Madigan: "Mr. Smith. Mr. Smith. The House shall come to order. On page 2 of the Calendar, on the Order of Senate Bills-Second Reading, there appears Senate Bill 328. Mr. Smith."

Smith: "Thank you, Speaker, Ladies and Gentlemen. I want to thank you Speaker for your indulgence to handle this matter in a rather quick fashion. This is an Amendment that would provide for a very important change to assist a business located in my district, Keystone Steel and Wire, which is one of the few steel companies still in existence in Illinois. This Amendment would allow them to continue to receive the benefits that they currently receive under the exemption from utility taxes because of their location in an enterprise zone. Currently, the law stipulates the number of full-time employees that they must maintain in order to qualify for that exemption. Keystone, like many of our industries and businesses, have been suffering in the last couple of years, but they have taken a position of trying to keep on as much of their workforce as possible so that they can continue to receive benefits but not necessarily in a full-time capacity. And so they have

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dropped below the threshold and they have asked for consideration of lowering the threshold that exists in the law so that they can continue to receive the exemption from the utility taxes. This is very important financially for the company. It amounts to about a hundred and twenty to a hundred and forty thousand dollars a month. If they lose that exemption, I fear what might happen to the company and what might happen to those jobs which are vitally important for all of central Illinois. I know of no opposition at this point to this legislation. And I would ask for passage of this Amendment."

Speaker Madigan: "The Gentleman moves for the adoption of the Amendment. And let me suggest that we adopt the Amendment and then debate the matter on Third Reading. Those in favor of the Amendment 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 for a third time."

Clerk Mahoney: "Senate Bill 328, a Bill for an Act concerning business. Third Reading of this Senate Bill."

Speaker Madigan: "Mr. Leitch."

Leitch: "Thank you very much, Mr. Speaker. Some of you may remember 10 years ago when Keystone came and asked for a loan. They did not ask for a grant which is somewhat unusual around here. Since that time, the state under the law at the time lent \$10 million to the county of Peoria which then lent that money to Keystone Steel and Wire.

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Keystone Steel and Wire has been making good on every single one of its loan payments to repay that loan to the county. In addition to being able to preserve jobs and to provide an opportunity, the flexibility to stay in business were this Bill not... go out of business were this Bill not to pass. The city and the county have in turn lent 6 million of that 10 million to a start-up company. So, it is ever more important that Keystone continue to make good on its payments, stay in business and be able to succeed. The third very important point is that under the terms of this legislation the level of employment ramps back up so that, I believe, in 2014, if I'm not mistaken, there will be... they will restore the employment levels. And again, this is a suggestion of the company. So, I would strongly encourage and ask Members on our side for help in passing this very important Bill because this Bill does provide jobs. It protects and secures jobs and very importantly, it will enable Keystone to continue repaying the county of Peoria its \$10 million debt. Thank you."

Speaker Madigan: "Mr. Lang."

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

Speaker Madigan: "Sponsor yields."

Lang: "Thank you. Representative, I'm sure you're aware that we started the first hearings today of the Jobs Creation Task Force and one of the things we are charged to do is to begin to look for ways to create new jobs and to keep jobs from leaving the State of Illinois. How does this Bill mesh with that charge that our task force has?"

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Smith: "Thank you, Representative Lang. A very good point. I think it's very fair to say that if... if this company is not able to maintain that exemption, which for them would expire the end of the month, they will be losing close to \$140 thousand a month in revenue that they currently have. And I think it's safe to say that they would in pretty short time not be able to continue in business. They currently have 600 full-time employees. They have several hundred more who are not full-time equivalent, so it could be quite devastating in terms of the loss of jobs directly from the company, not to mention the spin-off jobs that would be affected in the Peoria area."

Lang: "And so, your Bill will put us in a position where we not only save these 600 jobs but give this company the opportunity to thrive and grow and maybe bring new jobs in. Is that correct?"

Smith: "Absolutely. And as Representative Leitch said, this company has an excellent track record of keeping their word to the state. They have made great progress in repaying the loan that we made to them a number of years ago and they're trying to keep as many of their employees on the payroll to receive benefits as possible through these difficult times. So, I think this is a great job retention Bill."

Lang: "Thank you. To the Bill. I strongly support the Gentleman's Bill. This is exactly the kind of thing we ought to be doing. Of course, on this Bill we're talking about a mini version of what the task force hopes to do on a much larger scale. We need to keep and retain our jobs

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and not let them leave our state, not let them disappear. We need to find ways and incentives to keep business thriving so they'll hire the millions of people that need work in our state. So, I thank the Representative for bringing this Bill and I look forward to working with him on other opportunities for job creation."

Speaker Madigan: "Mr. Black."

Black: "Thank you very much, Mr. Speaker. Inquiry of the Chair."

Speaker Madigan: "State your inquiry."

Black: "Thank you. Who is the Sponsor of this Bill?"

Speaker Madigan: "Mr. Clerk, did you hear that question?"

Clerk Mahoney: "Senate Bill 328 is sponsored by Representative Phelps."

Black: "I was under the impression that had been changed to Representative Smith, evidently not, right?"

Speaker Madigan: "Mr. Smith."

Smith: "Thank you, Mr. Speaker. I was under that impression also. I signed the slip yesterday. I might add, Representative Phelps is in full support of... of what we're doing."

Speaker Madigan: "Mr. Black, the Clerk's Office is in the process of changing the sponsorship. Did you wish to proceed?"

Black: "Yes, yes. We just wanted to get that straightened out. I think with Representative Smith on the Bill it might get another six or seven votes, nothing against Representative Phelps, obviously. Would the Sponsor yield?"

Speaker Madigan: "Sponsor yields."

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Black: "Representative, one of the people who I talked to out at the rail regarding this Bill and gave me... he gave me a fax sheet and he said something that piqued my interest. He said, Representative, you've had in your district, meaning me, you've had problems with... with plant closures and plant downsizing. And he said, this would give you in your area a two-month window for a plant that would meet the reduced employment level to get in and escape the utility tax. Now, I... I talked to Representative Leitch about it very briefly. We're not certain that the Bill does that, that it's specifically limited to Keystone. But is there, in fact, a window that would allow another company, whose employment level would be at the reduced level that Keystone now is, able to take advantage of the elimination of the utility tax?"

Smith: "Let me make sure I understand what you're... what you're asking. You're saying that the company actually reduces their employment level after the passage of this Bill?"

Black: "No, no. If we have a company, in my legislative district, for example, right now that employs 502 people and the utility tax is a burden and maybe Representative Lang's committee will discuss that later on, but he was telling me there's a two-month window where a company in my district that's currently employing 500-plus could say, well, wait a minute now I qualify under this Bill and I want..."

Smith: "I don't think this does."

Black: "...I want the exemption from the utility tax, as well. I'm not sure that's right, but that's what the young man

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who was lobbying for it told me. I was just wondering what your take on that might be."

Smith: "I don't believe that it does, Representative Black, and that's certainly not the intention here. First of all, that company would have to already be receiving the exemption."

Black: "Okay. In other words, this is pretty much limited to Keystone..."

Smith: "It's pretty..."

Black: "...and where we've been in that process for all these years?"

Smith: "Pretty narrowly drafted, yes."

Black: "Okay. I... I just wanted to make sure. Obviously, it might be an advantage to one employer in my district if that was the case, but I..."

Smith: "Yes."

Black: "...I think you've, between you and Representative Leitch, you've made it very clear that this doesn't open it up..."

Smith: "Right."

Black: "...to any other company statewide. Well, I... I commend you for what you're doing. Whether jobs are saved in your area or my area, it's extremely important to all of us in the State of Illinois to do the best we can to save jobs. And I think anybody that would get up and oppose this, they say, well, it doesn't help my district; they didn't do it for my district, I think that's rather short-sighted. And I intend to support your Bill. I do just have one question. Have you talked to the Governor about this Bill?"

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Smith: "I have not talked to the Governor. I have talked to the Governor's staff and they're well aware of it and..."

Black: "All right. I just want to make sure we don't get into a situation where this might be vetoed because it might be construed by somebody on the second floor as corporate welfare."

Smith: "Thank you, Representative Black."

Black: "And I don't think it's that at all. I think these are real jobs. It has a track record. I think it's the only plant left in the country that makes steel wire and if we can keep it operating in Illinois, we need to do all that we can to do that because a job in your district is just as important as a job in my district and Illinois desperately needs those jobs. I commend you for bringing the Bill forward."

Smith: "Thank you."

Speaker Madigan: "Mr. Moffitt."

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

Speaker Madigan: "Sponsor yields."

Moffitt: "Representative Smith, I... just a question for you or a follow-up. And I commend you because of the job aspect of this of preserving jobs and hopefully even expanding jobs in the future and I... I commend you for that. It's also been mentioned that this is a bit unusual so oftentimes it's a request for grants. This is a loan. This money comes back to the state and that makes it very unique and something else, I think, we can be very pleased about. But one other aspect that has not been mentioned, you know, there are certain key industries, I think, for national

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security. And did you say this is the only steel plant or at least that makes wire left in Illinois or is that the entire nation?"

Smith: "I believe Representative Black made that comment, Representative Moffitt. I'm not sure if they are the last one. I know that there are very few and they very well may be the last one in the United States."

Moffitt: "Well, I think that's an added point that needs to be brought out that just... we need to have steel manufacturing within the United States, even better if it's in Illinois."

Smith: "Okay."

Moffitt: "The ability to manufacture steel components is an essential part of national security. I think one more reason to vote for this. Thank you for bringing it and I hope it goes out of here unanimously. Thank you."

Smith: "Thank you."

Speaker Madigan: "Mr. Smith to close."

Smith: "Thank you. Ladies and Gentlemen, I ask for your support in this legislation. As the previous speakers have said, this is about saving jobs in the Peoria area, but it's about saving jobs for the State of Illinois. And we would certainly appreciate your support to help this company and to help its employees. Thank you."

Speaker Madigan: "The Gentleman moves for the passage of the Bill. Those in favor signify by voting 'yes'; those opposed by voting 'no'. Have all voted who wish? The Clerk shall take the record. On this question, there are 112 people voting 'yes', 0 voting 'no'. This Bill, having

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received a Constitutional Majority, is hereby declared passed. Mr. Clerk."

Clerk Mahoney: "Rules Report. Representative Barbara Flynn Currie, Chairperson from the Committee on Rules, to which the following legislative measures and/or Joint Action Motions were referred, action taken on January 12, 2010, reported the same back with the following recommendation/s: 'approved for floor consideration' is Amendment #2 to Senate Bill 315."

Speaker Madigan: "On page 3 of the Calendar, on the Order of Senate Bills-Second Reading, there appears Senate Bill 1425. Representative Chapa LaVia. Representative Chapa LaVia, Senate Bill 1425."

Chapa LaVia: "Thank... thank you, Speaker and Members of the House. House Amendment 2, as adopted, this is a gut and replacement that creates a Medicaid enhancement fund section of the General Obligations Bond Act. House Bill... I mean, House Amendment #2 allows the Governor, for FY10 only, to issue 250 million in bonds for the making of deposits into Healthcare Provider refund... Relief Fund for the exclusive purpose of funding Medicaid service subject to an enhancement in federal participation due to expire on December 31, 2010. Bonds issued under this section must be payable within one year after the date of the insurance. House Bill... I mean, House Amendment #2 also increases the general obligation authorization to 3.7 billion to account for the 3.5 billion authorized under Public Act 96-43, SB1292 and the 250 million under this Amendment. House

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Amendment #2 has an immediate effective date upon becoming law. There is no opposition."

Speaker Madigan: "The Lady moves for the adoption of the Amendment. The Clerk advises that both Amendments have been adopted in committee. Mr. Clerk, are there any further Amendments or Motions?"

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

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

Clerk Mahoney: "Senate Bill 1425, a Bill for an Act concerning State Government. Third Reading."

Speaker Madigan: "Mr... Representative Bellock."

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

Speaker Madigan: "Sponsor yields."

Bellock: "I wanted to ask a few questions, Representative, regarding this issue because it's such a huge issue and we've been working on it for quite a long time. Do you know what the exact background is right now of the Medicaid bills?"

Chapa LaVia: "We don't know. We don't know at this point."

Bellock: "Okay."

Chapa LaVia: "The exact amount we don't know."

Bellock: "So, this is going to be a \$250 million increase in just a one-time GO bond."

Chapa LaVia: "Yes."

Bellock: "To pay off the Medicaid bills."

Chapa LaVia: "Yes."

Bellock: "Part of the Medicaid bills."

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Chapa LaVia: "Correct."

Bellock: "Is... Okay. Since we're all getting calls every single day from groups that are Medicaid funded that are so far behind, is there any priority of how these Bills are going get paid? Recently, they've even told me even the..."

Chapa LaVia: "There's nothing in the Bill that... that addresses that, as far as how they're going to be paid out, the priorities in which they're going to be paid out."

Bellock: "So, is that up to HFS, then or the Comptroller's Office?"

Chapa LaVia: "It's a little of both."

Bellock: "And is this effective then..."

Chapa LaVia: "I mean..."

Bellock: "...if there's a change in the FMAP, an extension of the FMAP?"

Chapa LaVia: "One second, hold on. Could you repeat the question? Speaker, can I get a little bit lower in here as far as the volume, please?"

Bellock: "Well, number one, I said is there any change in this if the FMAP gets extended, the increase? They're talking about extending it for six more months."

Chapa LaVia: "No. All this money has to be spent by December 31, 2010; it has to be spent."

Bellock: "Okay. And will this money, this lump sum, will this go into the trust fund or whatever we set up in the spring for Medicaid money to go into rather than into GRF?"

Chapa LaVia: "Yes. We have appropriated for this money already, so it would go into a separate account. It's not going into GRF."

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Bellock: "Okay. I guess, it's just a little confusing because we had a lot of facts thrown at us in the last couple of days regarding when we left here we thought we were getting the 3.6 billion. A lot of those... that money, 2.4 I think, was to go towards groups that were Medicaid matched that were supposed to get that money, which I think just now has been bonded, but that's entirely separate than this. Is that correct?"

Chapa LaVia: "Yes. Entirely and separate."

Bellock: "Thank you."

Chapa LaVia: "Thank you."

Speaker Madigan: "Mr. Black."

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

Speaker Madigan: "Sponsor yields."

Black: "Representative, any way I look at this it's borrowing money, right?"

Chapa LaVia: "For one year."

Black: "So, you put \$250 million of borrowed money into the Healthcare Provider Relief Fund. Does that free up some General Revenue dollars..."

Chapa LaVia: "Yes, it does."

Black: "...that now will not go in?"

Chapa LaVia: "Yes, it does."

Black: "I see. And where does that money... Do you have any idea what priority exists for the 250 million you might free up? Where might that go?"

Chapa LaVia: "Well, the backlog... well, I don't have a definite answer, but I'm assuming the backlog of bills that we owe right now through the Comptroller's Office."

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Black: "Oh. Five billion dollars. I can't help but notice this is 250 million and we owe 250 million to the Monetary Award Program for the spring semester which is already started. Would it be the intent then that this 250 million in borrowing will free up 250 million to pay the spring semester Monetary Award Program?"

Chapa LaVia: "It could."

Black: "It could."

Chapa LaVia: "You know, it's a pay grad above mine, so..."

Black: "Do you have... do you have any idea how we're going to pay this \$250 million back one year from now?"

Chapa LaVia: "Well, the churning of this dollar bring in some federal dollars. I think it's for one... one dollar we put in we get 60 cents from the Federal Government. So, that 60 cents goes back into the general state fund. I mean, goes back into the Healthcare Provider Relief Fund."

Black: "Well, okay. Now... now, that sounds reasonable 'cause I don't think for one second the Federal Government is going to let federal money for the Healthcare Provider Fund go to pay off a state debt."

Chapa LaVia: "No, I didn't say that."

Black: "Okay. All right. All right. Representative..."

Chapa LaVia: "But that frees up the money otherwise we'd have to pay out of the general state fund that pays for these Medicaid bills."

Black: "Thank you, Representative. Mr. Speaker and Ladies and Gentlemen of the House, to the Bill. I have great respect for the Sponsor and there is certainly a part of me that sees what we're doing here that makes some sense, but it's

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a gamble. I would point out to the Members of the House that by June 30 of this year we have to figure out how to pay back \$2.25 billion in... in borrowed money. Then you can add about \$1.8 billion in one-time revenue that we plugged in to this year's budget that we won't have next year. So, you're up almost to three and a half billion dollars in money that I see no way even... even... even with a tax increase we can't get ourselves out of this debt. It also looks suspicious to me that since the Comptroller would not sign off on the borrowing Act that this is a way to get around the Comptroller. I don't think the borrowing Act was intended to have somebody go around everybody who must sign off: the Treasurer, the Comptroller and the Governor are supposed to sign off on borrowing. This appears to me to be an attempt to get around that check and balance system. It's more borrowed money. Illinois has borrowed itself into a fiscal crisis the likes of which I've not seen in my lifetime and I doubt that anybody has seen since the Great Depression. I can't in good conscious sit here and vote to borrow another \$250 million when I don't think anybody will give us any idea how we're going to pay this back, whether in this fiscal year or next fiscal year. At some point, you can't borrow your way out of debt. I know, I've tried and I'm sure some of you have tried and it didn't work."

Speaker Madigan: "Mr. Pritchard."

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

Speaker Madigan: "Sponsor yields."

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Pritchard: "Representative, on the bond portion of this Bill, do we have any idea what interest rate we'll be paying for these bonds?"

Chapa LaVia: "Going short allows us to get better rates right now. The short-term bonds... the bonds give us a better rate. I don't know the exact rate."

Pritchard: "So, you don't have any idea whether we're in the three percent rate, the five percent rate 'cause we..."

Chapa LaVia: "No, less than that."

Pritchard: "...we've issued bonds for both levels."

Chapa LaVia: "Less than that."

Pritchard: "Do you think it would be less than three percent?"

Chapa LaVia: "Yeah."

Pritchard: "So, this is a one-year bond. Do we have any idea, then when this would come due?"

Chapa LaVia: "Well, it's us... around this area is for the short-term bonds we're talking about one percent, one to two percent."

Pritchard: "And do we have any idea when this would be called... when it would be due?"

Chapa LaVia: "When... when it would be..."

Pritchard: "It's... it's a one-year, so does that mean..."

Chapa LaVia: "Right."

Pritchard: "...in January of 2011?"

Chapa LaVia: "Right. One year from the date they're sold."

Pritchard: "Okay. And we assume that will be sold in the next 30 days?"

Chapa LaVia: "Hopefully, in the next 45 days, hopefully."

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Pritchard: "Okay. To the second part of this Bill that deals with delaying the Governor's budget address. Is this a request that comes from the Governor's Office?"

Chapa LaVia: "That's off, that's off. We gutted it. That was a gut and replace for the bonds."

Pritchard: "So, it's not in the Bill?"

Chapa LaVia: "No, it's not in the Bill."

Pritchard: "Okay. Thank you, Mr..."

Speaker Madigan: "Mr. Rose."

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

Speaker Madigan: "Sponsor yields."

Rose: "Representative, I... It looks like what you're doing here is you're going to float the \$250 million bonded and then a capture of 12 percent enhanced match which then presumably is going to have an arbitrage to it based upon what you're actually paying..."

Chapa LaVia: "Right, right, exactly."

Rose: "...to borrow. What are the terms of the note on the borrow and then how will it be repaid because..."

Chapa LaVia: "Well, I just... They might be taxable which would create a little bit of a higher rate, but within the 12 months."

Rose: "Within 12 months, but we don't know what the interest rate's going to be? I mean..."

Chapa LaVia: "No. And what we're hearing is anywhere from one to two percent. I mean, the... the bond houses will tell us where we're at."

Rose: "Right."

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Chapa LaVia: "I mean, I wish we could get something in... in cement."

Rose: "I mean, also when you're talking about let's say it was two percent, your base would be capturing 10 percent of 25... 250 million or \$25 million."

Chapa LaVia: "Right. 'Cause it's in..."

Rose: "But then you have to repay it."

Chapa LaVia: "...churning, okay. So, last year we passed a 400 million for family care. We put the 250 into the relief fund. We send the money to govern... the Federal Government. They give us 60 cents per dollar and it keeps on churning. So, it could allow us to pay 1.5 billion of bills."

Rose: "Right. Here's my... this is my level of discomfort. It's... I, until just now, I've not been apprised of any terms of the sale, what the interest rates are, what the, you know, has the Governor's Office..."

Chapa LaVia: "Yeah. We don't know until we go to market, Representative Rose. I mean..."

Rose: "No. But I mean, you're going to work with a... I mean, I haven't even had a conversation with the Governor's bonding people to know whether they even think this is feasible. I mean, we haven't had any details on this."

Chapa LaVia: "They support the Bill."

Rose: "Well, I appreciate that."

Chapa LaVia: "And it's... it's, I mean, it's feasible."

Rose: "They haven't reached out to anyone to give us any level of comfort that is actually a plan to repay the money. Now, that says absolutely nothing against you, Representative, 'cause, you know, I appreciate what you're

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trying to do here. And it does appear there may be some arbitrage to save some money, but I would... I would feel a heck of a lot more comfortable if someone would present us a written plan on how and when this is going to be repaid, what kind of debt is being floated, what the term... you know, what the proposed terms are and I understand that you won't know the exact interest rate 'til after you go to market, but you know, other times we've floated debt in this state, there's a written proposal in advance from consultants who do this on a daily basis as to what it's going to cost, what the proposed interest rates are. You know, is there an upward cap. I mean, let's say it exceeds... let's say the interest rate comes back at 13 percent. Is there an upward cap 'cause then we'd be losing money?"

Chapa LaVia: "Within the GO Bond Act there's some protection there for us, but you know..."

Rose: "Such as."

Chapa LaVia: "...you know, like everything else, the market's going to drive the interest rate and short-term bonds are much more attractive than long-term so."

Rose: "Well, okay. Thank you, Mr. Speaker. I just... I appreciate what... the attempt here as to save about \$25 million. I really would like some more definition to the repayment structure. And I'm going to sit down and listen to the rest of the debate. Thank you."

Speaker Madigan: "Mr. Franks."

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

Speaker Madigan: "Sponsor yields."

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Franks: "Representative, I... I want to follow up on the previous speaker's questions 'cause I think he really got to the heart of the... of the issue. What we're trying to do here is to borrow \$250 million 'til we get a 12 percent enhanced return from the Federal Government, correct?"

Chapa LaVia: "Correct."

Franks: "Okay. So, if we spend \$250 million, we'll get back about 150 million from the Federal Government, correct?"

Chapa LaVia: "Correct."

Franks: "Okay. And then once we get that 150 million back, we're able to spend that again to our... to our providers, correct?"

Chapa LaVia: "Correct."

Franks: "And then we'll get another 80 million back from the feds after we spend that 150 of their money, correct?"

Chapa LaVia: "Correct."

Franks: "Okay. So, what we're looking here is hundreds of millions of dollars in free federal funds for us to spend a few million dollars in interest to borrow to pay our providers that are 92 days past due, correct?"

Chapa LaVia: "Correct."

Franks: "So, would it be... would you agree with this statement that if you voted against this, you were voting against your providers getting paid and you're also voting against the federal match where we can get free, literally, hundreds of millions of dollars from the feds?"

Chapa LaVia: "Correct."

Franks: "Okay. To the Bill. You know, when I first saw this Bill being put forward, I was skeptical like some of the

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prior speakers, but then I saw what the real issue here. And I certainly understand why the Comptroller didn't want to borrow \$500 million before because it wasn't earmarked of how the money was going to be spent or whether this would be going for the federal matching. But since this is going to be done specifically for a federal match, where we are going to get hundreds of millions of dollars in return for our risk of possibly paying up to maybe \$5 million to borrow this money to ensure that our providers get paid. We should all be voting for this Bill and giving relief to the folks that need it and also helping our budget to fill a gaping hole because the reimbursements we get from the Federal Government will be hundreds of millions of dollars more than what we pay. So, please vote 'aye'."

Speaker Madigan: "Representative Chapa LaVia to close."

Chapa LaVia: "I want to thank everybody for the debate and I would request an 'aye' vote. Thank you."

Speaker Madigan: "The Lady has requested an 'aye' vote. Those in favor signify by voting 'yes'; those opposed by voting 'no'. Have all voted who wish? Have all voted who wish? The Clerk shall take the record. On this question, there are 101 people voting 'yes', 11 people voting 'no'. This Bill, having received a Supermajority, is hereby declared passed. On page 2 of the Calendar, on the Order of Senate Bills-Second Reading, there appears Senate Bill 1013. Representative McAsey. Mr. Clerk, what is the status of the Bill?"

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Clerk Mahoney: "Senate Bill 1013's been read a second time, previously. Amendment #1 was adopted in committee. No further Amendments. No Motions filed."

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

Clerk Mahoney: "Senate Bill 1013, a Bill for an Act concerning criminal law. Third Reading of this Senate Bill."

Speaker Madigan: "Representative McAsey."

McAsey: "Thank you. Good afternoon. I come before the Body with Senate Bill 1013, this afternoon, which is a narrowly tailored Bill to address a concern here in the State of Illinois that I'm sure all the Members of... of this Body are aware of through media coverage, likely from conversations with constituents in their districts specific to the operation of the early release of prisoners from the Illinois Department of Corrections here in the State of Illinois over the last few weeks, specifically, the operation of the meritorious service credit, otherwise known as the meritorious good time credit provisions or discretion rather of the director of the Department of Corrections. This legislation seeks to address and to change what had happened here over the weeks by setting standards, creating additional oversight, specifically doing three things. Those three things being: number one, requiring that in order to be considered for an award of meritorious good time credit an inmate must have served 60 days in the Department of Corrections. Additionally, the director of the Department of Corrections would have to make a written determination and finally, State's Attorneys

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Offices would receive additional notice of 14 days. I'm happy to answer any questions from the Body. And I would urge an 'aye' vote from all of my colleagues. Thank you."

Speaker Madigan: "Mr. Reboletti."

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

Speaker Madigan: "Sponsor yields."

Reboletti: "Representative, what is the policy for good time in the State of Illinois? What changed that people spent less time in prison recently compared to past months or years?"

McAsey: "Absolutely. There are actually two types of good time credit here in the State of Illinois. The first type is good time credit award is based on day-for-day service. And the second type is what this legislation seeks to address, the specific category of good conduct... credit for good conduct for meritorious service or... and... and what had been happening previously within the Department of Corrections is that there was a policy that observed that an inmate had to serve 60 days prior to being considered or granted meritorious good time credit. In recent weeks, that policy was not followed. That is what this legislation seeks to address to require these inmates to spend additional time in the department."

Reboletti: "Well, isn't that interesting because as I call it, DOC math, you can go to prison, get sentenced to one year and you could be out in 61 days, but now, under that former program, you could go there and be turned back around in less than 24 hours. Is that... is that correct, Representative? That was the state of... of... where DOC was at and was as of today, right?"

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McAsey: "That is why I come before this Body with this legislation. So, that we are not in a situation where we have an inmate who's coming into the DOC and is being turned around within 24 hours; inmates will.. to be considered for the meritorious good time credit 60-day period."

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

McAsey: "Additionally, if I might.."

Reboletti: "That doesn't.. that doesn't include good time for getting a GED. It doesn't include good time for substance abuse treatment. So, basically, just by checking into Stateville, where they do a lot of reception and classification, you're basically given all your good time up front and you haven't even put on a jumpsuit yet. Is that fair to say?"

McAsey: "That.. the good time credit I do believe that you're talking about related to GEDs, anything like that, is a separate issue from the meritorious good conduct credit, which I would also.. I would also mention that this is a very narrow piece of legislation to address this specific type of good time credit. And the policy that you mentioned is something that also dates back to, as we can tell, as far back as the Edgar administration. And in recent weeks, that policy had not been followed and we've seen the more than 1700 inmates. We've heard about the numbers of people who now are coming back into the system and we need to address that."

Reboletti: "Well, Mr. Speaker, to the Bill. This is, Ladies and Gentlemen, people of the State of Illinois, nothing

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near truth in sentencing. Everybody should wonder why, when somebody gets sent to prison for a year, they could be out in 61 days or why peo... 20 people with murder convictions, or conspiracy to commit murder, or rapists, and robbers are let out after serving 13 days in the Illinois Department of Corrections. Our number one job here in the State of Illinois is to protect the public and keep our streets safe. I understand we have a budget crisis, but by letting out murderers we're not making the budget any less; it doesn't cut into the \$6 billion in the bills that we owe. I don't understand this policy. And what makes it worse, Ladies and Gentlemen of this Body, is that while I was on a conference call with the Department of Corrections and we couldn't get a definition for 'early release' for nonviolent offenders, be those people with drug cases or burglary, at that same time we were trying to get this classification of inmates, they were all... the Department of Corrections was already releasing violent offenders back onto the street. A good portion of those people have already recommitted new offenses; they violated parole and they're back in custody. What a terrible policy decision for the people of this state and for our public safety. This is a good first step, but we need to eliminate meritorious good time overall. Thank you."

Speaker Madigan: "Mr. Black."

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

Speaker Madigan: "Sponsor yields."

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Black: "Representative, did you present this Bill in committee yesterday?"

McAsey: "Representative Black, yes. Yesterday afternoon I presented this Bill in committee."

Black: "My records indicate you were not a Sponsor or a cosponsor of the Bill yesterday. How did you do that?"

McAsey: "Yes. I was a cosponsor of the Bill."

Black: "Not... not on the official record you weren't. You know what your side of the aisle needs to do, quite frankly, is to get caught up with your paperwork. I'm getting tired of... of people coming to committee to present Bills who are not Sponsors or cosponsors of the Bill. You did that yesterday. We'll grant you that the paperwork, eventually, caught up with you. But I can tell you, I've been here long enough that your side of the aisle didn't used to do that. You didn't used to do that. Let me ask you a question, Representative."

McAsey: "Mmm mmm."

Black: "This Bill is a trick bag. You're saying they should serve at least 61 days. Currently, under a plan that nobody takes responsibility for, some were getting out in 6 days, right? When does the meritorious good time clock start?"

McAsey: "Well, you... When does the clock start in terms..."

Black: "Mmm mmm."

McAsey: "...of when someone can be considered for meritorious good..."

Black: "Mmm mmm."

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McAsey: "...credit? After this Bill, at the director's discretion and having served 60 days in the Department of Corrections then an individual may be considered for an award of meritorious good time credit."

Black: "Why didn't you change the underlying problem and that is the Department of Corrections assigns good time for exemplary behavior for an entire year's sentence all at one time and applies it to the inmate. How do they know he or she is going to be an exemplary inmate?"

McAsey: "Well, Representative Black, this legislation requires that this individual is within the Department of Corrections for at least a minimum of 60 days before they can be considered for the award of meritorious good time credit. The Administrative Code, as well, speaks to the different things that the director in his discretion can consider, things that you just alluded to with regard to whether someone deserves the award in the director's discretion of meritorious good time credit. And what we're here to do today is to very... address this specific problem and make sure that we have people who are serving time in the Department of Corrections."

Black: "I'm not sure you see what I'm driving at. You have an inmate who has spent 60 days in the Department of Corrections, was sentenced for one year. They front load all of his good time based on his year sentence, which cuts it down to 6 months. Then the meritorious good time cuts it down to 3 months and he's out in 2 months. Now, what... what it... to the victim of the crime, why does that make any sense whatsoever?"

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McAsey: "Well, Representative Black, what I hear you saying is that you would like to see that we continue a discussion about the award of meritorious good time credit the way that sentences are... are imposed and are served here in the State of Illinois. This legislation does go to the very specific situation that we've recently seen here in Illinois related to the award of meritorious credit."

Black: "Yeah. Well, thank you very much, Representative. I think I understand what you're doing. Ladies and Gentlemen of the House, I'm just an old country boy. When you're sentenced to a year in prison, you ought to serve a year in prison, not 60 days. And what's... what people are walking the streets today because of a program that nobody knows for sure who did or who did not know about it. You've let out murderers, armed robbers, rapists; they're out walking the street, about 1700 of them. Meritorious good time, my big foot. You don't even know how good or bad they are in 60 days. At the very least, they ought to serve 50 percent of their sentence then you get an idea as to whether or not they're going to behave themselves and can get out a few days early. You're going to let out somebody who has been a two-time loser, a dangerous criminal, a violent individual is going to serve 60 days under this law and get out. Now, you can argue, well, they might get out in two weeks. That, I think, has been suspended. This just doesn't make any sense if you put yourself in the victim's shoes. You don't even have enough time under this Bill to notify the victim that the individual's going to be out

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before the victim has even recovered from the injuries suffered in the crime. Vote 'no'."

Speaker Madigan: "Mr. Sacia."

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

Speaker Madigan: "Sponsor yields."

Sacia: "Representative McAsey, you and I have spoken at length about this, both in committee yesterday and again this morning, and you will agree with me that House Bill 800 and Senate Bill 1896 addresses... let me digress... this Bill states that a state's attorney must be notified at least 14 days prior to the person being discharged. That being said, the two Bills I just mentioned address an issue wherein victims must be notified at least 30 days prior to being released... prior to the subject being released. And I would just like to have you make some input regarding this."

McAsey: "Thank you, Representative Sacia. You and I spoke both in committee yesterday as well as earlier today discussing a topic that is important to me as a former prosecutor, making sure that we are doing things that are respecting the rights of victims in... in these sentencing situations. The legislation that you are mentioning, it was a change that was made by this Body during our Legislative Session as it relates to parole hearings and an entirely separate issue from this, but... but in situations with indeterminate sentences where there is actually a convening of a parole hearing and victims are receiving a 30-day notice, but that notice is related not to anything related to a release date but rather a notice related to a hearing and an opportunity

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to appear. So, that... that is separate and apart from anything that's addressed in this legislation that has to do with the meritorious good time credit."

Sacia: "Well, help me understand then the meritorious good time credit wherein the state's attorney has to be notified 14 days prior to the release as opposed to the way the legislation currently is written, a reasonable amount of time and I think you and I both agree that could be anything from 10 hours to maybe a week. With this 14 days, you're telling me that in no way this affects the two Bills that had passed both chambers and are in the Governor's Office."

McAsey: "No. They are completely separate issues. That is a notice issue related to parole hearings. This legislation has to do with the release of inmates related to the meritorious good time credit. And this legislation does seek to address an ambiguity in the prior statute where it stated merely reasonable and we did discuss yesterday with that language of reasonable what the difference... the way that that could be interpreted and here there is no ambiguity, a 14-day notice to be provided to the State's Attorneys Office."

Sacia: "Well, I guess a concern I have, Representative McAsey, and I know that you've worked hard on this, is... is a victim... there are now, as you would agree, victim rights groups out there and one of them that I've worked with very closely and followed those two Bills very closely last legislative year, were very, very concerned that bad folks could end up back on the street without a victim being

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notified 30 days prior. You're assuring me that with this that is not the case. I mean, the state's attorney is going to have the 14 days and I guess the assumption can be made that the state's attorney is going to notify the victim. Again, I think, the victims are going to be confused between the indeterminate sentence and a parole hearing. I'd just like your response."

McAsey: "Okay. With regard to that... that other legislation, that legislation does not have anything to do with... with what is before us today, that legislation having to do with parole hearings and indeterminate sentencing and the notification of victims to be present at those hearings. Now, here in Illinois we do have the Crime Victims Bill of Rights which set forth a number of duties related to our State's Attorneys Offices, duties within the Department of Corrections and with the parole board as they relate to different notices to be provided to victims of crime. Within the Crime Victims Bill of Rights, there is a provision that should the victims want to be notified of the release of the criminal who violated them, that there is a process by which they can elect to be notified. And nothing in this legislation does anything to change the operation of... of whether or not victims are notified of the release. If they elect to be notified by... by the parole board, then that would still take place."

Sacia: "Thank you, Representative."

McAsey: "Representative Collins."

Collins: "Thank you, Mr. Speaker. To the Bill. A lot of times we're just losing sight of what's actually going on. The

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inmates are coming home whether they come home 36 days early or 36 days later. What are we doing or what is the Department of Corrections doing or what are we doing to prepare them to come home. When we let the inmates out early to come home in... to an economy where the homes were already stressed, there was no money, there were no resources into the home, so you leave a lot of choices left unfair. They have to eat, they have feed themselves, they have to do clothing, they have to put clothes on their backs. We didn't provide the resources and with... that ain't even... 36 days later when they're supposed to come home or whenever they're supposed to come home, the inmates are going into an institution and one day they're going to return home. What are we doing to prepare them back home into the community? We're doing absolutely nothing. So, whether you change this to 60 days later and you're going to notify all these other people, if we don't put the resources back into the community and help the inmates get back into the community, then we're still going to back where we started from. It's not that they got home 60 days later; that's not the issue. The issue is that we have no resources. There are no resources in the community and there are no resources inside the institution that we're trying to make them better. We send them to an institution that we call the Department of Corrections. Where have we corrected their behavior? And so you think if you enhance the penalties and keep them there longer that somehow, without putting any services there, that they're going to come back to the community prepared to be model citizens.

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It's not going to happen there. You have to invest in the inmate and you have to invest the resources and services until that person... for them to come out and be a better person and then once they get out, you have to provide them with a job so that they can take care of their families. And if you don't do that, we're still going to be back where we started from whether it's 60 days or a year when they get out of the jail because unless they're going to die or unless we're going to keep them in jail forever, you're going to come back with same results. If we keep doing the exact same thing, you're going to keep getting the exact same results."

Speaker Madigan: "Representative Monique Davis."

Davis, M.: "Thank you, Mr. Speaker. First, I'd like to certainly put kudos to my Rep... State Rep Collins because I agree with her 100 percent. I wanted to add some clarity to a charge that continues to come up that is totally false. I hear people say, oh, they're letting murderers out; they're letting this kind out. Any murderer who was released had already served his time on that particular crime. The early release occurred on a totally different crime. Some people say, well, if you get a year, why don't you serve a year. Two months in Cook County jail is almost a year. Two months in Cook County jail, you're given credit for that. Two weeks, three weeks, a month in the intake center, you're given credit for that. All of this does help in reducing the total number of days that one might spend in a state institution. Now, if you want to remove the inmates' ability to claim time served when he's

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in Cook County jail, then you have to pass a law to do that. If you want to remove the time the inmate spends in the intake center, you have to pass a law for that. We all realize that the safety of our communities is of vast importance, but because we live in America, the rights of citizens is also part of our duty. We can't be sure we want to provide greater rights for people who don't live in America who are not Americans, who come here as terrorists, we don't want to provide them with greater civil rights than we do our own inmates. The relief program is based on the current law of the State of Illinois. To pretend... to pretend that you are letting people out, who have committed these awful, awful crimes and they're being released on that crime is totally false. Emily, I'd like to be a cosponsor on your Bill and I think the facts need to be presented straight. Stop scaring the public to death. I would also urge ministers who are in the communities in which the inmates are being returned to, to step up, step up and accept the church's responsibility to offer some of the support services that your community offers. I think it's really important for those of us who don't have prisons in our district to try and continue and reduce that population. Thank you."

Speaker Madigan: "Mr. Durkin. Durkin."

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

Speaker Madigan: "Sponsor yields."

Durkin: "Can you explain to me what the purpose of a notice to the state's attorney is?"

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McAsey: "Certainly and I'll explain the notice provision as well. The notice in this legislation goes to: number one, the state's attorney... the prosecuting state's attorney as well as is applicable the state's attorney in the county where the inmate is being released because certainly we can envision a situation where someone's prosecuted in one county and served time in another county here in the State of Illinois. And..."

Durkin: "The purpose."

McAsey: "While the purpose of these to provide that notice to the prosecuting authority, that the meritorious good time credit had been..."

Durkin: "Okay."

McAsey: "...awarded in the director's discretion."

Durkin: "So, I assume that in a certain number of... a few of these cases where the state's attorney finds out it's outrageous that this individual is going to..."

McAsey: "Right."

Durkin: "...have his... this release hastened, I'm sure your legislation does give the state's attorney the ability to go to the Department of Corrections and object, correct?"

McAsey: "I'm sorry. Representative, additionally, I would inform you that this language was also added at the request of the Governor's Office and in conservation with..."

Durkin: "Oh, I don't care if it's the Governor. I mean, I don't care who... if it was past practice or if it's current legislation. I want to know whether or not if someone... if the... if release is hastened and the state's attorney is given notice and they find it terribly offensive to the

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victim or to their... the case 'cause they're aware of the facts, do they have the right to object to the awarding or the hastening of that release?"

McAsey: "This meritorious good time credit is at the discretion of the director of the Department of Corrections."

Durkin: "You didn't answer the question. Is the state's attorney allowed to object to that release?"

McAsey: "Well, certainly, you and I can both object to that release. I think... I stand before you based upon objecting to releases that..."

Durkin: "Where in the law does it say they're allowed to object, the victim or the prosecuting agency. Where in that statute are they allowed to object?"

McAsey: "There... The statute does not make a specific provision allowing for them to adjust..."

Durkin: "Then what's the point of having the notice to the state's attorney then? What is the point of giving notice to the state's attorney if they find that this is an offensive decision made by the Department of Corrections and they want to be able to object? I don't know what purpose is served by giving notice then. I'll be asking you one last question. I know it's already embedded into the law, but what is the magic number 60. Why are we at 60? What is significant about 60 days?"

McAsey: "The 60-day base... 60-day calculation goes back to a longstanding policy within the Department of Corrections which, in recent weeks, was abandoned. And we have now seen that... we have seen meritorious good time credit awarded to individuals essentially instantaneous with them

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walking through the doors of the Department of Corrections. And there is... what we as a Legislature are saying to the director is, yes, this is within your discretion; however, there needs to be a period of time where the director, the members of the Department of Corrections have the opportunity to observe this individual to make a determination whether or not to award meritorious good time credit. And I would also add that there is no entitlement to an award of meritorious good time credit.."

Durkin: "And you're leaving it all in the hands of the Department of Corrections expecting them to do the right thing with these cases. I... I'm not quite sure if I'm with you on that, but again, getting back to my original question, since this seems like an arbitrary date, yes, it was previously past practice, but is there anything significant about 60 days?"

McAsey: "This is a time period that will allow for the director to... to conduct... the director and the Department of Corrections to make a determination and whether or not to award meritorious good time credit."

Durkin: "So, it sounds like this is just an arbitrary date that we pulled out of... that was past practice, but it really doesn't mean anything. I know what you're trying to do. I do have... you know, if we're going to say that we're going to give the state's attorney notice that these individuals be released, I think you're going to miss the boat by not allowing them to object."

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McAsey: "And again, I would add that this is a past practice that dates back to the Edgar administration with regard to that 60-day determination."

Speaker Madigan: "Mr. Washington."

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

Speaker Madigan: "Sponsor yields."

Washington: "I guess she will. Representative, let me open up with a question. You were asked about the 60 days and about whether the state's attorney would have the option to object. I didn't quite catch that last part. Could you repeat that, please?"

McAsey: "The... the 60-day time period allows for the Department of Corrections to conduct an evaluation as to whether they believe the award of meritorious good time credit is a decision that they would like to make. The 14 days is a period of time by which the State's Attorneys Office is giving... given notice of a release based upon an award of good time credit."

Washington: "Thank you. To the Bill. Representative, I think this is a good piece of legislation for the following reason. I don't think the state's attorney needs to have room to object. I don't think that the time that an individual serves... anybody knows that if you do the crime, you do the time and at some point in time, underscoring that word 'time', that individual, he or she, is going to be able to release back into society. So, I don't understand the back and forthness about whether it's 60 days, 90 days, 120 days, 360 days; it's irrelevant. The fact is eventually that person will be released and I don't

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think it's in the best interest of justice and our court system for a person to go through a trial, found guilty of violating the law, sentenced to prison and then, it's a courtesy to let the state's attorney know, but to have a point counterpoint going back into what was done in a trial, I think doesn't do service to anyone that finds themselves with a circumstance of where they did a crime and getting ready to go to prison. I want to just say that, in the news lately it's been a mixing of apples and oranges. We have a system that works; it works. To take away or even... to even think about taking away from the Illinois Department of Correction a meaningful tool that manages behavior is the same as if you're raising a child. You say, if you do your homework, you take out the trash, I'll let you stay outside an hour extra. It's a tool to get conformity and behavior modification. And with the number of people that are incarcerated, not just in the State of Illinois but in the United States as a whole, that is an effective tool of being able to earn good time. It sets a goal for those that are incarcerated and it gives them an opportunity that if the behavior is modified, if the behavior is followed, if there's compliance, then he or she can earn good time because eventually they're going to get out anyway. They can't be incarcerated for a duration unless they've been sentenced to a life sentence. So, it's kind of ludicrous when you look at the math of it and add it up, that that is a tool that the Department of Corrections badly needs and I'm speaking for someone who served in law enforcement in that capacity of the

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Correction and I know the effectiveness of that tool. So, I hope that that's not the point of the argument of my colleague that tried to set a stage for whether it's a good thing or it's a bad thing. It's a good thing. And when you look at the number of prisoners incarcerated in the State of Illinois and that these individuals are incarcerated 365 days a year, year in and year out, and the number of violations of problem are very small in comparison to the number of people that are incarcerated. So, having said that, I'm asking for an 'aye' vote in keeping an important tool alive and keeping the courtesy that a state's attorney is given to take that information to notify victims or to do whatever is humane about that. That's a good thing. And I think it's a working thing. And I suggest 'aye' votes for this particular legislation. Thank you."

Speaker Madigan: "Representative McAsey to close."

McAsey: "Thank you. Thank you for the robust debate and the thoughtful comments. I would ask for an 'aye' vote from the Members of this Body."

Speaker Madigan: "The Lady requests the passage of the Bill. Those in favor signify by voting 'yes'; those opposed by voting 'no'. Have all voted who wish? Have all voted who wish? The Clerk shall take the record. On this question, there are 111 people voting 'yes', 1 person voting 'no'. This Bill, having received a Constitutional Majority, is hereby declared passed. On page 3 of the Calendar, on the Order of Senate Bills-Second Reading, there appears Senate Bill 1868. Mr. Clerk, what is the status of the Bill?"

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Clerk Mahoney: "Senate Bill 1868 has been read a second time, previously. Amendment #1 was adopted in committee. No Motions filed."

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

Clerk Mahoney: "Senate Bill 6... Senate Bill 1868, a Bill for an Act concerning local government. Third Reading."

Speaker Madigan: "Representative Currie."

Currie: "Thank you, Speaker and Members of the House. McPier Board has come to the Legislature with what I would call a very heavy ask. They would like us to extend for 17 years the state's current almost \$32 million a year subsidy. They would like to extend for 18 years some local taxes in the City of Chicago and the county of Cook, which are intended to help them and meet their... their debt responsibilities. They would like us sufficiently to expand their borrowing authority and today, that second set of taxes that they have imposed in the county of Cook and in the City of Chicago is not enough to make the McPier Authority whole, so they would... they have already, counting this year and last, been into us to the tune of about \$54 million beyond the almost \$32 million annually that we spend. They have also asked for significant changes in the work rules that govern the unions that work at McCormick Place. We all know the convention business is down on a national basis, but we do also know that Chicago is losing ground to competitors like Las Vegas and Orlando. It's my view that before we undertake this heavy lifting for the McPier Authority, we need a better understanding of what

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went wrong and how we can make things right. So, this measure is a Bill that would provide for an interim board for McPier, seven people, three appointed by the Governor, three appointed by the mayor, a chair appointed by the mayor with the consent of the Governor. It would also impose some qualifications on the part of at least some of the members that there be some experience in labor relations and in management. This board would serve until such time as we, the General Assembly, decide to create a new structure to govern McCormick Place and Navy Pier. I think we need some good answers before we write a blank check and I think that this board will have the responsibility, will understand its responsibility to help us understand what went wrong and what we can make right. I'd be happy to answer your questions. And I'd appreciate your support for this cleanup measure."

Speaker Madigan: "Mr. Sullivan."

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

Speaker Madigan: "The Sponsor yields."

Sullivan: "Obviously, we know that there's... there's more problems with McCormick Place than what this Bill encompasses. So, I want to kind of push those aside 'cause we'll address those at a later date. Specifically, to the Bill, we're going from 13 to, in essence, 7 members appointed: 3 by the mayor and 3 by the Governor and 1 where they generally agree upon, the chairman."

Currie: "Right. And that's the current structure except that there are more members."

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Sullivan: "Yes. Sizewise, it's being reduced. We are not having Senate appointments because, in essence, you want to have this as a temporary interim issue where they're going to come back to us for recommendations."

Currie: "Right."

Sullivan: "Is there... do you envision... and this is just me asking you the question... do you envision a time frame? Are we talking months, half a year, two years?"

Currie: "Oh, I think we're talking months. I think that the crisis that McCormick Place and McPier face is considerable."

Sullivan: "Okay."

Currie: "And in... if you couldn't wait around very long for someone to come up with some solutions."

Sullivan: "Right."

Currie: "So, I would envision that this board will act very quickly to try to get to the root of the problems and make recommendations to us."

Sullivan: "Okay."

Currie: "That means that if we are doing some heavy lifting on their behalf, at least we know that we're moving into a better future."

Sullivan: "Within this legislation though there is no wage... after the interim appointments are made and the board's constituted, there is no provision within this specific piece of legislation to remove any members should it be that the mayor or the Governor want to remove a member?"

Currie: "That's right. But we would have the opportunity at any time to come back and change it. Remember..."

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Sullivan: "The General Assembly would have that opportunity..."

Currie: "That's right."

Sullivan: "...not the mayor or the Governor."

Currie: "That's right. And the Authority, remember, is a creature of State Law and if we wish to change the structure again..."

Sullivan: "Sure."

Currie: "...we can do so."

Sullivan: "So, taking this down a, just a theoretical question, if we don't act even if in the next year, we could have new mayor or a new Governor and that new person wouldn't have the authority in this legislation to reduce... remove these members, only the General Assembly would?"

Currie: "As I understand it... as I understand it, they... they're the ones who make the appointments and those appointees serve at the pleasure of the appointee agent. So, if it's a gubernatorial appointment, then the Governor can change that individual who's sitting in that particular appointed spot."

Sullivan: "So... Okay. Well, I don't read that in the legislation. So, it's your belief or legislative intent that these are at will appointments from the mayor and the Governor."

Currie: "That's my understanding."

Sullivan: "And so, after they appoint them a month down the line, they don't like what they've done or maybe they've done something wrong, each of these gentlemen, at this point, could change these folks at will?"

Currie: "That's my understanding."

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Sullivan: "Okay. I appreciate your comments. Thank you."

Speaker Madigan: "Mr. Fritchey."

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

Speaker Madigan: "Sponsor yields."

Fritchey: "Leader, just a quick question. And that is, on our analysis we're not showing any proponents or opponents to the legislation. Are you aware of anybody that's filed in opposition to this?"

Currie: "Nobody filed in opposition in the committee hearing yesterday and no one's called me on the phone to say I object."

Fritchey: "All right. I wasn't be facetious."

Currie: "No."

Fritchey: "I didn't know if somebody had weighed in. Labor hasn't taken a position on this?"

Currie: "They... I don't believe they have. I do know that labor was not happy with some of the legislation that the... the Authority has come to us with."

Fritchey: "Well, and it's..."

Currie: "They have made... they have made three major changes in their work agreements over the last 15 years and yet we are told annually that a convention coming to Chicago continues to pay a whole lot more than it does one going to Orlando or Las Vegas."

Fritchey: "No, and I..."

Currie: "So, I think they... they are... labor would be a review that there is a general management problem at McPier not just a labor problem."

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Fritchey: "I... I... I think that's right because I think at the end of the day people realize that whether they want to be or not we are all somewhat joined at the hip in this thing. We want the working men and women of Illinois and of Chicago to be well-paid, but we also realize that if we have no shows we have no jobs and you know..."

Currie: "Right."

Fritchey: "...it doesn't matter. It's not high paying or low paying. There's people that aren't working. Ideally, we'll get to a situation where we'll all realize that we all have a vested interest here whether it is the city, whether it's the rest of the state that benefit from Chicago convention business..."

Currie: "Exactly."

Fritchey: "...or the men and the women that are actually doing this work because I hope people realize when we lose a convention we tend not to lose it for a year; we lose it for two, three, five years, if not longer. Something needs to be done. I'm not sure what the perfect answer is, but I'm glad that we're at least going to try to find a step in the right direction. Thank you."

Currie: "Thank you."

Speaker Madigan: "Mr. Reis."

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

Speaker Madigan: "Speak... Sponsor yields."

Reis: "Representative Currie, there is some stories that we read the last couple weeks about the possibility that the Pier Association may be merging with the Sports Authority. This legislation contains nothing to that affect, does it?"

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Currie: "Correct."

Reis: "You sort of answered the question that Representative Sullivan had with regards to the term of the... the appointed board, the temporary board. Let's say we have the same regime that wins next year. Is there any sunset at all where they have to have these changes made where that new board would be replaced or would they continue to do service at the pleasure of the Governor?"

Currie: "They would continue to serve until we restructure the board. It is our intent that this be an interim board. The crisis is so significant that I would suggest there's not a chance in the world that there will not be a quick response from the members of this new interim board to try to help us figure out how to do a better job in the future. They can't hang on forever with the mounting fiscal and management crisis that results in too few trade shows and not enough income. So, I think there's a... we're not setting an artificial deadline in this Bill, but there is a real deadline and it's called a fiscal failure."

Reis: "Well, I know they've come before the Appropriations Committee before and... and made us aware that this is coming. I guess, will we have any say in these changes that they come up with? I mean, these... these changes in union policy, whatever they might be, will the General Assembly have any say in whether or not those get implemented?"

Currie: "Well, remember that they've come to us with legislation. They want us to do the heavy lifting. We are going to have to be part of any solution that is available

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to solve the problems that face McCormick Place today. So, there's not a... not a chance in the world that we will not be part and parcel of anything that is a response to the current fiscal and management crisis."

Reis: "Okay. You mentioned several proposals, bonding and they've come before us, none of that is in this Bill."

Currie: "That's right. None of it is in this Bill because I think that's a blank check that we ought not to be writing. We need some answers. We need some proposals for reform. We need to sense that they will be able to work their way out of this situation before we hand over significant resources, significant taxpayer dollars to them."

Reis: "Okay. Thank you very much, Representative."

Speaker Madigan: "Representative Bellock."

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

Speaker Madigan: "Sponsor yields."

Bellock: "I just wanted to ask one question that I don't think has been asked. Is... the confirmation of the Senate, this does not require confirmation of the Senate of the members."

Currie: "That's right. We want this board to be up and running as quickly as possible."

Bellock: "Well..."

Currie: "But this is an interim board and I'm sure that a permanent board that we might structure would require Senate confirmation."

Bellock: "But you're changing that in the Bill right now."

Currie: "For... only for the interim board, yes."

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Bellock: "Thank you."

Speaker Madigan: "Representative Franks."

Franks: "Thank you, Mr. Speaker. I'd like to ask the Sponsor a few questions."

Speaker Madigan: "Sponsor yields."

Franks: "Representative, I'm right... Excuse me, Naomi. Naomi, excuse me. Hi. I'm looking at our analysis and I just want to make sure I understand the Bill. It says this is House Amendment #1 and what this is, it's a gut and replace of the underlying Bill and what we'd be doing is making changes to the board of the Metropolitan Pier and Exposition Authority."

Currie: "Correct."

Franks: "Okay. And this is where you want to reduce the amount of members from 13 to 7, correct?"

Currie: "Correct."

Franks: "Okay. Now, I want to ask the thought process behind it because are the board members now are they day-to-day decision makers for the... for McPier or is there an executive director or President or someone who does the day-to-day operation?"

Currie: "There is an executive director appointed by the Governor. That does not change under this legislation and the board acts, I believe, the way a board should which is to say they're not making decisions about how many pencils to order, how much toilet paper to buy. But they are, ultimately, charged with the responsibility for running a tight ship. And I'm not suggesting that any individual member of this board today deserves pointed fingers, but I

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do think we need to get to the bottom of the question, why are we looking at such a huge financial crisis and how can we manage to be competitive in the albeit dwindling world of conventions and trade shows."

Franks: "And I certainly share that concern because it affects us all with the revenue, but I'm wondering if... if the focus of this legislation would be correct. If we're worried about, quite frankly, the day-to-day operation..."

Currie: "Well, I'm not saying that we are. We're worried about a whole management plan, a whole fiscal plan, that is not working effectively. And I don't know if that's the board, the day-to-day operation or what have you, but it seems to me the board has direct responsibility for setting the framework under which this operation goes forward."

Franks: "Well, that... that's my concern, too, 'cause I'm not sure if the board is at fault. I know there's some... I know we have very serious issues here."

Currie: "Yes."

Franks: "But I'm not sure if it's the board or if it's management. Have... have we done an audit or any analysis to determine where we ought to be focused 'cause maybe we... it'd be an easy fix. Perhaps the executive could be terminated."

Currie: "I don't think it's going to be as simple as that, Representative, because the problems are way too deep just to say somebody wasn't ordering the right number of pencils or the... the appropriate number of rolls of toilet paper. So, you've got a real management crisis and I would say that the managers of McPier, in fact is the board and it's

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where the board ought to be looking carefully at the operation and figuring out what did go wrong, whose ever fault it was, and... but figuring most importantly how to make things right."

Franks: "Is there anyone who's opposed to this?"

Currie: "Pardon me?"

Franks: "Is anyone... is anyone opposed to this Bill?"

Currie: "No."

Franks: "Okay."

Currie: "At least not... not formally."

Franks: "And the mayor, I presume, is onboard on this?"

Currie: "I... I don't know where the mayor is on this."

Franks: "Okay. I'm just... I'm just... I didn't know where this came from. That's all I'm trying to figure out."

Currie: "It came from the fertile imagination of Members of the Illinois House of Representatives where so many excellent ideas are born."

Franks: "I can't argue with that. Thank you, Representative."

Speaker Madigan: "Representative Currie to close."

Currie: "Thank you, Speaker and Members of the House. Just a correction. I... It's my understanding that the mayor of the City of Chicago does, in fact, support the Bill. I'd appreciate your 'yes' votes."

Speaker Madigan: "Those in favor of the Bill vote 'aye'; those opposed vote 'no'. Have all voted who wish? Have all voted who wish? The Clerk shall take the record. On this question, 112 people voting 'yes', 0 voting 'no'. This Bill, having received a Constitutional Majority, is hereby declared passed. On page 2 of the Calendar, on the Order

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of Senate Bills-Second Reading, there appears Senate Bill 315. Mr. Clerk, what is the status of the Bill?"

Clerk Mahoney: "Senate Bill 315 has been read a second time, previously. Amendment #1 was adopted in committee. Floor Amendment #2, offered by Representative Chapa LaVia, has been approved for consideration."

Speaker Madigan: "Representative Chapa LaVia on the Amendment."

Chapa LaVia: "The Amendment is an agreement we came up with in committee yesterday adding in state superintendents under a portion of the language. And I move for its adoption."

Speaker Madigan: "The Lady moves for the adoption of the Amendment. 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 or Motions filed."

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

Clerk Mahoney: "Senate Bill 315, a Bill for an Act concerning education. Third Reading."

Speaker Madigan: "Representative Chapa LaVia."

Chapa LaVia: "Thank you, Speaker and Members of the House. Senate Bill 315 is the Race to the Top and why we need it at this time in the state. Illinois is applying for over 500 million that's a half a billion dollars in U.S. Department of Education Race to the Top grant dollars. The Governor's Office and the State Board of Education are putting together a strong application which is due on January 19. This is part of that application in order for us to gain support to get the dollars or that amount of

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money. States applying need to demonstrate district support for these efforts. All Illinois districts are eligible to participate. As of 11:30 this morning, 340 Illinois school districts from across the state have signed on to Race to the Top applications. Those districts represent more than 80 percent of our lowest performing schools, a tremendous feat for the state given the short timeline. The application needs to show progress in four critical areas: standards and assessments, state data system, improving low performing schools, and improving teacher and leader quality. The areas where the state is currently the weakest is the area of improving teacher and leader quality. Senate Bill 315 would tremendously improve our position in this area. Teachers and principals evaluating systems in Illinois are broken. Senate Bill 315 takes the largest steps towards fixing it in the recent 20-year history of the state and what we've done in education. The performance evaluation reformat to 2010, the PERA, implements new, rigorous teacher and principal evaluations statewide that must incorporate measures, and this is to include with our House Amendment #2 that we just adopted, superintendents as well, of student growth and professional practice. The requirements to incorporate student growth as a significant factor in teacher and principal and superintendent evaluation is a direction in which the state wants to go prior to Race to the Top and is nothing short of groundbreaking policy in this state. How the performance evaluation Act Senate Bill 315 impacts local districts. The implementation of this Act will be

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staggered. Only Chicago as well as those districts who have chosen to participate to Race to the Top or that receive federal school improvement grants will need to begin implementation by September 2012. The remaining school districts will need to implement beginning in 2015 or 2016. All of the implementation dates are subject to funding, are subject to funding, and other safeguards which I discussed... I will discuss in a moment. Under Senate Bill 315, each school district will work with their local teachers' unions to incorporate the use of student growth data as a teacher evaluation and must also incorporate student growth into principal evaluations and superintendent evaluations. To the extent districts, other than Chicago, do not reach an agreement with their union partners within 180 days, the state's model teacher evaluation plan which still needs to be developed by ISBE will be implemented. The state's role. The state's model teacher evaluation plan will be fully developed in the rulemaking process, but student growth must be weighed as exactly 50 percent of the model teacher evaluation. Rules governing the use of student growth and teacher evaluations will be developed in collaboration with the performance evaluation advisory council to include a wide array of stakeholders. The state is responsible for vying specific support to districts necessary for implementation by September 1, 2012 including evaluator prequalification and training program. Districts responsibilities are delayed as long as the provision of state support funding is delayed. The state will release a research... a research-base review to inform future

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implementations by September 1, 2014. Funding. If the state receives the Race to the Top grant, then the grant will provide necessary local and state funding. If the state does not receive Race to the Top grants, then (a) local funding will provided by federal school implementation grant funds and (b) other state, local or foundation sources. Again, if the state or other funding is not available for districts, the requirement and implementations of these changes are not applicable. Currently, the language in the Bill prohibits the disclosure of teacher, principal and superintendent evaluations which are positions under this Bill. Once again, they are not FOIA able. The current language in the Bill now prohibits the disclosure of teacher, principal and superintendent evaluations which are the positions addressed in the Bill. We now have added to our list of proponents: ED-RED, LUDA's onboard, LEND, SCOPE is onboard. There's no position for IEA or SMA, State Manager's Alliance. I'll take any questions."

Speaker Madigan: "Mr. Eddy."

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

Speaker Madigan: "Sponsor yields."

Eddy: "Ladies and Gentlemen of the House, I'd like to make sure everybody understands what this legislation does. So, hopefully you'll pay attention to this; it's an important vote. Representative, you did mention, first of all, that there was a late change in this and that superintendents are now currently in the Amendment that we just adopted."

Chapa LaVia: "Correct."

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Eddy: "Okay. The other... the other thing I think that's important, there's been a lot of changes of position on this Bill based on a lot of the negotiations. And you mentioned that some of those who last night were opposed are now either neutral or not opposed and those include significantly: ED-RED, LEND, SCOPE, LUDA, the IEA has removed their opposition, as well. Isn't that correct?"

Chapa LaVia: "That is correct."

Eddy: "It's kind of based on those negotiations. Okay. So, a couple of things that I want to make sure that people understand about this Bill. Number one, this Bill does not immediately affect all school districts in the State of Illinois. Isn't that correct?"

Chapa LaVia: "That's correct. It's the five percent of underperforming or if they... they choose to opt in."

Eddy: "Okay. And let's talk about the opt in for just a second. That came in the form of districts... who you mentioned over 300 of them signed a memo of understanding that they would be willing to work with the State Board of Education once the grants were secured to implement. Even those districts, though, have the opportunity now, even this is being passed after they've signed the MOU, but they still have the opportunity to opt out. Isn't that correct?"

Chapa LaVia: "Correct."

Eddy: "So, the only mandate is for the lowest five percent performing schools, districts who receive 1003G grants, again, low-performing schools who are under school improvement plans, half of the City of Chicago Public

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Schools. Those are the only ones truly mandated; the others still have a choice."

Chapa LaVia: "Correct."

Eddy: "And those schools, by 2012 in September, have to have in their teacher evaluation plan, a component that significantly addresses whether or not students are learning..."

Chapa LaVia: "Correct."

Eddy: "...as is measured by assessment."

Chapa LaVia: "Correct."

Eddy: "Okay. Then, the State Board of Education is required in this Bill to do a study of the effectiveness of the implementation in Tier 1 in 2014, make changes as necessary. Then there's a second Tier of schools, we go again by the next lowest 20 percent, so now we're at 25 percent lowest performing schools, plus the other half of the City of Chicago schools."

Chapa LaVia: "Correct."

Eddy: "Then, in 2016, if funding is available, if it's available and this is predicated on whether or not it will be funded, then all school districts in the state will have the opportunity to negotiate locally, negotiate locally, a plan that includes performance evaluation, right?"

Chapa LaVia: "Correct."

Eddy: "Okay. So, the shift is that we are... we are promoting public policy that takes into account in a teacher's evaluation whether or not students are learning."

Chapa LaVia: "Correct."

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Eddy: "Okay. Now, how that... how that landmark change in public policy is achieved is negotiated at the local level."

Chapa LaVia: "Correct."

Eddy: "To some degree, with the State Board of Education providing a system of support and other assistance as necessary, right?"

Chapa LaVia: "That is correct."

Eddy: "The opposition, if there is any to this, has nothing to do with that part of this legislation."

Chapa LaVia: "Correct."

Eddy: "Long and hard negotiations with all parties have... have resulted in an agreement in a significant change of public policy as it relates to how we evaluate teachers and principals."

Chapa LaVia: "Correct. And those stakeholders involved to the Race to the Top and you were so gracious to spend the holiday with us, as well, Representative Eddy and were the Illinois Association of School Administrators, the Illinois Association of School Boards, the Illinois Association of School Business Officials, the Illinois Principals Association, the IEA, the IFT, Large Unit District Association, Chicago Public Schools and CTU."

Eddy: "Okay. So, the opposition to this has more to do with a component related to this legislation that has to do with FOIA, right?"

Chapa LaVia: "Correct. That it was..."

Eddy: "The Freedom of Information Act."

Chapa LaVia: "Correct. And you know, initially, that wasn't even a part of this Bill. We are looking at the evaluation

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portion of Race to the Top and how to strengthen our application. So, when those groups came to the table, we were amenable to listening to what negotiations would go on with them and the Attorney General's Office, not necessarily this piece of legislation."

Eddy: "Okay. And what that resulted in an exemption being added to this Bill for teachers, principals, and superintendents, those who are directly affected by the underlying legislation."

Chapa LaVia: "Correct."

Eddy: "There was a lot..."

Chapa LaVia: "By the scope of this legislation and what we're developing with the evaluations that we will protect principals, teachers and superintendents under the FOIA requirement."

Eddy: "Okay. And there was a lot of discussion as to whether or not there should be other... other public employees protected and during that time we discussed, when FOIA passed, legislative intent at the time which included a statement in transcript legislative intent that very simply states that whatever was not FOIA able at the time that the legislation that we were discussing regarding FOIA passed would still not be FOIA able. Personnel evaluation, personnel records, student records were very clearly, in legislative intent, exempted."

Chapa LaVia: "Correct. And that was part of the record of the additional FOIA Bill that was passed last year and that's in transcript of the discussion that Representative Eddy had with Speaker Madigan."

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Eddy: "So, basically... basically, this legislation does not in any way change the legislative intent of FOIA."

Chapa LaVia: "Absolutely not."

Eddy: "The legislative intent that you and I both agree on related to this Bill is that the discussion that took place directly related to the FOIA Bill, which at the time the Speaker clearly indicated, would exclude personnel records..."

Chapa LaVia: "Correct."

Eddy: "...and student records..."

Chapa LaVia: "Correct."

Eddy: "...are still considered to be exempt."

Chapa LaVia: "Correct."

Eddy: "That's your intent with this legislation is to continue to exempt those. Isn't that correct?"

Chapa LaVia: "Correct."

Eddy: "Okay. Thank you, Representative. Ladies and Gentlemen, very quickly, to the Bill. This is legislation that has the potential, if all of the safeguards work, to actually address something we should all be concerned about and that is whether or not students are learning in classrooms especially in those schools who are in the lowest five percent. Those school districts that have been identified as the lowest performing schools in the state are directly affected by this. What does it do significantly? It changes the philosophy of public policy in this state in a very simple but important way. It says that a teacher, during the evaluation process, will have as a significant portion of that evaluation as a rating whether or not kids

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are learning in their classroom and to what extent those kids are learning and other factors can be brought into that consideration. This Bill doesn't limit that. This is good public policy. I understand that there are those who still have concerns with this legislation and that there is some opposition. I agree with them. I... I would like to see more clarity to those things that they would like to see and I hope that happens. But I... I think this Bill, as it's written and the work that's gone into it, deserves favorable consideration because it provides us with the opportunity, the real opportunity, to change those schools that are lowest performing by tying teacher evaluations to student achievement. I would urge a 'yes' vote today on this piece of legislation and us to continue to work on some of the issues related to FOIA that some concerns we still have are very legitimate, but let's pass this today and work together on those fixes later."

Speaker Madigan: "Representative Jerry Mitchell."

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

Speaker Madigan: "Sponsor yields."

Mitchell, J.: "Representative, let's get to the heart of the matter. Number one, the Race to the Top is an application process."

Chapa LaVia: "Correct."

Mitchell, J.: "Several months ago the Governor of the State of Illinois determined that the P20 Council, which had been languishing for over a year because the then Governor would not appoint those people to that council realized that that

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was a Section in Race to the Top. If you don't have a problem-solving body in place, you lose points on the application. Isn't that correct?"

Chapa LaVia: "Correct."

Mitchell, J.: "And so, Governor Quinn immediately appointed those folks that needed to be appointed, our Leaders here in the House and the Senate appointed the folks. That council, the committee, is now up and running. That's part of the process is taken care of."

Chapa LaVia: "Correct."

Mitchell, J.: "Another Section under Race to the Top is principal and teacher evaluation and that basically is what we're dealing with today."

Chapa LaVia: "Correct."

Mitchell, J.: "Everybody in here I hope you understand that this is not a Bill that approves or disproves Race to the Top. Race to the Top is going to happen with or without this Bill. We simply would lose points on our application; it would not be as strong and the chances of receiving some of the federal grant money would be in jeopardy."

Chapa LaVia: "Correct."

Mitchell, J.: "But what we need to do is to look at the reform that we have in front of us. It gives the opportunity for districts to have help in reforming their teacher evaluation, principal evaluations, add in a growth model which most teacher organizations have wanted for a long time. Not only will they be judged on how they do on academic tests, but also on how much movement, how much growth that student has made under their teachership."

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Those are important aspects. We have needed to redo our evaluation system for years and years and quite frankly, every single education group, every single education group was 100 percent behind this Bill until there was some changes made to the FOIA language."

Chapa LaVia: "Correct."

Mitchell, J.: "That made the difference. The substance of the Bill has been accepted and explained that it's been needed. So, what you're voting on here is a method for Illinois to improve the way we evaluate our teachers and principals, not on whether or not we're going to take part in Race to the Top. Folks, that's going to happen with or without this Bill because that's an application process, but what we need to do is to concentrate on the evaluation system that we have. Some are good, some are not so good. We've not touched it since 1985. This will allow districts to share evaluations. Those that have good ones can then share those with districts that maybe don't... won't have such good ones. So, think about what you're voting for. You're not voting on Race to the Top and those questions from your superintendents, when they call you and say why did you vote for Race to the Top, the answer is, I voted on teacher and principal evaluation. Race to the Top is an application process that's going to happen no matter what. Whether we're successful or not is the question, but we need to do this. This is reform that's been needed for a long time. The groups have been working on this for over six months. It didn't happen overnight. And I stand in strong support of the Representative who is running this

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Bill. She is doing it for all the right reasons. Make sure you vote for it for all the right reasons. Thank you, Representative."

Speaker Madigan: "Representative Currie."

Currie: "Thank you, Speaker. For legislative intent, I would ask the Sponsor to answer two questions. Your legislation provides performance evaluations of public school teachers, principals and superintendents cannot be disclosed. What about the performance evaluations of other employ.. public employees?"

Chapa LaVia: "That portion of the legislation focused on school teachers and administrators because the focus of the entire Bill is on those individuals. We didn't address the issue of other public employees' performance evaluations because the Bill isn't about them."

Currie: "Was it your intent to suggest by omission that the performance evaluations of these other public employees could be disclosed?"

Chapa LaVia: "Not at all. Again, the only reason this legislation is limited to school teachers and administrators performance evaluations is that the entire Bill is limited to those individuals. I want to make it very clear that we did not intend to make any suggestions one way or the other about the performance evaluations of other public employees or whether they could be disclosed."

Currie: "Thank you very much."

Speaker Madigan: "Representative Rose."

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

Speaker Madigan: "Sponsor yields."

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Rose: "Representative, thank you for bringing this Bill forward. I... I got a... received a fact sheet from the State Board of Education on it and I submitted that to my 16 school districts, to their superintendents and to their... to their union representatives for comments. I will get to the substance of their comments in a minute, but one of the things that was said is that... that the evaluation... the notion evaluations were broken was apparently based upon just a handful of school districts. Do you know what school districts those were?"

Chapa LaVia: "I'm sorry. Speaker, can you... can you get a... I can't hear the Representative's question. Representative Rose, can you..."

Speaker Madigan: "Ladies... Ladies and Gentlemen, could you give your attention to Representative Chapa LaVia and Mr. Rose."

Chapa LaVia: "Can..."

Rose: "Thank you."

Chapa LaVia: "Representative, can you repeat that, please?"

Rose: "Sure. The State Board of Education put out a fact sheet indicating that the system was broken based upon the review of about three school districts. Why are we basing a policy on the impact of three school districts and what were those school districts?"

Chapa LaVia: "Well, one was Chicago, one was Elgin and then we're not sure what the third one was, but what the consensus is is that they feel that the evaluation system is not working because student performance isn't part of the evaluation."

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Rose: "How will school... small school districts with no department chairs and possibly only one teacher per grade level be evaluated?"

Chapa LaVia: "Well, they would be evaluated by every other... they'd be evaluated just the way every other school district is based by... student performance would be 50 percent of that evaluation."

Rose: "Right. But..."

Chapa LaVia: "I mean, ISBE will be coming up with a council that they... they put together, a task force if you will, or a committee that's going to be reviewing how these evaluations are actually going to look and what needs to be in them to become uniformed and standard throughout the state."

Rose: "Right. But I guess my concern... I think the concern has come back to me, again, from many of my schools that responded back to my request for information is that they are very concerned they're giving up local control in this. And Representative, and I guess to save you, I'll just proceed to my own comments. And to the Bill, Mr. Speaker. You know, as I said, I sent this out. I'm going to read a smattering of comments. Larry Lilly, Mattoon school superintendent, this RT3 stuff is so typical of what we see as the problem in Springfield. It appears RT3 is going to get rushed through the legislative process, imposed upon schools without proper vetting of the implications of it. Undoubtedly, this will become another unfunded mandate which will provide cost to the schools. That's Mattoon schools. Here is Charle... Jim Littleford at Charleston. I

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read through everything over the weekend, performance evaluation. He sent six different comments... actually, eight different comments. Who says this is broken? What basis was... was that... judgment was that made? Why are you having so few school districts? School boards continuing to erode local control, direct quote. 'The feds are controlling more and more of our educational process. The last time I checked we were a democracy, but we seem to be acquiescing to federal control.' Are we selling our souls for federal dollars? That was another comment. Keith Oates. This Bill is moving way too fast. He's the superintendent of Mahomet-Seymour Schools, one of the top school districts in downstate Illinois. Mike Shonk, superintendent of Unity School District. Also, on the Race to the Top issue, 'None of us trust this,' direct quote. There are too many unknowns at this point. How much money would we get as it trickles down or would we get any money at all?' Is this another maneuver for the state to pay its own bills? Villa Grove Schools. Villa Grove has opted not to sign the Race to the Top MOU. Monticello Schools. I'm in favor of the growth model teacher evaluation, but I believe that it will cost much more money than we will receive in RT3 funds to our districts. Arcola Schools. 'Vote 'no' for Arcola,' direct quote. Representative and to the Members of the Body, there's a 35-65 split downstate-upstate on this. And the statement was made to me by the IFT and I have absolutely no reason to... absolutely no reason to believe anything other than this to be correct that for downstate school districts we're going

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to have to spend far more in compliance in achieving RT3 status than we'll ever get back in RT3 funds. This is moving way too fast, folks, way too fast. I mean, here we are and this thing was rushed through. I got a memo from the State Board of Education late Friday, you know, I had to send it out to my school districts and I got a committee notice yesterday and we're still filing Amendments to it today. Ladies and Gentlemen, yeah, great, we may get 200 to 400 million dollars; that's wonderful. How much does it cost us to get that? What's the net dollar amount? I see the Sponsor shaking her head; she doesn't know. What's it cost to get that? How much do we have to spend to get that money? And I understand part of it is supposed to be a reimbursement of those costs. But all of my downstate school districts are telling me there's no way that they'll get back as... that they will get back as much as they have to put into it. So, I guess, if nothing else, I agree with Keith Oates that this ought to slow down, be more thoughtful, more methodical on it. And I mean, I have a close by telling the chairman of the Charleston School District Board told me last week in no uncertain terms, do not support RT3 in any way because of what it was going to do to their district. Ladies and Gentlemen, we're going spend... yeah, great, we may get some money, but first of all, it's a reimbursement. Why don't we let teachers get back to teaching? So, thank you, Mr. Speaker. I'm going to be voting 'no'."

Speaker Madigan: "Representative Monique Davis. Representative Monique Davis."

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

Speaker Madigan: "Sponsor yields."

Davis, M.: "Representative Chapa LaVia, I just have a couple of questions in reference to Chicago's ability to measure teacher achievement."

Chapa LaVia: "Right. During negotiations, CTU agreed to be able to use the... the assessment test that they are currently having for student standards, for their evaluation."

Davis, M.: "So, in other words, whatever the annual assessment test is that's what Chicago will use? Is that..."

Chapa LaVia: "They're us... they're looking to use more, but they had asked to keep that in as an option. That's being used to evaluate the student standard, the teacher standard, the principal standard."

Davis, M.: "Well, I think for the purposes of intent..."

Chapa LaVia: "Okay."

Davis, M.: "...I believe that it would be much fairer if other measures were also used based upon environment, safety, violence. The fact that a child may live here and go to school way far away, you know, and have a great distance to travel. You know, I would think they would have included in their evaluation was something like improved... improved attendance, lower truancy rates, greater parental involvement and parent conferences."

Chapa LaVia: "I agree with you because Chicago does have a totally different environment and it would be my intent that they use that in the evaluation, as well, Representative."

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Davis, M.: "Representative, at this time, is there any opposition from our union leadership?"

Chapa LaVia: "Everybody is in full support of the legislation, the initial underlying legislation. The only opposition we have is to the Section of FOIA and that is by the IFT. And it was explained to them yesterday in committee that we are protecting their members, okay, which in the scope of this piece of legislation, originally, was not part of this legislation as far as FOIA, but they were added in because they were at the table and they were adamant about the teachers being protected. And the teachers are being protected under values when we had to pick... we had to protect the principal. The principal is more protected under this legislation; we had to also protect the superintendent. So, that was the only opposition they had and that was... They are in full support of the underlying piece of legislation. It was their opposition to the FOIA portion, but some of their members are being protected. The day the Governor signs this legislation into law, their members, under this legislation, will be protected."

Davis, M.: "Thank you. To the Bill, Mr. Speaker. Of course, this being an application for the federal dollars of Race to the Top, at this point Illinois has a number of measures that meet that criteria. We have the tracking system already in place where we're tracking students from the initial into school. We may be successful in obtaining the 400 or 500 million and it will be distributed equitably across the state. You know, I had a number of reservations in reference to this legislation; however, with

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Representative Chapa LaVia's hard work and all of those involved in an attempt to solve the questionable issues, I'm going to lend my support to this legislation. And thank you for your hard work."

Speaker Madigan: "Mr. Smith."

Smith: "Thank you, Mr. Speaker. To the Bill. I rise in strong support of this legislation and I want to commend Representative Chapa LaVia and all the parties who were involved in the negotiations over the last six weeks. I know they put in a lot of time and a lot of effort and it's really unfortunate that we're in the position we are because I think all of the organizations support the underlying legislation and that is changing the way we do teacher evaluations in the State of Illinois. And that change will help our competitive nature for the Race to the Top funds. But it's important legislation irregardless of Race to the Top because it's a major change in education policy in the state by... for the first time saying that teacher evaluations will, at least in part, be based on student achievement and I think we all would agree that that makes a great deal of sense. It's unfortunate that this whole issue of the FOIA issue has become a part of this legislation. I think many of us, if not most of us, would probably support what some of the groups are trying to do with regard to changing the FOIA law we passed last spring. This is not the vehicle to do that and I'm not sure at what point that miscommunication occurred. Had I been involved, I think I would have told them from the beginning that really they should be two different issues

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and two different Bills. Please don't be confused by that. This Bill is good public policy. It's good for education. It's good for our state. Yes, it is good in terms of putting us in the running for Race to the Top, which I would remind folks, there's some skepticism about federal education reform programs, but unlike No Child Left Behind this is a reform measure that is going to be backed up with a significant amount of money. And if indeed we can be successful, we're talking about upwards of 400 to 500 million dollars to assist the State of Illinois in educating the young people of our state and that really is what this is all about. It's not so much about teacher evaluations, in the long run, it's not so much about FOIA. It's about the kids of Illinois and about their education. And if we can do with this legislation something to improve our education system in the state, then we should support that. I commend the Lady for her work on this. I think this is a significant step forward. And I commend all of the organizations who came together, who support the underlying language of this legislation. And I would encourage you to vote 'yes' to move Illinois forward, to move education in Illinois forward and to vote 'yes' for the children of our state."

Speaker Madigan: "Mr. Jefferson."

Jefferson: "Thank you, Mr. Speaker. To the Bill. I rise in support of this Bill. I had a conversation with my superintendent on last night at the education... my committee education committee and they were very much in support of this along with a lot of the board members. It's a good

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piece of legislation. Our responsibility is to be responsible to the children that we represent in our perspective districts. I think this is a good piece of legislation. It's doing a lot of things that we need for it to do. So, I just want to rise in support of this Bill. Thank you."

Speaker Madigan: "Mr. Black."

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

Speaker Madigan: "Sponsor yields."

Black: "Representative, I... I'm a little confused. The previous speaker said this wasn't about evaluation; it was about Race to the Top and money for education. I read this Bill and the only thing I see in here basically is an evaluation procedure which may be part of the application to Race to the Top."

Chapa LaVia: "Correct."

Black: "That's all... that's all that's in this Bill, right?"

Chapa LaVia: "Correct, Sir."

Black: "It doesn't have anything to do with... with Race to the Top, who gets the money, how you file an application, da, da, da, da, da, da. It simply deals with evaluation, how that will mesh with an application to Race to the Top. And let me ask you a question. I'm sure it's been already asked, but it's hard to hear in here. Those evaluations are not subject to a Freedom of Information Act request."

Chapa LaVia: "Correct."

Black: "In other words, they remain confidential."

Chapa LaVia: "Correct."

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Black: "What... The only thing that bothers me about that, I guess, is you're taking the bottom five percent of schools initially and if the evaluation on a teacher is so negative and no student in his or her classroom meets or even comes close to meeting state standards for reading, then what's done with that negative evaluation?"

Chapa LaVia: "Well, it's used... by the principals and superintendents as far as remediation depending on how they score on their evaluation. What... they... satisfactory, above satisfactory and they're remediated at that point where they're giving... given more teaching more mentoring, trying to bring their grade level up, if you will. And if they don't, then from that there could be another process of termination eventually."

Black: "All right. That's a question, as a former teacher and my wife a retired teacher, let me ask you because this has been asked of me. Is this simply an expedited way to terminate what the administration considers to be an ineffective teacher?"

Chapa LaVia: "No... no Sir, not at all. In the scope of this, what we try to do with a teacher that's underperforming, if you will, is give them a mentor system to allow them to become a better teacher. Given them the tools, they could be a great teacher..."

Black: "Okay."

Chapa LaVia: "...and did not have the tools. So, there... it'd be a definite period of trying to help them to become that successful teacher they want to become."

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Black: "So, it still gives all due process rights to a teacher with a very negative evaluation?"

Chapa LaVia: "Correct, Sir."

Black: "All right. Thank you very much."

Speaker Madigan: "Representative Chapa LaVia to close."

Chapa LaVia: "Thank you, Speaker Madigan and Members of the House for the discussion. I just want to go through a couple points. One of the Representatives stated earlier that, you know, we're going to have to pay money out for this program, the Race to the Top. That's... that's not true. And local control is still there. These teachers have to be evaluated anyway. What we are adding into the evaluation is a student performance. That's what's being placed in there. Right now, the local school boards have the... have the authority to do that. We're just adding in another piece to the evaluation which would make up 50 percent of that evaluation. Student standards, yeah, isn't that unbelievable. We put that in an evaluation for a teacher and we wonder why we're in the lower 40 percent of the performing schools throughout the country. Okay. The other is, once again, the IFT supported the original Bill. The only issue they have issue is with the FOIA portion. They were at the table; they supported the initial Bill until we changed it at the very end and some of their members are protected. The day the Governor signs this Bill into law the teachers are protected and... and we don't, once again, we don't even pay anything for this. We're trying to put this into the portion of our application for Race to the Top, which is due on January the 19 and that is

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the little bit of the rush. No school district has to be forced into doing this at this point. The MO... MOUs are out there. Quite a few districts are onboard. We're at 340 as of 11:30 this morning. And for those superintendents that still don't understand what's going on, I would ask them to please call me. I will read the Bill to them 'cause nowhere does it say in this Bill that we're taking away their control and that's just absolutely not true in this Bill. It's an amazing, very important piece of legislation. I worked here for 8 years with all of you amazing people and I know there's people that have been here over 20 years that have tried to accomplish something to the affect of this evaluation and making sure that students standard performance is part of the evaluation. I would appreciate an 'aye' vote. Please remember it's always... it's always been about the children of the state and being able to afford them a better education with the tools and afford the teachers better tools to become amazing teachers. I would request an 'aye' vote. Thank you."

Speaker Madigan: "The question is, 'Shall this Bill pass?' Those in favor signify by voting 'yes'; those opposed by voting 'no'. Have all voted who wish? The Clerk shall take the record. On this question, there are 74 people voting 'yes', 37 people voting 'no'. This Bill, having received a Constitutional Majority, is hereby declared passed. Mr. Black."

Black: "Mr. Speaker, may I rise to a point of personal privilege?"

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Speaker Madigan: "State your point."

Black: "Thank you very much. Mr. Speaker and Ladies and Gentlemen of the House, if I could have your attention for just a brief moment. From time to time, staff decides to leave us. I have no idea why anybody would want to leave this stress free environment and go somewhere else. But the lovely and talented floor assistant and the keeper of all of the official Republican House records has decided to take up a career in lobbying. She's going to work for, I believe, it's AmerenIP in the alternative energy department. So, if you would, welcome and wish well to one of our staffers that has been around a long time, the lovely and talented Betsey offshore Drilling."

Speaker Madigan: "But Mr. Black, since we have you standing, we'd like to go to the matter of Mr. Acevedo with a Motion to suspend the posting requirements on House Resolution 809. Mr. Black."

Black: "Mr. Speaker, every once in a while somebody on your side of the aisle comes up with just a jim-dandy idea and I want to be a cosponsor and we will waive whatever is necessary so this Resolution can be heard and what an absolute gem. It's not as good as the David Ellis book, but it works pretty darn close. So, I... whatever the Representative wants, I stand in agreement, but as you've seen I'm generally the only 'no' vote on my side of the aisle, so I don't know that my... my word is good on this. But I think it will be in this case."

Speaker Madigan: "So, the question is on the Motion of Mr. Acevedo to suspend the posting requirements on HR809, 'Is

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there leave?' Leave is granted. On page 2 of the Calendar, on the Order of Senate Bills-Second Reading, there appears Senate Bill 616. Mr. Clerk, what is the status of the Bill?"

Clerk Mahoney: "Senate Bill 616 has been read a second time, previously. Amendment #1 was adopted in committee. No Floor Amendments. No Motions filed."

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

Clerk Mahoney: "Six Bill... Senate Bill 616, a Bill for an Act concerning education. Third Reading."

Speaker Madigan: "Representative Chapa LaVia."

Chapa LaVia: "Thank you, Speaker and Members of the House. Senate Bill 616 amends the statute and School Code governing alternative certification programs especially a low... allow... I'm sorry... allow nonprofit and these example, Teach for America, to develop and operate an alternative certification program independent of institutions of higher ed. The U.S. Department of Education has emphasized alternative certification as a priority including the ability of nonprofits to offer alternative certification without being tied directly to higher educational institutions. Currently, nonprofit entities can partner with higher education institutions to offer alternative certification program, but cannot offer a program of its own. The change in SB615 would require the nonprofits go through the same rigorous process... they'd have to go through the same rigorous process to become an approved provider that higher education institutions have to go

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through. The legislation does not prohibit a nonprofit entity from continuing to partner with a higher education institution. All other requirements and standards for alternative certification programs will be the same whether or not nonprofit *REVIEW* offers its own program. Partners with higher education or if higher education offers its own program. These changes would add rigor to the nonprofit programs offering alternative certification because now, instead of just partnering with the approved higher education's institutions program, the nonprofit itself will be recognized as the entity that can offer an alternative certification program and meet all the requirements to show how the program is.. it meets the standards including curriculum. And Senate Bill 616's alternative certification reasons for the data collection are to be determined that such programs are beneficial and identify the below information: attractive air *REVIEW*, length of teacher time stayed in the system, track the duration of how long an educator remains in the classroom setting, length of stay for mid-career people, number of applicants, what the data collected to attract these educators once they graduate from programs to identify whether they are employed, number who leave prior to the two-year commitment, i.e., leaves district without teacher for the class, district loss time, money invested in person, do they have an adduction mentoring program and if so what type of program is it, identify how many schools in Illinois employ alternative certification teachers. Data

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collected for alternative certification can be addressed in part 25 certification. I'll take any questions."

Speaker Madigan: "Mr. Eddy."

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

Speaker Madigan: "The Sponsor yields."

Eddy: "Representative, we already have an alternative certification program in the state."

Chapa LaVia: "Correct."

Eddy: "This would not change in any way, shape or manner the quality components or the requirements of the existing alternative certification program."

Chapa LaVia: "Correct."

Eddy: "This simply, to my understanding, would expand those who can deliver that same quality type of program to include private nonprofits."

Chapa LaVia: "Correct."

Eddy: "That's... that's pretty much it, pretty simple."

Chapa LaVia: "Pretty simple and there's no opposition."

Eddy: "No opposition. Nothing in there that... Okay. Well, I appreciate that. And I think this is... this is also something important to gain a few points, I hope, in the RTT application. Is that right?"

Chapa LaVia: "Correct."

Eddy: "Okay. Well, thank you. I hope everybody votes for this. This is a... this is helpful to bring us teachers to the classroom and a good piece of public policy. Thank you."

Chapa LaVia: "Thank you."

Speaker Madigan: "Mr. Jerry Mitchell."

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

Speaker Madigan: "Sponsor yields."

Mitchell, J.: "Representative, you said there was no opposition to this particular Bill. This allows the nonprofits, the private enterprise, to get into the business of helping to certify those that would like to have a superintendent's endorsement or a principal's endorsement."

Chapa LaVia: "Correct."

Mitchell, J.: "And this is one that they have sought for quite some time and again, without the Race to the Top, this is still good legislation simply because we have come together even those public entities don't have a problem with sharing the alternative certification route."

Chapa LaVia: "Correct."

Mitchell, J.: "So, when you get that kind of agreement, Ladies and Gentlemen, this one... this is one that's very simple and very easy for you to vote for simply because it's what the education community wants. I urge an 'aye' vote. Thank you."

Chapa LaVia: "Thank you."

Speaker Madigan: "Representative Chapa LaVia... Excuse me. Mr. Reis. Mr. Reis."

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

Speaker Madigan: "Sponsor yields."

Reis: "Representative, I think the third time's a charm today. When were you added as a Sponsor to this Bill?"

Chapa LaVia: "Yesterday morning in committee or yesterday afternoon, I'm sorry."

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Reis: "Our computer says that you were added today. The third time's a charm. Representative, I voted 'no' yesterday in committee because I didn't have a chance to read the Bill. I looked through it today and because I've looked through it and now that you're a Sponsor, I'll be supporting your Bill today."

Speaker Madigan: "Representative Chapa LaVia to close."

Chapa LaVia: "I... I... I can't. I'm speechless. Please vote 'yes'."

Speaker Madigan: "Those in favor of the Bill vote 'yes'; those opposed vote 'no'. Have all voted who wish? Have all voted who wish? The Clerk shall take the record. On this question, there are 112 people voting 'yes', 0 voting 'no'. This Bill, having received a Constitutional Majority, is hereby declared passed. Representative Currie on House Joint Resolution 81."

Currie: "Thank you, Speaker. This is the Resolution that will authorize the Governor to come before us tomorrow in a Joint Session with the Senate to deliver the State of the State message. I'd appreciate your support."

Speaker Madigan: "Those in favor of the Resolution vote 'aye'... say 'aye'; those opposed say 'no'. The 'ayes' have it. The Resolution is adopted. Mr. Pritchard on a point of personal privilege."

Pritchard: "Thank you, Mr. Speaker. I'd just like to invite everyone to renew or perhaps join the Legislative Education Caucus. We're having a reception tonight at 6 p.m. at the State Board of Education and the refreshments tonight will be complimentary of the Illinois School Management

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Alliance. So, it'll be a good time to talk about education legislation this next Session. I encourage all of you to come to the State Board of Education offices. See me if you need to see their directions. Thank you."

Speaker Madigan: "Representative May."

May: "Yes. I have an announcement also. I invite everyone to the first meeting of our Environmental Caucus this Session, 5 p.m., C-1 at the Stratton. Green Caucus Members were notified, but we welcome everyone. Thank you."

Speaker Madigan: "Mr. Clerk on Agreed Resolutions."

Clerk Mahoney: "On the Order of Agreed Resolutions is House Resolution 742, offered by Representative Mulligan. House Resolution 743, offered by Representative Mulligan. House Resolution 744, offered by Representative Mulligan. House Resolution 745, offered by Representative D'Amico. House Resolution 746, offered by Representative Reis. House Resolution 747, offered by Representative Farnham. House Resolution 748, offered by Representative Chapa LaVia. House Resolution 749, offered by Representative Cross. House Resolution 750, offered by Representative Cross. House Resolution 752, offered by Representative Chapa LaVia. House Resolution 753, offered by Representative Dunkin. House Resolution 754, offered by Representative Crespo. House Resolution 755, offered by Representative Farnham. House Resolution 756, offered by Representative Crespo. House Resolution 757, offered by Representative William Davis. House Resolution 758, offered by Representative Howard. House Resolution 759, offered by Representative Howard. House Resolution 760, offered by

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Representative Turner. House Resolution 761, offered by
Representative William Davis. House Resolution 763,
offered by Representative McCarthy. House Resolution 764,
offered by Representative Flider. House Resolution 767,
offered by Representative Beiser. House Resolution 769,
offered by Representative Dunkin. House Resolution 770,
offered by Representative Crespo. House Resolution 771,
offered by Representative Phelps. House Resolution 773,
offered by Representative Colvin. House Resolution 774,
offered by Representative Howard. House Resolution 775,
offered by Representative Black. House Resolution 776,
offered by Representative D'Amico. House Resolution 777,
offered by Representative Dunkin. House Resolution 778,
offered by Representative D'Amico. House Resolution 779,
offered by Representative D'Amico. House Resolution 780,
offered by Representative D'Amico. House Resolution 781,
offered by Representative Lyons. House Resolution 782,
offered by Representative Farnham. House Resolution 783,
offered by Representative Farnham. House Resolution 784,
offered by Representative Lyons. House Resolution 785,
offered by Representative Bellock. House Resolution 766
(sic-786), offered by Representative Pihos (sic-Farnham).
House Resolution 787, offered by Representative Farnham.
House Resolution 788, offered by Representative Smith.
House Resolution 789, offered by Representative Flider.
House Resolution 791, offered by Representative Bellock.
House Resolution 793, offered by Representative Cole.
House Resolution 794, offered by Representative Black.
House Resolution 795, offered by Representative Sente.

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House Resolution 796, offered by Representative Sente.
House Resolution 798, offered by Representative Farnham.
House Resolution 790 (sic-799), offered by Representative
(sic-Brady) Dunkin. House Resolution 800, offered by
Representative Howard. House Resolution 801, offered by
Representative Franks. House Resolution 802, offered by
Representative Howard. House Resolution 804, offered by
Representative Washington. House Resolution 806, offered
by Representative Howard. House Resolution 807, offered by
Representative Howard. House Resolution 808, offered by
Representative Verschoore. House Resolution 810, offered
by Representative Cole. House Resolution 811, offered by
Representative William Davis. House Resolution 812,
offered by Representative Jim Watson. House Resolution
813, offered by Representative Beaubien. House Resolution
814, offered by Representative Cross. House Resolution
815, offered by Representative Black."

Speaker Madigan: "You've all heard the Agreed Resolutions.
Those in favor say 'aye'; those opposed say 'no'. The
'ayes' have it. The Agreed Resolutions are adopted. Mr.
Clerk, for committee announcements."

Clerk Mahoney: "Committee announcements. Immediately following
Session the Health Care Availability & Accessibility
Committee will meet in Room 122B. The Executive Committee
will meet immediately following Session in Room 118. The
Environment & Energy Committee will meet in Room C-1
immediately following Session. The Medicaid Reform, Family
& Children Services will meet in Room 114. State Care...

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Government Administration will meet in Room D-1. At 5 p.m. the Environmental Caucus meets in Room C-1."

Speaker Madigan: "The Chair is prepared to adjourn. Representative Currie moves the House stand adjourned until Wednesday, January 13 at 10 a.m., allowing perfunctory time for the Clerk. Those in favor say 'aye'; those opposed say 'no'. The 'ayes' have it. The House does stand adjourned until Wednesday, January 13 at 10 a.m., providing perfunctory time for the Clerk."

Clerk Mahoney: "House Perfunctory Session will come to order. Committee Reports. Representative Barbara Flynn Currie, Chairperson from the Committee on Rules, reports the following for January 12, 2010, 'approved for floor consideration' is a Motion to Concur in Senate Amendments 1, 2 and 3 to House Bill 1188. Representative Holbrook, Chairperson from the Committee on Environment & Energy, reports the following on January 12, 2010, 'recommends be adopted' is House Resolution 655 and Motion to Concur in Senate Amendments 1 and 2 to House Bill 2688. Representative Lyons, Chairperson from the Committee on Executive, reports the following on January 12, 2010, 'recommends be adopted' is Senate Joint Resolution 74. Representative Franks, Chairperson from the Committee on State Government Administration, to which the following measure/s was/were referred on January 12, 2010, 'recommends be adopted' House Resolution 809. Introduction and reading of House Bills-First Reading. House Bill 4772, offered by Representative Black, a Bill for an Act concerning elections. House Bill 4773, offered by

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Representative Soto, a Bill for an Act concerning education. House Bill 4774, offered by Representative Lang, a Bill for an Act concerning transportation. House Bill 4775, offered by Representative Lang, a Bill for an Act concerning transportation. House Bill 4776, offered by Representative Lang, a Bill for an Act concerning criminal law. House Bill 4777, offered by Representative Moffitt, a Bill for an Act concerning revenue. House Bill 4778, offered by Representative Moffitt, a Bill for an Act concerning transportation. House Bill 4779, offered by Representative Moffitt, a Bill for an Act concerning transportation. House Bill 4780, offered by Representative Chapa LaVia, a Bill for an Act concerning education. House Bill 4781, offered by Representative Colvin, a Bill for an Act concerning debt settlement. House Bill 4782, offered by Representative Mautino, a Bill for an Act concerning insurance. House Bill 4783, offered by Representative Cole, a Bill for an Act concerning business. House Bill 4784, offered by Representative Cole, a Bill for an Act concerning revenue. House Bill 4785, offered by Representative Cole, a Bill for an Act concerning business. House Bill 4786, offered by Representative Zalewski, a Bill for an Act concerning public employee benefits. House Bill 4787, offered by Representative Zalewski, a Bill for an Act concerning public employee benefits. House Bill 4788, offered by Representative Zalewski, a Bill for an Act concerning the public employee benefits. House Bill 4789, offered by Representative Zalewski, a Bill for an Act concerning public employee benefits. House Bill 4790,

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offered by Representative Zalewski, a Bill for an Act concerning public employee benefits. House Bill 4791, offered by Representative Zalewski, a Bill for an Act concerning public employee benefits. House Bill 4792, offered by Representative Zalewski, a Bill for an Act concerning public employee benefits. House Bill 4793, offered by Representative Zalewski, a Bill for an Act concerning public employee benefits. House Bill 4794, offered by Representative Zalewski, a Bill for an Act concerning public employee benefits. House Bill 4795, offered by Representative Lang, a Bill for an Act concerning liquor. House Bill 4796, offered by Representative DeLuca, a Bill for an Act concerning transportation. House Bill 4797, offered by Representative Mautino, a Bill for an Act concerning revenue. House Bill 4798, offered by Representative Mautino, a Bill for an Act concerning corrections. House Bill 4799, offered by Representative Beaubien, a Bill for an Act concerning revenue. House Bill 4800, offered by Representative Black, a Bill for an Act concerning government. House Bill 4801, offered by Representative Burke, a Bill for an Act concerning criminal law. House Bill 4802, offered by Representative Burke, a Bill for an Act concerning local government. House Bill 4803, offered by Representative Hatcher, a Bill for an Act concerning finance. House Bill 4804, offered by Representative Reitz, a Bill for an Act concerning State Government. House Bill 4805, offered by Representative Graham, a Bill for an Act concerning public health. House Bill 4806, offered by Representative Senger,

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a Bill for an Act concerning education. House Bill 4807, offered by Representative Ramey, a Bill for an Act concerning criminal law. House Bill 4808, offered by Representative Winters, a Bill for an Act concerning revenue. House Bill 4809, offered by Representative Sacia, a Bill for an Act concerning public aid. House Bill 4810, offered by Representative Sacia, a Bill for an Act concerning public aid. House Bill 4811, offered by Representative Sacia, a Bill for an Act concerning revenue. House Bill 4812, offered by Representative Sacia, a Bill for an Act concerning animals. House Bill 4813, offered by Representative Sacia, a Bill for an Act concerning business. House Bill 4814, offered by Representative Froehlich, a Bill for an Act concerning local government. House Bill 4815, offered by Representative Pritchard, a Bill for an Act concerning local government. House Bill 4816, offered by Representative Acevedo, a Bill for an Act concerning revenue. House Bill 4817, offered by Representative Soto, a Bill for an Act concerning insurance. House Bill 4818, offered by Representative Sacia, a Bill for an Act concerning local government. House Bill 4819, offered by Representative Miller, a Bill for an Act concerning finance. House Bill 4820, offered by Representative Davis, William, a Bill for an Act concerning transportation. House Bill 4821, offered by Representative Black, a Bill for an Act concerning elections. House Bill 4822, offered by Representative Black, a Bill for an Act concerning criminal law. House Bill 4823, offered by Representative Harris, a Bill for an Act concerning

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revenue. House Bill 4824, offered by Representative Eddy, a Bill for an Act concerning education. House Bill 4825, offered by Representative Flowers, a Bill for an Act concerning courts. House Bill 4826, offered by Representative Davis, William, a Bill for an Act concerning public employee benefits. House Bill 4827, offered by Representative Davis, William, a Bill for an Act concerning public employee benefits. House Bill 4828, offered by Representative Rita, a Bill for an Act in relation to public employee benefits. House Bill 4829, offered by Representative Rita, a Bill for an Act in relation to public employee benefits. House Bill 4830, offered by Representative Rita, a Bill for an Act in relation to public employee benefits. House Bill 4831, offered by Representative Rita, a Bill for an Act in relation to public employee benefits. House Bill 4832, offered by Representative Rita, a Bill for an Act concerning public employee benefits. House Bill 4833, offered by Representative Rita, a Bill for an Act in relation to public employee benefits. House Bill 4834, offered by Representative Rita, a Bill for an Act in relation to public employee benefits. House Bill 4835, offered by Representative Reis, a Bill for an Act concerning criminal law. House Bill 4836, offered by Representative Reis, a Bill for an Act concerning State Government. House Bill 4837, offered by Representative Reis, a Bill for an Act concerning local government. House Bill 4838, offered by Representative Black, a Bill for an Act concerning regulation. House Bill 4839, offered by Representative

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Lang, a Bill for an Act concerning civil law. House Bill 4840, offered by Representative Black, a Bill for an Act concerning transportation. And House Bill 4841, offered by Representative Bost, a Bill for an Act concerning finance. There being no further business, the House Perfunctory Session will stand adjourned."