

STATE OF ILLINOIS
96th GENERAL ASSEMBLY
HOUSE OF REPRESENTATIVES
TRANSCRIPTION DEBATE

106th Legislative Day

3/3/2010

Speaker Mautino: "The hour of 12:00 having arrived, the House will be in order. Members and guests are asked to refrain from starting their laptops, turn off all cell phones, and rise for the invocation and Pledge of Allegiance. We shall be led in prayer today by Pastor Donald R. Limmer, who is the Naperville Congregational... who is with the Naperville Congregational Church in Naperville, Illinois. Pastor Limmer is the guest of Representative Connelly."

Pastor Limmer: "Let us pray. Oh Lord God, there is no God like You in Heaven above or earth beneath, keeping covenant and showing loving kindness to those who walk before You with all their heart. Your eyes are always upon this place. See with Heaven's eyes and hear with Heaven ears, then grant that we may hear what Heaven is telling us and know when You are indeed speaking to us. So, also may we... may Your ears be inclined toward this House night and day toward the place where these servants govern. Listen to the prayers which Your servants offer, these servant leaders among the people of Illinois, here in Heaven, Your dwelling place here and be gracious. Grant today that we may rise above the things seen and temporal and be brought to see the matters of this state as You see them. Allow us to see the needs of our fellow citizens only as You see them. Oh Lord, strengthen us this day to take up the burdens of the day. We ask, You, Oh Lord, to regard each of us this morning... this day, and grant to us, according to all the variety of our character and condition, the gifts You most see we need, then help us to recognize and to seize those gifts that you design and grant that we

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comprehend that they are not for our own happiness and pleasure but that using these gifts wisely we do so to bring good to our fellow citizens. Go with us then, Oh God, and with us into our conflicts, our struggles and toils that we may rightly assess when to stand for just principles. Convict us when we stand only for self-preservation. Go with us to our times of enjoyment, pleasure and gladness that we might easily give You thanks. God, we pray for the cities, villages, and crossroad towns we represent, for all who serve in those public domains, for all who seek this day to bless their fellows, for all earnest workers and those who yearn for honest work. We pray that in the business of this House this day, motives may be purified and elevated, methods may be wise and suitable and that Your blessing would come upon those who lead this Assembly through the days business. We particularly lift up individuals among us in this honored Body, that You would be near those who are facing unusual circumstances and difficulties. If there are any among us who are in sorrow or trouble, any from whom have been taken earthly treasures, any who have been brought near to the gates of death, any who are laden with anxiety, help these to cast their burdens upon You, Oh Lord, for You are willing to bear their burdens and give grace to those who are weary and heavy laden, and who will turn to You. Grant now that we pray for forgiveness also for all that has been amiss in our service and that You will give the consciousness of Your presence and the seeking of your

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favor dominant control of these proceedings. To You we give all glory, Amen."

Speaker Mautino: "We'll be led in the Pledge of Allegiance today by Representative Washington."

Washington - 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 Mautino: Roll Call for Attendance. The Gentleman from Jackson, Representative Bost."

Bost: "Thank you, Mr. Speaker. Let the record reflect that all Republicans are present today and ready to do the work of the people."

Speaker Mautino: "Majority Leader Currie."

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

Speaker Mautino: "Mr. Clerk, take the record. 116 voting 'present', a quorum is present and the House is prepared to do its work. Mr. Clerk."

Clerk Mahoney: "Committee Reports. Representative Jakobsson, Chairperson from the Committee on Human Services reports the following committee action taken on March 3, 2010: do pass Short Debate is House Bill 4825, House Bill 5279, House Bill 5326, House Bill 5357, House Bill 5696, House Bill 5765, House Bill 5930, House Bill 6103; do pass Standard Debate House Bill 5950; do pass as amended Short Debate is House Bill 5350; do not pass House Bill 5785. Representative Burke, Chairperson from the Committee on Executive to which the following committee action was taken

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on March 3, 2010: do pass as amended Short Debate is House Bill 5210; do pass Short Debate is House Bill 5437, House Bill 5480, and House Bill 5495. Representative Smith, Chairperson from the Committee on Elementary & Secondary Education reports the following committee action taken on March 3, 2010: do pass Short Debate is House Bill 6017; do pass as amended Short Debate is House Bill 6041. Representative D'Amico, Chairperson from the Committee on Vehicle Safety reports the following committee action taken on March 3, 2010: do pass Short Debate is House Bill 4769, House Bill 6094, House Bill 6148, House Bill 6177; do pass as amended Short Debate is House Bill 162, House Bill 4580 and House Bill 6151. Representative Reitz, Chairperson from the Committee on Health Care License reports the following committee action taken on March 3, 2010: do pass Short Debate is House Bill 5917, House Bill 5996; do pass as amended Short Debate House Bill 5744, House Bill 5783 and House Bill 5890. Representative Fritchey, Chairperson from the Committee on Judiciary-Civil Law reports the following committee action taken on March 3, 2010: do pass Short Debate is House Bill 5290, House Bill 5351, House Bill 5485, House Bill 5539, House Bill 5976 and House Bill 6231; do pass as amended Short Debate is House Bill 4658, House Bill 5055, and House Bill 5523."

Speaker Mautino: "Mr. Clerk, page 16 of the Calendar appears House Joint Resolution 108. The Majority Leader Currie."

Currie: "Thank you, Speaker. This is just the Resolution inviting the Governor to come to give us his Budget Message next week and I would appreciate your support."

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Speaker Mautino: "The Lady's moved adoption of House Joint Resolution 108. All in favor say 'yes'; opposed 'no'. In the opinion of the Chair, the 'yeses' have it. And the House Joint Resolution 108 is adopted. On page 18 of the Calendar appears the Motions in Writing. What the Chair would like to do with these is take the following Motions on these Bills with one vote: House Bill 636, House Bill 4838, House Bill 4840, House Bill 4878, House Bill 4967, House Bill 5118, House Bill 5121, House Bill 5136, House Bill 5971, House Bill 5982, House Bill 6057, House Bill 6294, House Resolution 352, and House Resolution 552. The Motion is to table the aforementioned Bills. Is there leave? Leave is granted. All in favor say 'yes'; opposed 'no'. And the aforementioned Motions and Bills are tabled. The intent of the Chair is to go to Third Readings, which are appearing on page 8 of the Calendar. If Members would take a look at their Calendar, we'll be going down in numerical order of the Bills. Be prepared when you're called on. Page 8 of the Calendar, appears House Bill 1026, Representative Gordon. Read the Bill."

Clerk Mahoney: "House Bill 1026, a Bill for an Act to amend the Open Meetings Act in changing Section 1.02. Third Reading of this House Bill."

Speaker Mautino: "Representative Gordon."

Gordon, C.: "Thank you, Mr. Speak... Thank you, Mr. Speaker. House Bill 1026 is a Bill that I filed last Session. It truly to me is... is some commonsense legislation. Right now, Metropolitan Enforcement Groups which are what we consider our undercover drug enforcement groups, which are

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all over the state. They deal with methamphetamine, they deal with crack cocaine, they deal with heroin, whichever is the major problem in the areas that we deal with. Right now, they are considered public bodies and public entities as defined by the Open Meetings Act. So, that would mean that if these Metropolitan Enforcement Groups, which are either multi-jurisdictional or between more than one law enforcement agency within one county, across several counties, if they want to meet and talk about the different cases that they have, the different informants that they have, perhaps they have information on cases that they could share, they would have to follow all of the rules of the Open Meetings Act, which means they would have to post it, they would have to have an agenda, which means then that the people who are... they are trying to arrest and keep from spreading drugs, in our communities, would know exactly who is in the undercover drug groups. They would be able to come to the meetings and they would know exactly what they were up to. To me, that's completely ruins the purpose of having an undercover drug enforcement group. Now, as we know, with these undercover drug enforcement groups, they are monitored when they come to court. When the arrests are made, the judiciary reviews them completely. If they ever go in for search warrants, if they ever go in for eavesdrop, they're held to a higher standard. I would like to exempt them from the Open Meetings Act. The Press Association is the only one who is against this group... is against this Bill, for the purpose that they don't like to touch the Open Meetings Act. There

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are three other exemptions and only three exemptions to this... to the Open Meetings Act. They did give me a... an Amendment, I read it, I finally understood it. I don't like it. I'm sorry. And we played... I played phone tag with the Press Association and so I... I did decide to move the Bill. I'd be happy to answer any questions, but I would ask for your support on something that I believe is common sense, and something that I do believe that we desperately need to do. Law enforcement obviously is in support of this as well as several of our municipalities and our local law enforcement groups. Thank you."

Speaker Mautino: "The Lady moves passage of House Bill 1026. And on that question, the Gentleman from Crawford, Representative Eddy."

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

Speaker Mautino: "She indicates she will."

Eddy: "Hi, Representative.

Gordon, C.: "Hi."

Eddy: "Just... just a couple of quick questions. The MEG is..."

Gordon, C.: "Metropol..."

Eddy: "This multijurisdictional law enforcement task force, basically."

Gordon, C.: "Right. It stands... it stands for Metropolitan Enforcement Group."

Eddy: "Right. They... they could, if... if they're under the requirements of the Open Meetings Act could they go into closed session as the Meeting Act allows them, to discuss these individual type situations that are sensitive, while

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still maintaining some type of public openness for the rest of their meetings. Could they... could they do it that way?"

Gordon, C.: "Right. But they would still have to post their meetings, and you could still watch who comes in and out the door and they would then meet and announce, 'now we're going into closed session, just like they would in a school board or anything else. So, you could still go in and see who's in the Metropolitan Enforcement Group."

Eddy: "So, the issue is, the fact that..."

Gordon, C.: "Finding out who's in the undercover drug group."

Eddy: "Okay. And... and then those people..."

Gordon, C.: "It's... it's just a illogical, Representative, you know."

Eddy: "Okay. So... so, those people who are going to the meetings are..."

Gordon, C.: "Could be the drug guys."

Eddy: "undercover agents and the type of enforcement officials that we need to keep secret?"

Gordon, C.: "Exactly. You... you would hope those would be the only people going to the meetings. The problem is, is that, you know, the guys selling drugs could be the ones showing up to the meetings. And then they would find out, hey, I sold you drugs last week and all of a sudden the cover's blown, and that's it."

Eddy: "Who's... who's on the board?"

Gordon, C.: "...and all of a sudden their identity comes out. There's different mayors on the board, there's police chiefs on the board. One... one of my mayors actually just happened to be down here last week and was in the room when

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I was presenting the Bill, and he... my local Mayor Channahon is on the MANS Board, which is one that Representative Reboletti and I dealt with, quite a bit when we were both in Will County. It's... it's just different people in the community."

Eddy: "Okay. And... and that's... that's why they're subject to the Open Meetings Act because there are public officials that serve or this was constituted as a result of a... of a law that requires them under the Open Meetings Act?"

Gordon, C.: "That... that's part of the reason, yes."

Eddy: "Okay. Now, the Press Association has not contacted you. You played phone tag."

Gordon, C.: "No, no they... they have contacted me. They contacted me last Session, but I... I wasn't able to move the Bill myself, and so it remained in committee. And then this Session they contacted me and they... they gave me what they suggested as an Amendment. I... I don't like it. I don't think it accomplishes what I want it to accomplish. And so..."

Eddy: "What's the Press Association's Amendment do?"

Gordon, C.: "It... it doesn't do what I want it to do. It... it does... I think the only way that we can do this... I... I personally want this to be in the Open Meetings Act cause this is where I think it needs to be addressed. Its... cause it has to deal with this specific definition."

Eddy: "Okay. So you... you believe that the best way to handle is exempt it from the Open Meetings Act completely."

Gordon, C.: "Right."

Eddy: "and they... they wanted to just..."

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Gordon, C.: "In my... in my limited legal knowledge Representative, I think that it belongs in the Open Meetings Act."

Eddy: "Okay. And... and their solution was something different than that?"

Gordon, C.: "Yah... yes."

Eddy: "Okay. All right. I'll listen to the rest of the debate. I appreciate the... the concern you have. Obviously, there... there's a public safety issue here that needs to weighed against that privacy issue. Thank you."

Gordon, C.: "Yes."

Speaker Mautino: "The Gentleman from Cook, Representative Durkin."

Durkin: "To the Bill. In a past life, I was a narcotics prosecutor with the Cook County State's Attorney's Office and I find it outrageous that the MEG Groups are subject to Open Meeting issues. The MEG Groups... they conduct the long-range investigations on narcotics in the suburban areas and also the Chicago areas. And I completely agree with you, Representative Gordon, I would encourage this Body to support your... your Bill. And... and again, I... I find it hard to believe that these types of meetings are subject to Open Meetings when they do carry the very significant law enforcement purposes about protecting our neighborhoods, but also getting into long-range investigations and also where they have to disclose what their budget issues are, which could impact certain areas of the region which may not be able to get their services

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which obviously would be then open to the public. And so,
I... I support this and I ask this Body to support the Bill."

Speaker Mautino: "The Gentleman from Cook, Representative
Fritchey."

Fritchey: "Thank you, Speaker. To the Bill, and I'll try not
to be redundant here. But to follow along the lines with
what Representative Eddy said, and I... and I would
appreciate that people pay attention to this because we are
making a very significant change, whether you agree with
this legislation or not, to the Open Meetings Act, which is
something that when we do it right is a good thing, when we
do it wrong, comes back to bite us in the pants. This is a
situation though where we could, I believe, accomplish the
goal of the Sponsor through providing exemptions from MEG
when they have to be subject to this. We have exceedingly
limited exemptions to the Open Meetings Act right now: A
Child Death Review Team, an Illinois Child Death Review
Team Executive Council, and the Ethics Commission acting
under the State Officials Employees Ethnics Act. Those are
the only exempted groups to date under the Open Meetings
Act. All of the other entities that may meet are subject
to the Act with certain exceptions that are provided for
delicate matters or executive matters. Again, you know,
what's unfortunate is this is an important Bill. Most of
you are not paying attention to this. I understand what
the Sponsor's trying to do. I believe that there are
probably ways that we could protect the safeguard and
efficacy of MEG without fully creating another wholesale

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exemption in the Open Meetings Act. And to that end I request a 'present' or a 'no' vote. Thank you."

Speaker Mautino: "Further discussion? The Gentleman from Jackson, Representative Bost."

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

Speaker Mautino: "Indicates she will."

Bost: "Representative, these... now, how many Metropolitan Enforcement Groups are around the state, do you know that?"

Gordon, C.: "Around the whole state? No, I... I don't know that number, Representative."

Bost: "But... but there are many, correct?"

Gordon, C.: "Right. And they enforce all..."

Bost: "They covered every regions and everything?"

Gordon, C.: "...different kinds of drugs. Right. And... and especially since... I mean, the placement of Illinois in this country, I mean, we've got major highways, we... we are a major drug crossroads in this country."

Bost: "Correct."

Gordon, C.: "Major highways, 55, 57, 39, 80, I mean, the number of drugs and weapons running through this state at any one time is incredible."

Bost: "Here... here's the... here's the point I'm trying to get to though."

Gordon, C.: "Okay."

Bost: "Quite often at these meetings, it might be that we exchange undercover officers between these different units, moving people from one area..."

Gordon, C.: "Yes."

Bost: "...to another, so they don't know who they are."

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Gordon, C.: "Right. And... and then they also sharing in information between groups, exactly, they can do that."

Bost: "And... and if... if we force that into an Open Meeting, it kind of compromises the idea that we would have an undercover agent. Is that what you're... what we're trying to get at here?"

Gordon, C.: "It would... it'd go against the... the complete idea of the Metropolitan Enforcement Group in... in the first place, yes."

Bost: "Thank you. And Mr. Speaker, to the Bill. I... and I think many others in this Body at different times have actually worked with these Metropolitan Enforcement Groups, and... and understand what their purpose are... is and what they do. The idea behind the Open Meetings Act is just that, for elected Officials and those people that have the... that are these public bodies to... to not do things in secret. Well, the reality is of MEG Units, they are secret in nature in the fact not in their operation because they actually give information back to the bodies in which they serve; the municipalities, the counties, all of that. But their own operation, and that's all the Lady is asking for, a sensible situation is that we do not allow these meetings to be open to where we expose and endanger these officers who are sworn to serve. Ladies and Gentlemen, it's pretty clear that this is a necessary item, and that we need to make sure that these are... these meetings are not forced to be open to the general public, because probably the most interested person in that meeting that would show up would

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be the people that were in the drug dealing business. And I stand in strong support of the Bill."

Speaker Mautino: "The Gentleman from Vermilion, Representative Black."

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

Speaker Mautino: "Indicates she will."

Black: "Thank you. Representative, when I was a county board chairman, and we had a MEG unit even back that many years ago, all of their budgetary concerns, all of the money they spent, all of the equipment they wanted, was always handled in a... an open county board meeting. Now, I... I listened very carefully to Representative Fritchey's arguments, and I have great respect for him, but when we would have a meeting with the people who were running and working in the Metropolitan Enforcement Group, it was not an open meeting. It was not an open meeting for one very simple reason. These people were generally under deep, deep cover, and had the public been able to come in and identify these people, who generally looked the part. I mean, full beards, strange dress, whatever it took to get into the drug market. If anybody...or a reporter or somebody had come in and recognized them, their effectiveness is completely gone. They might as well go back on the... on the force. And these were people usually loaned to Vermilion County from other counties, so that the people in our area didn't know them at all. I don't understand... I understand the Press Association doesn't want wholesale exemptions to FOIA, but as long as the business of MEG is conducted openly, what's...

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what's the objection if you meet with the director of MEG, or two agents of MEG with your public safety committee. What's the objection to closing that meeting?"

Gordon, C.: "Well, if you're talking about... like the county board aspect of the business, for example: what if this is about budget and what not, that... that's a separate issue, I guess..."

Black: "Right. I understand that."

Gordon, C.: "From...from what I'm talking about when... when the MEG agents are together. And... and Representative... I mean, you can... and first of all, I... I just want to... I'm sure you were a fantastic county board chairman, Representative, and... and I look up to you for that. But what I'm talking about is it... it can be... if they... a group of... of these agents are together, and it is the MEG Board. It can be the smallest detail that they're talking about and maybe it can trigger something that they may have heard from one of their informants, or it can be something, you know, that they had in one of their transactions, that can open something about a whole investigation, to say, hey, you know what, that guy's connected to this guy, and can deal with, you know some gang crime in another part of another county, or another state, or hey, I know another guy in another... in another agency or another force and it can be something completely different like that. If you've got, you know, a guy in a gang or a guy who's buying drugs, in that type situation, those are the type of, you know, meetings that we're talking about. I'm not talking about the county board and the money and the line items. We're

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talking about just the meetings of the agents. I... I am a big supporter of the First Amendment. I love the Press Association. I'm glad they're down here watching us. I... I think they're fantastic, but this is just one thing that... that I truly disagree with them on because, this to me, is just pure commonsense legislation that we need to take care of as a matter of protection. And these MEG enforcement groups, no matter where they are in the state, deal with the main problem and the main drug that they are. We've got them dealing with the methamphetamine problem. We've got them dealing with the crack cocaine problem. We've got them dealing with the huge amount and the huge bust of... of marijuana that we've seen..."

Speaker Mautino: "Please bring your remarks to your... to a close."

Black: "Yes. Thank you very much, Mr. Speaker and Ladies and Gentlemen of the House. To the Lady's Bill, and I appreciate her answer. I think my record is clear on the FOIA exemptions and I wish I had voted differently on Senate Bill 315 a week or two ago, but having served on a county board and the MEG... the MEG unit's budget was always done in open session. But if your public safety committee wanted to meet with the head of MEG or a deep cover MEG agent, that was always closed, for obvious reasons and we would sometimes meet off of county property to protect the identity of MEG agents and to protect the ongoing investigation of various drug distribution rings because anything that gets in the press that tips somebody off, you can destroy 18 months worth of investigation in one

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unsubstantiated story. I... I don't like to disagree with the Illinois Press Association. A good friend of mine, the late Senator Woodyard, told me years ago, don't pick fights with people who buy ink by the railroad car, and news print by the ton, or have video tape or audio tape and they buy it by the case 'cause you'll never win those arguments. But in this case, I think the Lady is right, and I think the Bill is deserving of a 'yes' vote."

Speaker Mautino: "The Gentleman from DuPage, Representative Reboletti."

Reboletti: "Thank you, Speaker. To the Bill. Ladies and Gentlemen, having worked with the MANS Group out of Joliet, the Metropolitan Area Narcotics Squad who covers the Grundy County and Will County area, you have numerous law enforcement agents working together to take drugs off the street. So, what this would seek to do is to telegraph every move every agent ever made in the spirit of transparency and accountability. Well, if you go to the Illinois Criminal Justice Information Authority, you can actually go on the Web site right now, and you can find out how many arrests that the MANS Group made over the last so many years. The amount of felony arrests, the amount of people that went into drug treatment based on the amount of arrests, and on, and on, and on. So, you can look at the amount of guns they recovered. Why do we need to have the press let the drug dealers know, let the gang members know, where a warrant may be executed. I've been on ride-alongs to execute a search warrant; it's a very dangerous situation. We have law enforcement agents putting their

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life on the line. And I know that Representative Gordon understands that we have undercover agents who get robbed, who get shot at, and have been killed. The last thing we want to do is let these gang members know what these agents are doing. If you want to have people end up hurt or killed, that's what going to happen under this Bill. It can't... this Bill... if we pass this Bill... don't pass the Bill, I'm sorry, but, you cannot do this. We spent time shuttling agents in and out of a court house, so that they wouldn't be made. Now, we're going to invite the press and the media and put it on the local access channel to make sure that every gang member knows who they may be selling drugs to. So, with that, I would urge an 'aye' vote. Thank you."

Speaker Mautino: "The Gentleman from Cook, Representative Miller."

Miller: "Will the Sponsor yield? Representative, I have a ques... just a question, it... it in regards to time limitations. There's a lot of concern, of course, during an ongoing investigation that the informants or the... the individuals that it may be sensitive to not be exposed. What happens after a arrest or completion of a case or... or something? Is there... is there access to that information afterwards?"

Gordon, C.: "What do you mean... what do you mean? What... I mean, if..."

Miller: "If... if the Press Asso..."

Gordon, C.: "...they're arrested and if they decide to proceed with the case depending on the type of ar... I mean, there's..."

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there's several different things that can happen, Representative. I mean, they... they can be prosecuted, they can... you know, they can decide to give information, they can... you know, I mean, they can go into drug treatment if that's the type of case that it was. I mean, all different things can happen. They can continue to build the case that... that they have."

Miller: "The previous speaker talked about exposing, I've heard, exposing those who... who are sensitive. I think we all agree upon that."

Gordon, C.: "Oh, you mean exposing... exposing the officer?"

Miller: "My... yes."

Gordon, C: "Okay."

Miller: "My concern... my concern is, is that, if the... if the officer retires, if the person... if the case is closed, if... Is there any way to access information after that fact? Is there any possible recourse to review this or... or it's kept confidential... confidential forever?"

Gordon, C.: "Well, I mean, in some cases, you know, the officers do their best to... to, you know, continue into the MEG Units as... as long as they possibly can, but we do have turnover, and you know, they do move in and out of the case, you know, sometimes you have no choice. They do have to testify. They do have to come in. But you know, we do our best to... to, you know, get the... the biggest, you know, case that you possibly can. The guy at the top, not the one who's just, you know, selling... selling on the street, but to... to move as... as much of... of the product off the street as you possibly can. And that's why they're there. And

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that's why these investigations go on so long because they're doing their best to get, you know, the worst of the worst off the street."

Miller: "No. I understand the intention. I think it's just access of information, as a sort of cornerstone of my question. Is there a possible remedy to... to review documents even if it's confidential and it deems... con... if it deems..."

Gordon, C.: "You mean like the police..."

Miller: "...sensitive... go ahead."

Gordon, C.: "...like the police reports and what? I mean, they get... they get the discovery, if there's an arrest. The defense attorneys have access to all the discovery just like they would in a regular prosecution."

Miller: "Okay. All right. Thank you."

Speaker Mautino: "The Lady's moved passage of House Bill 1026. All in favor vote 'yes'; opposed vote 'no'. Voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Mr. Clerk... Representative Burns, Hannig, Pritchard, wish to be recorded? Mr. Clerk, take the record. 103 voting 'yes', 11 voting 'no', 2 voting 'present', House Bill 1026 is declared passed. The Gentleman from Cook, Representative Ford is seeking recognition."

Ford: "Thank you, Mr. Speaker and Members of the House. I rise in... for a point of personal privilege. On behalf of Representative Yarbrough and Representative Graham, we have some visitors from our neighborhood and our districts here today. And you may have noticed them downstairs, making

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sure that our hearts are healthy and that we are in good health for kids. The Illinois Association for Health and Physical Education, Recreation & Dance, please join me in welcoming Gina Parker, which is the 2010 President. And we are all... and all of the people with the lights, thank you for coming down. And also we have a Sandy Noel, a good friend as well, a Golden Apple Teacher, and a National Elementary P.E. Teacher of the Year. And they invite you all down. Thank you."

Speaker Mautino: "Welcome to Springfield. Page 8 of the Calendar appears House Bill 2360, Representative Turner. Representative Turner, House Bill 2360. Read the Bill."

Clerk Mahoney: "House Bill 2360, a Bill for an Act concerning regulation. Third Reading of this House Bill."

Speaker Mautino: "The Gentleman from Cook, Representative Turner."

Turner: "Thank you, Mr. Speaker. This Bill would be known as the Illinois Homeowners Emergency Assistance Program Act. And this is to deal with homeowners who are faced with foreclosure, and as you know, that number keeps increasing every day. And what it does is, it makes eligible homeowners can receive a grant up to \$6 thousand or the equivalent of three months of mortgage payments, whichever is less. And I move for the adoption of House Bill 2360."

Speaker Mautino: "The Gentleman has moved passage of House Bill 2360. And on that question, the Gentleman from Crawford, Representative Eddy."

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

Turner: "Yes."

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Speaker Mautino: "He indicates he will."

Turner: "Yeah."

Eddy: "Representative, can... can you tell me how we're going to pay for this?"

Turner: "Well, it would only be if we've got money available, so there... You know, we've got time to figure it out. But it basically, this would subject to appropriation, and if in fact, there is appropriation available, it would be a capped at a total of \$3 million. But right now, there is no funding out there. We want to put the program in place, so that if, in fact, as we're discussing finances between now and the end of this calendar year, we can make it happen."

Eddy: "Well Representative, with all due respect to programs that are subject to appropriation, I think that based on what appears to be a budget that is, by some counts, \$13 billion out of whack, that... that this is an exercise in futility, because the chances of seeing any money in this line item are pretty slim and why establish the program if there's no chance that it's going to be funded?"

Turner: "Now, you're saying there's no chance. I think there is a chance. And so, that's why we're pushing the program."

Eddy: "Okay."

Turner: "You know, if it doesn't happen, then it doesn't happen."

Eddy: "Well, and... and I think that's where... I think that's where we're going maybe just disagree. The fact that... that there is a possibility, once we establish these lines for

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some appropriation, is exactly what is... what is the concern. Once the program is established, there is a line item that might be appropriated at a time when we absolutely don't have any funds to appropriate to any new line item. So, if you believe that... that we appropriate enough money in the State of Illinois, that we have a deficit that's approaching \$13 billion and... and we're unable to pay the bills that we have, it just doesn't make a whole lot of sense to... to me to continue to add line items that pressure a budget that's already snapped. With all due respect to you, I have a great deal of respect for you, I... I just don't see any reason for us to... to pretend we have money that we don't have and... and once we begin to fund the programs that are underfunded, pay providers what they're due, then we might get to a point, a long time from now, to start talking about appropriations. I would urge a 'no' vote."

Speaker Mautino: "The Gentleman has moved passage of House Bill 2360. Representative Turner to close."

Turner: "Thank you. I just move for the favorable adoption of 2360, realizing what the earlier speaker reiterated that there may not be funds. This is just in case the money is there. There is certainly a need to deal with home foreclosures in this state, and I think that that's something we should not lay to the side, if, in fact, there is money available. I move for the passage of House Bill 2360."

Speaker Mautino: "The Gentleman has moved passage of House Bill 2360. All in favor vote 'yes'; opposed vote 'no'. The

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voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Representative Boland, Cole, do you wish to be recorded? Mr. Clerk, take the record. 73 voting 'yes', 38 voting 'no', 5 voting 'present', House Bill 2360 is declared passed. Page 8 of the Calendar is House Bill 4220, Representative Riley. Read the Bill."

Clerk Mahoney: "House Bill 4220, a Bill for an Act concerning civil law. Third Reading of this House Bill."

Speaker Mautino: "Representative Riley."

Riley: "Mr. Speaker, I would request that House Bill 4220 be remanded back to Second Reading. We're doing some negotiations on the Bill."

Speaker Mautino: "The Clerk would place this Bill on Second Reading. Representative Holbrook on House Bill 4553, on page 8 of the Calendar. Read the Bill."

Clerk Mahoney: "House Bill 4553, a Bill for an Act concerning transportation. Third Reading of this House Bill."

Speaker Mautino: "Representative Holbrook."

Holbrook: "Thank you. This Bill creates the Coast Guard License Plate, just as we have now for Army, Navy, and many other veterans' groups except it's under the same criteria. It has to meet the SOS requirements of having the number of plates, and the additional money that we collect on that will go into a not-for-profit group called the Coast Guard Mutual Assistance Fund."

Speaker Mautino: "The Gentleman from Vermilion, Representative Black."

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

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Speaker Mautino: "Indicates he will."

Black: "Representative, just a quick question, and I'm not... I'm not trying to be funny, but you and I've been around here a long time and I think we both knew when this... when these special plates started, that they would expand to fill whatever imagination we could come up with. I'm not here to denigrate the Coast Guard, fine branch of the service, they do an excellent job, and these Bills are very difficult to vote against. But I don't know whether we need to create a task force or what we need to do because, at some point, we're going to have to stop this. I think we have, what, 90 specialty plates now. I know the State Police get concerned about it and... and... and these are hard... I don't want to go back home and look a veteran of the Coast Guard in the eye and say, ah, you didn't... you didn't need your own plate. They... they all have a reason for wanting these plates. The only safeguard we have is that now Secretary White is requiring so many prepaid orders before they'll actually print the plate. And I intend to vote for the Bill, so I'm being somewhat hypocritical. But perhaps you and I need to put our heads together and with a Resolution create a task force because, at some point, we're going to reach a number of specialized plates where the State Police and other law enforcement agencies are just going to say, we can't keep track of all these. So, again, I thank the Coast Guard for what they do, but at some point, those of us who have served here a long time know, we're going to have to address this situation because we're getting 6, 8, 10, 12 requests for special plates

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every year, and they are hard to say no to. But I think at some point we're going to have to listen to the State Police and maybe Secretary of State White on just how many more of these we can have. And... and I... I know you don't do this in... without thought, you're a good Legislator. And I think most of us on this floor know that we're fast approaching the time when we are going to have to say no: it's just not an easy thing to do. Thank you. Thank you, Mr. Speaker."

Speaker Mautino: "Further discussion? The Gentleman from Lake, Representative Washington."

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

Speaker Mautino: "He indicates he will."

Washington: "Representative Holbrook, I think this is a... a good attempt, but I wanted to really raise a question to Representative Black before he gets on the phone over there on the other aisle. Representative, I remember a few years ago... can you believe it... another two years, I'll be here ten years... I'm... I'm still shocked, but I remember that you did do and say what you said, that you said. But let me ask you a question. Do you think if special plates could be put together, and... and as Representative Holbrook had the minimum break even point as 3 thousand plates, if they can get a number of orders up front to sure that that can be recouped, do you see a problem with that?"

Speaker Mautino: "Actually, it's Mr. Holbrook behind you."

Washington: "I know, but I called..."

Speaker Mautino: "The Gentleman from Vermilion..."

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Washington: "...Representative Black's name because it spins off of his comments."

Speaker Mautino: "The Gentleman's..."

Washington: "Let me talk to him."

Speaker Mautino: "The Gentleman's name has been used in debate. He is seeking recognition. Representative Black."

Black: "I'll... I'll do my best to respond."

Washington: "Thank you."

Black: "and I don't want to speak for the Sponsor of the Bill."

Speaker Mautino: "Since this is out of the ordinary."

Black: "Representative, I... I think we... we owe Jesse White a vote of thanks for... for coming up with these minimum figures. There are specialty plates that we approved that don't meet those figures and they never are produced. So, I think that's a step in the right direction. My only concern is, is that if we're not careful, at some point, we could have hundreds of specialty plates. And I know another thing Secretary White did on various veterans' plate, there's... there's one basic design with the Armed Forces Seal, and then it can have a designation to show it was World War II, or Vietnam or whatever. So, I think Secretary White is aware of this and I think... I agree with the Secretary, if you can meet the minimum number, and that his office doesn't have to subsidize these plates, that's a step in the right direction. My only concern is, at some point, we're all going to have to answer the question, how many specialty plates do we want on the road? And it's only been in the last two years that State Troopers have said, these are getting very difficult to distinguish and

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very difficult to keep track of in our database, and you might want to be careful how many you want to create. Obviously, I have no problem with the Coast Guard. I'm just worried, long after I'm gone, and... and I trust you to carry on, that I don't think we can have a thousand, 1500 specialty license plates. And we're fast approaching over a hundred. So, it's just something we're all going to have to be aware of."

Washington: "Thank you, Representative Black. Representative Holbrook, I appreciate the fact that you have brought this Bill. The reason I wanted to get some clarity from Representative Black is because I was thinking about doing something for our libraries, who are having a difficult time, but I don't want to stretch out and... and do something similar to what you're doing, and then can't find a meaningful good way to pay for it. To the Bill. I think this is a good piece of legislation, but I think that the wisdom of my colleague on the other side of the aisle should definitely be noted and we definitely should look at it and maybe the Secretary of State might at some juncture want to come up with a ceiling on the number, because I think Representative Black is correct. But I guess everybody wants what they want. And so I intend to support this legislation. Thank you, Mr. Speaker."

Speaker Mautino: "Representative Flider."

Flider: "Yes, Mr. Speaker. To the Bill. Many good points have been made here. I just do want to remind the Body that the license plates in Illinois are made by people who have disabilities, and these are folks who are now taxpayers

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instead of tax users because of this industry. And I think every time we create a Bill, the silver lining: or create a new license plate, I should say, is that the silver lining.. is that those people with disabilities are contributing to our economy: they are making more license plates. And I do think that during these difficult economic times, this is a positive aspect of creating a new license plate. Thank you."

Speaker Mautino: "The Gentleman has moved passage of House Bill 4553, all in favor vote 'yes'; opposed 'no'. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Mr. Clerk, take the record. 109 voting 'yes', 7 voting 'no', 0 voting 'present', House Bill 4553 is declared passed. Page 9 of the Calendar appears House Bill 4586, Representative Ford. Mr. Clerk, read the Bill."

Clerk Mahoney: "House Bill 4586, a Bill for an Act concerning government. Third Reading of this House Bill."

Speaker Mautino: "The Gentleman from Cook, Representative Ford."

Ford: "Thank you, Mr. Speaker and Members of the House. House Bill 4586 is a commemorative date to name March the 25th a day to remember the contributions of slaves in the United States. And I move to have this Bill adopted."

Speaker Mautino: "The Gentleman moves passage of House Bill 4586. And on that question, the Gentleman from Jackson, Representative Bost."

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

Speaker Mautino: "He indicates he will."

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Bost: "I... I'm not in opposition to your Bill. My only concern is, why a Bill rather than a Resolution? Because normally, when we set these dates, we set them through Resolution, but instead this is one of the first ones I think I've ever seen that is actually in Bill form instead of a Resolution."

Ford: "I just felt that it would be best in the Bill form."

Bost: "It... it would still be applied the same, if it was a Resolution, correct?"

Ford: "I'm not sure."

Bost: "Okay. May... maybe... because many of these other dates we set by Resolution, but not by Bill, and or a Joint Resolution. So, just checking. It seems like to me that I remember that they're saying no, but I... I thought that's exactly the way we might set these special dates is through Resolution. So, thank you."

Speaker Mautino: "The Gentleman has moved passage of House Bill 4586. No one else seeking recognition, the question is, 'Shall this Bill pass?' All in favor vote 'yes'; opposed 'no'. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Representative Burns. Mr. Clerk, take the record. 116 voting 'yes', 0 voting 'no', 0 voting 'present', House Bill 4586 is declared passed. Page 9 of the Calendar appears House Bill 4627, Representative Kosel. Representative Kosel. Out of the record. We're on page 9 of the Calendar, if Members would follow. We are now on House Bill 4639, Representative Osmond. Read the Bill."

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Clerk Mahoney: "House Bill 4639, a Bill for an Act concerning local government. Third Reading of this House Bill."

Speaker Mautino: "Representative Osmond."

Osmond: "Thank you, Mr. Speaker. House Bill 4639, as amended, is similar to the Senate Bill 1514 last year for the park districts. This Bill will allow forest preserves and conservation districts to issue Build America Bonds for 25 years. Currently, they do it for 20. This is an initiative of Lake County and I know of no opposition. I'd be happy to answer any questions."

Speaker Mautino: "The Lady's moved passage of House Bill 4639. And on that question, the Gentleman from Cook, Representative Fritchey."

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

Speaker Mautino: "Indicates she will."

Fritchey: "Representative, I think you said that this would go from 20 to 25; our analysis says it will go from 25 to 30."

Osmond: "Well, that was... it was amended. The Amendment says 20 to 25."

Fritchey: "Bear with me for one second here. I'll deal with that later on. What... what's the practical difference in going from 20 to 25 years?"

Osmond: "Well, we did the same thing for park districts last year, and we wanted to allow forest preserves and conservation districts to be able to, you know, stretch it out and have that option to go to 25 years."

Fritchey: "But what... but what does that accomplish as a practical matter..."

Osmond: "Well, in the long run..."

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Fritchey: "other than extending the indebtedness for another five years?"

Osmond: "Well, it... it actually does have a cost savings to it that they can use less money, you know, paying this off."

Fritchey: "Well... act... actually if... if they were paying... if they were paying it off for a longer period of time, they're actually paying more interest over the life of this at a longer period than in a shorter period."

Osmond: "But the federal bond that this is connected to pays us 35 percent. This is Build America Bonds'."

Fritchey: "You know, I can't really argue with that."

Osmond: "Well, that's good."

Fritchey: "That... that is good, but actually... I'm glad to get the question answered. You know, at lot of times we'll just do these without paying attention to what we're doing. That actually makes sense. Thank you."

Speaker Mautino: "The Lady has moved passage of House Bill 4639. No one seeking recognition, the question is, 'Shall this Bill pass?' All in favor vote 'yes'; opposed vote 'no'. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Mr. Clerk... Representative Poe, do you wish to be recorded? Mr. Clerk, take the record. 98 voting 'yes', 17 voting 'no', 1 voting 'present', House Bill 4639 is declared passed. The Gentleman from Cook, Representative Joyce is seeking recognition."

Joyce: "Thank you, Mr. Speaker. Point of personal privilege."

Speaker Mautino: "State your point."

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Joyce: "Thank you. Ladies and Gentlemen of the House, I'd like to introduce a couple of my constituents that are here. One is a... is a very good friend, the other one's a great mentor, the Honorable Judge Thomas Condon from Cook County and his son Tom Condon. Please welcome them to Springfield."

Speaker Mautino: "Welcome to Springfield. Page 9 of the Calendar appears House Bill 4644, Representative Poe. Representative Poe on 4644. Mr. Clerk, read the Bill."

Clerk Mahoney: "House Bill 4644, a Bill for an Act concerning public employee benefits. Third Reading of this House Bill."

Speaker Mautino: "Representative Poe."

Poe: "Mr. Speaker and Ladies and Gentlemen of the House, what this Bill will do, as we talk about furlough days for our state employees, this would give them a chance to buy those furlough days so it doesn't really affect their retirement. And it really affects the people that's going to retire in the next four to five years. I ask for a favorable vote."

Speaker Mautino: "The Gentleman moves passage of House Bill 4644. Seeing... the Lady from Cook, Representative Nekritz is seeking recognition."

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

Speaker Mautino: "Indicates that he will."

Nekritz: "Representative, does... do we... does what the employees have to pay include their portion and the state portion? How does that work?"

Poe: "Yes."

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Nekritz: "Okay. So, and... and it's... and it's... and it would be happen quickly so that any lost interest that we might otherwise have experienced we won't... we won't be losing that either?"

Poe: "They... they have to pay. If there's any interest that ac... acquired or accumulated, they'd have to pay that too."

Nekritz: "And I... so... and so when do they have to make this decision about these... about buying this back?"

Poe: "They have one year."

Nekritz: "One year from the furlough days?"

Poe: "Yeah. From the..."

Nekritz: "Okay."

Poe: "...Bill effective date."

Nekritz: "Thank you."

Speaker Mautino: "The Lady had... seeing no further questions, the Gentleman moves passage of House Bill 4644. All in favor vote 'yes'; opposed vote 'no'. Voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Representative Coulson. Mr. Clerk, take the record. 115 voting 'yes', 0 voting 'no', 1 voting 'present', House Bill 4644 is declared passed. On page 9 of the Calendar appears House Bill 4669, Representative Holbrook. Read the Bill."

Clerk Mahoney: "House Bill 4669, a Bill for an Act concerning animals. Third Reading of this House Bill."

Speaker Mautino: "The Gentleman from St. Clair, Representative Holbrook."

Holbrook: "Thank you, Chairman. House Bill 4669 does one thing. It adds fire dogs, accelerant animals, to the

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protection, just like police dogs and those that serve the handicapped. I know of no opposition to this Bill. Be glad to take any questions."

Speaker Mautino: "The Gentleman has moved passage of House Bill 4669. No one seeking recognition, question is, 'Shall this Bill pass?' All in favor vote... Excuse me. The Gentleman from Vermilion, Representative Black."

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

Speaker Mautino: "He indicates he will."

Black: "Representative, I've seen a lot of dog-eared Bills in my life, but this one, I think, takes the cake. Now, let me ask you a question because there's something I don't understand about this. I remember when Majority Leader McPike was here, and I thought we had covered every kind of harassment: staring, scaring, injuring, killing, God forbid, canine officers, and I thought all of those first responder dogs were covered. Now, you're telling me you're going to add what... what does staff say, to include an accelerant detection dog. What is an accelerant detection dog?"

Holbrook: "It's an animal that they're using more frequently to investigate arson."

Black: "Any animal or just a dog?"

Holbrook: "Dogs. There're all... all dogs and State Farm actually is one of the big funders providing these animals to our law enforcement to investigate arson. It's become almost the prominent way of investigating wherever there's a suspicious fire anymore because the animals are so good."

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And so they are actually a new division of animals... assistance animals in law enforcement and my local law enforcement and State Farm all ask that this animal be specifically covered just like the police dogs are, 'cause right now they're not exempt. They're not considered, especially if they're used by the fire department and the police in conjunction with an investigation, they're... they don't feel they're exempt now under the Act of the vicious dog portion that covers..."

Black: "All right. So..."

Holbrook: "...working animals."

Black: "Who... who made the determination that these dogs, and I assume they're used in law enforcement, wouldn't be covered under all the existing laws that protect such dogs?"

Holbrook: "Most of these animals are assigned either to the State Fire Marshal or to maybe an arson unit in a police department, not always. They're... they're brought in to help in the investigation and they're not always tied to a police department. And that's... that's where they thought the problem was because they're... they might not be stationed with a law enforcement officer. They're stationed with the State Fire Marshal or they're stationed maybe with an arson unit outside the area."

Black: "So, it only covers dogs. If you could train... when my children were very young, they had a cat. That cat could smell food at a hundred yards, and probably could sniff out gasoline. But there's no such thing as an accelerant detection cat?"

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Holbrook: "I don't think cats are too cooperative. They don't do anything you want, they do what they want."

Black: "That sounds like the General Assembly to me."

Holbrook: "There's a parallel."

Black: "I think so. So, would the dog have to be identified to be protected? Let's say somebody rolls up to a fire scene. Let's just say their house. And they get out of the car to see what they can salvage in their home, and they come across a dog, a big dog, sniffing around the ruins of their house, and they... it makes them mad. So, they... they throw a brick at the dog, or they shoo the dog away, you know, get out of my house. What are you doing? And they injure the dog. Would the homeowner have a... have an affirmative defense? I didn't know it was an accelerant detection dog. I thought the dog was just fooling around in the ruins of my house. I didn't want him in there."

Holbrook: "These animals are never unac... they're always accompanied by someone either from law enforcement or the State Fire Marshal or the fire department with them at the scene. They're never just wandering. They're... they're within a few feet of them at almost all times."

Black: "All right."

Holbrook: "If the..."

Black: "So... so, the assumption is that anyone who injures this dog should have some constructive notice that the dog is, in fact, covered under this law and is doing the job that the dog is trained to do?"

Holbrook: "Absolutely."

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Black: "Okay. Now, I... I've got a good rat terrier. And I... I put him out in the backyard and he can sniff out moles and raccoons and chipmunks. And my neighbor doesn't like my dog, but I can't... as... as good a sniffer as that is, I can't protect my dog under this Act, right?"

Holbrook: "No."

Black: "Not even I... if... I put a little fireman's hat on him or..."

Holbrook: "No."

Black: "All right. Well..."

Holbrook: "He can lead... maybe if you led him around with a leash and you made him an assistance animal, you might be able to. If you get him under the han... handicapped provision of this Bill, but no, not as an accelerant animal, you could not."

Black: "Well... is it a felony if you injure this accelerant detection dog?"

Holbrook: "Yes."

Black: "What if you show up and... and you don't like people visiting your burned out house and so you hit... you hit the Fire Marshal official over the head with a two by four, but you don't hurt the dog. Are we giving more protection to the dog than we are the Fire Marshal?"

Holbrook: "You know, I'm not an attorney and I'm proud of it. So, you'd have to ask an attorney that question."

Black: "Well, I just remember this argument years ago with now Justice Greiman and former Majority Leader Jim McPike. And Jim McPike's whole argument was that if... if you... if you injured a police dog, you'd stop and give the police dog

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mouth-to-mouth resuscitation because if the dog dies because of your action, you're going to be charged with a serious felony. But if you ran over the policeman, you probably wouldn't stop because the penalty for hurting the dog is worth... is heavier than the penalty for injuring the policeman. We're not getting into another one of those arguments, are we?"

Holbrook: "No."

Black: "Okay. All right. Well, I... I hope none of us ever have to use an accelerant..."

Speaker Mautino: "Please turn on Mr. Black's mic. Bring your remarks to a close, Sir."

Black: "Thank you, Mr. Speaker. I thought maybe my microphone had accelerated. Well, you're very kind. I..."

Speaker Mautino: "There's a dog for that."

Black: "I just... I'm fascinated by these Bills as I know you are because we... the two of us have seen a great many of these, but I... I've had dogs in my life for 40 years. I've had some that couldn't sniff out dog food from three feet, and I've got others that can sniff out what they shouldn't sniff out, over the years. But if the gel... if this protects dogs who can sniff an accelerant, whatever that is, I'm all for the dog. I think we should all vote 'aye'."

Speaker Mautino: "The Gentleman moves passage of House Bill 4669. All in favor vote 'yes'; opposed vote 'no'. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Representative Rose. Representative Sullivan. Representative Kosel. Mr. Clerk, take the record. 115 voting 'yes', 1 voting 'no', 0 voting

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'present', House Bill 4669 is hereby declared passed. Page 9 of the Calendar appears House Bill 4685, Representative Walker. Mr. Clerk, read the Bill."

Clerk Mahoney: "House Bill 4685, a Bill for an Act concerning education. Third Reading of this House Bill."

Speaker Mautino: "The Gentleman from Cook, Representative Walker."

Walker: "Thank you, Mr. Chair. Well, the day... the day has come. House Bill 4685 amends the School Code, provides that persons shall not be nominated for General Assembly Scholarships after July 1, 2010, and no scholarships, which as we all know are actually tuition waivers, may be awarded after that date unless the nomination was made before that date. Note that two-and four-year scholarships previously awarded prior to that date, if they are clearly for that purpose will continue, that the use of unused or un... unexpired scholarships will lapse unless nomination for... to a person for that unused portion is made before July. And further note that any nominee, who departs their educational experience and is with an unexpired scholarship due to military service, will be able to continue again on that scholarship whenever they return from military service. I support this for three reasons: one, fiscal responsibility. These are waivers, meaning the state offers two individuals the ability to go to university at no cost for tuition despite the fact that no money is appropriated for that purpose. Second, they are unfair. They are... there are no set standards for awarding these; they are based on the judgment of the Legislator. I am not claiming that any

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Legislators have necessarily specifically abused this process, but the appearance can be there. And the fact that there's no standard for them, I think, makes them unfair given to individuals. And finally, I believe and I believe since the day I walked into office that these are a perquisite of office. They are a privilege to give favors to individuals, well deserved or not, that... that are not appropriate for a State Legislator. I... it is as if we are Lords or Barons or Dukes who give personal privileges. I, therefore, believe that the time has come to walk away from this process and to walk away from it cleanly. So, I urge an 'aye' vote."

Speaker Mautino: "The Gentleman has moved passage of House Bill 4685. And on that question, the Gentleman from Jackson, Representative Bost."

Bost: "Thank you, Mr. Speaker. I stand in opposition to the Bill and I will address all three of the reasons why this particular Legislator gave why we should abolish these. One is cost. Accord... according to him it will actually save the state money, or save our universities money. Well, I would say that now, since we have made it to where these waivers can either be taken to the state university or... or the community colleges, they are spread widely throughout the state and these do not simply give a... a tuition waiver. My argument is, is that there are already spaces in those classrooms and this would only allow someone else to take a spot in those classrooms. And I would say that it is actually not fiscally responsible because those students... it does not waive their book fees

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and their student fees; and therefore, they would be paying into our universities. And by paying into our universities, they are also pro... in our communities, staying in the State of Illinois. They might leave the State if this waiver is not given to them because many of them might... might not be going to school at all, or if they are going to school, for whatever reason, they may choose not to go to the State of Illinois if they do not have this particular waiver. The second item that was brought up is that there are pop... there's been abuses over the years and standards should be set. If the Gentleman would put standards in a Bill on how we should present those scholarships, I would support that. I've been very forthright. I set up a committee and that committee also... and... and it's bipartisan committee, from all of my counties, to go through a process that is a very... a process that actually I've... I've showed other Legislators how to do to make sure there's no question that it's done correct and above board. And that it is... his third item is, is that it is some kind of favor for the... for the Legislator or... or a privilege for the Legislator to give these out. It... it is a privilege in the fact that I love nothing more than being able to call those most needy in my district that maybe wouldn't be able to go to school or even at some criteria that I set forth. One of my criteria is, is that we would look closely to see if maybe there's a couple of siblings that are all going to the university at the same time, and the parents can't afford that. The parents love to hear the fact that they can send another child to school. How

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wonderful is that. If these are done correctly, this is the right thing to do. And if... if it's... you're looking at it and say, well, it's a favor of the Legislator. You know what, I know my district better than anybody else here and if... and if I move forward and if I choose to... to present these in a certain way and do the criteria that I described, then that's why these scholarships are a wonderful thing and an appropriate thing. Now, they might be a great whipping dog for a... for... all these political perks and everything like that, but the reality is, is I can give you a list of people who maybe wouldn't have went to school if it hadn't been for the scholarships that have been provided through these chambers. Do I think there needs to be standards put in place? You bet I do. Mr. Speaker, I stand in strong opposition to this Bill. I believe that we should have standards, as I just described, but I do not think we should punish those citizens who are receiving these tuition waivers out there and have went on to... to college, but maybe never have had the opportunity to go to college if it wasn't for these waivers. Ladies and Gentlemen, for political sake, don't just vote 'yes' on this. We should vote 'no' and send a clear message. And then if you want to come back and set standards, let's set standards."

Speaker Mautino: "The Gentleman from Lake, Representative Washington."

Washington: "Well, thank you, Mr. Speaker. I just want to ask the Sponsor a few questions. Representative, do you

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participate in the Scholarship Program? I didn't hear you."

Walker: "I do not."

Washington: "The Representative does not participate. Why is it that you do not participate?"

Walker: "Because from day one I viewed this as a privilege or perk for Legislatures... Legislators that I don't believe is appropriate."

Washington: "Well, a privilege or a perk, right? I want to make sure I'm understanding you, correctly."

Walker: "Yes, Sir."

Washington: "Then why is it if you don't want to participate it, why is it you want to force a situation where we would have to not be able to participate those of us who know that it's not a perk. Those of us who know their faces, students, people. Representative Bost, clearly put it very, very mildly, I thought, but I agree. There are people attached with these waivers. And those that have abused it should selectively be dealt with their individual abuse of it. But all of us should not be handcuffed to not participate when our district may have a little different need. So, being that you don't want to, why are you trying to put legislation that would put us all in the same basket in terms of student education?"

Walker: "For a couple of reasons. One is that I believe that there are students all over the state that have need. But I believe we have a process in our universities called application for financial aid that tries to sort through and make the right decisions for those individuals. I

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believe that is a better process for the state and not the judgment of the individual Legislator."

Washington: "No. I'm going to stand against this Bill. I'm going to stand against it like Representative Bost, very strongly. I urge we defeat this Bill. I know for a fact Representative, being that my home roots are in East St. Louis, I know for a fact some very brilliant, bright student, who went into dentistry, who come out as dentists, who stayed and practiced in the State of Illinois, who pay taxes and who give good service had it not been for these waivers. So many would have fallen through the cracks and as Representative Bost stated, never would have gotten an education advantage. And so, to the Bill, Mr. Speaker. I would say to this Bill that when we find abuses we should deal with then selectively, individually and we should set standards for the person that violates the integrity of a program. That is something that we should do. But to have a one size fit all denial, that's what we're doing now with this Bill. We will be denying a great number of people in economic times all the enrollment in all of the colleges are going up, that's because the economics are going down. This is the wrong Bill at the wrong time and I urge a 'no' vote."

Speaker Mautino: "Further discussion? The Lady from Cook, Representative Monique Davis."

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

Speaker Mautino: "He indicates that he will."

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Davis, M.: "Representative Walker, are you doing this Bill to punish the people who rarely get or ask the state for anything?"

Walker: "I would say I am doing exactly the opposite of that."

Davis, M.: "Rep..."

Walker: "The... my... the way I view this Bill is that every dollar that we give in tuition waivers is a dollar for the... that the university otherwise could give in financial aid to any needy student from around the state who applies. And I believe that I would have a standard process, use their judgment to allocate these dollars rather than to use the judgment of individual Legislators."

Davis, M.: "Thank you. To the Bill, Mr. Speaker. As expressed by Representative Bost, these scholarships do not cost the university because the university has seats in a class, they have a room, they have a professor that they will pay for whether these students are in attendance or not. There are some people in the State of Illinois who literally want and desire a college degree, but for some reason their parents don't earn enough money or they can't get into the university based upon their limited income. When I first came to Springfield, there was a Gentleman here named Nelson Rice. Nelson Rice sat in the front of this building and a gentleman walked down the aisle, at that time we could have visitors, and he asked, where is Mr. Nelson Rice? He said, I'm here with my wife and two children. I have a degree in dentistry that I would not have been able to afford without the scholarship given by Mr. Nelson Rice on 111th and Halsted Street. There's so many people in the

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State of Illinois who don't get anything, they don't any loans, they don't get any grants, they don't get any free CTA rides. They don't get anything. And for them to ask a Legislator to provide them with a state scholarship for 1 year or 4 years in no way, in my opinion, blemishes our reputations or makes them beggars. But you see if you want to limit who gets an education, then you would limit those who can get a scholarship. We don't want to live in a country or in a state where only the elite, only the rich and famous can get college degrees. One of the people that I gave a scholarship to, his father passed recently, his father passed, and his mother had to go to work. Being an unskilled laborer her income will be very limited. He has other brothers and sisters that mother must take care of. So, I really am proud to see that this young man can go to college, can get a degree, can contribute in the State of Illinois. I think it might make good press for us to say, oh, we killed that scholarship, but we really are not limiting any money or increasing the cost to any..."

Speaker Mautino: "Will the Lady please bring her remarks to a close."

Davis, M.: "I would just like to urge this Body to support those who are not wealthy and to support those who are not necessarily on welfare. Support those who simply want an education that they should be able to afford. And we have a right and should grant it to them through these scholarships. Vote 'no'."

Speaker Mautino: "Further discussion? The Gentleman from Cook, Representative Fritchey and we have the timer. There are

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13 people seeking recognition. So, please pay attention to the timers and we'll go through the Bill. Representative Fritchey."

Fritchey: "Speaker, I like how you tell me about the timer before I even start."

Speaker Mautino: "I didn't even start the timer yet either."

Fritchey: "Thank you. To the... to the Bill. Ladies and Gentlemen, I... I was somewhat torn on this Bill for a number of reasons. I will tell you from a personal standpoint, while... while I never received a legislative scholarship, the opportunities that I've had, have been the result of hardship scholarships that I was able to receive through out my educational career. I appreciate those, I value those. They... they changed the direction of my life and my family's. Additionally, I'm proud and I'll defend the legislative scholarships that I've awarded throughout the years. I have assisted people to become the first ones in their family to go to college. I've helped young men and women who never would have attended university go to university, and then come back to see me years later to tell me about the accomplishments that they've made and the productive members of society that they've become. And because of all of that I understand inherently the value that these scholarships provide. That being... that being said, I rise in support of the Gentleman's legislation and am a cosponsor of the Gentleman's legislation. Plain and simple, and I wish I had a more tactful way to put this, I... I think that this scholarship program needs to go by the wayside because of abuses brought upon it by Members of the

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Legislature over the years. I don't know that we are in a position to play acidemation... academics and decide, as Legislators, which of our constituents are deserving or needing to go on to higher education. Obviously, we want them all to go on to higher education. We want them all to have the ability and access to affordable quality education. And there are many perks and responsibilities and privileges that come with our role as State Legislators, but I do not believe that us being able to play university admissions counselors should be one of those privileges and perks. There's a very legitimate question as to what happens with those dollars, if we do away with those programs. I'd... I'd feel much more comfortable if I knew that if we didn't give these scholarships away, that the scholarships would remain intact and maybe the universities would give them out themselves. As one of my colleagues had brought up before, there's a good chance that the money saved may simply go to higher salaries for these university professionals and that's not the intention. The intention is at a time when we are falling behind the rest of the world in economic and educational competition, that we should be working harder to make sure we're getting more of our kids into higher education. President Obama's recently talking about the high school dropout rate and what this is going to do for us in the long-term. We are finding ourselves at a growing disparity from an educational standpoint with countries around the world. I do not see anything that's going to close that disparity by allowing us to sit in the seats of

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universi... university officials and decide who gets to go to college. Whether that decision is made on need, academic qualifications, relatives, political considerations, whatever it may be, the fact of the matter is, we've seen too many times when it's been abused. And this is something where the chickens have come home to roost. And the time has come to do away with this program. We have a place and a need in a role to inspire and encourage in our heart and enable our youth to pursue a higher education. We need to understand what our role in that process is. Let's work on our role in that process, being funding the access to that education, but not playing God as far as who gets to access it. Please vote 'yes'. Thank you."

Speaker Mautino: "Further discussion? The Lady from Cook, Representative Mulligan."

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

Speaker Mautino: "He indicates that he will."

Mulligan: "Representative Walker, you're the other half of my legislative district, perhaps you should check with your legislative aid. She called my office after you were first elected asking for our forms and how we set up our scholarship program. So, you didn't exactly dismiss it entirely as soon as you were elected. When did you decide to dismiss this program?"

Walker: "Well, I don't recall exactly. It was fairly early. I did... I heard about it, and I got inquiries at the office, so I asked various Legislators what they did about it."

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Mulligan: "So, do you feel that this is inappropriate or do you feel that it's a good thing to get yourself elected because the press has really been on everybody's case about this?"

Walker: "I think it is inappropriate. I also believe it is... it is not responsible. I don't believe we should be making these decisions on behalf of financial aid for our universities."

Mulligan: "All right. To the Bill. Quite frankly, if you take a look at each legislative district or you add together the two Legislators and the Senator, that's 24 scholarships in an area and if you have it across the state, what it does is, it divides up scholarship money across the state. There have been abuses, but I think a lot of us are very careful in how we do it. You could address the abuses by legislation as opposed to letting the newspaper take cheap shots at us over things that perhaps do really help a great number of people and divide up scholarship money across the state. I do not see the newspapers going after the employees of state universities whose members get money, free money, or half price for their... themselves or their children, nor do I see women's athletic scholarships coming anywhere close to being men's athletic scholarships. You know I have a committee, I've always had a committee, I think they've done an excellent job. When I have a young Hispanic nurse call me in tears because she qualified to go to medical school but had no way to pay for it and got a scholarship, you know, that's... I think that's important. Having also been a single mother who's had children whose father was deceased, any scholarships that my kids got were

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a real plus to my budget. I will tell you that I think that this is an equal division of money across the state. I think we ought to do the abuses. I think newspapers that go after us ought to... ought to take a look at themselves too. If you want to publish full page ads from banks and not talk about how bad the federal credit card bill is, perhaps you ought to talk about ethics. Perhaps once a year, you ought to publish in your newspapers what your ratio is for dollars for advertising as opposed to what issues you decide to choose. Because some people are abusive of this, go after the abuses, straighten it out. But the fact of the matter is, dividing legislative scholarship money up across the state into many different districts, I think appears a fair way of doing it. If you want us... do... figure out how we do our committees, have someone else do it, that would be fine with me, but I think it's an equal division of money across the state and to many areas that don't always qualify. In my particular area, I have a large number of college bound kids, and there certainly isn't enough money. I also have people that are losing their jobs and not quite sure how they're going to pay for their kids scholarships. I think we need to take a look at this, and not just be pressured all the time by what the newspapers say to try and make us look bad. Perhaps some of them ought to sit down here or come in and talk to the people that actually... we got the scholarships. They only publicize the abuse. They certainly did not publicize the good stories of people that have gotten into college, gone to college, done an

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excellent job, and are off teaching children or helping people that are sick, in different ways that we've divided this money. I'm sure the Representative has good intentions in doing this Bill, but I also have a problem with the fact the way it was gotten out of committee. I think one of our Members was sitting there with the Bill that he's introduced several time before. The whole thing of this is a real mess and I think it's a horrible Bill to bring to the House Floor. And I urge a 'no' vote."

Speaker Mautino: "Further discussion? The Gentleman from Cook, Representative Acevedo."

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

Speaker Mautino: "He indicates that he will."

Acevedo: "Representative, explain to me how it works in universities where a parent or a family member is a professor at that university? How does the tuition work with them?"

Walker: "I honestly don't know. I... I have heard that there are tuition waivers available for employees of... of university."

Acevedo: "Okay. Ladies and Gentlemen, to the Bill. This is sort of a double standard, Representative, because professors, I believe, are given a discount or given the full scholarships or... okay, half. So, we have a professor who makes all this money, and their... their student... their family members are getting half tuition. The other hand we have a parents, probably working two, three jobs, just to put food on the table for their families and we're not going to give them that opportunity. We're not going to give them that opportunity to continue their education."

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Representative, what you call, that you... you continue to say privileges and perks, in my neighborhood, it's called our bread and butter. It's survival. It's about continuing your education and succeeding. And I'm going to tell you, I'm proud to stand here today and say, I helped students become doctors, lawyers and more importantly, teachers. I received a letter the other day from a student who I helped, over 10 years ago, and in it was a brief message that says, thank you for helping my dreams come true. She's a doctor now; a doctor that's practicing in my community where she grew up in. It's all about giving back. We're giving these students opportunities that, in other words, they'd never have an opportunity to have. They're not going to be able to go to college. Yet we tell them, continue your education, succeed. The unemployment rate is so high and we're not giving them the opportunity to get their education to continue on and feed their families. Ladies and Gentlemen, I urge a strong 'no' vote. This is taking away from the opportunities for students, not only low-income hou... neighborhoods, but throughout the State of Illinois. And Representative, one question to you; your scholarships, if people in your community don't need it, my students sure need it."

Speaker Mautino: "Further discussion? The Gentleman from Cook, Representative Riley."

Riley: "Thank you, Mr. Speaker. To the Bill. You know, if one goes to my Web site, one of things you see is a picture of students who have received a legislative scholarship. And you know, it's... it's nice to be self deprecating, not take

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ourselves so seriously from time to time, but frankly, our constit... our constituents do revere us, and they think a lot of us. And to receive this scholarship, at least in my district, is just one of the biggest things that can happen to a family. I have a luncheon every year where, you know, I present a plaque to all of the scholars, they get a chance to speak. And often there's not a dry eye in the room. And I, too, have lawyers, and... and doctors, who have come back and said that, you know, it was on the basis of the legislative scholarship. You know, I remember something that, you know, a basketball coach said one time, who's now long gone, Bobby Knight. He said, he was tired of getting his butt kicked by Purdue, and frankly, I am too. I want to be sure that the best and the brightest of the State of Illinois stay here. There are all kinds of ways to administer these scholarships. As you... you know, many people know I'm a statistician. We redact out all personal information about the student. We randomize the applications to a panel of educators, who actually, you know, does the selection. There's all kinds of things that can be done, to be sure, that these scholarships are apportioned fairly. And so respectfully, I'm going to vote 'no' on this measure. I think it's a tremendous way to apportion badly needed scholarship moneys all throughout the state."

Speaker Mautino: "Further discussion? The Gentleman from Cook, Representative Dunkin."

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

Speaker Mautino: "He indicates he will."

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Dunkin: "Representative, what prompted this legislation?"

Walker: "What prompted it?"

Dunkin: "Yes, Sir."

Walker: "My disagreement in this practice."

Dunkin: "Your district what?"

Walker: "My disagreement that this practice should continue."

Dunkin: "Constituents are complaining or did you get it from somewhere else?"

Walker: "Actually, no. My... I've taken some heat for taking this position from some constituents."

Dunkin: "So, you just got here, correct?"

Walker: "Yes."

Dunkin: "And so, do you respect our colleagues here in this chamber?"

Walker: "Most certainly do."

Dunkin: "In terms of the way... you have people who've been here from 20 years, 30 years, 10 years, 6 years, and they've been running or administering this program for quite some time, and I think a lot of them have been utilizing this opportunity to actually help people in the State of Illinois. Are you doubting their ability... our ability to use good judgment in this regard?"

Walker: "I believe the best way to manage financial aid in this state is through the processes we've set up at the universities."

Dunkin: "Representative, again, you have 118... 117 plus yourself, who have actually been taken advantage of this opportunity to help constituents, at least most of the Members here, and they have a process, most of us, to take

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care of this issue within our district, respectfully. Do you see this as something that... that maybe we're not doing the right way or the way you want us to see it? I mean, you just... you say you just got here. I mean, is there a problem with your colleagues and what it is that we do in our respective districts for our respective constituents, Representative?"

Walker: "As I said in my opening remarks, I am not criticizing or claiming that anything was individually done wrong."

Dunkin: "Well, Representative, the way I do it... I mean, you're making this statement, but the way I do it, Ken Dunkin, I have a committee of 12 people who go through a strong and stringent screening process of constituents that reside in my district that are 18 and over. They're very diverse in their professions and their background, their objective. And by the way, I make no decisions for example, in my effort to offer this scholarship. And so to the people who have committees here and who go by a very thorough process and of what we considered fair, don't you think that's an affront to some of your colleagues here?"

Walker: "I hope it is not taken as an affront."

Dunkin: "Well, you're saying that we're doing it wrong. Flat out costing the state money, which has been proven... dis... which has been disproven. I mean, I'm just trying to figure out how it is that you just got here and you're accusing some of us directly that we're not doing something the right way, as we see it, in our respective districts for our respective constituents. You don't... you don't see that as sort of professionally a little over the top?"

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Walker: "I... I would say the way you phrased that question is wrong in that I did not say that anyone was... any individual was doing anything wrong."

Dunkin: "Well..."

Walker: "I did not question anyone's judgment. I did not do any of those things. I questioned the whole system, whereby, these... this amount of tuition waiver, which is not money, it is schol... it is a tuition waiver. It's not a scholarship that is appropriated. That... this... these... this decision resides in individual Members of this Body rather than in financial aid in the universities."

Dunkin: "Well, Representative..."

Speaker Mautino: "The Gentleman, please bring your remarks to a close."

Dunkin: "To the Bill. Ladies and Gentlemen of this chamber, who I have the utmost respect for, know I don't agree all the time with all colleagues, but I would be insulting a lot of Members who work very hard in their respective district to get here and they came up with a system, a protocol, of how they award legislative scholarships to people in medical school, undergrad, law school. And to try to impose my belief on anyone of you here would be disingenuous at best and very, very, well, insulting, quite frankly, on the process that many of us have established in our respective districts. I'm going to vote a strong 'no' with this particular legislation. I don't think that it's fair to make blanket statements about colleagues and how it is that we administer something, when we have the option

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not to administer or not. I would vote and urge a strong 'no'. Thank you."

Speaker Mautino: "Further discussion? The Gentleman from Cook, Representative Arroyo."

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

Speaker Mautino: "He indicates that he will."

Arroyo: "Mark, I also raise in opposition to this Bill. Because this Bill works in my district and I've been also been able to put a lot of people through college and I would hate to have somebody come to my district and say that this Bill no longer and these scholarships no longer exist because of my colleague, Mark Walker, decided to take all our membership scholarships away. Mark, if it doesn't work in your district, it works in mine. And I would hate for you to do any kind of legislation with something that works in my Bill... in my district without you talking to me. You also have neglected to send 16 people in your district to college. Unless everybody in your district is rich or has a lot of money, but I have a lot of minorities in my district that won't be able to go to school. Are... are you ready to have my people from my district go to your districts and say why you're trying to stop this scholarship? Have you talked to anybody, Mark, about this or did you just decided to do this on your own?"

Walker: "Have I talked to individual students who have been awarded scholarships about this?"

Arroyo: "No, any Members. Have any schl... any students come to you to ask you for scholarships?"

Walker: "Yes."

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Arroyo: "And you've turned them away?"

Walker: "Yes."

Arroyo: "Wow. That's... so you've neglected 16 students from going to school."

Walker: "I... I don't know whether all of them went to school, but I believe most of them did. I gave them opportunities to apply for different grants and told them how to apply for financial aid at the university where they wanted to go."

Arroyo: "Well, Mark, in my district, I've been privileged to help a lot of people go to school, be doctors, be nurses, and I am very proud of the scholarship program. I didn't know that this Bill was coming up. I didn't even see it, but if you would have talked to some of the Members, I would believe that they would have convinced you not to even call the Bill. I would go further and ask you to pull this Bill out of the... out of the record, and don't even call it to a vote. Because you're going to lose this vote. I'm pretty sure that out of 118... I could be a Jimmy the Greek and predict you're lucky if you get 25 votes on this Bill. So, I mean, if you were... would like to take this out of... out of the roll, I would appreciate it because it sure works for all of the majority of the Members here."

Walker: "Well, I respect the Representative and certainly your input and opinion. I would rather go forward and I believe today is the day that we argue this issue."

Speaker Mautino: "Further discussion? The Gentleman from Winnebago, Representative Winters. Representative Winters."

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Winters: "Thank you, Mr. Speaker. Representative, I rise in support of this Bill, and it's on a philosophical issue. We are the only Legislature in the United States that has the privilege and the duty to hand out legislative scholarships. Why is that? Why is Illinois the only one that thinks that our Legislators ought to work as scholarship determinates, that we know more than the university does as to which student deserves scholarships. Not only is it not within our normal rights as a Legislature, which is to look at the statutes and determine what's in the best interest of the public, but to actually decide which families in our districts get scholarships and which do not, that is not a legislative function. We force the universities to take these students, whether or not there's funding for them. The argument's made that while they would have the slots in the classroom anyway, they can open up... they can... Most of these students would end up going to the same university that they applied to anyway, but the question... the whole crux of this, the reason why we need to get rid of this is one, it's not our responsibility as a Legislature to do an administrative function which the university is... is qualified to do. But second, it simply gets back to the culture of corruption in this state that we have, for too long, refused to say we have a problem in this state. We have a problem because people in public office think that they are entitled to privileges. The privilege of handing out legislative scholarships to our const... constituents, yeah, it's great, you make a bunch of families really happy, but that is simply a privilege that

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we do not need and I urge that the Members of this public look at the core function of State Government. The core function of you, as a Legislator, and say is this part of our core function? I don't think it is; I think we ought to end it. I think there are other scholarship opportunities in this state that we also ought to eliminate. And I would ask the Representative when it gets to the Senate that he would consider some of those Amendments. But I do urge passage of this Bill. Thank you."

Speaker Mautino: "Further discussion? The Gentleman from Winnebago, Representative Sacia."

Sacia: "Mr. Speaker, thank you. Will the... will the Sponsor yield? I'll... I'll be very brief, Mr. Speaker and I didn't have my light on until the Gentleman said that he felt that this was some type of a legislative perk. I have been giving out these legislative scholarships for eight years. I have never ever once and I never will be personally involved. I have eight superintendents that make the decision and that's what we're suppose to do. This should be a totally aboveboard issue. This is a tremendous opportunity for young people to obtain an education that otherwise would never be able to. And I really think if there was ever a Bill to oppose, this is one. Thank you very much."

Speaker Mautino: "Further discussion? The Gentleman from Cook, Representative Crespo."

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

Speaker Mautino: "He indicates that he will."

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Crespo: "Representative, I... I'm a little bit confused. Maybe... maybe you can help me here. I... I hear folks keep talking about scholarships. Are we talking about scholarships?"

Walker: "We are not talking about scholarships. We're talking about tuition waivers."

Crespo: "And what do you mean by tuition waivers?"

Walker: "Well, the... in the Bill they are called scholarships, but what are... they are, in fact, our tuition waivers where we tell the universities they are not allowed to charge tuition to these selected students."

Crespo: "Do you know the value of those tuition waivers?"

Walker: "I know that the value in 2008 was \$12.5 million. And it had been climbing a million dollars every year for the previous few years."

Crespo: "So, if the colleges can't collect the 12.5 million dollars, what do they do? Do they pass that cost on to the other students, the other tuitions?"

Walker: "I believe that's true. Yes, I... the way I like to think about this is that... knew what we're doing is apportioning financial aid for students in a way that the university otherwise would do, where everyone could apply and receive funds in that way."

Crespo: "To the Bill. You know, I didn't realize that this was going to be such a controversial issue. Just for the record, I do give out those scholarships. Mom... mom raised no fool. If everybody else is giving them, I want my kids to benefit as well. Representative, I... I feel kind of sor... bad for you. I... in the short while I went to law school, I remember one of my professors saying if the law's against

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you, you argue the facts; If the facts are against you, you argue the law. If the facts and law are against you, you attack the plaintiff. And unfortunately, they're attacking you for... for taking this up. Folks, there's no money. Our colleges are telling us we are broke, you guys need to pay us. So, we're not talking about scholarships; these are tuition waivers. So, basically, we're just telling the schools take these kids, we're not going to give you the money. You're not going to realize \$12.5 million in scholarship dollars. So, if you apply for financial aid, they will get scholarships, they will get loans. That's real money that goes to the institutions. This does not provide the money the colleges need. So, I stand in strong support. Hopefully it will pass, Representative. I'm not sure what's going to happen, but thanks for bringing this up."

Speaker Mautino: "The Gentleman from Cook, Representative Will Davis."

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

Speaker Mautino: "He indicates that he will."

Davis, W.: "Representative, I'm going to do my best to try not to be redundant in this conversation cause I've listened to what Members have said, both in favor and those that are opposed, to what you're trying to do. So, I just want to make sure that I'm... I'm clear now. You don't participate in this program, correct?"

Walker: "That's correct."

Davis, W.: "Will you ever participate in this program?"

Walker: "I doubt it."

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Davis, W.: "You... you doubt it?"

Walker: "I mean, ever is a long time."

Davis, W.: "Well, as long as you're in the Legislature. I mean, who knows how long that may be. You know, everybody's... everybody's tenuous here on some level. So, I'm just asking. As long as you are a Member of the General Assembly will you participate in this program?"

Walker: "Th... this program, as currently designed, I will not participate in it."

Davis, W.: "Okay. So, there is a possibility that if changes are made to it, you may consider or reconsider your position?"

Walker: "I will reconsider any improvement. I will still fundamentally believe it is not among the privileges of being a Legislator to do this kind of thing."

Davis, W.: "But the fact that you would even reconsider that position means that there are probably some deserving students in your district that you would like to participate in this. With the economy the way it is, families are struggling to make ends meet all over the place. Now, I took the liberty of looking up... Now, I believe you represent some part of Arlington Heights, correct?"

Walker: "That's correct."

Davis, W.: "Okay. So, I took the liberty of looking up, and it says here, according to the census Web site, that the median household income inflation adjusted in 2008 in your district was a little over \$80,000, and that the median

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family income in 2008 in your district was \$98,000. Now, with those kind of figures looming out that is..."

Walker: "That is only Arlington Heights, correct?"

Davis, W.: "I'm looking at... I typed in Arlington Heights, Sir. I believe I can spell."

Walker: "Right. That is... that is... that is one of six villages in my district."

Davis, W.: "I believe I can spell. So, I... I'm just looking at... for your community. So, would you even, under these circumstances, with the economy the way it is, would you agree that there are probably some deserving students in your district that could benefit from this program?"

Walker: "There are many students in my district, and Arlington Heights is the wealthiest section of the district. There are many students in my district that can benefit from financial aid to go to college, yes."

Davis, W.: "Okay. So, having said that, if we change this program you may consider or reconsider your position to give deserving students in your district an opportunity to participate? That a yes or a no?"

Walker: "I really can't predict what my decision would be, but if it were dramatically changed I could consider it."

Davis, W.: "Okay."

Walker: "I'd consider virtually anything."

Davis, W.: "Well, what I'm suggesting here, Representative, and I tried to have this conversation with you when I heard that you were carrying this Bill, is that there are some Members in here that would agree with you that there are some issues or challenges with this program because there's

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no one way of administrating, there's no set standard. So, what I'd like to see happen is maybe that we could put our heads together and come up with some rules, some guidelines, some standards, by which this program can continue to be administered. And one thing you may not know about me, Representative, but before I became a Legislator, I spent six years in the admissions office at Southern Illinois University, recruited students out of Chicago, surrounding areas, all over the state. So, I know firsthand how difficult it is, the decisions that families have to make, in trying to encourage and give the opportunity for their young people to go to college. This program, even though you don't agree with it, currently, is an opportunity to do that. That's what it's about. It's about giving that opportunity now. I understand that possibly at the end of the day, your carrying of this Bill is going to wind up in your newsletter and that is going to be a good political piece for you. As a matter of fact, you know, targets are probably not going to vote for it. They're probably going to support you for... for obvious reasons. But this is a good program and the fact that you would indict it the way..."

Speaker Mautino: "The Gentlemen bring their remarks to a close."

Davis, W.: "I'll do my best. The fact that you've indicted it the way you have, you know, doesn't bode well for how you feel about your colleagues. I know we disagree on issues here in the General Assembly. But to say that because there's 'corruption that exists', everybody's not corrupt.

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So, why would you make such a broad accusation amongst your colleagues instead of working to try to make something that's good, better? Why don't we try to do that, Representative? Now, I won't ask you to take the Bill out of the record. It's apparent that you're going to call... call for a vote on it and it's going to go up or down one way or the other. But I would appreciate if you'd work with me to try to make a program, this program better, to give young people all over the State of Illinois that opportunity, including young people in your district. So, I hope that we'll have that opportunity to work on this Bill, or this issue, not this Bill, but this issue, at some point in the future. I certainly encourage my colleagues to vote 'no' on this piece of legislation. Let's work together. Let's do that. If we're talking about good government, and doing things that benefit people here in the State of Illinois, this is something that's good and something that..."

Speaker Mautino: "Further discussion? The Gentleman from Vermilion, Representative Black."

Black: "Thank you very much, Mr. Speaker and Ladies and Gentlemen of the House. I commend the Gentleman's courage for bringing this Bill forward. And I would rise to defend him as I did to rise to defend Representative Jakobsson three or four years ago when she brought this forth. I have had this Bill for at least eight different times. I did participate in the program until I found out a few things. Number one, in 1994, I found out we didn't pay for it. We didn't give the universities a penny. Number two,

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as a politician I learned how to count. I could make six families happy and a hundred families unhappy. Now, some of the things I've heard here today, this is not a good program. You all know that deep down in your heart. It's been around a hundred years and nobody can even remember why it started. So, let me just address some of the issues. You know, it... I found that what we do here often is we attack the Sponsor of a Bill rather than debate the contents of the Bill. Only the wealthy will go to school. My father worked hard all his life as a heating and air conditioning technician. I went to school, I went to graduate school, I borrowed some money, but I went. Space, what difference does it make if you put 1500 students in a classroom? I worked in a community college, I was the vice president of student services. Every student in that classroom must bear some of the apportioned costs of that classroom. The teacher, the professor, the utilities, the equipment, whatever it is, nobody sits in that classroom for free. One of my colleagues who I dearly respect and love said, if they don't get this tuition waiver, they'll leave the State of Illinois. Come on. If they can't afford to go to school in Illinois, what makes you think they're going to go to Missouri and pay out of state tuition? This is a classic cost shift. I believe Representative Crespo said it very well. When you send 1500 people a year to any college campus and we don't pay one penny for their education, then the university will have to raise tuition to cover that cost. The University of Illinois has not yet announced their tuition. When they do,

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I know what I'm going to hear on this floor, howls of protest, how dare the university. Look inward, look inward, we're part of the problem. Nobody could go without this scholarship. Nobody could go to school without this tuition waiver. If you would fully fund the Illinois Student Assistance Commission, I would submit to you that thousands more could go. In October, we allegedly funded the Monetary Award Program with \$250 million for the spring semester. Where's that money? Where is that money? It isn't there, hasn't been appropriated. I just sent out letters to several hundred students in my district who were merit scholars, in the upper 10 percent of their class. They're supposed to get a \$1 thousand stipend to help them pay for college. It has been 12 years since we've appropriated one nickel to pay for the Merit Scholar Program. So, they get a letter of congratulations and nothing to help them go to school. There was a Bill up in a committee yesterday, I can't remember the Sponsor, it was to help people in health occupations pay their tuition to become a nurse, a nurse technician, a radiology technician, and if they would practice so many years in a health underserved area, the cost of their education would be waived and paid for by this program. Haven't funded that in five years. No money. So, nobody can enroll in the program. I don't think Mr. Walker has attacked anyone's integrity. I respect every one of you. As you get close as I am to leaving this chamber, you'll find out, in nine months I'll be gone and I've enjoyed every month I've spent here. There've been days I haven't, but for the most part,

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I've... I've enjoyed every day. And I respect all of you. And some of you do this very well. But I've been here long enough to tell each and every one of you on the floor, I have read scandal after scandal after scandal on this program. I've seen Legislators from Chicago award scholarships to somebody who lived in Cairo. I've seen Legislators who lived in Cairo award scholarships to somebody who lived in Highland Park. A prominent Member..."

Speaker Mautino: "Please turn on Representative Black's mic."

Black: "I'll... I'll do my best to finish."

Speaker Mautino: "Thank you, Sir."

Black: "It was less than a year ago, a prominent Member of this Assembly left to take another position and the article came out that one of his legislative tuition waivers was awarded to the daughter of his most prominent campaign donor. You read that every year. You read that the son or the daughter of the Republican chairman or the Democrat chairman of the county received a scholarship. If you have a committee, I commend you. But you... if you don't... if you're hands-off, you can't prevent that. This program has been fought with difficulties for 30 years. Ladies and Gentlemen, my responsibility is not to be a financial aid officer. My... my responsibility as a Legislator is try to find out how we pay for the programs that we initiate. We aren't paying for that. We're \$13 billion in debt. We owe the University of Illinois \$475 million as we stand here. Southern Illinois University says we don't know how we're going to be able to make payroll in April, and we're sitting here arguing about legislative tuition waivers that

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we will not fund and we will not pay for and I'm here to tell you I've tried to change the process for hours and days and years and every one of them. I'll come over there and time you in about one more minute, all right? You better not... you better not be yelling at me, Representative. Sit down. You can sit down or I'll take that sculpture out of your office."

Speaker Mautino: "To the Bill. To the Bill."

Black: "All I want to say is this. It's time as Legislators to put your responsibilities where they should be. I don't blame her for not wanting to hear me talk, because I don't agree with her. And I can pull some of her scholarship records, and I'll show you why she doesn't agree with me. If you're not going to pay, if you're not going to pay for this program, then do away..."

Speaker Mautino: "Representative... Representative Davis has already spoken in debate, is seeking recognition."

Davis, M.: "My point is, if we're going to have a time on Rep... people, it should be for everybody."

Speaker Mautino: "The question is, to the Chair and..."

Davis, M.: "It should be... everybody."

Speaker Mautino: "To the Lady from Cook, I use the timer and when it runs out, I have given everyone the ability to close their remarks. So, we've done that fairly and I intend to do... and intend to move on with the Bill. It is now time for Representative Walker to close."

Walker: "Thank you very much..."

Speaker Mautino: "The Gentleman from Cook."

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Walker: "...I... I appreciated the debate. I did expect there to be vigorous debate on this issue. I appreciate all of my colleagues and I would not call into question any colleague's ethics in any way, at all. My goal here is to set up a system whereby needy students in the state get access to education by applying to the universities and applying to financial aid and other grants. I believe that is the best way to do it. If we want to fight for education, we should fight for instance, for funding MAP grants. I believe that access to education is important to our economy. I urge an 'aye' vote. This is the right thing to do at this time. Thank you."

Speaker Mautino: "The Gentleman has moved passage of House Bill 4685. All in favor vote 'yes'; opposed vote 'no'. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Representative Reitz, Representative Feigenholtz, do you wish to be recorded? Mr. Clerk, take the record. 80 voting 'yes', 36 voting 'no', and 0 voting 'present', House Bill 4685 is declared passed. Mr. Clerk, Agreed Resolutions."

Clerk Mahoney: "On the Order of Agreed Resolutions is House Resolution 978, offered by Representative Tryon, and House Resolution 979, offered by Representative Tryon."

Speaker Mautino: "Representative Currie moves adoption of the Agreed Resolutions. All in favor say 'yes'; opposed 'no'. The 'yesses' have it. And the Agreed Resolutions are adopted. Mr. Clerk, committee announcements."

Clerk Mahoney: "There are two committee changes for tomorrow. The Aging Committee that was scheduled for 10 a.m.

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tomorrow, on Thursday, has been canceled. Aging has been canceled for tomorrow. The Revenue Committee which was to meet at 9 a.m.... correction... that was to meet at 8 a.m. is now meeting at 9 a.m. Revenue is meeting at 9 a.m. tomorrow."

Speaker Mautino: "And now, allowing perfunctory time for the Clerk, Representative Currie moves that the House stand adjourned until Thursday, March 4 at 12 noon. All in favor say 'yes'; opposed 'no'. And the House stands adjourned."

Clerk Mahoney: "House Perfunctory Session will come to order. Committee Reports. Representative Franks, Chairperson from the Committee on State Government Administration reports the following committee action taken on March 03, 2010: recommends be adopted is House Resolution 547; do pass as amended Short Debate is House Bill 5109, House Bill 6153, and House Bill 5154; do pass as amended Standard Debate is House Bill 5301; do pass Short Debate is House Bill 4778, and House Bill 4836, as well, as House Bill 4859, House Bill 4940, House Bill 5133, House Bill 5329, House Bill 5410, House Bill 5453, House Bill 5854, House Bill 5956, House Bill 6003, House Bill 6052, House Bill 6262, House Bill 6271, and House Bill 6299. Representative Boland, Chairperson from the Committee on Higher Education reports the following committee action taken on March 3, 2010: do pass Short Debate is House Bill 4972; do pass as amended Short Debate is House Bill 5411, and House Bill 6206. Representative Holbrook, Chairperson from the Committee on Environment & Energy reports the following committee action taken on March 3, 2010: 'do pass Short Debate' is House

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Bill 6047; 'recommends be adopted' is House Resolution 768, and House Joint Resolution 85. Representative Collins, Chairperson from the Committee Juvenile Justice Reform reports the following committee action taken on March 3, 2010: 'do pass Short Debate' is House Bill 4847, House Bill 5012, House Bill 5914; 'do pass as amended short debate' is House Bill 4583. Representative Golar.. Golar, Chairperson from the Committee on Disability Services reports the following committee action taken on March 3, 2010: 'do pass as amended short debate' is House Bill 5669. Representative Feigenholtz, Chairperson from the Committee on Adoption Reform reports the following committee action taken on March 3, 2010: 'do pass short debate' is House Bill 5699 and House Bill 6080; 'do pass as amended short debate' is House Bill 5428. Representative Rita, Chairperson from the Committee on Business Occupational License reports the following committee action taken on March 3, 2010: 'do pass short debate' is House Bill 4934, House Bill 6113; 'do pass as amended short debate' is House Bill 5080, House Bill 5514, and House Bill 5933. Representative Osterman, Chairperson from the Committee on Labor reports the following committee action taken on March 3, 2010: 'do pass short debate' is House Bill 6112. Representative Nekritz, Chairperson from the Committee on Elections & Campaign Reform reports the following committee action taken on March 3, 2010: 'do pass short debate' is House Bill 5039 and House Bill 5727. Introduction and reading of House Bills-First Reading. House Bill 6623, offered by Representative Black, a Bill

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for an Act concerning gaming. House Bill 6624, offered by Representative Chapa LaVia, a Bill for an Act concerning appropriations. And House Bill 6625, offered by Representative Senger, a Bill for an Act concerning State Government. There being no further business, the House Perfunctory Session will stand adjourned."