

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

116th Legislative Day

3/19/2010

Speaker Madigan: "The House shall come to order. The Members shall be in their chairs. We ask the Members and our guests in the gallery to turn off laptop computers, cell phones, and pagers. And we ask the guests in the gallery to rise and join us for the invocation and the Pledge of Allegiance. We shall be led in prayer today by the Reverend Doctor Kenneth Board, who is with the Pilgrim Baptist Church in Rockford. Reverend Board is the guest of Representative Chuck Jefferson."

Reverend Board: "Let us pray. Oh gracious God, our health and age has passed, our hope and ages have come are shelter from the storm. As it was similar today in the House, the Illinois House of Representatives, we ask that You will invoke Your holy spirit into this sacred wall, that every head and every heart will be united together that they may do the work of ministry in the political arena for this great state. We thank You for our Speaker Madigan, we thank You for his wisdom. We thank You Lord for his heart for Your people. From my host, Chuck Jefferson, we thank You for his leadership on behalf of the people of the City of Rockford. And for all of these Representatives, let them know today that they represent You first, and then the constituency of this great state. And we ask that You will come, with Your holy power, that the work that will be done today, that will bring glory to Your name. And we lift this Prayer in the mighty name of the one who came that we would have life, and have it more abundantly. In Your name we pray, Amen."

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

116th Legislative Day

3/19/2010

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

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

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

Currie: "Thank you, Speaker. Please let the record reflect that Representatives Acevedo, Colvin, Miller, Yarbrough, and Zalewski are excused today."

Speaker Madigan: "Mr. Bost."

Bost: "Thank you, Mr. Speaker. Let the record reflect that Representative Tracy, Reis, and Pihos are excused on the Republican side of the aisle. And Mr. Speaker, we just want to make sure, is Mr. Ri... Rita... has he... Oh yeah. He punched 'present', and we were afraid he was going to vote 'no'."

Speaker Madigan: "The Clerk will take the record. There being 108 Members responding to the Attendance Roll Call, there is a quorum present. Mr. Clerk, Agreed Resolutions."

Clerk Bolin: "Agreed Resolutions. House Resolution 1025, offered by Representative... correction House Resolution 1026, offered by Representative Kosel. House Resolution 1027, offered by Representative Farnham. House Resolution 1028, offered by Representative Coulson. House Resolution 1029, offered by Representative Coulson. House Resolution 1030, offered by Representative Poe. House Resolution 1031, offered by Representative Sente. House Resolution

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

116th Legislative Day

3/19/2010

1032, offered by Representative Mathias. And House Resolution 1033, offered by Representative Ramey."

Speaker Madigan: "The Clerk has read the Agreed Resolutions. Representative Currie moves for the adoption of the Agreed Resolutions. Those in favor say 'aye'; those opposed say 'no'. The ayes have it. The Agreed Resolutions are adopted. Mr. Clerk, read the Adjournment Resolution."

Clerk Bolin: "Senate Joint Resolution 116, offered by Representative Currie.

RESOLVED, BY THE SENATE OF THE NINETY-SIXTH GENERAL ASSEMBLY OF THE STATE OF ILLINOIS, THE HOUSE OF REPRESENTATIVES CONCURRING HEREIN, that when the Senate adjourns on Thursday, March 18, 2010, it stands adjourned until Tuesday, March 23, 2010 at 12:00 noon, or until the call of the President; and when the House of Representatives adjourns on Friday, March 19, 2010, it stands adjourned until Monday, March 22, 2010 at 3:00 p.m. or until the call of the Speaker."

Speaker Madigan: "The Clerk has read the Adjournment Resolution. Representative Currie moves for the adoption of the agreement re... the Adjournment Resolution. Those in favor say 'aye'; those opposed say 'no'. The 'ayes' have it. The Adjournment Resolution is adopted. Mr. Flider. Mr. Flider, did you wish to call House Bill 5947? Gentleman indicates that he wishes the Bill to be taken from the record. Mr. McGuire. Mr. McGuire, did you wish to call House Bill 6125? 6125? Gentleman indicates that he wishes the Bill to be taken out of the record. Mr.

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

116th Legislative Day

3/19/2010

Lang, did you wish to call House Bill 6083? 6083? Mr. Clerk, read the Bill."

Clerk Bolin: "House Bill 6083, a Bill for an Act concerning civil law. Third Reading of this House Bill."

Lang: "Thank you, Mr. Speaker. This Bill is an initiative of the City of Chicago. It involves the use of LIDAR which, in essence, is the speed gun. They've been required under the law to bring an expert witness in on each case to prove the scientific veracity of the system, and this is a Bill that would declare that the system is... is appropriate and scientific, and it would alleviate the need to prove up a hundred or two hundred times a day in the city and elsewhere around the state that uses the system, with an expert witness. It would not mean that the system could not be challenged. It would not mean that they couldn't be cross examined. It would just mean they wouldn't need to bring an expert to testify. And I would ask the adopt... the passage of the Bill."

Speaker Madigan: "Mr. Rose."

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

Speaker Madigan: "Sponsor yields."

Rose: "Representative Lang, without the expert there, how would the defendant be able to cross-examine?"

Lang: "Well, they could certainly cross-examine the officer."

Rose: "Yeah. But if the officer has no knowledge as to the scientific validity of the instrument itself, how would the defendant be able to enforce their constitutional rights to cross-examine and hold the state to the burden of proof?"

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

116th Legislative Day

3/19/2010

Lang: "Well, this is no different than other testimony. We have conflict..."

Rose: "Well, it is because you don't have a witness there."

Lang: "Let... let me... May I finish answering the question?"

Rose: "Sure."

Lang: "We have conflicting court cases in the State of Illinois. We have one court case that says that it's scientifically verifiable. And another case that says it is not. And this has become a huge burden on local government to bring in witnesses, after witnesses, after witnesses."

Rose: "But you would agree that that's the burden that's placed on this state by the United States Constitution. That it's the state's burden... that it's the state's burden to prove a case beyond a reasonable doubt. Wouldn't you agree? You're an attorney, Sir."

Lang: "I certainly agree."

Rose: "So, then, how is it we're taking away the defendant's right to cross-examine the witness an... and hold the... the state's feet to the fire."

Lang: "Representative, just like they do with radar now, this is just a new piece of equipment. Just as they do with radar, they can cross-examine the officer and all rules of evidence are still in play, it's just that, this piece of equipment would be considered scientifically reliable because for..."

Rose: "What if there's something wrong..."

Lang: "...because... I'm going to finish answering the question, Sir... because for the period of time that this has been in

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

116th Legislative Day

3/19/2010

use, it's been proven over and over again to be valid within one mile per hour."

Rose: "What if the ticket was for going 66 miles per hour in a 65?"

Lang: "Well, I don't think anybody is going to get a ticket for that. And I don't think anybody is going to be convicted for that."

Rose: "I've seen them."

Lang: "All right. So, you've seen it, Sir."

Rose: "So, you... so, you are... can technically... it's technically illegal, and it's... would be convicted on that. And you just admitted there's a one mile per hour error rate in this so-called scientifically accurate device."

Lang: "No, that's not what I said. I said it's been scientifically proven to be reliable within one mile per hour. I didn't say it's one mile per hour off, Sir."

Rose: "Well, within one mile per an hour, isn't that the same thing? So, what if it was a 21 in a 20 in a school zone?"

Lang: "I understand your point, Sir, but I've never seen that happen."

Rose: "The point is if radar is accurate... accurate, you've just indicated that this is not accurate because there's a... there's a... a one mile per an hour over or under on it. So, how I... getting back to this, I think it's up to the... the witness... the defendant, not the witness, the defendant ought to be able to examine the state's evidence and the full scope and breadth of the evidence. I mean, you're..."

Lang: "Mr. Rose, it just doesn't seem reasonable that in the City of Chicago, where they have a hundred or two hundred

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

116th Legislative Day

3/19/2010

of these a day, or other places in the state where if you add them up, there are many hundreds a day, that in each of these cases the prosecution needs to spend thousands of dollars every day on a witness that will simply testify that, here is the statistics, this is valid."

Rose: "Well..."

Lang: "In no case that I know of, maybe you know, in no case that I know of, as light our evidence been thrown out."

Rose: "Well, Representative, I... I appreciate your answers, and we're going around and around here. I... I will just say that I... I think that that cost is the cost of democracy and that's the cost exacted by the United States Constitution. The witness... the defen... not the witness... the defendant ought to have the ability to cross-examine all the evidence introduced by the state. The burden is on the state, and if the state wants to bring these tickets, may it bear the cost of... of bringing the tickets. That's what we fought a Revolutionary War about is being able to challenge the state's evidence, and the defendant being able to challenge that evidence. I don't think it's fair to stack the deck against the defendant, which is exactly what you're doing here. So, thank you, Mr. Speaker. I'll respectfully be a 'no' vote."

Speaker Madigan: "Mr. Reboletti."

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

Speaker Madigan: "Sponsor yields."

Reboletti: "Representative Lang, I... I... my understanding is in DuPage County they had a Frye hearing on LIDAR. It was challenged to not be scientifically acceptable, in that the

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

116th Legislative Day

3/19/2010

Circuit Court app... upheld it and then, again, the 2nd District upheld it. Is that your understanding or... of what's... the state of the law is in Illinois?"

Lang: "I... I missed part of your question. That... that it was held as scientifically reliable by the court?"

Reboletti: "Right, in DuPage County."

Lang: "That... that is correct, Sir."

Reboletti: "What... what's the status... Did the 1st District rule on LIDAR as of yet?"

Lang: "I... I'm not sure they have or not, but I do know there are conflicting court cases, but the most recent court case is, I believe, the man case involving DuPage County."

Reboletti: "And my understanding is, Representative Lang, is that, I think it's a downstate district, I can't remember which Appellate Court district, that said it was not scientifically acceptable. Maybe it didn't... I don't know if it said quite that, but it inferred that. And that's what Cook County has been relying on. Is that a fair assessment?"

Lang: "That's correct. And I think it'd be fair to say that this Bill is here to clean up this difference of opinion."

Reboletti: "Well, I... I think, Representative Lang, that this is a good Bill. That it... it is... LIDAR is scientifically acceptable. It's even more efficient than radar or other detection devices and it should be the law in the State of Illinois. It has scientific merit. It's already been established in the Second Appellate District. And I would urge an 'aye' vote."

Lang: "Thank you, Representative."



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

116th Legislative Day

3/19/2010

Speaker Madigan: "The question is, 'Shall this Bill pass?' Those in favor signify by voting 'yes'; those opposed by voting 'no'. Have all voted who wish? Have all voted who wish? The Clerk shall take the record. On this question, there are 85 people voting 'yes', 22 people voting 'no'. This Bill, having received a Constitutional Majority, is hereby declared passed. Mr. Burke, did you wish to call House Bill 4801? Mr. Clerk, read the Bill."

Clerk Bolin: "House Bill 4801, a Bill for an Act concerning criminal law. Third Reading of this House Bill."

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

Burke: "Thank you, Mr. Speaker and Ladies and Gentlemen of the House. House Bill 4801 would prohibit the private possession of primates as pets. Keeping primates as pets threatens the public health and safety, as well as animal welfare. There is an attack risk; there's a disease risk. Twenty states prohibit keeping primates as pets. And there is a exclusion for service animals. And I'd be happy to answer any questions."

Speaker Madigan: "The Gentleman has presented the Bill. Is there any further discussion? There being no further discussion, the question is, 'Shall this Bill pass?' Those in favor signify by voting 'yes'; those opposed by voting 'no'. Have all voted who wish? Have all voted who wish? Clerk shall take the record. On this question, there are 105 people voting 'yes', 2 people voting 'no'. This Bill, having received a Constitutional Majority, is hereby declared passed. For what purpose does Mr. Rose seek

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

116th Legislative Day

3/19/2010

recognition? Gentleman withdraws his request. Mr. Phelps, do you wish to call House Bill 4858? Mr. Clerk, read the Bill."

Clerk Bolin: "House Bill 4858, a Bill for an Act concerning identification. Third Reading of this House Bill."

Speaker Madigan: "Mr. Phelps."

Phelps: "Thank you, Mr. Speaker and Ladies and Gentlemen of the House. House Bill 4858 is a... a measure from the Secretary of State, Jesse White. All this does is allows the Secretary of State to require that an applicant for a driver's license or an ID card use the same name and address on all licenses and all ID cards permitted."

Speaker Madigan: "The Gentleman moves for the passage of the Bill. Is there any further discussion? There being no further discussion, the question is 'Shall this Bill pass?' Those in favor signify by voting 'yes'; those opposed by voting 'no'. Have all voted who wish? Have all voted who wish? The Clerk shall take the record. On this question, there are 104 people voting 'yes', 3 people voting 'no'. This Bill, having received a Constitutional Majority, is hereby declared passed. Mr. Biggins, did you wish to call House Bill 6148? Mr. Clerk, read the Bill."

Clerk Bolin: "House Bill 6148, a Bill for an Act concerning transportation. Third Reading of this House Bill."

Speaker Madigan: "Mr. Biggins."

Biggins: "Thank you, Mr. Speaker. The... amends the Illinois Vehicle Code and... to increase the amount of an administrative sanction imposed upon a person found guilty or pleading guilty to violations of the DUI

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

116th Legislative Day

3/19/2010

provision of the Illinois Vehicle Code. Increases the fine from 500 to 750 dollars. I'll be glad to answer anyone's questions."

Speaker Madigan: "The Gentleman moves for the passage of the Bill. Is there any discussion? There being no further discussion, the question is, 'Shall this Bill pass?' Those in favor signify by voting 'yes'; those opposed by voting 'no'. Have all voted who wish? Have all voted who wish? The Clerk shall take the record. On this question, there are 107 people voting 'yes', 0 voting 'no'. This Bill, having received a Constitutional Majority, is hereby declared passed. Mr. Bost, did you wish to call House Bill 4821? Mr. Clerk, read the Bill."

Clerk Bolin: "House Bill 4821, a Bill for an Act concerning elections. Third Reading of this House Bill."

Bost: "Thank you, Mr. Speaker. Members of the House, House Bill 4821 is the... Bill for the State Board of Elections that does some administrative changes. I... it simply allows... it simply... the original Bill was then amended, but now it allows the State Board of Elections to do some electronic filing. There was an agreement that was brought forth... and... this is an agreed Bill. Be glad to answer any questions that you might have."

Speaker Madigan: "The Gentleman moves for the passage of the Bill. Is there any discussion? There being no discussion, the question is, 'Shall this Bill pass?' Those in favor signify by voting 'yes'; those opposed by voting 'no'. Have all voted who wish? Have all voted who wish? The Clerk shall take the record. On this question, there are

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

116th Legislative Day

3/19/2010

106 people voting 'yes', 1 person voting 'no'. This Bill, having received a Constitutional Majority, is hereby declared passed. Representative Flowers do you wish to call House Bill 4825? Mr. Clerk, read the Bill."

Clerk Bolin: "House Bill 4825, a Bill for an Act concerning courts. Third Reading of this House Bill."

Speaker Madigan: "Representative Flowers."

Flowers: "Thank you, Mr. Speaker and Ladies and Gentlemen of the House. House Bill 4825 amend the Juvenile Court Act by clarifying exist... existing law and codifying case law to allow the courts to impose conditions on a parent or a guardian necessary to safeguard the return of the minor to the home after a finding of abuse and neglect. 4825 make another technical change by clarifying the procedure by which a minor who's alleged to have been abused and neglected may be returned home. And I'll be more than happy to answer any questions."

Speaker Madigan: "The Lady moves for the passage of the Bill. Is there any discussion? Mr. Rose."

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

Speaker Madigan: "Sponsor yields."

Rose: "Representative, what does re-earning mean?"

Flowers: "Pardon me?"

Rose: "Re-earning?"

Flowers: "Re-earning?"

Rose: "In the title on the board there, it says re-earning child."

Flowers: "Oh, I'm sure that's just a technical error. It should have been returning."

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

116th Legislative Day

3/19/2010

Rose: "Oh, returning."

Flowers: "Yes..."

Rose: "Very good."

Flowers: "...but you knew that. You knew that. Yes."

Rose: "Ve... very good. Thank you, Representative."

Flowers: "No problem."

Speaker Madigan: "The Lady moves for the passage of the Bill.

There being no further discussion, the question is, 'Shall this Bill pass?' Those in favor signify by voting 'yes'; those opposed by voting 'no'. Have all voted who wish? Clerk shall take the record. On this question, there are 107 people voting 'yes', 0 voting 'no'. This Bill, having received a Constitutional Majority, is hereby declared passed. Representative Jakobsson, do you wish to call House Bill 6001? Mr. Clerk, read the Bill."

Clerk Bolin: "House Bill 6001, a Bill for an Act concerning regulation. Third Reading of this House Bill."

Speaker Madigan: "Representative Jakobsson."

Jakobsson: "Thank you, Mr. Speaker, Ladies and Gentlemen of the House. House Bill 6001 amends the Professional Geologist Licensing Act to allow the Department of Financial and Professional Regulation to certify Geologist Interns. It's similar to a Bill that passed out of here just about a year ago and got hung up in the Senate due to some rulemaking language. House Bill 6001 would amend the Geologist Licensing Act to allow candidates to take the fundamentals exam near the time they graduate from college. This is consistent with other licenses administered by the Division of Professional Regulation including the practice for

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

116th Legislative Day

3/19/2010

licensing engineers and much like... much like the engineering profession has engineers in training. This Bill would establish the category of Geologist Intern for those who have completed their undergraduate degree and passed the fundamentals exam. I would..."

Speaker Madigan: "The Lady moves for the passage of the Bill. There being no discussion, the question is, 'Shall this Bill pass?' Those in favor signify by voting 'yes'; those opposed by voting 'no'. Have all voted who wish? The Clerk shall take the record. On this question, there are 106 voting 'yes', 0 voting 'no'. This Bill, having received a Constitutional Majority, is hereby declared passed. Mr. Leitch, did you wish to call House Bill 5306? 5306? Mr. Clerk, read the Bill."

Clerk Bolin: "House Bill 5306, a Bill for an Act concerning health. Third Reading of this House Bill."

Leitch: "Thank you very much, Mr. Speaker, Ladies and Gentlemen of the House. All this Bill does is clarify that entitlements can't be capped and provides that providers can be paid in subsequent fiscal years. I would ask for your support."

Speaker Madigan: "The Gentleman has moved for the passage of the Bill. There being no discussion, the question is, 'Shall this Bill pass?' Those in favor signify by voting 'yes'; those opposed by voting 'no'. The Clerk shall take the record. On this question, there are 107 people voting 'yes', 0 voting 'no'. This Bill, having received a Constitutional Majority, is hereby declared passed. Mr.

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

116th Legislative Day

3/19/2010

Saviano, do you wish to call House Bill 4976? Mr. Clerk, read the Bill."

Clerk Bolin: "House Bill 4976, a Bill for an Act concerning business. Third Reading of this House Bill."

Saviano: "Thank you, Mr. Speaker, Members of the House. House Bill 4976 is an initiative of the Department of Insurance. It simply cleans up the Act which all fees collected by the Department of Insurance under this category would go to the professional licensure dedicated fund. There's no opposition to it. And I would ask for a favorable vote. Thank you."

Speaker Madigan: "The Gentleman moves for the passage of the Bill. There being no discussion, the question is, 'Shall this Bill pass?' Those in favor signify by voting 'yes'; those opposed by voting 'no'. Clerk shall take the record. On this question, there are 107 people voting 'yes', 0 voting 'no'. This Bill, having received a Constitutional Majority, is hereby declared passed. Representative Graham, do you wish to call House Bill 4805? Clerk... Mr. Clerk, read the Bill."

Clerk Bolin: "House Bill 4805, a Bill for an Act concerning public health. Third Reading of this House Bill."

Graham: "Thank you, Mr. Speaker, Ladies and Gentlemen of the General Assembly. I have before you 4805, which is regarding money that is collected from lead poisoning, concerning where the money would be deposited. The original language said that the money would go straight to the local, state, or county Departments of Health. Now, Amendment #1 makes the change for it to go into lead

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

116th Legislative Day

3/19/2010

poisoning prevention and abatement fund. There's no opposition to this legislation. I'll take any questions at this time."

Speaker Madigan: "The Lady moves for the passage of the Bill. The Chair recognizes Mr. Black."

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

Speaker Madigan: "Sponsor yields."

Black: "Representative, because of the fiscal crisis in the State of Illinois, the Vermilion County, my home county, Vermilion, the Health Department may cease to exist by the end of May. Now they are the designated agency for lead screening, et cetera. If the county board votes to abolish it, that... they're not a referenda agency, they're a resolution agency. So, the county board could and have indicated they may disband the Vermilion County Health Department because of the hundreds of thousands of dollars that the County Health Department is owed. So, if that happens, then there will be no delegated inspection agency. So, what happens in that case?"

Graham: "If there's no delegated agency, then the money will be deposited into the lead poisoning screening, prevention, and abatement fund."

Black: "Okay. Now, who will... who will actually do the inspection? Will IDPH send somebody into a county that no longer has an entity that's testing for lead? Or how... how... and I'm only asking because I'm trying to figure out how we're going to get along without a health department. So, if we don't have a designated lead agency to look for lead



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

116th Legislative Day

3/19/2010

poisoning or lead contamination, will IDPH pick that up or will it have to be contracted out?"

Graham: "I'm not sure. Let me get an answer to that question for you as we continue to talk."

Black: "Yeah. I'd really appreciate that because there are so many unanswered questions in my home county about what happens if... if the county board abolishes the Vermilion County Health Department."

Graham: "So, I guess if they don't have a County Lead Department, it would go to the State Lead Fund."

Black: "All right. But wh... what I'm concerned about, and I don't think people in my home county are paying enough attention, who will do the various inspections to find out whether lead based paint is a... is a contaminant in rental housing or something of that sort. I... I don't imagine IDPH is going to come over and do it."

Graham: "Well, this piece of legislation, I appreciate your questions Representative Black, but this piece of legislation doesn't address those..."

Black: "Okay."

Graham: "...questions. It just says whether..."

Black: "It... it just address where the..."

Graham: "Exactly."

Black: "...penalty dollars would go?"

Graham: "Yes..."

Black: "All right."

Graham: "...just where the funds would go."

Black: "All right. Maybe... maybe I can talk to you later and we can figure out..."

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

116th Legislative Day

3/19/2010

Graham: "Yes."

Black: "...if these... if some of these health departments are eliminated, who's going to carry on with the designated duties that they've been doing for years? All right. Thank you for your indulgence. And I congratulate you on your new responsibilities."

Graham: "Thank you, Representative."

Speaker Madigan: "The question is, 'Shall this Bill pass?' Those in favor signify by voting 'yes'; those opposed by voting 'no'. The Clerk shall take the record. On this question there are 107 people voting 'yes', 0 voting 'no'. This Bill, having received a Constitutional Majority, is hereby declared passed. Mr. Hoffman, do you wish to call House Bill 6153? Mr. Clerk, read the Bill."

Clerk Bolin: "House Bill 6153, a Bill for an Act concerning State Government. Third Reading of this House Bill."

Hoffman: "Thank you, Mr. Speaker, Ladies and Gentlemen of House. House Bill 6153 would simply provide incentives to encourage private companies to share their new energy technology with public institutions of higher education, with public utilities and state and federal agencies. This is subject to funding from the Federal American Recovery and Reinvestment Funds to develop a smart, strong, and secure electrical grid. I ask for an 'aye' vote."

Speaker Madigan: "The Gentleman moves for the passage of the Bill. There being no discussion, the question is, 'Shall this Bill pass?' Those in favor signify by... For what purpose does Mr. Franks seek recognition? Question is, 'Shall this Bill pass?' Those in favor signify by voting

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

116th Legislative Day

3/19/2010

'yes'; those opposed by voting 'no'. The Clerk shall take the record. On this question, there are 106 people voting 'yes', 1 voting 'no'. This Bill, having received a Constitutional Majority, is hereby declared passed. Representative Hernandez, do you wish to call House Bill 4928? Mr. Clerk, read the Bill."

Clerk Bolin: "House Bill 4928, a Bill for an Act concerning government. Third Reading of this House Bill."

Speaker Madigan: "Representative Hernandez."

Hernandez: "Thank you, Speaker and Members of the... of the Body. House Bill 4928 amends the Open Meetings Act to allow a closed meeting, when an elder abuse fatality re... review team is conducting a review of a death in which abuse or neglect is alleged, suspected, or substantiated. The Bill is an initiative of the Department on Aging. The department believes that the elder abuse fatality team should be exempt from the Open Meetings Act to prevent suspects from attending the meetings and potentially gaining knowledge of evidence against them. I ask for your vote. Thank you."

Speaker Madigan: "The Lady moves for the passage of the Bill. The Chair recognizes Mr. Black."

Black: "Thank you Mr. Speaker. Sponsor yield?"

Speaker Madigan: "Sponsor yields."

Black: "Representative, wh... what's the purpose of closing the review meeting? I mean, is... did the state's attorneys association say it may endanger a case, or wh... what overriding reason is there to not let the public know of a

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

116th Legislative Day

3/19/2010

potential elder abuse situation that happened in their area that may have resulted in someone's death?"

Hernandez: "It's that... and it's certainly not to keep from the public. It's only in instances when there is charges of neglect that would affect the... the cases. So, when the agency gets together with law enforcement, the corr... coroner's office, there is discussion of the case. And what their... their concern is that this could be... discussions do occur when there is a potential suspect involved in the case. So, that's only when it's a confidential discussion that the... they want to close the Open Meetings Act."

Black: "Would this be a case that only occurs in a private or residential home setting or would it also cover a case that takes place in a retirement community, a nursing home or other facility of... that type?"

Hernandez: "If there..."

Black: "I mean, I would want to know, if I had a... if I had an aging parent or grandparent in a facility where a death happened and it may have happened because of abuse or neglect, I would want to know that. So, is this a blanket exemption no matter where the abuse or the neglect took place?"

Hernandez: "Yes, it is."

Black: "An... and it wasn't requested by the state's attorneys or any... any of the legal entities?"

Hernandez: "It's the Department of Aging that requested this."

Black: "Oh. Th... this is the same department that wanted to move into a \$575 thousand-a-year building? Is it that same

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

116th Legislative Day

3/19/2010

department? That's the same department, isn't it? Well, at... after that... after that ridiculous move, which they've now backed off of, which I understand, but the director still defended it for efficiency reasons. This... this just appears to me to be another efficiency move on the part of the Department of Aging. I mean, after all, who... who would want to know that somebody perhaps in an institution under their supervision or inspection might have died as a result of abuse or neglect. Heaven... I mean, heaven's we can't have that. I intend to vote 'no'."

Speaker Madigan: "Mr. Eddy."

Eddy: "Thank you. Would the Sponsor yield?"

Speaker Madigan: "Sponsor yields."

Eddy: "Representative Hernandez, I just have a couple questions about the... the closed... the closed meeting. I mean, they would go into... th... this would be at a regularly scheduled meeting that's been posted?"

Hernandez: "That's correct."

Eddy: "And they would be allowed to go into closed session for the purpose of discussing abuse involving the death of an individual, only?"

Hernandez: "That... only when abuse or neglect is suspected. Only."

Eddy: "So, to Representative Black's point, why would... why would individuals who may have an interest in knowing details related to an injury or abuse of... of a relative. Why would you want to exclude them from that meeting?"

Hernandez: "Unfortunately, Representative, they could be the potential suspect."

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

116th Legislative Day

3/19/2010

Eddy: "So, is this only in the case where the person is the suspect? Is it that narrow?"

Hernandez: "No."

Eddy: "Well, Representative, that... that's the problem I have with this. It doesn't just exclude... it... it excludes everyone. It excludes individuals who may have a legitimate interest in... in listening and hearing. I understand what you're trying to do as far as that... that person is concerned, but this to me isn't narrow enough. But let me ask one other question about it. Since it is in closed session then, is it subject to the verbatim recording? Are they required to record the proceedings in closed session?"

Hernandez: "Representative, I believe it is, but they... Okay. They can keep it closed. After six months, it is... it is looked at and if it... if..."

Eddy: "It's subject to the open re... or Closed Meetings Review Act, I understand that. But will it be recorded... will it be a recorded closed session verbatim? Will it be required to be tape recorded?"

Hernandez: "I believe it is."

Eddy: "Well, Representative, I... I need to know. I appreciate that. I... I would... I would suggest that we get some answers to questions like that regarding such a sensitive issue before we take a vote on this measure and... and until that time, I think Representative Black is correct. We really shouldn't pass this unless we know those answers. I would urge a 'no' vote. I would also just ask that maybe you

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

116th Legislative Day

3/19/2010

take it out of the record, get some of those answers so that we'll know... have a more informed vote. Thank you."

Speaker Madigan: "Representative Hernandez."

Hernandez: "I just ask for your aye vote. The department... let me just add, the department did come to me because there was a... there was a case where there was suspicion of a relative at these meet... attending these meetings. So for those reasons, that is why they're looking for the legislation to be passed. Thank you."

Speaker Madigan: "The Lady moves for the passage of the Bill. Those in favor will signify by voting 'yes'; those opposed by voting 'no'. Have all voted who wish? Have all voted who wish? Have all voted who wish? Mr. Crespo. The Clerk, take the record. On this question, there are 61 people voting 'yes', 48 people voting 'no'. This Bill, having received a Constitutional Majority, is hereby declared passed. Representative Jakobsson, do you wish to call House Bill 5859? Representative Jakobsson. The Lady indicates she does not wish to call the Bill. Mr. Phelps, do you wish to call House Bill 5858? Mr. Phelps, 5858? Mr. Clerk, read the Bill."

Clerk Bolin: "House Bill 5858, a Bill for an Act concerning wildlife. Third Reading of this House Bill."

Phelps: "Thank you, Mr. Speaker, Ladies and Gentlemen of the House. House Bill 5858 is an... initiative of DNR. All it does is change the ages for the apprentice hunting license program. And I just ask for its passage."

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

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

116th Legislative Day

3/19/2010

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

Speaker Madigan: "Sponsor yields."

Black: "Representative, I'm just fascinated by this. What is an apprentice hunter license?"

Phelps: "It's a license to my understanding Representative Black, it's for trying to get more youth involvement to the outdoors. Too many kids right now as you know are playing video games and this just kind of introduces them. So, they can apply for an apprentice hunting license to be able to go with a parent or guardian. And it's... it's really for someone who's never really hunted."

Black: "An apprentice license wouldn't excuse them from the hunter safety course, the gun training course, or any of that, would it?"

Phelps: "Yeah. You don't have to take the course on this. This is like someone that they can go with a parent, or a grandfather, or grandmother that's had... somebody that's experienced that's taken a young person that's never hunted before again, but you have to have a... a valid hunting license, a FOID card, things like that."

Black: "So, does that mean if I were to take my grandson hunting, and I doubt that my daughter would let me take him hunting, then do I have to possess a master hunter's license?"

Phelps: "No. You just have to have yourself, a valid hunting license and a FOID card to be able to do that."

Black: "Does the apprentice license..."

Phelps: "If you're over 21."



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

116th Legislative Day

3/19/2010

Black: "...does the apprentice license have... Yeah. I'm over 21.  
Does it require like 600 hours of training..."

Phelps: "No."

Black: "...and then you get a journeyman's license or..."

Phelps: "No, Sir."

Black: "This reminds me of a story, but I'm not going to say it  
on the microphone, I'll come over and tell you later. So,  
the apprentice hunter doesn't have to go through the gun  
safety course. So, it's up to the hunter, the adult, to  
make sure that he or she knows how to handle a shotgun?"

Phelps: "Yeah. Rep... Representative Black this is a one time  
deal. I mean, this is to introduce the person if they like  
it. And then if they do, they go to the hunter's safety  
course... things like that. It's just an introductory."

Black: "Okay. Kind of reminds me of the Dick Cheney case.  
Maybe..."

Phelps: "Yeah."

Black: "...maybe he should have..."

Phelps: "Probably should have."

Black: "...had an apprentice license."

Phelps: "This has been around for a long time. The reason why  
the legislation, Representative, is, I think, they... in  
Representative Reitz's district there was a fatality on a  
bow hunting trip. And we just want... think the apprentice  
hunter should be 21 years or older."

Black: "All right. Now that... that clears up some of my  
concern. The apprentice hunter does have to be 21?"

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

116th Legislative Day

3/19/2010

Phelps: "Not... no... the... the hunter doesn't have to be, but if you take, like yourself, the teacher, so to speak, has to be 21 or older. That's what we're changing."

Black: "So, what... what's the age limit or the age span for an apprentice hunting license?"

Phelps: "There is none."

Black: "None at all?"

Phelps: "No, it can be from 6..."

Black: "You could take out a 8... an 8-year-old?"

Phelps: "You could take a 6-year-old if you wanted or a 10-year-old."

Black: "But then, I assume, that the adult hunter would be responsible in..."

Phelps: "Right."

Black: "...in the case anything goes wrong."

Phelps: "Right. That's why we're doing this legislation."

Black: "Well, I... I remember going out with my father many, many years ago, and it was the best teacher you could have, but unfortunately that parental involvement isn't as strong now as it was 45, 50 years ago. Can anybody take out a minor, I mean, do you have to be blood relative, or you just want to mentor somebody and you could do this?"

Phelps: "If... if they have a valid hunting license and a FOID card and they're over the age of 21."

Black: "W... would there be a parental permission system? I mean, I would think for their own liability protection, if they're taking somebody else's child, they might want to get a parental release or a parental permission."

Phelps: "You have to apply to DNR to get the license. So..."

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

116th Legislative Day

3/19/2010

Black: "So, the parent... the parent would have to sign in order to get the apprentice license, right?"

Phelps: "That's under current law."

Black: "Okay, fine. Thank you."

Speaker Madigan: "The question is, 'Shall this Bill pass?' Those in favor signify by voting 'yes'; those opposed by voting 'no'. Have all voted who wish? Have all voted who wish? The Clerk shall take the record. On this question, there are 107 people voting 'yes', 2 people voting 'no'. This Bill, having received a Constitutional Majority, is hereby declared passed. Mr. Franks, do you wish to call House Bill 4694? Mr. Clerk, read the Bill."

Clerk Bolin: "House Bill 4694, a Bill for an Act concerning safety. Third Reading of this House Bill."

Speaker Madigan: "Mr. Franks."

Franks: "Thank you, Mr. Speaker. This Bill was brought to me by the fire services. And I was talking to Mr. Moffitt yesterday and I know he has a very similar Bill. And what this... an... and this may be used as a vehicle in the Senate if there are some changes Mr. Moffitt had talked to me about yesterday. But what this would do would... would allow that certain monies be placed for the Cornerstone Program. It would be two and a half percent of the Fire Prevention Fund to be available to the Fire Service Institute for the purpose of imp... implementing the Cornerstone Program. I'd be happy to answer any questions."

Speaker Madigan: "The Gentleman has moved for the passage of the Bill. There being no discussion, the question is, 'Shall this Bill pass?' The Chair recognizes Mr. Moffitt."

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

116th Legislative Day

3/19/2010

Moffitt: "Thank you, Mr. Speaker. The Representative mentioned we might need this for an Amendment in the Senate on another piece of legislation we're using to be sure that hospitals are reimbursed for administrating the work they do on EMTs. Details are not worked out on that yet. I'll tell you more about that on a Bill that I should have next week. But we do have this and another Bill over in the Senate on cornerstone. All of you... we want to restore that funding to cornerstone, so this is the second Bill attempting to do that. But again, this may be used to bring some, funds to the hospitals for some administrative they work... they do on EMTs. Thank you."

Speaker Madigan: "The question is, 'Shall this Bill pass?' Those in favor signify by voting 'yes'; those opposed by voting 'no'. Have all voted who wish? Have all voted who wish? The Clerk shall take the record. On this question, there are 109 people voting 'yes', 0 voting 'no'. This Bill, having received a Constitutional Majority, is hereby declared passed. Representative Mell, do you wish to call House Bill 5226? Mr. Clerk, read the Bill."

Clerk Bolin: "House Bill 5226, a Bill for an Act concerning safety. Third Reading of this House Bill."

Mell: "Thank you, Mr. Speaker. This proposal is in direct response to federal mandates requiring the utilization of additional subsidation loans including forgiveness of principal, negative interest rates and grants and the two revolving loan programs administered by the Illinois EPA. There's no opposition to this Bill. And I urge an 'aye' vote."

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

116th Legislative Day

3/19/2010

Speaker Madigan: "The Lady moves for the passage of the Bill. There being no discussion, the question is, 'Shall this Bill pass?' Those in favor signify by voting 'yes'; those opposed by voting 'no'. Have all voted who wish? Have all voted who wish? The Clerk shall take the record. On this question, there are 109 people voting 'yes', 0 voting 'no'. This Bill, having received a Constitutional Majority, is hereby declared passed. Representative Sente, do you wish to call House Bill 6359? Mr. Clerk, read the Bill?"

Clerk Bolin: "House Bill 6359, a Bill for an Act concerning revenue. Third Reading of this House Bill."

Sente: "Thank you, Speaker, Members of the House. Bill 6359 is a retailer's certificate of registration bond. Currently, the Act says that applicants for a certificate of registration need to furnish a surety bond to protect the state in case the applicant fails to pay their ROT tax. Since '86, the department has made a practice to setting the applicant bonds at zero. The Auditor General recently questioned this practice and recommends the department either set the bond amount or obtain legislation authorizing zero bond practice. Due to the current economic climate, provision of the bond would be prohibitive for businesses, but we also want to protect the state from retail establishments that may default. So, this Bill allows the department the discretion to request bonds only if they feel the retail business may warrant it and there are two conditions. One, if the establishment is default of another payment and two, if they've had their certificate revoked in the past five years from another

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

116th Legislative Day

3/19/2010

retail establishment. There is one other thing this Bill does. It does set the amount of the bond and it says it can't exceed three times the applicant's average monthly tax liability or 50 thousand, whichever is less. I'm happy to take questions."

Speaker Madigan: "The Lady moves for the passage of the Bill. And the Chair recognizes Mr. Black."

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

Speaker Madigan: "Sponsor yields."

Black: "Representative, by changing the language from 'shall' to 'may' to me that means the Department of Revenue doesn't have to do anything. Who... who is this aimed at? Who... who 'may' have to furnish a cash bond or a bond?"

Sente: "Well, these are for retail merchants when they're starting a business and those that do have to provide a bond and right now, the practice is that they are not at all. Only if they're in default of a payment. So, we, obviously, do want to protect the state if there is an issue or again, as I said, if their certificate was revoked under a... if an owner, a partner, a manager, an LLC man... officer, or a corporate officer was a member under another retail establishment."

Black: "Well, if they're starting a new business, how would they have been in default, unless one of the partners had been in business prior?"

Sente: "They would... they would be in default as one of the items I mentioned as ano... in another retail establishment."

Black: "In other words, kind of like Sears and Kmart?"

Sente: "Yes."

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

116th Legislative Day

3/19/2010

Black: "And they went bankrupt, didn't they, if I recall? I can't keep up with the bankruptcies. So, if you wanted to open a franchise for Linens 'n Things, you may have to post a bond. Didn't they just go bankrupt or was that Bed Bath & Beyond? I can't keep them straight. So, if... well, I'll give you an example that happened in the adjacent district to mine. A book store went bankrupt and 10 years ago it was one of the leading independent book sellers in central Illinois. The owners decide 4 years from now they want to go back in the book selling... the retail book selling business. What would the department do?"

Sente: "If someone that had an existing business... is your question..."

Black: "Right."

Sente: "...and then would go into a..."

Black: "A very successful business for a number of years..."

Sente: "...very successful and would..."

Black: "...but then they went bankrupt."

Sente: "And then would open another... Well, bankruptcy would be default of payment, so they would be some... they would be an entity that the organization would ask for a surety bond from."

Black: "So, DOR, under existing law that your Bill changes, was supposed to require a bond, but they didn't. Right?"

Sente: "Correct. That is their current practice. They have not... they have been setting the bonds at zero."

Black: "Oh, that's a good consumer protection attitude on the part of the Department of Revenue. They were supposed to require bond, but they didn't do so. So, in the case of a

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

116th Legislative Day

3/19/2010

default or shoddy merchandise or transient merchant who blows into town and sells Elvis Presley velvet paintings, no way to get your money back. Why are you bailing out DOR? Now, you're telling them, well, you haven't done it in the past and now, you only have to do it if you want to. So, what have we changed?"

Sente: "We want to change it so they have the discretion to do it when the state has concern that they would be in default. If they are in a good... a retail merchant that we want to be in business in this economic climate, we want to encourage them and not put any penalties on them."

Black: "Who... who's 'we'?"

Sente: "This is a good business Bill."

Black: "Who's 'we' want to be in business? Who's 'we'?"

Sente: "I think as a Body we should encourage good businesses to be created in this economy."

Black: "As this... this Body?"

Sente: "Yeah."

Black: "Are you talking about this Body?"

Sente: "Yes."

Black: "That's not our job. If somebody wants to open a business in my district, I wish them well. You're telling me that it's a government... government edict that we only want good businesses? If somebody wants to invest their life savings in a used clothing store in my district, what business is that of mine? I don't have any money invested in it. I don't understand. You started out with DOR and now you've involved the House of Representatives in



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

116th Legislative Day

3/19/2010

establishing a good business. How do I know what a good business is? It may succeed; it may not succeed."

Sente: "This is a business friendly Bill."

Black: "Well, that tells me a lot. In Illinois, that's almost an oxymoron. This is the most business unfriendly state in the country by any independent audit. So, how does this make this more business friendly?"

Sente: "Makes it more business friendly by considering asking for a surety bond from a business that we have concern that they will default or they have had their certificate revoked in the past."

Black: "So, we're only asking them. What if the business says no? No, I don't want to."

Sente: "And... and when there's no concern, it allows the business to enter the market more freely."

Black: "But what if the business says no, I'm not going to... I'm not going to post a bond. You're taking away any authority of DOR to require it. You're saying 'may'. So, if I'm the business owner, I'll say no, I'm not going to post a bond. It's going to cost me money."

Sente: "The department can request a bond any time they believe it is necessary."

Black: "And what... what backs up their authority by law? It 'may' request a bond. What if the business owner says no, I will not do that?"

Sente: "The department 'may'. The... the business..."

Black: "That's... that's..."

Sente: "...does not have the opportunity to... to deny or to debate what the department says."

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

116th Legislative Day

3/19/2010

Black: "I think you ought to check with staff. If the department asks me for a bond, asks me for a bond with no force of law to require it, most business people today are not going to do it. It's an expense."

Sente: "No. That is not... that is not correct, Representative. It is the discretion of the department. If they decide they want to, then it is law."

Black: "Where does it say that... where does it say that in your Bill? You strike 'shall' and you insert 'may'. So, where in your Bill does it say, if you... if I ask you to submit a bond and you refuse, I will refuse you a business license or a Retailer's Occupation Tax statement? In other words, where is the... the heavy hand of government to say, oh, you can't refuse. You cannot refuse. I ask you to do a bond. You cannot refuse. I don't see that in the Bill."

Sente: "The 'may'... the 'may' goes towards the department. It is the department's discretion. It is not the business's discretion. That's what the language says."

Black: "Well, you and I have a different concept or understanding of the word 'may' as opposed to the word 'shall'. The department didn't do it when they were supposed to do it. Now, you're telling me they can do it if they want to and not only can they do that, but they can also refuse to let the business operate if the business says no, I don't want to do that. This was a court case waiting to happen and it... to the Bill. Business friendly? I'm going to ask you for a bond... I don't have any authority... I'm going to say, I 'may' ask you for a bond, but if you don't give me the bond, you won't be in

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

116th Legislative Day

3/19/2010

business. Well, then the business probably will have to engage the... the attorney fees to say, wait a minute, the Bill says you 'may' ask me for a bond. It doesn't say you 'shall'. It doesn't say anything that I have to. So, I go to court. That'll help the business climate in Illinois. I mean, after all, what's more business friendly than having to hire an attorney to be able to open a legal business in the State of Illinois. I'm going to vote 'no'."

Speaker Mautino: "Representative Mautino in the Chair. Further discussion? Representative Currie."

Currie: "Thank you, Speaker and Members of the House. I rise in support of the legislation. The proponents of this Bill really come from the Illinois Retail Merchants Association and it is their view that not requiring bonds, in fact, will improve the business climate in the State of Illinois. When the department says to a business, we are going to ask you for a surety bond, if the business says no, then they can go to Indiana. They can't open a business in the State of Illinois if they fail to comply with this requirement. But to require every business that collects sales taxes for the state to have a surety bond is certainly a way to discourage economic investment, economic activity in the State of Illinois. I hope you will join me and the Retail Merchants and the Department of Revenue in supporting this sensible proposal."

Speaker Mautino: "Further discussion? The Gentleman from Champaign, Representative Rose."

Rose: "Thank you. Will the Lady yield?"

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

116th Legislative Day

3/19/2010

Speaker Mautino: "She indicates she will."

Rose: "Representative Sente, our analysis indicates the department has not actually set bonding requirements for any business in Illinois since 1989. Is that your understanding?"

Sente: "They've set bonding requirements since 1986..."

Rose: "But they..."

Sente: "...and they've set the bonds at zero."

Rose: "Right. And they have not... they have not actually required a bond. So, 1986 is in your analysis."

Sente: "Yes."

Rose: "But they haven't actually required one penny of bond since 1986."

Sente: "That's correct."

Rose: "Okay. So, in almost 25 years the department has not actually enforced the laws of the State of Illinois. So, today you bring a Bill to go from 'shall' to 'may'. Why don't we just get rid of the requirement at all?"

Sente: "Can you repeat that question, Representative?"

Rose: "Sure. If the department, in almost 25 years, hasn't enforced this law, why are you making it 'shall' to 'may'? Why not just make it... just eliminate it all together?"

Sente: "Well, I'm doing it now because the Auditor General has questioned this practice. We do want to protect the state from businesses that we have some concern about, but we want to encourage businesses..."

Rose: "But..."

Sente: "...that... that we do not have concern about..."

Rose: "Okay."

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

116th Legislative Day

3/19/2010

Sente: "...and that is why there's a discretion."

Rose: "But... but Representative, in 25 years the department hasn't had concern enough to issue one penny of bond. Is that correct? So, who are we concerned about that they haven't issued one cent of bonds in 25 years? Perhaps you can have Mr. Franks come back up 'cause he had a pretty good answer before. Well, anyway, so I guess... Let me restate the question, Representative. In 25 years, according to your analysis you just agreed to, the department has not required anyone to issue a bond, correct?"

Sente: "They have..."

Rose: "Yes."

Sente: "No. They have required a bond and it's been set at zero."

Rose: "At zero, but that was what I said. They haven't required one penny of..."

Sente: "Payment."

Rose: "...bond of anyone, any company. So, rather than go from 'shall' to 'may', why don't we just get rid of it all together?"

Sente: "Because we wouldn't want to allow people who have defaulted on a payment or have their certificate revoked to be able to be in practice in Illinois."

Rose: "Okay. That's a different matter. That's when you go to the Secretary of State's Office and you... you basically shut them down through the corporate death penalty clause and you take away their LLC status or their corporate status and you revoke their license to do business in the State of

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

116th Legislative Day

3/19/2010

Illinois. This is as to bond. And I would, again, though, Representative, in 25 years they've never done this. So, why are we keeping it at all?"

Sente: "A bond is one tool as is a letter of irrevocable credit to make sure that an... a retail merchant that we have some means to hold them accountable."

Rose: "Well, Representative, I guess, I don't know really what to do here because we're going from 'shall' to 'may' on something that hasn't been enforced in 25 years, so it really doesn't do much of anything. I mean, I guess, it's no different than what we're doing, so you could vote for it. On the other hand, you could vote against it and argue that frankly we should just get rid of it if they're not enforcing the law as it is. So, I... I mean, what does your Bill do? I don't understand what your Bill does, Representative. And if the department hasn't done anything in 25 years to enforce this, we might as well just get rid of it all together. I don't see why we'd take it from 'shall' to 'may', but I'll listen to the debate here. Thank you."

Sente: "Representative, if I may answer. The Auditor General is requiring the department to do this. They do not have the discretion to not do it at all. This practice cannot continue..."

Rose: "Right."

Sente: "...and so this is what this Bill is proposing."

Rose: "And my only point, Representative, is why don't we propose to get rid of it altogether? Just eliminate the whole Section, not 'shall', 'may', just not at all?"

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

116th Legislative Day

3/19/2010

Sente: "Because it would take away protections for the State of Illinois."

Rose: "That haven't been enforced in 25 years. So, I don't see the difference. I mean, if they haven't enforced it in 25 years, let's just rid of it altogether. Thank you, Representative. I'll listen to the rest of the debate here."

Speaker Mautino: "Thank you. And it's the Chair intent, this Bill is on Short Debate. We have six people seeking recognition, so I'll go to using the timer on these and in the same manner we did yesterday. Further discussion? The Gentleman from McHenry, Representative Franks."

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

Speaker Mautino: "Indicates that she will."

Franks: "Currently, Representative, bonds or other sureties are always required. Isn't that correct?"

Sente: "I'm sorry. Can you repeat that?"

Franks: "Currently, bonds or other sureties are always required?"

Sente: "Correct."

Franks: "All right. And currently, all applicants for business license are required to furnish a surety bond or a irrevocable letter of credit or bond signed by two personal sureties. Isn't that correct?"

Sente: "Correct."

Franks: "So, those are the requirements, but that has not been followed, correct?"

Sente: "Yes."

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

116th Legislative Day

3/19/2010

Franks: "Okay. So, as a result, the Auditor General has determined that we're in violation of the law and that this needs to be rectified, correct?"

Sente: "Yes."

Franks: "Okay. So, what you're trying to do is to under... to acknowledge the reality of the situation while still protecting our citizens against potential bad actors, correct?"

Sente: "Yes."

Franks: "Okay. 'Cause right now we know, for instance, that sureties are required and I see this all the time when it comes to municipalities. If you have a developer come in and the developer says he's going to build, you know, a subdivision, but then you see these subdivisions going bankrupt or they don't get finished because nobody's buying lots. So, as a result, these bonds that the developers have had to put forward are going to be called so they can finish the sidewalks, the streets, put in the infrastructure. Have you seen that as well?"

Sente: "Absolutely."

Franks: "So... so, this would provide a safety net for our municipalities to make sure that, if they deem that it's necessary that a surety or a bond be posted, that they would still have that opportunity while at the same time not burdening our businesses where it wouldn't be necessary. Is that correct?"

Sente: "Yes."

Franks: "Okay. I think it's a great Bill. And I heard some of the previous speakers and I don't think they really got it.



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

116th Legislative Day

3/19/2010

This is a pro-business Bill that will make business easier in the State of Illinois, while at the same time offering a modicum of protection for our municipalities and our government, if necessary. Please vote 'aye'."

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

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

Speaker Mautino: "Indicates that she will."

Mulligan: "Representative, was this your Bill when it came out of the Executive Committee?"

Sente: "I'm sorry. Can you repeat your question?"

Mulligan: "Sure. We can run the clock out. Was this your Bill when it came out of Executive Committee?"

Sente: "No, it was not."

Mulligan: "So, this rounds out the business portfolio?"

Sente: "Is that a question?"

Mulligan: "No, it's a statement, actually. Quite frankly, don't you think this would... is calling attention to it that the Auditor General could not force them to do this and bonds in particular are more onus for women business owners and right now a letter of surety is pretty hard when banks are canceling lines of credit and now we're calling attention to this and this is because the Illinois Retail Merchants Association were worried that perhaps the Department of Revenue was actually going to follow what the Auditor General said. In Human Services, we have lots of audits from the Auditor General and nobody seems to follow them. So, all of a sudden now we have this great business Bill that you're carrying that you didn't have before the

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

116th Legislative Day

3/19/2010

10 and now you're carrying this and the Retail Merchants are onboard with it, but I think it's basically punitive to women business owners and it calls attention to the fact that they haven't been doing this and I think it's just a very interesting sequence of events, particularly if you go through how the Bill arrived here and who's supporting it and other people have had to get up and explain it. Quite frankly, I don't think this is a good explanation of why we're doing this or what's going to happen. I think it's just generally calling attention to the fact that they haven't been doing it. And if this were to happen and the department starts doing it, which you say 'may' instead of 'shall', we'll argue... we can argue that legal point, but the thing is women business owners are usually the ones that are..."

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

Durkin: "Will the Sponsor yield? Representative, how is the value of the bond to be determined?"

Sente: "The value of the bond is to be determined in looking at the current criteria and the bond amount can't exceed three times the applicant's average monthly tax liability or \$50 thousand, whichever is less. So, it is proportionate to the size of the business and..."

Durkin: "What is the current criteria?"

Sente: "The amount they expect due from the applicant and the amount of security required for protection from default."

Durkin: "All right. So, we... In Lisle, there is a Navistar Corporation is seeking to move their operations from

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

116th Legislative Day

3/19/2010

Indiana to Illinois. What would be the value of the bond that they have to post? It's a publicly held... Give me an idea of what they would have to post?"

Sente: "I'm sorry. I don't know the particulars about that company, so I can't answer that question."

Durkin: "It's a billion dollar company. I just want to... I'm curious. What would they have to post? Why would we want them to post a bond? We don't think that they're going to stiff the State of Illinois?"

Sente: "Well, we would want them to post a bond if an owner, a partner, a manager, an LLC officer was, perhaps, in another business and they had defaulted. I mean, just because someone owns a million dollar business does not necessarily mean that they have not defaulted in another retail establishment."

Durkin: "So... so, if business has been around for over a hundred years and they produce and they have billions of dollars in revenues, employ thousands... hundreds of thousands of people throughout the United States, we're going to require them to post a bond, correct?"

Sente: "This Bill only requires bonds of companies, as I said, under two criteria, because there is as someone currently owns a million dollar establishment that doesn't mean that they didn't default on another payment or that they haven't had their certif..."

Speaker Mautino: "Give the Gentleman another minute, please."

Durkin: "How does this help the small businessmen? The small businesses are the ones that have been destroyed over the past 10 years. We have these mom and pop shops who want

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

116th Legislative Day

3/19/2010

to... they've got some revenue. They're starting their business. They're drawing from all their resources, living the American dream, but at the same time we're saying that, oh, by the way, we're going to force you to post a bond. How does that help them move forward and be productive, small businesses in our community?"

Sente: "Again, I am a small business owner. I work with small business owners every day. The process of requiring a bond of these business owners is extremely familiar to me. The benefit of this Bill is that it says 'may'. We are only asking small business owners if... if they would post a surety bond if we are concerned. That's the beauty of this Bill. If there is no issue, we are not asking them for a bond."

Durkin: "So, it's not uniform. We're going to... we're going to have an arbitrary... we're going to have an arbitrary decision made of who's going to post a bond and who isn't."

Sente: "Not arbitrary."

Durkin: "So, then equal protection, let's just throw it out. So, I think there's arbitrary... the language in this Bill is arbitrary. I think the application of it, I think, could be unfair. I think it's still very vague and I'm not supporting the Bill."

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

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

Speaker Mautino: "She indicates that she will."

Reboletti: "Representative, earlier you said that you were trying to protect the people of Illinois from certain

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

116th Legislative Day

3/19/2010

businesses. I don't think you elucidated as to what businesses you are trying to protect the residents of Illinois from. Would you give me some suggestions on what those may be?"

Sente: "Yes. That would be businesses who have been in default over an ROT money, a different payment or it would be businesses that had their certificate revoked in the past five years from another retail establishment. Those would be the two occurrences."

Reboletti: "Do you have any examples of businesses that we may be aware of that are retailers like a Target or McDonald's or any particular businesses that you're aware of that would no longer..."

Sente: "I do personally not."

Reboletti: "...that would no longer be able to be in business if this were the law?"

Sente: "What was the last part of your statement?"

Reboletti: "That they would no longer be able to be in business is this were the law of the State of Illinois."

Sente: "That's not what this Bill says."

Reboletti: "I guess the other concern is... is that the Auditor General said that they recommended that either you set a specific dollar amount for each applicant or obtain specific legislation authorizing the zero bond policy. How come you didn't choose the authorizing the zero bond policy?"

Sente: "Because this Bill is a balance between the two. We want to have a pro-business Bill. We want to encourage businesses that we have no concern about to have the

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

116th Legislative Day

3/19/2010

ability to practice in the State of Illinois and the ones that don't, under these two categories, we want to protect ourselves from."

Reboletti: "Well, to the Bill. Again, another job killer Bill in the State of Illinois. We continue to fall behind our neighboring states. It's something that's prohibitive on business. It's not something that going to help us expand our tax base. And I would urge a 'no' vote."

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

Sullivan: "Thank you, Ladies and Gentlemen. To the Bill. This is not a jobs killing Bill, people. This is very straightforward. There is a ruling that says they must start doing this. It has not been done in the past. The Lady from the other side of the aisle wants to put in place measures that will allow the department to not go after the small business owners, the women business owners and the other types of businesses that drive our economy, but you want certain protections in place, like the municipalities and for the bad apples. Folks, this is a good, sound policy that we need to adopt in the State of Illinois. The Retail Merchants Association wouldn't be for this if they thought it was going to kill jobs. They wouldn't. They represent the core of what goes on in business in Illinois. Please support this Bill."

Speaker Mautino: "Further discussion? The Gentleman from Crawford, Representative Eddy."

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

Speaker Mautino: "She indicates she will."

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

116th Legislative Day

3/19/2010

Eddy: "Representative, look, I understand the idea that changing one word from 'shall' to 'may', in your interpretation at this time, is simply giving them authority to do something but not requiring them to do it for all, but I guess my question is whether or not this couldn't be stated in a manner that would be more direct to the intent and still satisfy the problem we have here. I just don't know that this is crafted very well. I think you might be well-served to pull this out of the record, allow for the Bill to be amended or crafted in such a manner that a lot of the concerns that have been stated here today are addressed because this seems to be... the confusion seems to be that this is opening a pretty wide path."

Sente: "Are you done? Thank you very much, Representative Eddy. I... I'm sorry, I disres... I totally disagree. I think this Bill is very specific. The only... there is not only one word that it changes that it says 'may'. It's very specific under the two classifications where a bond would be requested and also, it specifically asks for the size of a bond to match the size of the company. So, it protects the State of Illinois and it encourages small businesses. This is a great Bill."

Eddy: "So, the question is, if it is a great Bill and it's a great thing to do, why does it make it better to go from 'shall' do this great to 'may'?"

Sente: "For the reason I just said, because we don't want to penalize small businesses, large businesses that we have no concern about."

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

116th Legislative Day

3/19/2010

Eddy: "Well, Representative..."

Sente: "Why would we want to do that?"

Eddy: "It's... it's a rather big change and I think you..."

Speaker Mautino: "Grant the Gentleman another minute."

Eddy: "Thank you, Mr. Speaker. And I guess... I think you know very well the difference between legally using the word 'may' rather than the word 'shall' and it's a significant difference for the Department of Revenue and their responsibilities in this. And... and that significant difference, I think, bears some attention when we... when we change what public policy is related to this type of business practice and I just think it could be done in a manner that would satisfy the concerns of many who have spoken on the House Floor today and I think you should consider that option."

Speaker Mautino: "The Lady has moved passage of House Bill 6359. Representative Sente to close."

Sente: "Thank you. I appreciate all the comments today. I'm going to reiterate briefly that changing this word from 'shall' to 'may' is only one small aspect of this Bill. We are specifically listing what are the two criteria under which we are concerned. We are concerned as the State of Illinois if a business was in default of another payment or they had their certificate revoked in the past five years. We are listing the considerations or owner, partner, manager, LLC member or corporate officer in this business or in another. We are li... we are determining the size of the bond that businesses in question need to pay. It is



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

116th Legislative Day

3/19/2010

appropriate; it is good for business. And it's also good for the State of Illinois. I would urge an 'aye' vote."

Speaker Mautino: "The Lady moves passage of House Bill 6359. 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 Cole, Mulligan, Carberry, do you wish to be recorded? Mr. Clerk, take the record. 93 voting 'yes', 12 voting 'no', 2 voting 'present', House Bill 50... 6359 is declared passed. Representative Senger. On the Calendar, page 24, appears House Bill 6272. Mr. Clerk, read the Bill."

Clerk Bolin: "House Bill 6272, a Bill for an Act concerning finance. Third Reading of this House Bill."

Speaker Mautino: "The Lady from DuPage."

Senger: "Thank you, Mr. Speaker and Members of the Assembly. House Bill 6272 creates... is a sunshine initiative, it defines gubernatorial and legislative Members initiatives. And what it's doing, it's basically requiring that the Executive Branch of the state agency processing initiatives must establish and maintain a file for all applicants. It also says it specifies that the information an agency must obtain during the application for review process and provides that the agency process... process in each branch shall develop guidelines and monitoring procedures for the grants. It also has a public component for disclosure of grant information. So, to summarize, this is to make sure that our grant initiatives are processed, consistently monitored and then public."

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

116th Legislative Day

3/19/2010

Speaker Mautino: "The Lady has moved passage of House Bill 6272. No Members... requesting to speak, 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? Representative Jakobsson, Sente, Cavaletto? Mr. Clerk, take the record. 109 voting 'yes', 0 voting 'no', 0 voting 'present', House Bill 6272 is declared passed. Mr. Clerk, on page 24 of the Calendar appears House Bill 6368, Representative McCarthy. Mr. Clerk, read the Bill."

Clerk Bolin: "House Bill 6368, a Bill for an Act concerning public employee benefits. Third Reading of this House Bill."

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

McCarthy: "Thank you, Mr. Speaker, Ladies and Gentlemen of the House. House Bill 6368 is the... the Bill that is the Amendment that we debated at some length yesterday. I do thank you for all the support. I think it was a great first step toward solving the problems that long-term problems on funding that the pension systems posed for those of us who have to create state budgets from year to year. As you can see from my list of cosponsors, this is certainly become a very bipartisan support, and I am very, very grateful for that. In addition to Speaker Madigan and Representative Nekritz, we added the names of Representative Eddy and Representative Cross. And any of you that have looked at the status and you thought that you had gave us a sheet, but your name's not on there, I

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

116th Legislative Day

3/19/2010

welcome all cosponsors. So, please bring that to me. It was a little confusing yesterday at the time and maybe some of those names might have been lost. But as I stated yesterday and... and I... I think we've seen in different stories across the state today, this is a big first step. It's got some immediate savings and also some long-term savings, as well. Because of the debate yesterday I won't go through every individual parameter, but if there are questions I'd be happy to answer them. There was one question on the floor yesterday that we were asked to clear up. On both sides, the Republicans staff and the Democrat staff, do agree that it is clear in the legislation and it will be interpreted that way by the GARS Board and the JRS Board, that you only pay your contribution based on the maximum pensionable salary. So, you would if you're making over \$106,800, at the beginning of this system, you would only pay your eleven and a half percent up to the \$106,800. I think that I felt that it was clear before, but we have checked with staff. We have checked with the... the board and the secretary of the State Employer Retirement system and they agree. And they said if it needed to be changed, it could be done at board level. And being a member of the GARS Board, I can promise you that we'd do that almost immediately. So, thank you for your support up to this time. This truthfully is going to be one of the easier votes on this matter. I don't anticipate the next one, so we can go after some of the other systems, will be as easy, but hopefully we can go thoroughly debate those at that time and move forward so we'll have a quality system for

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

116th Legislative Day

3/19/2010

the people of our state, and yet some substantial savings for the taxpayers of our state. So, I ask for your support and I would entertain any questions."

Speaker Mautino: "The Gentleman has moved passage of House Bill 6368. On that question, the Gentleman from Crawford. Representative Eddy."

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

Speaker Madigan: "He indicates that he will."

Eddy: "Representative McCarthy, first of all, I... I do think... we owe you a... a thanks for the many hours of time that you've put in on this. I know that we served on a task force this summer that consumed a lot of time, a lot of days. And this has been an issue that you've been working on for quite some time. So... so thank you for that. I... I just want to very quickly, for the record, get some... get some questions answered. First of all, the new maximum benefit for Members of the General Assembly and the Judge's Retirement System, according to this will be 60 percent?"

McCarthy: "Correct."

Eddy: "With the current maximum benefit, for example, for the General Assembly is 85 percent?"

McCarthy: "Well, the current for both is 85 percent. Correct."

Eddy: "Is 85 percent? So this is a significant decrease in... in the... the percentage that an individual who's hired after the effective date, or is elected after the effective date, in this case, would be subject to?"

McCarthy: "Absolutely."

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

116th Legislative Day

3/19/2010

Eddy: "Now, if we... we talk about the age requirement here. If someone is going to receive full benefit without any reduction, they would receive that under this at age 67?"

McCarthy: "Correct."

Eddy: "Currently, that age is... is less than that, but I... I also note that in this legislation at age 62 a person could retire. They would just have a penalty, they would have a penalty for retiring with 20 years, which is the max... or the maximum number of years necessary for full retirement, but there'd be a penalty involved. Could you explain the penalty?"

McCarthy: "The penalty is very common in a lot of the statutes guarding pensions. That it's a half of a percent per month, and the maximum reduction is the 5 year. If you take the full 5 year, say, you've met your 20 years, you come up to your 62 birthday and you'd like to start collecting right then, that would, you would incur a one half percent per month, so for the 60 months, it would be a 30 percent penalty. The interesting thing though is if... if you look at the numbers, depending on what you think your life longevity is at that time, the decision can be... it... it... well, it's up to the individual at the time, but the way it works out with the 30 percent penalty, while that sounds very draconian, unless you live past the age of 81, taking the 30 percent penalty, in whole dollars is a better solution then waiting 'til 67 and taking the 100 percent."

Eddy: "So..."

McCarthy: "It does work out to that... that number. It was surprising to me. So..."

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

116th Legislative Day

3/19/2010

Eddy: "So, the calculation..."

McCarthy: "But... but it's up to the individual person at the time when they're... if they've... if they've... whatever percent they've reached, they have the determination at that time and if they decide to go forward with it, that they can collect at 62, but there is a substantial deduction."

Eddy: "Okay. Let's go to another area of the Bill, which I think is significant. And... and... there seems to be a lot of agreement on. And that is that for public pension systems and... and we're starting with these two, but in... in general, the... the theory that there should be a cap of the amount that any individual is able to... to take from a public pension system. And... and you've chosen the Social Security cap, which I think is \$106,800, but that's also tied to an index that can increase with time, and certainly by the time individuals who are hired that... or excuse me... elected related to this plan, that'll be higher, but it'll be indexed to Social Security."

McCarthy: "Correct. And we took that number, we thought it was a fair number to start with. We went with a CPI indexing to it, as opposed to just say we'll always stay with that, because we didn't want to be at the whim of the Federal Government, in case they change that at sometime, and maybe move the... move it up to like a million dollars or something, if they're needing more money by collecting more Social Security wages. They did that with the Medicare part of it a couple years ago. So, like a millionaire, or a baseball player, or somebody, they make \$2 million, they pay the 2 percent on that federal... on that all the way up

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

116th Legislative Day

3/19/2010

to the 2 million. They only pay the Social Security part up to 106,800."

Eddy: "And... and this would apply to individuals... the total aggregate sum would apply to individuals who might be collecting from two different systems as well, correct? I mean, the total aggregate amount is 106.8, if you happen to be in a different public pension system before you may come to the General Assembly, for example. The total aggregate is 106.8?"

McCarthy: "No... not on this Bill. It would just be these two systems would be under this Bill. If you bought in and you wanted to combine your time then, what you're saying is true."

Eddy: "Okay."

McCarthy: "But if you had like... if you had like a full career in teaching or state employee of some other, you know, position and then you came over here and you wanted to keep them two separate, then it would only account for this one here."

Eddy: "Well, I appreciate that clarification, Representative. If you make over the amount that would be supported by the 106,800 as a... as a judge, for example, would you be allowed to contribute to a defined contribution program above that amount?"

McCarthy: "Yes, you would. There are some federal limitations through the IRS Code and you'd have to apply to them. I... I'm not as well versed in them as... we can look into that. But it's... there are... I know when I was in private business before this, you can only give us, I think it was 12

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

116th Legislative Day

3/19/2010

thousand at that time. So, I know that has been adjusted over time as a Social Security maximum pension rule thing has been adjusted, but..."

Eddy: "In that case..."

McCarthy: "...but you... but you would be... you'd be guarded by that, but this certainly would give you some more disposable income that you could put some toward a 457(b), if you were a government employee."

Eddy: "And... and I think in that case, the... the important point here is that there would be no employer match beyond the Social Security limit and that's really where the savings take place here as far as the state or... or the pension systems obligation as the employer."

McCarthy: "Correct. There was, you know... it would be like a hybrid plan, a self-created hybrid plan by that employee, but the defined contribution plan would be completely his own, you know, as far as selection of funding and also the amount of the funding, but there would be no match under this proposal."

Eddy: Thank you, Representative. Ladies and Gentlemen of the House, to the Bill. This is a very difficult issue for a lot of people, and it's one that's taken a lot of time and... and compromise and... and I think we have some widespread agreement on a couple of issues related to pension systems now. First of all, it is time in Illinois that we take steps to modernize the pension systems. Representative McCarthy has... has started that process, which I support completely, by bringing these two systems forward first. And I think it's important that we take action on our own



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

116th Legislative Day

3/19/2010

systems before we begin the hard work ahead of us related to other public pension systems. This is a good first step. But I think we also have to remember that this will save the State of Illinois, projected, about \$22 million is all in the payment to the pension systems. So, along with modernization to the system, it's important that we also realize that to stabilize these systems, we still must make the calculated payment, the actuarially calculated payment to these pension systems. This will reduce that according to the... the guess we have, the best guess actuarially, by \$22 million, \$22 million. That doesn't mean that when it come time to make the payment for the pension systems that we should... we should make any payment less than the actuarial calculation that's due to those payment... or to those systems. In fact, the biggest problem that we've had related to funding in the pension systems, if you calculate it out, has to do with making sure that the payment is made. I stand in support of the Gentleman's effort. This is a good first step. We have to, going forward, though, make sure we address both parts of this, modernization and stabilization. These are modernizations. Stabilization comes when we make the entire payment to the system."

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

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

Speaker Mautino: "Indicates that he will."

Bost: "Representative, yesterday when we were... passed the Amendment, I... I came over and asked you a specific question. I just want to get that on the record. Because...

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

116th Legislative Day

3/19/2010

and I think we're going in the right direction. This is great. We probably should have done this a few years ago. But as far as the imple... implementation of the existing system, right now, many of the Members over the years, I've watched them move from... GARS... our... our General Assembly pension, and then move over and become judges. Now, if they do that after we pass this, will they all of a sudden then be in the new system under the judge's system or will they still be in the old system?"

McCarthy: "The... the term under... future entrance only would include people new to the system after July 1 of 2010. Anyone who's in the system, like we discussed today was a Representative who's not here right now, because maybe he decided to sit out or lost, but they had to hear it in an earlier General Assembly, he came back in, he'd be under the old system..."

Bost: "Okay."

McCarthy: "...because anybody's that under the old system will continue under the old system."

Bost: "But... but being transferred from one system to the other, you're still under the old system?"

McCarthy: "If they use... the... through a reciprocity, if they use a reciprocal agreement, okay. If, say, that they've already concluded their General Assembly career and they have a full pension, so there would be no benefits to them, as far as being under a reciprocal and they're starting a whole new career then they would be under the new systems."

Bost: "Okay."

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

116th Legislative Day

3/19/2010

McCarthy: "But anyone... you know, most people would put it together, kind of like... like..."

Bost: "Okay."

McCarthy: "...I did with teacher time."

Bost: "I... I just wanted to clar... Obviously, I'm not going to have that happen being a nonattorney..."

McCarthy: "You never know."

Bost: "...but there are some attorneys in here that probably have that question because it... it is common practice to move on to judgeship from here and..."

McCarthy: "Yeah."

Bost: "Mr. Speaker, to the Bill. I... I strongly support the Bill. I think it's a wise move, as the former speaker said, I do believe that this is the first step of heading in the right direction of... of straightening out the pensions for the long-term. And... and actually, we've got to get these things straightened out as well as the budget and our spending under control."

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

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

Speaker Mautino: "Yes, he will."

Black: "Representative, let me clarify something. My memory isn't what I wish it was after years here. On your chart... the final compensation level, didn't we change in '95 or '96, from that date forward, you can't leave the General Assembly, take a \$150 thousand job with the water

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

116th Legislative Day

3/19/2010

inspection, boat corp or whatever and then base your GARS pension on that higher salary? We... we stopped that 15..."

McCarthy: "We... we did. There's, I believe, there's either 14..."

Black: "Right."

McCarthy: "...or 15 people in the House, I don't know how many in the Senate. But there's like 14 or 15 that that is eligible for them. All the rest of us do not have that and that would still be true under this system."

Black: "And so, your... your Bill changes the final compensation level to a maximum annuity of 60 percent, correct?"

McCarthy: "Correct."

Black: "Based on your... last 10 years or last 8 years?"

McCarthy: "Last 8 years in this Bill."

Black: "Okay."

McCarthy: "It takes 8 years to be vested in the Bill as well."

Black: "Okay. And that... what... what's... I saw it in here, but excuse me. What... what's the estimated savings by these changes?"

McCarthy: "The estimated savings overall, and Representative, you know this probably better than most, under the 2045 plan, the estimated savings is about 1.62 billion. But, the estimated savings according to the formula for FY2012 will be about 22 million. The payment formula would be reduced in the JRS system by 21 million and in the GARS system by 900 thousand."

Black: "All right. And it's... if memory serves me correctly, the General Assembly Retirement System has the greatest unfunded liability. It's small, but it still has the

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

116th Legislative Day

3/19/2010

greatest unfunded liability of any of the 5 systems.

Correct?"

McCarthy: "Percentage wise, absolutely."

Black: "All right. So..."

McCarthy: "Dollar... dollar wise the smallest..."

Black: "Right."

McCarthy: "...percentage wise, the highest, yeah."

Black: "So, well... again, thank you, Representative. Mr. Speaker and Ladies and Gentlemen of the House, to the Bill. This is the place to start. We have to start with ours. I think most of us have come to the realization, some later than others, that the current 70-some billion dollar unfunded liability in the 5 systems is simply not sustainable. We will continue to have to contribute 4, 5 billion dollars a year to try and get and unfortunately a previous Governor got us off that track of the Bill we passed in '95, that would have put us at a 90 percent funded... funding compare... compared to liabilities. We got away from that. The... the debt continues to grow. What is required for contributions is con... continuing to grow. And as Representative Eddy said, initially, if we... if we miss two pension payments out of 5 years, we'll never catch up. It's good that we start with our own House first. We have to look at a dual system all the way around for the 5 systems. I know that's not popular. I know a lot of people are very nervous about it, but if they'll look at this Bill, I think they'll see it's eminently fair to the taxpayer. And when all is said and done, any participant in the pension system... you can spin it any way you want to..."

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

116th Legislative Day

3/19/2010

yes, we contribute, yes, I've contributed a rather large 6 figure contribution in my years in the system, but we rely on the taxpayer to make the bulk of the payments. I think this system is fair to the Members, currently and.. and future Members of GARS and JRS, and I think it's fair to the taxpayer. It's a good first step. And I commend you, Representative and thank you for your work."

Speaker Mautino: "The Gentleman has moved passage of House Bill 6368. Representative McCarthy to close."

McCarthy: "Well, thank you, Mr. Speaker and Ladies and Gentlemen of the House. I know it's going home day, so I won't go on too long. But I appreciate the comments that were made. And I don't shy away from saying this is only a first step. We know it's a first step. It's going to be the easiest step to make when we make some hard decisions that affect our state employees, our state university employees and the teachers of our state. And it may even explore into the other pension systems at some time in the near future. But overall, as we've explored this pension debt for months and months and what to do about modernizing the systems, everyone, no matter what side of the table they were on, agreed that the first thing you have to do is stop digging if you're in a hole. I think today is the day that we stop digging and we move forward to the state. I look forward to working with, as I said yesterday, anyone who wants to come forward and propose an idea that I think will help save money and still make us an attractive employer for the quality candidates across the state, that we want our state employees to be top notch. We think they

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

116th Legislative Day

3/19/2010

are today. We want to give them a system that will be attractive to them. I think this answers this. I also think, and Representative Eddy kind of alluded to this, last year we went at this from one size fits all terminology, or whatever, and this admits the fact that there are different state jobs that will take us into some different systems. I think we can explore that and still do a great job for the taxpayers of our state, because I want them to remember that, you know, we certainly represent the tier one of this when we talk about the two tiers, you know, the current employees and the people who are retirees. We want to represent tier two, which is our new employees coming in after July 1 of this year, but I also think this says we're representing that tier three and that's the taxpayers that are all over the state, that are paying to fund these systems. And I think this is a justifiable move forward. And I'd appreciate some... your 'aye' support."

Speaker Mautino: "The Gentleman has moved passage of House Bill 6368. All in favor vote 'yes'; opposed vote 'no'. The voting is open. Have all voted who wish? Does Representative Rita wish to be recorded? Mr. Clerk, take the record. 109 voting 'yes', 0 voting 'no', 0 voting 'present', House Bill 6368 is declared passed. The Gentleman from Cook, Representative Joyce is seeking recognition."

Joyce: "Thank you, Mr. Speaker. I rise on a point of personal privilege."

Speaker Mautino: "State your point."

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

116th Legislative Day

3/19/2010

Joyce: "Mr. Speaker, I'd like the Body's attention to welcome the young men and women from Finley Junior High in Chicago Ridge up in the Republican side of the gallery to... were here to witness that historic vote. Welcome to Springfield."

Speaker Mautino: "Welcome to Springfield. The Gentleman from Crawford, Representative Eddy."

Eddy: "Point of personal privilege."

Speaker Mautino: "State your point."

Eddy: "Mr. Speaker, not often on the House Floor do we recognize the capabilities of an individual from one day to the next to... to learn and to... to perfect their craft, but I think we all have witnessed the fact that Representative DeLuca, from one day to the next, has been able to make the adjustment, and find the right switch. And I think we should give him a round of applause for his ability to vote the switch today."

Speaker Mautino: "I'd ask all of the Members if they would acknowledge and welcome the Clerk of the Circuit Courts of Putnam County. Her daughter is Paging with us today, welcome Cathy Oliveri. On the Calendar, page 20, appears House Bill 5340. Representative Chapa LaVia, do you wish to call this Bill? Read the Bill."

Clerk Bolin: "House Bill 5340, a Bill for an Act concerning education. Third Reading of this House Bill."

Speaker Mautino: "Representative Chapa LaVia."

Chapa LaVia: "Thank you, Speaker and Members of the General Assembly. This has come to me from the ROE in Kane County. It's... what House Amendment 1, after we adopted it and put



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

116th Legislative Day

3/19/2010

it in rules, did was it gutted the Bill and it amends the language that allows background check information to be shared with the Department of State Police or Statewide Sex Offender Database, or both. The language replaces... in the Amendment of the Bill allows background check information to be shared with the presi... it removed that part. But what it does is, the ROE had... had information on a sex offender that applied for a teaching position, and they did not have the mechanisms to notify the local police or State Police that this person had applied for a job. I recommend an 'aye' vote. Thank you."

Speaker Mautino: "The Lady has moved passage of House Bill 5340. No members 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, take the record. 109 voting 'yes', 0 voting 'no', 0 voting 'present', House Bill 5340 is declared passed. The Gentleman from Champaign, Representative Rose."

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

Speaker Madigan: "Yes, Sir."

Rose: "Ladies and Gentlemen, behind me in the gallery, we have several ladies from extension from east central Illinois. A number of my counties, I believe also Representative Eddy's counties and maybe Representative Reis counties. But anyway, if the ladies would stand up so we can give them a Springfield welcome, we'd appreciate it."

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

116th Legislative Day

3/19/2010

Speaker Mautino: "Welcome to the House of Representatives. Mr. Rose, on page 23 of the Calendar is House Bill 6140. Would you like to call that Bill?"

Rose: "Mr. Speaker, I believe there was an Amendment..."

Speaker Mautino: "Mr. Clerk, what's the status of the Bill? Are there any Amendments?"

Clerk Bolin: "House Bill 6140, a Bill for an Act concerning transportation. Third Reading of this House Bill. Amendment #1 was adopted in committee. No other Amendments have been filed."

Speaker Mautino: "Mr. Rose."

Rose: "No, Mr. Speaker, not at this time. I'm... I'm waiting on another Amendment. Thank you."

Speaker Mautino: "Out of the record, Sir. Representative McAuliffe, on page 22 of the Calendar is House Bill 5996. Read the Bill."

Clerk Bolin: "House Bill 5996, a Bill for an Act concerning regulation. Third Reading of this House Bill."

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

McAuliffe: "Thank you, Mr. Speaker, Ladies and Gentlemen of the House. House Bill 5996 will amend the EMS Act and permit limited participation by the United States Veterans Affairs hospitals in the EMS systems, with the approval of the Illinois Department of Public Health. This legislation will begin the process of allowing paramedics to transport veterans to a VA hospital in a specific geographic area by the VA hospital possible... that is possible to do. The Illinois Department of Public Health will promulgate rules

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

116th Legislative Day

3/19/2010

on the types of VA facilities that can participate and the VA's facilities will have to comply with those rules and follow the policy and procedures of an EMS system. And I'd be happy to answer any questions."

Speaker Mautino: "The Gentleman has moved passage of House Bill 5996. 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 Carberry, Representative Rose. Mr. Clerk, take the record. 109 voting 'yes', 0 voting 'no', 0 voting 'present', House Bill 5996 is declared passed. The Chair at this time would like to call on the parliamentarian of the Italian Caucus, Mr. Franco Coladipietro for an announcement of great importance."

Coladipietro: "Thank you, Mr. Speaker. As consigliere to the Italian Caucus we would all like to invite you to join us in celebrating St. Joseph's Day today, which is one the holiest of the holy days for the Catholic church and the Italian people, but more importantly, St. Joseph's Day is marked by great feasts. And I know that Representative Franks remarked about this last year, so we have provided lunch for all of the Members of the General Assembly. And it's in the offices in the back behind... near Representative Saviano's office. And also, we've had some... we've had some inquiries about, since it's a Friday during Lent, about dispensation. So, what I did was... is I dispatched Representative Rita to speak to the Vatican. And... and here's the... here's the ans... answer to the riddle yesterday. Representative Rita was on the phone with the

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

116th Legislative Day

3/19/2010

parliamentarian at the Vatican during our pension vote, and that's the reason he wasn't on the floor to vote his switch. But what Representative Rita has found out, in great detail, is that no dispensation is needed today to eat meat. And that comes from the code of Canon Law, he found out, Section 1251, which states that the general law of abstinence from meat on Fridays does not bind on solemnities, which is the... St. Joseph's Day is a day of solemnity in the Catholic Church. So, you have dispensation... you don't need a dispensation today. You can eat meat. So, we've got food, dispensation, buona festa. Happy St. Joseph's Day.

Speaker Mautino: "And the Chair would like to express it's thanks to Representative Rita for his in-depth research. The Gentleman from Crawford, Representative Eddy."

Eddy: "Thank you. Point of personal privilege."

Speaker Mautino: "State your point, Sir."

Eddy: "Ladies and Gentlemen, I'd like for you to help me welcome a group... an elementary school group from Paris, Illinois, to the Body. They're... they're watching from the gallery. Students from the Carolyn Wenz Elementary School. Welcome to Springfield."

Speaker Mautino: "Welcome to the House of Representatives. Representative Feigenholtz, on page 23 of the Calendar appears House Bill 6059. Would you like to call this Bill? Mr. Clerk, read the Bill."

Clerk Bolin: "House Bill 6059, a Bill for an Act concerning government. Third Reading of this House Bill."

Speaker Mautino: "Representative Feigenholtz."

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

116th Legislative Day

3/19/2010

Feigenholtz: "Thank you very much, Mr. Speaker. House Bill 6059 creates the Illinois Holocaust and Genocide Commission. The purpose of the commission is to provide advice and assistance to schools and other organizations regarding teaching of Holocaust and genocide awareness programs. I'd be glad to answer any questions."

Speaker Mautino: "The Lady has moved passage of House Bill 6059. All those 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 Turner, Jefferson, do you wish to be recorded? Mr. Clerk, take the record. 109 voting 'yes', 0 voting 'no', 0 voting 'present', House Bill 6059 is declared passed. The Lady from DuPage, Representative Bellock is seeking recognition."

Bellock: "Thank you very much. Point of personal privilege."

Speaker Mautino: "State your point."

Bellock: "Just wanted to say thank you so much to the Italian Caucus on behalf of all of us for the beautiful carnations and for the wonderful lunch. Thank you."

Speaker Madigan: "And from all the Members of the Italian Caucus: Representative Angelo Skip Saviano, Suzie Bassi, Franco Coladipietro, John Cavaletto, John D'Amico, Frank Mautino, Anthony DeLuca, Dennis Reboletti, Bob Rita, Rosemary Mulligan and Michael Smith, we also invite you to in join us and say thank you as well. Representative Chapa LaVia is seeking recognition."

Chapa LaVia: "Am I not part of the Italian Caucus?"

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

116th Legislative Day

3/19/2010

Speaker Mautino: "Further discussion? From the Gentleman from DuPage, Representative Connelly."

Connelly: "Point of personal privilege."

Speaker Mautino: "Yes, Sir."

Connelly: "Actually, it's really a point of clarification. You just read off the Italian-American Caucus, and I noticed one of my colleagues was stunned to see Suzie Bassi's name there. Suzie, I believe is an Irish-American, who married an Italian. I, too, am an Irish-American, who married an Italian and I'd like a ruling from the Consigliere of the Italian Caucus, Representative Coladipietro, why my name is omitted. Thank you."

Speaker Mautino: "The Gentleman... the Consigliere, Representative Coladipietro."

Coladipietro: "Mr. Speaker, as you know..."

Speaker Mautino: "I'm interested in this as well."

Coladipietro: "Mr. Speaker, as you know, we don't talk about business outside of the family. And Representative Connelly, next time you talk to my man Turnbull."

Speaker Mautino: "Enjoy the dinner, folks. Representative Hernandez, on page 19 of the Calendar appears House Bill 4927. Read the Bill."

Clerk Bolin: "House Bill 4927, a Bill for an Act concerning regulation. Third Reading of this House Bill."

Speaker Mautino: "The Lady from Cook, Representative Hernandez."

Hernandez: "Thank you, Speaker. House Bill 4927 requires verbal screening of all persons seeking admission to a nursing home, long-term care facility. Any individual

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

116th Legislative Day

3/19/2010

identified as high-risk for HIV, hepatitis B and C shall be offered testing. And those individuals eligible for immunization shall be offered hepatitis B immunization. High-risk individuals are those with any history of intravenous drug use or prostitution. Cook County Department of Public Health has investigated several outbreaks of hepatitis and HIV facilities in its jurisdiction. This legislation will help prevent future outbreaks, save lives, and reducing costs associated with disease investigation, and control. I ask for an 'aye' vote."

Speaker Mautino: "The Lady has moved passage of House Bill 4927. No Members seeking recognition, all in... Excuse me. The Lady from Cook, Representative Mulligan is seeking recognition."

Mulligan: "You're just... thank you, Mr. Speaker. Will the Sponsor yield?"

Speaker Mautino: "She indicates that she will."

Mulligan: "You're just screening, you're not requiring? Because years ago, particularly with certain types of shots and vaccinations, I think flu shots really hurt people with HIV."

Hernandez: "Yes. Yes."

Mulligan: "All right. So, you're screening and it seems like everybody's onboard with this."

Hernandez: "Yes."

Mulligan: "All right. Thank you."

Speaker Mautino: "The Lady's moved passage of House Bill 4927. All in favor vote 'yes'; opposed vote 'no'. The voting is

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

116th Legislative Day

3/19/2010

open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Representative Rose, Reboletti, do you wish to be recorded? Representative Joe Lyons. Mr. Clerk, take the record. 109 voting 'yes', 0 voting 'no', 0 voting 'present', this Bill is declared passed. Representative Hoffman, on page 23 of the Calendar is House Bill 6152. Read the Bill."

Clerk Bolin: "House Bill 6152, a Bill for an Act concerning public employee benefits. Third Reading of this House Bill."

Speaker Mautino: "Representative Hoffman."

Hoffman: "Thank you, Mr. Speaker, Ladies and Gentlemen of the House. House Bill 6152 affects one individual at the Village of Glenn Carbon Police Department, who initially in his career, because of lack of resources elected not to... to be a part of their... their pension plan. What this makes sure, is that he can now... he could... he could, upon payment of all employee contributions, all employer contributions, and all interest actuarially assumed rate of return, he could join. It only affects this one individual."

Speaker Mautino: "The Gentleman has moved passage of House Bill 6152. On that question, the Gentleman from Morgan, Representative Watson."

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

Speaker Mautino: "He indicates that he will."

Watson: "Representative, is this wh... what's the genesis of this Bill?"

Hoffman: "Well, the individual is from the Glenn Carbon Police Department Pension Fund, came to me... I believe it was a



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

116th Legislative Day

3/19/2010

year and a half ago now, I think we tried to pass this last year. I can't remember if the provision actually made it to... from the House and didn't get called in the Senate. And so, we narrowly focused the... the Bill to affect this individual at Glenn Carbon Police Department. Their Pension Fund is in favor of this. The individual has to pay all the amounts owed as well as the employer contributions owed as well as any interest accrued."

Watson: "Thanks, Jay."

Speaker Mautino: "The Gentleman has moved... do pass on 6152. And on that question, the Gentleman from Champaign, Representative Rose."

Rose: "Thank you, Mr. Speaker. Just a quick question, if I may. Representative Hoffman, I think I just heard you say that the individual will have to pay all the costs and fees. The front page of the status page on ilga.gov says it requires implementation without reimbursement. So, I just want to be... make sure that that... what you said is accurate. And I'll take your word for it, but I wanted to make sure I heard you say that correctly?"

Hoffman: "Yes, it is accurate. He would have to pay the employer's contribution that would have to been paid had he participated during the entire time. He would have to pay the... the... or the employee contribution, he had to pay the employer contribution, and any interest at the actuarially assumed rate of return."

Rose: "So, there is no... so it's not implemented without reimbursement? He would have to do it?"

Hoffman: "Yes."

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

116th Legislative Day

3/19/2010

Rose: "Okay. Thank you, Representative."

Hoffman: "That's why the pension fund's in favor of it."

Rose: "Yeah. Thank you very much."

Speaker Mautino: "No further Members seeking recognition, 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? Representative Ramey, Winters, Brady, do you wish to be recorded? Representative Winters. Mr. Clerk, take the record. 66 voting 'yes', 43 voting 'no', 0 voting 'present', House Bill 6152 is declared passed. The Lady from Lake, Representative May is seeking recognition."

May: "Yes, Speaker. I have a point of personal privilege. I would like to welcome behind me in the gallery, if you will stand, please, Beth and Marvin Najberg, grandparents of Schuyler and Blake Kapnick of Highland Park. These grandparents are showing their children our State Government. And please welcome them with me. Thank you."

Speaker Mautino: "Welcome to Springfield. The Gentleman from Crawford, Representative Eddy is seeking recognition."

Eddy: "Point of personal privilege."

Speaker Mautino: "State your point, Sir."

Eddy: "Ladies and Gentlemen of the House, if you'll help me welcome again a second group from Paris, Illinois. It's Paris Elementary Day here at the Capitol, from the Carolyn Wenz School, the group right behind me."

Speaker Mautino: "Welcome to the House of Representatives. Representative Lang, House Bill 5752 appears on page 21 of

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

116th Legislative Day

3/19/2010

the Calendar. Would you like to call this Bill? Read the Bill."

Clerk Bolin: "House Bill 5752, a Bill for an Act concerning State Government. Third Reading of this House Bill."

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

Lang: "Thank you, Mr. Speaker. This creates an HIV/AIDS Nutrition and Outcomes Advisory Commission to advice DHS as to how to best incorporate nutrition as an HIV/AIDS disease management strategy. I know of no opposition."

Speaker Mautino: "The Gentleman has moved passage of House Bill 5752. No Members 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? Arroyo, Reitz, Rita, just kidding. Mr. Clerk, take the record. 108 voting 'yes', 0 voting 'no', 0 voting 'present', House Bill 5752 is declared passed. Ladies and Gentlemen, it's the intent of the Chair to go to Second Readings, and I'll be going through these so Members can get their Bills in position for next week. And I'll call them out as you're at your seat. I know many Members are getting lunch right now, so as we see you we will call them. Mr. Fortner, House Bill 5191. Out of the record. Representative Moffitt, you have House Bill 5183. These are moving Bills from Second to Third. Out of the record. Representative Mulligan, page 10 of the Calendar is House Bill 5516. Would like to move this Bill to Third Reading? Out of the record. Representative Mulligan, you also have House Bill

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

116th Legislative Day

3/19/2010

5517. Would you like to move this Bill to Third Reading?  
Out of the record. Representative Pihos. Out of the  
record. Representative Kosel, you have House Bill 5483."

Kosel: "Yes, Mr. Speaker."

Speaker Mautino: "Read... read the Bill."

Clerk Bolin: "House Bill 5483, a Bill for an Act concerning  
government. Second Reading of this House Bill. Amendment  
#1 was adopted in committee. Floor Amendment #2, offered  
by Representative Kosel, has been approved for  
consideration."

Speaker Mautino: "The Lady from Will, Representative Kosel on  
Floor Amendment #2."

Kosel: "Thank you very much. This Amendment came from  
suggestions from the committee to remove proposed minutes  
and just have the approval of... of regular meeting minutes.  
And I would ask that we adopt that Amendment and move the  
Bill to Third."

Speaker Mautino: "The Lady moves adoption of Amendment #2 to  
House Bill 5483. Seeing no discussion, all those in favor  
say 'yes'; opposed 'no'. The 'yeses' have it. The  
Amendment is adopted. Mr. Clerk, any further Amendments?"

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

Speaker Mautino: "Third Reading. Representative Will Davis,  
House Bill 5407 is on the Calendar on the Order of Second  
Reading. Out of the record. Representative Mary Flowers,  
on page 4 of the Calendar is House Bill 4679. Would you  
like to move this Bill? Out of the record. Representative  
Golar, House Bill 6177 is on Second Reading. Read the  
Bill."

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

116th Legislative Day

3/19/2010

Clerk Bolin: "House Bill 6177, a Bill for an Act concerning transportation. Second Reading of this House Bill. No Committee Amendments. Floor Amendment #1, offered by Representative Golar, has been approved for consideration."

Speaker Mautino: "The Lady from Cook, Representative Golar on Floor Amendment #1."

Golar: "Thank you, Mr. Speaker. I would like to keep 6177 on Second Reading, please."

Speaker Mautino: "Would you like to adopt the Amendment?"

Golar: "I'm not going to move it. No."

Speaker Mautino: "Out of the record. Representative Howard, House Bill 5394 is on Second Reading. Would you like to move this Bill? Out of the record. Representative Nekritz, House Bill 6208 appears on the Order of Second Reading. Out of the record. Representative Rita, House Bill 6434. Out of the record. Representative Soto, page 4 of the Calendar is House Bill 4755. Would you like to move this Bill to Third? Read the Bill."

Clerk Bolin: "House Bill 4755, a Bill for an Act concerning education. Second Reading of this House Bill. Amendment #1 was adopted in committee. No Floor Amendments. No Motions are filed."

Speaker Mautino: "Third Reading. Representative Fritchey, on page 5 of the Calendar is House Bill 4982. Would you like to move this Bill to Third Reading? Let it roll. Read the Bill."

Clerk Bolin: "House Bill 4982, a Bill for an Act concerning transportation. The Bill was read a second time on a previous day. Amendment #1 was adopted in committee. No

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

116th Legislative Day

3/19/2010

Floor Amendments. A state mandate's note has been requested on the Bill, as amended, and has not been filed."

Speaker Mautino: "Leave this Bill on Second Reading. Representative Fritchey, House Bill 6072. Out of the record. Representative Careen Gordon. Out of the record. Representative Dunkin, you have two Bills on the Calendar. Let's start with House Bill 6439 is on Second Reading. Would you like to move this Bill to Third Reading? Read the Bill."

Clerk Bolin: "House Bill 6439, a Bill for an Act concerning health. Second Reading of this House Bill. No Committee Amendments. Floor Amendment #1, offered by Representative Dunkin has been approved for consideration."

Speaker Mautino: "The Gentleman from Cook, Representative Dunkin on Floor Amendment #1."

Dunkin: "You know, Representative, is the Amendment on there where we... did we file an Amendment today? What we did was..."

Speaker Mautino: "Mr. Clerk."

Clerk Bolin: "No further Amendments have been filed to this Bill."

Dunkin: "Can we take this out of the record?"

Speaker Mautino: "Take it out of the record, please."

Dunkin: "And go to the next Bill. Thanks."

Speaker Mautino: "6459. Mr. Dunkin, on page 18 of the Calendar you have another Bill. Read the Bill."

Clerk Bolin: "House Bill 6459, a Bill for an Act concerning criminal law. Second Reading of this House Bill. No Committee Amendments. Floor Amendment #1, offered by

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

116th Legislative Day

3/19/2010

Representative Dunkin, has been approved for consideration."

Speaker Mautino: "The Gentleman from Cook on Floor Amendment #1."

Dunkin: "Thank you, Mr. Speaker. I move that we adopt the Amendment #1. Which simply amends the control substance act by adding synthetic cannabis, commonly known as spice or by the brand name K2 to the list of Schedule 1 controlled substances. This is very similar to Representative Poe's Bill on K2, this new... new drug substance, that is on the market here. This pretty much reflects the State of Kansas' legislation."

Speaker Mautino: "The Gentleman has moved adoption of Floor Amendment #1 to House Bill 6459. On that question, the Gentleman from Cook, Representative Fritchey is seeking recognition."

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

Speaker Madigan: "He indicates he will."

Fritchey: "Representative, why are we going to send two Bills doing the same thing over to the Senate?"

Dunkin: "Representative, this Bill adds... there was only one item on Representative Poe's Bill. This adds two more items that will be included on this Schedule 1 of controlled substance."

Fritchey: "What are those two items?"

Representative Dunkin: "One second. Okay... asemethanthol, asatol alpha, methafintol."

Fritchey: "Is... is..."

Dunkin: "I'm not a physician or a Greek."

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

116th Legislative Day

3/19/2010

Fritchey: "Isn't that... I be... that may be the chemical name for K-2."

Dunkin: "What's your question?"

Fritchey: "I... I... is that the chemical for K2?"

Dunkin: "No, that's not."

Fritchey: "What's this then?"

Dunkin: "Bear with me. Let me look up the exact addition here. Okay. Here we go. It's pentol, pential, nathathol, indol. And for K2 it's JWH. The other... the other substance we're adding is butol-3, 1-nithithol, indal, and the other trade name is JWH073."

Fritchey: "Do you know what either one of those are? Rep... Representative, let me make a suggestion. I'm not trying to trip you up here. I'm trying to keep the Body from getting tripped up..."

Dunkin: "Hold on... hold on."

Fritchey: "Understood, but I'm... I'm just saying you may want to pull this until we find out what it is we're trying to make a Schedule 1 banned substance."

Dunkin: "There are... Representative, there are two chemicals that comprise of... are main ingredients of K2. This one covers them both. The earlier legislation covered only one."

Fritchey: "Th... that... that's incorrect, Representative. There... there aren't two chemicals, it's one synthetic compound."

Dunkin: "You're saying that it's what now?"

Fritchey: "It... it's one... it's one... its one chemical compound. So, these... these two items that you're trying to add to the



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

116th Legislative Day

3/19/2010

Schedule 1 list are actually two wholly unrelated items, or the duplicative of the Bill we passed yesterday."

Dunkin: "Representative, one is called K2, the other one is not, but they... they're two synthetic drugs that accomplish the same goals. And what I'm saying is Representative Poe's Bill only covered one of those."

Fritchey: "What... what's the other drug?"

Dunkin: "The other drug is a vitol, naphthoyl, indole, or JWH.

And the other one is the Pentyl, naphthoyl, indole, or JWH..

Fritchey: "Do you know which one of those is..."

Dunkin: "...018. These are prescription... these are prescription terminology that I'm not 1 thousand percent familiar with a."

Fritchey: "No this is... Wait... wait..."

Dunkin: "But there... it's illustrated in your... your analysis."

Fritchey: "With all due respect, they're not prescriptive terms; these are chemical terms. One's a Pentyl compound, one's a Butyl compound. One of them is K2. I'm not sure that we know what the other one is."

Dunkin: "Well, the other one is JWH-..."

Fritchey: "No... no that's... that's..."

Dunkin: "...073, the Butyl. What... what is your question now?"

Fritchey: "What... what is it that you're trying to ban? What... here... the item that you're adding on page... on page 9, line 19... line 18 is K2. The item on line 20 is something that nobody knows what this is."

Dunkin: "And that's another synthetic cannibal."

Fritchey: "I... I don't believe that's correct, Sir."

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

116th Legislative Day

3/19/2010

Dunkin: "Well, what do... what do you predicating your statement off of, Representative?"

Fritchey: "Excuse me?"

Dunkin: "What are you basing your statement off of?"

Fritchey: "That I..."

Dunkin: "I'm saying this Bill adds two more synthetic substances to the K2 substance control."

Fritchey: "No. It only adds two in total. So, it can't add two more. It only adds two total. At best it adds one more, but we don't know that one more is, or what it's used for, or anything else. Right now, the... the under... the understanding in the treatment nationally, is that there's one synthetic compound that's being sold as K2. We don't know what this other synthetic compound is, or where it's being sold, or what it does. It's not in the analysis. You can't tell what it is from the Bill either. My... my only suggestion, Representative, and you know, you may well be doing a doing a very good thing here, but you may want to have staff find out exactly what it is we're trying to ban, where we've seen this, what it does, what we know about it, et cetera, et cetera. We know nothing right now. I'm just very reluctant to have the Body vote on this and add something as a sch... as a Schedule 1 compound without knowing what it is."

Dunkin: "Representative, these are two synthetic compounds that have the exact same affect on the brain, and we're simply making or adding this to the controlled substance 1"

Fritchey: "You know, we..."

Dunkin: "...in the State of Illinois."

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

116th Legislative Day

3/19/2010

Fritchey: "There... there's information out... there's information out there with the respect to K1 which is... K2, which is one of the substances here. Do you have any information with the respect to the other substance that you're trying to ban?"

Dunkin: "You know, I can forward an article to you, several articles to you that can answer that question..."

Fritchey: "On this... on this other substance?"

Dunkin: "Yes. You want me to... I don't know the details, all of the finite details..."

Fritchey: "Okay. Here..."

Dunkin: "...of this particular drug. What we're simply doing is making it a comprehensive, a complete item here to this schedule of con... controlled substance."

Fritchey: "Speaker, and... I... I do this very reluctantly."

Speaker Mautino: "To the Bill."

Fritchey: "I do this... to the Bill. I do this very reluctantly, but I'm also very reluctant to have this Body add something to the Schedule 1 without us knowing anything about it. I would request a Roll Call vote on this. And should it get the requisite number of votes, I request a verification."

Speaker Mautino: "Gentleman has requested a Roll Call vote and a verification on the Amendment, that will be acknowledged and granted. The Gentleman from DuPage, Dr. Fortner... Representative Fortner."

Fortner: "Thank you, Mr. Speaker. To the Bill. Hopefully to provides some clarification to the exchange that just went on before. What you have here is... there's a class of chemicals the... they're called the naphthoyl indoles. They

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

116th Legislative Day

3/19/2010

are a synthetic class of compounds recognized as cannabinoids. What that means is though they are not chemically at all like THC, they attach to the same brain receptors that THC attaches to and therefore, they have the same effects, providing the same kind of high that marijuana would have. What they're typically... the... the JWH that was referred to by the Sponsor corresponds the initials of the chemist who initially synthesized it. He gets to put his initials and then a number and then they register it as a chemical and then in fact... this particular chemist I believe is from Clemson University has registered very many chemicals, including a number of these naphthoyl indoles, of which both... JWH018 and JWH073 are both have been recognized by both the... by the various drug enforcement agencies as things that they need to watch as having this particular type of property. So, I hope that provides some clarity to the questions."

Speaker Mautino: "None whatsoever. But we are delighted that you... it's good to have a nuclear physicist in the General Assembly. The Gentleman from Crawford, Representative Eddy."

Eddy: "Could he repeat that cause I... I didn't catch on?"

Speaker Mautino: "I know I can't."

Eddy: "I just got part of it. I... I got the part about... I hope that provides clarity, but everything else didn't. Representative, it appears... it appears, and I'm not sure, maybe Representative Fortner could clarify his statements by just a simple whether or not he believes that these chemical compounds should be added to the list based on the

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

116th Legislative Day

3/19/2010

fact that they're a synthetic derivative of... of what we tried to do with Representative Poe's Bill and... and I think, I'll feel more comfortable that this should be added. I... I don't know what he said exactly and I don't think anybody else does either, besides him, which... which... which isn't uncommon. I... I think it's worth noting that if you... if you reverse the Sponsors on this, this would be the Poe-Dunkin Bill, which may be leading to some of the confusion on this. Some people may be reading it backwards. But... but I think if... if this is something that should be added because the synthetics involved in this are... are chemically those compounds which are the aim of... of Representative Poe's original Bill, we probably should vote for this. If... if indeed there is a conspiracy here that Mr. Fortner has identified, we should probably be cautious. But I would... I would like to get the short answer from Mr. Fortner."

Speaker Mautino: "The Gentleman from DuPage, Representative Fortner. Your name has been used in debate."

Fortner: "Thank you, Mr. Speaker. Yes. As I said, there are many synthetic compounds that have the same effect as THC. Both of these that are in the Sponsor's Bill have been identified as being in that class that have hallucinogenic effects, act as marijuana mimics, and can be used as chemical treatments on plants. The Europeans have recognized those as being in that class, I believe... the UK and Germany have taken regulatory action to that affect. I... I would be in support of this Bill. I think that this is appropriate to take regulatory action."

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

116th Legislative Day

3/19/2010

Speaker Mautino: "Further discussion. The Gentleman from Lake, Representative Sullivan. I am going to use the timer on this Bill, which is on Short Debate. I'll start that. Everyone will receive two minutes. We have a number of speakers who have questions now."

Sullivan: "I... I just give up. I'm with him."

Speaker Mautino: "That made that easy. The Gentleman from Champaign, Representative Rose is seeking recognition."

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

Speaker Mautino: "Indicates that he will."

Rose: "Representative Dunkin, is this a Poe-Dunkin initiative or Dunkin-Poe initiative?"

Dunkin: "This is a Dunkin-Poe according to my analysis."

Rose: "Outstanding. Now... to Mr. Fortner's point. At one point in time, Representative Bost stood on this House Floor and offered to translate for Senator, then Representative Forby, now it's Senator Forby, when no one could understand him. Perhaps, we could ask Representative Bost to tell us what Representative Fortner said in this instance. And... and I would only add that, I'm wondering if Representative Fortner has any chemicals named after his initials, as he pointed out, the JWH was the name of the scientist and I would hope that Representative Fortner might have a few initials naming chemicals that he's discovered. But perhaps Representative Bost in this limited scenario could translate or perhaps we could ask Senator Forby to come back and help us understand what was said here today."

Speaker Mautino: "The Gentleman from Jackson, Leader Bost. Your name has been used in debate."

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

116th Legislative Day

3/19/2010

Bost: "Representative Fortner said vote for the Bill."

Speaker Mautino: "That's what I love about downstate. Gentleman moves adoption of Floor Amendment #1. There has been a request for a Roll Call vote on this Amendment and a request for a verification. The Gentleman from Cook, Representative Fritchey is seeking recognition."

Fritchey: "Thank you, Speaker. I appreciate the follow-up recognition. Having gotten an explanation that actually sounds like an explanation, I'll withdraw the request for a Roll Call and for a verification. You know, I just... the point was not to belabor this issue, but the point is to make sure that we knew what the heck it was we were discussing."

Speaker Mautino: "The request has been withdrawn. The Gentleman moves adoption of Floor Amendment... Floor Amendment #1 to 6459. All in favor say 'yes'; opposed 'no'. The 'yeses' have it. And the Amendment is adopted. Mr. Clerk, any further Amendments?"

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

Speaker Mautino: "Third Reading. Representative Pritchard, House Bill 5942 is on Second Reading. Would you like to read that Bill? Second Read... leave that Bill on Second Reading. Out of the record. Representative Saviano. House Bill 5744 is on Second Reading. Would you like to move this Bill to Third? Read the Bill."

Clerk Bolin: "House Bill 5744, a Bill for an Act concerning State Government. Second Reading of this House Bill. Amendment #1 was adopted in committee. Floor Amendment #2,

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

116th Legislative Day

3/19/2010

offered by Representative Saviano, has been approved for consideration."

Speaker Mautino: "Gentleman from Cook on Floor Amendment #2."

Saviano: "Thank you, Mr. Speaker, Members of the House. Floor Amendment #2 simply adds a provision to the underlying Bill that the out-of-state practitioner must provide his or her out-of-state license to the free medical clinic they're volunteering at, so they can practice their... their profession. I ask it to be adopted."

Speaker Mautino: "The Gentleman moves adoption of Floor Amendment #2 to House Bill 5744. No Members seeking recognition, all in favor say 'yes'; opposed 'no'. The 'yeses' have it. And Floor Amendment #2 is Adopted. Any further Amendments, Mr. Clerk?"

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

Speaker Mautino: "Third Reading. Mr. Saviano, on page 6 of the Calendar is House Bill 5026. Would you like to move that Bill to Third Reading? Read the Bill."

Clerk Bolin: "House Bill 5026, a Bill for an Act concerning insurance. Second Reading of this House Bill. No Committee Amendments. No Floor Amendments. No Motions are filed."

Speaker Mautino: "Third Reading. Representative Berrios, on page 11 of the Calendar is House Bill 5701. Tony, would you like to move that Bill to Third? Out of the record. Representative Monique Davis, House Bill 3814 is on Second Reading. Would you like to move that Bill to Third Reading? Representative Davis, your Bill's on Second



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

116th Legislative Day

3/19/2010

Reading. Would you like to move this to the Third? Read the Bill."

Clerk Bolin: "House Bill 3814, a Bill for an Act concerning public health. The Bill was read a second time on a previous day. No Committee Amendments. No Floor Amendments. No Motions are filed."

Speaker Mautino: "Third Reading. Representative Gordon, House Bill 4657 is on Second Reading. Would you like to move this Bill? Out of the record. Representative Jefferson, on the Calendar is House Bill 1629. Read the Bill."

Clerk Bolin: "House Bill 1629, a Bill for an Act concerning local government. The Bill was read a second time on a previous day. No Committee Amendments. Floor Amendment #2 has been adopted to the Bill. No further Floor Amendments have been approved for consideration. No Motions are filed."

Speaker Mautino: "Third Reading. Gentleman from Cook, Representative Joyce is seeking recognition."

Joyce: "Thank you, Mr. Speaker. The purpose of an announcement. On Monday, March 22, the Appropriations Committee for General Services, on this yellow sheet, it's scheduled for 11 a.m. We will meet at 12 not 11, at 12."

Speaker Mautino: "The record will reflect. Representative Leitch, House Bill 5308 is on Second Reading. Would you like to move this Bill to Third? Out of the record. Representative Fortner, House Bill 5191 is on Second Reading. Representative Fortner. Out of the record or... Okay. Out of the record. The Gentleman from Vermilion, Representative Black. On Second Reading, page 5 of the

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

116th Legislative Day

3/19/2010

Calendar, is House Bill 4886. Would you like to move this Bill to Third Reading, Sir? Read the Bill."

Clerk Bolin: "House Bill 4886, a Bill for an Act concerning education. Second Reading of this House Bill. Amendment #1 was adopted in committee. No Floor Amendments. No Motions are filed."

Speaker Mautino: "Third Reading. Representative Black, on page 16 of the Calendar is House Bill 6213. Would you like to move this Bill to Third Reading? Read the Bill."

Clerk Bolin: "House Bill 6213, a Bill for an Act concerning criminal law. Second Reading of this House Bill. No Committee Amendments. No Floor Amendments. And no Motions are filed."

Speaker Mautino: "Third Reading. Representative Black, on page 16 of the Calendar also appears House Bill 6241. Would you like to move this Bill to Third Reading? Read the Bill."

Clerk Bolin: "House Bill 6241, a Bill for an Act concerning revenue. Second Reading of this House Bill. Amendment #1 was adopted in committee. No Floor Amendments. No Motions are filed."

Speaker Mautino: "Third Reading. Representative Leitch, House Bill 5685 appears on Second Reading. Would you like to move this Bill? Read the Bill."

Clerk Bolin: "House Bill 5685, a Bill for an Act concerning insurance. Second Reading of this House Bill. Amendment #1 was adopted in committee. Floor Amendment #2 has been referred to the Rules Committee. No Floor Amendments have been approved for consideration. No Motions are filed."

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

116th Legislative Day

3/19/2010

Speaker Mautino: "Third Reading. Representative Bradley, on page 6 of the Calendar appears House Bill 5053. Read the Bill."

Clerk Bolin: "House Bill 5053, a Bill for an Act concerning education. Second Reading of this House Bill. Amendment #1 was adopted in committee. Floor Amendment #2 has been referred to the Rules Committee. No Floor Amendments have been approved for consideration. No Motions are filed."

Speaker Mautino: "Third Reading. Representative Daniel Burke, House Bill 5838 is on Second Reading. Would you like to move this to Third Reading, Sir? Read the Bill."

Clerk Bolin: "House Bill 5838, a Bill for an Act concerning regulation. The Bill was read a second time on a previous day. Amendment #1 was adopted in committee. Floor Amendment #2 has been referred to the Rules Committee. No Floor Amendments have been approved for consideration. No Motions are filed."

Speaker Mautino: "Third Reading. Representative Davis, Monique Davis, on page 18 of the Calendar is House Bill 6450. Would you like to move this Bill to Third Reading? Out of the record. The Gentleman from Vermilion, Representative Black, on Second Reading is House Bill 5109. Would you like to move this Bill to Third Reading? Read the Bill."

Clerk Bolin: "House Bill 5109, a Bill for an Act concerning government. Second Reading of this House Bill. Amendment #1 was adopted in committee. No Floor Amendments. A judicial note has been requested on the Bill, as amended, and has not been filed."

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

116th Legislative Day

3/19/2010

Speaker Mautino: "Leave this Bill on Second Reading. Mr. Black, on Second Reading appears 5295. Read the Bill."

Clerk Bolin: "House Bill 5295, a Bill for an Act concerning local government. The Bill was read a second time on a previous day. No Committee Amendments. No Floor Amendments. A balanced budget note and a judicial note have been requested and have not been filed."

Speaker Mautino: "Leave that Bill on Second Reading. Representative Flider, page 13 of the Calendar appears House Bill 5879 on Second Reading. Out of the record. Representative Jakobsson, page 6 of the Calendar is House Bill 5040. Out of the record. Representative Reis is not here, so... out of the record. The Chair intends to go to the Order of Third Readings. And under the Order of Third Reading Representative McCarthy, on page 21 of the Calendar appears House Bill 5417. Read the Bill."

Clerk Bolin: "House Bill 5417, a Bill for an Act concerning public employee benefits. Third Reading of this House Bill."

Speaker Mautino: "The Gentleman from Cook."

McCarthy: "Thank you, Mr. Speaker, Ladies and Gentlemen of the House. House Bill 5417 is a Bill that would amend the Downstate Police Article. During our hearings last year of the task force on modernization, one of the items that came out was that the... the Downstate Police Article has a little added part in it that talks about a pro-rata share in case the... if the funds ever went into insolvency. And what this basically means, that while the other funds have a... a mechanism so, say that the Bill... the fund was going

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

116th Legislative Day

3/19/2010

insolvent, the bankruptcy judge could look at it and say, we're not going to treat the same peop... the people that have like \$4 thousand-a-month pension annuities the same as we'd treat people at 1 thousand. Under the Police Article, there is no choice in that. It has to be done pro-rata. So, if you have a widow from years, you know, that lost her husband years and years ago who's on like a \$600 a month pension, if the fund comes out at 50 percent, the judge would have no... no chance whatsoever to reduce it... you have to reduce by 50 percent. She'd go from \$600 thousand to 3 thousand or 300, while a person who maybe has a \$4 thousand pension, would go from 4 thousand down to 2 thousand. It's the only fund that we could find that has this little addition to it. When we went before the Pension Committee, we told them that... if any one of those municipal leaders or any other member that's interested in pensions could come forward and tell us why this is in the Downstate Police Article, but in no other article that we could find, then I would hold the Bill. But we've given them a couple weeks now and I wou... I would continue that on to the... whoever the Senate Sponsor is, but it is in no other article. It restricts the flexibility. And I think it should be removed."

Speaker Mautino: "The Gentleman has moved passage of House Bill 5417. And on that question, the Gentleman from Jackson, Representative Bost."

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

Speaker Mautino: "Indicates that he will."

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

116th Legislative Day

3/19/2010

Bost: "Representative, in committee I... it was asked and specifically stated. Now, this does exactly... the downstate fire pensions already are all covered, correct?"

McCarthy: "Yeah. This would..."

Bost: "And... and all this does is make them exactly like those, correct?"

McCarthy: "Correct. It would... it would then mirror the Downstate Fire Article."

Bost: "All right. That's all I needed to clarify. Thank you."

McCarthy: "Thank you."

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

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

Speaker Mautino: "Indicates that he will."

Black: "Representative, is... is there any way to estimate the potential liability to a municipality? I... I mean, I've had cities contact me and say this could be a tremendous financial hit to us. Now, they don't tell me why or they don't tell me how much. I don't know that they haven't..."

McCarthy: "They... they weren't very... yeah."

Black: "...been making regular payments or whatever."

McCarthy: "Yeah. If you look at it, I mean, it's a very, very small Bill, even in a full text thing. And they brought that up, but I said bring this, you know, more forward. They said that this would make them... that if the fund... the way they explained it is right now, like say, the Municipal Fire Department, if that fund went insolvent, the fund has a right to sue the municipality. And it's like getting, you know, judicial proceeding then; maybe they'll be found

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

116th Legislative Day

3/19/2010

guilty, maybe they'll be not guilty. If they hadn't made their payments in a fund, I'm sure that maybe they'd be found guilty then. But under the interpretation by the Municipal League, they said the fire fund could sue them, but police fund cannot. And I said, well, why would we treat anyone of them differently? And that's when I asked them to go forward and as they said earlier, I extend that out of my... whatever happens in the Senate with this, if they can come up with a reason why we should treat the downstate police different than we treat the downstate fire or any of the other... other funds, I would be happy to tell the Senate Sponsor to hold the Bill. But no one seemed to have the reason why this was in the Police Article and in no other article."

Black: "Did... did you hear any evidence of cities that perhaps deliberately underfunded the police pension system, let it go insolvent, to escape potential liability?"

McCarthy: "None. Thank... thank goodness in this state there's never been a pension system that's failed to make their payments. So..."

Black: "All right."

McCarthy: "So, they haven't done that. Some are... as you know, there's like 600 funds that are in these Police..."

Black: "Sure."

McCarthy: "...and Fire Article and there are some that are perilously low now, but no one has done that yet. And I don't... I don't think anyone would be that irresponsible to do it on purpose, I mean..."

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

116th Legislative Day

3/19/2010

Black: "Let me just, for the record. It's your intent that this Bill go over as you have it drafted and not to be stripped out in the Senate and used for another pension article."

McCarthy: "That is absolutely my intention."

Black: "All right. And... and if it comes back with something else, what might your intention be if the Senate decides to use it for some kind of pension enhancement or emolument? What would your attitude be on that, should it come back to the House?"

McCarthy: "Well, I mean, I do want to be up front and honest with you. That there are some meetings going on, Senator Link and... Senator Altoff, that... I know you're aware that there are some municipalities. The Northwest Municipal Conference came forward last year. They asked for some relief in their city payments to the... to two different funds. So, those discussions are going on, and we're hoping that there will be some modernization of those two pension funds coming out of it at the end. It's kind of like you accept the modernization to firefighters and police, and then... or the municipalities would accept that and then we would give them some relief. So, but... my hope with this Bill would be..."

Black: "Okay."

McCarthy: "...if it came back different than what it went, I would just leave it sit and... and move... and not move to nonconcur or concur."

Black: "All right."

McCarthy: "Just let it sit so it would be dead."



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

116th Legislative Day

3/19/2010

Black: "Thank you very much, Representative."

Speaker Mautino: "The Gentleman has moved passage of House Bill 5417. 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 Osmond, Beaubien. Mr. Clerk, take the record. 71 voting 'yes', 36 voting 'no', 0 voting 'present', House Bill 5417 is declared passed. On Third Reading of the Calendar appears House Bill 6082. Representative Feigenholtz. Read the Bill."

Clerk Bolin: "House Bill 6082, a Bill for an Act concerning civil law. Third Reading of this House Bill."

Speaker Mautino: "The Lady from Cook."

Feigenholtz: "Thank you, Mr. Speaker. House Bill 6082 is a trailer cleanup Bill to a Bill we did last year, Senate Bill 528, that did not effectively cover the results we were desiring. It amends a Section of the Condominium Property Act that addresses the minimum voting requirements for taking action by an owners association. I'd be glad to answer any questions."

Speaker Mautino: "The Lady's moved passage of House Bill 6082. And on that question, the Gentleman from Vermilion, Representative Black."

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

Speaker Mautino: "She indicates she will."

Black: "Representative, have you checked with, oh gosh, a colleague of mine years ago, Representative Ellis Levin. Is he okay with this Bill?"

Feigenholtz: "Representative, this is Ellis Levin's Bill."

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

116th Legislative Day

3/19/2010

Black: "Why... why am I not surprised? I think Representative Levin sponsored every condominium Bill in this chamber for about 10 years. So, he's aware of this and gives it his blessing?"

Feigenholtz: "Do you know that even the condominium board of the Chicago Bar Association doesn't want to deal with this stuff. That's how micromanaging it is. So, everyone's okay with this Bill. I... every time I sponsor one of these Bills, I learn more and more minutia about Condominium Law, more than I would ever want to know."

Black: "Well, as I recall, the... the father of Condominium Law, when I first came down here, would always say the bulk of my law practice is in Condominium Law, so I may be in conflict of interest but I intend to vote my conscience. So, I'll vote my conscience on this Bill as well."

Feigenholtz: "Thank you."

Speaker Mautino: "And the Lady's moved passage of House Bill 6082. No Members 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? Representative Cole, Gordon, Mulligan, do you wish to be recorded? Mr. Clerk, take the record. 105 voting 'yes', 1 voting 'no', 0 voting 'present', House Bill 6082 is declared passed. Representative Phelps, on page 22 of the Calendar is House Bill 5912. Out of the record. Representative Washington, on page 21 of the Calendar on Third Reading is House Bill 5499. Read the Bill."

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

116th Legislative Day

3/19/2010

Clerk Bolin: "House Bill 5499, a Bill for an Act concerning aging. Third Reading of this House Bill."

Speaker Mautino: "Gentleman from Lake."

Washington: "Thank you, Mr. Speaker. House Bill 5499 simply changes the date. It states that individuals receiving notice of termination of noninstitutional services, community services, due to changes in eligibility criteria, must be... must be given 45 days instead of the 60-day notification. And it states that they will have 45 days instead of 60 days to request repeal of that decision. It also makes grants for Alzheimer day-care resource centers, subject to appropriation. And I'm asking for an 'aye' vote and open for any questions."

Speaker Mautino: "The Lady from Cook, Representative Mulligan is seeking recognition. The Gentleman has moved passage of House Bill 5499."

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

Speaker Mautino: "He indicates that he will."

Mulligan: "Representative, I asked you a question yesterday, that I guess someone on my staff explained to me what... afterwards what was happening. But could you just explain to me what the department is doing with all these different changes because they're eliminating they're asking cuts in their budget. The only people that are getting anything are raises for employees, and some administrative people and they're cutting all these programs. Is there a rationale behind..."

Washington: "Representative, first I'm going to try to make some small humor. I guess since they can't move into a new

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

116th Legislative Day

3/19/2010

place, they thought they would turn inward rather than outward. So, anyway... anyway Representative. Representative, I don't clearly know all of the... how to answer you totally, but we did discuss this particular change and this was an agreed thing to do between myself, the Department of Aging, the Health Council, and AARP."

Mulligan: "All right. Because this probably went through your Committee of Aging, but it certainly was not discussed the beginning of the week when we had our very abbreviated hearing on the Department of Aging's budget. So, some of this did not come up that they were consolidating and doing whatever. It would be interesting to see which areas it impacts in the consolidation, and... that's actually saving money. Does yours... Bill also allow them to make grants... it looks like that... for the Alzheimer's adult day-care resource centers?"

Washington: "No, I don't believe so, Representative. The only thing that we talked about was grants for Alzheimer's day resource centers, but that was subject to appropriation."

Mulligan: "So, are most of these groups obsolete or they don't have functioning members or what... what's the reasoning?"

Washington: "I'm sorry. Okay. Representative, I'm sorry. They... they're duplicative, older adult service and advisory committee."

Mulligan: "I'm sorry? Say that again?"

Washington: "They're duplicative, older adult services..."

Mulligan: "All right."

Washington: "Yes, Ma'am."

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

116th Legislative Day

3/19/2010

Mulligan: "Are they also changing the time? In... in our analysis, and maybe that's changed from the very beginning of your Bill, it said that they're shortening the time when they give someone to get out of community care to 30 days rather than 60 days when their..."

Washington: "Yes, Ma'am."

Mulligan: "So, they have only 30 days to..."

Washington: "The 45 days. It's stated there in the analysis."

Mulligan: "It's 45 days now?"

Washington: "Yes, Ma'am."

Mulligan: "They compromised somewhere between the 30 and the 60."

Washington: "Yes, Ma'am, we did."

Mulligan: "Okay. I wish we had known some of this and asked them those questions on Tuesday morning. Thank you."

Washington: "Thank you, Representative."

Speaker Mautino: "The Gentleman has moved passage for House Bill 5499. No Members 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? Representative Cultra, Representative Sommer, do you wish to be recorded? Mr. Clerk, take the record. 85 voting 'yes', 21 voting 'no', 0 voting 'present', House Bill 5499 is declared passed. Representative Ford, on Third Reading on the Calendar appears House Bill 5323. Read the Bill."

Clerk Mahoney: "House Bill 5323, a Bill for an Act concerning regulation. Third Reading of this House Bill."

Speaker Mautino: "Representative Ford."

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

116th Legislative Day

3/19/2010

Ford: "Thank you, Mr. Speaker and Members of the House. House Bill 5323 is simple. It simply replaces the MRDD Facility Advisory Board and creates it's very own DD Facility Advisory Board. And this is a follow up of a past Bill that I passed last year with this House. And I ask for a 'yes' vote."

Speaker Mautino: "The Gentleman has moved passage. And 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, take the record. 106 voting 'yes', 0 voting 'no', 0 voting 'present', the Bill is declared passed. Mr. Clerk, the Monday committee announcements."

Clerk Mahoney: "Committee announcements for Monday. At 11 a.m. the Appropriations-Public Safety Committee is meeting in Room 114. There has been a time change for the Appropriations-General Services that was to meet at 11 a.m., is now meeting at 12 p.m. Approps-General Services is meeting at 12 p.m. in Room D-1. At 4 p.m., Jud II-Criminal Law is meeting in Room D-1. At 4 p.m., Revenue & Finance is meeting in Room 122B, and at 4 p.m., State Government Administration is meeting in Room 114."

Speaker Mautino: "For the Members, so that you know our... our plans on Monday and Tuesday, the committees will hear Amendments on Tuesday morning and Monday afternoon to be prepared for the... for the work of the upcoming week. Representative Bost. I would ask that staff retire to the rear of the chamber, Members be in their chair. We have a

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

116th Legislative Day

3/19/2010

Resolution. Mr. Clerk, read House Resolution 1035. Excuse me, 1025."

Clerk Bolin: "House Resolution 1025, offered by Representative Bost."

WHEREAS, The members of the Illinois House of Representatives are saddened to learn of the death of former Southern Illinois University-Carbondale Chancellor John C. Guyon, who passed away on March 17, 2010; and

WHEREAS, John Guyon was a native of Washington, Pennsylvania; he came to Southern Illinois University-Carbondale in 1974, first serving as dean of the College of Science before becoming associate vice chancellor for research and dean of the Graduate School; and

WHEREAS, Before coming to Southern Illinois University-Carbondale, John Guyon served at Memphis State University as a professor and chair of the chemistry department from 1971 to 1974; prior to Memphis State University, he held the same positions at the University of Missouri in Columbia; and

WHEREAS, He earned his doctoral degree in analytical chemistry from Purdue University and was a veteran of the United States Army; and

WHEREAS, John Guyon stepped in as acting chancellor in 1987 and was chosen to fill the post permanently seven months later; at that time Southern Illinois University-Carbondale had nine colleges, and graduate, medical, and law schools; and

WHEREAS, During his years as chancellor, Southern Illinois University-Carbondale opened a campus in Japan and added

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

116th Legislative Day

3/19/2010

several new buildings, including the Dunn-Richmond Economic Development Center; and

WHEREAS, John Guyon retired in 1996 as Chancellor Emeritus of Southern Illinois University-Carbondale, a title he retained until his passing; and

WHEREAS, John Guyon is survived by his wife, Patricia; his son, John II; and his daughter, Cynthia; he was preceded in death by his first wife, Joyce; therefore, be it

RESOLVED, BY THE HOUSE OF REPRESENTATIVES OF THE NINETY-SIXTH GENERAL ASSEMBLY OF THE STATE OF ILLINOIS, that we mourn, along with his family, friends, and the alumni and staff of Southern Illinois University-Carbondale, the passing of former Chancellor John Guyon; and be it further

RESOLVED, That a suitable copy of this resolution be presented to the family of John Guyon as a symbol of our sincere sympathy."

Speaker Mautino: "The Gentleman from Jackson, Leader Bost is..."

Bost: "Thank you, Mr. Speaker and Members of the House. John Guyon whenever I first came into the General Assembly was Chancellor at SIU. Now, for those of you that know the history of all this, SIU was a little different in the fact that the Chancellor was what was president and we switched the name. So, he was actually president. He was head of the entire SI... all of the SIU campuses. John mentored me as a... as a Legislator, giving me advice on higher education issues... an... and having Carbondale in my district, he was a tremendous help and a tremendous friend. Even after his retirement giving me advice quite often on higher education issues and quite often I would seek his advice. He will be



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

116th Legislative Day

3/19/2010

dearly missed by our community. He was a friend of Southern Illinois from the time he... he first got there and held his position as a dean. He was trusted and respected and he will be dearly missed. So, if we could just join in sending condolences to Trish, to John, his son, and Cynthia, the daughter. And thank you, Mr. Speaker, for allowing me this opportunity."

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

Davis, W.: "Thank you very much, Mr. Speaker. I want to join my colleague, Representative Bost, in this tribute to John Guyon. Many of you know I was a student at SIU from 1986 to 1989 and then began in its admissions office from 1990 to '96. And during that time, I had the pleasure to interact with Mr. Guyon and one of the things that I appreciated about him was that he was a supporter of our recruitment efforts, not only to go out and about into areas where we had not gone before, but he supported our efforts to do off-campus activities, to encourage young people to attend and particularly supported our efforts to recruit minority students to the university. And, so, I, too, want to join my colleague and just... in this tribute to Mr. Guyon for his efforts. And certainly while I hadn't interacted with him in the last several years, certainly was sad to hear upon his passing and would like to join Representative Bost in this Resolution, if I may. Thank you."

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

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

116th Legislative Day

3/19/2010

Bost: "I would ask that all Members could be added to this, if at all po..."

Speaker Mautino: "The Gentleman asks that all Members be added as Sponsors of the Resolution. All in favor say 'yes'; opposed 'no'. The Resolution is adopted. Mr. Clerk, Adjournment Resolution. And now allowing perfunctory time for the Clerk, Representative Phelps move that the House stand adjourned until Monday, March 22 at the hour of 3 p.m. All in favor say 'yes'; opposed 'no'. The 'yeses' have it. And the House stands adjourned."

Clerk Mahoney: "House Perfunctory Session will come to order. Introduction and reading of House Bills-First Reading. House Bill 6840, offered by Representative Bassi, a Bill for an Act concerning employment. Senate Bills-First Reading. Senate Bill 615, offered by Representative Ford, a Bill for an Act concerning education. Senate Bill 676, offered by Representative Mathias, a Bill for an Act concerning regulation. Senate Bill 2794, offered by Representative Verschoore, a Bill for an Act concerning energy services. Senate Bill 2809, offered by Representative Ford, a Bill for an Act concerning children. Senate Bill 2814, offered by Representative Lyons, a Bill for an Act concerning professional regulation. Senate Bill 2835, offered by Representative Rita, a Bill for an Act concerning regulation. Senate Bill 2887, offered by Representative Mathias, a Bill for an Act concerning government. Senate Bill 3018, offered by Representative Moffitt, a Bill for an Act concerning professional regulation. Senate Bill 3024, offered by Representative

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

116th Legislative Day

3/19/2010

Bassi, a Bill for an Act concerning transportation. Senate Bill 3093, offered by Representative Flider, a Bill for an Act concerning criminal law. Senate Bill 3094, offered by Representative Rita, a Bill for an Act concerning professional regulation. Senate Bill 3282, offered by Representative Lyons, a Bill for an Act concerning transportation. Senate Bill 3402, offered by Representative Coulson, a Bill for an Act concerning State government. Senate Bill 3547, offered by Representative Ford, a Bill for an Act concerning education. Senate Bill 3585, offered by Representative Hatcher, a Bill for an Act concerning safety. Senate Bill 3692, offered by Representative Joyce, a Bill for an Act concerning local government. Senate Bill 3706, offered by Representative Ford, a Bill for an Act concerning education. Senate Bill 3732, offered by Representative Mell, a Bill for an Act concerning transportation. Senate Bill 3737, offered by Representative Smith, a Bill for an Act concerning education. And Senate Bill 3743, offered by Representative Ford, a Bill for an Act concerning public aid. There being no further business, the House Perfunctory Session will stand adjourned."