

STATE OF ILLINOIS  
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HOUSE OF REPRESENTATIVES  
TRANSCRIPTION DEBATE

138th Legislative Day

5/6/2010

Speaker Mautino: "The hour of 10:30 having arrived, the House will be in order. Members and guests are asked to refrain from starting their laptops, turn off all cell phones and pagers, and rise to the invocation and Pledge of Allegiance. We shall be led in prayer today by Father Jim Swarthout who is with St. Paul's Episcopal Church in McHenry, Illinois. Father Swarthout is the guest of Representative Franks. Father."

Father Swarthout: "God of history, loving God, we gather this spring day to recreate in sound and imagery those memorable years, days, months of our past. They inspired us so with the bright promise of a new frontier and challenge us with what we could do for our cities, towns, state, and world. Let our legacy today ignite the enthusiasm of a new generation that, with courage and optimism, we may meet the challenges that trouble and test our times. God of wisdom, You have told us through Your inspired word that any one of you who inspires to greatness must serve the rest, and whoever ranks first amongst you must serve the needs of all. Help us, we pray, to achieve this greatness and to serve the need of all by commitment to public and community service. In healing of ourselves, then our families united within our state and nations' ills of body and spirit, may we promote peace and justice amongst all Your people wherever they may be. As You know and as we know, all this will not be finished in the first 100 days, nor will it be finished in the first 1 thousand days, nor even perhaps in our lifetime on this planet, but we must begin. God of love, with Your gracious assistance and spirit enshrined

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within these walls, let us go forth from this time and place, and as families bound together as a state, united as a nation, let us begin, Amen."

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

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

Speaker Mautino: "Roll Call for Attendance. Representative Bost."

Bost: "Thank... thank you, Mr. Speaker. Let the record reflect that all Republicans are present and as happy little.. as little birds with French fries to be here today."

Speaker Mautino: "Majority Leader Currie."

Currie: "Thank you, Speaker. Please let the record reflect that there are no excused absences among House Democrats today."

Speaker Mautino: "Mr. Clerk... Mr. Clerk, take the record. 115 answering the Roll, a quorum is present. Representative May."

May: "Yes. Thank you Father Swarthout for the invocation today, and I have the pleasure of introducing his parents who are in the gallery right behind me. If you will stand please, so we can welcome you. James Swarthout Sr. and his wife Terri are here to see their son do the invocation. Mr. Swarthout is the former mayor and a former alderman in the City of Lake Forest, which is in my district. He also has served on the North Shore Sanitary District where he

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has been a trustee and a former president. He's been a volunteer fireman, 30 years of public service. And with chatting with Father Swarthout, I can see that they raised a wonderful person, too. Let's welcome the Swarthouts to Illinois... to Springfield."

Speaker Mautino: "Welcome to the House of Representatives. Representative Davis."

Davis, W.: "Good day, everyone. Glad to see all the garanimals are in the House today. I have an announcement. The office of the Comptroller will be available in the Speaker's Conference Room on Thursday, May 6, which is today, from 11-2, if any Members have questions with regard to their benefits. Thank you."

Speaker Mautino: "Mr. Clerk."

Clerk Mahoney: "Committee Reports. Representative Jakobsson, Chairperson from the Committee on Human Services reports the following committee action taken on May 6, 2010: recommends be adopted is Floor Amendment #5 to Senate Bill 44; recommends be adopted as amended is Senate Joint Resolution 72. Rules Report. Representative Barbara Flynn Currie, Chairperson from the Committee on Rules reports the following committee action taken on May 6: approved for floor consideration, referred to the Order of Senate Bills-Second Reading, is Senate Bill 1214 and Senate Bill 1215. Referred to the floor, recommends be adopted is the following Amendment to the following Bills: Amendment #3 to Senate Bill 43, Amendment #2 to Senate Bill 82, Amendment #2 to Senate Bill 2523, Amendment #2 to Senate Bill 3084, Amendment #2 to Senate Bill 3180, Amendment #2 to Senate

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Bill 3460, Amendments 1 and 2 to Senate Bill 3610, Amendment #2 to Senate Bill 3581, and Amendment #2 to Senate Bill 3683."

Speaker Mautino: "On page 5 of the Calendar are Senate Bills on Third Reading. Senate Bill 3655, Majority Leader Currie. Mr. Clerk, read the Bill."

Clerk Mahoney: "Senate Bill 3655, a Bill for an Act concerning finance. Third Reading."

Speaker Mautino: "Majority Leader Currie."

Currie: "Thank you, Speaker and Members of the House. The Research and Development Tax Credit expired at the end of last year, at the end of 2009. This measure would reinstate the credit for one year starting at the beginning of January 2010 for the remainder of the calendar year. I know of no opposition and I'd appreciate your support for passage of the Bill."

Speaker Mautino: "The Lady moves passage of Senate Bill 3655. 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? Representative Brady, do you wish to be recorded? Mr. Clerk, take the record. 116 voting 'yes', 0 voting 'no', 0 voting 'present', Senate Bill 3655, having received the Constitutional Majority, is declared passed. Page 5 of the Calendar is Senate Bill 3702, Representative Hannig. Mr. Clerk, read the Bill."

Clerk Mahoney: "Senate Bill 3702, a Bill for an Act concerning State Government. Third Reading."

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Speaker Mautino: "Representative Hannig."

Hannig: "This Bill creates the Illinois... some tax checkoffs. One of them is for Illinois Route 66, the other is Habitat for Humanity, disabled veterans property tax relief, and the state park checkoff. It's a similar legislation for other checkoffs that we've had in the past. I appreciate an 'aye' vote."

Speaker Mautino: "Representative Hannig has moved for the passage of Senate Bill 3702. No one seeking recognition, 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... Mr. Clerk, take the record. 116 voting 'yes', 0 voting 'no', 0 voting 'present, Senate Bill 3702, having received the Constitutional Majority, is declared passed. Page 3 of the Calendar appears Senate Bill 2660, Representative Reitz. Mr. Clerk, read the Bill."

Clerk Mahoney: "Senate Bill 2660, a Bill for an Act concerning utilities. Third Reading."

Speaker Mautino: "Representative Reitz."

Reitz: "Thank you, Mr. Speaker. This Bill deals with the SNG gas plant... coal to SNG gas plant in Jefferson County. And it makes some changes to allow them to go forward with their project. And I'd be happy to answer any questions."

Speaker Mautino: "The Gentleman has moved passage of Senate Bill 2660. 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?"

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Representative Brady, Representative Leitch. Mr. Clerk, take the record. 99 voting 'yes', 17 voting 'no', 0 voting 'present', Senate Bill 2660, having received the Constitutional Majority, is declared passed. On page 4 of the Calendar appears Senate Bill 3460, Representative Hernandez. Mr. Clerk, read the Bill. Mr. Clerk, would you return this Bill to Second Reading. What's the status of the Bill?"

Clerk Mahoney: "Floor Amendment #2, offered by Representative Hernandez, has been approved for consideration."

Speaker Mautino: "Representative Hernandez on Floor Amendment #2."

Hernandez: "Yes, Mr. Speaker. The Amendment actually is per the recommendation of the Capital Development Board. Just adds to the holding title that the state may place a lien on a facility which would protect the state's interest from liability of the facility. So, this is just something that was raised at committee and we're trying to just add the concern through this Amendment."

Speaker Mautino: "The Lady moves adoption of Floor Amendment #2 to Senate Bill 3460. On that question, the Gentleman from McHenry, Representative Franks."

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

Speaker Mautino: "She indicates she will."

Franks: "Representative, right now the state is able to hold title on this property, correct?"

Hernandez: "That's correct."

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Franks: "What... why would we need to place a lien on a property that you already hold title to?"

Hernandez: "The... this is through the recommendation of the Capital Development Board. Their concern is that if the state was to hold title, then it would open liability issues. So their recommendation was to also add lien to... to straighten that out."

Franks: "I would respectfully disagree with their analysis. Because if you are an owner of a property, you already are entitled. The only reason to have a lien is to put a cloud on the title to make sure that you would be paid before other creditors. If you already own the property though, there's no question of priority. I just... I think this is a confusing Amendment and I would ask that you consider receding from it because, actually, it does nothing except confuse the situation. Either the state is the owner of the property or it isn't. Would you agree?"

Hernandez: "Representative, this is pertaining to the Bill... 3460 is actually the Bill that stems from a capital project. It's forty-five million that was designated for early childhood construction, and what... and what we're trying to do is the... currently the language read that at 50 percent nonprofits which that's the group we're trying to include to be also eligible to obtain grants. This Bill will lower... the intent of the Bill is to lower that percentage so that school districts and nonprofits could apply for these grants. What occurred then, in the means of putting this Amendment together, the Capital Board raised this concern because what we wanted to do to place

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safeguards is let the state hold title and they came back with the concern that it's not... that they wouldn't be able to work with us on that because of the concern that it would open a liability issue. It's pertaining to this particular... this particular project."

Franks: "But your House Amendment #1 allows the state to hold title, correct?"

Hernandez: "That's correct."

Franks: "All right. And now on your House Amendment #2, besides holding title you say they also want to be able to place a lien, correct?"

Hernandez: "That's correct."

Franks: "Okay. But don't you see the inconsistency of placing a lien on a property that you already own? Maybe I'm not getting it. But it just doesn't seem to make any sense."

Hernandez: "Look, let me pull..."

Franks: "Want to take it out of the record for a minute..."

Hernandez: "Yeah, yeah."

Franks: "...and we can talk about it?"

Hernandez: "Let me just... can I just take it out and we'll..."

Speaker Mautino: "Let's take this Bill out of the record. On page 5 of the Calendar appears Senate Bill 3683, Representative Chapa LaVia. Place this Bill on Second Reading. Representative Chapa LaVia on Floor Amendment #2."

Chapa LaVia: "If we could stick that back on Second Amendment. Was Floor Amendment 2 adopted in committee?"

Speaker Mautino: "Mr. Clerk."



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Clerk Mahoney: "The Bill's been moved back to the Order of Second Reading and Floor Amendment #2 is recommends be adopted."

Chapa LaVia: "Okay. Amendment #2 which we brought to committee had to deal with incentive... Senate Bill 3683 incentivizes utilities department with local governments to engage in a smart growth. We had to put one word in there because the ICC and ComEd wanted it in there. And I think we're waiting for one more Amendment to come through committee. So, if we could debate that when we get that to the floor."

Speaker Mautino: "The Lady..."

Chapa LaVia: "I'd appreciate it."

Speaker Mautino: "The Lady moves adoption of Floor Amendment #1. Seeing no questions, all in favor say 'yes'; opposed... excuse me. The Lady moves adoption of Amendment #2. No questions on that, all in favor say 'yes'; opposed 'no'. The 'yesses' have it. The Amendment's adopted. Mr. Clerk, further Amendments?"

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

Speaker Mautino: "Leave this Bill on Second Reading. Mr. Clerk, place Senate Bill 3460 on the board. And read the Bill."

Clerk Mahoney: "Floor Amendment #2 has been approved for consideration on Senate Bill 3460."

Speaker Mautino: "Representative Hernandez."

Hernandez: "Thank you, Speaker. I think we have cleared up the misunderstanding. What I did not mention is it's either/or. So, it's either title or lien. So, I think we did clarify the misunderstanding."

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Speaker Mautino: "The Lady's moved the adoption of Floor Amendment #2. And on that question, the Gentleman from McHenry, Representative Franks."

Franks: "Thank you, Mr. Speaker. And I thank the Sponsor for taking it out of the record for clarifying the intent and the language. In fact, there was an error in our analysis, so now it's been cleared up. I think it... it makes perfect sense to do what the Lady's trying to do. And I stand in strong support."

Speaker Mautino: "No one else seeking recognition... excuse me, Representative Thapedi."

Thapedi: "Thank you, Mr. Speaker. To the Bill. I also had the opportunity to take a look at this legislation and I think it's an excellent proposition. It is an ultimate proposition as far as holding title to the property or placing a lien. And I, too, strongly support this proposition and urge an 'aye' vote. Thank you."

Speaker Mautino: "The Lady moves adoption of Floor Amendment #2 to Senate Bill 3460. All in favor say 'yes'; opposed 'no'. The 'yesses' have it. And the Amendment is adopted. Mr. Clerk, any further Amendments?"

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

Speaker Mautino: "Third Reading. Read the Bill."

Clerk Mahoney: "Senate Bill 3460, a Bill for an Act concerning education. Third Reading."

Speaker Mautino: "Representative Hernandez."

Hernandez: "Yes. The Bill is simply trying to lower the... what currently language has as 50 percent, where the nonprofits and school districts would be eligible for grant... early

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childhood grants. It's lowering it to the 10 percent at... with safeguards placed. So, essentially what's happening is school districts and nonprofits are eligible at the 10 percent. It's a good Bill. This is a form... a way to try to expand the early childhood within needy communities. I ask for a favorable vote."

Speaker Mautino: "Representative Eddy."

Eddy: "Thank you, Mr. Speaker. To the Bill. Ladies and Gentlemen of the House, I stand in strong support of the Lady's legislation. She has taken a pool of money that was set aside for early childhood education in last year's capital Bill and made it more accessible to nonprofits and school districts both who need a grant index that they can cope with to provide early childhood services to the most needy students in the state. I... I think she's worked very hard on it. Technical issues related to the property were taken care of. And I would urge everyone to support it, an 'aye' vote on this. It's really good public policy."

Speaker Mautino: "No one else 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. 117 voting 'yes', 0 voting 'no', 0 voting 'present', Senate Bill 3460, having received the Constitutional Majority, is declared passed. Page 5 of the Calendar, Senate Bill 3683. Read the Bill."

Clerk Mahoney: "Senate Bill 3683 has been read a second time, previously."

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Speaker Mautino: "Clerk, move that Bill to Third Reading and read the Bill."

Clerk Mahoney: "Senate Bill 3683, a Bill for an Act concerning local government. Third Reading."

Speaker Mautino: "Representative Chapa LaVia."

Chapa LaVia: "Thank you, Speaker, Members of the committee. House... Senate Bill 3683 is an agreed Bill by all parties. And it... House Amendment 2 that was now adopted adds 'reasonable and prudent' through the Bill in regards to relocating a substation, environmental remediation in a property vacant... vacated right now. The language was recommended by ACC. ComEd is on board. Aurora is on board. And I ask for its favorable vote. Thank you."

Speaker Mautino: "The Lady has moved passage of Senate Bill 3683. No one seek recognition, 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. 98 voting 'yes', 19 voting 'no', 0 voting 'present', Senate Bill 3683, having received the Constitutional Majority, is declared passed. On Senate Bills under Second Reading, on page 6 of the Calendar, Representative Mathias, Senate Bill 82 appears. Read the Bill. Status of the Bill, Mr. Clerk?"

Clerk Mahoney: "Senate Bill 82 has been read a second time, previously. Floor Amendment #2, offered by Representative Mathias, has been approved for consideration."

Speaker Mautino: "Representative Mathias on Floor Amendment #2 to Senate Bill 82."

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Mathias: "Thank you, Mr. Speaker. Senate Bill 82 was formerly another Bill. I believe it was Senate Bill 3749. Basically, it is now the same contents from that Bill. It has now been amended on to Senate Bill 82, and I can certainly discuss the Bill when it goes on Third Reading. But it's basically the same Bill with an Amendment on it to... an additional Amendment basically for groups that make a contract with a recorder of deeds. It's basically determines the fee for uncertified copies of documents. And it states that it's one half the fee of a certified copy."

Speaker Mautino: "The Gentleman has moved passage of Floor.. adoption of Floor Amendment #2. No one seeking recognition, all in favor say 'yes'; opposed 'no'. The 'yeses' have it. The Amendment is adopted. Mr. Clerk, any further Amendments?"

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

Speaker Mautino: "Third Reading. And read the Bill."

Clerk Mahoney: "Senate Bill 82, a Bill for an Act concerning local government. Third Reading."

Speaker Mautino: "Representative Mathias."

Mathias: "Thank you, Mr. Speaker. As I stated before, basically Senate Bill 82 sets the fee for uncertified copies that are required from the recorder of deeds, if you want to go in and get a noncertified copy. And it does also have a portion of the Bill which deals with... like title companies, like Chicago Title who have a contract to make sure that those contracts are still implemented. Thank you and I ask for your 'aye' vote."

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Speaker Mautino: "The Gentleman has moved passage of Senate Bill 82. On that question, the Gentleman from McHenry, Representative Franks."

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

Speaker Mautino: "Indicates that he will."

Franks: "Representative, right now, are there.. is there a fee schedule for the county recorder for these noncertified copies?"

Mathias: "The reason for the Bill is that they have been charging a fee, there's no schedule for that fee. And so, we're trying to put into law, so that there is a ceiling as to what they can charge, where right now, throughout the state, they could charge what they want. So, we're trying to put a ceiling on that."

Franks: "Okay. I'm reading our analysis, and perhaps, it's incorrect. But it talks about fee's bearing based on the type of the record requested, such as a map or a plat being \$50 for the first page and then a dollar for each additional page. Is that an accurate description?"

Mathias: "I don't think that's in the Bill. That might be existing law. My understanding of the Bill was that it just affected uncertified copies and stated that it was one half the fee of certified. I could look into it. I have it in front of me, but I did not see anything..."

Franks: "Here's my... here's my concern reading this Bill."

Mathias: "Well, yeah, in fact, as I look at the Bill... the Amendment right now, that's already in the law."

Franks: "And this is my... here's my concern. I think this might be in conflict with our newly passed FOIA law. Now under

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the FOIA law, they limit the amount that you can charge, the governments can charge under FOIA. So, if one was asking for these documents under FOIA, one would be charged significantly less than if one walked into the county recorder's office and said give me a copy of the map or plat. And I'm concerned that if we pass this Bill that the cost will go up exponentially for the end user. Plus, I really think it's an end around of FOIA. Maybe you can respond to that."

Mathias: "Well, FOIA law basically does allow for exceptions, just like if you go in now and ask for it to be certified, because that already is the law. The FOIA law states that if there is another law that is enacted with a specific limit or fee, then that is the law. So, FOIA contemplated that there would be situations like this, and they basically stated that, you know, the General Assembly can pass laws that..."

Franks: "Okay."

Mathias: "Otherwise, it will be highly unfair for the recorder's office. They'd be inundated with requests for free documents."

Franks: "But they may be... that may be happening now. Here's my only concern. I don't want there to be a fee schedule, for instance, for a map or plat for \$50 the first page and then a dollar for each additional, when we have a concerned citizen... Remember a few years ago, you helped me pass the antislip legislation. You know, the citizens limiting the participation, when someone would speak out against the developer, for instance. I'd want some individual, if

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there's a concerned citizen to be able to get the documents that they need for the public good, without having to spend so much money. And I'm concerned... I understand what you're trying to do here, but what I'm concerned, if this is going to then raise the fees for everybody."

Mathias: "If I may respond?"

Franks: "Please."

Mathias: "Again, as I stated, anything that is already in law, actually supersedes the FOIA law. What you're talking about is already the law, this Bill does not change that. We are not in any way... if you look at page 2 of the Bill, it does specifically say the \$50 for the first page for maps and... but that's the law today. This Bill doesn't affect it at all. That would... whether this Bill goes through or not, that still would be the law and it still would supersede FOIA."

Franks: "Okay. Thank you for explaining that. Thank you."

Mathias: "Sure. Thank you."

Speaker Mautino: "The Gentleman has moved passage of Senate Bill 82. 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? Representative Osterman, do you wish to be recorded? Mr. Clerk, take the record. 115 voting 'yes', 2 voting 'no', 0 voting 'present', Senate Bill 82, having received the Constitutional Majority, is declared passed. Representative Bradley, on page 6 of the Calendar is Senate



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Bill... Representative... page 6 of the Calendar is Senate Bill 642, Representative Bradley. Mr. Clerk, read the Bill."

Clerk Mahoney: "Senate Bill 642 has been read a second time, previously. Floor Amendments 2, 3, 4, and 5, have all been approved for committee... approved for consideration."

Speaker Mautino: "Representative Bradley... excuse me, Representative McAsey..."

Bradley: "We're going..."

Speaker Mautino: "...Floor Amendment #2."

Bradley: "...we're going to withdraw all but..."

Speaker Mautino: "Representative Bradley."

Bradley: "We're going to withdraw all but the last Amendment."

Clerk Mahoney: "Floor Amendments 2, 3, 4, and 5 have been approved for consideration. There is also Floor Amendment 8 has been approved for consideration."

Speaker Mautino: "Mr. Clerk, would you withdraw Amendments 2, 3, 4, and 5. Place Amendment 8 on the board. Representative Bradley on Floor Amendment #8."

Bradley: "Floor Amendment 8 is... becomes the Bill, and basically it is a tightening up in a work that we worked on, similar to what came out of the Senate, but I think with some additional restrictions and limitations. And I think all the universities... well, I know all the universities are supportive of this. And this is a lot of hard work and I'd like to thank all the people that participated in this and Southern Illinois University for bringing this issue to us and the University of Illinois for helping guide this along. So, we can debate it on Third Reading. I'd ask for it to be approved and put on the Bill."

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Speaker Mautino: "The Gentleman moves adoption of Floor Amendment #8. All in favor say 'yes'; opposed 'no'. The 'yesses' have it. And the Amendment is adopted. Mr. Clerk, any further Amendments?"

Clerk Mahoney: "No further Amendments have been approved for consideration. No Motions filed."

Speaker Mautino: "Third Reading. Read the Bill."

Clerk Mahoney: "Senate Bill 642, a Bill for an Act concerning education. Third Reading."

Speaker Mautino: "Representative Bradley."

Bradley: "Thank you, Mr. Speaker. This is a Bill that would limit the potential borrowing to one year in the fiscal year 2010. It puts a limit on the instrument of debt and also puts a limitation on how quickly and tries to encourage that these be repaid as quickly as possible. This is not a great situation to be in. Obviously, we wish we weren't in these times, but the idea here is to create flexibility for the universities. They can continue to maintain the high level of education, while at the same time, making sure that the taxpayers are protected to the degree we can do that. I think this is a good compromise. It should avoid future cliffs in the future, and I'd like to thank all the people for their hard work on this. Again, we would recognize that this is not anywhere near the best circumstances, but this is an extraordinary request during extraordinary times. This will allow our universities to continue to function. I ask for an 'aye' vote."

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Speaker Mautino: "The Gentleman has moved passage of Senate Bill 642. I would ask the Members of the House to please bring the volume down and Members of staff, who are in the aisles, to move your conversations. Questions on the Bill? The Gentleman from Crawford, Representative Eddy."

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

Speaker Mautino: "He indicates that he will."

Eddy: "Representative, I know you've worked hard trying to make sure that there's some type of... I guess, more stringent accountability in this that maybe didn't exist in what we did with the K-12 borrowing and community college borrowing. But I think you're... the difference is that both of those entities have elected boards..."

Bradley: "Correct."

Eddy: "...and these are appointed boards."

Bradley: "Correct."

Eddy: "And, really what you've done, I think is tied this to a cap on the payroll and really negotiated some other issues so that vouchered appropriated money can be borrowed..."

Bradley: "Correct."

Eddy: "...for a short period of time until it's received, and then the loan has to be paid off in a certain amount of time after those funds are received."

Bradley: "Okay. Yeah, that's exactly right. We were trying to create a situation to give them the flexibility to get through these tough times but not to just to create a loan program whereby a total appropriations for the entire would end up in some kind of borrowing plan. So, I think this is very restrictive. I think this is a good compromise. It's

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not a great situation to be in, but given the circumstances, I think it's the best we can do."

Eddy: "I agree with you. And I'd urge an 'aye' vote."

Speaker Mautino: "Further discussion? The Lady from Grundy, Representative Gordon."

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

Speaker Mautino: "He indicates that he will."

Gordon, C.: "Thank you. Representative Bradley, there's been specific purposes spelled out for these funds. Is that right?"

Bradley: "Correct."

Gordon, C.: "And they can only use them for those specific purposes?"

Bradley: "Correct."

Gordon, C.: "Now after they determine that those funds are used for that, can they then invest the eq.. if there's any extra money leftover, can they invest it?"

Bradley: "No, that's not the intention of the Bill, and I'm glad you would clarify that."

Gordon, C.: "Okay. And so, what would they be able to do with this money that may be leftover? Put it in a rainy day fund?"

Bradley: "Well, the only thing they can do is, they can either set up a line of credit or a promissory note, and when they get the payments, and it's only based upon the actual vouchered appropriations from the state, and it's certified as of June 30. So, since this is a one-year program, we'll know exactly what the amount of debt is on June 30. They then have a set period of time to create an instrument of

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debt, promissory note or a line of credit, that can only go for one year. Then upon receipt of those moneys, they're suppose to, depending on the terms of the promissory note or the line of credit, repay that money that they receive on the money that they borrowed against within a finite period of time. So, the idea here is not to create a fund whereby money is borrowed, money is invested, the credit fund where they really pay the bills. They also have to create a spending plan which has to be approved by the legislative process, and there's also reports that are required for all four caucuses and the Governor. So, not only is there borrowing with this, but there's also a spending plan involved so we know exactly how the money's going to be spent."

Gordon, C.: "So, it's not a petty cash fund?"

Bradley: "No. That is correct."

Gordon, C.: "Okay. So, and then, if it's determined... like for example, there was one university that said, you know, we're going to have to break into this fund that we've saved money in. Is there going to be any type of audit before the borrowing is allowed?"

Bradley: "Yeah. There's a spending plan they have to present, and it can only be upon the certified vouchered amounts as of June 30."

Gordon, C.: "Well, I under... and I don't mean to interrupt you. I understand that there's a spending plan that's going to have to be presented, but you know, there's lots of accounting that can be done so that we don't know about different funds that are in different budgets and all of us

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are well aware of how that's done. So, is the university going to be able to just open up its budget to us before we say, hey, here you go. Here's the money that you can borrow against."

Bradley: "I think we have that already, and again, the only thing they can borrow against are state appropriations which have been approved by the Comptroller's Office, and certified by the Comptroller's Office. So, the Comptroller's not going to certify those unless those are actual legitimate owed payments."

Gordon, C.: "So... and I'm glad you brought that up. So, the collateral that they're borrowing against is the state appropriations that we're..."

Bradley: "Correct."

Gordon, C.: "...not paying them?"

Bradley: "Correct."

Gordon, C.: "Right. And one of the suggestions in... that we talked about this week is even putting off those state appropriations another six months to December 31, isn't it?"

Bradley: "Well, and that was one of the discussions in this, and that's a great point, Representative."

Gordon, C.: "I'm sorry, Mr. Speaker, could you please lower the sound level?"

Speaker Mautino: "Ask the Members of the House to bring the volume down in here so that we may hear the debate."

Gordon, C.: "So, the state appropriations that we're talking about putting off for another six months is what they want

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to borrow against, is that right? That's their collateral?"

Bradley: "Well, no, it'll just be the state appropriations for FY10 which will be certified as of June 30. And so, we'll have to reevaluate FY11 once we get passed the first of the fiscal year, July 1."

Gordon, C.: "And is there been..."

Bradley: "So, it's only the money we owe them up to this... up to this point in this fiscal year."

Gordon, C.: "And has there been any promise by any state university that they're not going to raise their tuition in any way, shape or form through any of their colleges if they get this borrowing from us?"

Bradley: "No. There was an independent statement made..."

Gordon, C.: "Mr. Speaker, Mr. Speaker, I'm sorry, please."

Bradley: "There was an independent statement made which was not a part of this Bill, and you know, there was a proposal of an Amendment of that... at one point. There was an independent statement made about one university that was going to have a tuition freeze; it was not tied to this Bill."

Gordon, C.: "But some universities have talked anywhere from... just begin at 20 percent. Is that right?"

Bradley: "I've heard that. I've heard that they have revised those. Our hope is, obviously, that that doesn't happen. And one of the things in limiting this to fiscal year '10, was to try to reduce the possibility of that happening. A multiyear program, I think you have a better chance that you could end up with a very significant cliff in 18

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months. So, the hope was here is by limiting this to fiscal year '10 at this point, give them some flexibility and some breathing room. Hopefully, they get those appropriations within the next six months and then figure out where we're at then."

Gordon, C.: "Would you consider a 'no' vote on this legislation hypocritical considering the situation that our state is in at the moment, Representative?"

Bradley: "I don't question people's motives. So, I mean, I respect the judgment of the people in this Body, and however they choose to vote on this. This is a tough issue, it's been a tough issue for me. And so we're trying to balance good government, taxpayer protection with the flexibility we need to run these universities."

Gordon, C.: "Thank you."

Bradley: "Thank you."

Gordon, C.: "To the Bill. Ladies and Gentlemen, I would be real, real careful about how you vote on this legislation considering that you are allowing state universities to gamble with collateral that our future appropriations that they don't have, that we're considering putting off for six months, without actually requiring them to completely open the books that they have, when we've learned that there was one certain university who was sitting on a whole pile of money that they weren't telling us about, when at the same time they were saying that they were completely broke. The way this legislation is written, I commend the Sponsor of it for doing it, he worked very, very hard on it, but this is a very, very dangerous piece of legislation to pass



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through here to allow our state universities, when people are talking about our future students, and especially when they have the ability to raise their rates at any.. any way they see fit on top of the money that they're going to borrow. So, please, please consider what you're doing before you hit the button that you're going to vote on. Thank you very, very much."

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

Bost: "Thank you, Mr. Speaker. Will the Sponsor yield? Representative, at... at... do our local school districts have something similar to this?"

Bradley: "Yeah. And the difference there being that they... they're elected boards. And so that was really one of the tricks with doing this, and it was different then. You noticed the community colleges moved quicker. This was trickier because it's not an elected board, it's quasi..."

Bost: "Right. But the community colleges, that's what we gave them the other day?"

Bradley: "Yeah."

Bost: "And so really the only problem is, is that the accountability of the board in your eyes. That being said, this actually has more controls and guidelines than either one of those..."

Bradley: "That's correct."

Bost: "...when they borrow against..."

Bradley: "That's..."

Bost: "...what the state owes them, correct?"

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Bradley: "Yeah. I wanted to get everybody to a comfort level in terms of doing everything we could to protect taxpayers and create good policy here, Representative. Correct."

Bost: "Thank you. And Mr. Speaker, to the Bill. Ladies and Gentlemen, in times other than these we might not support something like this, but all we are doing here is allowing our universities to do exactly what we have already allowed our school districts and our community colleges to do, that's to try to operate and continue to keep their doors open and provide the services that they provide to those people seeking degrees through our universities, and doing it in a way... actually, which unfortunately, because we're not paying our bills and we're not keeping our spending under control in other areas, so we can't get the money to them right away, but it allows them to basically borrow against that debt that we owe them. Now the only way that a major problem can occur with them doing this is if we continue down this path that we, the State of Illinois, are doing which is not getting our fiscal house in order. I do stand in support of the Bill. We have to allow our universities to be wise and manage to keep their operations going, and do it in this way, as I said, I wish we didn't have to do it in this way, but I do stand in support of the Bill. And I'd appreciate your 'aye' vote on it as well."

Speaker Mautino: "Further discussion? Representative Myers."

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

Speaker Mautino: "He indicates that he will."

Myers: "Representative, I read in Amendment #8 that the appropriate borrowing cap for each individual university,

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prior to any university borrowing, is certified by the State Comptroller, correct?"

Bradley: "That's correct."

Myers: "The certification must not be accomplished prior to 45 days before any estimated date for executing any borrowing. Does that mean that the university has to wait at least 45 days after the Comptroller has certified the borrowing cap?"

Bradley: "No. This is a cap... and the idea here is Western was part of this and I know there's concerns. And so, we tried to draft this to give them the flexibility they needed in the meantime. Some of the other universities like U of I could wait longer to do this, but my understanding is all the universities are for this. And we gave Western the flexibility they needed to make sure they could get the bills paid and not have to wait too long."

Myers: "Okay. That was my concern. The other thing that I have a question about is, have you talked to the Comptroller's Office? Do they have any estimate of how long it will take them to certify the cap?"

Bradley: "I don't have that. I was relying on the universities for that expertise in helping me draft this language and putting the timelines in here. And so, they were comfortable with it and I was comfortable with it."

Myers: "Okay. To the Bill. Ladies and Gentlemen, I think this is a good plan as the Representative just said. He's worked with the different universities in regard to their needs and their concerns, and has tried to satisfy them as much as possible. While the universities, especially my

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university, doesn't particularly want to use this tool, it is a tool available to them in the event that, as Representative Bost said, they need to keep their doors open. And meeting the payroll is the primary concern of many universities, and if this is a way of meeting the payroll and keeping the doors open, I think it's something that we should allow the universities to have at their disposal. I urge an 'aye' vote."

Speaker Mautino: "Further discussion? Representative Miller."

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

Speaker Mautino: "Indicates he will."

Miller: "Representative, just some clarity in regards to the process of borrowing. The university itself is extending... is actually doing the borrowing or is the State of Illinois being the guarantier for borrowing that the university may do?"

Bradley: "There's specific language in the Bill that says that this is not an obligation of the state. Now having said that, they're quasi state agencies. So, they're doing this based upon the appropriations that are owed to them by the state."

Miller: "Right."

Bradley: "So, that is a tricky situation, but there is specific language to keep us from being specifically obligated."

Miller: "Okay. In terms of the procurement process of those... or the process of borrowing, and the university using their... their financial expertise or experts or whoever they procure to borrow money from when it goes to market?"

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Bradley: "Yeah. My understanding is this that all the universities have financial experts. I mean, they're large entities, right, and they have huge budgets, and they have people within those communities which are experts in this field. I talked to some of them with regards to this Bill and working through it, and creating the correct financial legislation to make this work for everyone."

Miller: "Okay. So, in terms... I'm just trying understand and make sure that they would have to go through any particular RFP or any particular..."

Bradley: "I think it would be consistent with what they do otherwise at the university. We didn't do anything to change that."

Miller: "Well, this sort of goes into Representative Myers' question in terms of timing. Would they have to... going through that process, knowing the fact... let me say, I support the Bill."

Bradley: "Yeah."

Miller: "So, going through the... the process of determining how much is due to them, only enable to, I believe, cap up to 75 percent of what is due."

Bradley: "That's right."

Miller: "Then, going through that process, do you think that will delay or are there mechanisms in place that will make sure that they get their money to deal with some of the tremendous problem..."

Bradley: "They were... they were comfortable with it which made me comfortable. They were comfortable with it..."

Speaker Mautino: "Grant the Gentleman an additional minute."

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Bradley: "They were comfortable with it, so I was comfortable with it."

Miller: "Okay. And in terms of... okay. Thank you... thank you. Ladies and Gentlemen, to the Bill. As other previous speakers have spoken, I believe this is sort of a tool of last resorts for many of the universities to try to keep their costs down, to try to have some predictability towards parents and students who are trying to attend a college in these very difficult economic times. This was presented to me as a concept. I want to commend the Sponsor for working through all the various issues that have arisen to make sure that our students are educated and make sure they're competitive in a global market. I would ask all the Members of the House to support this legislation. Thank you."

Speaker Mautino: "Further discussion? Representative Davis."

Davis, W.: "Thank you. Mr. Speaker, can the Clerk please answer a question in terms of what Amendments have been adopted or that we're..."

Speaker Mautino: "Mr. Clerk."

Davis, W.: "...trying to address with this Bill?"

Clerk Mahoney: "Floor Amendments 2, 3, 4, and 5 have all been withdrawn. The only Amendment that has been adopted is Floor Amendment #8."

Davis, W.: "Floor Amendment #8? Okay. To the... will the Sponsor yield?"

Bradley: "Yes."

Speaker Mautino: "Yes."

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Davis, W.: "Representative, I just wanted to make sure in terms of asking about the Amendments, because we understood that there was an Amendment that dealt with student trustees... or trustees... or the Board of Trustees."

Bradley: "Yeah. That's been withdrawn."

Davis, W.: "That's been withdrawn? Thank you very much, Representative. To the... then, to the Bill, Rep... Mr. Speaker."

Speaker Mautino: "To the Bill."

Davis, W.: "I happened to have had a fairly lengthy conversation with President Poshard of Southern Illinois University with regard to the short-term borrowing. And we all know that Glenn Poshard is a... has been an elected official, he's been a Member of Congress, probably held other positions at the state level, and certainly as a President of a university, I don't think that he's going to do anything that would harm this particular university. While he can't speak for the others, he can speak for that one. And while no one probably thinks that this is what we should be doing, but right now, this is what's on the table. It's unfortunate that we as a Legislature probably haven't stepped up to do what we need to do to make sure that universities have the ability to function and operate without having to go this pass, but nevertheless, it's... while it's not the... not certainly the best option, it's an option to help our state universities get through and if I'm not mistaken, we're only talking about them being able to borrow only what... only their... what would have been their state appropriation. So, we're not giving them unlimited

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or unbridled authority to be able to borrow and as much as they want to fund their universities. But when it comes to universities and their funding, there's a number of things that we need to be mindful of. And it's unfortunate but I'm mindful and, in committee, having heard that one of the presidents of one of our state universities makes more than the President of the United States. Those things are things that we need to be addressing. And it's unfortunate that we have to go down this path, but this is going to be able to help our universities give them a little bridge and give us the opportunity to continue to work as a Legislature to put the necessary things in place, like a House Bill 174, some version of a House Bill 174, that we know can help give revenue to state universities and put money in the university system. These are the things that we are... should be doing, but in the interim, I'm happy to support the Gentleman's... Gentleman's Bill. I'm a Sponsor of the Bill..."

Speaker Mautino: "Grant the Gentleman an extra minute."

Davis, W.: "I am a Sponsor of the Bill and encourage all Members of the General Assembly to support this Bill to help our universities right now in the short-term, but hoping that at some point in the very near future, we can really be able to come back and have true substantive dialogue about working to make sure that we do things to help all sectors of State Government, including state universities and that will be working toward the passage of House Bill 174 or a Bill similar to House 71... House Bill



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174 that helps provide a lot of additional revenue for the state. Thank you very much."

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

Black: "Thank you very much, Mr. Speaker. Will the Sponsor yield? Representative Bradley, how do we treat the lapsed period spending? You and I both know..."

Bradley: "Yeah."

Black: "...that we will not make all of the... all... we won't even make a substantial portion of what we've promised to the universities in the fiscal year. So, in July and August, normally, if we don't make those payments then it goes to the court of claims."

Bradley: "Yes."

Black: "So, how will we handle the lapsed period spending aspect?"

Bradley: "Well, there was actually a healthy discussion about whether or not we should put the potential change, the lapsed period in the Bill. We were mindful of that in crafting the timelines that are in here, but there was feeling of the attorneys involved that actually putting the lapsed period language was not necessary because if the lapsed period changed..."

Black: "Okay."

Bradley: "...it would apply to this Bill."

Black: "All right. Maybe I missed it, has that change been made or we anticipate it that it will be made on the lapsed period?"

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Bradley: "We didn't put it in this Bill, but this Bill would be under that, so there was not a feeling that..."

Black: "Okay."

Bradley: "...we needed the specifics, say, if the lapsed period is changed. If the lapsed period is changed..."

Black: "Right."

Bradley: "...it would apply to this Bill."

Black: "And this Bill does not allow blue sky borrowing, it's certified..."

Bradley: "Correct."

Black: "...amounts of money, certified amounts of tuition expected, and that's what they're borrowing against and that's how they will repay, correct?"

Bradley: "It's a line of credit. They can... they can get a line of credit or a promissory note for the full amount that's owed, but they can only borrow 75 percent of that."

Black: "Okay. Fine. Thank you very much, Representative. Ladies and Gentlemen of the House, to the Bill. This puts some of us at a cross pressure because we said yesterday we don't want to borrow any money. Well, here we are, allowing universities to borrow money. But what is the alternative? Where is the plan? Without this Bill that Representative Bradley has brought forth, we are in danger of seeing, in fact, I think President Poshard mentioned he doesn't know how he's going to make the payroll, the second payroll in May, without some ability to borrow money because we have not been able to forward the money that we said they would get. We've put the universities in a very tenuous position. So, I don't know any way out of this. I

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don't like more borrowing. We've borrowed ourselves into a credit card debt that I have no idea how we're going to pay off. But I see no alternative here. Unless you want the universities to close before fall semester starts, I suppose you can vote 'no'. If you want them to stay open, I suppose as distasteful as it might be to some of us, I have no other alternative, and I intend to vote for the Bill."

Speaker Mautino: "Further discussion? The Lady from Cook, Representative Mulligan. And I would ask Members once again to bring the volume down inside the chambers."

Mulligan: "Do you want to restart the clock. Thank you, Mr. Speaker. Will the Sponsor yield?"

Speaker Mautino: "He indicates that he will."

Mulligan: "Representative, is this a onetime only Bill that sunsets or is this going to be forever that they can do this?"

Bradley: "Well, this is for only FY10; the other proposal was for longer. The idea would be to get them through this period that we're in and then see where we're at next year."

Mulligan: "So, does this include if they want to hire a coach at a high pay rate, that that salary would be included in what they could borrow?"

Bradley: "No. We specifically, in the spending plan, make them set forth and it's supposed to be for frontline personnel."

Mulligan: "And is the state standing behind the loan with the..."

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Bradley: "We don't have a legal obligation, but I think you and I both know that this is borrowed against state appropriations."

Mulligan: "Well, don't you think in order to get 3.5 percent, that the state would have to be the guarantee or guarantor on the line?"

Bradley: "We're not going to sign the documents."

Mulligan: "So..."

Bradley: "And they got no guar... they got no guarantee language in the Bill."

Mulligan: "So, if the state pays them and it doesn't say 'shall'... that they 'shall' turn over the state payment to repay the loan, it says 'may', does that mean if we pay them and then they don't repay the loan, we are the one that would have to guarantee the loan?"

Bradley: "Again, the state is not the moral obligation on these. We're not signatories to it, we're not parties to it, but we appropriate the money for it. So, there's only two or three sources that can pay for these. It's either state appropriations or it's the fees that they collect within the universities themselves. So, we're predominantly the funding source. They do have other funding sources. Hopefully, they don't get to that point."

Mulligan: "I think they have a lot of other money sources, particularly charging tuition that over the years has only gone up. So, I think there should have been some provision in the Bill that said they must repay out of the money that we repay them so that we're not the ones that are... stand if they default."

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Bradley: "They... they... that's what the language says."

Mulligan: "It didn't ap..."

Speaker Mautino: "Turn the Lady's mic back on, granted an additional minute."

Bradley: "They have to use the moneys that they received to repay the money they borrowed."

Mulligan: "It appeared to me that the language was 'may' not 'shall', and that... there... it just said they had to pay it back within a year and it didn't say they had to pay it back unless... is Amendment 8 the total..."

Bradley: "That's correct."

Mulligan: "...Amendment that..."

Bradley: "Yes."

Mulligan: "And so does Amendment 8 say they must pay back the money out of the money we borrowed them, or does it say they just have a year and it's they 'may'?"

Bradley: "No. The idea there is, is originally we wrote it for a line of credit. On a line of credit, they would have to repay it within 60 days of receiving it. One of the universities wanted to be able to do a promissory note. There's some concerns about the terms of the promissory note that if we forced payment that there could be prepayment penalties. But they understand that the legislative intent is, when they get the money that they're supposed to repay it to the state as quickly as possible, and I believe that's what the language of the Bill says."

Mulligan: "Well, I think it depends on the governance of each university."

Speaker Mautino: "Further discussion? Representative Soto."

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Soto: "Thank you, Speaker. To the Bill. Am I ready? Okay. I'm in very strong support of this piece of legislation. I think it's a wonderful legislation. I applaud the Sponsor of this Bill. I think that we all know what we need to do in this state. We were elected to make sure that our children get educated and that we do the best that we can for them. So, I just want to echo my colleagues, and I urge an 'aye' vote. Thank you. We know what we need to do. Thanks."

Speaker Mautino: "Further discussion? Representative Jakobsson."

Jakobsson: "Thank you, Mr. Speaker. Well, State Government is in its worse fiscal situation that we've seen in decades. We all know this and I believe in this room, our state universities still need to meet their financial obligations and we haven't done that. I want to thank the Sponsor of this legislation for help making this possible by allowing universities to engage in this short-term borrowing. They need to be able to do this. They need to meet payroll. They need to be able to pay their university employees because, as it has been said, we know we have the obligation to see that our young people have an education, and when the universities are able to do this borrowing, able to pay their staff and employees, our young people will continue to receive the world class education that they should get from Illinois and that they'll be able to get from Illinois. So, thank you very much. I urge an 'aye' vote."

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Speaker Mautino: "The Gentleman has moved passage of Senate Bill 642. Representative Bradley to close."

Bradley: "Again, this is an extraordinary request during extraordinary times. And I appreciate all the discussion and everyone's hard work on this. And I would ask for an 'aye' vote."

Speaker Mautino: "The Gentleman has moved passage of Senate Bill 642. 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 Hannig, Leitch, Cultra, do you wish to be recorded? Mr. Clerk, take the record. 87 voting 'yes', 28 voting 'no', 2 voting 'present', Senate Bill 642 has received the Constitutional Majority and is declared passed. Representative Kosel."

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

Speaker Mautino: "State your point."

Kosel: "I would like to welcome the students from Hickory Creek Middle School and their teacher, Mr. Smit, and their student teacher Hannah Samawi, along with Julie, Shannon, and Nichole who are with us today."

Speaker Mautino: "Welcome to the House of Representatives. Representative Flider."

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

Speaker Mautino: "State your point."

Flider: "Yes. Thank you, Mr. Speaker. Ladies and Gentlemen of the House, I'd like to ask you to help me welcome a group of students who are here who have been working with me

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throughout the Spring Legislative Session. They're my student advisory council and they're from Decatur. Lutheran School Association, Eisenhower High School and Mt. Zion High School and they're in the gallery on the right here. If you'd stand and if you would please welcome them to Springfield and give them a round of applause for being here. Thank you."

Speaker Mautino: "Welcome to the House of Representatives. Mr. Clerk, on page 5 of the Calendar appears Senate Bill 43, under Senate Bills--Second Reading, Representative Fritchey. Read the Bill. What's the status of the Bill, Sir?"

Clerk Mahoney: "Floor Amendment #3, offered by Representative Fritchey, has been approved for consideration."

Speaker Mautino: "Representative Fritchey on Floor Amendment #3."

Fritchey: "Inquiry of the Clerk. Was Floor Amendment 2 withdrawn?"

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

Clerk Mahoney: "Floor Amendments 1 and 2 remain in the Rules Committee."

Fritchey: "Okay. Thank you. Then Floor Amendment 3 becomes the Bill and we just debate it on Third Reading. I just simply request we adopt it right now."

Speaker Mautino: "The Gentleman... the Gentleman moves adoption of Floor Amendment #3 to Senate Bill 43. On that question, Mr. Reis."

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

Speaker Mautino: "He indicates that he will."



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Reis: "Just to clarify things, Representative, because this is a very hot Bill. Just... would you tell everybody what the Amendment does so that we..."

Fritchey: "Well..."

Reis: "...know what we're going on?"

Fritchey: "I think what you're looking for is this. This Bill no longer has anything to do with enterprise zones. It has to do with CTA pension obligations, but we can take that up on Third Reading. It in no way, shape or form has anything to do with the prior content of the Bill."

Reis: "That's all I wanted you to clarify. Thank you, Representative."

Fritchey: "I had a hunch."

Speaker Mautino: "The Gentleman moves adoption of Floor Amendment #3. All in favor say 'yes'; opposed 'no'. The 'yesses' have it. The Amendment is adopted. Mr. Clerk, further Amendment?"

Clerk Mahoney: "No further Amendments. All Motions have been filed."

Speaker Mautino: "Place this Bill on Third Reading. Read the Bill."

Clerk Mahoney: "Senate Bill 43, a Bill for an Act concerning employment. Third Reading."

Speaker Mautino: "Representative Fritchey."

Fritchey: "Thank you, Speaker. I think the previous speaker and many others may be relieved to know that in addition or not this, having nothing to do with enterprise zones, this is actually, after 14 years, the last Bill that I'll have the privilege to present on this floor. What this Bill

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does do, however, is deal with certain changes to the health care benefits for Chicago Transit employee... Chicago Transit Authority employees and retirees. Specifically, it looks to move retirees from a PPO into a HMO which should result in a savings of approximately \$3,400 per participant per year. It also makes some changes as to the eligibility for health care benefits. And we know actually not only of any opposition, but this Bill is supported by the Amalgamated Transit Workers, by the RTA and by the CTA. We'd be happy to answer any questions. Otherwise, I would ask and hope that this being my last piece of legislation, I can at least get it passed. Thank you."

Speaker Mautino: "The Gentleman moves passage of Senate Bill 43. On that question, the Gentleman from Crawford, Representative Eddy."

Eddy: "Thank you. Would the Sponsor yield? Representative, I think it's significant that this is your last piece of legislation and I couldn't let that go by without having an opportunity to ask some questions. But in all seriousness, this is... is this related to previous attempts to... to deal with costs and issues related to the transit systems?"

Fritchey: "I would look at this as a continuation and extension of the reforms that were made when we had revised the mass transit funding scheme before and looking at other ways to... on certain other levels make this more efficient and try to find ways that we can make sure that we are covering the appropriate amount of people in the appropriate manner."

Eddy: "So, whenever the reforms were made, the... the contract benefits related to health care costs were at a certain

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level and any changes to those were to be made here through this process because of the significant investment made when that Bill was... or the reforms were passed? Is that kind of the idea behind this?"

Fritchey: "Well, I... I think the Bill, without question, took us in the direction we needed to go with keeping mass transit viable in the region. The reforms that are being made here... the changes that are being made here really fall into two categories. One would be the level of benefits from the standpoint of taking them from a PPO to a HMO, which as I said results in a significant savings for each participant in each year. And then we changed the eligibility requirements somewhat as well at the request of the authority."

Eddy: "And the savings that you're talking about are for the authority? They're not necessarily... now, they are also for the individuals?"

Fritchey: "By going from a 100 percent PPO to a 100 percent HMO, it saves the trust money at the end of the day, which in turn... you know, those savings are savings that are, you know, really reaped by everybody, whether or not you work for the CTA or whether, you know, whether or not you ride mass transit."

Eddy: "Okay. So, I guess the best way to characterize this is, it's almost like a negotiation that took place related to this benefit that we're kind of approving here. And... and the benefit is... changes nothing that... you mentioned earlier the unions are okay with this, so they must benefited in some way as well."

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Fritchey: "Well, they're more than okay with this, they're proponents of this. To the extent that this funding is in a trust right now, you know, anything that can save the trust money, you know, helps it make it healthier or more solvent, and that's in... obviously, the best interest of the people that, you know, depend on those benefits."

Eddy: "There's a provision related to 25 years of service and health care. Could you kind of explain that for retirees?"

Fritchey: "I think probably the most effective thing I could do is really just read from our analysis. I think that would help cover this. You know, we previously had a situation where there was a window for individuals with at least 25 years of service, but less than 55 years of old... 55 years of age, to retire prior to January 1 of 2009 and receive benefits. What we're doing now is switching this over to a 25 years service had they been hired prior to September 5 of 2001."

Eddy: "So, in the attempt to solve that problem related to those hired prior to September 5 of 2001 with a 25-year service requirement, there's not an age specification, it's just the 25 years?"

Fritchey: "That's... that's correct. And this one was an option of the collective bargaining agreement between the CTA and the Amalgamated Transit Union."

Eddy: "Is there a cost involved with that enhancement?"

Fritchey: "Well I think you're going to have an increase in the numbers of individuals that would be covered under the benefits. So, to the extent that, you know, any individual

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that's covered has costs associated with that individual, sure."

Eddy: "Okay. Well, I guess the larger point here is, that being a cost or a cost enhancement, the rest of the changes and benefits in the overall Bill, what's the net effect?"

Fritchey: "Well, I think it's tough to say. You know, the CTA, you know, it kind of operated as a politburo to a certain extent for a number of years, but we now have a situation where, you know, without knowing the number of people that are actually going to come into the plan, you know, for me to give you any other... for me to give you any hard estimate would simply be hogwash, candidly."

Eddy: "Well, and I appreciate that, because it's almost impossible to calculate. But I think our analysis says it's going to cost about \$18 million to make the benefit enhancement, but it also is going to be taken care of, according to the RTA, through adjustments and member benefits or an increase in member contributions. Is that what you understand to be the source or where the cost is going to be taken care of? This isn't state money that's going to have to be sent. They're going to do this within."

Fritchey: "No, we're not looking at state dollars that are going to come in. If you look at the flow of dollars into the trust, it's a tributary of resources coming in, then the money is going to come from either one end or the other but not from the state."

Eddy: "Representative, as always, thank you for your explanations. And on a personal note, I'm going to miss

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you trying to sneak Bills through here without any explanation in the future. But I want to wish you well."

Fritchey: "I thought I was doing everybody a favor, but I appreciate that, Representative."

Speaker Mautino: "And as a present on your last Bill, no one else 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 Bost, Representative Lilly, do you wish to be recorded? Mr. Clerk, take the record. 74 voting 'yes', 43 voting 'no', 0 voting 'present', Senate Bill 43, having received the Constitutional Majority, is declared passed. On page 8 of the Calendar appears Senate Bill 2523 under Second Readings, Representative Holbrook. Mr. Clerk, the status of the Bill."

Clerk Mahoney: "Senate Bill 2523 has been read a second time, previously. Floor Amendment #2 has been approved for consideration."

Speaker Mautino: "Floor Amendment #2 on Senate Bill 2523, Representative Holbrook."

Holbrook: "Thank you, Speaker. Amendment #2 is an Amendment filed by Representative Currie. It meets the needs of the Illinois Taxpayer Federation Group that had not made those needs expressed when we first pas... had this Bill. It... with this, it eliminates their opposition and we know of no other opposition. I'd move for its adoption, and move it to Third so that we could debate the Bill, if needed."

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Speaker Mautino: "Motion to adopt Floor Amendment #2. All in favor say 'yes', opposed 'no'. The 'yesses' have it. The Amendment is adopted. Mr. Clerk, further Amendments?"

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

Speaker Mautino: "Third Reading. Read the Bill."

Clerk Mahoney: "Senate Bill 2523, a Bill for an Act concerning local government. Third Reading."

Speaker Mautino: "Representative Holbrook."

Holbrook: "Thank you. This is a trailer Bill on the business district. As amended now, there is no opposition known to this Bill. Be glad to take any questions."

Speaker Mautino: "The Gentleman moves passage of Senate Bill 2523. Seeing no questions, the question is, 'Shall this Bill pass?' All in favor vote 'yes'; opposed 'no'. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Representative Biggins, Representative Coladipietro, Ramey, Reboletti, Rose, do you wish to be recorded? Mr. Clerk, take the record. 90 voting 'yes', 27 voting 'no', 0 voting 'present', Senate Bill 2523, having received the Constitutional Majority, is declared passed. Page 8 of the Calendar appears Senate Bill 3089. Mr. Clerk, what's the status of that Bill?"

Clerk Mahoney: "Senate Bill 3089 has been read a second time, previously. Amendment #1 was adopted in committee. No other... further Amendments. No Motions filed."

Speaker Mautino: "Place that Bill on Third Reading and read the Bill."

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Clerk Mahoney: "Senate Bill 3089, a Bill for an Act concerning revenue. Third Reading."

Speaker Mautino: "Majority Leader Currie."

Currie: "Thank you, Speaker. This measure does two things, as amended. It provides that the EDGE Tax Credit would be available to manufacturers of heavy trucks and it also extends the date for the application for the EDGE Credit by 180 days. And there are a couple of important manufacturing concerns that this will apply to. Basically, it monetizes the EDGE Credit for one and expands the application time for another. So, I'd be happy to answer your questions and I'd appreciate your support for passage of Senate Bill 3089."

Speaker Mautino: "The Lady has moved passage for Senate Bill 3089. No one seeking recognition, 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 Fritchey, Black, Howard. Mr. Clerk, take the record. 117 voting 'yes', 0 voting 'no', 0 voting 'present', Senate Bill 3089, having received the Constitutional Majority, is declared passed. On page 7 of the Calendar... excuse me. The Lady from DuPage, Representative Bellock."

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

Speaker Mautino: "State your point."

Bellock: "Thank you. Representative Pihos and I would like to welcome today Mrs. Claver and her third-grade class who are



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here from Downers Grove to be at the Tech 2000 Project.  
Thank you very much."

Speaker Mautino: "Good luck today and welcome to the House of Representatives. On page 7 of the Calendar appears Senate Bill 1526. Mr. Clerk, what's the status of that Bill?"

Clerk Mahoney: "Senate Bill 1526 has been read a second time, previously. Floor Amendment #3, offered by Representative Currie, has been approved for consideration."

Speaker Mautino: "Majority Leader Currie on Floor Amendment #3."

Currie: "Thank you, Speaker. I move adoption of Amendment #3 to Senate Bill 1526. This makes some major changes in the Lobbyist Registration Act. Perhaps most important, it reduces the fee for lobbyist registration from \$1,000 as we had it in, I believe, Senate Bill 54 last year to \$300. The Secretary of State believes that they would be able to make the Act work if the fee is set at that level. Obviously, we may need to revisit the issue. It also permits the Secretary of State to require someone who claims they're not covered by the Act to certify that they are not. And it makes sure that lobbyists do not serve on state boards or commissions and it also talks about how long people have... lobbyists have to go through ethics training. I'd be happy to answer your questions. I think this a big improvement for the lobbyist community over what we had before, but it also clarifies a lot of things that were not altogether clear in the Act that passed and has been signed by the Governor."

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Speaker Mautino: "The Lady has moved adoption of Floor Amendment #3. On that question, the Lady from DuPage, Representative Bellock."

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

Speaker Mautino: "She indicates that she will."

Bellock: "Thank you. Representative Currie, was this still that... last year the nonprofits were raised, now you're reducing it, but it's still higher than what they had.."

Currie: "It is higher for the not-for-profit community than it used to be, used to be 150 for them, 350 for everybody else."

Bellock: "Right."

Currie: "But there is a question whether legally we can make the distinction between lobby groups, depending on what their tax status is. So, this just applies the \$300 figure across the board. As I said, the Secretary of State thinks that they can make this new computer program and so forth work with that fee, but we may have to revisit the issue."

Bellock: "Thank you."

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

Durkin: "Will the Sponsor yield."

Speaker Mautino: "Indicates that she will."

Durkin: "Representative, could you just explain to me how far down the chain do we go with the state board and commission? Is it a state board which is created by..."

Currie: "By statute..."

Durkin: "...Executive Branch or is it by..."

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Currie: "or by Executive Order."

Durkin: "...by..."

Currie: "But it would... it only applies to state activities, not to local governments."

Durkin: "Okay. So..."

Currie: "So, there are 150 boards and commissions that are state created, either by Executive Order or by state statute and the prohibition against lobbyist service would apply to those."

Durkin: "So, every entity, any board which is created by state statute is what you are referring to, correct?"

Currie: "Or Exec... or..."

Durkin: "All right."

Currie: "Only if it applies to the state. So, if you're talking about a state statute that created local governments, that would... they would not be covered."

Durkin: "Thank you."

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: "When they file as a lobbyist and pay their fee, is that when they get the regulation that says this is where you dial up to pass the ethics test and all that other stuff? Is that still in the Bill?"

Currie: "Yeah. They are required to do ethics training, yes."

Mulligan: "So, when would they receive all that information? When they register as a lobbyist and pay the fee?"

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Currie: "From the Secretary of State and they have 30 days to do the ethics training."

Mulligan: "So, 30 days after they pay their fee and register, they have to pass that in order to get something that says you paid your fee and you're a lob... you can be a lobbyist?"

Currie: "Yep. Otherwise they face enforcement actions by the Inspector General in the Secretary of State's Office."

Mulligan: "I had a Bill that reduced it down lower. I don't see, and I still have a problem with, although this is better than what it was, if you have someone that's lobbying for the manufactured homeowners who are poor, older people or people that haven't... that they have to pay this kind of money to be a lobbyist. I think that it should go back to the old fee."

Currie: "An individual citizen lobbyist is not required to register."

Mulligan: "So, if she's head of the association or she's just the one that's doing the lobbying for them, they would not have to pay?"

Currie: "If she's not paid, if she's not compensated for her activities here in Springfield, she would not be required to register and pay."

Mulligan: "What if they cover, say, a night's hotel room and her gas?"

Currie: "Up to \$500."

Mulligan: "Okay. Thank you."

Speaker Mautino: "Further discussion? The Gentleman from Knox, Representative Moffitt."

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

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Speaker Mautino: "Indicates that she will."

Moffitt: "Leader, just a clarification. I don't... I didn't hear you say it, if you did, I apologize. How much loss of revenue will this be for the state?"

Currie: "No, we think... according to the work we've done with Secretary of State's Office, they believe that this fee, the fee, the \$300 that is in this Amendment, will be adequate to cover their costs because, remember, we're requiring a lot more of the Secretary of State's Office and they're doing a whole new computer program, and they believe this fee will cover those costs. So, we don't think the state loses money on this at all. As I said in my opening remarks, it's possible the Secretary of State was wrong, so it's conceivable we would have to come back and revisit the issue of the registration fee. But this number represents the Secretary's best guess at what it will take to enforce the Act."

Moffitt: "But it's actually reducing it from a thousand to three hundred, is that right?"

Currie: "Right."

Moffitt: "And in this, if you said this, I missed it, but is this in a response to a court case?"

Currie: "In part, yes. But also in part a response to a determination by the Secretary of State that the fee that we imposed in the initial legislation was higher than what was required to get the job done."

Moffitt: "Okay. Did we actually collect the thousand for a while..."

Currie: "No."

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Moffitt: "...or was it put on..."

Currie: "No. No one ever paid it."

Moffitt: "Okay."

Currie: "The issue was tied up in litigation, as you point out."

Moffitt: "Okay. Thank you very much."

Speaker Mautino: "The Lady moves adoption of Floor Amendment #3. No one seeking recognition, all in favor say 'yes'; opposed say 'no'. The 'yesses' have it. And the Amendment is adopted. Mr. Clerk, any further Amendments?"

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

Speaker Mautino: "Third Reading. Read the Bill."

Clerk Mahoney: "Senate Bill 1526, a Bill for an Act concerning State Government. Third Reading."

Speaker Mautino: "Majority Leader Currie."

Currie: "Thank you, Speaker. I think I discussed this pretty thoroughly. We've all discussion it pretty thoroughly at the Amendment stage. And what we have on Third Reading is exactly what I described just a moment ago. I appreciate your 'yes' votes."

Speaker Mautino: "The Lady's moved passage of Senate Bill 1526. No one seeking recognition, all those in favor vote 'yes'; opposed vote 'no'. Voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Representative Flider, Acevedo, Jackson, Jefferson, do you wish to be recorded? Mr. Clerk, take the record. 116 voting 'yes', 1 voting 'no', 0 voting 'present', Senate Bill 1526, having received the Constitutional Majority, is declared passed. Representative Acevedo."

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Acevedo: "Mr. Speaker, I rise on a point of personal privilege."

Speaker Mautino: "State your point."

Acevedo: "Mr. Speaker, a little while ago, we just finished a memorial for the fallen police officers. I would hope that in the future you would take into consideration that we don't have Session during the time that we're having the police memorial due to the fact is that a hero is not someone who hits a homerun or scores a touchdown. The hero is the man who puts... man or woman who gives... pays the ultimate sacrifice with their lives. And it's only right that we, as Legislators, go out there and honor the fallen heroes and the families. So, please, I would just ask that you take it into consideration in the future that we have some time to go out there and pay our respects. Thank you, Mr. Speaker."

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

Mell: "Mr. Speaker, on that previous Bill I would like to be recorded as a 'yes' vote."

Speaker Mautino: "The record will reflect your intentions to vote 'yes' on Senate Bill 1526. Representative Stephens."

Stephens: "On behalf of our side of the aisle, we could not agree more with Representative Acevedo. And if the Gentleman and I have time today, we will draft a Resolution requiring that the Legislature pause for the memorial next year."

Speaker Mautino: "Page 7 of the Calendar appears Senate Bill 2487. What's the status of the Bill, Mr. Clerk?"

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Clerk Mahoney: "Senate Bill 2487 has been read a second time, previously."

Speaker Mautino: "Are there any Amendments?"

Clerk Mahoney: "Amendment #1 was approved in committee. No Amendments. No Motions filed."

Speaker Mautino: "Third Reading. Read the Bill."

Clerk Mahoney: "Senate Bill 2487, a Bill for an Act concerning State Government."

Speaker Mautino: "Majority Leader Currie."

Currie: "Thank you, Speaker. This Bill transfers the Grow Your Own Teacher Program from the State Board of Education to the Board of Higher Education and requires the data collection that is supposed to be part of the Grown Your Own Teacher Program to be conducted jointly by the State Board of Education and the Board of Higher Education. I know of no opposition and I'd appreciate your 'yes' vote."

Speaker Mautino: "Lady moves passage of Senate Bill 2487. On that question, Representative Eddy, the Gentleman from Crawford."

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

Speaker Mautino: "Indicates that she will."

Eddy: "Representative, I'm just curious as to why the Board of Higher Education would be the... why it's necessary to transfer? The Grow Your Own has been at the state board since its inception. What's the benefit of..."

Currie: "I think the value is that it's the Board of Higher Education that sets the criteria and is comfortable with the credentialing process for publics and private school teachers. So, I think there was a general sense that that



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was a more appropriate home. This is not, after all, the students; this is the people who are going to be part of the teaching workforce. So, I think there was a sense that that was a better home. The data compilation, however, which is going to continue to deal with... the staff school hardest... hard to staff areas of the curriculum, that will continue to be a joint activity between the state board and the Board of Higher Ed."

Eddy: "So, because it deals with maybe the NCATE and the teacher certification portion of the preparation, the Board of Higher Education wants to take care of that part, but the data collection related to students and how this program is working will be done through the..."

Currie: "Joint..."

Eddy: "...student information system and longitudinal data."

Currie: "And that'll be done jointly by ISBE and the Board of Higher Ed."

Eddy: "Okay. So, there's still going to be the accountability..."

Currie: "Yes."

Eddy: "...by the State Board... Illinois State Board. Now, this does not appropriate any funds for..."

Currie: "No."

Eddy: "...that purpose. So..."

Currie: "No, this is just a substantive Bill that just changes the home."

Eddy: "Okay. So, if ultimately in whatever budget we do... I mean, several weeks ago we passed a single appropriation by

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a very narrow margin for Grow Your Own. That... that's totally in separate from this..."

Currie: "Totally separate."

Eddy: "...this is... So, if there's no appropriation then this may not even take place, but if there is one, it'll take place in this manner rather than the old manner?"

Currie: "Right. Although that appropriation, I don't think, was specific to the home of the Grown Your Own Teacher Program."

Eddy: "No. No. But would... would the money then that would take care of the costs associated for either the state board or Board of Higher Ed be split if that... if this authority is being split?"

Currie: "I think it depends on... see, I don't think much of that money is going to the state board today. I think what's happened with that money is that it is used to help recruit, develop a teaching workforce that fits within the Grow Your Own Teacher model."

Eddy: "The direct cost related to..."

Currie: "Right."

Eddy: "...establishing the program?"

Currie: "Right. Right."

Eddy: "Okay. Thank you very much."

Currie: "Thank you."

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

Rose: "Will the Majority Leader yield, please?"

Speaker Mautino: "Yes, she will."

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Rose: "Thank you. Majority Leader, what happened to the underlying language of the Bill?"

Currie: "It was, I believe, deleted."

Rose: "Why did we do that? I would have thought that we'd want to make sure the Department of Revenue investigators..."

Currie: "Right."

Rose: "...are protected and can stop..."

Currie: "There was..."

Rose: "...criminals."

Currie: "There was significant opposition to the measure as it passed the Senate from the State Department of Revenue. So this Bill..."

Rose: "But it did pass the Senate?"

Currie: "It did."

Rose: "I was under the impression that the Department of Revenue investigators are actually asking for that power? In fact, I have got two that live in my district that called me in favor of that."

Currie: "There were a handful who were requesting this. I think there are two different kinds of investigators and the handful that were requesting this, I think, brought on opposition from the department. I think, for other investigators in the Department of Revenue, there was support for some expanded authority, but that is not this Bill."

Rose: "But it did... so it deletes them. Okay. Thank you, Mr. Speaker."

Speaker Mautino: "No one seeking further recognition, the question is, 'Shall this Bill pass?' All in favor vote

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'yes'; opposed vote 'no'. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Mr. Clerk... Representative Feigenholtz, Beaubien, do you wish to be recorded? Mr. Clerk, take the record. 112 voting 'yes', 5 voting 'no', 0 voting 'present', Senate Bill 2487, having received the Constitutional Majority, is declared passed. Page 9 of the Calendar is Senate Bill 3658, Representative Farnham. Mr. Clerk, what's the status of this Bill?"

Clerk Mahoney: "Senate Bill 3658 has been read a second time, previously. Amendment #1 was adopted in committee. Floor Amendment 2... #2, offered by Representative Currie, has been approved for consideration."

Speaker Mautino: "Floor Amendment #2, Representative Farnham. Representative Currie."

Currie: "Thank you. This just makes one substantive change and a bunch of technical changes. It makes the sales tax holiday, that is the substance of the Bill, effective for one year only. So, I would appreciate your support."

Speaker Mautino: "The Lady moves adoption of Floor Amendment #2. All in favor say 'yes'; opposed 'no'. The 'yesses' have it. The Amendment is adopted. Mr. Clerk, any further Amendments?"

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

Speaker Mautino: "Third Reading and read the Bill."

Clerk Mahoney: "Senate Bill 3658, a Bill for an Act concerning revenue. Third Reading."

Speaker Mautino: "Representative Farnham."

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Farnham: "Thank you, Mr. Speaker, Members of the House. Senate Bill 3658 amends the Use Tax and Retailers Occupation Tax Act. Provides that from August 6, 2010 through August 15, 2010, on the first Friday in August and ending on the Sunday occurring nine days thereafter, the tax imposed under the Act on clothing and school supplies shall be at the rate of 1.25 percent instead of 6.25 percent. I entertain any questions."

Speaker Mautino: "The Gentleman has moved passage of Senate Bill 3658. On that question, the Gentleman from Vermilion, Representative Black."

Black: "Thank you very much, Mr. Speaker and Ladies and Gentlemen of the House. To the Bill, as amended. This makes a great campaign brochure, it makes a great campaign mailer, it makes a good press release, and under different circumstances, I might join the Gentleman in sponsoring this. I don't remember, I think it was Leader Cross had this very same Bill two or three years ago, maybe longer than that. Others have had this Bill over the years, a sales tax holiday, back... for the back to school period. Other states have done it. And I wish I could stand up and support it. It's not an easy Bill to speak against. But Ladies and Gentlemen, I had a Bill two years ago that would have temporarily suspended the sales tax on gasoline and diesel fuel, we being only one of only nine states that levy a sales tax on motor fuel, when gasoline was \$4.20 a gallon. And I was... first of all, the Bill never got of Rules Committee, and secondly, there were Letters to the Editor orchestrated by some Democrats about how

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irresponsible I was. That we couldn't do this. We would cheat the road fund out of money. Well, that shows how much they knew because not one penny of the sales tax on motor fuel goes to the road fund, it goes to the General Revenue Fund. Now, Ladies and Gentlemen, this is one of those things where you're going to have to decide what you're going to do here. If we're going to give sales tax breaks for back to school, and under normal circumstances if we had money I'd be a strong supporter of that. We don't have the money to pay our bills. We have schools that haven't been paid on the transportation reimbursement since September. We have merchants who are borrowing money just to stay afloat hoping that the state will pay them. Our universities, we just passed a Bill, I think for the first time in Illinois history that says you'll have to borrow money because we don't have the money to pay you. Now, as good an idea as this is, the estimates are 20 to 50 million dollars in lost revenue to the State Treasury. Would it benefit retail sales? I think it would. Would it benefit to the point where the volume would make up some of the difference? I don't think so. So, what you're going to have to do, we're either going to be all part of the solution or we're all going to be part of the problem. This isn't a time for tax breaks. It isn't a time to give away up to \$50 million in sales tax revenue when the state is for all practical purposes, insolvent. We aren't paying our bills. Where are we going to get the money to pay the pension bond or pay the pension debt? Where do we get the money to pay schools what they are owed? Where do we get

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the money to keep State Troopers on the road? I hope that Representative Mendoza's Bill will do that. But as good an idea as this would be if we were flush with cash and if we were paying our bills on time, at this particular point in the history of the State of Illinois I don't know how anybody in good conscience can say we will surrender 20 to 50 million dollars in badly needed revenue at this point in time. If we work our way out of this \$14 billion debt, \$6 billion in unpaid, current unpaid, overdue, past due bills, I would have loved to have cosponsored this. We aren't in that situation. We are literally bankrupt. And once you start this, then what's the next sales tax break? Gasoline is going to be \$4 a gallon before summer's over. There'll be push for a sales tax suspension on motor fuel. There'll be a push for other tax breaks, either temporarily or permanent. Let's concentrate on the budget. I've been saying this for four months. Let's start talking about the real budget issues that face this state. And once we work our way out of that, then maybe we can do a sales tax holiday on back to school time and maybe we can make it permanent and join states like North Carolina, where my daughter lives, that have done it for years. As much as it pains me to oppose the Gentleman's Bill, I don't think it's... I think it's the responsible thing to do when we just simply have no money and we aren't paying our bills. In all due respect to the Gentleman, we just... we don't have the resources, and we cannot turn away from 25 to 50..."

Speaker Mautino: "Grant the Gentleman an additional minute."

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Black: "Thank you, Mr. Speaker. You're going to have to search your conscience. In the next few hours you're going to have to make some tough decisions and 25 or 50 million dollars may make the difference between some businesses going under and some businesses being able to stay afloat. Let's pay our bills, let's talk about the real budget problems we face. And then maybe in a year or two this chamber and the chamber across the rotunda can actually talk about some tax breaks for the people. They deserve it, but we have put ourselves in a position where we can't afford to give it."

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

Durkin: "Will the Sponsor yield?"

Speaker Mautino: "Indicates that he will."

Durkin: "Representative, what is the... I don't know, does this sales tax holiday go through... kids... families with kids in high school or is it grammar school? What's the extent of it?"

Farnham: "It's all school kids."

Durkin: "Okay. Does this... is strictly just for parents who send their kids to public schools, public institutions?"

Farnham: "No."

Durkin: "No. How'd you vote yesterday on the voucher Bill?"

Farnham: "What does that have to do with this?"

Durkin: "Real simple. The fact is, you're now saying that it's a... this is a Bill which applies across the board to public and private institutions. Yesterday, how did you vote on the voucher Bill?"



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Farnham: "I voted against the voucher Bill. I believe in public education."

Durkin: "All right. Well..."

Farnham: "I don't see that this has anything to do with that."

Durkin: "Thank you for your inconsistent response."

Farnham: "Inconsistent? I don't..."

Speaker Mautino: "Further discussion? The Gentleman from McHenry, Representative Franks."

Franks: "Thank you, Mr. Speaker. I'm going to speak to the Bill and I want to thank the Sponsor. We finally got a Sponsor here who can get this Bill passed. Many of us have done this Bill before. Representative Cross had done it. I had filed it years ago after going to Florida on a family vacation. But I tell you, I'm just fascinated with the new Republican position against economic stimulus and tax cuts. I think it's amazing that that's what they're arguing now. Because the empirical evidence is clear when the State of New York did this, I think in 2000, when we first tried to get this Bill passed, it created 13 thousand jobs. There was over a billion dollars of extra sales during that week and there was no falloff from the previous week or the subsequent week when they didn't have those sales. This is all about economic stimulus. It's creating jobs. It's putting people to work. It's creating sales. This helps not only school children and their parents, and you know, those of us with kids when they go back to school, I can tell you, you're buying jeans, you're buying gym shoes, you're buying all these supplies. The average family pays about \$400 per child before they go back to school. So,

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this is significant savings to them. But it's not just for the kids going back to school, it's also for anybody else and it can really help our seniors who are on fixed incomes. This is when they do their shopping. Now, it may not make logical sense that people will go and shop when there's a 6 percent decrease in sales tax, but the fact of the matter, for some reason it works. You know if a retailer has a 10 percent sale, they're not seeing their sales spike, but when we've seen this in other states, when they do this exact program, sales skyrocket. It's great for the economy, it's great for our citizens in a time in this economic doldrums that we're in. Anything we can do to help our working families, we ought to do. Everyone should be voting on..."

Speaker Mautino: "Would the Gentleman finish his remark."

Franks: "I heard the nonsensical arguments of the previous speakers, ignore them. Do what's right. Vote for the citizens of the state. Vote 'aye'."

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

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

Speaker Mautino: "Indicates that he will."

Rose: "Representative, you're from Elgin, right?"

Farnham: "That's correct."

Rose: "What is that school district? Are you 505 or... Oh, that's the U-boat that's at the museum. What's the U... what is it?"

Farnham: "U-46 is the main school district."

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Rose: "U-46. So, the other day I talked to a teacher from U-46 who was down here on the rally because they haven't been paid. How much money is U-46 owed right now?"

Farnham: "I don't have the exact figure. I know it's substantial. What's that have to do with this particular Bill?"

Rose: "'Cause this is 20 to 60 million dollars that could go to pay U-46. That's what it has to do with this Bill."

Farnham: "To go to buy clothes."

Rose: "No. To go to pay your school district so the kids can go to school. I mean, it's all one big pot, it's all fungible, Representative. If you take 20 to 60 million dollars out, that doesn't help us go to pay your school district or my school district or anybody else's school districts."

Farnham: "We seem to be talking about other bills. I seem to recall a Bill last week where I brought \$22 million to that particular school district."

Rose: "Well, I don't know about..."

Farnham: "I certainly worked very dif... very hard for the..."

Rose: "I'm not saying you don't, Representative."

Farnham: "...for my school districts. But this is fighting for the people who have families, who have kids."

Rose: "And Representative..."

Farnham: "The hundreds of kids..."

Rose: "...what I'm saying..."

Farnham: "...that I see sitting on the gym floors that have worn out shoes, that have worn out clothes, and whose parents can't afford to buy them clothes."

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Rose: "Representative..."

Farnham: "This gives them some help."

Rose: "I don't disagree with you. You know what, Representative, in years past, I've sponsored this Bill. I've sponsored it in years past because it was a good idea in years past when we had available resources to do this. But Representative, what... item one, stop digging the hole. Item one, stop digging the hole. You want ideas? Yesterday you should have said, where are your ideas? Here's an idea, stop digging the hole. That's an idea. Stop making it worse. I agree with you, Representative. In the best of times, this would be a wonderful idea. I've cosponsored it in the past. This isn't. Stop..."

Speaker Mautino: "Grant the Gentleman an extra minute."

Rose: "...the hole."

Speaker Mautino: "No one seeking further recognition, Representative Farnham to close."

Farnham: "You know, I understand that. And I believe that we need to be... to work on this, to clean up our State Government, to actually bring our spending back into line. This is about families. This is about families that have children that we see every day. That I see every day when I go visit these schools and I see them with shoes that don't fit, with clothes that are worn out. This is about people being able to take their kids and bring them to school with a sense of respect. This will create jobs and it will help families. I urge a 'yes' vote on this."

Speaker Mautino: "The Gentleman has moved passage of Senate Bill 3658. All in favor vote 'yes'; opposed vote 'no'."

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The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Mr. Clerk... Representative Feigenholtz, Gordon, Mitchell. Mr. Clerk, take the record. 65 voting 'yes', 51 voting 'no', 0 voting 'present', Senate Bill 3658, having received the Constitutional Majority, is hereby declared passed. Senate Bill 3716 appears on page 9 of the Calendar under Senate Bills-Second Reading. Mr. Clerk, status of that Bill?"

Clerk Mahoney: "Senate Bill 3716 has been read a second time, previously. Amendments 1 and 2 were adopted in committee. No Floor Amendments. No Motions filed."

Speaker Mautino: "Third Reading. Representative Lang. Representative Hoffman, Senate Bill 3716. Read the Bill."

Clerk Mahoney: "Senate Bill 3716, a Bill for an Act concerning transportation. Third Reading."

Speaker Mautino: "Representative Hoffman."

Hoffman: "Thank you, Mr. Speaker, Ladies and Gentlemen of the House. Senate Bill 3716 would create a task force to create the Global Positioning System Technology and the Designated Truck Route System Task Force. As you know, several years ago, I believe I was a Sponsor of a Bill that required local governments to provide a listing of all Class I, Class II and Class III designated streets and highways and have IDOT maintain and provide an official map of designated truck routes in Illinois. We have seen and we have read about accidents that have occurred because some of the Global Positioning Systems regarding truck routes have not been accurate where trucks have went on... into areas where the bridges were too low and accidents

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have occurred. So, we're asking is that this task force be approved and that it report back regarding recommendations concerning whether or not we should address advances in Global.. GPS technology, as well as the effectiveness of the Designated Truck Route System."

Speaker Mautino: "The Gentleman moves passage of Senate Bill 3716. On that question, the Gentleman from Crawford, Representative Eddy."

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

Speaker Mautino: "Indicates that he will."

Eddy: "Representative, is there any opposition at this point to forming this task force? Well, first of all, let me ask you, the Amendments, it looks as if, and this might be an inquiry of the Chair. What Amendments have been adopted?"

Speaker Mautino: "Mr. Clerk."

Clerk Mahoney: "Amendments 1 and 2 were adopted in committee."

Eddy: "Okay. So, these add to the Bill. They both add to the Bill. So, originally, the task force is set up in the underlying Bill?"

Hoffman: "Yes. The underlying Bill established a task force and the makeup of the task force. There were two Amendments that were adopted in committee. They were... they were line Amendments that one of them indicated that one member... one member of the task force would represent the county engineers and we would make sure that county engineer... highway engineer was on the task force. And the second one was indicated that we don't... the Legislature will... Legislature will not have to provide support staff so

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that there would be no cost to the Legislature and that the support staff would be provided by IDOT."

Eddy: "Okay. The Mid-West Truckers had some concern. I know they remain neutral on the Bill, but they had some concerns about the GPS systems. And I think it had to do with expense, what might come out of this is an expense that they don't, at this time, have to incur. Can you kind of address your comments about their concern?"

Hoffman: "Well, I discussed this with the Mid-West Truckers Association. They are in fact neutral. In committee they did talk about their philosophy; however, this is simply a task force. And if we're going to move forward with some kind of an accurate GPS system, an accurate truck route system in Illinois, we're asking the task force to meet and come up with recommendations. If we were to do anything further, if we were to attempt to adopt the task force recommendations, we'd have to come back to the Illinois General Assembly and then we would look at those recommendations. I'm not saying, at this point, I'm in favor or against any recommendations, just that I'm in favor of this task force being created to come up with recommendations."

Eddy: "And... and this task force will submit its report to the General Assembly in January. Is that right?"

Hoffman: "The task force must conclude its activities no later than January 31, 2011."

Eddy: "Okay. So, next spring at some point or another, if there are recommendations, they're going to have

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opportunities. Now, are they represented on the task force? With their concerns, do they have the opportunity.."

Hoffman: "Well, in the task force.."

Eddy: "It says, one member representing the commercial trucking industry appointed by the Minority Leader of the Senate. Is that the route that they'd take.. is Midwest Truckers.. have some pretty specific representation to where their concerns can be.."

Hoffman: "Well, if it were up to me, I would.. I would assume that one of these appointments are going to be to the Mid-West Truckers. We didn't.."

Eddy: "Okay."

Hoffman: "...write.. we didn't write into the Bill the Mid-West Truckers have to be appointed. I don't think.."

Speaker Mautino: "Grant the Gentleman an extra minute."

Eddy: "Well, and I appreciate that answer. I think their concern is that they have the opportunity at the time the task force meets to make comments related to possible cost. Are the task force meetings subject to Open Meetings Act? I mean, will they have the opportunity, will be notified that they can at least show up and have some input? And if your word is that that's your intent, that's fine, I just want to make sure that they have that.."

Hoffman: "Yes. They.. they will meet within 60 days of the effective date of the Act, must meet at least two additional times prior to September 31, 2010. All those meetings would be open to the public. I assume that they would take testimony. It's my intent, for legislative intent purposes, that they would take testimony from



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everybody in the industry and that the truckers who will be... who could potentially be affected by any recommendations would have great input into this task force."

Eddy: "Thank you, Representative."

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

Brauer: "Thank you, Mr. Speaker. To the Bill. This came up in committee. I had some serious questions. Unfortunately, I didn't get them answered 'til afterwards. I believe this is a good Bill. It doesn't mandate any equipment to be placed in trucks. All it does is bring all the parties together. It lets IDOT become involved which is very important and I think that we will get a good recommendation. And it's important, as these trucks go down a highway, that they know where to turn where not to turn, and I think this is going to take care of a lot of those questions. It doesn't mandate anything that's... has to be bought for the trucks. It just brings everybody to the table. I support this. I believe a vote of 'aye' would be a good vote."

Speaker Mautino: "Further discussion? The Lady from Grundy, Representative Careen Gordon."

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

Speaker Mautino: "He indicates that he will."

Gordon, C.: "Representative Hoffman, it says that one member is going to be represent a unit of county government appointed by the Speaker of the House of Representatives. And that's

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how it's described, right? That's... that's the actual wording. It's on page 1, line 13 to... 13 and 14. So, the unit of county government, that could be, I don't know, like the dog catcher or animal control person or somebody like that, right?"

Hoffman: "Well, no. Well, I guess..."

Gordon, C.: "But it doesn't say that."

Hoffman: "If you were to look at the Amendment #1, it would in... it indicates that the one member must be representing the county engineers and they would be appointed by the Minority Leader of the House. And I can't..."

Gordon, C.: "Well, I totally understand. I don't have the Amendments on our wonderful computer system here, so... you know..."

Hoffman: "I have the Amendment."

Gordon, C.: "Okay."

Hoffman: "It's Amendment #... Committee Amendment #1."

Gordon, C.: "So, it has to be a county engineer?"

Hoffman: "Yes."

Gordon, C.: "And the same thing with the municipal person? Can't be the local dog catcher?"

Hoffman: "Well, I would hope that we could trust the Minority Leader of the House. I know him personally."

Gordon, C.: "Do you?"

Hoffman: "Seems like a very nice guy, and I think he's a quasi intelligent guy."

Gordon, C.: "Okay."

Hoffman: "And I don't think... I don't think that he would appoint a dog catcher to be on this task force, but..."

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Gordon, C.: "Okay. And then, finally, you're creating a task force, right? A task force? Why do we need another task force when there's a bunch of experts out there who could do this and bring us the legislation? But we're going to put some Legislators on, I got six seconds left. Why are we creating another task force?"

Hoffman: "Well, that's a very good question, Representative."

Speaker Mautino: "Therefore, give him another minute to answer."

Hoffman: "The reason... the reason is it's a very complicated subject. We're trying to get all the truck routes, all the markings from the local governments, from the counties, from the townships, get them all into one location, and then determine how best to allow a GPS system to be put together, so that the trucks wouldn't be safety hazards and going into areas where potentially the bridge is too low for them to go through. We're attempting to..."

Gordon, C.: "I... I got..."

Hoffman: "...to make public safety recommendations."

Gordon, C.: "I have a fantastic trucking company in my district, Cardinal Transport. It's run by Jack Riley. He's a very dear friend of mine. It's unbelievable the technology now that they have. And I find it... I find it amazing that we need another task force in the State of Illinois to do all of this when I believe the trucking industry is so far beyond what so many people believe that they are, that we're going to bring Legislators on to a task force where so many of them really may not be experts

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in what the trucking industry truly is. And so just creating another task force to me in this area..."

Speaker Mautino: "Allow her to finish her comment. Turn the Lady's mic back on."

Gordon, C.: "It just might be a little unnecessary. Thank you, Mr. Speaker."

Speaker Mautino: "No one seeking further recognition, Representative Hoffman to close."

Hoffman: "Since her time did run out, I'd like to address the Lady's question. The reason we wanted to bring all the experts and the industry together as well as IDOT and IDOT is keeping all these records from all the municipalities regarding truck routes. So, to get IDOT involved, to get all the experts involved to make sure that safety is our number one concern in putting together the information that ultimately will go on a GPS system, that's why we want the task force. I ask for a favorable Roll Call."

Speaker Mautino: "No one seeking recognition, the Gentleman moves passage of Senate Bill 3716. 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 Currie, Representative Sacia. Mr. Clerk, take the record. 99 voting 'yes', 18 voting 'no', 0 voting 'present'. Senate Bill 3716, having received the Constitutional Majority, is declared passed. Representative Froehlich."

Froehlich: "Thank you, Mr. Speaker. I rise for a point of personal privilege."

Speaker Mautino: "State your point."

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Froehlich: "There is a group of history students here today. They're in the gallery in the back from Mead Junior High in Elk Grove. They're with Mr. Fletcher. Like to ask you to join me in giving them a warm Springfield welcome. Mead Junior High."

Speaker Mautino: "Welcome to the House. On page 8 of the Calendar is Senate Bill 3180, Representative Pihos. Mr. Clerk, what's the status of the Bill?"

Clerk Mahoney: "Senate Bill 3180 has been read a second time, previously. Amendment #1 was adopted in committee. Floor Amendment #2, offered by Representative Schmitz, has been approved for consideration."

Speaker Mautino: "Representative Schmitz on Amendment #2. Representative Schmitz on Floor Amendment #2 to Senate Bill 3180."

Schmitz: "Thank you, Speaker. Floor Amendment #2 as it presented in committee, with the underlying Bill, we had said that we were going to work out an agreement with the Realtors Association. Floor Amendment 2 makes some definitions and have put the Realtors Association as neutral."

Speaker Mautino: "The Gentleman moves adoption of Floor Amendment #2. No one seeking recognition, all in favor say 'yes'; opposed say 'no'. The 'yesses' have it. Floor Amendment #2 is adopted. Mr. Clerk, any further Amendments?"

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

Speaker Mautino: "Third Reading. And read the Bill."

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Clerk Mahoney: "Senate Bill 3180, a Bill for an Act concerning civil law. Third Reading."

Speaker Mautino: "Representative Schmitz."

Schmitz: "Thank you, Speaker, Ladies and Gentlemen of the House. Senate Bill 3180 puts in the statute the Common Interest Community Homeowners Association Act, which will basically allow homeowners associations that we have in the smaller subdivisions and townhome communities, somewhat in line with the condo owners that they have today. And we outlined some definitions of when buildings... when the associations would meet, if they collect fees, how those, you know, how the fees have to be spent, et cetera. And I'd be happy to answer any questions."

Speaker Mautino: "The Gentleman moves passage of Senate Bill 3180. No one seeking recognition, the question is, 'Shall this Bill pass?' All in favor vote 'aye'; opposed 'no'. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Representative Davis, Representative Lang, do you wish to be recorded? Mr. Clerk, take the record. 117 voting 'yes', 0 voting 'no', 0 voting 'present'. Senate Bill 3180 is declared passed. Mr. Clerk, page 9 of the Calendar appears Senate Bill 3721, Representative Currie. Mr. Clerk, what's the status of the Bill?"

Clerk Mahoney: "Senate Bill 3721 has been read a second time, previously. Amendment #1 was adopted in committee. No Floor Amendments. However, notes have been requested and not yet filed."

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Speaker Mautino: "Mr. Clerk, take this Bill out of the record. It's the intent of the Chair to go to Senate Bills on Third Reading. On page 3 of the Calendar appears Senate Bill 2525, Representative Reitz. Read the Bill."

Clerk Mahoney: "Senate Bill 2525, a Bill for an Act concerning public employee benefits. Third Reading."

Speaker Mautino: "Mr. Clerk, take this Bill out of the record. Representative Brady, Senate Bill 3010. Out of the record. Representative Mell, Senate Bill 3084 appears on page 4. Mr. Clerk, read the Bill. Mr. Clerk, this Bill's on Third Reading. Would you return it to Second Reading. And status of the Bill, Sir?"

Clerk Mahoney: "Floor Amendment #2, offered by Representative Mell, has been approved for consideration."

Speaker Mautino: "Representative Mell."

Mell: "Mr. Speaker, Ladies and Gentlemen of the House. I'd like to not adopt Floor Amendment #2 and move the Bill to Third Reading."

Speaker Mautino: "Representative Mell."

Mell: "Okay. I apologize for that, Mr. Speaker. I'd like to withdraw Floor Amendment #2 and then move the Bill to Third Reading, please."

Speaker Mautino: "Mr. Clerk, withdraw Amendment #2. The Lady makes... Mr. Clerk, withdraw Amendment #2. Further Amendments?"

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

Speaker Mautino: "Place the Bill on the Order of Third Reading."

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Clerk Mahoney: "Senate Bill 3084, a Bill for an Act concerning sex offenders. Third Reading."

Speaker Mautino: "Representative Mell."

Mell: "Mr. Speaker, Ladies and Gentlemen of the House. This is a Bill that I tried to run yesterday and there was some issues regarding a part of it. I've worked it out with the parties and I would just like to run the Bill as it is. Again, it is a... it's a loophole that says that certain sex offenders against children didn't have to be on the registry. This now says that they have to be."

Speaker Mautino: "The Lady moves passage of Senate Bill 3084. And on that question, the Gentleman from Crawford, Representative Eddy."

Eddy: "Thank you. Inquiry of the Chair."

Speaker Mautino: "State your inquiry, Sir."

Eddy: "Could you kind of update us as to what the... what... if it's the underlying Bill, if we're dealing with Floor Amendment... the status of the Bill?"

Speaker Mautino: "Yes. Mr. Clerk, status of the Bill?"

Clerk Mahoney: "Floor Amendment #1 was adopted to the Bill. Floor Amendment #2 was just withdrawn."

Speaker Mautino: "The Amendment was withdrawn and the Clerk has told you the status."

Eddy: "Would the Sponsor yield?"

Speaker Mautino: "Yes, she will."

Eddy: "Representative, does Floor Amendment #1 then become the Bill?"

Mell: "No."

Eddy: "So, Floor Amendment #1 adds to the underlying Bill?"



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Mell: "Yes, it does."

Eddy: "Okay. So, as introduced, this Bill applies Sex Offender Registration Act to sex offenses committed before the effective date. So, it's a retroactive application of offenses that would require individuals to register as sex offenders. Could you tell us what additional offenses would require registration?"

Mell: "Well, on the 10 year registry, you would have included sexually motivated kidnapping, aggravated kidnapping, unlawful restraint, aggravated unlawful restraint of a minor, sexually motivated child abduction of a minor under 16, sexually motivated forcible detention of a minor, indecent solicitation of an adult to engage in sexual acts with the minor, soliciting for a minor prostitute and pandering or pimping a minor, a third or subsequent offense of public indecency, incest permitting sexual abuse of a child. On the lifetime registry would be sexual predator offenses, first degree murder of a child under 18."

Eddy: "Okay."

Mell: "Now... now, that last one was the sticking point yesterday. And we looked into it and I've talked to the Members who had issues with it and we're comfortable with it right now."

Eddy: "So, is it fair to say that, when you return to the Bill as introduced plus Amendment 1, those concerns that were raised by, I believe, Representative Fritchey and Reboletti have been... those have been met, they no longer are a concern?"

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Mell: "You know, it is a concern still and we are going to look at regarding, you know, maybe an AV or something along the line. But I've talked to all the parties and they're comfortable with me running the Bill as it is."

Eddy: "Okay. Thanks for the clarification. Appreciate it."

Mell: "Okay. Sorry, I wasn't clear."

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, what's the effective date of the legislation? Would it be January 1 of next year or does it have an immediate effective date?"

Mell: "It would be immediately."

Reboletti: "And then, have you had an opportunity to talk with the Illinois State Police as to how they'll implement it?"

Mell: "Yes. We've... right now, it's up to the State Police how they notify. They could either do it by mail or in person. We've given this... we've worked with them closely to give them a lot of leeway 'cause we know this is going to be a little bit of a burden."

Reboletti: "And that you remain committed to working on this either through Veto Session with the Governor's Office. General ISP has concerns as to how quickly they can do this and based on the misdemeanors and the felony offenses. So, you're committed to continue to work on that to make sure that we give them all the tools so they can go after the more serious criminals first before we worry about the misdemeanants?"

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Mell: "Yes. Absolutely. And also, Amendment #1 doesn't put a time restraint on the amount of time that the State Police have to notify."

Reboletti: "Thank you. And to the Bill. Ladies and Gentlemen of the House, this is some... a Bill that I've worked on and I know Representative Poe has worked on and it's a Bill whose time as come. I worked on a case in Will County back, probably about 4 or 5, 6 years ago, where a young lady had a new boyfriend and that boyfriend was a convicted rapist from 1965, of children. And she had no knowledge of that. And the child that the individual molested was a profoundly disabled child who was paralyzed from the chest down. He molested that child for a long period of time and she had no idea about his background. This Bill, when signed into law, will then add these people to the registry. There are sexual predators that are not on the list, on the rolls and this will go a long way to rectifying this situation. I know the Bill has some issues. You have... I will continue to work with the Sponsor on this Bill to make sure that we work with the Illinois State Police to make sure that we have a great law that we can all be proud of and that will streamline the process for the Illinois State Police. I urge your 'aye' vote."

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

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

Speaker Mautino: "She indicates that she will."

Fritchey: "Thank you. Representative, let me first say, I want to thank you just for the time that you've given me over

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the last day or so and staff as well to try to correct this. There exists in the Bill... I think you're in agreement with me a potentially fatal flaw in that, in the interim, what this Bill would do, would take violent offenders and categorize them as sex offenders. So, what would happen, as a result to that is, an individual that may have committed a violent crime against another teen, a teen that shot another teen, maybe 30 years ago. They would now be on the sex offender registry. That could require them to quit their job depending on what type of job they have, sell their home depending on where they live. These are all things that you're not intending to do, is that correct?"

Mell: "No, absolutely not, no."

Fritchey: "And I really just want to clarify this for the record. You and I have had these discussion, but I think the Body needs to know this as well. It's my opinion, and I think yours as well, that this Bill can be remedied by a language change that would take the violent offenders as previous... as currently set forth in statute, those individuals that would be currently required to register on the violent offenders against youth registry. And we could make an Amendment through an Amendatory Veto that would change this Bill to make sure that currently established sex offenders get registered just as you're seeking to do, but those individuals whose crimes had no sexual component and which are presently categorized as violent offenders against youth, would simply be put directly into the

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violent offenders against youth registry rather than going through the sex offender registry. Is that correct?"

Mell: "That's correct."

Fritchey: "And your opinion that an Amendatory Veto by the Governor's Office would be consistent not only with the intention of the Bill..."

Mell: "That would be my hope."

Fritchey: "But that an Amendatory Veto to do what we just discussed, would not only be consistent with the Bill but would also be within the Governor's authority and scope of a proper Amendatory Veto. Is that correct?"

Mell: "That is correct. But I'd like to also say that, right now, there is a process for people to get off of the sexual offender registry on to the violent offenders registry by petition."

Fritchey: "But that petition process takes months. And in the interim, if they did not sell their home or quit their job, they would become felons?"

Mell: "It's a half page form and I'm not sure if it takes months."

Fritchey: "Based on my experience with this in conversation with the State Police, I'm comfortable in saying that it takes months to do anything. But more importantly, that's not... it's not your intention to put them through that hoop?"

Mell: "That's not the intent of this legislation."

Fritchey: "So... so, an Amendatory... an Amendatory Veto as we discussed, would be consistent with the fundamental purpose

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of the Bill as well as was with your intentions. Is that correct?"

Mell: "That's correct."

Fritchey: "Ladies and Gentlemen, to the Bill. Really more so... more to the point to the Sponsor of the Bill. She's tackled a difficult issue and one that's long overdue. She has worked diligently not only to get the Bill to this stage, but, you know, above and beyond the call in the last couple of days just trying to work to get us all on the same page. I just want to thank her for those efforts. I think with the discussion that we've just had on the record and with the hope and cooperation from the Governor's Office, he'll amendatorily veto this Bill to correct the present errors. We have a very good Bill that can make the citizens of Illinois much safer. So, thank you."

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

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

Speaker Mautino: "Indicates that she will."

Riley: "Representative, I'm really sorry and I ask for your indulgence, I was outside addressing an issue, I think, when you started your testimony. You know, often we pass measures where there's some opposition to the Bill. I mean, it's a usual and customary thing it seems like, but can you just explain to me though, I mean, there's a preponderance of organizations who are against the Bill including John Howard Association. Can you sort of characterize for me what their opposition is to this Bill, as amended?"

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Mell: "None of these opponents showed up at committee or contacted me or contacted the Senate Sponsor. So, I can't really speak to their opposition."

Riley: "Is there still opposition or have they rescinded it or you just can't speak to it?"

Mell: "Yeah. They sent the list of opponents and I haven't heard back from them. I assume they're still opponents of the Bill, but I... I don't know."

Riley: "Thank you."

Mell: "Okay."

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

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

Mell: "Yep."

Speaker Mautino: "Yes."

Harris: "Representative Mell, I just... because of the noise in here, I wasn't sure I heard clearly the answers that you had with my colleague from the north side a little earlier. So, is there a commitment from the Governor's Office to make the Amendatory Vetoes to correct the problems that had been identified by one of the earlier speakers?"

Mell: "It is my belief that there is a commitment, but I'm also willing to do follow-up legislation, whatever would make this to Representative Fritchey and others, and mine intent."

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

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Speaker Mautino: "No one seeking further recognition, Senate Bill 3084, 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 Davis, Osterman, Burns, do you wish to be recorded? Mr. Clerk, take the record. 116 voting 'yes', 0 voting 'no', 1 voting 'present', Senate Bill 3084 is declared passed. Representative Acevedo, Senate Bill 3136 appears on page 4 of the Calendar. Mr. Clerk, read the Bill."

Clerk Mahoney: "Senate Bill 3136, a Bill for an Act concerning liquor. Third Reading."

Speaker Mautino: "Out of the record. Representative Ramey, Senate Bill 3176. Out of the record. Senate Bill 3401, Representative Osterman. Out of the record. Mr. Clerk."

Clerk Mahoney: "Rules Report. Representative Barbara Flynn Currie, Chairperson from the Committee on Rules reports the following committee action taken on May 6: approved for floor consideration, recommends be adopted the following Amendments to the following Bills: Amendment #2 to Senate Bill 3348, Amendment #2 to Senate Bill 3638 and Amendment #2 to Senate Bill 3659."

Speaker Mautino: "Senate Bill 3638 appears on page 5 of the Calendar, Representative Currie. Read the Bill. Place this Bill on Second Reading. What's the status of the Bill?"

Clerk Mahoney: "On Senate Bill 3638, Amendment #1 was adopted in committee. Floor Amendment #2 has been approved for consideration."

Speaker Mautino: "Representative Currie on Floor Amendment #2."



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Currie: "Thank you, Speaker and Members of the House. The Amendment makes changes and calls a group of boards within the Department of Revenue by a new name; they're called Taxpayer Action Boards. And they have responsibility for making recommendations to their respective counties about ways to improve the operation and the accountability and the transparency of the property tax system. In addition, there was a drafting error in the Bill as introduced that said that in all counties, people would have to reapply for the Senior Citizen Homestead Exemption. This Amendment clarifies that only in Cook County is there a requirement that the senior homestead exemption be filed on an annual basis. I'd be happy to answer your questions. And I'd appreciate your support for the Amendment and then for the Bill."

Speaker Mautino: "The Lady moves adoption of Floor Amendment #2. No one seeking recognition, all in favor say 'yes'; opposed 'no'. The 'yesses' have it. The Amendment is adopted. Mr. Clerk, any further Amendments?"

Clerk Mahoney: "No further Amendments. No mo..."

Speaker Mautino: "Third Reading. And read the Bill."

Clerk Mahoney: "Senate Bill 3638, a Bill for an Act concerning State Government. Third Reading."

Speaker Mautino: "Majority Leader Currie."

Currie: "Thank you, Speaker and Members of the House. This would extend the life of the so-called seven percent solution: 20 thousand in year one, an exemption of 16 thousand in year two, 12 thousand in year three. It also clarifies that any county that wishes to can opt into the

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program. As of this date, only Cook County has done so. In addition, the legislation creates Taxpayer Action Boards within the State Department of Revenue to cover the counties of Cook and the collar counties, and Kendall County as well to make recommendations for improving the procedures for property tax activities. It also adds one year to the current \$5 thousand homestead exemption for veterans returning from conflicts in the Middle East. It extends that by one more year, and it reduces the degree of disability, of service related disability, that a former service member would have to show before reaching an additional \$2,500 general homestead exemption. I'd be happy to answer your questions and I'd appreciate your support for this Bill."

Speaker Mautino: "The Lady has moved passage of Senate Bill 3638. On that question, the Gentleman from Crawford, Representative Eddy."

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

Speaker Mautino: "She indicates that she will."

Eddy: "Leader Currie, I've been... actually, even down in my neck of the woods, I've been privy to some of the coverage related to this. And it appears as if the Cook County assessor made this an issue not too long ago. Could you... could you kind of, once again, talk about what... the urgency of this, why it's necessary to extend this at this time? It had a..."

Currie: "The Governor and the mayor of the City of Chicago have both called for an extension. The reality is that while property values are falling, they didn't fall far enough,

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fast enough, to have that decreased value reflected in most recent assessments. Without this change, an exemption that is worth \$20 thousand this year will revert to a \$6 thousand exemption next year. And given the slow rate at which the assessments are catching up with decreased value, we were fearful that that would have meant to great a burden on homeowners in the county of Cook. So, we've agreed with the Governor and with the mayor that an extension of the \$20 thousand is appropriate this year, but we're also stepping down the exemption, 16 thousand next year and 12 thousand the year after."

Eddy: "So, this extends it for three years..."

Currie: "That is right."

Eddy: "...and ...but the three-year extension is different depending on the triad, the three different parts of Cook County. So..."

Currie: "Exactly. So, in Cook County, each year one of the triads is reassessed. Each triad will get the 20 thousand, 16 thousand, 12 thousand step down exemption, but it'll happen at a different time table for the other two triads."

Eddy: "Okay. You and I, a couple of times, had this discussion before related to any affect that this has on general state aid, but this does not have an affect because the EAV used in the local effort calculation is not reduced?"

Currie: "Correct."

Eddy: "Okay. So, this does not... this does not reduce or cap the part of the EAV that's taken times the three dollar rate, subtracted from the calculation. So, it does not shift any money from resources outside to Cook County. It

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just simply... I guess for the lack of a better explanation, it may shift a little bit, the burden, like a balloon from residential to commercial in the overall assessment because this only... the limitation is only on residential."

Currie: "Correct."

Eddy: "Okay. Thank you, Representative, for that. I just wanted to clarify a couple of things, especially related to the fact that this does not affect the amount of general state aid that the City of Chicago gets. This is not a shift. Thank you."

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

Fritchey: "Thank you, Speaker, Members of the Body. To the Bill. I simply want to thank Majority Leader Currie. I want to thank Speaker Madigan for letting this move forward. I want to thank Governor Quinn for bringing this up. I won't say that it's too little too late. I will say that it's not enough. For those of us that live in Chicago and Cook County, I think that we really need to continue the press to fundamentally reform how we assess property in Cook County. I think there's an issue with how it's done now. I think it's putting a considerable, not only financial, but emotional burden on homeowners and even renters throughout the region. We need to fundamentally take a look at the process. We need to simplify the process. We need to make it more predictable, more fair, and we can do all that if we have the determination to do it. I actually look forward to trying to work on those efforts in my next generation at the county board, but in

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the interim, we need to make whatever measures we can to try to take some of the burden off taxpayers, especially in these difficult economic times. This Bill goes a step in that direction. It'll be favorably received by our taxpayers. I want to strongly urge an 'aye' vote. It's nice to see a Bill like this come to Third Reading with all the drama that's followed.. without all the drama that's followed these Bills in the past. But again, my thanks to the Sponsor and hope for the support from you on both sides of the aisle. Thank you."

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

Sullivan: "Oh, I'm... I'm sorry. Will the speaker yield?"

Speaker Mautino: "Yes."

Sullivan: "Representative, in committee we talked about two issues. One, how you... the Bill inadvertently took out the seniors and how they have to reapply every year. Has that been resolved?"

Currie: "Yes, it has."

Sullivan: "Okay. I guess I missed... so you amended it on that end. And did you put an opt in for all the counties?"

Currie: "Just as I promised in committee, Representative, that's in this Bill as well."

Sullivan: "I apologize. I didn't... didn't see the Committee Amendment... or the Floor Amendment come over. Sorry."

Speaker Mautino: "Further discussion? Representative Mulligan."

Mulligan: "Thank you, Mr. Speaker. I was just going over with staff to make sure. We currently are... the north suburbs

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have one more year of the old and then the new one starts after that. So, we get 20 thousand, 20 thousand, and then 16 and 12 under what you're passing?"

Speaker Mautino: "Representative Currie."

Currie: "Correct."

Mulligan: "All right. I just... that was what our analysis said. I just went over it with staff. I wanted to make sure. I knew Chicago's expiring. I have some in Chicago, but the northwest suburbs aren't redoing 'til the next year or so. I get it. Thank you."

Speaker Mautino: "Further discussion? Representative McCarthy."

McCarthy: "Thank you, Mr. Speaker. Will the Representative yield?"

Speaker Mautino: "Yes."

McCarthy: "Once again, now, are we in the third year of the extension that we were winding down?"

Currie: "The... what we're in is the last year of the last revision which went in Chicago, 33, 26, and 20. The worry is, because of declining property values that have not been caught up yet by reassessments, that going from a \$20 thousand exemption to 6 thousand which is the general homestead exemption, was too large a leap. So, what we're purposing with this measure, is one more year at 20 thousand, the second year at 16 thousand, and the third year at 12."

McCarthy: "Okay. And any of those numbers do not come into play until after a person's home from one year to the next is assessed at a greater than seven percent?"

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Currie: "At... is reassessed, right. That's right."

McCarthy: "So, if we have a home that's... two homes that are like \$200 thousand, unless they're assessed at more than 14... \$214 thousand, they would not..."

Currie: "It wouldn't matter."

McCarthy: "...get any relief under this Bill?"

Currie: "Exactly. Exactly right."

McCarthy: "So, if they were... if that \$200 thousand home moved up to 225 thousand, then the 11 thousand would be reduced off it before his taxes were figured in his EAV?"

Currie: "Right. That's right. The assessment, yeah."

McCarthy: "So, if one of the two homes, say, went up to 214, okay, and that was its true value, the other home went up to 225. While the second home was worth 11 thousand more according to our assessor, they would pay the same amount of taxes as the other home?"

Currie: "Presumably, if they're in the same community and they have the same taxing bodies."

McCarthy: "So, you know, one of the reasons I've been... as much as people hate property taxes, we least can say that if your home is worth more and you're in the same taxing bodies, you should pay more."

Currie: "Right."

McCarthy: "Since day one, the seven percent solution has always been a way that where homes that are of more value could actually pay equal or less taxes than another home if their rise in assessment had gone quicker."

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Currie: "Only... only if the valuation is different. So, what the assessor is saying in your example is this house actually has greater value than that."

McCarthy: "Correct. But what I'm saying is, this, as in the past, this continues to legalize that a home that is of greater value can legally pay either the same or, in some cases, even less property taxes."

Currie: "But not for long. But not for long. There is a three-year..."

McCarthy: "Well, much longer than..."

Currie: "...step down..."

McCarthy: "...much longer than I was comfortable with since I wasn't comfortable with the first year of it."

Currie: "Okay."

McCarthy: "Now, are the things for the veterans still in here?"

Currie: "In fact, yes. So, our returning veteran, someone returning from conflict in the Middle East..."

McCarthy: "Okay."

Currie: "...would get two years of an additional \$5 thousand exemption on the property tax roll."

McCarthy: "Well, I only have a couple of seconds, but I do want to say for those Members who vote 'no' on this, I am a veteran, I..."

Speaker Mautino: "Grant the Gentleman an additional minute."

McCarthy: "I just need 10 seconds to say that as a veteran, if anybody's voting 'no' in here, I realize, and I'm sure that they would say they're not voting against these extra things for the veterans, they're voting for the underlying seven percent Bill. So, thank you for your explanation."



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

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

Speaker Mautino: "Indicates that she will."

Black: "Representative, I'm trying to follow along here as best I can. Let me concentrate on the senior citizen exemption. At one time, the Bill took out the automatic renewal and the senior would have to travel and reapply in person every year. Now, has that been changed back to an automatic renewal?"

Currie: "It's going right back to the way the current legislation reads except that in Cook County there will an annual re... reapplication."

Black: "All right. So, in counties of less than three million the renewal is automatic?"

Currie: "If the assessor chooses to make the renewal automatic, it is. And in Cook County, seniors will get in the mail, the reapplication, so they don't have to travel down to the county building to do it."

Black: "Right. That... that was my concern. Thank you for answering that. Now, I apologize, I came in late and I'm sure this has already been answered. This Bill will be in... this law will be in effect for one year, three years, or..."

Currie: "Well, the provisions of the 20... the step-down will apply for three years. In Chicago, which is the most recently assessed... reassessed triad in Cook County, that will mean the next... the next tax year, next tax bill, and the one after that and the one after that."

Black: "Okay."

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Currie: "But as Representative Mulligan was pointing out, in her area, which is the north triad, the reassessment will be next year. So that three-year period will start with the reassessment."

Black: "And then, it appears other than the senior citizen clarification, the only thing it impacts downstate would be the disabled veterans and the returning veterans, correct?"

Currie: "That's correct."

Black: "And I..."

Currie: "Well, as in... and to the requirement that the Department of Revenue assess the implications for the implementation of some language adopted a year or two ago that will try to provide more accountability and transparency in the property tax system. That affects statewide."

Black: "The homeowner..."

Currie: "Exception... except Cook County."

Black: "The Homeowner Review Board..."

Currie: "Yeah. It's now called the..."

Black: "...what does that do?"

Speaker Mautino: "Grant the Gentleman an additional minute."

Currie: "It's now called the Taxpayer Action Boards and they are created, appointed by the Governor. They will live in the Department of Revenue, and one for each of the Cook and the collar counties with the addition of Kendall. And their responsibility will be to recommend ways to make the property tax collection and application system more transparent, more accountable, and more efficient."

Black: "But they have no real power to review assessments or..."

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Currie: "Correct."

Black: "...overturn or anything of that sort?"

Currie: "Correct."

Black: "All right. So, it's kind of like the cousin of CUB only this is called TAB, right? Like Tab Hunter or..."

Currie: "You got it."

Black: "...Tab Cola. Boy, there's just... the alliteration here is just amazing. If my memory serves me correctly, separate Bills were filed on the disabled and returning veterans legislation, but that was not allowed to be called for a vote. So, it's rolled into this Bill. So, it's kind of like the old..."

Speaker Mautino: "The Gentleman can finish his comment."

Black: "Thank you, Mr. Speaker. I'll bring my remarks to a close. I appreciate your indulgence and that of the Sponsor. This is one of the great things we do sometimes in politics. We put something that isn't as palatable in with something that is palatable, you know, a little sugar sometimes helps the castor oil go down. I'm as confused as anybody. The seven percent solution was law, then it wasn't law and then the Cook County assessor seemed to get into an argument with other Cook County officials and maybe state officials. So, here it is at the last hour back and the veterans have been added to it which makes it a little more difficult maybe to vote the way you'd really like. And I am fascinated by the Taxpayer Action Board. Might be a misnomer, because it appears to me that the Taxpayer Action Board can't take any action on anything. But it

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sounds good, makes a good campaign mailer. And after all, isn't that what we're really all about?"

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

Biggins: "Thank you... thank you, Mr. Speaker. I want to voice my support for the Bill. Thirty percent of my district's Cook County, so I have a great deal of interest in this Bill, and I think it's a step in the right direction. And there's no known strong opposition to it as far as I can recall. But someone said that the property tax is a hated tax, and that is true, but there are two things at least that are good about the property tax. One is, it's 99 percent collectable, unlike our state income tax, less than that, and also, it's about the only tax in Illinois you can appeal as a citizen, owner of real estate. So, there are some good things about it, although, I'd rather not pay it. But anyway, I'm going to vote for the Bill."

Speaker Mautino: "Further discussion? Representative Holbrook."

Holbrook: "Thank you, Speaker. To the Bill. A couple of months ago I had a disabled veteran contact me, and he informed me that all increments of disability are in 10 percent, and with that, we have tried to correct our statutes. And when you see today why the disabled veterans are in this Bill, it's because I had requested that and Representative... Leader Currie was applicable to putting this in this Bill. So, now our disabled veterans will be able to receive this benefit at 70 percent, which are the increments that they do allow under the system. And I want

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to thank her for that because I think this is important to those folks that have served our country. So, it was put in there, it was done at my request and I thank everyone."

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

Riley: "Thank you, Mr. Speaker. Will the Sponsor yield? I assume she will. Leader Currie, and this might have been addressed, its been noisy in here and I was outside a couple of times. One of the issues that I've always had about the seven percent assessment cap was that it was not particularly evenhanded in terms of what it purported to do based on where in Cook County you were from. There was a big disparity with regard to the northern part of the area versus the southern part, because in south Cook County, of course, our assessments did not increase by the kind of proportion they did up north. Is there anything in this particular measure that attempts at least to address those kinds of disparities?"

Currie: "I'm told that some of the actually poorest areas in Cook County are places where the property tax increases in value were greatest, but what this does is to say, because we think that the assessment has not caught up with the devaluation in the housing market, we're providing an extra three years of protection for homeowners, 20 thousand exemption in year one, 16 thousand in year two, 12 thousand in year three. So, we are stepping down the protection which I think is a way of making for a system that is fairer countywide."

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Riley: "Okay. Thank you. And a statement was made earlier by a friend of mine on the other side of the aisle, I'd just like to say one thing about the property tax is, it's regressive. Thank you."

Speaker Mautino: "No one seeking further recognition, Representative Currie to close."

Currie: "Thank you, Speaker and Members. I hope you will join me in supporting a Bill that will provide some protection for homeowners in counties that opt for the alternative exemption, further protection for three years, but step down significant support for veterans returning from conflict in the Middle East and those who are... veterans who have had a serious service connected disabilities. In addition, Taxpayer Action Boards I think are going to help make more transparent, more fair and more efficient the property tax system in the State of Illinois. I would appreciate your 'aye' votes."

Speaker Mautino: "The Lady has moved passage of Senate Bill 3638. 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 Davis, Gordon, Tracy, do you wish to be recorded? Mr. Clerk, take the record. 107 voting 'yes', 10 voting 'no', 0 voting 'present', Senate Bill 3638 is declared passed. Mr. Clerk, Senate Bill 3721 appears on the Calendar. One... one moment, Mr. Clerk. Representative Bost."

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

Speaker Mautino: "State your point, Sir."

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Bost: "If we could, I'd like to just recognize a few students from Cobden, Illinois, that are here in the gallery with us with their teacher... with their instructor Candy Smith. They're just above us here in the gallery."

Speaker Mautino: "Welcome to the House of Representatives. On page 9 of the Calendar appears Senate Bill 3721. What's the status of that Bill, Mr. Clerk?"

Clerk Mahoney: "Senate Bill 3721 has been read a second time, previously. Amendment #1 was adopted in committee. All Motions have been filed."

Speaker Mautino: "Third Reading. And read the Bill."

Clerk Mahoney: "Senate Bill 3721, a Bill for an Act concerning safety. Third Reading."

Speaker Mautino: "Majority Leader Currie. Out of the record. Representative Brady, Senate Bill 3010. Mr. Clerk, read the Bill, on page 3 of the Calendar."

Clerk Bolin: "Senate Bill 3010, a Bill for an Act concerning local government. Third Reading of this Senate Bill."

Speaker Mautino: "Representative Brady."

Brady: "Thank you very much, Mr. Speaker and Ladies and Gentlemen of the House. Senate Bill 3010 is to... the purpose of the Bill is to clarify that a township by the vote of the township board, those elected township board members, may finance a building project such as a town hall or a senior center without seeking the referendum approval of the electors if, and only if, the township has the financing available and paid through existing township revenues and does not increase property taxes in the township. This Bill is an initiative of some townships,

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and particularly mine in Normal, that has the ability and funds existing to do that type of construction. The Township Association of Illinois supports it. I'm not aware of any opponents to the Bill that I've heard from. And I'll be happy to answer any questions."

Speaker Mautino: "The Gentleman moves passage of Senate Bill 3010. No one seeking recognition, 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. Arroyo, Mr. Davis, Mrs. Osmond. Mr. Clerk, take the record. 98 voting 'yes', 19 voting 'no', 0 voting 'present', Senate Bill 3010, having received the Constitutional Majority, is hereby declared passed. Mr. Ramey, Senate Bill 3176 appears on page 4 of the Calendar. Mr. Clerk, read the Bill."

Clerk Bolin: "Senate Bill 3176, a Bill for an Act concerning sex offenders. Third Reading of this Senate Bill."

Speaker Mautino: "Mr. Ramey."

Ramey: "Thank you, Mr. Speaker. We discussed Senate Bill 3176 to a pretty good extent last week and we had issues with the attached Amendment. So I went to the Sponsor of that Amendment, had it removed. So, currently we're working with the... when offenders are out of their permanent residence, making sure they have an itinerary instead of being gone for five days, for three days. And I ask for an 'aye' vote."

Speaker Mautino: "The Gentleman has moved passage of 3176. On that question, Representative Lang."



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Lang: "Thank you. Ladies and Gentlemen, I'd just like to thank the Sponsor for his responsiveness in dealing with this Amendment that was a problem for some of us over here. And I stand ready to support his Bill."

Speaker Mautino: "The Gentleman has moved passage of Senate Bill 3176. No one else 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 Wait, Representative Collins, do you wish to be recorded? Mr. Clerk, take the record. 117 voting 'yes', 0 voting 'no', 0 voting 'present', Senate Bill 3176, having received the Constitutional Majority, is hereby declared passed. On page 9 of the Calendar appears Senate Bill 3348. Mr. Clerk, what's the status of that Bill?"

Clerk Bolin: "Senate Bill 3348, a Bill for an Act concerning liquor. The Bill was read for a second time on a previous day. Amendment #1 was adopted in committee. Floor Amendment #2, offered by Representative Harris, has been approved for consideration."

Speaker Mautino: "Representative Harris on Floor Amendment #2."

Harris: "Mr. Speaker, I would like to withdraw Amendment #1 and move forward with Floor Amendment #2."

Speaker Mautino: "Amendment #2 is placed on the board."

Harris: "Okay. And Amendment #2 is identical to #1 with one change which clarifies that this language for service on premise only would apply to the small craft distiller."

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Speaker Mautino: "The Gentleman has moved adoption of Floor Amendment #2. On that question, the Gentleman from Cook, Representative Fritchey is seeking recognition."

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

Speaker Mautino: "He indicates that he will."

Fritchey: "Representative, just a quick question. This applies.. I have some establishments in and around my area that have gone into the... really, microbrewery business as well. Is this... is this just for distilled spirits or for microbreweries as well?"

Hassert: "Microbreweries are not affected by this legislation. This would create another class of liquor license. We've worked with the industry to create a license for artisan craftsmen who distill small quantities of spirits, very much like a microbrewery would in the beer industry."

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

Speaker Mautino: "The Gentleman moves adoption of Floor Amendment #2. All in favor say 'yes'; opposed say 'no'. The Amendment is adopted. Mr. Clerk, further Amendments?"

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

Speaker Mautino: "Third Reading. And read the Bill."

Clerk Bolin: "Senate Bill 3348, a Bill for an Act concerning liquor. Third Reading of this Senate Bill."

Speaker Mautino: "Mr. Harris."

Harris: "Thank you, Mr. Speaker, Ladies and Gentlemen. This is a piece of legislation that responds to a constituent request that Senator Steans and I had for the first time to create an artisan distiller in the State of Illinois. We have worked very closely with the liquor industry and the

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distributors to be sure that we preserve the three-tier system. This would create a new license which would apply for artisan distillers of spirits in quantities only under 5 thousands gallons of product per annum. I know of no opposition and I would be happy to answer any questions."

Speaker Mautino: "The Gentleman has moved passage of Senate Bill 3348. No one seeking recognition, the question is 'Shall this Bill pass?' All in favor vote 'yes'; opposed vote 'no'. Voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Representative Saviano. Mr. Clerk, take the record. 97 voting 'yes', 20 voting 'no', 0 voting 'present', Senate Bill 3348, having received the Constitutional Majority, is declared passed. Mr. Clerk, what's the status of Senate Bill 3659?"

Clerk Bolin: "Senate Bill 3659 is on the Order of Senate Bills-Third Reading."

Speaker Mautino: "Read the Bill. Excuse me. Mr. Clerk, place that Bill on Second Reading."

Clerk Bolin: "Floor Amendment #2, offered by Representative Currie, has been approved for consideration."

Speaker Mautino: "Representative Currie on Floor Amendment #2."

Currie: "Thank you, Speaker. I believe these are technical Amendments to the underlying Bill which is the proposed Illiana Expressway. I think that... wait a minute, wait a minute, wait. So, if this requires the contractor to locate its principal office in Illinois, describes the general vicinity of the highway and makes a lot of

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technical changes. I'd appreciate your support for the adoption of the Amendment."

Speaker Mautino: "The Lady moves adoption of Floor Amendment #2. No one seeking recognition, all in favor say 'yes'; opposed say 'no'. In the opinion of the Chair, the 'yesses' have it. The Amendment is adopted. Mr. Clerk, any further Amendments?"

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

Speaker Mautino: "Third Reading. And read the Bill."

Clerk Bolin: "Senate Bill 3659, a Bill for an Act concerning State Government. Third Reading of this Senate Bill."

Speaker Mautino: "Majority Leader Currie."

Currie: "Thank you, Speaker. This Bill is entirely permissive. It enables IDOT the opportunity to investigate the question whether some kind of crossed... cross... across state boundary road from I-65 to I-55 would be sensible somewhere in the Illinois Monee area, for example and if there is a determination that such a road would, in fact, decrease congestion on Highway 80, I-80, this would enable the state to enter into public private partnerships or to go ahead on its own to create such a road, working cooperatively with the government in Indiana. I believe Indiana has already approved legislation that would enable it to participate in a public private partnership with this Illiana Roadway in mind. I'd be happy to answer your questions and I'd appreciate your support for the measure."

Speaker Mautino: "The Lady moves passage of Senate Bill 3659. And the Gentleman from Vermilion, Representative Black."

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Black: "Thank you very much, Mr. Speaker. Will the Sponsor yield? Majority Leader Currie, this is a... a kind of a unique situation, but it's my understanding that while it is permissive, that this Illiana Expressway could be operated as a toll road, correct?"

Currie: "It could be. That would be a determination that would be made down the line, but even it were, our State Department of Transportation would still be in charge of the operations of such a road."

Black: "Okay. That was my question. It will not become an extension of the Illinois Tollway Authority?"

Currie: "It will not."

Black: "Okay. Thank you very much, Representative, for your... your answering the question. Ladies and Gentlemen of the House, I would simply call your attention to the fact that the original Bill had some language that was very important to some of us on extending enterprise zones, one of the few local economic development tools smaller communities have. And there's nothing... that was all stripped out and it looks to me like we won't get into the enterprise zone emolument for business and development until the fall Veto Session. So, I want you to make sure you understand that there's nothing in this Bill as constituted presently that deals with enterprise zones. And this was a very important Bill to my area, but that language is gone. And the only language in the Bill authorizes a permissive ability for IDOT to enter into agreements with private companies, private developers and develop a Illiana Expressway that I think would probably be a good idea. A lot of things need

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to be worked out, obviously, right-of-way, location, how in fact it will be operated. It is permissive language and if we can, in fact, build this expressway after all the environmental and archeological impact studies and the public hearings, probably be a good idea. I intend to vote 'yes'. I only wish that we still had the enterprise zone language included, but it appears that we'll have to wait for another day for the enterprise zone, which many of my downstate colleagues on both sides of the aisle realizes is a very important economic development tool, particularly, in smaller rural areas. So, this is what happens in the last few days. You've got a unique partnership ability here to build an expressway that will not be part of the Toll Highway Authority, and in some point in the future we can, I hope, readdress the enterprise zone legislation."

Speaker Mautino: "Further discussion? The Gentleman from Bond, Representative Stephens."

Stephens: "Thank you, Mr. Speaker. I want to thank the Majority Leader for adding me as a cosponsor on this legislation, and I added my name in respect to the enterprise zone language that I was hopeful would remain in the Bill. And for those who don't understand, for some reason, the enterprise zone and the importance they are to downstate Illinois, I would just point out that just this week in Bond County, my home county, we lost in some part because we hadn't extended the life of enterprise zones, in some part because of the cost of workers' compensation, unemployment, insurance costs, and the cost of energy in Illinois, we lost a \$230 million investment in a county

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that's worth less than that amount on the property tax rolls. Two hundred and thirty millions dollar investment in Greenville and Bond County would have meant over 600 construction jobs for the next few years, 180 jobs of a permanent nature on an average of \$65 thousand a year starting pay, all good paying union jobs that are now going to be in Missouri. I am disappointed that we haven't extended the enterprise zone language, and I hope that the Leader will help us in the Veto Session with that cause. But I would also send a message to the second floor. Governor, I called you six times, six times, three from my cell phone and three from the House Floor or my office on the sixth floor asking for a personal meeting with you. You didn't have time over the last five weeks, the last five weeks, to help us bring jobs to Illinois that would benefit the people of this state for generations to come. I'm disappointed, Governor. I'm told by the site selection committee chairman, when they chose Missouri, it was in large part because of the sort of leadership Illinois has lacked, lacked, over the last 8 or 12 years, Republican and Democrat, leaders who haven't understood that it's more about putting people to work than being the highest paid unemployed person in the line."

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

Rita: "Will the Sponsor yield?"

Speaker Mautino: "Indicates that she will."

Rita: "Does this Illiana public private partnership preclude public entities, for instance, for the tollway or other

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municipalities or groups that form together that construct and operate it?"

Currie: "No entity is precluded. This legislation is entirely permissive."

Rita: "Okay. And is there a reason why that it's not spelled out that way?"

Currie: "Well, the idea was to give maximum flexibility to the Illinois Department of Transportation to find a willing partner and to make the best deal possible. This is a hard time to begin building new roads and 25 miles in length, and it may well be that a private partner or some other public entity would be interested and able to pick up the slack. The important point... the one thing that is critical here, however, is working closely with the State of Indiana 'cause you wouldn't want to have a road that comes to a screeching halt at the border of one state or another or is five miles down the road rather than meeting where they should at the center."

Rita: "Thank you."

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

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

Speaker Mautino: "Indicates that she will."

Miller: "There's... there in our analysis, we're looking at issues concerning Home Rule. Does this eliminate the powers of any Home Rule community?"

Currie: "Yeah, to the extent that they might be doing something that would interfere with the planning of this new



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expressway. They should not be allowed to interfere with it."

Miller: "Okay. 'Cause understanding and in certain public private partnerships that it does make a difference if the governance is Home Rule or not Home Rule or the decision to be made. So, with that said, inquiry of the parliamentarian. How many votes do you need to pass this, then?"

Currie: "I'm sorry. Were you asking for an example? Well, for example, if they..."

Miller: "Will they need... Will they need..."

Speaker Mautino: "The... I believe..."

Miller: "I'm asking will they need a Supermajority to pass this because of that?"

Speaker Mautino: "The Gentleman has addressed his question to the Chair."

Miller: "Yes. Yes."

Speaker Mautino: "And you'd like to know..."

Miller: "Yes."

Speaker Mautino: "...if this requires a Supermajority. I will..."

Miller: "Yes."

Speaker Mautino: "If you want to go ahead and continue the debate, we'll speak with the parliamentarian."

Currie: "Thank you."

Speaker Mautino: "And I will get you that answer directly."

Miller: "Okay. And I think last... you were speaking to Representative Rita, you talked about the relationship between the State of Indiana and of course, Illinois and its authority. And so they would essentially be our

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conduit or liaison between our states and represent us in terms of trying to make sure this is established?"

Currie: "Right. The intention, as I say, it's totally permissive how this might happen, how it might develop, but it is absolutely the intention that whatever happens it is done and in concert with the State of Indiana."

Miller: "Okay. In terms of the procurement process and as it relates to Home Rule and non-Home Rule communities possibly, will it have to go through the state's RFP process?"

Currie: "Doesn't have any... it would be done through our fees as this is the state..."

Speaker Mautino: "Please grant the Gentleman an additional minute."

Currie: "It's the Illinois Procurement Code, which is State Law, that will govern. And under the Bill, the Department of Transportation would have to also go to COGFA and to the policy procurement board and they would have to make two recommendations to the Governor. The final decision, the final choice, of course, would be for the Governor to make."

Miller: "So, that would be essentially to go out to bid for whatever private interest would be interested in..."

Currie: "Do an RFP and see who comes."

Miller: "Okay. To the Bill. I do support this. This is a huge initiative in the southland region, I think, as Leader Currie had mentioned in terms of relieving some of the pressure off of I-80. This has been talked about prior to my arrival into the General Assembly and steps that try to

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get this expressway done, and with the creative abilities of a public private partnership, we need to make sure that all public private partnerships are looked at as we need to move to address our transportation needs in the future. I would ask for favorable votes on this."

Speaker Mautino: "The... Excuse me. Further discussion? The Gentleman from McHenry, Representative Franks."

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

Speaker Mautino: "She indicates that she will."

Franks: "I had a couple of questions, and I just learned about this late yesterday. Where is labor on this?"

Currie: "Labor is enthusiastically in favor of this Bill."

Franks: "Okay. That's what I thought. And I was looking at the analysis and I see that there's no quick-take provision in this, but it would not preclude eminent domain, would it?"

Currie: "Correct."

Franks: "Okay. And is there any cost to the State of Illinois at this point?"

Currie: "There is no cost at this point. If there were to be any cost, it would be money that we would be required to appropriate."

Franks: "So, what would... this Bill would do what, then? If there's no money costing the state..."

Currie: "It essentially says to the State of Illinois, if you're interested, if we discover that there is a need for this new roadway, then you may enter into various kinds of agreements with public or with private partners to make it happen and you will have to work cooperatively with the

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State of Indiana so that the roads match. But beyond that, it is entirely within the purview of the State Department of Transportation to initiate the study and to make a determination whether this is a sensible thing to do, put out requests for proposals and see where we go."

Franks: "Has Indiana already passed..."

Currie: "I believe they have."

Franks: "...a similar law?"

Currie: "Yes."

Franks: "Okay. Well, thank you. Thank you."

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

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

Speaker Mautino: "State your inquiry, Sir."

Black: "Thank you. On page 26 of the Bill, line 14, Section 120, it says 'prohibited local action; Home Rule. A unit of local government, including a Home Rule unit, may not take any action that would have the effect of impairing the public private agreement under this Act. This Section is a denial and limitation of Home Rule powers and functions under subsection (h) of Section 6 of Article VII of the Illinois Constitution.' And I can never remember how the parliamentary rules on the usurpation of Home Rule. So, our question is relatively simple. Does this require a simple Majority or a extraordinary Majority since Home Rule powers are usurped in this Bill?"

Speaker Mautino: "Thank you for that question, Sir. That was also asked by Representative Miller."

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Black: "I heard Representative Miller, but I don't think we got an official opinion, did we?"

Speaker Mautino: "No. And with a ruling, the parliamentarian is here with us, David Ellis."

Parliamentarian Ellis: "Representative Miller and Representative Black, on behalf of the Speaker in response to your inquiry, the legislation correctly identifies subsection (h) in Article VII, Section 6, and that is a 60-vote preemption. There is clearly a preemption of Home Rule, but it replaces local regulation with state regulation. And therefore, it's a 60-vote requirement."

Black: "I can never keep that straight. Maybe you should write that out and let us keep a copy in our files. Would you?"

David Ellis: "I will."

Black: "Thank you very much."

Speaker Mautino: "No one seeking further recognition, Representative Currie to close."

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

Speaker Mautino: "The Lady moves passage of Senate Bill 3659. 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 Feigenholtz, do you wish to be recorded? Mr. Clerk, take the record. 116 voting 'yes', 1 voting 'no', 0 voting 'present', Senate Bill 3659 is declared passed. Representative Mitchell."

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

Speaker Mautino: "State your point."

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Mitchell, B.: "Up in the balcony on the Republican side, I'd like the Lincoln Christian College folks to stand up. These are Lincoln Christian College. Their instructor is Sally Litterly who is the Logan County Clerk. So, I'd like to give them a big Springfield welcome. Thanks for coming."

Speaker Mautino: "Welcome to the House of Representatives. Representative May."

May: "Thank you, Speaker. A point of personal privilege, also. Here on the Democratic side, we have the fourth-grade class from Braeside School in Highland Park for TECH Day. They did a fabulous project about elections, teaching them about how to use their computers. They partnered with a school in Wales. I'd like to welcome them and report that the election was won by the Women of the World Party."

Speaker Mautino: "Welcome to Springfield. Page 7 of the Calendar appears Senate Bills-Second Reading, Senate Bill 1118, Representative Bradley. Out of the record. Page 7 of the Calendar is Senate Bill 1118. Representative Bradley. Mr. Clerk, read the Bill."

Clerk Bolin: "Senate Bill 1118, a Bill for an Act concerning business. 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. Read the Bill."

Clerk Bolin: "Senate Bill 1118, a Bill for an Act concerning business. Third Reading of this Senate Bill."

Speaker Mautino: "Out of the record. Page 4 of the Calendar is Senate Bill 3136. Place that Bill on the Order of Second

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Reading at the request of the Sponsor. Take that Bill out of the record. Representative Eddy, on page 9 of the Calendar appears Senate Bill 3610. Mr. Clerk, read the Bill."

Clerk Bolin: "Senate Bill 3610, a Bill for an Act concerning education. The Bill was read for a second time on a previous day. No Committee Amendments. Floor Amendments 1 and 2 have been approved for consideration. Floor Amendment #1 is offered by Representative Eddy."

Speaker Mautino: "Representative Eddy on Floor Amendment #1."

Eddy: "Thank you, Mr. Speaker. I just wish to adopt Floor Amendment #1, and that Amendment basically sets up the system in Illinois that would change the way we endorse school leaders, principals. It's a result of a lot of study over a period of years. In fact, just recently in the last few days, there've been conversations with university department heads, the Board of Higher Education, and recently, even, we learned the City of Chicago's CPS is fine with it. And I would move for the adoption of that Amendment."

Speaker Mautino: "Gentleman moves for adoption of Floor Amendment #1. All in favor say 'yes'; opposed 'no'. The 'yesses' have it. The Amendment is adopted. Mr. Clerk, further Amendments?"

Clerk Bolin: "Floor Amendment #2, offered by Representative Eddy."

Speaker Mautino: "Representative Eddy on Floor Amendment #2."

Eddy: "I wish to withdraw Floor Amendment #2."

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Speaker Mautino: "Withdraw Amendment #2. Mr. Clerk, any further Amendments?"

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

Speaker Mautino: "Third Reading. And read the Bill."

Clerk Bolin: "Senate Bill 3610, a Bill for an Act concerning education. Third Reading of this Senate Bill."

Speaker Mautino: "Representative Eddy."

Eddy: "Thank you, Mr. Speaker. This once again, very quickly, reforms and changes, adds to the way that school leaders and principal endorsements are obtained in the State of Illinois. It requires some internships and some additional training. We believe it'll help our Race to the Top application to add these enhancements. Be happy to answer any questions regarding the changes."

Speaker Mautino: "The Gentleman has moved passage of Senate Bill 3610. No one seeking recognition, all in favor will vote 'aye'; opposed vote 'no'. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Representative Boland, Collins, Feigenholtz, do you wish to be recorded? Representative Nekritz, do you wish to be recorded? Representative Soto. Mr. Clerk, take the record. 116 voting 'yes', 1 voting 'no', 0 voting 'present', Senate Bill 3610 is declared passed. Representative Eddy, on page 9 of the Calendar is Senate Bill 3681. Mr. Clerk, what's the status of this Bill?"

Clerk Bolin: "Senate Bill 3681, a Bill for an Act concerning education. The Bill was read for a second time on a previous day. Floor Amendment #1 has been adopted. Floor



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Amendment #2, offered by Representative Eddy, has been approved for consideration."

Speaker Mautino: "Representative Eddy on Floor Amendment #2."

Eddy: "Thank you, Mr. Speaker. This is the duplicative language Bill for the State Board of Education for cleanup. They offered some additional changes and I would just like to adopt the Amendment and answer any questions on Third, if folks have them."

Speaker Mautino: "The Gentleman has moved adoption of Floor Amendment #2 to Senate Bill 3681. All in favor say 'yes'; opposed say 'no'. The 'yesses' 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. And read the Bill."

Clerk Bolin: "Senate Bill 3681, a Bill for an Act concerning education. Third Reading of this Senate Bill."

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

Eddy: "Thank you very much, Mr. Speaker. Once again, this is language that the State Board of Education annually does some cleanup for duplicative language in the School Code or obsolete language and this Bill would accomplish their intent to remove that."

Speaker Mautino: "The Gentleman has moved passage of Senate Bill 3681. 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. 118 voting 'yes', 0 voting 'no', 0

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voting 'present', Senate Bill 3681, having received the Constitutional Majority, is declared passed. Representative Moffitt."

Moffitt: "Mr. Speaker, I rise to a point of personal privilege."

Speaker Mautino: "State your point."

Moffitt: "Thank you, Mr. Speaker. If the Body would look to the back of the gallery back here. I have one of my sheriffs down here. It's Sheriff Gib Cady from Henry County, and he's the second longest serving sheriff in the State of Illinois. Give... Sheriff Cady, would you stand. Welcome."

Speaker Mautino: "Welcome to the House of Representatives. On Supplemental Calendar #1 appears Senate Joint Resolution 72, Representative Will Davis. Out of the record. Mr. Pritchard, page 11 of the Calendar is House Bill 156. You filed a Motion to Concur. Representative Pritchard for a Motion."

Pritchard: "Thank you, Mr. Speaker. This Bill is one that has been amended in the Senate that deals with an issue in the Fox Chain of Lakes area that allows that organization to use some dredging in a navigable stream to be sold as top soil. It's very valuable and clean material, but they don't think that they have the authority to sell that cleaning that they are currently generating and there's no place to put it. So, I think it's a very creative way of generating some revenue from a good resource that people have in demand. I would ask for concurrence."

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Speaker Mautino: "The Gentleman moves that the House do concur in Senate Amendment #1 to House Bill 156. On that question, the Gentleman from Cook, Representative Fritchey is seeking recognition."

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

Speaker Mautino: "He indicates that he will."

Fritchey: "I obviously have no issues with the legislation. I'm just curious. Why do we need legislation to authorize them to be able to sell this material off?"

Pritchard: "Because the management of the water district feels that their charter does not allow it and they've had an opinion from the Department of Natural Resources that they need legislation to authorize the sale of the top soil."

Fritchey: "I'm not sure I get it, but that won't be the first time. So, okay. I appreciate it. Thank you."

Pritchard: "Thank you."

Speaker Mautino: "Representative Osmond."

Osmond: "Thank you, Mr. Speaker. I rise in support of this Bill. This Bill is an initiative of the Fox Waterway Agency, which does the entire Chain of Lakes which is a lake in McHenry County. They have had problems in the past with places to put dredge material, and low and behold, they found out that this material is very, very rich top soil when it's dried out in that. And now they have the ability to sell it and to make money and to try to be self-sustaining. So, I rise in strong support of this legislation."

Speaker Mautino: "The Gentleman has... excuse me. The Lady has moved that the House do concur with... excuse me."

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Representative Franks, I did not see your light. The Gentleman from McHenry is seeking recognition."

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

Speaker Mautino: "He indicates that he will."

Franks: "Representative, this Senate Amendment #1 deals exclusively with the Fox Waterway Agency, is that correct?"

Pritchard: "Who is suppose to answer that question? You want me to answer that one? Yes."

Speaker Mautino: "The Motion before us..."

Pritchard: "It... it..."

Speaker Mautino: "...is Representative Pritchard."

Franks: "Oh, I'm sorry. I didn't know if it was Representative Osmond answering that. Okay. Is there anyone opposed to this?"

Pritchard: "Excuse me?"

Franks: "Is there anyone opposed..."

Pritchard: "Not that..."

Franks: "...to what..."

Pritchard: "...I'm aware of."

Franks: "Okay. I know that the Fox Waterway Agency's been talking about doing this for years..."

Pritchard: "Yes."

Franks: "...about dredging the Fox and then finding a suitable place to dry the soil and the sediment, and then they can turn around and sell it. I'm wondering why we need legislation to accomplish this?"

Pritchard: "As I indicated, there has been an interpretation that they don't have the authority in their charter for

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this district. And therefore, they feel they need legislation to say that they can sell that dredging."

Franks: "Okay. So, this will be a net gain hopefully to the Fox Waterway Agency."

Pritchard: "Very much so."

Franks: "Well, I think it's a good Bill, and I appreciate you bringing it forward and I'd like to be added as a cosponsor, if I may."

Pritchard: "Thank you."

Franks: "Thank you."

Speaker Mautino: "The Gentleman has moved that the House do concur in... with Senate Amendment #1 to House Bill 156. All in favor vote 'yes'; opposed vote 'no'. This is final passage. Have all voted who wish? Have all voted who wish? Have all voted who wish? Representative Lang, do you wish to be recorded? Mr. Clerk, take the record. 118 voting 'yes', 0 voting 'no', 0 voting 'present', and the House does concur with Senate Amendment #1 to House Bill 156. This, having received the Constitutional Majority, is hereby declared passed. On page 18 of the Calendar, on the Order of Resolutions, appears House Resolution 1166. Representative May. Representative May."

May: "Yes. I have an Amendment I believe to adopt. Has it been added?"

Speaker Mautino: "Mr. Clerk."

Clerk Bolin: "Floor Amendment #1 remains in the House Rules Committee."

Speaker Mautino: "Take this Bill out of the record at the request of the Sponsor. Page 5 of the Calendar appears

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Senate Bill 3722, on the Order of Third Readings.  
Representative Smith. Mr. Clerk, read the Bill."

Clerk Bolin: "Senate Bill 3722, a Bill for an Act concerning  
local government. Third Reading of this Senate Bill."

Speaker Mautino: "Mr. Smith."

Smith: "Thank you, Mr. Speaker, Ladies and Gentlemen. This is  
a Bill that I had a couple of weeks ago and took out of the  
record at the request of Representative Black, had some  
questions for the State Fire Marshal's Office. This is an  
initiative of the State Fire Marshal. This would allow for  
them to assign unprotected areas that currently are not  
part of a fire department. They would be allowed... the Fire  
Marshal's Office would be allowed to assign these areas to  
a jurisdiction, either a municipal fire department or a  
fire protection district. I know of no opposition to the  
legislation. I think the question Representative Black had  
was regard to... perhaps that this might have happened in  
previous law before the Body. And I'm told by the Fire  
Marshal's Office that there was legislation affecting Cook  
County, but there are still unincorporated areas throughout  
the state that are not geographically part of either a  
municipal fire department or a fire protection district.  
So hopefully, that answers Representative Black's concerns.  
And as I said, I know of no opposition. I'd be happy to  
answer any questions."

Speaker Mautino: "The Gentleman has moved passage of Senate  
Bill 3722. On that question, the Gentleman from Vermilion,  
Representative Black is seeking recognition."

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Black: "Thank you very much, Mr. Speaker and Ladies and Gentlemen of the House. You know, when we... when we let the process work, it can work very well. And I just want to thank Representative Smith for giving me an opportunity to talk with the Fire Marshal's Office. I was under the mistaken impression that we had passed a manatary.. mandatory coverage law some time in the not too distant past, and I found out that it was... that was incorrect. It did not cover the entire state. But by Representative Smith following the process and letting people talk, it makes our jobs much easier. I simply rise to thank the Gentleman for his understanding, and I... it's more than happy at this time to get up and say that these... this Bill is a good Bill. It is supported by the fire protection districts, and certainly is deserving of your 'yes' vote."

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

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

Speaker Mautino: "He indicates that he will."

Reboletti: "Representative, I have a paper fire district, Bensonville Fire Protection District #1, and there's been some issues with the referendum there. This isn't... this isn't meant to go around any referendum or raise any taxes. This is meant to provide fire service if that particular fire protection district wasn't able to contract for services. The individual property owners, they could go the State Fire Marshal and they could get fire service. Is that what your understanding of this legislation is?"

Smith: "Yes, that is correct."

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Reboletti: "And so, would that be a property by property owner? I mean, this is a little bit different because you have about 600 houses and then businesses. Is that what would happen? Their contract expires October 31. If by November 1 they didn't have it, the process would be for the homeowner or would the entire district have to go seek that protection?"

Smith: "I... my understanding, Representative, is that it would be the district."

Reboletti: "The entire district would?"

Smith: "Right."

Reboletti: "Thank you, Representative."

Smith: "For an area."

Reboletti: "The entire... 'cause I've had some conversations with the Fire Marshal's Office. They said it would be a property by property issue. So, that was my one question to you. They said it would be property tax owner by property tax owner, not by the entire district. Is that... is that your understanding? It'd be the entire district that would have to come under?"

Smith: "I'm sorry. I stand corrected. You're right."

Reboletti: "And so, then it'll be up to the those individual owners, and so, if they chose to have to pay an additional tax burden, that would be on their own?"

Smith: "That's right."

Reboletti: "The other question I had, Representative, is that in situations where... if this Bill wasn't in place, and I'm not sure the terminology of what you already have neutral aid to respond regardless if there's something in place or



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not, would this potentially help alleviate if you have to... you have a response and then one of the communities could bill you?"

Smith: "That's correct, yes."

Reboletti: "And so, and that they then came onboard that they would just pay their share and then if there was a fire or emergency response all the taxpayers would be paying for that, not just them?"

Smith: "That's right. Right."

Reboletti: "Thank you, Representative."

Speaker Mautino: "The Gentleman has moved passage of Senate Bill 3722. All in favor will 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 McAsey, Osmond, Ramey, do you wish to be recorded? Representative Biggins. Mr. Clerk, take the record. 113 voting 'yes', 5 voting 'no', 0 voting 'present', Senate Bill 3722, having received the Constitutional Majority, is declared passed. Representative Black."

Black: "Mr. Speaker, I rise for a point of personal privilege."

Speaker Mautino: "State your point, Sir."

Black: "Yes. Former Illini coach Lou Henson called and wants Randy Ramey to bring his orange blazer back. Now, this guy has more blazers in different colors. I'm... I think... Ladies and Gentlemen, if you'll join with me, I think we should start calling him the Rainbow Man."

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

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Fritchey: "Thank you, Speaker. On a point of personal privilege."

Speaker Mautino: "State your point."

Fritchey: "I think with all deference to Representative Black's comments, I think we should embrace Representative Ramey as our very own Rickey Hendon."

Speaker Mautino: "On page 16 of the Calendar, under the Order of Resolutions, appears House Resolution 693. Representative Lyons."

Lyons: "Thank you, Mr. Speaker, Ladies and Gentlemen of the House. I actually have an Amendment to the Resolution. It's actually the wrong date was put in there. The underlying Amendment congratulates the credit unions on their Credit Union Day which will be this fall, but we put last year's date. So, I need the record to correct October 21, 2010 on line 7, should replace October 15, 2009. So, I'm hopeful of the adoption of the Amendment and then the option of the union... the Amendment as corrected."

Speaker Mautino: "The Gentleman moves the House adopt Floor Amendment #1 to House Resolution 693. Seeing no objections, all in favor say 'yes'; opposed 'no'. The 'yeses' have it. The Amendment is adopted. Representative Lyons to the Resolution."

Lyons: "And the Resolution merely congratulates the credit unions throughout the State of Illinois and across the country. Their annual credit union recognition day across the country will be celebrated on October 21, 2010. So, I ask for your favorable consideration on the Resolution."

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Speaker Mautino: "The Gentleman moves the House adopt Resolution 693. All in favor say 'yes'; opposed 'no'. The 'yeeses' have it. And House Resolution 693 is adopted. On page 18 of the Calendar is House Resolution 1171, Representative Lang."

Lang: "Thank you, Mr. Speaker, Ladies and Gentlemen. Earlier this year there was a Bill to make substantial changes in how insurance carriers handle psoriasis. The Bill was very controversial, and the reason it turned out to be controversial is that there was an allegation by the proponents that it would save costs for people and for insurance companies. So, this... while the Bill didn't go anywhere, this Resolution would urge a study of the cost for both sides. I know of no opposition to the Resolution and ask your support."

Speaker Mautino: "The Gentleman moves that the House adopt House Resolution 1171. No one seeking recognition, all in favor say 'yes'; opposed 'no'. The 'yeeses' have it. And House Resolution 1171 is adopted. The Gentleman from DuPage, Representative Ramey is seeking recognition."

Ramey: "Point of personal privilege, Mr. Speaker."

Speaker Mautino: "Yes, Lou, go ahead."

Ramey: "I believe my name was used on the House Floor a couple of times. I just would like to address a few issues here. I understand there is jealousy amongst the players here. I know that another Representative is very jealous of the vest I have underneath this jacket, becoming the Representative of the year from a ABATE, so I know that can throw a lot of... a lot of stirring of emotions in this room."

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And the jackets that I wear, obviously, we know about the red jacket and how it has evolved... hold on Bob, into... into now a part of history of this House that every first Bill being read on this floor that they have to have a red jacket on, you know, that has to be consistent now. But now with the orange jacket, if you all recall, Representative Phelps banned this jacket about three and a half years ago when Illinois lost to Michigan in a basketball game. So, I brought it out today in honor with my vest, cause the orange matches, bringing out Illinois, rooting on Illinois, hopefully for a good recruitment class going into the summer sessions for football. But obviously, there will be no losses this evening for any Illinois collegiate team, and you know, and this jacket formerly was worn in the Republican National Convention by one gentleman, formerly was in this House and ran the other House, the Senate. And so I thought a bit of history brought to the House Floor would be very well. So, if there's any other questions, I'll be happy to answer them."

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

Black: "Well, it's always good to be enlightened, Mr. Speaker. But I would think, if you look at this blazer, the man would have had the common courtesy to take Senate Page off the jacket. Obviously, there's a Senate Page over there who's missing his jacket. And awhile ago, he bent over to pay his... to tie his shoe, and I thought it was Halloween. I thought that the giant pumpkin had come in on the House Floor."

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Speaker Mautino: "Representative Reitz."

Reitz: "Thank you, Mr. Speaker. Looking over, I think Representative Ramey looks real good in that jacket, but on a monitor... but on a monitor it looks just like your red one. They both look pink. Just so you know."

Speaker Mautino: "Representative Durkin is seeking recognition."

Durkin: "A point of personal privilege."

Speaker Mautino: "Absolutely."

Durkin: "I just want to congratulate Representative Ramey for breaking new barriers by bringing the first glow-in-the-dark blazer into the House of Representatives. I believe it also has an off and on switch on the bottom right pocket, but also, I think we also need to just pay tribute to the fact that he has carried on and passed along a... a wonderful tradition of style in contemporary clothing which was initiated by his stepfather many years ago."

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

Winters: "Thank you, Mr. Speaker. I also rise on a point of personal privilege. I would add that we may start another into where a... tradition here on the House Floor that if you wear the orange blazer, that we may have to bring out a certain trophy that would include membership in the Century Club, if you choose to run a Bill in that orange blazer. I'm sure that the current holder of the trophy would be more than happy to pass it along."

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

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Fritchey: "Thank you, Speaker. Again on a point of personal privilege. I just happened to get off the phone. I just wanted to advise Representative Ramey that the director of DNR did just call and wanted me remind you it's not hunting season yet and you may want to remove that jacket. And also, we also received a call from Senator Hendon's office, and he said that you will not be in his category unless and until you show us that you have the shoes that actually match that jacket."

Speaker Mautino: "The Gentleman from White, Representative Phelps."

Phelps: "Point of... point of personal privilege, Mr. Speaker. Representative Ramey used my name. Now, seeing you in that vest, can you do us all a favor and put the jacket back on."

Speaker Mautino: "Representative Mitchell."

Mitchell, J.: "Thank you, Mr. Speaker. And just to let the former Representative know that I think Representative Ramey was doing that in honor of turkey season that was in last week."

Speaker Mautino: "Representative Verschoore, on page 18 of the Calendar appears House Resolution 1104."

Verschoore: "Thank you, Mr. Speaker, Ladies and Gentlemen. All this Resolution does is name... or set aside May 16 through the 22 as the Public Works Week. And I'd ask for an 'aye' vote. Be happy to answer any questions."

Speaker Mautino: "The Gentleman moves adoption of House Resolution 1104. No one seeking recognition, all in favor say 'yes'; opposed 'no'. The 'yeses' have it. And the

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House does adopt House Resolution 1104. On the Order of Resolutions, Senate Joint Resolution 72, under Supplemental Calendar #1. Representative Davis."

Davis, W.: "Thank you very much, Mr. Speaker, Ladies and Gentlemen. Ladies and Gentlemen of the House, Senate Joint Resolution 72, as amended, commends the Illinois Food Marketing Task Force for their... commends them for their recommendation to create the Illinois Fresh Food Fund. This fund was created and funded in the capital Bill that we passed last spring. It also asks that the Illinois Food, Farms and Jobs Council to assist DCEO in implementing the Illinois Fresh Food Fund. The Fresh Food Fund will incentivize and facilitate the creation of grocery stores and purveyors of fresh foods to help eliminate food that are statewide. One of the reasons that we're also pushing this is that when you look at some of the illnesses, particularly those that plague the African-American community like high blood pressure, obesity, diabetes, we certainly hope to incentivize the building of grocery stores and the expanding of existing grocery stores, and encourage them to make sure that fresh foods... fresh fruits and vegetables are available to help deal with some of these issues. The language creating a new task force for... of the General Assembly Members to consider creating a Fresh Food Fund is no longer in this Bill. This Resolution originally was introduced last May prior to the capital Bill containing such a fund. So, to Representative Coles' question earlier today, again, that language creating a

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task force of the General Assembly is no longer in the Bill. Be more than happy to answer any questions."

Speaker Mautino: "The Gentleman moves the House adopt Senate Joint Resolution 72. And on that question, the Gentleman from Vermilion, Representative Black."

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

Speaker Mautino: "He indicates that he will."

Black: "Representative, I apologize, I don't have a copy of the Resolution. But if I heard you correctly, it says to encourage fresh food or grocery stores in underserved areas. Is that in their grocery stores or markets in underserved areas?"

Davis, W.: "Well, yes... yes, Representative. The original fund, as it came out of the capital Bill and what the original Resolution was done... was created to do, was to encourage that type of development. Grocery stores in underserved or food desert areas, as we call them now, hopefully expand existing grocery stores and encourage them to make sure that they have fresh fruits and vegetables. That was the original Resolution and that's what it did. The Amendment, that was just passed out of committee, is almost like a congratulatory statement added to the Resolution which commends that Food Marketing Task Force for their recommendations to create this Fresh Food Fund that was created in the capital Bill."

Black: "All right. So, is this sentence still in the Resolution, page 1, line 15, 'Whereas, more than a half a million Chicagoans live in three areas of the city



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identified as 'Underserved Areas' when it comes to basic nutrition.' Is that language still in the Resolution as adopted?"

Davis, W.: "Representative, I believe it is."

Black: "Okay."

Davis, W.: "I think..."

Black: "Representative, I don't have any problem with your Resolution. In fact, I commend you. The only thing I would say, and again, I don't live in Chicago, all I know about Chicago is what I read in the two major metropolitan daily newspapers, and it just seems odd to me, and I'm sure you're on the right side of the issue, whatever the right side of that issue must be, but I've never understood why the city council of Chicago turns away the Wal-Marts and the other supermarkets of the world, coming to the south or southwest side of Chicago where you need those kinds of mega grocery stores, because of some argument over wage scales or union membership. It's a great Resolution. I just... I'd love to go with you to present it to the Chicago City Council some day and say, there are people willing to come into these underserved areas, not only create jobs but give more food choices. Let them come in, you know, but..."

Davis, W.: "Well, Representative..."

Black: "I've never understood the ways of the Chicago City Council."

Davis, W.: "Not to prolong this conversation any more than it needs to be, but one thing I will say to your point, in the 9th Ward of Chicago, which is part of the City of Chicago that I serve, I recently went to a presentation where Wal-

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Mart has agreed to anchor a large scale development on the south side of Chicago right along the Bishop Ford between 111th Street and 103rd Street. So, there is some effort to do exactly what you're just saying despite how some communities are fighting bringing a Wal-Mart store in that has the grocery store component. There is one being built on the south side. I'm encouraging those developments in the south suburbs, which I already represented as well, and in addition to big box stores like that, recognizing that there are some neighborhood stores..."

Black: "Absolutely."

Davis, W.: "...that could benefit from that where people can walk to in the absence of public transportation or their own vehicle. So, this is trying to build every segment of that big box as well as local neighborhood stores so that every one can indeed be served in the matter in which you're stating."

Black: "Couldn't agree with you more, and that's why we look to you for leadership on this and other issues."

Davis, W.: "Thank you."

Black: "And I'll move up there. Under Motor Voter, I can probably vote for you anyway."

Davis, W.: "Thank you very much, Representative."

Speaker Mautino: "Representative Davis to close."

Davis, W.: "Thank you very much, Mr. Speaker. You've heard conversations about what we're attempting to do with this, and exactly what the Amendment to the Resolution does. I certainly... simply just ask for the adoption of this Resolution. Thank you."

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Speaker Mautino: "The Gentleman moves that the House adopt Senate Joint Resolution 72. All in favor say 'yes'; opposed 'no'. The 'yesses' have it. And the House does adopt Senate Joint Resolution 72. Representative Davis is seeking recognition."

Davis, M.: "I rise, Mr. Speaker, for a point of personal privilege."

Speaker Mautino: "Certainly, state your point."

Davis, M.: "A friend of mine is visiting Springfield, I haven't seen him in a very long time. I knew him when he was a very young kid, Mr. Brian Cooper, who is now the President of his local of ASCME. Mr. Cooper, if you're there, we're going to give you a nice Springfield welcome. Wherever you are."

Speaker Mautino: "Welcome to the House of Representatives. On page 9 of the Calendar appears Senate Bill 3721. Mr. Clerk, what's the status of that Bill?"

Clerk Mahoney: "Senate Bill 3721, a Bill for an Act concerning safety. Third Reading."

Speaker Mautino: "Read the Bill. Representative Currie."

Currie: "Thank you, Speaker, Members of the House. This is an initiative of the Environmental Protection Agency to enhance requirements that are applicable to the current Clean Construction and Demolition... Demolition Debris Law. When the Bill becomes effective, it would require a variety of things: manifesting of all CCDD and soil sent to CCDD fill operations, requiring the excavator of soil sent to the CD... CDD fill operator to certify that the soil is not contaminated. If the soil is from an industrial or

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commercial site, a licensed professional engineer will have to certify that the soil indeed is not contaminated. Enhances the enforcement authority of the Illinois Environmental Protection Agency by permitting fines for those who violate the law. Provides for fees so that the IEPA and local government both will have enhanced ability to enforce the law. For the first time, requires those that say they are accepting 'clean fill soil' to register with the EPA. Currently, these sites are totally unregulated. The Bill also authorizes IEPA and the Pollution Control Board to develop rules that will provide standards for determining what constitutes clean soil so that groundwater is protected. Allow for the proper placement of soil and CCDD in the facility. Allow for liners or other barriers. Other requirements such as groundwater monitoring. Allows the board to develop alternatives to the use of CCDD as filling quarries, for example, asphalt recycling. And allow for financial assurance requirements on CCDD facilities. The rule making authorized by this legislation may include provisions for fill disposal sites other than quarries. So, the City of Chicago joins IEPA in supporting this Bill, and does believe that it needs greater opportunity to assess the effectiveness of the contractors it employs. I would be happy to answer your questions, and I would appreciate your support for this EPA initiative that will provide for greater regulation of what goes into the ground across the State of Illinois."

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Speaker Mautino: "The Lady moves passage of Senate Bill 3721.

And on that question, Representative Beiser."

Beiser: "Thank you, Mr. Speaker, Members of the House. To the Bill. I just want to say I'm a strong supporter of this and for the following reasons. Right now, I would venture a guess that 90 to 95 percent of the quarries in this state are not registered with the EPA, even though they all say they accept clean fill. For the first time, and the first time ever, we will be able to know where they're at, and have the EPA to do the necessary inspections and/or enforcement that comes along with this Act. So, it's important. These quarries are accepting this now, we don't know where they're at. We will now. This will establish fees that will enforce... allow the IEPA to enforce this Bill. It allows them to not only do that, but it allows them to have administrative fines. And it provides new testing requirements on the part of those who opt to excavate soil to make sure that it's clean and uncontaminated. And it also includes... it has to include a clean certification from a professional engineer on all soils excavated from industrial and commercial sites. For all these reasons, I think it's a good Bill. The IEPA... it's an initiative as the Majority Leader says. It's my impression that, since the committee hearing, the Sierra Club has gone neutral on the Bill. And for all the reasons I've mentioned, I would urge all to support this Bill and give it an 'aye' vote."

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

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Fortner: "Thank you, Mr. Speaker. I rise in strong support of this Bill. This has been a problem for a number of years where we have not had any sound regulation for what does it mean to have clean fill. We don't have any regulation. It would be nice to be able to say, well, we're just going say right here in statute this is what it is. But I know that for three years there's been negotiations, and we've not been able to do that. We're now actually doing the right thing, which is to say, let's have the experts, EPA, through them to the Pollution Control Board, establish the standards for what type of fill that we'll have, with a clear and fixed date certain, that we will be able to say we know what is clean fill, how to regulate the filling of our quarries and other facilities that would be taking this type of construction debris. Because the problem underlying that we have is that when we have soil, we can say, well, this has never been built on, it's clean, but what if it's been built on but it's been fully remediated and it's met all the criteria for mediation. We should be able to still transport that and move that as well. This will provide us with the rules that will make it clear what those standards are and how we can go forward. I think, though, this is not perfect, this is the result of a lot of difficult negotiation. And I commend the Sponsor for bringing this forward in a way that will protect us all in the future with... once we have these rules in place. I urge an 'aye' vote."

Speaker Mautino: "Further discussion? Representative Holbrook."

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Holbrook: "Thank you, Speaker. To the Bill. Last night at a late hour, about 8:00 or later, as I went through the witness slips and announced them, I was incorrect. Robert Schillerstrom is the board chairman, and he was... one moment... the president of it supports the Bill. However, the county is an opponent to it, I believe, I want to correct that. As I read the slips and read many of them through last night, that was incorrect on my part. I had a deck of slips that I read through and that was a mistake, and I want to make that clear to everyone. The second one is, I truly prefer a moratorium on this quarry and gravel pit dumping of anything but pristine or virgin top soil from the farms, but that's not going to happen. And in this case, this by far is the best solution to this dilemma we have. These are throughout the state; they're unregulated, and very haphazard on enforcement only upon complaints. And I know Representative Fortner and Representative Tryon and I worked through this last year trying to develop these regulations, just under... almost similar to what we hope the Pollution Control Board will adopt. So with that, even though I voted 'no' last night in committee, I have to after reflecting on it even further, this is by far the best solution we're going to get, and I'll be supporting this Bill. And I apologize for any mistake on the announcement last night of proponents and opponents at the time. Thank you."

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

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

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Speaker Mautino: "Indicates that she will."

Nekritz: "Leader, this Bill gives the Illinois Pollution Control Board broad rule making authority to adopt requirements for fill sites that take clean construction or... and demolition debris that CCDD or uncontaminated soil. The board's rules would have to include requirements necessary to protect groundwater. Would this Bill allow the board to adopt requirements similar to the requirements that apply to inert waste landfills?"

Currie: "Yes. If the Pollution Control Board felt that such requirements were necessary, this Bill would allow it to adopt requirements similar to those that apply to inert waste landfills. The rule making authorized by this legislation may include provisions for fill disposal sites other than quarries."

Nekritz: "And could that be something... Representative, could that be something like the liners?"

Currie: "Sure. Absolutely. That's specifically referenced in the Bill."

Nekritz: "Very good. Thank you."

Speaker Mautino: "Further discussion? The Lady from Lake, Representative May."

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

Speaker Mautino: "She indicates that she will."

May: "Yes. Thank you. I was concerned in committee last night that perhaps with the Pollution Control Board having two years to adopt rules and set parameters for this that it might be some sort of a holiday. I was concerned that quarry owners would maybe just walk away from a site and



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that there wouldn't be any protections there, and there were very good answers. Could you just read into the record or state for the record that the taxpayers will not be responsible in this case? That was my concern."

Currie: "And nothing in this Bill changes the liability for operators who provide for toxic problems and nothing will change in that respect under this Bill. So, I think the taxpayers should not be fearful that anything in this Bill would provide them with any greater responsibility than we bear today. The owners are the responsible parties. They are the ones who would bear the cost."

May: "And in other Sections of the law, the EPA has that control right now so that there is no..."

Currie: "That's right."

May: "...gap?"

Currie: "Correct."

May: "Okay. Thank you. I just wanted to state that this is a step forward that the industry is voluntarily supporting fees so that there can be monitoring and watching. While we were concerned at the lateness of the hour and some uncertainty, I voted 'no' in committee, but the Sierra Club is neutral and I've gotten further information and intend to support the matter. Thank you."

Speaker Mautino: "Further discussion? The Gentleman from McHenry, Representative Tryon."

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

Speaker Mautino: "She indicates that she will."

Tryon: "Thank you. Representative Currie, certainly want to thank you. Representative Holbrook and I worked on this

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last year, learned very quickly that all dirt was not created equal, that there was dirt of different risk levels, and that's kind of the point of my question. I wanted to... for the record, I think people need to understand that if I operate a quarry, a gravel pit, and all I'm doing is taking daily fill cover, and that daily fill cover came from an agricultural farm or came from a road building project or came from a residential use, and is considered a low risk source of fill, I don't have to submit that in any kind of testing requirements. That's correct?"

Currie: "You answered the question correctly."

Tryon: "Okay. So, really what we're trying to get at is... is contaminated fill material and trying to make sure that we're placing it in a proper place with the proper safeguards, correct?"

Currie: "Exactly."

Tryon: "Okay. One of the things, as you know, and I mentioned this in committee, in McHenry County we have 32 operating aggregate extraction operations in our county. So, it's... to McHenry County, that's a big business to us and we want to make sure that everybody's treated fairly. And I talked to a few of those operators this morning, and one of their concerns is that, occasionally, this... this Bill applies to operations that are excavated or mined. And sometimes they're a big filling operations for somebody that might want to fill a lowland area in to build something on in the future, and the question was proposed to me, in these areas where there are individuals accepting large amounts of

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fill, maybe in excess of 2 to 10 thousand yards of fill, maybe we wouldn't be amenable next year to coming back and saying a site, any site that takes maybe 10 thousand yards of fill would have to be subject to those same criteria.

Is that something you think you'd be willing to explore?"

Currie: "I'd be happy to work with you..."

Speaker Mautino: "Please allow the Gentleman to finish his statement."

Tryon: "I want to, again, I know how difficult this was, and I know the industry and how divided they are, and I, like Representative Fortner, believe that this was probably a good compromise, and hopefully we'll get the right rules out of the Pollution Control Board and deal with the risk levels that we... of soil that we tried to address originally. So, thank you."

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

Colvin: "Thank you, Mr. Speaker. I'm going to be real brief and stand in support of the Bill, and commend Leader Currie for her hard work in bringing this Bill together. It's been a long time coming. And really, hailing from the City of Chicago, wanted to speak with regard to the significant savings it would bring to the City of Chicago, and despite it being the fact that this is something that the IEPA has been at the table and negotiated. It is my understanding, Leader Currie, that the Sierra Club is neutral on this Bill as well as other environmental groups?"

Currie: "As is the Environmental Law and Policy Center."

Colvin: "Yes."

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Currie: "There's no opposition from environmental groups nor from the state's Attorney General's Office."

Colvin: "Right. And I know it didn't start that way, so, this Bill has come a very long way. Again, for the City of Chicago, this has really been a boondoggle because it's costing so much, and when you look at the unintended consequences of when this law was first passed, but dealing with the clean construction and demolition debris, making sure that we dispose of those materials safely, and the way this Bill is drafted, it will bring a considerable savings of millions of dollars to the City of Chicago in a very tough economic time. This will be a great plus for the City of Chicago as they continue to struggle with their own budget deficits. And I urge an 'aye' vote. Thank you."

Speaker Mautino: "Further discussion? Representative Kosel."

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

Speaker Mautino: "She indicates that she will."

Kosel: "I think I heard from Representative May that it would take two years to write the rules for this Bill. Is that correct?"

Currie: "That's right. The Environmental Protection Agency would have a year to propose a rule making, and the board would have another year to go ahead and adopt rules. But in the meantime, there will be some regulation of these sites. Regulation that is not on the books today."

Kosel: "And what kind of regulation will protect the groundwater from the consumers, because there's just a whole bunch of these quarries within Will County which is part of the district that I represent, and we have a

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tremendous amount of people who are on well water, including myself. So, what kind of protections do we have that..."

Currie: "Well, right now, I would say very little. But under this Bill, immediately, the operators of those quarries that take other than the agricultural products, that Representative Tryon mentioned, they will have to be... they will have to be permitted by the agency. They will have to pay fees, and they will have to manifest what comes to them. They will have to, in a sense, let the agency know what they've got. So, the agency will begin to have not only the resources to enforce strong standards but an ability to find out what is going on in... what is going into those quarries in your area today."

Kosel: "But... but there are no standards listed within this Bill for that two-year period?"

Currie: "Nothing... nothing changes. Whatever standards exist, exist. It is illegal to dump certain items in... in sites that do not have liners today, for example, but under this Bill, the Environmental Protection Agency might be able to find out where that illegal activity is happening. Today, they don't have much opportunity unless there is some kind of terrible leak or explosion or what have you."

Speaker Mautino: "The Lady's time has expired. Would you grant her an additional minute?"

Kosel: "Under this Bill, the person who has this type of waste has two options. They can put it in a landfill or they can... which is a lined regulated landfill or they can put it into these quarries that currently are not lined. What is

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the difference in cost between those two methods of disposing of a truckload of dirt?"

Currie: "A very, very significant. I think about \$60 if it's going to a quarry and 400 and something if it's going to a facility with a liner."

Kosel: "And where's most of this waste coming from?"

Currie: "Well, I think it's coming from wherever construction is happening."

Kosel: "Okay. Thank you."

Speaker Mautino: "Further discussion? Representative Dugan."

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

Speaker Mautino: "She indicates that she will."

Dugan: "Yes. Leader Currie, I just wanted to make sure, I know there's been concerns brought forward from some of the other counties and one that I represent in Will County. We understand that they've... you guys have worked on, with this Bill, worked very closely with them, so I just want to make sure that what we understand, that as the rules are designed that I understand counties are going to be involved so that some of the other concerns, we can make sure that all the concerns are addressed. Is that what you believe to be the case?"

Currie: "Absolutely, Representative. And remember, that in the meantime, in this two-year interval, the counties under this Bill are going to get additional resources to do their own enforcing. So, the county chair in Will is neutral, is not an opponent of the Bill."

Dugan: "Correct. And I, in fact, I just got off the phone with... I just wanted to make sure, going forward with the

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rules, that even maybe some other concerns that they will be involved in that. Thank you very much."

Currie: "Yes."

Speaker Mautino: "Further discussion? Representative Myers.

Excuse me. Representative Thapedi."

Thapedi: "Thank you, Mr. Speaker. Will Leader Currie yield for a few inquiries?"

Speaker Mautino: "She indicates that she will."

Thapedi: "Thank you. Leader Currie, if this Bill passes, will the landfills be held to a higher standard per EPA regulations when operating their landfills and accepting these materials?"

Currie: "There will be the opportunity for the EPA to enforce existing law because they will have better information about what is going into quarries and fill sites."

Thapedi: "Thank you. We heard someone mention earlier lining. Will these landfills be required to line or install a liner in the areas that this material will be accepted?"

Currie: "Some material today can only go into facilities that have liners, waste... disposal facilities because of the toxic nature of the items in the fill. So, this does not directly address that, but it does ask the Pollution Control Board, after the Environmental Protection Agency sets them some parameters, to adopt rules that clarify what things need to go into facilities with liners, what things don't, what other kinds of fill facilities we might design and support."

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Thapedi: "Okay. Will the quarries be required to test every load to make sure that contaminated loads are properly rejected in the necessary case?"

Currie: "The board rules could require that, but that is not current law today."

Thapedi: "Okay. And lastly, will the county, township or municipalities receive a host fee per load for quarries that accept these materials?"

Currie: "Yes."

Thapedi: "Thank you, Leader."

Speaker Mautino: "Representative Coladipietro."

Coladipietro: "Thank you, Mr. Speaker. There's been some confusion as to the position of DuPage County, and I just wanted to clarify for the record that the DuPage County Chairman Bob Schillerstrom supports the legislation, and that the DuPage County Board has no position."

Speaker Mautino: "Representative Currie to close."

Currie: "Thank you, Speaker. We've had a good, open, lengthy discussion. I urge your 'aye' votes."

Speaker Mautino: "The Lady moves passage of Senate Bill 3721. All in favor vote 'yes'; opposed vote 'no'. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Mr. Clerk... Representative Ford, Representative Golar, Representative Howard, do you wish to be recorded? Representative Jackson. Mr. Clerk, take the record. 94 voting 'yes', 22 voting 'no', 2 voting 'present', Senate Bill 3721, having received the Constitutional Majority is hereby declared passed. Representative Myers."



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Myers: "Point of personal privilege, Mr. Speaker."

Speaker Mautino: "State your point, Sir."

Myers: "Behind me in the gallery today are students from Western Illinois University that are members of a graduate class, their advisor Dr. Garry Johnson. They're down here to talk the Illinois Board of Higher Education and the Illinois Community College Board and observe the Legislature in action. Please welcome them to Springfield."

Speaker Mautino: "Welcome to the House of Representatives. Representative Myers. Out of the record. The Gentleman from Cook, Representative Miller is seeking recognition."

Miller: "Thank you, Mr. Speaker. Inquiry of the Chair. What are we... what's going on?"

Speaker Mautino: "Is that a rhetorical question?"

Miller: "No, no. Well, I mean, you know, in this... in an issue of time efficiency, and I'm not suggesting this now. There are a few Members who won't be back, coming back for Veto Session, and is there any indication for them to never speak again on this floor or to... or actually some Members not even coming back after Veto Session. And if that be the case, you know, I would like to schedule mine maybe like some time in November or afterwards and I wanted to know, like, is there a lineup or what's going on with that. And maybe the parliamentarian can rule on that."

Speaker Mautino: "Thank you. No. There is quite a bit of work remaining to do. Some Amendments are being filed by both sides and we will be having committees later."

Miller: "Okay."

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Speaker Mautino: "So, we're just waiting..."

Miller: "Thank you, Mr. Speaker."

Speaker Mautino: "...for the paperwork to process."

Miller: "Okay. Thank you."

Clerk Mahoney: "Referred to the House Committee on Rules is House Joint Resolution 121 offered by Representative Franks."

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

Bost: "Thank... thank you, Mr. Speaker. An inquiry of the Chair."

Speaker Mautino: "State your inquiry, Sir."

Bost: "Well, Mr. Speaker, this morning, after reporting the absentees, I mentioned that everyone on this side of the aisle was more than willing... and ready to do the work of the people, and that we were happy as birds with french fries. I think the happiness meter's about wore off... or the fun meter's about paid and the happiness is beginning to wear off. Do you know... have any idea what our plans are and can we be told, you know, what we're wanting to do and what we're going to do. And I know committees are at 4, but can you kind of give us a rundown?"

Clerk Mahoney: "Attention Members. The Rules Committee will meet immediately in the Speaker's Conference Room. The Rules Committee will meet immediately in the Speaker's Conference Room."

Speaker Mautino: "Mr. Clerk."

Clerk Mahoney: "Rules Report. Representative Barbara Flynn Currie, Chairperson from the Committee on Rules reports the

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following committee action taken on May 6, 2010: approved for floor consideration, referred to the Order of... referred to the House Floor, recommends be adopted is Amendment #1 to House Resolution 1166; recommends be adopted on the Order of Resolutions is Senate Joint Resolution 82."

Speaker Mautino: "Representative Osmond is seeking recognition."

Osmond: "Thank you, Mr. Speaker. The Republicans would wish to caucus for one hour."

Speaker Mautino: "The House... Mr. Clerk, committee schedule."

Clerk Mahoney: "Committee announcements. Meeting at 5 p.m., the following committees at 5:00 p.m.: Executive Committee in Room 118, Personnel & Pensions in Room 115, Counties & Townships in Room 413, Stratton, Health & Healthcare Disparities in Room C-1, Stratton, Public Utilities in Room D-1, and State Government Administration in 114. Those committees all meet at 5 p.m. At 5:30 p.m., Revenue & Finance will meet in Room 122B, Revenue & Finance in Room 122B at 5:30."

Speaker Mautino: "The House will stand in recess until the hour of 6 p.m."

Clerk Mahoney: "State Government Administration will meet immediately in recess in Room 114. State Government Administration will meet immediately in Room 114. House Rules Committee will meet immediately in the Speaker's Conference Room. The Rules Committee will meet immediately in the Speaker's Conference Room."

Speaker Lang: "The House will be in order. Mr. Clerk, Committee Reports."

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Clerk Mahoney: "Rules Report. Representative Barbara Flynn Currie, Chairperson from the Committee on Rules reports the following committee action taken on May 6, 2010: approved for floor consideration, referred to the Order of recommends be adopted the following Amendments to the following Bills: Amendment #3 for floor consideration is Senate Bill 326, Amendment #2 to Senate Bill 1211, Amendment #3 to Senate Bill 2168, Amendment #2 to Senate Bill 3576. On the Order of Concurrence, Motions to Concur: a Motion to Concur in Senate Amendments 1 and 2 to House Bill 4658, a Motion to Concur in Senate Amendment #1 to House Bill 4691, a Motion to Concur in Senate Amendment #1 to House Bill 4984, a Motion to Concur in Senate Amendments 1 and 2 to House Bill 4990, a Motion to Concur in Senate Amendments 1 and 2 to House Bill 5055, a Motion to Concur in Senate Amendment #1 to House Bill 5150, a Motion to Concur in Senate Amendment #2 to House Bill 5191, a Motion to Concur in Senate Amendments 1 and 2 to Senate... to House Bill 5290, a Motion to Concur in Amendments 2 and... Senate Amendments 2 and 3 to House Bill 5350, a Motion to Concur in Senate Amendments 2 and 3 to House Bill 5429, a Motion to Concur in Senate Amendment #1 to House Bill 5513, a Motion to Concur in Senate Amendment #1 to House Bill 5515, a Motion to Concur in Senate Amendment #1 to House Bill 5732, a Motion to Concur in Senate Amendment #2 to House Bill 5888, a Motion to Concur in Senate Amendments 1 and 2 to House Bill 6034, a Motion to Concur in Senate Amendment #1 to House Bill 6090, a Motion to Concur in Senate Amendment #1 to House Bill 6094, a Motion to Concur in

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Senate Amendments 1 and 2 to House Bill 6241, a Motion to Concur in Senate Amendments 1 and 2 to House Bill 6420. Committee Reports. Representative Burke, Chairperson from the Committee on Executive reports the following committee action taken on May 6, 2010: recommends be adopted is Floor Amendments 2 and 3 to Senate Bill 28, Floor Amendments 1 and 2 to Senate Bill 326 Floor Amendment #1 to Senate Bill 1211 and Floor Amendment #3 to Senate Bill 3660 and House Joint Resolution 119. Representative Monique.. correction, Representative Will Davis, Chairperson from the Committee on Health & Healthcare Disparities reports the following committee action taken on May 6, 2010: recommends be adopted is Floor Amendment #1 to Senate Bill 3712. Representative Bradley, Chairperson from the Committee on Revenue & Finance reports the following committee action taken on May 6, 2010: recommends be adopted is Floor Amendment #4 to Senate Bill 2093, Floor Amendment #3 to Senate Bill 377. Representative McCarthy, Chairperson from the Committee on Personnel & Pensions reports the following committee action, taken on May 6, 2010: do pass as amended Short Debate is Senate Bill 1642. Representative Collins, Chairperson from the Committee on Public Utilities reports the following committee action taken on May 6, 2010: recommends be adopted is Floor Amendment #2 to Senate Bill 2612 and Floor Amendment #4 to Senate Bill 3464. Representative Verschoore, Chairperson from the Committee on Counties & Townships reports the following committee action taken on May 6, 2010: recommends be adopted is Floor Amendment #2 to Senate Bill 3749. Representative Dugan,

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Chairperson from the Committee on State Government Administration reports the following committee action taken on May 6, 2010: recommends be adopted is Floor Amendment #1 to Senate Bill 3576 and recommends be adopted is House Joint Resolution 121."

Speaker Lang: "On the... go on the Calendar on page 6, Senate Bills-Second Reading, there appears Senate Bill 326. Mr. Clerk, please read the Bill."

Clerk Mahoney: "Senate Bill 326 has been read a second time, previously. Floor Amendment #3, offered by Representative Feigenholtz, has been approved for consideration."

Speaker Lang: "Representative Feigenholtz. Representative Currie..."

Feigenholtz: "Thank you, Mr..."

Speaker Lang: "...to handle this. Representative Feigenholtz or Representative Currie? The Chair recognizes Representative Currie."

Currie: "Thank you, Speaker. I think that the first two Amendments have to be adopted by the full House. I think the Bill itself was on the Calendar. The Amendments were approved in committee, but we have to adopt them on the House, since I think we would be better off doing 1 and 2 before we do 3."

Speaker Lang: "It's a good..."

Currie: "Or we can do a..."

Speaker Lang: "It's a good... it's a good suggestion, Representative. Chair recognizes Representative Currie on Amendment 1."

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Currie: "All right. Thank you. In fact, I would actually make a Motion that we adopt all three Amendments. Two and three are quite technical. This is the Bill that includes the recommendations from the people who have worked so hard on the issue of nursing home care reform. As you know, the Governor convened following a set of articles about lack of safe conditions and lack of adequate care. He convened a working group last October, ably led by Michael Gelder. That group came up with recommendations to improve safety, improve the quality of care and expand home and community based alternatives to institutional settings. The Governor asked our own David Ellis, Parliamentarian and Chief House Counsel, to chair a group that included all comers, all providers, all advocates and he very ably created consensus around the proposals that are in Amendments 1, 2, and 3. So, the three broad categories were to enhance preadmission screening and background checks. Second, set higher standards of care. And three, expand alternatives to long-term care facility of resident by expanding community based residential and service options. So, first, enhancing preadmissions and background checks. There will be prescreening for all nursing home residents performed by outside agencies that are not in providing services themselves, so that we can make sure people going into these long-term care facilities would not be better served in the community. We would also make sure that there are criminal history background checks before the patient arrives at the nursing home. Requires the Department of State Police to notify local jurisdictions of outstanding

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warrants and permits nursing homes to admit people on a provisional basis while their criminal background check is continuing. In the second area, setting and enforcing higher standards of care. First, every facility is going to have to implement a specific comprehensive resident care plan. Second, staffing levels will be increased, 3.8 hours of skilled care and 2.5 hours of intermediate care over four years. Nursing homes that deal with the mentally ill will have to get special certification and those who work with people who may pose dangers to others will get a different kind of certification and will be required to keep those dangerous people separated, physically separated from others in the facility. We established a new kind of penalty, expand the Department of Public Health's authority to suspend and revoke licenses. Provides whistleblower protections, and mandates reporting of abuse in facilities among nursing home owners, insurance companies, state's attorneys and state agencies. Increase the license facility... the facility license fees so that the Department of Public Health has an opportunity to do good regulation, good enforcement. And establishes a working group of advocates, providers, state agencies and the Governor's Office to develop a plan to raise additional revenue and to figure out how we can pay Medicaid providers based on the acuity of the care of the patients that they work. This plan will come to us by November 1, 2010. And then finally we will develop community transition plans to allow residents greater access to community based services. I'd



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be happy to answer your questions, and I'd appreciate your support for this measure."

Speaker Lang: "Lady moves for the adoption of the Amendment. On that question, the Chair recognizes Representative Brady."

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

Speaker Lang: "Lady yields."

Brady: "Leader Currie, we had discussion in Executive Committee regarding the Bill, but just to highlight a couple of the areas. When we were talking about the reforms and the background checks and the staffing ratios and all the different things that are being proposed here, I'd like to see if we can zero in on the actual, I believe it was referred to as a workforce group. All these reforms are not going to be accomplished without revenue and we all know our budget does not have the revenue in to support all these type of reforms. What is going to be the charge of this workforce group as you referred to it? If you'd explain that briefly for us."

Currie: "It'll be in the Department of Healthcare and Family Services, that is the agency that provides reimbursement to Medicaid providers today. But there will be other agency involvement and all elements of the groups that care, that is to say, the advocates, the providers, and others will be involved in operating with this working group."

Brady: "And it's a workforce group, it's going to be appointed by the Governor..."

Currie: "I believe by the Governor, but they..."

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Brady: "...or the Department of Human Services?"

Currie: "By the Governor, but they will operate through the Department of Healthcare and Family Services."

Brady: "So, there should be a balance of voice, a balance of interest when we talk about the long-term care industry? And they will be charged with bringing back their recommendations on how we're going to tackle the very difficult issue of revenue to try and implement so the many reforms that are being brought here in this Bill. Is that correct?"

Currie: "Correct. That's correct."

Brady: "Okay. And I just also want to thank all the groups that have worked extremely hard. Not everyone got what they wanted out of this and certainly there's more work to be done, especially when it comes to revenue. Thank you very much."

Speaker Lang: "Representative Currie to close."

Currie: "Thank you. I'd appreciate your 'aye' vote on Amendments 1, 2, and 3. Can we do that on a single Roll Call?"

Speaker Lang: "Is there any objection to doing these on one Roll Call? Seeing none, those in favor of adoption of all three Amendments say 'yes'; opposed 'no'. In the opinion of the Chair, the 'ayes' have it. And all three Amendments are adopted. Mr. Clerk."

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

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

Clerk Mahoney: "Senate Bill 326, a Bill for an Act concerning aging. Third Reading."

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Speaker Lang: "Representative Currie."

Currie: "Thank you, Speaker and Members of the House. The Bill I just described is the Bill before us. I'd appreciate your 'yes' votes."

Speaker Lang: "Those in favor vote 'yes'; opposed 'no'. Sorry, Mr. Clerk, a late arrival, Mr. Black."

Black: "Thank you very much, Mr. Speaker. Let me remind you of a old downstate proverb, 'things done quickly, wither as fast, things done slowly last and last'. Don't be in too big a hurry now. Will the Sponsor yield?"

Speaker Lang: "If I could figure out what you were talking about, I'd ask her to yield."

Black: "I'll... I'll spell..."

Speaker Lang: "The Lady yields."

Black: "...I'll spell it out for you later. Thank you. Representative, the staffing changes are incremental and take place over a period of how many years?"

Currie: "Four years."

Black: "Four years. And this gets us to the last quarter of the minimum data, the MDS sets that we've talked about for years, correct."

Currie: "That is correct."

Black: "All right. Thank you very much. Mr. Speaker, sorry for the delay in my light. Ladies and Gentlemen of the House, I've talked to nursing home owners in my district. I don't know that any Bill is ever agreed. I'm sure somebody will find fault with this, but I've talked to people who operate a number of nursing homes in my area and throughout east central Illinois, and they have urged our

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support of this Bill. And I think as Representative Brady said earlier, there is still work to be done, but this work has been done correctly and I think deserves an 'aye' vote."

Speaker Lang: "Representative Feigenholtz."

Feigenholtz: "Thank you. To the Bill. This is... Representative Currie, I'd like to congratulate you and David Ellis and everybody who was on this task force who worked day and night to get to 'yes'. And I believe that this is a great first step that we are dealing with a lot of very complex issues, complex formulas. We definitely, as other Members on the other side of the aisle had mentioned, definitely need to revisit the issue of other revenues and how we are going to shore up our long-term care system, not just in nursing homes where we give acute skilled care, but also rebalancing the system so that we appropriately place people. And I really appreciate the partnerships that have been forge. And I also encourage an 'aye' vote."

Speaker Lang: "Representative Fritchey."

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

Speaker Lang: "Lady yields."

Fritchey: "Leader Currie, for purposes of legislative intent. This legislation includes a change to the definition of 'neglect'. Can you please tell us what the meaning is of the change that we are making?"

Currie: "Well, the idea is to expand the definition of 'neglect' so the facility will continue to be responsible if it fails to provide adequate care, willfully withholds adequate care that causes actual harm to a resident, but in

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addition, a facility now will be responsible even if... even if there was not an actual harm done to the resident, if they've done something or failed to do something that puts the resident at risk for actual harm. So to that and necessary to avoid, includes, but is not limited to instances that result in actual harm."

Fritchey: "Thank you. I have no further questions."

Speaker Lang: "Representative Coulson."

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

Speaker Lang: "Lady yields."

Coulson: "Thank you and I, too, commend you on a long process, sometimes a very interesting process, to try to bring all the players together. I have two questions. One is about the background checks and where everyone stands on that issue at this time, and where they will be occurring and how they will be occurring. Could you describe that?"

Currie: "There will be a name check for anybody entering a nursing home. If anything turns up, a comparable name, there will be additional checks to make sure whether this individual is the same one that the name check identified. There will be... if there's additional information that suggests that Susie Q is indeed the Susie Q who had spent time in the slammer for battery, that there will be an effort to work with the FBI database and the LEAD database to make... to find out whether this is an individual who ought not to be permitted in the facility."

Coulson: "And some..."

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Currie: "And besides, I did say that the State Police will notify local jurisdictions if there are people with outstanding warrants so they can share that information with the facility."

Coulson: "And as I understand it, some of this may have to start in the hospital but most of it takes place in the nursing home. Is that correct?"

Currie: "Yeah. As soon as we know someone's on his or her way to the nursing home, the name check will happen."

Coulson: "And there are certain criteria in the Bill so that not every person who's in a hospital and about to be discharged will have to have a background check?"

Currie: "I think they'll be doing a name check for everyone. And only if there is some reason to think that this is somebody with a criminal background will they go beyond that."

Coulson: "So, I..."

Currie: "And then there's also a..."

Coulson: "My understand..."

Speaker Lang: "Please bring your remarks to a close, Representative."

Coulson: "I'm sorry. My understanding is there's a little more detail in the Bill that protects patients from having an overabundance of their background being checked..."

Currie: "Right, and there..."

Coulson: "...if not necessary?"

Currie: "...there will be a pilot in Cook and in Will in which they will do the more extensive investigations."

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Coulson: "My last real quick question is about any kind of an agreement to continue to look at how this funding is occurring and revenue maybe. Is there any kind of a understanding or discussion on that going on currently?"

Currie: "There is a working group created under this Bill that will be housed in the Department of Healthcare and Family Services, appointed by the Governor, include members of the providing community, the advocacy community and state agencies to try to address the issue of revenue. And Medicaid reimbursement."

Coulson: "Is there any kind of a memorandum of understanding going on or something like that that..."

Currie: "There is... apparently, there's a memorandum of understanding between the Governor's Office and the members of the industry."

Coulson: "And do we have any idea what those topics might include?"

Speaker Lang: "Representative Currie will complete her answer."

Currie: "No. That is going to include an address to the question if there is going to be some way... some new revenue to pay for it, and they also will be addressing the question of Medicaid reimbursement tied to the actual care that is provided to individuals in the institutions."

Speaker Lang: "Sir Osterman."

Osterman: "To the Bill. Just want to remind the Body that the circumstance that let us be here today, and I want to compliment Barbara... Representative Currie and Dave Ellis and all the people that worked in a coalition to get us to this point, but there was gross mismanagement and horrific

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stories in nursing homes. And those are the elderly that... our grandmothers, and mothers and fathers, and we should have never gotten to this point. Points were brought up by the previous speaker about the implementation of this. And as we move forward as a Body, we have to make sure that this Bill is implemented in the proper way. So that we don't turn our backs and think that everything's solved, and 10 years later find us back to where we were before we dealt with this issue again. So, with that, I would ask everyone's support of the Bill, and also ask that we stay vigilant to monitor how this Bill is implemented."

Speaker Lang: "Representative Howard."

Howard: "Yes. Thank you, Mr. Speaker. I'd like to ask a question of the Sponsor."

Speaker Lang: "Lady yields."

Howard: "Representative Currie, for the purpose of legislative intent, do any of the provisions contained in this Bill impact intermediate care facilities for the developmentally disabled and long-term care facilities for under age 22?"

Currie: "No."

Howard: "Thank you."

Speaker Lang: "Representative Currie to close."

Currie: "Urge your 'aye' votes."

Speaker Lang: "The Lady's moved for the passage of the Bill. Those in favor shall vote 'yes'; those opposed 'no'. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Please take the record. On this question, 118 voting 'yes', 0 voting 'no'. And this Bill, having received the Constitutional Majority,



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is hereby declared passed. Mr. Clerk, committee announcement."

Clerk Mahoney: "Rules Report. Representative Barbara Flynn Currie, Chairperson from the Committee on Rules reports the following committee action taken on May 6, 2010: approved for floor consideration, recommends be adopted is Amendment #4 to Senate Bill 28."

Speaker Lang: "On page 5 of the Calendar, Senate Bills-Second Reading, there appears Senate Bill 28. Mr. Clerk, please read the Bill."

Clerk Mahoney: "Senate Bill 28 has been read a second time, previously. Amendment #1 was adopted in committee. Floor Amendments 2, 3, and 4 have all been approved for consideration."

Speaker Lang: "Speaker Madigan on Amendment #2."

Madigan: "Mr. Speaker, I move for the adoption of the Amendment."

Speaker Lang: "Those in favor say 'yes'; opposed 'no'. In the opinion of the Chair, the 'ayes' have it. And the Amendment is adopted. Mr. Madigan on Amendment 3."

Madigan: "Withdraw Amendment #3."

Speaker Lang: "Amendment 3 is withdrawn. Speaker Madigan on Amendment 4."

Madigan: "I move to adopt the Amendment."

Speaker Lang: "Those in favor say 'yes'; opposed 'no'. In the opinion of the Chair, the 'ayes' have it. Amendment 4 is adopted. Mr. Clerk. The Chair recognizes Representative Riley on a Motion."

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Riley: "Thank you, Mr. Speaker. I would like withdraw my Motion to Table Senate Bill 28."

Speaker Lang: "Gentleman withdraws his Motion to Table. Mr. Clerk."

Clerk Mahoney: "No further Motions. Second Reading."

Speaker Lang: "Please put the Bill on the Order of Third Reading. And read the Bill for a third time."

Clerk Mahoney: "Senate 28, a Bill for an Act concerning civil law. Third Reading of this Senate Bill."

Speaker Lang: "Speaker Madigan."

Madigan: "Mr. Speaker and Ladies and Gentlemen of the House, this Bill makes significant reforms at the Metropolitan Pier and Exposition Authority in Chicago, better known as McCormick Place. To address the concerns of the show managers and exhibitors, the Bill establishes house rules for the grounds, buildings and facilities of the Authority. The Bill makes significant changes to the governance structure of the Authority. And the Bill attempts to fix the funding shortfall of the Authority which has led to a \$55 million draw against the General Revenue Fund over the past three years. To ensure the financial security of the Authority and replace the loss of revenue from prohibiting markups on electrical services and food services, the Bill does a number of items which would put McCormick Place in a position to once again become an important element in the commerce of Chicago and Illinois. I move for the passage of the Bill."

Speaker Lang: "The Gentleman moves for the passage of Senate Bill 28. The Bill is on Short Debate. The Chair will

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remove the Bill from the Order of Short Debate. On this question, the Chair recognizes Representative Cross."

Cross: "Thank you, Mr. Speaker. And to Speaker Madigan, thank you for working with us on some ideas. It is possible in the State of Illinois occasionally to come together on ideas and concerns and needs, and this is clearly an issue in an area and in an arena that we needed to address. And from the debt restructuring to the labor reform, the management reform, the governance, all are things that desperately needed to be done in this state to this Authority. It is something we probably... not probably, it's something we should have done a lot earlier, if for no other reason, a cost standpoint to the state. But this has a impact to us job wise of up to a 100 thousand jobs in the Chicago area, if we don't do this right. The economic impact is as high as eight and a half billion dollars, if we don't do it right. One of the people though that I think deserves a lot of credit, not just Members of the General Assembly, and we will all be quick to take credit for that, and that's the nature of what happens in this place, is a man by the name of John Gates who headed up an interim board over the last five months that came to the Members of the General Assembly and others and said, if we were going to survive in this state, if we were going to be a convention town, if we were going to be an Authority that we can be proud of and that works efficiently and can compete with Orlando, Vegas and other parts around this country, we need to make significant changes in reform to this Authority. It cannot continue the way it has been

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working. He had no agenda; he has no skin in the game other than he is a concerned citizen and a proud citizen of the State of Illinois. He along with other people on the board such as Bruce Round and the others I will not name, did a very, very good job of coming to us with ideas of what had to happen. They deserve a lot of credit, they deserve a lot of praise, they made some tough decisions and some tough recommendations. This is a Bill that needs to pass. This is a Bill that needs to become law, and not everything in here is covered that I would like, but that's life. I think it is an exceptional Bill and I would encourage an 'aye' vote. Thank you, Mr. Speaker."

Speaker Lang: "Mr. Black."

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

Speaker Lang: "Sponsor yields."

Black: "Speaker Madigan, the newly created position of Director of the MPEA, I assume is Mr. Reilly. Has that..."

Madigan: "That's written into the Bill."

Black: "That's what... I thought so. And he will serve for a period of how long?"

Madigan: "Eighteen months."

Black: "And can be reappointed by what procedure?"

Madigan: "Well, the board would appoint him as the CEO after that 18-month period."

Black: "And the... this is a newly constituted board, correct?"

Madigan: "Yes."

Black: "All right. Thank you very much. Ladies and Gentlemen, to the Bill. Now we can ask an hour and a half of

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questions here if that's what you want to do. And I'm not one to limit your debate. The bottom line is whether you live in Chicago, whether you live in central Illinois like me, or whether you live in southern Illinois, a healthy McCormick Place, a healthy Navy Pier, is good for the State of Illinois. We've expressed this concern on the floor on more than one occasion in the past few years. We've ignored it. This is the golden goose of tourism and conventions and trade shows in the State of Illinois. I used to go up there many years ago with my father to various trade shows, and it was remarkable what you could see and what you could learn, and the thousands of people that were spending their money in Chicago that certainly trickles down to the rest of the state. The bottom line is simple. There's been a lot of work done. Shame on the people in Chicago if they kill this golden goose. It is not in your best interest to do so, it is not in the best interest of anybody in this state to see McCormick Place lose the convention business that they have and some that they need to bring back from Orlando and Las Vegas. I think this Bill can help them do that, and this Bill can help the overall economic health, not only of Chicago and Cook County, but of the entire State of Illinois and this Bill deserves an 'aye' vote."

Speaker Lang: "Mr. Sacia."

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

Speaker Lang: "Sponsor yields."

Sacia: "Speaker Madigan, on the evening of April the 21 in Representative Yarbrough's Public Safety Committee for

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Appropriations, Mr. Gates testified before us for a significant period of time. I found myself much like Leader Cross being extremely impressed with the man, recognizing that he serves pro bono at the request of Mayor Daley, but what really pushed me over the top, Speaker, was listening to his commentary. He shared with us that over the past, I believe the number he used was four years, House Bill 4900 was introduced into the Legislature several times. It passed out of the Senate at least twice, was never called in the House to my knowledge, and Mr. Gates told our committee that in excess, in fact, I'll try to be as accurate as possible, he said had we done what House Bill 4900 requested, in other words, refinancing the bonds, the State of Illinois would have saved several hundred million dollars. And my question, Mr. Speaker, is if that Bill could pass the Senate on at least two occasions and by several hundred million attempting to pin Mr. Gates down, it was more than two hundred million and less than five hundred million, but somewhere between a quarter of a billion and a half of billion dollars. I would be deeply grateful Speaker if you could explain to the Body how that could happen, if that in fact was the case, did I misunderstand something? Did a Bill pass the Senate that could have saved the taxpayers of this state several hundred million dollars? Would you be kind enough to address that, if you could?"

Madigan: "Mr. Sacia, I do believe that we're thinking about the same Bill, and my response to you would be that that Bill did not contain the reforms that this Bill contains."

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Sacia: "Mr. Speaker, I understand we're speaking about Senate Bill 28, I get that. But I spent too much of my life in an area that really questions that kind of money disappearing, if you will, or not being able to be adequately accounted for. I think some of us deserve some type of an answer when this state is \$13 billion in the red, is facing a horrific deficit which I know you would agree with, and all I'm asking, Sir, is there a sensible explanation for that because it all deals with McCormick Place, it all deals with Navy Pier, it all deals with the Authority. And Mr. Gates was extremely open about this. Nothing was held back and I was shocked tonight when I learned that he isn't part of the new board, and I'm sure there's an explanation. Maybe he doesn't even want to be there. But I, for one, on behalf of the 12.8 million people in this state, think somebody has an answer for this. And I'm not insinuating you have the answer, Mr. Speaker, I'm asking if it's out there."

Madigan: "Mr. Sacia, I'm not quite sure I understand your question, but let me tell you what I know. Probably the last time the Legislature dealt with McCormick Place, it established four local taxes to support the construction of a new hall. And those taxes were dedicated to debt service and then as a ultimate guarantor for those taxes and for the debt service, why the Illinois state sales tax was pledged for the payment. As we moved into the economic downturn..."

Speaker Lang: "The Gentleman will complete his response."

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Madigan: "...those four local taxes failed to perform up to the level of expectation; therefore, forcing a draw on the General Revenue Fund, and the number that I recall was \$17 million in the current budget and \$35 million in the next budget. So, the draw on the General Revenue Fund happened pursuant to the provisions of State Law that provided for the financing for the construction of that last haul. To repeat what I said, there have been Bills that provided for yet another restructuring of the debt payments, but none of those Bills dealt with the significant work rule changes that are in this Bill. The testimony that was taken at the two hearings of the special committee established the current work rules at McCormick Place constituted an impediment to maintaining the shows that we want to come to Chicago and to come to McCormick Place. And this Bill would make those work rule changes and in addition, would do many other changes designed to make this a very efficient operation."

Speaker Lang: "Mr. Saviano."

Saviano: "Thank you... thank you, Mr. Speaker. I rise in support of this Bill and I would applaud the Speaker and all the Leaders and all the Members of the special committee that was set up, and of course the reforms that the current interim board suggested. I also applaud that we were able to work through and the President of the Senate and the House Speaker worked to protect the jurisdictions of the current hardworking men and women over at McCormick Place, such as the riggers, decorators, carpenters, and teamsters. And I looked at the one Section, I think it's Section 5.4c



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which is... I guess was... the purpose is to... was to create a stable system of labor relations at the Authority, so that the Authority can assure exhibitors of high quality labor, and can assure workers of fair wages for their work. Now, we know that there's currently five different unions that work with the exhibitor. We addressed the problem with focus one and now the carpenters will... the exhibitors will experience the exact amount of exposure cost, exactly what the electricians are paid, and that's... that's a good thing. I mean... I would just ask the Sponsor, in paragraph 12 it sets up a process to ensure that any disputes over jurisdictions would be resolved in a fair and efficient way. And... is the purpose of that to ensure that the jurisdiction of each of the current unions, that represent members at the Authority, continues to exist under the statute?"

Madigan: "The purpose of that language is to provide the trustee with the power and the authority to make sure that the building and its operations are working efficiently, but as he does that, he is called upon to consider past practices."

Saviano: "Past practices. Okay. And the past practices should protect the current jurisdictions in the way that they feel safe with. And then... and then if they don't agree with that, if they don't agree with or a dispute arises about a jurisdictional problem, you've set up some sort of advisory council which would... that would be taken to? Could you just explain a little bit on how that works?"

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Madigan: "Mr. Saviano, again, these questions are under the power and the control of the trustee. The Bill calls upon the trustee to consult with that labor council. After a consultation with the labor council to render a decision, at that point, if a union is dissatisfied with the decision of the trustee, the union has the ability to take that matter into arbitration and that's where the language of the Bill provides that the arbitrator shall consider past practices."

Saviano: "Yeah. I think, additionally, I guess it's past practices training and skills need to perform the task, job safety considerations, and the initi... a need for efficiency as long... as well as with the past practice. I think that's in the Bill."

Madigan: "I believe you're reading from the Bill."

Saviano: "Yeah."

Madigan: "That's the intent."

Saviano: "I just... okay. Thank you. And of course, the arbitrator's decision is final, is that correct? Does it go any further?"

Madigan: "The answer is yes."

Saviano: "Thank you very much."

Speaker Lang: "Mr. Davis."

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

Speaker Lang: "Gentleman yields."

Davis, W.: "Mr. Speaker, as I observe this process with regard to McCormick Place, one of the things that is my understanding that will come out of this process is that

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they will build another hotel. Possibly rebuild the east building. Is that correct or not?"

Madigan: "Well, Mr. Davis, those are the types of things that have been discussed."

Davis W.: "Mmm."

Madigan: "They're not provided for in the legislation, but the legislation does provide increased bonding authority to the McCormick Place Authority to take on more debt. And in conversations with people around the building, they have talked in terms of those improvements."

Davis, W.: "Okay. The reason I raise that question, Mr. Speaker, is... and one more question to you. The... as I understand this board or this entity that we call McPier, it is government, meaning State Government and city government working together. Meaning, in the past, the mayor would be able to make appointments to it as well as the Governor and possibly other leaders. So, it... So, it's some amalgamation of city and state working together, is that correct?"

Madigan: "The answer is yes."

Davis, W.: "Would you happen to know that under that umbrella, when it comes to contracting, dealing with minority contracts in particular, whether or not we... they would be subject to fulfilling requirements set by the state, set by the city or otherwise?"

Madigan: "Mr. Davis, without regard to this Bill, the basic statute that provided for the creation of McPier contains language which is involved with minority participation."

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It's language that's almost identical to the language which has been used at construction of the White Sox ball park..."

Davis, W.: "Okay."

Madigan: "...the reconstruction of Soldier Field."

Davis, W.: "Okay."

Madigan: "It's... it's become standard language, and that's in the basic statute. The Bill provides that in the case of selection of underwriters and bond council for debt issuance, that there has to be reporting done pursuant to those activities, but the basic statute has that language which I would say has become standard."

Davis, W.: "Kind of standard, I mean, and you talked about Soldier Field and I often... or I'm reminiscent of Representative... former Representative Lou Jones who often talked about how what was put in place to deal with Soldier Field was never enough. It wasn't adequate. There was still trouble making sure that we had minority contractors and that minorities both ethnic as well as gender minorities were given fair and ample opportunity. And my point in asking you these questions, Sir, is that as we move forward with this, because this is a big deal as other Representatives have talked about the importance to the state of McCormick Place, both Navy Pier and McCormick Place and its facilities. I'm just wanting to now get on the record as we are building this process, making sure that those who are... those who will have some say and some control in this understand how important minority contracting is going to be and that we will do everything that we can to watch to make sure and where there are

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opportunity to increase those goals, we hope that the board that's put in place will seek to increase those goals, not just live with a 10 percent goal if that's what the standard is or what that's been used before that we will work very hard to make sure that those goals are increased as high as they can possibly be and that particularly African Americans and others are given ample opportunity to work on this... on this project. So, that's why I decided to raise the questions now so that they become part of this record. And then also, one of the things I'm very, very concerned about, is that as I've observed McCormick Place and understand who's in the leadership structure currently, the leadership structure has a dearth of minorities in senior management there, a dearth of minorities in senior management. And while this Bill may or may not be able to address that specifically, again, it is my hope moving forward with those that who will be charged with replacing, because there's going to be replacement managers put..."

Speaker Lang: "Please bring your remarks to a close, Sir."

Davis, W.: "Thank you, Mr. Speaker. There will be... those will be charged with hiring and putting people in place, that we have to do a better job in making sure that McCormick Place is indeed representative of minorities here in the State of Illinois, in the senior management positions. It may not be the chairman, but there are a number of positions that'll fall underneath the chairman. And currently, it's a ba... they've done a bad job of making sure that there are minorities in those places and we have to make sure that that indeed happens. So, again, while this Bill may not

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    speak to that, I just want this to be a part of the record moving forward that we are working to make sure that one of the best economic engines in the State of Illinois is reflective of the minority populations that exist here in the State of Illinois. Thank you very much, Mr. Speaker."

Speaker Lang: "Mr. Miller."

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

Speaker Lang: "Gentleman yields."

Miller: "I've heard a lot of discussions about the problems with McCormick Place and some generalities on what this legislation would do, and I just wanted to dive into a little bit of the more specifics. Particularly, since we're reconstituting the board and that... that the cost of having a trade show at McCormick Place has run businesses or... away, what is the purpose of reconstituting a board... creating a board and how's that addressing the underlying problem that exists?"

Madigan: "Terms of addressing the underlying problem, I think you have to take the whole Bill, all aspects of the Bill. As I said previously, why changes in work rules are a significant part of the Bill, reconstituting the board is another significant part of the Bill, and in brief, I would say that over the last several years the management of McCormick Place has... has not improved. It's gone in the wrong direction. And in my judgment, we're at the point where we just need a new clean slate going forward."

Miller: "Okay. So, it has been said that... that either the labor costs were too high or it sounds like at that time of McCormick Place mismanagement might have been in place or

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companies were overcharging. And so, the attempt of this legislation is to deal with this at all different levels, deal with the cost of our labor costs, deal with the management costs? In the report that was issued, was there any spec... any particular drivers in terms of what had really... had prevented trade shows from coming here? Is there anything that... that would be more highlighted than the other that was the cause of this?"

Madigan: "Well, again, I think you have to take the whole Bill and not identify one or two items in the Bill; it's the totality of the Bill. What you've probably heard quite a bit would be complaints of exhibitors."

Miller: "Right."

Madigan: "Terms of charges put on exhibitors..."

Miller: "Right."

Madigan: "...and in terms of their inability to do their own work in the exhibit. So, that's been remedied, because the language specifically provides that the exhibitor can do a great deal of their own work. Now, if the trustee determines that what they're attempting to do is causing a safety problem, then the trustee can order that they bring in trained personnel to construct a booth, construct an exhibit. Some of these exhibits get to be pretty big, and so you need forklifts, you need trained people."

Miller: "Okay. So, in similar states, is this legislation comparable like Orlando and others who, at least to my knowledge, have also lost convention business too?"

Madigan: "The intent of the Bill is to make Chicago competitive with places like Orlando and Vegas, and although not

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perfect, it does make the three jurisdictions rather comparable."

Miller: "Okay. In terms of the airport departure tax and the distribution of it, it's in our analysis, can you explain to us or the Body exactly why that was doubled and the purpose of it in terms of, once again, the reform in trying to move us more competitive in... to trade shows?"

Madigan: "The proceeds of the tax increase will be divided between the Chicago Convention and Tourism Bureau which would get 75 percent, and then the Rosemont Convention Center which would get 25 percent."

Miller: "And why, if I can ask this simple question?"

Madigan: "The Chicago Convention Bureau works hand in hand with McCormick Place in terms of attempting to sell McCormick Place to shows and conventions and others. They work together. And there's been a level of dissatisfaction with the Chicago and Convention Bureau also."

Miller: "Mr. Speaker."

Speaker Lang: "Please bring your remarks to a close, Sir."

Miller: "Thank you. Just a few more questions for clarity. So, in doubling the... doubling the fee for the departure tax, this is to help... to exactly promote the City of Chicago towards conventions or... you know, I guess... why is it... why was this tax doubled in terms of them, and what were the proceeds going to? What conclusion... I mean, it had to be some drive on why this needed to happen, and I just wanted to hear an explanation."

Madigan: "As I said, the Convention Bureau works together with McCormick Place, and again, there's a whole Bill here. And



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what we want to do to enhance the ability of the Convention Bureau to bring more shows, more conventions, keep what we have. Recognizing that the convention center in Rosemont played a complementary role to what happens at McCormick Place. There's very little direct competition between the two because the shows in Rosemont are much smaller."

Miller: "Okay. And my last question is regarding naming rights, and just wanted to... is a portion of this legislation for you to elaborate on the differences and the process in which that may occur and what would happen in terms of... naming rights being sold versus if naming rights are not sold in the legislation here?"

Madigan: "Statute simply gives the Authority the ability to sell naming rights as has been done at many venues all across the country. The statute provides that I think 75 percent of the proceeds from the sale of naming rights could be directed toward retirement of debt, and 25 percent could be used for operations."

Miller: "Okay. And this will be my last question. In terms of following up with Representative Davis, is there any requirements in terms of composition of the board in terms of minorities or diversity the City of Chicago possesses?"

Madigan: "The only restrictions on the... on the composition of the board will be that one person would represent labor and another person would represent the show industry."

Miller: "Thank you, Mr. Speaker. Thank you, Mr. Speaker."

Speaker Lang: "Mr. Dunkin."

Dunkin: "Thank you, Mr. Speaker. To the Bill. I'd first like to... to really commend and thank the Speaker for... the

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Speaker and President... Senate President John Cullerton for actually indulging themselves completely in this process. I work with staff with Heather Wier, with... I spoke to David Ellis, Eric Madiar, Mr. Mark Jarmer, and they were actively engaged working mornings and evenings late into the night to come up with some level of response that's going to... well, respond to the customers, quite frankly. This is unprecedented in our state where we have intervened at multilevels. Suddenly the level of... the issue of governance has been addressed in this Bill. Not perfect, but it's addressed. The issue of refinancing our debt structure is huge. That is significant to the point where it's going to save us about \$50 million a year, close to that, potentially, \$800 million. That is huge; it's significant. The Speaker and the Senate President actually led communications, joint communications with the exhibitors, the show managers, the contractors, the trade unions. A lot of information was vetted. This is a very complicated world of doing major conventions, trade shows in this great state. And I'm, just again, immensely proud of how our Leader in both chambers, in particular, our Speaker and staff put into this Bill to really give the customers a new found sense of confidence to come back here in our great state and spend money, put people to work, add to our tax base, and to just do the right thing in one of the world's best convention centers, and certainly the world's, one of the best trade... some of the best trade unions here in this country. So, this is a huge and significant step. I think it's a testament to again, our

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Leadership and the will to succeed in bringing customers back here to the State of Illinois. Again, I'm immensely proud and I'm happy to support this legislation. Congratulations, staff and Mr. Speaker for this Bill. Thank you."

Speaker Lang: "Speaker Madigan to close."

Madigan: "Well, Mr. Speaker, I think we've had a very good discussion. I move for passage of the Bill."

Speaker Lang: "The Gentleman moves passage of the Bill. Those in favor vote 'yes'; those opposed 'no'. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Colvin, DeLuca, Fritchey, Joyce. Mr. Clerk, please take the record. On this question, there are 93 voting 'yes', 25 voting 'no'. And this Bill, having received the Constitutional Majority, is hereby declared passed. On Supplemental Calendar #2, on Senate Bills-Second Reading, there appears Senate Bill 1642. Mr. Clerk, please read the Bill."

Clerk Mahoney: "Senate Bill 1642, a Bill for an Act concerning public employee benefits. Second Reading of this Senate Bill. Amendment #1 was adopted in committee. Floor Amendment #2... Floor Amendment #2 remains in the House Rules Committee."

Speaker Lang: "Please hold the Bill on the Order of Second Reading, Mr. Clerk. On Supplemental Calendar #2, under Order of Resolutions, there appears House Joint Resolution 121. Representative Franks."

Franks: "Thank you, Mr. Speaker. The reason that we need House Joint Resolution 121 is because this Body had passed a

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provision that will be discussed on the November ballot on whether there should be an Amendment to the Constitution which would allow for the recall of Governor. Along with the requirement of having this on the ballot, there's also the requirement of having an explanation of what this does. House Joint Resolution does... fulfills that obligation by giving both the pros and the cons of this purported Constitutional Amendment. There was input from each of the caucuses. And I'd be happy to answer any questions."

Speaker Lang: "Gentleman moves for the adoption of the Resolution. And on that question, the Chair recognizes Representative Bost."

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

Lang: "Sponsor yields."

Bost: "For clarification from committee a while ago, as far as when we put the Amendment on, and that is to make sure that... that the wording is correct on the booklet or the paragraph presentation that is presented to the voter, correct?"

Franks: "Correct."

Bost: "Okay. And that was agreed upon with everybody and set down and talked out, that was the question?"

Franks: "Correct. And I found there was input from all four caucuses, and this unfortunately came pretty quick, 'cause usually these are drafted after the deadline for the Constitutional Amendments which was just the other day, as you know, on Sunday."

Bost: "Correct."

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Franks: "But because of the truncated Session that we have now, we've only had a few days to put together this pamphlet in the event that we may be adjourning. So, that's why..."

Bost: "And..."

Franks: "...this was moved so quickly."

Bost: "And... and I support the Resolution. I just want to make sure that we're doing everything right so that, if the vote does come out in the affirmative, that there will not be any court case or anything like that. So..."

Franks: "Correct. Thank you."

Bost: "Thank you."

Speaker Lang: "Those in favor of the Resolution shall vote 'yes'; those opposed vote 'no'. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Crespo, May, Mendoza, Riley. Mendoza, Riley. Please take the record. On this question, there are 117 voting 'yes', 1 voting 'no'. And the Resolution is adopted. On page 9 of the Calendar, under the Order of Second Bills-Second Reading, appears Senate Bill 3576. Please read the Bill, Mr. Clerk."

Clerk Mahoney: "Senate Bill 3576 has been read a second time, previously. Floor Amendments 1 and 2 have both been approved for consideration."

Speaker Lang: "Representative Currie."

Currie: "Thank you, Speaker and Members of the House. Amendment 1, which has been approved by the State Government Administration Committee, provides for changes in the procurement process as we did last year. So, it makes a number of changes. For example, it clarifies that

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the new procedures take effect for contracts that are sent out in an RFP on or after July 1. It permits the Secretary of the Department of Transportation to appoint his own procurement officer, but that appointment will be subject to approval by the Executive Ethics Commission and confirmation by the Senate. It permits the current chief procurement officers to stay on through August 31, 2010, and the new procurement officer will assume his powers or his or her powers and duties on September 1, so we will have a reasonable and balanced transition from today's activities to tomorrow's. It will also show that extensions or renewals of contracts have to go to the Policy Procurement Board before they are executed if the cost is \$250 thousand or above. Contracts must include financial information and copies of all contracts with subcontractors provided that the subcontractor has an annual total value of 25 thousand or more. Clarifies what the ban on soliciting or bidding on a contract means. The requirement to report procurement communications is clarified. And is the underlying Bill which today says that if you have property that is under 10 thousand square feet, and the rent is less than 100 thousand, you don't have to send information to the pol... the Policy Procurement Board. The reality is, there are plenty of rents that might be for relatively small acreage but may cost six million, seven million or eight. So, this would say that if it's either, either of these is met, then you will have to report to the Policy Procurement Board. And I've just been informed that what I explained was not Floor Amendment 1

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which I would like to withdraw, but it does explain Floor Amendment 2. So, if I could withdraw.."

Speaker Lang: "Floor Amendment #1 is withdrawn. The Lady has made her Motion for the adoption of Floor Amendment #2.

Have you completed your explanation, Representative?"

Currie: "I have completed my explanation for Amendment #2."

Speaker Lang: "The Chair recognizes Representative Fritchey."

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

Speaker Lang: "Sponsor yields."

Fritchey: "Leader Currie, this legislation appears to be primarily... I guess cleanup, for lack of a better word, to Senate Bill 51 that we dealt with last year. Is that correct?"

Currie: "Correct."

Fritchey: "There was an issue that's been raised with me multiple times; I'm just curious if it's been addressed here. A number of individuals and entities that do business with the state felt that there was a disincentive for them to assist the state with being more efficient with new technologies and products because, if they were to point these new efficiencies out, they would then be precluded from bidding on any of these services or products that they'd be discussing with the state. And it... I think... I think it was an unintended consequence of Senate Bill 51, but one that I think has had somewhat of a chilling effect on what could be potential cost savings to the state. Is that addressed in this?"

Currie: "We, in fact, did precisely because of the concerns you raised, we clarified that the ban doesn't apply if the

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person or business assisted in response to a publicly issued opportunity to review drafts, initiates communications to provide general information about a product, a service, and so forth, and inapplicable to communication as document... documented or their response to a communication initiated by a state employee just for the purpose of providing information to evaluate new products, vends and services."

Fritchey: "Thank you, Leader Currie. To the Bill. Ladies and Gentlemen, when we took on procurement reform last year, it was a significant step forward in cleaning up the process, adding transparency to the process, making the process more efficient. Whenever you take on an undertaking as complex as procurement reform, there are bound to be items that practice will show need to be further buttoned down and addressed. This legislation seems to be a significant step forward on what was previously a significant step forward, and should help restore not just honest operations within State Government but public confidence in State Government as well. Thank you."

Speaker Lang: "Those in favor of the Motion shall vote 'yes'; those op... those in favor of the Motion shall say 'yes'; opposed say 'no'. In the opinion of the Chair, the 'ayes' have it. And the Amendment is adopted. Mr. Clerk."

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

Speaker Lang: "Third Reading. Please read the Bill for the third time."

Clerk Mahoney: "Senate Bill 3576, a Bill for an Act concerning finance. Third Reading."



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Speaker Lang: "Those in favor of the Bill shall vote 'yes'; opposed 'no'. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Pihos. Mr. Clerk, please take the record. On this question, there are 102 voting 'yes', 16 voting 'no'. And this Bill, having received the Constitutional Majority, is hereby declared passed. Mr. Clerk, Senate Bills-Second Reading, on page 6 appears Senate Bill 377. Please read the Bill."

Clerk Mahoney: "Senate Bill 377, a Bill for an Act concerning State Government has been read a second time, previously. Amendment #1 was adopted in committee. Floor Amendment #3, offered by Representative Currie, has been approved for consideration."

Speaker Lang: "Representative Currie on Amendment 3."

Currie: "Thank you, Speaker and Members of the House. This is the Governor's proposal for a tax amnesty program. And the idea would be, that during a six-weeks period, people who owe money to the state would be able to pay up and would not be subject to penalties and interest. I'd be happy to answer your questions. The hope is that this could bring in, along with a few other changes; for example, enabling state agencies to hire debt collection services if debts are more than 12 months old, and enabling state agencies to enter into deferred payment plans and so forth and so on. We think during the coming fiscal year, this proposal could bring in as much as \$250 million. I'd be happy to answer your questions."

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Speaker Lang: "The Lady's moved for the adoption of Floor Amendment #3 to Senate Bill 377. And on that question, the Chair recognizes Representative Black."

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

Speaker Lang: "State your inquiry, Sir."

Black: "I know you're in a hurry and so am I, but on the last... on the last Bill, we had several lights on and you simply went right to the Roll Call. Now, all we want is some clarification. Are we going to be allowed to discuss these Bills on Third, or do you want us to discuss the Amendment, or however you want to handle it we'll try to work with you as... however you want to do that."

Speaker Lang: "Mr. Black, there were no lights on when I called for the vote. Mr. Eddy put his light on after I called for the vote and there were no other lights on at the time."

Black: "Mr. Eddy's light was on for so long it damaged his eyes."

Speaker Lang: "No, Sir, it was not."

Black: "Well, perhaps your eyes have been damaged."

Speaker Lang: "My eyes are just fine, Sir. Do you wish to speak to the Motion, Sir?"

Black: "No, I'm asking for a clarification from the Chair."

Speaker Lang: "Everyone who wishes to speak on whatever order the Bill is on, Short Debate, Standard Debate, will be recognized in the appropriate... under the appropriate rule, Sir."

Black: "All right. You doing okay tonight?"

Speaker Lang: "I'm doing just great, Sir. How about yourself?"

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Black: "All right. Okay. I have an inquiry of the Chair."

Speaker Lang: "A second one? Please proceed."

Black: "Yes. Would the Clerk advise as to what Amendments are on the Bill and what Amendments are not on the Bill?"

Speaker Lang: "Mr. Clerk."

Clerk Mahoney: "Amendment #1 was adopted to the Bill in committee. Floor Amendment #2 lost in committee. Floor Amendment #3 is under consideration at the moment."

Black: "I'm sorry..."

Speaker Lang: "Mr. Black."

Black: "...Mr. Mahoney, I'm sorry. Mr. Clerk, Floor Amendment #2 is on the Bill?"

Clerk Mahoney: "Floor Amendment #2 failed."

Black: "All right. Failed. Thank you. I'm sure that we'll have some questions on Third Reading. Thank you, Mr. Speaker."

Speaker Lang: "Thank you. Mr. Franks."

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

Speaker Lang: "Lady yields."

Franks: "Representative, I wanted to ask you some specifics about House Amendment #3, if I may. First of all, I appreciate the inclusion of selling the debt. That's something I've been pushing on the Governor for a long time and I'm happy to see that this is part of the Bill. But my question was, on this amnesty proposals, under what conditions will there be amnesty, and what type of taxes are we looking at that will be subject to the amnesty?"

Currie: "So, it would be a six-weeks period, October 1 to the middle of November of this year. It's modeled after the

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last amnesty program, and it would cover all taxes that are collected by the State Department of Revenue."

Franks: "So, it'd be business as well as individuals for any..."

Currie: "Yes."

Franks: "...for any taxes?"

Currie: "Right."

Franks: "Okay. And this is looking to generate approximately \$250 million?"

Currie: "With the inclusion of things like the ability to sell the state debt and to enter into deferred payment plans and so forth and so on, yes."

Franks: "Okay. When's the last time that we've done an amnesty plan?"

Currie: "2003."

Franks: "And do we know the numbers of how much we collected at that time, exclusive of these additional items that we have in this Bill?"

Currie: "Five hundred and thirty million."

Franks: "So, why do we think this one is going to be so much less?"

Currie: "Partly because we're doing it so soon..."

Franks: "Okay."

Currie: "...after the last one. The last one was done in 2003 and I think it had been about 20 years earlier that we did the previous one."

Franks: "Okay. So, this is a blanket amnesty for all taxes that can be collected by the Secretary of State and the Department of Revenue?"

Currie: "No, just by the Department of Revenue, I believe."

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Franks: "Oh, just by the Department of Revenue. Okay. I'm sorry. I guess the appeals usually come to the Secretary of State, am I correct? The appeals..."

Speaker Lang: "Please bring your questions to a close, Mr. Franks."

Franks: "Sometimes when you have a question on a business tax, for instance, and that's been implemented, the appeals process is through the Secretary of State. So, these taxes would be included as well?"

Currie: "My understanding is it's only those that are collected by the Department of Revenue."

Franks: "Are there... are there any taxes that aren't collected by the Department of Revenue?"

Currie: "Well, for example, the Corporate Franchise Fee, that would go to the Secretary of State's Office."

Franks: "Okay. But that's about it? I'm just try... I'm just trying to find out the scope."

Currie: "Yeah. And I... I don't know. I don't know if there may be others as well."

Franks: "Okay. I'll ask staff. Thank you."

Speaker Lang: "Representative Mulligan."

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

Speaker Lang: "Lady yields."

Mulligan: "Representative, will this change any plans that currently are in effect for people that have negotiated payment plans now for delinquent taxes?"

Currie: "I think they would not be included in this. If they're already doing a payment plan, I think that will continue."

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Mulligan: "I've had calls in my office from people who are under a current plan, who call all the time because they worry their checks have not arrived and they say that they're not depositing their checks for a very long time. I think that's a problem if we're going to be collecting. We should be collecting and we certainly should be depositing them quickly. On the third point that we have here, it says creates a tax amnesty program from October 1 through November 15, 2010, for all past due taxes from June 30, 2002 to 2010. During the tax amnesty no interest or penalty can be charged. Imposes a 200 percent penalty for nonpayment during the amnesty period. Does that mean for someone who has now past due taxes or for someone who creates a plan and then does not pay?"

Currie: "Yes. We changed the dates in the Amendment that's before us now."

Mulligan: "All right. So, the 200 percent penalty is imposed when?"

Currie: "After the amnesty is over."

Mulligan: "So..."

Currie: "So it's a kind of..."

Mulligan: "...anyone that doesn't..."

Currie: "...it's a kind of a carrot to encourage people to pay up during the amnesty people because there's a stick if you don't."

Mulligan: "All right. So, if you have a problem and you haven't paid, you either come in during the amnesty, or you then have another 200 percent penalty imposed?"

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Currie: "No. Only if you come in after the amnesty or they discover after the amnesty, that you owe a significant sum of money, then they're able to charge you..."

Speaker Lang: "Representative, please complete your answer."

Currie: "...a higher penalty than would be true today."

Speaker Lang: "Representative Mulligan, please complete your comments."

Mulligan: "So, will that be highly publicized so people will know to come in during that time, otherwise they're going to have additional penalties?"

Currie: "I anticipate it will."

Mulligan: "Is there any money in the Bill to accommodate the department to do that advertising?"

Currie: "Not in the Bill itself, but they certainly did a lot of advertising the last time we did an amnesty program."

Mulligan: "Thank you."

Speaker Lang: "Representative Careen Gordon."

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

Speaker Lang: "Lady yields."

Gordon, C.: "Thank you. Leader Currie, the money that's collected will go into GRF, is that correct?"

Currie: "Yes."

Gordon, C.: "And there's three different ways that the Department of Revenue can settle these debts. One would be a deferred payment plan, is that right?"

Currie: "Right. Under this measure, agencies would be able to do that kind of plan which is not currently available to them."

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Gordon, C.: "Why is... Okay. And the second one would be a compromised settlement where they could agree to settle for no less than 80 percent of the past due debt?"

Currie: "And... and that, again, is not part of amnesty but it is a new authority granted state agencies that are owed money."

Gordon, C.: "So, would the outstanding amount that's due if they only collect 80 percent of all the debts, then is the amount that this is expected to generate, does that take into consideration that if everything was settled for 80 percent, is that amount taken into consideration?"

Currie: "Well, everything wouldn't be settled for 80 percent on the dollar. I think what this means is that if somebody is not able to pay the full amount, instead of just standing there with our pockets empty, we will enable them to negotiate a settlement and get something rather than nothing."

Gordon, C.: "And this is only for individuals, correct? No businesses, no corporations, this is only for..."

Currie: "Ord... ordinarily... ordinar..."

Gordon, C.: "...individual taxpayers?"

Currie: "Ordinarily, these agencies I think would be dealing with businesses, not individuals."

Gordon, C.: "All right. I don't think... I'm sorry, Leader, I don't think that answers my question. This is for... the way this is set up this is for... So, it is for businesses and corporations, or it's only for individuals? Because the way I understood it in Revenue when it was actually presented by Mr. Speaker in the Chair, Leader Lang, it was



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dealt with by individuals. So, is this for corporate entities..."

Currie: "No businesses..."

Gordon, C.: "...and business entities?"

Currie: "...as well. Right, right. There was the... there was a proposal in Amendment 2 that failed in committee that applied only to individuals, but this is not that provision."

Speaker Lang: "We'll provide Representative Gordon time to finish her question."

Gordon, C.: "So, is it for individuals or is it for businesses and corporations or which?"

Currie: "It would be for individuals, businesses and corporations, but I should imagine for these compromised settlements, you're primarily talking about businesses and corporations."

Gordon, C.: "But when they pay this, there will be no interest and there will be no penalty?"

Currie: "Which Section of the Bill are looking at right now?"

Gordon, C.: "I'm saying that this becomes... you're saying, specifically a tax amnesty and debt collection Bill..."

Currie: "Right. That's right. Tax amnesty says we're not going to charge you penalties and interest."

Gordon, C.: "And what's the amount this is expected to collect?"

Currie: "We anticipate that the total Bill would be worth about 250 million in the coming fiscal year."

Gordon, C.: "Okay. This is completely different information that was given now than it was in the Revenue Committee."

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Currie: "But that's the information that we have today."

Gordon, C.: "As opposed to five hours ago? Thank you, Leader."

Speaker Lang: "Representative Dugan."

Dugan: "Speaker, will the Sponsor yield?"

Speaker Lang: "Lady yields."

Dugan: "Leader Currie, I just wanted to check to make sure I understood. So, this is anybody that's owed taxes from June 30, 2002 to June 30, 2010?"

Currie: "2009, actually. Through 2009."

Dugan: "Okay. And.. and is... I just wanted, again, to make sure, and I think this question was asked, but so, anybody who now was behind on their taxes and has made payments, arrangements with the state. So, have come forward and said I fell behind and I want to pay what I owe. Those people, in some cases, are still paying interest and penalty, they just set up payment plans with the state. Those people would not be able to take... would not be able to do this amnesty program, so they would still pay whatever agreement they came to, penalties and interest?"

Currie: "Right."

Dugan: "Correct?"

Currie: "I believe... I believe that's right. And certainly anybody who, during this period, has paid penalties and interest would not be entitled to get the penalty and the interest back."

Dugan: "And so, I only have one other question, and Leader Currie, maybe you can answer this for me. But could you tell me what the policy is in the state? I mean, how does someone go from 2002 to 2009 and not pay taxes? What's our

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policy in the state to collect taxes that are owed the state?"

Currie: "Well, in fact, there is an enforcement division within the Department of Revenue, and they are out on a daily basis trying to make sure that people are paying up. Many of the people who might participate in this amnesty, especially business entities that might choose to participate, are actually protesting the department's decision that they owe taxes. So, there's a protest period and there are people who are not paying because they think the department is wrong. And if those people decide to pay up, they will not face penalties and interest. So, I think a lot of the money that comes in is going to come from business enterprises, some of which are already under some kind of enforcement activity..."

Speaker Lang: "Please complete your remarks."

Currie: "...by the department."

Dugan: "Thank you. And Leader Currie, like I said, I guess I'm just a little confused that they're protesting their taxes so they may not end up owing them, then I'm just... I'm a little concerned as to whether the amount we believe we may get is actually an amount we may, and the fact that people can owe taxes for this many years and then come through at this time, otherwise and any other time they don't come through. So, thank you very much."

Speaker Lang: "Representative Durkin."

Durkin: "Will the Sponsor yield?"

Speaker Lang: "Sponsor yields."

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Durkin: "Representative, I have a very brief question. The one Section which allows the Comptroller to sell the debt to a private vendor, would that... will those services be subject to a bid process or will the Comptroller just have the unilateral right to chose a vendor on their own?"

Currie: "I'm checking that the... first of all, they would not be able to do it unless the Attorney General's Office certified that..."

Durkin: "Right."

Currie: "...this made good public policy sense."

Durkin: "But when it's sent to the Comptroller, after the AG certifies, how is the proce... how will be the process for choosing the vendor be implemented?"

Currie: "So, the Comp... the Comptroller would be required to set up an RF fee, similar to that which is already required under the Procurement Code."

Durkin: "Great. Thank you."

Speaker Lang: "Those in favor of the adoption of the Amendment shall say 'yes'; opposed 'no'. In the opinion of the Chair, the 'ayes' have it. Floor Amendment #3 is adopted. Mr. Clerk."

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

Speaker Lang: "Third Reading. The Chair recognizes Mr. Black."

Black: "Thank you very much, Mr. Speaker and Ladies and Gentlemen of the House. This is one of these things, and let me say right off the top, I'm going to vote for the Bill. But this is one of these things that I don't understand. This is not the way we used to do business here. And I don't know why we do business this way now."

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In September of 2009, eight months ago, the House Republicans introduced House Bill 4662 and 4622 that dealt with the same thing. I sponsored Amendments to increase penalties and interest, whatever you wanted to do. We filed a Motion to Discharge. Now, the Lady who speaks so eloquently about this Bill, objected to our Bill. Your spokesperson said that all we were doing was coddling tax cheats. That's what Republicans do. We coddle tax cheats. Well, I suppose we're coddling, I don't know what the hell you call it, you're estimating \$250 million, and the Department of Revenue told us \$105 million. You've wasted eight months. We could have had this money in the bank. Oh, no. No, we were going to coddle tax cheats. It wouldn't bring any money in at all. It was just another excuse by the Republicans to avoid the tough choices. Well, I want to congratulate you on making the tough choice tonight. You took our idea, you ridiculed us, you called us names, you've wasted eight months, and you're running basically the same Bill we offered in September of 2009. Congratulations. You've wasted our time, you've wasted the taxpayer's time, and you've wasted a hell of a lot of money and the interest that could have been made. All I can say to you is I suppose imitation is the most sincere form of flattery."

Speaker Lang: "Senate Bill 377. Mr. Clerk, please read the Bill for the third time."

Clerk Mahoney: "Senate Bill 377, a Bill for an Act concerning State Government. Third Reading."

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Speaker Lang: "Please take it out of the record, Mr. Clerk.  
The Chair recognizes Speaker Madigan."

Madigan: "Ladies and Gentlemen, we're prepared to adjourn for  
the evening. We'll come back into Session at about 9:30  
with committees before Session. For the Democrats, we'd  
like you to all be on time, 9:30, and then we're going to  
go to a caucus to meet with Governor Quinn. So, please be  
on time. Thank you."

Speaker Lang: "The Chair recognizes Representative Stephens."

Stephens: "An inquiry of the Chair."

Speaker Lang: "State your inquiry, Sir."

Stephens: "We thought we were meeting with Governor Quinn in  
the morning?"

Speaker Lang: "I think you'll have to take that up with the  
Governor, Sir."

Stephens: "No, no, no."

Speaker Lang: "Mr. Clerk."

Stephens: "You cancel your meeting. We're meeting with  
Governor Quinn at 9:30; that's the way it's going to be.  
Republicans are always here ready to do the people's  
business."

Speaker Lang: "Mr. Clerk, committee announcements."

Clerk Mahoney: "Committee announcements for tomorrow, Friday,  
May 7. At 8:30 a.m., Judiciary-Criminal Law will meet in  
Room D-1, Revenue & Finance at 8:30 in Room 122B, Labor  
Committee at 8:30 a.m. in Room 118, and the Insurance  
Committee at 8:30 in Room 114. At 9 a.m., the Executive  
Committee will meet in Room 118, at 9 a.m., Human Services  
in Room 413, Stratton, at 9 a.m., State Government

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Administration in Room 114, Health Care Licenses at 9 a.m. in 122B, Counties & Townships at 9 a.m. in Room 115, Elementary & Secondary Education at 9 a.m. in Room C-1, and Judiciary-Civil Law at 9 a.m. in Room D-1."

Speaker Lang: "Mr. Clerk, Agreed Resolutions."

Clerk Mahoney: "On the Order of Agreed Resolutions. House Resolution 1221, offered by Representative Cross. House Resolution 1222, offered by Representative Lyons. House Resolution 1223, offered by Representative Burke. House Resolution 1224, offered by Representative Mautino. House Resolution 1225, offered by Representative Mulligan. House Resolution 1226, offered by Representative DeLuca. House Resolution 1227, offered by Representative Lilly. House Resolution 1228, offered by Representative Dugan. House Resolution 1229, offered by Representative May. House Resolution 1230, offered by Representative Turner. House Resolution 1231, offered by Representative Mautino. House Resolution 1232, offered by Representative Chapa LaVia. House Resolution 1233, offered by Representative Tryon. House Resolution 1234, offered by Representative Madigan. And House Resolution 1235, offered by Representative Reboletti."

Speaker Lang: "Representative Currie moves for the adoption of the Agreed Resolutions. All in favor say 'yes'; opposed 'no'. In the opinion of the Chair, the 'ayes' have it. And the Agreed Resolutions are adopted. The Chair recognizes Representative Black."

Black: "Mr. Speaker, some of my Members have asked, those who stay... particularly those you stay in hotels and motels,

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whether or not they should plan to check out on Friday night? Can you give them any... or excuse me, tomorrow. Can you give them any direction?"

Speaker Lang: "Mr. Black, I think we're all aware of the intention of Leaders to complete our work, but we... you know as well as I do, that we can't always count on finishing when anticipated. So..."

Black: "I... I was getting that impression, yes. So, I would suggest to Members that perhaps you not give up your sleeping accommodations, and come in tomorrow and we'll see how it goes. Thank you."

Speaker Lang: "Mr. Clerk, committee announcement."

Clerk Mahoney: "The House Rules Committee will immediately in the Speaker's Conference Room. Rules Committee is meeting immediately in the Speaker's Conference Room."

Speaker Lang: "And now allowing for perfunctory time for the Clerk, Representative Currie moves that the House does stand adjourned 'til Friday, May 7 at 9:30 a.m. Those in favor say 'yes'; opposed 'no'. In the opinion of the Chair, the 'ayes' have it. And the House does stand adjourned."

Clerk Mahoney: "House Perfunctory Session will come to order. Committee Reports. Representative Barbara Flynn Currie, Chairperson from the Committee on Rules reports the following committee action taken on May 6, 2010: approved for floor consideration on the Order of Concurrence, recommends be adopted are Motions to Concur in Senate Amendment #1 to House Bill 3889, a Motion to Concur in Senate Amendments 1 and 2 to House Bill 5060, a Motion to



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Concur in Senate Amendments 1 and 2 to House Bill 5230, a Motion to Concur in Senate Amendment #1 to House Bill 5836, a Motion to Concur in Senate Amendment #1 to House Bill 6124. Introduction and reading on House Bills-First Reading. House Bill 6870, offered by Representative Black, a Bill for an Act concerning State Government. First Reading. There being no further business, the House Perfunctory Session will stand adjourned."