

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

139th Legislative Day

5/7/2010

Speaker Lyons: "Good morning, Illinois. Your House of Representatives will come to order. Members are asked to please be at your desks. We shall be led in prayer today by Reverend Jeffrey Hammer. Reverend Hammer is with the First Baptist Church of Marengo in Marengo, Illinois. Reverend Hammer is the guest of Representative Jack Franks. Members and guests are asked to please refrain from starting their laptops, turn off all your phones, your cell phones... your phones, pagers and electrical devices and please rise for the invocation and the Pledge of Allegiance. Reverend Jeffrey Hammer."

Reverend Hammer: "Let us pray. Lord Almighty, creator, giver and sustainer of life, I just humbly ask Your blessing be upon these men and women as they serve the State of Illinois today. You have called them to a great service. And through their family and friends at their home districts, they have validated that calling through their election. I ask today that You help each person here remember the great and awesome responsibility that You have given them. You've given them great privilege through this service, but there is a burden of responsibility. Lord, help them to carry out that responsibility with honor, courage and wisdom. There are many serious matters that face this House today and may each Representative have the courage to stand for their values, for their ideals. May they also remember the values and the ideals of their constituents. And if there is a difference, give them wisdom to do what is best for this state. Lord, we take a moment and ask Your mercy upon our military, our men and

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

139th Legislative Day

5/7/2010

women serving in harm's way. We ask that You give them peace and protection. We also take a moment and ask for a special measure of grace and strength upon the leadership and citizens of the states of Kentucky and Tennessee during these trying, trying times. May You be with each family of the victims that have lost their lives in these floods. Lord, and again, may Your spirit be upon this House of Representatives. Be with our Governor, our President and all of our leaders. It's in Christ's name I pray, Amen."

Speaker Lyons: "Representative John Fritchey, would you please lead us in the Pledge of Allegiance."

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

Speaker Lyons: "Roll Call for Attendance. Representative Bost, what's the status of the GOP today?"

Bost: "Mr. Speaker, yes, thank you. I would like to report that all Republicans are present today, ready to work and a word for the wise. If you're just coasting along, you've got to be going downhill."

Speaker Lyons: "Representative Osterman, Democrats."

Osterman: "All Democrats are here and eager to meet with our Governor."

Speaker Lyons: "Mr. Clerk, take the roll. There's 118 Members answering the Roll Call. We have a quorum. We're prepared to do the work of the people of the State of Illinois. Mr. Clerk, Committee Reports."

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

139th Legislative Day

5/7/2010

Clerk Mahoney: "Committee Reports. Representative Fritchey, Chairperson from the Committee on Judiciary-Civil Law reports the following committee action taken on May 7, 2010: recommends be adopted is Floor Amendment #1 to Senate Bill 3739. Representative Burke, Chairperson from the Committee on Executive reports the following committee action taken on May 7, 2010: recommends be adopted is Floor Amendment #2 and 3 to Senate Bill 3146. Representative Jakobsson, Chairperson from the Committee on Human Services reports the following committee action taken on May 7th, 2010: recommends be adopted is Floor Amendment #1 to Senate Bill 2863; Motion to Concur in Senate Amendments 1 and 2 to House Bill 917, a Motion to Concur in Senate Amendments 1 and 2 to House Bill 5132. Representative Osterman, Chairperson from the Committee on Labor reports the following committee action taken on May 7, 2010: recommends be adopted is a Motion to Concur in Senate Amendments 1, 2 and 3 to House Bill 6349. Representative Bradley, Chairperson from the Committee on Revenue & Finance reports the following committee action taken on May 7, 2010: recommends be adopted is a Motion to Concur in Senate Amendment 1 to House Bill 5833. Representative Monique Davis, Chairperson from the Committee on Insurance reports the following committee action taken on May 7, 2010: recommends be adopted is a Motion to Concur in Senate Amendments 1 and 2 to House Bill 5217. Representative Golar, Chairperson from the Committee on Judiciary-Criminal Law reports the following committee action taken on May 7, 2010: recommends be adopted is a

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

139th Legislative Day

5/7/2010

Motion to Concur in Senate Amendments 1 and 2 to House Bill 5745 and a Motion to Concur in Senate Amendments 1, 2 and 3 to House Bill 6462. Representative Verschoore, Chairperson from the Committee on Counties & Townships reports the following committee action taken on May 7, 2010: recommends be adopted is a Motion to Concur in Senate Amendments 2... correction, Senate Amendment 2 to House Bill 5483. Representative Reitz, Chairperson from the Committee on Health Care Licenses reports the following committee action taken on May 7, 2010: recommends be adopted is a Motion to Concur with Senate Amendment 2 to House Bill 5183. Representative Crespo, Chairperson from the Committee on Elementary & Secondary Education reports the following committee action taken on May 7, 2010: recommends be adopted is a Motion to Concur in Senate Amendment 1 to House Bill 5340. Referred to the House Committee on Rules. Introduction of Resolutions. House Resolution 1237, House Resolution 1240, House Resolution 1242, House Resolution 1244, House Joint Resolution 120."

Speaker Lyons: "Mr. Clerk, Committee Reports."

Clerk Mahoney: "Representative Franks, Chairperson from the Committee on State Government Administration reports the following committee action taken on May 7, 2010: recommends be adopted is a Motion to Concur in Senate Amendments 2 and 3 to House Bill 2369 and a Motion to Concur in Senate Amendment #1 to House Bill 5193 and a Motion to Concur in Senate Amendments 1 and 2 to House Bill 5571."

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

139th Legislative Day

5/7/2010

Speaker Lyons: "Mr. Clerk, Representative Mendoza has, on the Order of Senate Bills-Second Reading, Senate Bill 2612. What's the status of that Bill, Mr. Clerk?"

Clerk Mahoney: "Senate Bill 2612 has been read a second time, previously. Floor Amendment #2, offered by Representative Mendoza, has been approved for consideration."

Speaker Lyons: "Representative Susana Mendoza on Floor Amendment #2."

Mendoza: "Thank you, Mr. Speaker. Floor Amendment #2 becomes the Bill and Senate Bill 2612 simply authorizes municipalities that impose certain taxes or fees collected by public utilities to conduct audits to determine the accuracy of the taxes or fees paid to the municipality. This Bill sets forth procedures under which a municipality may collect information from a public utility. This also applies to cable companies and it would allow them to collect the information necessary to perform a proper audit. It sets forth the procedures concerning the audit findings, liability for errors, penalties, confidentiality, and exemptions. This Bill has undergone a tremendous amount of negotiations and the Illinois Municipal League which was opposed to it is now neutral on the Bill. The Bill passed the Senate unanimously, and I would certainly ask for your support today. Be happy to answer any questions."

Speaker Lyons: "Is there any discussion? Seeing none the question is, 'Should Floor Amendment #2 be adopted?' All those in favor signify by saying 'yes'; those opposed saying 'no'. In the opinion of the Chair, the 'ayes' have

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

139th Legislative Day

5/7/2010

it. And the Amendment is adopted. Anything further, Mr. Clerk?"

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

Speaker Lyons: "Third Reading. Representative Black, for what purpose do you seek recognition, Sir?"

Black: "Yes, one moment, Mr. Speaker. Mr. Mahoney, not the Clerk, our staff member, Mr. Mahoney. Could you come down here, please? Ladies and Gentlemen of the House, I want you to meet one of our staffers, Mr. Mike Mahoney, whose summer job is driving the Good Humor truck. So he needs to get out of here and... listen, if you want to order dilly bars today just call Mr. Mahoney. There's a special price for Legislators and he's promised that all of the proceeds will go to the General Revenue Fund. There is a real man. Thank you, Mr. Mahoney."

Speaker Lyons: "Mr. Clerk, on the Order of Third Readings, Representative Mendoza has Senate Bill 2612. Read the Bill, Mr. Clerk."

Clerk Mahoney: "Senate Bill 2612, a Bill for an Act concerning local government. Third Reading."

Speaker Lyons: "Representative Susana Mendoza."

Mendoza: "Thank you, Mr. Speaker. I just read what the Bill did. I can repeat it if you'd like, but... establishes a framework where municipalities can audit, at least once every two years, the taxes that are collected by various utilities or cable companies. Be happy to answer any questions. Look forward to your support."

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

139th Legislative Day

5/7/2010

Speaker Lyons: "You've heard the Lady's explanation. Is there any discussion? The Chair recognizes the Gentleman from Cook, Representative Mark Walker."

Walker: "Will the Sponsor yield?"

Speaker Lyons: "Sponsor yields."

Walker: "My understanding is that some of my local communities were opposed because Amendment 2 establishes a requirement that in order to do an audit that has individual household bills involved, which is necessary, every single individual household in the town has to approve it."

Mendoza: "The situation that you're referring to is with the City of Des Plaines which currently is in litigation. They have now signed on to the Bill as neutral and their concern is not affected at all with my current legislation. What they would like to do, and the reason why they're... they were in opposition is because they would like to have access to confidential information about the customer, which is currently not available to them under the current law. The only thing this Bill does is go ahead and keep the current law as is when it comes to customer confidentiality. Their issue is an issue that they're taking up with the courts and it is not impacted in any way, shape, whatsoever, by the current legislation that we're moving forward. As of yesterday in committee, Des Plaines is now neutral on the legislation."

Walker: "Thank you."

Mendoza: "Sure."

Speaker Lyons: "The Chair recognizes the Gentleman from Ver... Vermilion, Representative Bill Black."

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

139th Legislative Day

5/7/2010

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

Speaker Lyons: "The Sponsor yields."

Black: "Representative, when you say, confidential information, I think many of us have some concerns. What kind of confidential information are the utility companies after and then, I guess, the next question would be why?"

Mendoza: "No, that's a great question. The utility companies are not after confidential information. The municipalities are interested. Some of them that are in litigation right now would like more confident... confidential information about the customer. For example: exactly what type of...of usage they had regarding their cable usage or their utility usage. That's information that currently under law is protected by confidentiality clauses. That's the current law now, Representative. Our Bill does not change that. But, we'd like to continue to protect customers as to what their private information is."

Black: "Well, information, why wouldn't that be available currently on a meter, like how many kilowatt hours you're using, what..."

Mendoza: "That information is available."

Black: "...what your load is."

Mendoza: "It is available. That information..."

Black: "So... so, what other information do they need?"

Mendoza: "Let me give you... I'll read it off the Bill, just give me ..."

Black: "Okay."

Mendoza: "...two seconds here to find it."

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

139th Legislative Day

5/7/2010

Black: "Mr. Speaker, is there anybody out there?"

Speaker Lyons: "Pardon me, Mr. Black."

Mendoza: "Representative, I've been made aware that the... the information that is currently protected under the law is proprietary information about the consumer. It's basically who the consumer is exactly instead of like, for example, an address, who the person is, what it is in the case of cable that they're viewing. That type of personal information which is currently protected under the law. The issue with audits and mistakes in audits is oftentimes about addresses. So like, for example, the municipal... the cable company they... or the utility company, they will tax per address not necessarily per customer. So, not Bill Black but by your address. If they tax an address and send the money to a different municipality, that's the error. There's no need for the municipality to know anything more about Bill Black. They just need to know is the address that you live at, the address that is supposed to be generating revenue for them in taxes. That is why your personal information should be kept private from municipalities. The only thing they need to know about you is... is the address in question producing the revenue that would provide the taxes to that municipality."

Black: "Well..."

Mendoza: "This Bill does nothing to change current law in confidentiality."

Black: "...the only thing that I can relate to on this is those of us who have apartments in Springfield, my... the cable TV bill goes to my home address in Danville and the City

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

139th Legislative Day

5/7/2010

Water, Light and Power bill goes to my home address in Springfield, but both of those services are delivered to my Springfield apartment. So, what... what does this do? I mean, does this help City Water, Light and Power figure out that I don't live here or..."

Mendoza: "Representative, I'm sorry, I don't understand your question."

Black: "Well, you're... you're saying that they need information so that the municipality makes sure it's getting the taxes."

Mendoza: "This is exactly the information they would need. In an electronic format the database used by the electricity deliverer to determine the amount due to the municipality. Provided, however, that if the municipality has requested customer-specific billing usage and load shape data from any electricity deliverer, that is an electric utility and has not provided the electric utility with the verifiable authorization required by Section 16-122, current law of the Public Utilities Act, the electric utility shall remove from the database all customer-specific billing, usage and load shape data before providing it to the municipality."

Speaker Lyons: "We'll give you another minute to finish your discussion."

Mendoza: "Thank you, Speaker. The utility companies need to be able to provide the information to the municipality relevant to the usage for proper billing and taxing of the entity. They do that now. This will not give any information that is currently not available under current law to municipalities. They would like to reach a little

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

139th Legislative Day

5/7/2010

bit further because some municipalities are in current litigation, would like retroactive access to specific customer information that is not available to them under current law. My Bill does not impact that whatsoever. So we're basically talking about something that is not available today to municipalities, and won't be, even if this Bill passes."

Black: "Okay. It... I appreciate your... your time. It just seems to me that, I guess it's because I'm so much older than you are that, in a serious vein, that more and more companies and more and more entities want to know more and more about me or where I am or what I use. I just have a little concern about that. But I... you've answered the question about the personal information and that's what I was mostly concerned about. Thank you."

Mendoza: "Thank you."

Speaker Lyons: "Representative Patti Bellock."

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

Speaker Lyons: "Sponsor yields."

Bellock: "Thank you, Representative. One of my villages still has a problem with this Bill, the Village of Woodridge, and they are saying that they're still objecting because they feel a taxing authority loses the ability to recovery revenues."

Mendoza: "The whole..."

Bellock: "Is that..."

Mendoza: "...point about doing this Bill is that it's driven by the municipalities because they're losing money now due to

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

139th Legislative Day

5/7/2010

mistakes done by utilities and the cable companies, giving revenues that, for example, would be due your municipality to a different municipality."

Bellock: "Right."

Mendoza: "See, the whole purpose of doing an audit would be to make sure that you're collecting the proper revenues that are due your municipality. This Bill is not driven by the ca... by the cable or utility companies; it's driven by the municipalities, by the mayors who want to make sure that their municipality is receiving the correct amount of money due to them. And we have worked extensively with the Illinois Municipal League, also with the City of Chicago to make sure that all of the concerns that the mayors have had, for the most part, are now in this Bill. The only sticking point still out there with three of the municipalities that are in current litigation is that they would like more access to specific customer information which is not available to them because it's protected under current law. They're in current litigation. They are going to have to take that up with the courts. This Bill does nothing to impact it. As a matter of fact, grandfathers in anyone who is in current litigation or anyone who has already started an audit before the effective date of this Bill taking effect."

Bellock: "Thank you."

Mendoza: "Sure."

Speaker Lyons: "Representative Robyn Gabel."

Gabel: "Thank you, Mr. Speaker. Will the... will yield?"

Speaker Lyons: "Sponsor yields, Robyn."

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

139th Legislative Day

5/7/2010

Gabel: "Sponsor yields. Thank you. I was just wondering why Chi... is Chicago exempt from this... from this legislation?"

Mendoza: "Chicago is exempt from this and one of the major reasons is because a big portion of this Bill is related to the Taxpayers' Bill of Rights. And the Taxpayer Bill of Rights was passed in this General Assembly and led by the Illinois Municipal League. At the time that the Illinois Municipal League passed the Taxpayers' Bill of Rights, the City of Chicago was not... was exempted from the Taxpayer Bill of Rights. So this would complicate everything for the City of Chicago because the City of Chicago is so large that it already does its own auditing, it has its own Department of Revenue, that imposes its own collection methods, fees for penalties, et cetera, that it... it really is not appropriate to include the City of Chicago since they have their own mechanism."

Gabel: "Thank you."

Speaker Lyons: "Representative Anthony DeLuca."

DeLuca: "Thank you, Mr. Speaker, to the Bill. I rise in support of this Bill. As a former mayor who conducted a successful audit, this Bill... many of the issues that were brought up by some of the municipalities, many of the mayors that are contacting you with certain concerns that they have, this Bill addresses them. This Amendment addressed many of the issues that they're bringing up and it was in committee yesterday afternoon. Many of the mayors, 'cause I've spoken to some of them, aren't even aware that the Amendment was adopted yesterday in committee, went through committee yesterday and what's in

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

139th Legislative Day

5/7/2010

the Amendment. So, I've been working with the Illinois Municipal League, helping them disseminate that information to the municipalities so they're aware that the Illinois Municipal League is now neutral on this Bill. We've had countless meetings to work through this Bill and I ask you to support it. Thank you."

Speaker Lyons: "Representative Mendoza to close."

Mendoza: "Just want to thank you for the discussion and would ask for your support."

Speaker Lyons: "The question is, 'Should Senate Bill 2612 pass?' All those in favor signify by voting 'yes'; those opposed vote 'no'. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Representative Washington, Representative Fortner. Representative Fortner, like to be recorded. Mr. Clerk, take the record. On this Bill, there are 85 Members voting 'yes', 33 voting 'no', 0 voting 'present'. This Bill, having received the Constitutional Majority, is hereby declared passed. Representative JoAnn Osmond."

Osmond: "The Republicans wish to caucus in Room 118."

Speaker Lyons: "Representative Dan Burke, Motion."

Burke: "Thank you, Mr. Speaker. I believe that the Demo... Democrats will be going to caucus and I would ask that you would permit us to retire to Room 118, is it or..."

Speaker Lyons: "114."

Burke: "114."

Speaker Lyons: "Republicans will be going to caucus in Room 118. Democrats, we are going to Room 114. Republicans,

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

139th Legislative Day

5/7/2010

you're going to Room 118 and we'll stand at ease 'til the call of the Chair."

Speaker Lang: "The House will come to order. Mr. Clerk."

Clerk Mahoney: "Rules Report. Representative Barbara Flynn Currie, Chairperson from the Committee on Rules reports the following committee action taken on May 7, 2010: approved for floor consideration: recommends be adopted is Amendment #2 to Senate Bill 1642, Amendment #2 to Senate Bill 2647, Amendment #3 to Senate Bill 3749, and Amendment #1 to Senate Joint Resolution 118. On the Order of Concurrence: recommends be adopted a Motion to Concur in Senate Amendments 1, 2, 3, 6, 7, and 8 to House Bill 859, a Motion to Concur in Senate Amendments 1 and 2 to House Bill 2332, a Motion to Concur in Senate Amendment #2 to House Bill 4788, a Motion to Concur in Senate Amendments 1 and 3 to House Bill 5080, a Motion to Concur in Senate Amendment #2 to House Bill 5306, a Motion to Concur in Senate Amendments 1, 2 and 3 to House Bill 5409, a Motion to Concur in Senate Amendment #1 to House Bill 5494, a Motion to Concur in Senate Amendment #1 to House Bill 5772, and a Motion to Concur in Senate Amendment #1 to House Bill 6151, and a Motion to Concur in Senate Amendments 2 and 3 to House Bill 6419."

Speaker Lang: "On page 14 of the Calendar there appears under... or... Agreed Resolutions. House Resolution 1079, Representative Leitch."

Leitch: "Thank you very much, Mr. Speaker and, in view of the activities today, I especially appreciate your calling this. This Resolution honors an outstanding group of not

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

139th Legislative Day

5/7/2010

just young athletes, but outstanding young men who are here from the Richwoods Community High School, Knights. Stand up, folks. They finished second in the state in 3A. And I must, in all sincerity, tell you this is one of the classiest group of young people who've been down here in my 23 years. So, thank you so much, guys."

Speaker Lang: "The gentleman moves for the passage of the Resolution. Those in favor say 'yes'; opposed 'no'. In the opinion of the Chair, the 'ayes' have it. And the Resolution is adopted. On page 4 of the Calendar, under Senate Bills-Third Reading, there appears Senate Bill 3464, Representative Rita. Mr. Rita. Please read the Bill. Mr. Clerk, please place this Bill on the Order of Second Reading at the request of the Sponsor and read the Bill."

Clerk Mahoney: "On Senate Bill 3464 Floor Amendment #4, offered by Representative Rita, has been approved for consideration."

Speaker Lang: "Mr. Rita."

Rita: "Thank you, Mr. Speaker. I move that we adopt Amendment #4 and we can discuss it with...with all the Amendments on the Bill."

Speaker Lang: "The Gentleman moves for the adoption of the Amendment. Those in favor say 'yes'; opposed '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."

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

139th Legislative Day

5/7/2010

Clerk Mahoney: "Senate Bill 3464, a Bill for an Act concerning utilities. Third Reading."

Speaker Lang: "Mr. Rita."

Rita: "Thank you, Mr. Speaker and Ladies and Gentlemen of the House. Senate Bill 3464 is four different individual Bills that are combined into one that... under my understanding, that there's no known opposition to this. What it does is it combines the underlying Bill that was from the ICC that repeals an Act that is no longer being used. Second provision gives notice to self... to Members of the General Assembly or to the Member where a cell phone tower is to be built in an unincorporated to the county board and to the State Representative or Senator in that district, 30 days notice. And it also assists the pay phone industry to help keep the 12 thousand existing pay phones in operation and the other portion is initiative of the township officials to dealing with cell phone towers in construction and/or new cell phone towers on township property. Be happy to answer any questions."

Speaker Lang: "The Gentleman moves for the passage of the Bill. And on that question, the Chair recognizes Representative Franks."

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

Speaker Lang: "State your inquiry, Sir."

Franks: "Has House Amendment #4 been adopted?"

Speaker Lang: "Mr. Clerk."

Clerk Mahoney: "Floor Amendment #3 and 4 have both been adopted to this Bill."

Speaker Lang: "Mr. Franks."

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

139th Legislative Day

5/7/2010

Franks: "Thank you. I'd like to ask a question of the Sponsor then."

Speaker Lang: "Gentleman yields."

Franks: "Representative, House Amendment #4 made a change indicating that the notice and competitive bidding procedure for the lease of the township property for a wireless telecommunication tower would now be discretionary. Why would we do that instead of requiring notice in... in competitive bidding?"

Rita: "Well, this was an initiative with Representative Ramey that put this one. And, I believe there was a problem with an existing tower that was on township property and it's caused some problems with going out for that bid. And what they were trying to do is just sort of kind of reconstruct it."

Franks: "Well, couldn't... the problem though, the way this is drafted, is I think it would... significantly weaken the bidding process. Because, right now, notice of competitive bidding are required for these and this would make a fee change in indicating that they would no longer be required to have notice in competitive bidding."

Rita: "Can...can you repeat that question?"

Franks: "Right now, currently, notice in competitive bidding procedures for lease and sale of township property are mandatory for wireless telecommunication towers. This Amendment would no longer make it mandatory, but make it discretionary. Why would we do that?"

Rita: "So... my understanding is that what happens is that you'd end up getting just one company bidding on it, so this

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

139th Legislative Day

5/7/2010

would open it up so that it... what it's doing then is actually increasing what it would cost to do this."

Franks: "Mr. Ramey is explaining his rationale to me, so I appreciate that. I'll... no further questions."

Speaker Lang: "Mr. Bost."

Bost: "Thank you, Mr. Speaker. I don't know what the... which is the right time to do this. We... need to excuse... I do now want to speak on the Bill as well, but we need to excuse a Member on our side of the aisle. Do you want to do that now?"

Speaker Lang: "As long as you're talking, go ahead, Sir."

Bost: "Okay."

Speaker Lang: "Who do you want to excuse?"

Bost: "Okay. We want to excuse Representative Eddy."

Speaker Lang: "The record will so reflect. Thank you, Sir."

Bost: "And I do want to speak on the Bill, though, if I may, Sir."

Speaker Lang: "Then you may do that as well, Sir. I'll start the timer again for you."

Bost: "Thank you. May the Sponsor yield, please?"

Speaker Lang: "Gentleman yields."

Bost: "Just for purposes of legislative intent on the...on the part of the funding of the pay phones. Now, I under... you know and this is a case whereby the... mainly because most people have cell phones, we're basic... basically subsidizing them. Where do the funds come from?"

Rita: "The... there being... they come from the line surcharge, which would go into a separate fund or go to the ICC. They

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

139th Legislative Day

5/7/2010

could go into a separate fund and/or of... the existing fund to help..."

Bost: "Okay. Does this have any..."

Rita: "...assist them."

Bost: "...does this have any sweep language?"

Rita: "Does it have what?"

Bost: "Can it..."

Rita: "No."

Bost: "can that fund be swept?"

Rita: "No."

Bost: "Okay. But they do... then these funds do go to pay for and keep up and maintain our pay...pay phones, correct?"

Rita: "Yes."

Bost: "All right. So, it is never the intent to tax cell phones to get that done, correct?"

Rita: "No."

Bost: "Okay. That's what I needed to know. Thank you."

Rita: "No."

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? Cole, Dugan, Gordon, Jakobsson, Lyons, Winters. Please take the record. On this question, there are 75 voting 'yes', 41 'no'. And this Bill, having received the Constitutional Majority, is hereby declared passed. Mr. Clerk, on page 7 of the Calendar, under the Order of Senate Bills-Second Reading, there appears Senate Bill 3739. Please read the Bill."

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

139th Legislative Day

5/7/2010

Clerk Mahoney: "Senate Bill 3739 has been read a second time, previously. Floor Amendment #1, offered by Representative Lyons, has been approved for consideration."

Speaker Lang: "Mr. Lyons."

Lyons: "Thank you, Mr. Speaker. The original Bill, the underlying Bill this... 3739, as amended, does three things: it creates the Foreclosure Prevention Program; it creates an Abandoned Residential Property Municipality Relief Fund; and, it expands the existing 30/30 Fund that we passed last year for another three years. The Foreclosure Prevention Fund will... this will create a fund that will distribute money to... approved counseling... agencies and approved counseling... for approved housing counseling for both the City of Chicago or outside the City of Chicago be broken up two ways. Twenty-five percent will go to communities outside the City of Chicago for their own municipal fund as well as community-based outreach programs to help do the same counseling and 50 percent of the fund will go to the city, 25 half of it... again, 25 percent to go to the city for their agencies, and 25 for community-based agencies to work with people to help keep people that are having foreclosure problems in their homes. The fund will be funded by a \$50 filing fee, filed by the plaintiffs who are putting the house... housing in foreclosure. This \$50 fee was language that was given to us by the financial institution. That takes them out of their opposition to this. They're not certainly elated with this, but they are no longer opposing this whole legislation with the funding process with... in the language that they gave us. Secondly,

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

139th Legislative Day

5/7/2010

the Abandoned Residential Property Municipal Relief Fund is a fund that's going to be created on the back end of this foreclosure situation where people who are now purchasing these foreclosed properties at six cents, seven cents, eight cents on a dollar will now be funding this to the tune of a dollar for every thousand dollars that the foreclosures... we're capping it at a maximum of 300. Seventy-five percent of the money shall be distributed to municipali... municipalities other than Chicago, 25 to the City of Chicago. So, this is a program to help people in the State of Illinois going through foreclosure. We started this program last year with 30/30/30 program. We're extending the deadline on that without spending any money of the State of Illinois through the foreclosure process, front-ending it for the counseling, back-ending it for the abandoned building problems and for the building situation that we have where this is a plague. We're looking for your 'aye' vote and try to help move this back over to the Senate for concurrence. So, I'm looking for 'aye' votes. Be happy to answer any question."

Speaker Lang: "The Gentleman moves for the adoption of the Amendment. On that question, the Chair recognizes Representative Yarbrough."

Yarbrough: "Thank you, Mr. Speaker. Will the Gentleman yield?"

Speaker Lang: "Gentleman yields."

Yarbrough: "Representative, I sponsored a Bill last Session that would have required banks to take responsibility for vacant properties. Instead of that, this Bill creates an Abandoned Residential Property Municipality Relief Program

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

139th Legislative Day

5/7/2010

and the program will be funded from a fee on judicial sales. The fee's going to be a dollar for every thousand dollars of property value. Now, in my district a lot of the foreclosed properties sell for \$5 thousand or \$10 thousand. So, they are only going to generate 5 or 10 dollars for this relief fund. So, my question is are there any projections about how much relief this Bill will provide?"

Lyons: "Well, my understanding would be... no, we don't have a real hard core... hard fast estimate on what this is going to generate, but it will... whatever does come in will help fund the program that you put on the books last year."

Yarbrough: "Doesn't sound like it's enough to me, Representative. Second..."

Lyons: "It's a start, Representative. It is a start."

Yarbrough: "Okay. Secondly, it looks to me like the fee doesn't apply when the bank takes possession of the property they foreclose upon. On page 19, line 4 through 8 it says that 'No fee shall be paid by the mortgagee acquiring the residential real estate pursuant to its credit bid at the sale or by any mortgagee, judgment creditor, or other lien or acquiring the residential real estate whose rights in and to the residential real estate arose prior to the sale.' Does... does that mean that the banks won't have to pay this fee?"

Lyons: "That's correct. On that portion which they have invested in it, they will be exempt."

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

139th Legislative Day

5/7/2010

Yarbrough: "Wow. So... so, the fee... the fee is awfully low and it's not going to apply to 95 percent of the cases. Do you know how much the municipal..."

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

Yarbrough: "Okay. This is my final question. I want to know, do you know how much the municipalities pay to secure these vacant properties? It's not five or ten bucks. You know, in many cases its thousands and thousands of dollars. To the Bill, Mr. Speaker. This Bill is not good enough. Why is it that when we're dealing with these huge problems we don't really address the real issue? I don't know how I'm going to go home this weekend and once again done nothing for my constituents in my communities that are suffering so terribly with these foreclosures. We've had over 140 thousand foreclosures across the United States and I'm sure there are many more coming. We've go to support programs that help people to save their homes, real programs. A \$50 fee on foreclosure filings will help a little, but nowhere near. Representative, I'm going to support this Bill and I hope that you'll work with me and others who are... really want to do something about foreclosures in the future so that we can really get this job done. Thank you."

Speaker Lang: "Representative May."

May: "Will the Sponsor yield?"

Speaker Lang: "Gentleman yields."

May: "Yes. I noticed in part of this that the money's going to Chicago and cities other than Chicago. It's 75 percent to municipalities other than Chicago and 25 to the City of

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

139th Legislative Day

5/7/2010

Chicago. How were those percentages determined? Do they reflect the number of foreclosures around our state?"

Lyons: "Actually, Representative, Chicago gets a little bit cheated out of this thing. It's a more generous... it's a more generous formula to the municipalities outside of the City of Chicago, but it was what... was agreed to in the language that we put together here, so..."

May: "Okay. Are there... does this Bill have any other provisions that would give tools to municipalities. I think that there was some talk around the Capitol of tools to municipalities to address their rights or powers to force the agency, the lending agency that owns the property, to keep it in good repair. Is there anything in this Bill about that?"

Lyons: "The direct answer to your question would be no, there isn't. But, it does give money to municipalities to help Representative Yarbrough's Bill at least get a start of a foundational funding to do that."

May: "Has the Municipal League weighed in on this?"

Lyons: "No."

May: "Okay. Thank you."

Speaker Lang: "Mr. Lyons to close."

Lyons: "Ladies and Gentlemen, this is, again... we put these Amendments on this Bill. It extends the 30-30-30 Program which has helped close to a thousand people in the State of Illinois over the last year since it's been implemented. It extends that program for another 30... 3 years. What the new proposal does here is at least starts the program to have a funding stream for the counseling agencies that are,

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

139th Legislative Day

5/7/2010

of course, going to be monitored by IHDA and, you know, be supported, of course, by HUD initiatives as far as some keeping that philosophical desire to help people who want to find some help, stay in their homes. I would ask for your 'aye' vote."

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. 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 3739, a Bill for an Act concerning civil law. Third Reading."

Speaker Lang: "Mr. Lyons."

Lyons: "Ask for your 'aye' vote."

Speaker Lang: "Those in favor shall vote 'yes'; opposed 'no'. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Bellock, Gordon, Tryon. Please take the record. On this question, 87 voting 'yes', 26 voting 'no', 3 voting 'present'. And this Bill, having received the Constitutional Majority, is hereby declared passed. Mr. Schmitz, for what reason do you rise, Sir?"

Schmitz: "Thank you, Speaker. I inadvertently voted 'no' on Senate Bill 2612. I'd like the record to reflect that I meant to vote 'aye'."

Speaker Lang: "The record will reflect your intentions. On page 4 of the Calendar, under the Order of Senate Bills-

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

139th Legislative Day

5/7/2010

Third Reading, there appears Senate Bill 3514. Mr. Clerk, please read the Bill."

Clerk Mahoney: "Senate Bill 3514, a Bill for an Act concerning finance. Third Reading."

Speaker Lang: "Representative Currie."

Currie: "Thank you, Speaker and Members of the House. This is the measure that would enable us to borrow for our pension obligation. Three point seven billion, we think is what the systems will need this year. I wouldn't say this is a great choice. We'd rather not borrow but I have to remind the Members of this Body that we are broke. We're flat broke and we do not have close to \$4 billion in walking around money. I think this is a much better option than just deferring the payments, which is what we will be forced to do if we can neither cut 4 billion from the budget, nor adopt this pension borrowing plan. In fact, the cost of deferral would, over 35 years, amount to \$36 billion and would create havoc with the system as they have to sell assets that may not be at the best market price. The cost of this, on the other hand, is 4.7 billion, a fraction, a fraction of what the other would do. We have voted in this chamber, many of us on both sides of the aisle, for pension borrowing in the past and I implore you to do so again. I'd be happy to answer your questions and I would appreciate your support. We're stuck. We're in... mired in and I don't see any good options but this."

Speaker Lang: "The Lady moves for the passage of the Bill. And on that question, the Chair recognizes Representative Fritchey."

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

139th Legislative Day

5/7/2010

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

Currie: "Yes."

Speaker Lang: "Lady yields."

Fritchey: "Leader Currie, and I'm surprised people aren't paying more attention to an issue this important. But I'd like you to clarify for some people and for the Members here and for the public really what's at stake here, and not just in the borrowing. Nobody wants to borrow. No...Nobody comes in and says the first option for us to solve this budget is to borrow. But our options here, if we do not have sufficient votes to borrow... Well, here, let me... Leader Currie, how many votes does this Bill take?"

Currie: "This takes 71 votes and it is not without precedent. We have several times voted with that number of votes to borrow our pension obligation. So, nothing new this year from last year and several years before."

Fritchey: "And obviously that's 71 votes. We have 70 Democrats here, is that correct?"

Currie: "We have."

Fritchey: "So we're going to need a bipartisan effort if we are to approve this borrowing, is that correct?"

Currie: "Indeed."

Fritchey: "The option, if we're unable to get cooperation from Members in this Body to borrow, one of the other options on the table would be for us to simply defer the pension payments into next year. Is that correct?"

Currie: "That is correct."

Fritchey: "Could you... Speaker, could we get a little... could we get a little bit of reduction of volume here? If you would

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

139th Legislative Day

5/7/2010

be so kind as to again just illuminate for the Members and the public the impact if we're unable to pass a borrowing plan here, if we have to defer the pension payments."

Currie: "Thank you for the question. If we have to defer the pension payments, the total cost to us over 35 years will be \$36 billion, and that does not take into account the cost to the systems of having to sell assets when the market might not be good of having to do some borrowing of their own. To... to do..."

Speaker Lang: "Please complete your answer, Representative."

Currie: "To borrow would instead cost 4.7 billion. 4.7 versus 36. Anybody on this House Floor who touts him or herself as a fiscal conservative, anyone who wants to save money, anyone who doesn't want to stick it to the taxpayer, had better be voting 'yes' on Senate Bill 3514."

Speaker Lang: "Mr. Black."

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

Speaker Lang: Lady yields."

Black: "Representative, do you have any idea of an approximate interest rate that these bonds would require?"

Currie: "Yeah. We think in the neighborhood of four and a half, maybe as much as 4.7 percent."

Black: "Okay. Let me ask you, and it's not a hypothetical, but I don't know the answer and maybe people have talked to you about it. What you said makes a lot of sense to me in that we are in a very difficult position, but we also are in a very difficult debt position. Has... have any of the bond houses said that perhaps this may be a bond issue too far?"

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

139th Legislative Day

5/7/2010

In other words, the interest rate may be higher or may endanger another downgrade in our bond rating, which could be very expensive if that happens?"

Currie: "As of this time there has been no word from the bond rating agencies. That's obviously always a concern, but we have not heard anything from them."

Black: "All right. So, it is... it's conceivable... I mean... you know, I can't remember what we did. Oh, maybe it was a Race to the Top. I... when we were trying to do... oh, the pension reform, where we were trying to get ahead of the bond houses and maybe stabilize our bond rating. That Bill passed and has been signed into law and it didn't help. The bond rating went down shortly thereafter. I guess that's... well, I appreciate your answers."

Currie: "Well, except I have additional information and that is that the bond rating houses are more likely to downgrade us. Not because of a pension borrowing of this size, but because we've not been able to raise the revenue it takes to do our basic job for the people of the State of Illinois."

Black: "Thank you very much, Representative."

Speaker Lang: "Mr. Franks."

Franks: "Thank you, Mr. Speaker. I'd like to speak to the Bill. I appreciate what Leader Currie is trying to do. I'd always want her on my side because she's so good. But folks, this isn't a surprise that we have to pay our pensions. This is something that we have to do every year and now all of a sudden it becomes a crisis because of our lack of planning. Because of our horrible management of

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

139th Legislative Day

5/7/2010

the budget, we've created this fiscal crisis. What this Bill says is they're not... we're not going to pay any principal on the bonds for two years. We are going to try to borrow \$4 billion. Now, we just had a discussion with the Governor and they still thought that this Bill was somehow going to pass and they're building their budget about borrowing. I don't know how divorced from reality they can be. They know that they need at least one Demo... one Republican vote for this to pass. I'm telling you, they're going to need at least two because I will not vote for this. This... you know, we've heard criticism before of other administrations referring to the borrowing as voodoo economics. Well, this isn't voodoo economics, Ladies and Gentlemen, this is Alice in Wonderland economics. Where up is down and black is white. We have not talked about the things that are most important with our budget. We do not have a revenue problem folks, we have a spending problem. We have more money to spend in this state than we did in 2007, yet the problem is we keep spending money that we don't have. Now what we ought to be talking about is cutting and going line by line through the budget..."

Speaker Lang: "Mr. Franks, please complete your remarks, Sir."

Franks: "Thank you. ...and go to zero-based budgeting. That's the only way we are going to tame this beast. There is no reason that we need to get out of here today. We have the rest of the month. Let's work together. Let's go line by line through the budget, cut what we don't need and vote 'no' on this Bill."

Speaker Lang: "Mr. Schmitz. Mr. Schmitz."

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

139th Legislative Day

5/7/2010

Schmitz: "Thank you, Speaker. Can we get a little order just for a second, please?"

Speaker Lang: "You have a little order. Please proceed, Sir."

Schmitz: "Thank you, Speaker. As many of you know I work in a part-time capacity in the City of Batavia as a paid on call firefighter. Now let me tell you right now, somebody pull the fire alarm 'cause this place is on fire. Are you guys kidding me? This is Groundhog Day, redo. In 2005 the same argument that were paid... yelling at you guys right now saying you can't do this. In 2005 you did a pension push. You skipped it for two years. How many billions of dollars did that cost? And then you have the audacity to walk out here on this floor and say, whoa, we have 70 Members. We need 71 to pass this because it's going to save Rome from burning. Folks, Rome is on fire. Don't give me this garbage that you walk in, you drop a 2100 page Bill on our desks yesterday at 5:00 in the afternoon and you walk in here today and say, you know what, we need pension bonding 'cause we don't have enough money. We've been telling you that since 2002 you don't have enough money. Wake up. I'm not going to sit here and take this anymore and read about it. I don't talk a lot on this floor, I stay pretty quiet, but I'm fed up. I'm fed up with the e-mails. I'm fed up with the phone calls. I'm fed up with this mismanagement and the whining and the crying and oh, my God, we've got to do this right now because it's for this system or that. Wake up. Make the tough choices. Cut. Cut. Get on the game plan and get this going."

Speaker Lang: "Mr. Hoffman."

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

139th Legislative Day

5/7/2010

Hoffman: "Well, thank you... thank you, Mr. Speaker, Ladies and Gentlemen of the House. I think a measure of us is how we react in tough times. A measure of us is going to be whether we can work together in tough times. Now, let's just look... let's look at history. If you want to look at history, let's look at history. Right. You've only criticized us since 2002, but you haven't had a plan since before that. When are you going to come up with a plan? When are you going to govern? When are you going to stand up and say, we're going to do what's right for the people of Illinois. Where've you been, cowering in the corner? We're waiting! We're waiting! Now let's talk about this proposal. This proposal is needed if we're all going to live up to an obligation. It's a hard debt versus a soft debt. It's whether we're going to spend \$36 billion on a pension payment by skipping it or work together, as you did last year, when you voted for a proposal just like this last year, but what's the difference this year? It's an election year. Shocker. Shocker. When we come to you and we say, work together with us, please, that we're facing the biggest unemployment in Illinois history. What do you say to us? No. When we say to you, let's work together to stop laying off teachers, what do you say? Nada. When we say, oh, please, we need your help to solve a pension crisis so we don't skip payments, you say, nicht. It's over and over and over for you guys. When are you going to stop the finger point..."

Speaker Lang: "Please bring your remarks to a close, Sir."

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

139th Legislative Day

5/7/2010

Hoffman: "When are you going to stop the finger pointing? When are we going to stop this? When are we going to stop it? When are you going to stop it? When are we going to give the people of Illinois their due and we work together to solve these problems. That's what we should be doing. That's what we should be doing. That's why we should be voting 'yes'."

Speaker Lang: "Mr. Froehlich."

Froehlich: "Thank you, Mr. Speaker. I'd like to yield my time to Representative Fritchey."

Speaker Lang: "Mr. Fritchey."

Fritchey: "Thank you, Speaker, Members of the Body. I'm not sure that I could do it any better than the large-headed man from Collinsville. That being said, Speaker, if the Sponsor will yield again?"

Speaker Lang: "Sponsor yields."

Fritchey: "This point has to be made again. We are looking at a \$4.8 billion repayment over approximately 8 years if we do the borrowing plan, correct?"

Currie: "That is right."

Fritchey: "As opposed to \$35 billion or \$36 billion of debt that we will... in lost income that we will incur over 35 years, is that correct?"

Currie: "Correct."

Fritchey: "There is not a Member of this chamber on either side of the aisle that is going to get us out of this situation by saying no to everything. There is not a Member of this chamber on either side of the aisle that has shown a way to cut our way out of this budget. Sen... the Senate Republicans

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

139th Legislative Day

5/7/2010

haven't shown a way to cut our way out of the budget. Bill Brady hasn't shown his way to cut out of the budget, but everybody wants to point fingers. Something has to be done. We can look back on how we got ourselves into this situation 5 years ago, 10 years ago, 20 years ago. It doesn't matter; we're here. We have to find a way to get ourselves out of this responsibly. This isn't about mail pieces. This isn't about elections. This is about the fact that we have the second worst fiscal shape in the entire country, Ladies and Gentlemen. It's not about finding the easy way out. It's about finding the right way out, taking a responsible measure, paying our bills, getting the state back on solid footing, and getting people back to work. Vote 'aye'."

Speaker Lang: "There are 12 Members still wishing to speak. The Chair recognizes Representative Stephens."

Stephens: "Well, thank you, Mr. Speaker. First of all, in... in regards to the last speaker, the Gentleman from Cook, that's the whole point, Representative. This is not a way out. You sound like a... you guys sound like a... you were... I got some video from the Greece Parliament from eight years ago and this is what the Greeks did. That's what they did eight years ago. You want flame throwing in the streets of Illinois? That's what you're going to get. There's going to be a revolution. You know what? I was trying to find what's... what is the constant? What is the constant? Have we had Republicans with failed policies? Yes, we have. We've had liberal Republicans, we've had conservative Republicans. We've had liberal Democrats and we've had

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

139th Legislative Day

5/7/2010

more liberal Democrats, and then the ultraliberal Democrats. But the one constant in all of these past 40 years of failed policies, 40 years is what we're talking about, this is the culmination, 40 years. What's the constant? He's right there in the Chair; he's the Speaker of the House of Representatives. Does Alice in Wonderland? No, it's Madigan in Wonderland. Mike Madigan. Mike Madigan and his failed policies are what have taken this state to the brink of disaster. Molotov cocktails in the streets of Chicago. That's what's next. Greece will fail. Illinois will be right behind them. Just today... in... just yesterday in Chicago, the St. Louis Regional Director of the Bank System met with Illinois and Missouri bankers and he put... he compared Illinois favorably. Favorably to the country of Greece. We are only in comparison with four other states in the union and on the international market, the bond market, the people of Greece. That's where we're going. For the former Floor Leader of Governor Blagojevich to say that it's the Republicans fault, I'm sorry, I'm sorry, Representative. That argument failed with the last Governor..."

Speaker Lang: "I was about to afford you time to finish your remarks if you need them, Sir, but I do think we heard you. Representative Tryon."

Tryon: "Thank you, Mr. Speaker, to the Bill. You know, it isn't about being conservative or liberal, it's about being responsible and it was about being responsible in 2005. So let me tell you what it feels like for a Member that came in, in 2005. And at that time I voted against All Kids and

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

139th Legislative Day

5/7/2010

it was a hard vote to vote against All Kids. I voted against Preschool for All. I voted against Illinois Covered and when I made those votes I did it because I said we didn't have the money to do it, and we didn't have the money to do it. But it was done anyway. Now I'm being asked to put this state in the worst financial condition of any state in the country, any state in the country. California's debt is a thousand dollars per person, ours is \$13.6 billion with 12 million people, it's a thousand dollars plus a person and now we want to up it. And that's the due that some of you want to give to the State of Illinois. Well, I did the responsible, conservative thing in '05, and '06, and '07 and I said no, and it was hard to do it. Now let's do the responsible thing. Let's don't make it worse on Illinois by giving more debt for our future taxpayers to have to pay. Let's reform the spending. Quite frankly, it's an economic crisis across the country. The private sector's shrinking and Illinois is trying to grow. Last year we borrowed \$3 billion. I said last year, when I made that vote to borrow \$3 billion, I wouldn't do it again. And that vote was made on the contingency that the Governor of the State of Illinois was going to cut \$1.2 billion out of last year's budget. He didn't cut \$1.2 billion out of last year's budget, we just added it to the more deficit practice that we've had here. It stops here. We need responsible solutions and it's not responsible to say this is our plan and drop it on our desks last night."

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

139th Legislative Day

5/7/2010

Speaker Lang: "Mr. Mautino. Mr. Tryon, do you have more to say?"

Tryon: "I'd like... I, Mr. Speaker, would like to close with just this. I don't like it when somebody says this is our plan, where's your plan? The fact is, you have to come across the aisle, sit down and do some work. We weren't afforded that. We're not being afforded that now. We're being asked to put 10 votes on a really ridiculous borrowing plan and if you want to sit down and work on it, let's sit down and work on it. Vote 'no'."

Speaker Lang: "There are 10 Members still wishing to speak and the Chair will recognize all of them, but I do not intend to give anybody any additional time. Mr. Mautino, for two minutes."

Mautino: "Thank you, Speaker and to the Amendment. I rise in support of this Amendment. We're here at a... at a critical juncture and 48 of the 50 states are in deficit. The states' deficits this year are 120 billion. Next year they will grow to 180 billion. The ARRA money, which helped all of us last year, is drying up and going away. Our Medicaid Program, which was built by all of us in this room, the expansions came in '98, '99, 2000, 2001, '02, '03, the largest coming in the aged, blind and disabled and the most expensive. Under ARRA, if we cut those programs, we lose the extra dime that they're giving us. When we pay fifty cents, we're at a sixty-two and one half match. So, that brings a great pressure on us for this year. The education money goes away halfway through this year and that supported us last year. Our taxes and our revenues have

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

139th Legislative Day

5/7/2010

tanked for years. Going on, as I said, 48 of the 50 states are in deficit positions. The two that are solvent, Montana and North Dakota, are solvent because of their minerals. That's it. It's going to get worse from there. We have no revenues coming in. This Governor has not got the ability to cut the largest areas in spending, that we together did and put in place, under the Medicaid side using both Houses under Democrat and Republican Governors. This is our problem. Now we have a shortfall of about 3.7 billion. We're going to have to..."

Speaker Lang: "Representative Jakobsson."

Jakobsson: "Thank you, Mr. Speaker, Ladies and Gentlemen of the House, to the Bill. Many people in this room have been talking about our spending and where we have been spending our revenue. The last time I noticed people across the state received the services that are funded by our revenue: mental health, developmental disabilities, autism, senior services, seniors staying in their homes, nursing homes. These are funded by our revenue. Children across the state receive our public education funded by our revenues. People across the state are in the pension system, funded partly by our revenues. We cannot defer paying the pension systems. This is a good plan. We've had it pointed out to us the cost of deferring, how much that would be as opposed to doing this sensible borrowing plan. I urge an 'aye' vote."

Speaker Lang: "Mr. Burns."

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

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

139th Legislative Day

5/7/2010

Speaker Lang: "Sponsor yields."

Burns: "Leader Currie, you've served in the Illinois General Assembly for a considerable period of time. Can you recall a time in your years of service where Illinois's fiscal forecast was so bleak?"

Currie: "I cannot."

Burns: "So in your opinion, over the last several years, this is the most dire our budget has ever been?"

Currie: "This is the most dire and I would lay it at the feet of the great recession. The worst economic downturn in this country since the Great Depression of the '30s."

Burns: "And did we not cut human service spending in last year's budget?"

Currie: "We did."

Burns: "So even during the height of the great recession we cut the most vital services that people in this state depend on?"

Currie: "Correct."

Burns: "And this \$4 billion will allow us to maintain a...a sort of minimum level of services for those most in need."

Currie: "Indeed."

Burns: "To the Bill, Mr. Speaker. To my colleagues on both sides of the aisle, I've heard the debates and I've heard a lot of people talk about the fact that Illinois should be run like a business. Our business is taking care of the people who can't take care of themselves. People in our society who have lost their jobs, who have found themselves on welfare, people who have developmental disabilities, people who have all kinds of needs that, through no fault

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

139th Legislative Day

5/7/2010

of their own, they are struggling to deal with. And if we fail to take care of them, shame on us. Shame on us as a society for turning our backs on the most vulnerable and the most needy. And I know some people think it's a guilt trip, but the fact of the matter is we're judged by how we treat those who need our help and our protection. Now is the time to help them and to protect them. That is what we're here to do. I urge you to vote 'yes'."

Speaker Lang: "Mr. Flider."

Flider: "Yes, thank you, Mr. Speaker. I yield my time to Representative Mautino."

Speaker Lang: "Mr. Mautino."

Mautino: "Thank you, Representative... Flider and I'll be brief on that. Just a couple of other points that... our Commission on Governmental Forecasting and Accountability, that's the arm that tells what types of dollars we're going to have to spend. The drops and the losses in revenues over the last couple of years are basically equal to the backlog of bills that we're looking at pushing forward. This is the state that we're in and that we need to solve for all of the people of Illinois regardless of the upcoming elections. There's a reality that hits here and it's mathematical. We have a \$3.7 billion pension obligation. If we borrow that, we're borrowing it at three percent for 8 years. If we do not fund it, which by not allowing this Bill to go forward, then we're borrowing that same money at eight percent. Eight and one half percent over 35 years. That's the difference. So, at this critical juncture, I want people to keep that in mind, is

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

139th Legislative Day

5/7/2010

we're looking for a way that as the economy hopefully gets better, we've got a couple more bad years, but to keep the trains running, maybe not on time, keep the kids in school and not have to make... we will have to make cuts in the areas that you and I altogether said that our people... within the state deserve. So, going for I would ask you... to consider the numbers, the math and the responsibility. Because all of us together created this problem. We have all sponsored legislation. We have all tried to meet the needs of our people and the economy has tanked. So, this is a decision. I ask you to take some time ..."

Speaker Lang: "Mr. Dunkin. Mr. Dunkin."

Dunkin: "Thank you, Mr. Speaker and Members of the House. You know, as a student of...of the State of Illinois's historical politics and listening to some of my colleagues here and especially my colleague here, my good friend and colleague, Jack Franks, who actually, I can remember about 30 years ago there was a young Legislator, young, brash, silver haired, full of energy and ideas. Very vitriolic in his speeches and reform issues here in this state. He reminds me of you, Jack Franks and some of my other colleagues. Now fast forward 30 years ago... or from now. That young Legislator is the Governor of our state. He is the Governor of our state faced with some of the most difficult decisions ever in the history of this state. And he, like us, have to make tough decisions in these tough times. So what are our options? We close down mental health facilities again? We close down childcare facilities again? We raise our budget up from \$6 billion in... accounts

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

139th Legislative Day

5/7/2010

receivables to \$12 billion? Our inaction is not an option. It is imperative that we act as leaders, the leaders that we say we are, that we said we were going to be when we ran for office and do something, and that something is to take advantage of our only option at this moment in time. That is to borrow until January and let's delay the pension payment until we are able to fund our pension system to the extent that we want to or need to. I would ask all of our Members here to be considerate of, not of our political careers and ambitions, but be..."

Speaker Lang: "Representative Mulligan."

Mulligan: "Thank you, Mr. Speaker, to the Bill. Your inability to govern does not necessitate a crisis on our part to continue to sanction really bad policies. People who were here years ago know that when we used to do a budget we'd sit down together, both sides, with staff and departments and go through and come up with a reasonable budget. That luxury has not been afforded us for some long time. It was very apparent at the beginning of the year when my Democratic colleague and I were told that this was going to be lump sum budget. We might as well not even work with the poor advocates who are out there trying to figure out what to do. Our Leaders were disrespected. They were not allowed to be in any negotiations. There's been a discussion for some time that the object was to drive the state into bankruptcy so they could come back and do whatever they want. Just because you want to sweep this under the carpet until after the election to get a different map, which the Speaker's always been smart enough

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

139th Legislative Day

5/7/2010

to do, to change how Illinois is totally governed, does not mean that we have to go along with this. You could stay here, you could have done the right thing, you could have respected our Leaders, you could have had them in the meetings, you could have had my Democratic colleagues and I, who normally work on appropriations, to sit down and actually do a real budget and to help the people of Illinois. Don't sit here and whine now when your inability to govern over the last year have given us this total disarray and then the economy went south and you were really stuck. Between your Governor, who could not govern, and your Leaders who could not function with them, it is not our ability to bail you out at this point just so you can go ahead through an election and sweep it under the carpet."

Speaker Lang: "Representative Biggins."

Biggins: "Well, thank you, Mr. Speaker. I really was heartened when I heard my good friend and colleague across the floor, the Gentleman from Collinsville, made a very impassioned speech on... I haven't heard him give many impassioned comments on the floor the last several years, but I really enjoyed what he did today and it was great to hear Mr. Stephens' voice... Hoffman. I'm sorry, Mr. Hoffman's voice and then to enjoy his comment and I just wanted to thank him for that."

Speaker Lang: "That's it, Sir? That's it? Representative Pritchard."

Pritchard: "Thank you, Mr. Speaker, to the Bill. See, Ladies and Gentlemen, we can be civil here at times and the call

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

139th Legislative Day

5/7/2010

that we've heard today that we haven't been working together and now at the eleventh hour we should suddenly start working together, I'm ready. I'm ready to sit down with you any time to talk about the real issues of this state. And as already been pointing out we have Appropriation Committees that no longer appropriate; we have budgeteers that no longer meet to work out the differences in that appropriation. It's time to go back to basics. It's time to go back what has worked and what has governed this state for years. To come to this point and say we're going to borrow money with no plan on how we're going to pay for it, I don't care if it's three percent or two percent interest, if we can't pay for it, we can't pay for it. It's time that we start talking about the real financial issues and the obligations that we have to balance our budget. Balance it like all of our communities and our counties are having to do and make tough decisions. Look for efficiencies. We can all identify them if we start talking about them in the Appropriations Committee. And finally, I think we must set some priorities. The comment has been made that we are here to serve the needs of the neediest. Well, we can't meet all the needs of the neediest. We have to set some priorities. And we have to do that collaboratively, not yelling across the aisle at each other, not blaming someone else for not doing their job. We're all elected to come here to sit down and work together. There are many of us on this side of the aisle just like on your side of the aisle over there that are

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

139th Legislative Day

5/7/2010

ready to do that. Why don't we start doing that right now."

Speaker Lang: "Mr. Sullivan."

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

Speaker Lang: "Lady yields."

Sullivan: "Representative, I know people are very emotional on each side of the aisle. I want a specific question that I have in regard to this legislation. Does your Bill that suspends the continuing appropriation, does it prevent the Governor from making the pension payment?"

Currie: "This Bill does not suspend the continuing appropriation. This takes a far better, a far different path. What it says is, we should borrow the money to make our pension payments this year because it's the financially, responsible, frugal thing to do. It will save us a lot of money over the next years, whereas deferring the payment will cost quite a large chunk."

Sullivan: "Well, I guess... let me go back to the point. I know what this Bill does. But, at some point, if this Bill should fail, you're going to roll out another Bill to suspend the continuing appropriation. If we do that, is there anything that prevents the Governor from making the pension payment?"

Currie: "There would be no appropriation if we were to defer."

Sullivan: "You are going to pass an Emergency Budget Act, are you not?"

Currie: "Representative, it may depend entirely on your vote."

Sullivan: "Okay. If there's no appropriation, does the continued appropriation language kick in?"

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

139th Legislative Day

5/7/2010

Currie: "Well, if you were to defer, you would then suspend the operation of the continuing appropriation."

Sullivan: "Thank you. I don't think that's what the Bill does. Ladies and Gentlemen, this Governor is going to give.. be given wide range to govern the budget the way he sees fit. If he does not choose to make the pension payment, it's his choice, not this Body's choice. We are going to give him remarkable powers to control this budget the way he sees fit. So all the talk that we are going to stop the pensions from.."

Speaker Lang: "Mr. Watson."

Watson: "Thank you, Mr. Speaker, to the Bill. There's been a lot of talk about... about making hard decisions and I think that is the point is that we have not made hard decisions. We put forth pay-as-you-go. It was turned down. We made small proposals like selling the fleet of planes. It was turned down. I encourage everybody in this Body to go read David Halberstam's book, The Reckoning, that talks about the reckoning that came to the American automobile industry. And he talks that there were leaders who didn't realize that the times had changed. And I'm not trying to be over critical, but it is time for us to take a new philosophy and a new way of managing this state because it is not working right now. Let me leave you with one quote from Halberstam, which I think fits us very truly. 'By the middle of 1986 there was little awareness or let alone concern that life had changed; few are discussing how best to adjust the nation to an age of somewhat diminished expectations or how to martial it's abundant resources for

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

139th Legislative Day

5/7/2010

survival in a harsh unforgiving new world or how to spread the inevitable sacrifices equitably.' There's going to be a lot of sacrifices, folks, and until you accept that and are ready to come up and say we'll talk with you, we're not going to get anything done."

Speaker Lang: "Leader Cross."

Cross: "Thanks, Mr. Speaker. I think we need to... I think we need to take this discussion to a broader stage of the whole day, and perhaps the last few years, and not just one particular Bill. And you've done a pretty good job on the other side of the aisle of shifting the attention away from what we really need to discuss. And a lot of attention about whether you care about kids or not, schools or not, and you better do the right thing and vote for pension bonding. The reality is we have and feel a sense of responsibility to solve the problems of this state. The people on this side of the aisle and I suspect the people on your side of the aisle all feel strongly about the people we serve. Let's be honest. Let's take away the jabs. We care about kids, we care about schools, we care about bills, we care about jobs. So, let's take that off the table. A year ago we said to you, yes, we'll participate in a borrowing plan because we felt concerned and compelled to do that because of the situation with human services and schools and some other potentially very problematic budget scenarios that we were... felt strongly about. We didn't want to see a complete meltdown. We have talked about the potential for meltdown for the last four or five years and it doesn't do us any good to get into I

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

139th Legislative Day

5/7/2010

told you so scenarios. It's not what today is about. But today is about the budget we're about to see either in a few minutes, a few hours, maybe Monday, maybe in a couple of weeks, and why we have concerns about it, and why we have concerns about this particular Bill and why we in a few moments you're going to see, I think, a Bill that provides for 3.7 cuts, which I think we should all accept for the reality of the moment, is nothing more and will be nothing more than a political stunt. The problem of today versus a year ago is we said to the Governor, Governor we're going to give you a chance. We have a new Governor, a fresh start. We have some problems and we will give you the ability to borrow based on the fact that you have assured us that you will make the appropriate cuts that you have assured us would happen. A billion dollars in cuts to get us where we needed to be. A recognition that we were spending more than we should, an acknowledgment and a respectful position to our taxpayers that we hear what you're saying. We need to tighten our belts as a state and we need to do a better job of governing. So what we'll do is, we'll work with you, Governor, and will work with you on the other side of the aisle, but you've got to follow through on a few things. You've got to cut. You've got to help us out on job growth. You've got to help us out on Medicaid reform. You've got to help us out on a variety of areas that we feel strongly about. This is not going to happen and be solved with one vote on one Bill. There are certain components that all need to be met and addressed. So, we are here today and do we have a billion in cuts?

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

139th Legislative Day

5/7/2010

No, we don't have a billion in cuts. We've asked the Governor repeatedly for cuts. Give us your cuts, never happened maybe 200 million, maybe 300 million. And unfortunately, several weeks before his Primary, he attempted to or told us he was going to address the AFSCME contracts, and did nothing but address the AFSCME contracts. In fact, we went the exact opposite and we see increases in salaries up to the tune of \$300 million. The exact opposite direction of where we all felt we needed to go and where he said we would go. You help me with borrowing... I will honor your request to cut. That we all said had to happen, everybody, Republicans and Democrats alike. The bottom line is he didn't cut and it gets worse. These may be minor things, but to the average American... average Illinoisan, it drives them crazy when they're struggling to make ends meet and they're afraid of they're losing their jobs and making their mortgage payments. We come along and we have an administration that says, 'I'm going to hire somebody to be a kayak czar.' I am going to do away with free rent for the Department of Aging and spend a half a million dollars a year to a politically connected friend. I'm not going to repeal one of the biggest political games we've ever seen, by our former Governor, free rides for seniors because I'm concerned of the political consequences. We have to demonstrate an understanding that we get it. Not repealing free rides, or providing a means test, or utilizing free rent, or not hiring kayak czars because they helped us on our campaigns is not indicative of an administration that gets it or can

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

139th Legislative Day

5/7/2010

lead. We said we were worried about unemployment a year ago it was at 10 percent, today it's at 11. We said we're worried about Medicaid reform. Last five years it's grown from 7 to 15 billion dollars. And we said we're going to do more than talk, Mr. Governor and Mr. Speaker, and to those of you on the other side of the aisle. We filed a series of Bills in the area of jobs. We filed 15 or 20 Bills that we thought could help us in the area of taxation, regulation, litigation. They're all on file.. they're all of record. They all happen to be in that little world of what we call Rules Committee. They went nowhere. We even created a concept called the Sunshine Commission. The Governor... by Executive Order created one, but didn't appoint anybody. Simple little things where we would say we're going to do what we can to improve the job climate or be efficient as a state. Medicaid reform, we said we need... we need to have a plan. I think somebody on the other side of the aisle said, where's your plan? Somebody on the other side, where's your plan, where's your budget? We filed 15 or 20 Bills on jobs. Patti Bellock and Rosemary Mulligan filed 15 or 20 Bills on Medicaid reform. Nothing happened. Nothing happened. So we're here today, not because we don't want to work with you. We want to work, but because nothing has changed in the State of Illinois, the status quo remains. We don't get it on job creation, we don't get it on Medicaid reform, we don't get it on increasing or stopping the growth of spending, we don't get it on the need to cut from little things to big things. We... we have to address these things some day.

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

139th Legislative Day

5/7/2010

And, yeah, we have concerns about borrowing. The problem with this particular Bill is it backloads the payment. We end up paying it later. It costs us more. The reality is, if you pass an Emergency Budget Act a little while from now and you defer the pension payment, if the Governor really does start leading, he can cut and make a pension payment. If you don't pass that Bill, then there's no deferral on the pension payment. You can't have it both ways. So, until there's a strong demonstrated effort to change the culture of this place, and we did do it, I'll give us all credit, on pensions. Credit, that's one component of a bigger picture that hasn't been touched. The rest have not been touched. We can't continue down this road. Is it bad? Yes. Is it going to get worse? It could. Are people at... risk? Yes and we know that, and we don't like that and we want that to stop, but this recklessness and an inability to provide accountability cannot go on. We will always, always be open to working with you. It's been the nature of this caucus, much to the dismay...dismay of some. But, we're going to do it under the terms that the people of the State of Illinois demand just like they have done in their jobs. Where they have said at work, you know what, we had 10 employees and we've had to make do with 9. Permanent restructuring. We're not going to dinner on Saturday nights out; we're going to stay home 'cause we can't afford it. That car I'd love to trade in isn't going to happen because I just don't have the money. We've got a couple of kids in college; we're not going on vacation this year. Whatever the case is. Everybody else gets it but

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

139th Legislative Day

5/7/2010

us. Everybody in the business world and the private world says, I have got to change the status quo and break from the past. Illinois government needs to do that. Our Governor and I say, our Governor, needs to lead. Leaders lead. He needs to cut, he needs to control spending, he needs to pay his bills, he needs to provide for job growth and Medicaid reform and the list goes on and on. It has not happened and there's no indication that it's going to happen in the next 24 hours, or unfortunately anytime soon. So this Bill is designed to direct our attention away, everybody's attention away from the real problem, not addressing our spending issues and our cutting issues. The next Bill will be, as I said, will be a political stunt. You all, you come on in here, Representatives, you say you want to cut, you talk a big game. Here's your opportunity. Now, of course, that will be done in a way that is not done in a big picture, but just an isolated case that's designed to make people look bad on votes. We know what that's about. I would also ask everybody in this side of the aisle or your side of the aisle, not our side 'cause I know they have, how many on the other side of the aisle have actually read the 2100 page budget that we got yesterday late in the afternoon? How many of you have read it? Okay. I would encourage you to look at it. It is a budget that doesn't work. It is a budget that does not compute. It is a budget that does not come together. It is a budget that has put... been put together with duct tape and is a huge, huge problem for the people of State of Illinois. And

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

139th Legislative Day

5/7/2010

for those reasons, Mr. Speaker, we will not be supporting this Bill. Thank you."

Speaker Lang: "Mr. Washington. Mr. Washington."

Washington: "That's okay, Mr. Speaker."

Speaker Lang: "Mr. Boland, the last speaker."

Boland: "Thank you, Mr. Speaker. I listened very carefully to the Leader from the other side and some of the other speakers on the other side and they make some good points. If we have to move in this chamber, I'll be leaving it unfortunately, but to move toward a bipartisan and nonpartisan way of solving our problems. A lot of the ideas that they put forth are good ideas. A lot of the ideas that our rank and file on this side of the aisle have some good ideas. And so we ought to be looking at all those, but right now we're in a situation where we're between a rock and a hard place. None of our choices are good choices. None of our choices are things that we like to do or would want to do. But, like any household or any business, we are forced between some very hard, unpleasant choices. I boil it down to four things. One, this Bill, which we can borrow and luckily at today's interest rates we can get a little more better interest rate than we might at a different stage in our history. Secondly, we can raise taxes. Some of us want to do that, some of us don't. Probably not enough that want to do it. Thirdly, we can make that \$3.7 billion cut, but I don't think any of us want to do that because we know that, even though there's been many good suggestions, they don't add up to \$3.7 billion. And lastly, as I see it, our last choice is we

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

139th Legislative Day

5/7/2010

can defer that pension payment, but it ends up costing us much, much more over the long run than if we follow this Bill."

Speaker Lang: "Mr. Boland, please finish your remarks, Sir."

Boland: "Okay. As unpleasant as it is, I would ask that we all vote for this Bill. It is the least of the bad choices that we have to make. Thank you."

Speaker Lang: "Representative Currie to close."

Currie: "Thank you very much, Speaker, Members of the House. I appreciate those who point out that we all got us into this mess and I appreciate those who have remarked that it is our joint responsibility to solve the problem. Borrowing for the pension payment is not a great thing to do, but it is, I think, the only thing to do since no one has proposed a \$4 billion cut in state spending. And I know why people haven't, it's because the pain would be too deep. Deferring the pension payment is way too costly for the taxpayer. This is today's game in town and I invite all of you, I invite the Members of the Minority side of the aisle, more than half of you supported a substantial borrowing program for the state universities as recently as yesterday. And you supported a plan just like this one year ago, so what's changed? I think it's time for all of us to do the right thing. Choose a path that means that the taxpayers are least on the hook and that path is passage of Senate Bill 3514."

Speaker Lang: "Those in favor of the Bill shall vote 'yes'; those opposed 'no'. The voting is open. Have all voted who wish? Have all voted who wish? Black, Davis, Dunkin,

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

139th Legislative Day

5/7/2010

McGuire. Mr. Black. Please take the record. On this question, there are 59 voting 'yes', 57 voting 'no' and 1 voting 'present'. And Representative Currie moves for Postponed Consideration. The Chair recognizes Representative Biggins. For what reason do you rise, Sir?"

Biggins: "Well, thank you, Mr. Speaker, but I didn't hear Representative Currie make that Motion. You seemed to make it for her. Does she concur with your Motion?"

Speaker Lang: "Representative Currie had indicated to the Chair that she was prepared to make that Motion. I'm just try...trying to save a moment, Sir."

Biggins: "That's good 'cause I have a busy schedule. So, I'm glad you're doing that. Thank you."

Speaker Lang: "Mr. Stephens, for what reason do you rise, Sir?"

Stephens: "Well, Mr. Speaker, a clarification if you will. When we... when we ask for a Postponed Consideration there have to be 47 votes and I was just wondering, I know that you and the Speaker and the Majority Leader and all the others said you had 70 votes and you said, implored us, to put one vote on because this... because after all, all the world's problems are at the feet of the Republican Party. But as I review the vote, 59 'yes', 57 'no', 1 'present' and 1 'not voting', is this what the Democrats call leadership, Mr. Speaker?"

Speaker Lang: "On page 5 of the Calendar under the Order of... Senate Bills-Second Reading, there appears Senate Bill 1211, Representative Currie. Mr. Clerk, please read the Bill."

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

139th Legislative Day

5/7/2010

Clerk Mahoney: "Senate Bill 1211 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. I'd like to adopt Amendment #1, please."

Speaker Lang: "Those in favor of the Amendment shall say 'yes'; opposed 'no'. In the opinion of the Chair, the 'ayes' have it. And Amendment 1 is adopted. Mr. Clerk."

Clerk Mahoney: "Floor Amendment #2."

Speaker Lang: "Representative Currie on Amendment 2. Speaker Madigan on Amendment 2."

Madigan: "Mr. Speaker, Ladies and Gentlemen, this Amendment would reduce the budget by approximately \$3.8 billion, approximately the amount of money that would have been gained from the public borrowing to pay the pension systems in the Bill that just failed. So, we all had an opportunity to authorize borrowing to pay the pension systems as we did last year. That effort failed. This Amendment would reflect a reduction 'approximately equal' to the money that would have been available from the borrowing. And I would move for a 'yes' vote."

Speaker Lang: "The Gentleman moves for the adoption of the Amendment. On that question, the Chair recognizes Representative Harris."

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

Speaker Lang: "Gentleman yields."

Harris: "So, as I understand it, Mr. Speaker, this would be an amount that would be equal to about cutting 25 percent of

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

139th Legislative Day

5/7/2010

general state aid and 60 percent of the distributive grants as it's laid out in this Amendment?"

Madigan: "The answer's 'yes'."

Harris: "So, this would be an opportunity for everyone who wants to see cuts to have those cuts."

Madigan: "Yeah."

Harris: "I would ask for a recorded vote."

Madigan: "Yeah you get your wish."

Speaker Lang: "Mr. Fritchey."

Fritchey: "Thank you, Speaker. Let's clarify this if we will. Will...will the Sponsor yield, Speaker?"

Speaker Lang: "Gentleman yields."

Fritchey: "Let's break this down into very simple terms. For those people that are unwilling to find the means to put additional revenues into this budget, this would be the proverbial chickens coming home to roost. Is that correct?"

Madigan: "The answer is yes."

Fritchey: "So when we talk about people on either side of the aisle not being able to say no to everything, this is a Bill that really reflects the realities of the world that if the money isn't there to pay your bills, you simply have to reduce the amount of bills that you owe."

Madigan: "The answer is yes."

Fritchey: "And those bills that we're talking about are bills that involve educating our children, bills that include cutting back funding to higher education, which would enable people to be more productive members of society and get jobs and earn a living, is that correct?"

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

139th Legislative Day

5/7/2010

Madigan: "Yes."

Fritchey: "So once again we find ourselves without debating how we got here over the years, but as we sit here today on May 7 we find ourselves at the reality of our fiscal State of Illinois and that is, we either find the resources to put the state forward or we further slash the state and potentially cripple us from going forward in the years to come."

Madigan: "Yes."

Fritchey: "I don't think that could be any more clearer. Thank you."

Speaker Lang: "Mr. Franks."

Franks: "Thank you, Mr. Speaker. I'd like to speak to the Amendment. And I appreciate the Speaker bringing this forward; however, it's not something that I'm going to support and the reason is, because we need cuts, but these cuts have not been discussed. We have not gone through the committee process. They have not gone through the appropriation process and that's what we're here for. There is a process that needs to be honored. We need to determine which are the best cuts. Now I cannot vote for a \$1.2 billion cut to education when I know there are other areas in the...in the budget that we ought to be cutting, but we have not done so. For instance, why has the Governor not terminated pay for those people on boards and commissions? Are those people more important than education? Because that's what he's saying if he does not cut the pay to boards and commissions? Do we really need a Department of Commerce & Economic Opportunity, that became

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

139th Legislative Day

5/7/2010

a cesspool of pay-to-play politics under the previous Governor, when we voted here as a Body to give \$2500 tax credits to those companies that creates jobs? Now that's all we should be doing. We should be giving tax credits for people who create jobs because people who are working produce revenue for the State of Illinois. If we got rid of the Department of Commerce & Economic Opportunity we'd save almost a billion dollars, we wouldn't have to cut a penny out of education, but they're not being cut in this proposal. So we ought to be looking at what those cuts should be. Why have we not consolidated the Department of Transportation along with the Illinois... Highway Toll Authority? Why do we have a whole other level of patronage government? That is sacred for some reason. That's a sacred cow, but we're going to lay it off on our education and our kids. This is not how we should be doing it. We should be going line by line and instead of starting at last year..."

Speaker Lang: "Mr. Franks, bring your remarks to a close."

Franks: "...last year's introduced budget and then building up from there and endlessly repeating the same cycle and throwing more money at the problem. We should be requiring consolidation of school districts. We ought to look at one school district for an entire county. We ought to be looking at ways to streamline government. We should not start at last year's budget appropriation, especially at a time when we have falling revenues. Instead, we should start at zero and build up from there and require every state agency to defend every line item. There are 1700

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

139th Legislative Day

5/7/2010

state programs that nobody knows what they do. You can ask the Auditor General because that's what he said in his report. So we ought to be looking at every one of those things, cutting the fat and quit playing politics here. We should not be taking it out on our kids; we should be doing our jobs. We should vote 'no' on this, get back to work and do a zero-based budget."

Speaker Lang: "Representative Flowers."

Flowers: "Thank you, Mr. Speaker. I would like to yield my time to Representative Franks."

Franks: "Mr. Franks indicates he does not wish the time. Speaker Madigan to close on the Amendment."

Madigan: "Mr. Speaker and Ladies and Gentlemen, the Amendment is what it is. For those that have said consistently that they want to cut the budget, here's the opportunity to cut the budget. For those that would say, well, there could be other cuts; this will remain on Second Reading. And those that wish to propose other cuts can file Amendments to do those cuts and we'll entertain the proposals. I'd recommend an 'aye' vote."

Speaker Madigan: "The Gentleman moves for the adoption of Floor Amendment #2. A record vote has been requested. Those in favor of the adoption of the Amendment shall vote 'yes'; those opposed vote 'no'. The voting is open. Have all voted who wish? Have all voted who wish? Beiser, Currie, DeLuca, Golar, Howard. Mr. Clerk, please take the record. On this question, there are 15 voting 'yes', 99 voting 'no' and 2 voting 'present'. And the Amendment fails. Mr.

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

139th Legislative Day

5/7/2010

Clerk, please hold this Bill on the Order of Second Reading. The Chair recognizes Speaker Madigan."

Madigan: "More time, people. All those 'no' votes, the Bill's still on Second Reading, get your Amendments filed. Thank you for your consideration."

Speaker Lang: "Mr. Black."

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

Speaker Lang: "State your inquiry."

Black: "Would it be permissible for those of us on our side of the aisle who have filed Bills to cut various perquisites in spending to take them down to the Legislative Reference Bureau and just add them to the Amendment? I'd love to do that. Let's get rid of the airplanes. Let's get rid of the General Assembly cars. Let's get rid of cell phones. Let's get rid all kinds of things. And I know what your side of the aisle will say, well, gee whiz, we could get rid of the airplanes, but that isn't \$14 billion. No, no one thing is \$14 billion, but we'll be glad to get all of the Republican Bills filed and amended to this Bill. I don't think you're serious. When Speaker Madigan gets 99 'no' votes on a Bill, who the hell are you kidding."

Speaker Lang: "Mr. Black, to answer your inquiry. Mr. Black, to answer your inquiry. You don't need the Chair's permission to file Amendments. In fact, the Speaker announced that he'd be accepting Amendments to this Bill, so file away, Sir."

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

139th Legislative Day

5/7/2010

Black: "We will see how fast we can get some of them drafted, but most of them were never let out of Rules. So, you would probably be seeing them for the first time."

Speaker Lang: "On page 6 of the Calendar, under the Order of Senate Bills-Second Reading, appears Senate Bill 2093, Representative Bradley. Mr. Clerk, please read the Bill."

Clerk Mahoney: "Senate Bill 2093 has been read a second time previously. Amendment #1 was adopted in committee. Floor Amendment #4, offered by Representative Bradley, has been approved for consideration."

Speaker Lang: "Mr. Bradley."

Bradley: "If we could debate this on Third. Move it to Third Reading and then debate the Bill on Third."

Speaker Lang: "The Gentleman moves for the adoption of the Amendment. Those in favor say 'yes'; opposed 'no'. In the opinion of the Chair, the 'ayes' have it. And the Amendment is adopted. Mr. Clerk."

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

Speaker Lang: "Third Reading. Please read the Bill for the third time."

Clerk Mahoney: "Senate Bill 2093, a Bill for an Act concerning State Government. Third Reading."

Speaker Lang: "Mr. Bradley."

Bradley: "It's... it's been a while since I've gotten nervous giving a speech like this, but this is... something that's so vitally important to my area. We've been down for a long time. We haven't had a lot of opportunities and we have the opportunity we'll probably never have again. We have a

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

139th Legislative Day

5/7/2010

destination developer resort opportunity in southern Illinois. It creates somewhere between five and six thousand permanent jobs, to create possibly six thousand construction jobs in an area that's been devastated by recession, unemployment that in many areas is close to 20 percent. And so our region has come together, the local mayors, the local county boards, the local school districts in support of a sales tax TIF. It's a new creation for Illinois. We've done this, other states have done this and it's been widely successful. The example of Kansas City where one of these programs was created. Created and brought almost 12 million people into that area. They anticipate that this could bring somewhere between 5 and 10 million people into southern Illinois, increase the sales tax revenues for not only the Williamson County area but for all the adjoining areas. A rising tide lifts all ships and so we come here from time to time. We help different areas of the state. We worked on McPier last night and there was talk about how that was an economic engine and a...and a sight for tourism in northern Illinois and we have an opportunity, we have all these wonderful natural resources in southern Illinois, and we have all these wonderful... Rend Lake and Southern Illinois University and Shawnee National Forest and Camel Rock and the two greatest rivers in North America come together at Cairo. And we finally have a chance here to bring people to our area and enjoy those things and become a destination center similar to the Dells or to the Ozarks or to other places. And so I'm here today to ask your support for this, which is

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

139th Legislative Day

5/7/2010

supported by the folks in this region and give southern Illinois a chance. Give us a chance to help ourselves and to dig ourselves out of a recession that's been going on there longer than the last three or four years. I'm happy to entertain questions and I'd ask for an 'aye' vote."

Speaker Lang: "The Gentleman moves for the passage of the Bill. The Chair recognizes Representative Reis. There are 13 Members wishing to speak. Representative Reis."

Reis: "Thank you, Mr. Speaker. I would like to put this Bill on unlimited debate, if we could please."

Speaker Lang: "I think you're joined by sufficient people and it will be put on unlimited debate, Sir."

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

Speaker Lang: "I'm sorry. The Gentleman yields, Sir."

Bradley: "Inquiry of the Chair. Does that mean you're not going to put the clock on?"

Speaker Lang: "I will not use the timer, but I will ask Members to be restrained. There are still 13 Members wishing to speak and this is the 7th of May. Please proceed."

Reis: "I appreciate what the Representative is doing. He's doing what all of us try to do and that's work hard for economic development, but we hope that it's economic development for everyone. More importantly, it shouldn't be economic development at the expense of other communities in an area. I serve with Representative Bradley in southern Illinois. I... my district adjoins him. We share counties. And I'm speaking on behalf of the many mayors that contacted us on this Bill. We've had a relatively short

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

139th Legislative Day

5/7/2010

period of time; the Bill was just filed Tuesday evening. But the mayors that called you last year when this STAR Bond proposal was in the Metro East, and they're concern is, maybe it's unfounded, maybe it's not, but my mayors haven't had time to discuss it, but their concern that we are creating a supercharged economic development area that's on steroids. A small area, a doughnut hole, if you will. There are communities that have contacted me are in the doughnut around it, several miles away and they are concerned that these economic... development possibilities, these destination possibilities, will go to Marion instead of Mt. Vernon or Effingham or surrounding Fairfield, Flora. We..."

Bradley: "It's more likely that they'll go to Indiana or Kentucky or Missouri or Nevada."

Reis: "Representative, I'm trying to frame this in a different way that it's been framed because there are many mayors that are concerned about this and..."

Bradley: "I...I have a list here of mayors in support of it. Mayor of Marion, Bob Butler; Mayor of Herrin, Vic Ritter..."

Reis: "Representative, I didn't ask that question."

Bradley: "...Carterville Mayor Bill Mausey. I...I'm just.. I'm sorry. I thought it was a question."

Reis: "Well, there are mayors that are in favor of it. They're in the doughnut hole. Now when a... when a..."

Bradley: "I've got a... I've got a list... I've got..."

Reis: "...positively ask you, if they spend money on..."

Bradley: "Representative, the mayors on this list are from 35 - 40 miles away. I mean..."

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

139th Legislative Day

5/7/2010

Reis: "The doughnut hole."

Bradley: "...the mayor of DuQuoin is for this. The mayor of Harrisburg, the mayor of Murphysboro, the mayor of McLeansboro which is where our places adjoin, which our districts adjoin, is for this. The Jefferson County board chairman is supportive of what we're trying to do."

Reis: "We just met with the mayor of Mt. Vernon, 43 miles away today."

Bradley: "Well the... I've got an e-mail from the Jefferson County port president. Obviously, he'd like to see something like this come to Jefferson County, but he supports what's going on in... in southern Illinois."

Reis: "Representative, the fact of the matter is and what our questions and debate on is today, was that this was filed on Tuesday, the committee was signed... it was assigned to committee yesterday at 3:00. No one had time to come and answer their questions, offer their opposition. Maybe this is unfounded, maybe it's not."

Bradley: "The...the language..."

Reis: "We're just concerned that the fast track that this has taken is for a reason because it failed in the Metro East area."

Bradley: "Representative..."

Reis: "They want economic development for the whole region, not just one little area."

Bradley: "This...this will create economic development for the whole region. It's evidenced by the majority of people supporting it. This language has... been around since February of '09. We may never have another chance like

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

139th Legislative Day

5/7/2010

this in southern Illinois. If this were your district, I would be supporting you. These guys chose Marion. I didn't choose it for them or I didn't tell them to go there. They looked all up and down I-57 and the Route 13 corridor. If it were in Mt. Vernon, if it were in Centralia, if it were in Carbondale, I would be with you. I've always been with you guys when you needed something and we need something, and I'm asking you to help us. You live 116 miles from me, Representative, 116 miles. It's not going to hurt you."

Reis: "An example... an example..."

Bradley: "I'm...I'm begging you, just give us this chance."

Reis: "We want a chance for everyone. We have enterprise zones, we have TIF districts that benefit everyone. And I'm going to use an example of a hunting... a hunting store. A pros... A prospective inspector wants to come in. He's going to have half of his investment money paid for with state tax dollars. That is a sweetheart deal. But why shouldn't that town up the road in Mt. Vernon have the same shot at that sporting store? Why shouldn't Effingham, where two interstates meet, have the same shot at that?"

Bradley: "If we can do this somewhere... we don't... this is an experiment, it's an innovation. We've never tried it in Illinois. I think it's going to have a beneficial impact for all the people of southern Illinois, thousands of jobs, increase in sales tax revenue that the state is on no moral obligation on this. We're not responsible for the debt, it's private bonds. It's capped. The Amendatory Veto language that the Governor requested, there's a cap on it."

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

139th Legislative Day

5/7/2010

The state's going to get as much or more money as the local infrastructure development. All this is is new money for the state. This is money we don't have and the state's going to get the majority of it."

Reis: "The state's not. The state's share of the sales tax is going to go to pay down the bonds, in fact..."

Bradley: "No, that's not correct. It's capped. It's capped, Representative. So the state, at the least, will get 50 percent of it. And it doesn't even apply to the nondestination users. It's the thing that gets people in there that creates the growth in the area, not only in Marion but in Carbondale and Harrisburg and Mt. Vernon and Benton and West Frankfort. The big destination user that brings the people in, the...the tide that lifts all the ships. That's what's getting the abatement. The BP station inside the STAR Bond district and the Sunoco station outside the STAR Bond district on essentially the same footing."

Reis: "Representative, I'm speaking on half...on behalf of our mayors. Remember that. They all have concerns about this."

Bradley: "Not all of... not all your mayors."

Reis: "In my district. I'm speaking of..."

Bradley: "That's 116 miles away, David."

Reis: "Not in McLeansboro."

Bradley: "And the city..."

Reis: "Not in Dahlgren."

Bradley: "...and the City of McLeansboro is not for this?"

Reis: "Not in Fairfield."

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

139th Legislative Day

5/7/2010

Bradley: "The City of McLeansboro, it's my understanding, is for this."

Reis: "Not in... Flora."

Bradley: "Dick Deitz... Dick Deitz, the mayor of McLeansboro, I was told by another mayor locally, was for this. Is that not true? Do I have bad information?"

Reis: "I meant Hamilton County is not 116 miles away from this."

Bradley: "No, that's true, but he's for it."

Reis: In your fiscal note that was filed today, it said Senate Bill 2093, as amended, would cost the State of Illinois \$12.5 million per year over a 23 to 35 year period, totaling 287 million... between 287 million and 437 million in future sales tax revenues. And it also has coupled with local taxes. And this is their report. Combined, the amount of state and local taxes, revenue made available to pay STAR Bonds, would average 25 million annually for over 23 to 35 years would be 586 million to 892 million. Would you agree that these are correct?"

Bradley: "Not necessarily. And I think the thing that that doesn't recognize is that it's all new money and that whatever they estimate that the STAR Bonds infrastructure would be, the state would get at least that and more, so that would be new money for the state that we're not getting currently. So I hope their estimate that the state receives a billion dollars over the course of this development is accurate, because we need the billion dollars. But I looked at it and it looks to me like it's just math. I don't see there any process there to that."

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

139th Legislative Day

5/7/2010

Reis: "But we've all voted and had to look at several Bills here that's going to be giving tax credits. That's a lot of money going into a small area. Again, I go back to the doughnut hole that Marion's going to benefit from. One of the things you added into your Bill was on the school things. Could you explain how the money..."

Bradley: "No, there's no development there now. There's no... sales tax now in the area that we're trying to develop. I mean, it's an abandoned coal mine. I mean, part of the property is an abandoned strip mine. They're going to take it, they're going to take this abandoned strip mine, the spoils and clean it up and turn it into something that people will want to come see and come see the... other wonderful parts of southern Illinois."

Reis: "Up the road, 40 miles, Mt. Vernon has over 600 acres waiting to be developed. They're in the same situation..."

Bradley: "I... and when Mt. Vernon has an opportunity to develop those, I will stand with them to try to help them develop and I'm asking you to stand with us here today."

Reis: "On the school funding portion that you added, could you explain how that works?"

Bradley: "Yeah. Obviously, this district is contained completely within the Marion Community Unit School District #2. And my kids go to that's both of my kids go to that school district. And so what the district has been willing to do, is in the spirit of cooperation and regionalism and working together, which we haven't seen in years, they're willing to give up a percentage of that to other school districts in southern Illinois and share the wealth, so to

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

139th Legislative Day

5/7/2010

speaking. So the increases in property value... excuse me, excuse me... the increases in property value as a result of the development, the destination development, part of that would be used to help the other school districts in southern Illinois. Now, we've thought the best way to handle this, because we don't know how much money it will be and this is a very magnanimous and generous offer by the Marion School District, would be to deposit it with the local regional office of education. Have him work with the other regional offices to try to divvy up the money and divide the money equitably among the school districts in southern Illinois. I understand he's here today. The regional office of education superintendent is here today observing the process. He's been in communication with other regional offices and I would hope that they would sit down and come up with some kind of intergovernmental agreement as we work through this and in the pro... before their sales tax starts getting collected."

Reis: "Well, some of our concerns with this is that the money would go to the Regional Superintendent of Schools who would have the authority to decide who would be a qualifying school district based on enrollments. And the State Superin... Regional Superintendent of Schools would also have the ability to set the formula, as they deem fit, to decide how this money is dispersed. Would you agree that that's that loosely worded in this Bill?"

Bradley: "No. We...we tried to make it in a reasonable manner so that we don't know how much money there's going to be. We tried to create a depository. He's reached out to the

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

139th Legislative Day

5/7/2010

other regional superintendents there locally. My understanding is that they're comfortable with what we're doing. It's very difficult to draw a line when you're talking about these things. I don't think it's appropriate to draw a circle on these things. I think it's more appropriate for the educators to sit down, figure out what resources they have and then figure out what school districts they could help and to what extent. And the regional superintendent has made a commitment to do that and I thought that was... I mean, give it to the local educators and let them figure it out."

Reis: "Well, I think we have some concerns about that. That's part of the language that we feel is too, loosely worded. It was inserted, I know..."

Bradley: "And I don't ever remember... I don't ever remember a school district voluntarily giving up revenues like this to help other school districts."

Reis: "It's not so much that they're willing to give it up, it's... they have the ability to decide what... who's a qualifying school and what percent they're going to get. And I think that is..."

Bradley: "Think about this..."

Reis: "...setting this up for bad things to happen."

Bradley: "...think about this, though. Think about this, though. This is a school district, the Marion School District at which my children go to school there, that's willing to give up tens of millions of dollars potentially to help other districts. Give it up. They don't have to. They're doing that and you're criticizing me because we don't have

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

139th Legislative Day

5/7/2010

every little detail locked down on that. I don't understand that."

Reis: "Representative, I'm not criticizing you personally on anything. I'm just saying, we have concerns with what's going on with the Regional Superintendent of Schools in Chicago. This is too much authority, too much money, too much decisions based on one person that can change over the course of years. We just think that needs to be tightened up. I know you're trying to do some things there with tax money to help schools but, in... again, this is being rushed through too quick. The wording's not correct, in our opinion. Also, I want to ask about the Angel investment. Is that in your Bill now?"

Bradley: "In... Inquiry of the Chair. How unlimited is unlimited?"

Speaker Lang: "Mr..."

Reis: "Representative, there's a..."

Bradley: "I don't ever remember debating for 30 minutes."

Speaker Lang: "Mr. Bradley. Mr. Bradley, in answer to your inquiry, after Mr. Reis is finished I'm going to ask leave of the Body to put this on a timer. But... I already promised Mr. Reis, so we'll have to..."

Bradley: "Ok."

Speaker Lang: "...you'll have to indulge him, Sir."

Bradley: "Okay. Yeah, actually I'm glad you brought that up, Representative, and first of all let me apologize to Representative Mendoza because I intended in the opening to mention her hard work on the IBIO technology, which is a part of this. Representative Mendoza has worked for years

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

139th Legislative Day

5/7/2010

on trying to help the biotechnology industry develop in Illinois."

Reis: "Representative, did you have her permission to put this Bill on... your Bill?"

Bradley: "Well, this was something that happened and we talked about..."

Reis: "Yes or no."

Bradley: "Huh."

Reis: "Yes or no."

Bradley: "It wasn't my decision to do that."

Reis: "You didn't answer my question and I'm trying to be a lawyer like you. Did you have her permission to put this Bill on there?"

Bradley: "I didn't... I didn't make that decision to put them together."

Reis: "I'll take that as a... as a no."

Bradley: "But..."

Reis: "Ladies and Gentlemen of the House, this is... this is something that did not work last year. It was vetoed by the Governor. There's a lot of concerns by surrounding communities. There's drafting errors, we feel, in the Bill. There's too broad of a language with regards to passing out education funding. I have letters and comments from several mayors. The mayor of Mt. Vernon said that we have a new interchange... to the Bill, by the way... and they're in the process of building infrastructure to service about... 600 acres. What are the chances of attracting these businesses when only 40 miles down the interstate lies Marion with this proposed added development

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

139th Legislative Day

5/7/2010

tool. While I am all for regional development, I cannot support projects utilizing state sponsored programs that give one community a great advantage over another. She drove up to see us today. She didn't get the notice to come yesterday because of the lateness of the committee being announced and this Bill being heard. Last year.. or one of the well-respected reporters in this town called this the worst Bill ever. I think we're opening up a bag of worms for one of the largest changes in government. Where does this type of thing stop? There's going to be doughnut holes created all over the state for special communities for supercharged, I call them on steroids, where half of a business's investment is going to be paid for by state sales taxes. I asked the Sponsor of the Bill yesterday if he would pull this out of the record, allow us time this summer for these communities to be heard. We can do this during the Veto Session. That's all they ask for. Maybe there's something in this that we're missing, that they're missing. They just wanted time to respond and...and three or four days is not time to respond, especially on a Bill that failed last year to be implemented. The other day we debated a voucher Bill and I think Representative Lang said it best. We're here to uplift everybody, not just Marion. We're here to provide economic development incentives for the whole State of Illinois. We know we're struggling. I'll have this on one side of me and Indiana on the other. Mitch Daniels calls Illinois one of the best economic development tools he has. How would you like to be surrounded by that? I think we can sit down and develop

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

139th Legislative Day

5/7/2010

a plan with our regional bonding authorities to create something that allows everyone to try to go after that sporting goods store. Everyone to go after that water park, those destination sites, not just one community. That's what there concern is, that this is going to cannibalize on them. Again, Representative, there's a lot of people to debate this. I just ask that we put this off 'til fall. This is a very, very, very big change in Illinois policy. People should be given a time to respond and weigh in on this and really determine if it's the best thing for us to do. Thank you."

Speaker Lang: "Ladies and Gentlemen, there are 12 Members still wishing to speak. They will all be heard, but I'm going to ask the indulgence of the Body to allow me to use the timer for two minutes each and we'll let people complete their remarks if they need to on this controversial Bill. Do I have leave of the Body? Is there any objection from any Member? And so that's what we'll do. So, the next speaker is Mr. Bost for two minutes."

Bost: "Thank you... thank you, Mr. Speaker. Ladies and Gentlemen, I have spent almost 16 years here working to try to bring economic growth to the State of Illinois as a whole, to a region that has been known for having tremendously high... unemployment. I rise in support of this as a possible idea for that. Philosophically, I don't know that I would do that if it wasn't in my region. But I do want to let you know that I do have a region that could use the jobs tremendously, that we have a tremendous workforce that is there that would work well in building, working and

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

139th Legislative Day

5/7/2010

creating this type of facility. I know that the Sponsor's worked hard to try to get everybody involved and I do support him in the opportunity to bring jobs to southern Illinois. As the... debate goes on I hope you will listen closely to everything that is said. I am for jobs. I am for my community and I do stand in support of the Bill."

Speaker Lang: "Mr. Phelps."

Phelps: "Thank you, Mr. Speaker, Ladies and Gentlemen of the House. First and foremost, I want to commend my neighbor, Representative John Bradley, for his hard work on this and everybody that has got this back on track. And as Representative Bradley said, you don't get a lot of opportunities and sometimes you have to create your own. And I want to personally thank everyone that has helped my district in what I've tried to help create in some of the southern counties: the Massac-Metropolis Port District, the Alexander County-Cairo Port District because we know that with the imports and exports of this country, that's going to truly help our area. So I'm asking you for one more thing today and that's what's on the board in front of us. Some have told me, Representative Reis, same as you, granted, if this comes to Marion this is going just to kill your district. I absolutely disagree. In southern Illinois we believe in regionalism and I know everybody believes that, and when one part grows we all grow. When you bring more people to an area there's going to be more money and that's what we need with unemployment up to almost 15 to 20 percent. This is what we've been needed for a long, long time. I don't know if a lot of you have

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

139th Legislative Day

5/7/2010

been to southern Illinois or not, but if you haven't, you should. It's beautiful with great people and the thing about southern Illinois, there's not a lot of job opportunities. When our kids graduate from college they move away. That's why I have mainly 11 counties in my district. Being so rural there's just not a lot of opportunities and we lose a lot of population. With the hundreds and thousands of jobs that this is going to create with the millions of dollars this is going to bring to the area, I ask each and every one of you to help our part of the state and please support this. And let's take this so-called worst Bill ever..."

Speaker Lang: "Please bring your remarks to a close, Sir."

Phelps: "...let's take this so-called worst Bill ever and let us take a chance on maybe the best thing that ever happened to southern Illinois. I ask for an 'aye' vote."

Speaker Lang: "Mr. Sacia for two minutes."

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

Speaker Lang: "Sponsor yields."

Sacia: "Representative Bradley, I've been listening carefully to the debate and I hear the passion on both your side and I think it's fair to say Mr. Reis coming from a different perspective, would you be willing to hold this until perhaps Veto Session and give this opportunity for mayors and county board chairs and other concerned individuals to come together and... I mean... I know all you guys and you're all great guys and you live in the same area and we all want to be supportive. And I guess, first of all, my question would be could you do that, Sir?"

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

139th Legislative Day

5/7/2010

Bradley: "Representative, if I can explain my answer. We have had so many empty promises in southern Illinois and we've had so many things slip through our fingers and we have an opportunity here that we may never have again. And I'm scared to death that if we don't seize the moment and move forward with this, that we're going to lose it. So, if there's any way to move this forward, it's my intention to move forward now and it's not because I want to do it in a, you know, this time frame, but it's also not a new issue. It's been out there for awhile. The original legislation was filed on February of 2009, and so it's pretty well vetted and we've done everything we could to be inclusive, I've done everything I could to be inclusive. I'm the chairman of the Revenue Committee. I've been watching this thing develop in other areas of the state. I'm comfortable with it in our southern Illinois region and so I would like to proceed with it. I appreciate your question. I hope you'll understand that this is a once in a lifetime chance for us and we're just afraid it'll be like other things and it'll slip through our fingers. And so we want to proceed."

Sacia: "Thank you, Mr. Bradley. I... having spoken with... I'm going to run out of time in one second here... maybe if I could have..."

Speaker Lang: "Mr. Sacia, we'll give you time to complete your remarks, but please be brief."

Sacia: "I will. Visiting with Representative Reis is a... the concern is with needing to have folks get input into this, which I certainly recognize, and the last thing I want to do is step... step in the way of any economic development

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

139th Legislative Day

5/7/2010

with you, is certainly... perhaps if we would vote 'present' until handles can get... 'til we can get a handle around this thing and understand the difference of philosophies between where you're trying to go and where Representative Reis is trying to go. Thank you very much."

Speaker Lang: "Mr. Stephens for two minutes."

Stephens: "Thank you. Will the Gentleman yield?"

Speaker Lang: "Gentleman yields."

Stephens: "Are there any politically connected persons children involved in this deal?"

Bradley: "No... no there's not."

Stephens: "So, the person that... you know the person I'm referring to?"

Bradley: "Yeah and he's not involved."

Stephens: "Okay. So, he was involved in this scandalous Bill when it was in the Metro East, but he's no longer involved."

Bradley: "That's correct. That's correct."

Stephens: "Well, that's one positive thing, but it doesn't make the Bill any better. And you know what, be careful what you ask for, Representative, seriously. This project was going to be in my area and I... you know, I didn't run over and ask you to support it and I'll tell you why. I'll tell you why the mayor of... this was going to be in Glen Carbon, it was going to be much bigger than this. It was going to bring hundreds of thousands of jobs and all... it was just... first of all, it's overblown. It's not going to bring the jobs that you talk about. It's not going to bring the construction jobs, it's not going to bring the retail jobs

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

139th Legislative Day

5/7/2010

and you're treating it as if it's bringing in all new money. Oh, this isn't going to cost anything. Well, why is it that when it was in Glen Carbon, Illinois, why did the neighboring mayor of Edwardsville, Illinois, Mayor Niebur, stand in abject opposition to this?"

Bradley: "Repre... Repre..."

Stephens: "Why is it that the mayor of O'Fallon and..."

Bradley: "Can I respond to that?"

Stephens: "Troy, and in Highland? I'll tell you why."

Bradley: "Can I respond..."

Stephens: "It's a rhetorical question. No, you may not."

Bradley: "Oh, it's not..."

Stephens: "It's a rhetorical question. I'll tell you why they stood in opposition..."

Bradley: "I thought it was a question."

Stephens: "...because they knew it was going to vacate the storefronts of the very fiber of their community, that's why. They knew that this wasn't new money from outside the state. What you're talking about, Ladies and Gentlemen, and this of all years, we're talking about we can't balance our budget, we're billions short and you want to take state retail sales tax dollars and give them to a well-connected person from St. Clair County. That person had his project in Madison County. The Governor even saw the error of his ways and said, no, move ...we're not going to do it. Not your way. So now they've found another person to scam and they're scamming..."

Bradley: "Rep... Representative."

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

139th Legislative Day

5/7/2010

Stephens: "...The southern Illinois Legislators are wrong in their interpretation of this. You were wrong, Representative and..."

Speaker Lang: "Mr. Stephens, please bring your remarks to a close."

Stephens: "What you're doing, Representatives, all of you. I love you guys and I know how hard you work for your districts, but what you are doing, what you are doing is you are going... you are threatening and you will succeed in closing the doors of the very retail and outlets that you... that are the fiber of your community. You can respond in closing, Representative. I didn't ask you any questions. I'm telling you, folks, this is the wrong year for a wrong idea. Please, please save them from themselves. Why did we not want it in our district? Because we knew it was not good for the people we represent. We didn't want it in our backyard and you shouldn't want it in your backyard."

Speaker Lang: "Mr. Bradley, did you need to respond to this, Sir?"

Bradley: "I was just going to say, I thought he had been to southern Illinois recently. What are they going to cannibalize? Right? We don't have anything now. No, that's rhetorical."

Speaker Lang: "Mr. Reitz for two minutes."

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

Speaker Lang: "Gentleman yields."

Reitz: "Thank you. Mr. Bradley, is there a state oversight and can you articulate what the state oversight is on this Bill?"

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

139th Legislative Day

5/7/2010

Bradley: "There's 300 pages of state oversight in this. There's Auditor General reports, they have to report to the General Assembly and the Governor; the Department of Revenue oversees every step of this process; there's public hearings. It's some of the most restrictive language that I've ever read."

Reitz: "Okay. Thank you. And is there..."

Bradley: "Review committees."

Reitz: "Is there like..."

Bradley: "If it doesn't... if it doesn't work, if they don't create a certain number of jobs, they have to pay a 1500 penalty per job not created. I don't ever remember that. Have we ever done that before, if you don't create these jobs, you have to pay a penalty?"

Reitz: "Thank you. Is there language to protect the surrounding areas?"

Bradley: "Yeah. There's a 25 mile buffer zone that says you can't poach businesses out of that 25 mile buffer zone. There's all kinds of protections in here."

Reitz: "Okay. Thank you. To the Bill. This... I represent the district about equal distance from where the first site was and where this site is and there... I can tell you there's a marked difference between the really... the economic needs and...and what a any type of development will mean to the areas. We have a lot of opportunities in the Metro East area that we don't have in deep southern Illinois. And some of the... so one of the previous speakers talked about the various economic incentives that are out there, this does add additional economic incentives, but an enterprise

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

139th Legislative Day

5/7/2010

zone isn't every place. I don't have one in my district. I don't have a free trade zone. So, it's about creating economic incentives so that places can grow and I really think this is one that all ships will rise if we're able to get economic development in anyone's area. In the Mt. Vernon area or in the Marion area or in the Carbondale area, I think it helps my area. So, I plan on supporting this and I'd appreciate your support."

Speaker Lang: "Representative Chapa LaVia for two minutes."

Chapa LaVia: "Thank you, Speaker. May... will the Sponsor yield?"

Speaker Lang: "Sponsor yields."

Chapa LaVia: "Representative Bradley, how long you been working on this?"

Bradley: "Well, I've been monitoring this for a couple of years. It's been in the Revenue Committee for a period of time and when the other deal fell apart, they came quickly to southern Illinois and so this is an opportunity that we didn't think we were going to have. But I had a comfort level because I was familiar with the legislation and familiar with the concept."

Chapa LaVia: "And how long have you been promising this to the people back home that say, okay, when's it going to come? When's it going to come? When's it going to be our opportunity to have something that we can have jobs out here and in growth and a taxing body for your district?"

Bradley: "Well, I came home after law school and came back to southern Illinois because I wanted to help the area and we've been waiting for this for decades. And we've never

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

139th Legislative Day

5/7/2010

had an opportunity like this and I don't know we'll ever have an opportunity like this again. And so we don't want to miss that chance."

Chapa LaVia: "Thank you, Bradley. To the Bill, Speaker, Members of the House. Not too long ago, everybody in this General Assembly, for the most part, helped sponsor River's Edge Redevelopment Zone and that was a bundle of incentives and dollars to go into the development of Aurora, Rockford, Elgin, East St. Louis, and areas that were extremely depressed because of brown zones. And you guys pulled together and you got that done for me and we still are working on that 'til today and it has caused a lot of excitement in towns like Aurora and Rockford and East St. Louis to bring jobs and to bring industry back and to bring high-tech jobs. That's what we try to do down here. We help each other with our areas to try to spark the difference. To make all of Illinois better. So I would request that you guys really think hard about helping out one of our fellow neighbors, if you will. Because it does make a difference in everybody's area. The tax dollars are being collected there and then going into the general state pot of everybody's area..."

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

Chapa LaVia: "Thank you, Speaker. I recommend an 'aye' vote. Thank you."

Speaker Lang: "Representative Careen Gordon for two minutes."

Gordon, C.: "Thank you, Mr. Speaker, to the Bill. Ladies and Gentlemen, I was in the Revenue Committee the entire time the previous STAR Bonds issue was talked about in Glen

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

139th Legislative Day

5/7/2010

Carbon. I've been in the Revenue Committee with the Sponsor of this Bill when it came very quickly to go to Marion. And I can tell you, while this Bill has been.. labeled by our very good friend, Mr. Rich Miller, as the worst Bill ever, it is truly that. There are absolutely no establishments or businesses or agreements that are going to come at this time to Marion, Illinois, to be set up in this district. There's absolutely nothing that any of these towns know about this development to give them any numbers. The current fiscal note from the Department of Revenue says that based on the earlier STAR Bond studies provided by the developer, who did not testify, who did not offer up anything in that hearing yesterday said, that we know that displacement will occur as high as 60 percent and it is inevitable that some displacement will occur from any retail development. It's already known based.. what Millennium Development is telling us that it's going to create 6 thousand construction jobs and earnings of more than 174 million; however, there's absolutely no time line because there's no jobs, no businesses that are going to come in yet. It's also said that it's going to create 5,685 full-time jobs. But the Department of Revenue doesn't have that information available to them and the public information that they were able to use and from the Department of.. or the Bureau of Labor Statistics already says that that information is un.. impossible to meet and it will only able.. it's only able to meet the number of jobs.."

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

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

139th Legislative Day

5/7/2010

Gordon, C.: "the number of jobs that will only able to... to be able to bring in will be... make that unreachable, while the developer suggests 566,885 jobs. This is an impossible cap to reach that this developer is trying to sell to southern Illinois. Additionally, Ladies and Gentlemen, we already have on the books in this state, we have TIFs, tax increment financing, we have enterprise zones, we have economic development project areas. We have any type of agreement you want. As long as they're legal, you can agree to it. We also have intergovernmental agreements. We can go to all of these. They can go to Marion and reach into anything, but it wasn't good enough for this developer and he buys into that infamous line that greed is good and damn is he greedy because he wants more. He wants more at a time when we can't give it. It is not the time for the State of Illinois to buy into STAR Bonds; it is not a time for anyone to ever buy into STAR Bonds. The Department of Revenue does not know how, by their own testimony yesterday, now or do they know when they will ever be able to audit. At the time when these jobs will be created, he says by the Representative who is currently sponsoring this legislation, that they're going be able to fine the developer if they don't keep these created. The Department of Revenue doesn't know how they're going to go in and audit that. They're... they said, well, we requested it, but we don't recall why or how or when we're going to do it. Is it going to be full-time, part-time? Is it a one day hot dog vender? Is it the day they do the audit? Do they have to keep it for one week, two weeks, a day, two hours,

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

139th Legislative Day

5/7/2010

three hours. Is it the guy standing in the mall taking a survey? They don't know."

Speaker Lang: "Representative Gordon, can I ask you to bring your remarks to a close?"

Gordon, C.: "Thirty seconds, Mr. Speaker. Ladies and Gentlemen, I will tell you that he says there's 300 pages of state oversight. State oversight at a time when the Department of Revenue, while they did one great job by give... by using information in a fiscal note that they didn't have a whole lot of time to bring up, I'll tell you this idea is one of the worst that we have ever seen in the State of Illinois when they are already laws on the books that are tested. Economic development tools that are already on the books that are tested and used all over the State of Illinois. This... this Representative and this Sponsor of this Bill, I love him. I love him like my brother and I trust him with my life. I swear to God, but please, please, please, please do not, do not allow this Bill to get out of this House. It is one of the worst ideas we have ever seen in this state. I don't do it because I dislike him, I don't do it because I don't love southern Illinois. I know exactly where he's talking about and I've been there several times. I've traveled there. I've prosecuted those criminals there, but please do not send this plague of locusts that this developer is selling, don't send the snake oil to the State of Illinois... to southern Illinois with STAR Bonds and that's what it would be. Vote 'no'."

Speaker Lang: "Mr. Sullivan for two minutes."

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

139th Legislative Day

5/7/2010

Sullivan: "To the Bill. Ladies and Gentlemen, I rise in support of this Bill. Understand, we're talking about future sales taxes. We're not talking about any sales taxes that are presently being collected today. I'm in favor of this concept because we're talking about jobs and increased revenue to the state. Fifty cents on a dollar is the maximum that could possibly use to finance this project. The rest of it is going to go to the coffers of the State of Illinois. We're talking about programs that we would like to save in the State of Illinois that we've been debating for the rest... for most of this day. You know, we do this project on a micro level in just about every municipality out there. You have a lot of your municipalities that will use some of their municipal share of their sales tax in revenue sharing to help bring a Wal-Mart or a Home Depot or different types of projects like that. So, that... this, on a micro level, has been done in almost all of our communities. But lastly, I want to talk a little bit about credit markets. We have horrible credit markets. To have something like this project to be financed is extremely difficult. We are now starting to see a lot of different types of unique creative financing options that are out there. We just passed a Bill the other day in regard to public-private partnership for the potential Illiana Tollway. These are the types of projects that we're going to have to do if we want to bring infrastructure to the State of Illinois. We cannot turn our backs on this type of idea to see if 'til work. It might not work and in seven years they'll do the study that

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

139th Legislative Day

5/7/2010

says it doesn't work and it won't be expanded. But there's going to have to be a new paradigm in this type of financing. This is going to be a positive impact on the State of Illinois. I certainly hope we could all help the Gentleman from southern Illinois drive down the unemployment rate by bringing jobs to his...his district. Thank you."

Speaker Lang: "Mr. Biggins for two minutes."

Biggins: "Yeah. Thank you, Mr. Speaker and to...to the Bill. And to my esteemed colleague here from Lake County, totally concur with his assessment of this. My card, my district government card says State Representative, then it has my district number. Now I represent my district first, sure, everybody does, but it does say State Representative. I want our state to succeed, whether it's in northern Illinois or southern Illinois. I want our towns to be successful and the fact that some other town doesn't want this project, perfectly fine. If they didn't want it, that's fine. I like the...what John's doing with his Bill and that to Representative Bradley's representing his district. I'm supporting the development in southern Illinois and look forward to helping that this thing's a big success. Thank you."

Speaker Lang: "Mr. Dunkin for two minutes."

Dunkin: "Should I yield my time to Careen Gordon? To the Bill. Ladies and Gentlemen, as the chair of Tourism & Conventions... I'm sorry. Look, can you start over? Okay. As the chair of Tourism, and respected Members who come here and try to support economic development in their

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

139th Legislative Day

5/7/2010

respective district, I think that is... this is a commendable Bill. It gives an opportunity to a colleague and friend, but more importantly it gives a bigger opportunity for the southern region of our state as it relates to tourism. This Bill is expected to create 6 thousand construction jobs and even 5600 jobs when they're completed. And it's supposed to generate millions of new dollars in this economic opportunity. This legislation and the development will support the southern Illinois schools, families, communities, and it has the potential to attract millions of new tourists to southern Illinois. In fact, 20 million people live within a day's drive from this region of our state. This destination development will compliment the other wonderful tourist attractions in the region, including the wineries and the trails and national and state parks. The Marion Miners Baseball Team and others. This legislation and the development are winning widespread support amongst... from tens of thousands of people including numerous of local government and public officials, labor unions, school officials, business leaders, and economic development organizations. They recognize the tremendous opportunity 'cause... for the southern region of our state and we should too. Thank you, Mr. Representative."

Speaker Lang: "Representative Golar for two minutes."

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

Speaker Lang: "Gentleman yields."

Golar: "Representative, what is the population breakdown by ethnicity of Marion?"

Bradley: "It's..."

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

139th Legislative Day

5/7/2010

Golar: "Do you know that?"

Bradley: "It's not very diverse."

Golar: "Could you tell me, how does this benefit the minorities in the Marion area?"

Bradley: "Well, it will benefit everyone in southern Illinois. And I intend to make sure that it does benefit everyone in southern Illinois and you have my word on that."

Golar: "Why did the mayors, and I don't know whether this was answered, county board chairmen and local cities oppose this in Glen Carbon?"

Bradley: "I didn't understand that. I think that part of that was that's a whole different situation up there and we're underdeveloped. We don't have anything, right? We have some things, but this is just abandoned coal mine area up there, its spoils. So, we're going to take an area that has nothing on it and turn it into a destination resort which will enhance the rest of our communities and the rest of our area and hopefully turn southern Illinois into a destination resort, Representative. And so, the mayors and the county boards in my area, Jackson County, Jefferson County, Franklin County, Williamson County are wildly for this and we're all working together."

Golar: "And how many developers, Representative, are involved in this and how much do they stand to make as a profit?"

Bradley: "Well... it's their investment. The state is not actually making any initial investments. So, if we create this state tax incentive.. "

Speaker Lang: "Please bring your answer to a completion, Mr. Bradley."

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

139th Legislative Day

5/7/2010

Bradley: "Similar to what happened in Kansas City where it worked. Then we'll not only be able to create development right there, but lift all the communities around this area in a positive way. And so, hypothetically, the...the city would be in control of this along with the Department of Revenue and with oversight over it. So, it depends on how successful this is like any other thing, like a regular TIF district."

Speaker Lang: "Representative Golar, please complete your remarks."

Golar: "Thank you, Representative. I appreciate it."

Speaker Lang: "Representative Washington."

Washington: "Thank you, Mr. Speaker. I just want to commend the Sponsor of the Downstate Caucus, of which I'm a member of, in taking on this initiative. I always believe in nothing ventured, nothing gained and I think there's some wisdom to some things when they say when you can't say anything good about something or somebody, maybe you should just close your mouth. But having said that, I think that is a good initiative. And I remember when they came for 29 million to get the gun piece down near Sparta and I supported it then, because I know that it is undeveloped downstate and I know that downstate should have more, and I believe that to be true. So I recommend that we give this Representative an opportunity, in spite of other mayors in other places, I don't think their opinion is that great on a grand scale that it should outweigh the potential of what could be 6 thousand or more jobs and increase the economy for downstate. I intend to vote 'yes'."

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

139th Legislative Day

5/7/2010

Speaker Lang: "Mr. Cavaletto for two minutes."

Cavaletto: "Thank you, Mr. Speaker. To the Bill. I'd... just like to say that southern Illinois will probably fight for a dog's bone because it's right next to my district. And I love southern Illinois and I do want to see it grow. And we do need the jobs and we need to put people to work. Our coal mines have closed and we have... a great unemployment percentage of people who are not working. This affects me personally. My district adjoins Representative Bradley's and mayors from three of my largest communities, Salem, Mt. Vernon, and Centralia and we're just about 35, 40 miles up the road, and it will affect us and it will draw business away from our communities. They're opposed to this. We have 600 acres and a new interchange in Mt. Vernon and we hope to develop that some day. And maybe a STAR Bonds will come to our 600 acres and we can develop that. I don't know if that could happen or not, but I do know it's a real difficult situation to be in. I'd like to have time to... our people to respond to this. And if it's as good as... the Sponsor says it is, then it'll still be there in the fall of the year. But, I do feel that our people should have time to talk and debate about this and what effects it may have, positively or negatively. And I ask for your present... for you to vote 'present' and allow time for us to work on this and do the right thing for all the districts in southern..."

Speaker Lang: "Please bring your remarks to a close, Sir. Mr. Cavaletto has completed his remarks. The Chair recognizes Representative Dugan."

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

139th Legislative Day

5/7/2010

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

Speaker Lang: "The Gentleman yields."

Dugan: "Representative Bradley, I just want, because there's been a lot of talk back and forth about the sales tax agreement, it's being said by some that all of the sales tax... that no sales tax..."

Bradley: "No..."

Dugan: "...will come back to the State of Illinois."

Bradley: "No, that's not."

Dugan: "Is that true or not?"

Bradley: "No, that's not correct. Not only is it capped, and so the state will get an equal or greater amount than what would go into the development, but it's also limited by the type of the development. So, again, we're trying to attract the big thing that draws people in, the destination resort, the entertainment users. Those would be available for a tax abatement similar to a regular TIF district. The smaller retailer, you know, the normal retailer is not eligible for that type of abatement. So, I think that's a reasonable way to address this is that we're trying to get something into the area to enhance what we have. And this is where I'm from, and my grandma before she passed away a few weeks ago still had the original deed from the United States Government to the land we live on, right. The Bradley family has been there for a long time and we don't plan on going anywhere. And the last thing that I would do is do anything to hurt my area or hurt any part of southern Illinois. And I just think, along with my fellow Representatives down there that this is going to do nothing

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

139th Legislative Day

5/7/2010

but enhance our area, and give us an opportunity that we haven't had in a long time. And we've helped on other projects. We helped when CenterPoint Intermodal needed a tax increment district up there. We voted for that. We voted for McPier. We voted for things in the past when they've gone to Mt. Vernon or when they've gone to Centralia or when they've gone to the Metro East or other parts of the state. This is our chance and we need your help and we're asking for it, we're begging for it. Please help us with this endeavor."

Dugan: "Speaker, I just want to make sure I get my two minutes back because Representative Bradley used almost all of mine."

Speaker Lang: "Of course, we'll let you complete your remarks."

Dugan: "Thank you. So, Representative, I just wanted to clarify that because, again, some are wanting to say that this particular idea..."

Speaker Lang: "Now it's time for you to complete your remarks."

Dugan: "...will take away from the State of Illinois. When is it not a fact, that right now, in southern Illinois there's nothing there, so there is no sales tax coming into the State of Illinois in any type..."

Bradley: "This Bill..."

Dugan: "Thank you. Thank you."

Bradley: "The proposed land is empty. Also I should..."

Dugan: "You can't because he's going to cut me off, Representative Bradley. I just want to say, as we look at, you know, when you look at economic development and, I agree and with all due respect to my seatmate, there are

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

139th Legislative Day

5/7/2010

many ideas out there and different economic development tools that we can use. But, there is one main difference that I... that stands out to me when I look at TIF districts and enterprise zones and this. There are many promises made sometimes in TIF districts about jobs that are going to come and in those particular agreements there is not anything like there is in this. That if this developer does not bring the jobs that are promised, there's actually a fine that this developer will pay. This is new as far as economic tools and I believe that's a huge benefit, or at least it says let's try something new but make sure that the people in the state are protected. I also understand that this is... sometimes people don't understand about trying new things, but economic development and jobs in the State of Illinois is something that all of us have talked about. We have talked about the need for jobs. To say no to an idea just because possibly it's not in your district is unfair and it is certainly unfair to the State of Illinois and to the people who can have the jobs. I ask for an 'aye' vote."

Speaker Lang: "Mr. Boland."

Boland: "Thank... thank you, Mr. Speaker. You know, in my 16 years as a Legislator here I've had many opportunities to travel to and through southern Illinois. It's an extremely beautiful area. And this last year, as I was campaigning, I had many opportunities to bring my wife along with me and she will... would also fell in love with southern Illinois. It's much like my area of the state, very beautiful. But, it has high unemployment, it has a lot of poverty, but it

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

139th Legislative Day

5/7/2010

has good people willing to work, want to work, and who want to stay in their region. And this region of southern Illinois has tremendous promise. This is a great step forward that can help bring that promise to fruition. And so, one of the things that I hope that all of us will look at is no matter where in the state we have the potential for some great economic development, whether it is the reforms at McPier, whether it's southern Illinois, whether it's the Thompson Prison in my region, wherever it's at, that we all cooperate and work together as a state to bring jobs to our state no matter where in the state it is at. Because, believe me our neighbors, Indiana, Iowa, other places like that, are very united in promoting their state. They don't just look at one region. We cannot as well. I hope all of you will vote 'aye' on this."

Speaker Lang: "Representative Reboletti for two minutes."

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

Speaker Lang: "Gentleman yields."

Reboletti: "Representative, I've heard you talk a lot about the STAR Bond issue. Aren't there..."

Bradley: "Yeah..."

Reboletti: "...two other components?"

Bradley: "Yeah, yeah, there... Thank... thank you, Representative. The iBIO is in here. That's something that Representative Mendoza's been working very, very hard on for years. I commend her for that. That is a Senate Bill that will help create jobs in the biotechnology industry in the state, and there's also an Angel program in here. So, really what

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

139th Legislative Day

5/7/2010

this is... is the concentration here has bound the discussion over the STAR Bonds and the Marion development, but really this is an economic development innovation Bill. We have three new concepts that the state is going to try and hey, what we've been doing hasn't been that great 'cause we've been in trouble financially. So, let's try some new things and see if they work."

Reboletti: "Is this Angel investment? Does that apply statewide or does it only apply down to Marion?"

Bradley: "No, it's just... ANGEL is statewide as is iBIO."

Reboletti: "I just... just want to make sure, Representative. And so, there are other things in there that could stimulate job growth and investment throughout the state."

Bradley: "Correct. Correct."

Reboletti: "Thank you."

Speaker Lang: "Representative Burke. Mr. Burke."

Burke: "Mr. Speaker, I would offer my time to Representative Joyce."

Speaker Lang: "Representative Joyce indicates he's not interested in your time, Sir."

Burke: "Speaker."

Speaker Lang: "Please proceed."

Burke: "If Mr. Joyce is not going to accept my time, I would suggest to the Members of this Body that sometimes we have to consider local, regional issues. And as I reflect on the vote just the other day with respect to the Voucher Bill, there are those in this Body that didn't support that initiative, that are going to ask people like me, people like Representative Ford, people like Representative

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

139th Legislative Day

5/7/2010

Mendoza to support this. Where is the give and take, Mr. Speaker? Is there going to be a day when sometimes these chips can be redeemed? Maybe that day will come and maybe the vote on this Bill will reflect the same consideration, the same respect for those that give every day. In my 20 years, I asked you to do something that was decent for the kids in Chicago that were getting taught in toilets. How dare you ask me to support something that's this regional when you don't give a little bit something back. Ladies and Gentlemen, I'd ask you not to vote for this just on that basis. Thank you very much."

Speaker Lang: "Representative Caren Gordon, you spoke in debate, for what reason do you rise?"

Gordon, C.: "Mr. Speaker, for six and a half years I've been waiting to say it, but my name was used in debate, Sir. Ladies and Gentlemen, sometimes the war has been lost, the battle is lost, but you still proceed. And I have been relying on evidence my entire life, my entire professional career. So, let me just read you a few things that you should think about before you hit the button and vote on this Bill. Job creation estimates are speculative from the Department of Revenue. Estimated total, direct and indirect job estimates of approximately 1,050. The lovely developer is telling you 6 thousand; associated earnings of 250 million. This does not seem to be reasonable, Ladies and Gentlemen, because an annual salary for jobs that are primarily retail would have to be approximately \$44 thousand. You do the math. Get your calculator. The all encompassing nature of total development costs as defined

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

139th Legislative Day

5/7/2010

in this legislation arguably makes the cap unreachable. If this goes through, you are setting it up for failure. Well, yes, my seatmate who should sleep with one eye open this evening, I might say, says that other ways to accomplish this are not good enough, are not good enough. She says there are things that are built into this Bill that would... that make it okay, that she says the developer would have to pay a fine. Well, you know what, the fine isn't big enough because he would still be able to get away, get away with paying that fine and still make a profit so very, very large. So while I'm talking in vain and I believe this Bill's going to fly out of here, so the... its... you start something and you know you're going to lose, you still have to go through with it. I knew that when I got out of bed this morning. But remember that line..."

Speaker Lang: "I hope this is less than your last 30 seconds. Please bring your comments to a close. Go ahead, Representative, please finish your remarks. The Chair recognizes Representative May, who I'm sure is going to give her time to Representative Gordon. Please proceed, Representative Gordon."

Gordon, C.: "So while the developer came in under the assumption that greed is good and we would hand it to him, anything he wanted, don't let him have it. There are laws on the books in this state. Follow the law. That's what you were elected to do."

Speaker Lang: "The Chair would request that the chamber settle down. We have some work to do. Let's try to accomplish

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

139th Legislative Day

5/7/2010

the work. The Chair recognizes Representative Joyce for two minutes."

Joyce: "Thank... thank you, Mr. Chairman. My name was used in debate and I want to... I just want to say, thank you to Representative Burke for his incredible passion for pointing out what all of us go through. And... but we all do understand that every issue is separate and we... and this is a separate issue and certainly there's been some consideration that is always given to each other on this floor and I would join a lot of my colleagues in urging support to improve Representative Bradley's area and southern Illinois' area. And I would urge Representative Burke to join because I think everything in life and in this chamber comes back around and everyone has their day. And hopefully, I'll have another shot sometime, but on this Bill let's vote on this Bill and let's vote 'aye'."

Speaker Lang: "Representative McAsey for two minutes."

McAsey: "Mr. Speaker, I move the previous question."

Speaker Lang: "Representative, there are only two people with their lights on, Representative Mendoza and Representative Black and we'll hear from them and then proceed to close. First, Representative Black."

Black: "Mr. Speaker, I believe somewhere in the unofficial rules of the House since when does a freshman Legislator move the previous question? Those things are reserved for the late, great Jay Ackerman and the people on your side of the aisle who have been here 63 years and would wake up at the... at the appointed time to make that sacred Motion. I resent a freshman making that Motion."

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

139th Legislative Day

5/7/2010

Speaker Lang: "Mr. Winters, for what reason do you rise?"

Winters: "I believe it's a point of order that in fact freshmen are allowed to make that Motion if they're wearing a red jacket at the time."

Speaker Lang: "The Chair recognizes the last speaker on this Bill, Representative Mendoza for two minutes."

Mendoza: "Thank you, Mr. Speaker. Ladies and Gentlemen of the House, I know there's been a very feisty and heated debate on this issue. I would, however, like to draw attention to a key element of this Bill and it is the Angel Investment tax credit. Some of you will recall having marched with me over to the Governor's office once, twice, over the last few years asking for grants to be given to emerging tech businesses' asking for Angel tax credits to be given to folks who are looking to succeed in the area of biotechnology, in the area of nanotechnology, communications, agriculture, clean energy, the type of industries and jobs that we are bleeding, we are bleeding to neighboring states like Wisconsin or Indiana or Iowa. We need urgently to be able to help this sector and one of the greatest ways in which we can do it, Ladies and Gentlemen, is by supporting an investment in those sectors. Our business folks need your help. They need our help. And while I know there are... there are many concerns with this Bill for different reasons, I will implore you to please support this initiative because the biotechnology sector 'in particular' depends on our 'aye' votes. Ten million dollars in tax credits will incentivize 40, 40, \$40 million worth of investment in this state. We need to show

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

139th Legislative Day

5/7/2010

the technology sector, the biotech community, that Illinois cares, that we think that they're important and that we will stand with them as they seek to expand and bring more money, bring economic development and bring some seriously good paying jobs to this state. Please stand with me as I rise to support this legislation and the Angel tax credits that are a key part of this Bill. Thank you."

Speaker Lang: "Mr. Bradley to close."

Bradley: "I... there are some things that we disagree on from time to time, but I try to help other people when I can. And I'm asking you on this one to help our region, to help southern Illinois so we can help ourselves. And so for those of you that I've talked to personally and you've told me that you would vote for this or support this, I'm asking you to stay with me and support this Bill and support my area and let's do something great here and monumental for southern Illinois. And as Brandon Phelps said, make this the best thing that ever happened to our region."

Speaker Lang: "Those in favor of the Bill 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? Acevedo, Cultra, Flider, Fortner, Fritchey, Jakobsson. Mr. Clerk, please take the record. On this question there are 79 voting 'yes', 36 voting 'no' and 1 voting 'present'. And this Bill, having received the Constitutional Majority, is hereby declared passed. Mr. Clerk, Committee Report."

Clerk Mahoney: "Rules Report. Representative Barbara Flynn Currie, Chairperson from the Committee on Rules reports the

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

139th Legislative Day

5/7/2010

following committee action taken on May 7, approved for floor consideration, recommends be adopted is Amendment #2 to Senate Bill 375. On a Motion to... on Concurrence Motions is a Motion to Concur on Senate Amendment #1 to House Bill 4828, a Motion to Concur in House... Senate Amendment #1 to House Bill 5458, and a Motion to Concur in Senate Amendments 1 and 2 to House Bill 5677."

Speaker Lang: "The Chair recognizes Representative Mell."

Mell: "Thank you, Mr. Speaker, a point of personal privilege."

Speaker Lang: "Please state your point."

Mell: "This past year I had a contest called 'There Ought to Be a Law' contest and we opened it up to the schools in my district and it was very interesting. A lot of the responses were... were very interesting. One was we should allow 12-year-olds to get driver's licenses. But the winner of that contest is up in the gallery, and I would just like to recognize her and her family. Her legislation was right now CPS students have to do 40 hours of community service. Her legislation would say they have to do 100 hours and it would also involve the... parents to also be involved in community service and giving back to their community. So, her name's Kimberly Wallace, she's up in the gallery. So I'd just like to welcome them and congratulate her."

Speaker Lang: "On page 8 of the Calendar, under the Order of Senate Bills-Second Reading, there appears Senate Bill 3749, Representative Kosel. Mr. Clerk, please read the Bill."

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

139th Legislative Day

5/7/2010

Clerk Mahoney: "Senate Bill 3749 has been read a second time, previously. Floor Amendments 2 and 3 have both been approved for consideration."

Speaker Lang: "Representative Kosel."

Kosel: "Thank you, Mr. Speaker."

Speaker Lang: "Oh, excuse... Represen... Please excuse the Chair, Representative, please proceed."

Kosel: "Thank you. I wish to adopt the Amendment 2 that was filed... House Amendment 2 that was filed to Senate Bill 3749. House Amendment 2 actually satisfies the concerns of all those who opposed this Bill and will take it to a great... will take them to a greater neutral position. Okay. Excuse me. I want to... I move to withdraw 2."

Speaker Lang: "The Lady withdraws Amendment #2. Mr. Clerk."

Clerk Mahoney: "Floor Amendment #3."

Kosel: "Thank you."

Speaker Lang: "Representative Kosel on Amendment 3."

Kosel: "I move to adopt Amendment 3 which takes off all the opposition to this Bill."

Speaker Lang: "The Lady moves for the adoption of Amendment 3. And on that question, the Chair recognizes Representative Zalewski."

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

Speaker Lang: "The Lady yields."

Zalewski: "Representative Kosel, we talked yesterday in committee about this, the removal of Amendment #2. Just to be clear, with the removal of that Amendment, now all parties are in agreement on moving the Bill forward?"

Kosel: "Correct."

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

139th Legislative Day

5/7/2010

Zalewski: "What exactly does Amend... would the withdrawal of the Amendment do to the Bill?"

Kosel: "It... what's left in the Bill? Actually what's left in the Bill is some agreed language on how property would be evaluated should eminent domain procedures go forward. There was some additional language about who could participate in that eminent domain that we had some controversy over and we withdrew that part of it."

Zalewski: "Thank... thank you, Mr. Speaker. Thank you, Representative."

Speaker Lang: "Representative Ramey. Mr. Ramey does not care to speak. Those in favor of the adoption of the Amendment say 'yes'; those opposed '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 a third time."

Clerk Mahoney: "Senate Bill 3749, a Bill for an Act concerning local government. Third Reading."

Speaker Lang: "Representative Kosel."

Kosel: "Thank you very much. We discussed this just on... adopting the Amendment. If there's any other questions, I will be glad to answer them."

Speaker Lang: "The Lady's moved for the passage of the Bill. And on that question, the Chair recognizes Representative Yarbrough."

Yarbrough: "Will the Lady yield?"

Speaker Lang: "Lady yields."

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

139th Legislative Day

5/7/2010

Yarbrough: "Representative, my analysis shows a number of opponents on this Bill. Could you tell me if the AFL-CIO, IBEW and others are still opposed?"

Kosel: "They're neutral."

Yarbrough: "Okay. Thank you."

Speaker Lang: "Mr. Ramey."

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

Speaker Lang: "Lady yields."

Ramey: "Representative, as was explained earlier the...the removal of the Second Amendment, which was that clause about the lawyer wanted in and that's what made everybody in disagreement with the Bill."

Kosel: "That's correct."

Ramey: "And so now that's gone."

Kosel: "That's gone."

Ramey: "And that makes sure everybody's now in agreement?"

Kosel: "Everybody's smiling."

Ramey: "And this is the Bill that you intend to move forward on?"

Kosel: "That's correct."

Ramey: "I understand there's a Bill in the Senate that has the old language in it."

Kosel: "The Bill in the Senate has nothing to do with this Bill."

Ramey: "Has nothing to do with this Bill. So this is your intention, we're moving forward, everybody's happy?"

Kosel: "This... my intention to move this Bill forward."

Ramey: "Very good. Thank you for your help on this Bill."

Speaker Lang: "Representative Kosel to close."

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

139th Legislative Day

5/7/2010

Kosel: "I ask for your 'aye' vote."

Speaker Lang: "Those in favor of the Bill 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? Biggins, Davis. Please take the record. On this question, there are 108 voting 'yes', 7 voting 'no', 2 voting 'present'. And this Bill, having received the Constitutional Majority, is hereby declared passed. On page 6 of the Calendar, under the Order of Senate Bills-Second Reading, appears Senate Bill 1642, Representative McCarthy. Mr. Clerk, please read the Bill."

Clerk Mahoney: "Senate Bill 1642 has been read a second time, previously. Amendment #1 was adopted in committee. Floor Amendment #2 has been approved for consideration."

Speaker Lang: "Mr. McCarthy."

McCarthy: "Thank... thank you, Mr. Speaker. The Floor Amendment #2 removes all opposition from the Bill and I move for its adoption."

Speaker Lang: "Those in favor of the passage of the Amendment shall say 'yes'; opposed '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 a third time."

Clerk Mahoney: "Senate Bill 1642, a Bill for an Act concerning public employee benefits. Third Reading."

Speaker Lang: "Mr. McCarthy."

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

139th Legislative Day

5/7/2010

McCarthy: "Thank you, Mr. Speaker. The... my friends in the peanut gallery are starting to act up a little bit here, but this basically amends the Chicago Firefighters' Pension Fund and as I said there was no opposition to it. It allows them that if they have earned a benefit under another fund that is not reciprocal, that will not be used to be deducted from the fund that they earned as a firefighter. So I would move for the passage of the Bill."

Speaker Lang: "The Gentleman's moved for the passage of the Bill. There being no debate, 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? Mr. Leitch? Please take the record. On this question, 104 voting 'yes', 13 voting 'no'. And this Bill, having received the Constitutional Majority, is hereby declared passed. On page 3 of the Calendar, under the Order of Senate Bills-Third Reading, appears Senate Bill 2647, Representative Jehan Gordon. Mr. Clerk, please read the Bill. I understand that there's an Amendment. Please place this Bill on the Order of Second Reading and read the Bill."

Clerk Mahoney: "On Senate Bill 2647, Amendment #1 was adopted in committee. Floor Amendment #2 has been approved for consideration."

Speaker Lang: "Representative Gordon."

Gordon, J.: "Thank you, Mr. Speaker. House Amendment 2 is merely a technical change. It changes the date for which House Amendment 1 was added. What the House Amendment 2

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

139th Legislative Day

5/7/2010

does it merely tightens the language up and I'd like to move for its adoption."

Speaker Lang: "The Lady moves for the adoption of the Amendment. Those in favor say 'yes'; opposed '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 2647, a Bill for an Act concerning education. Third Reading."

Speaker Lang: "Representative Gordon."

Gordon, J.: "Thank you, again, Mr. Speaker. Senate Bill 2647, this particular Bill was passed in the 95th General Assembly and it was tied up in some of the rulemaking language. It was passed out of both chambers. I would like to ask for the consideration of the Body today for this particular Bill. What this Bill would do is this Bill would make Peoria School District 150, it would give them an opportunity to be able to access some of the capital development dollars. This Bill has been a very.. has been a bipartisan effort that could not have happened without the help of Representative Leitch, Representative Eddy as well as Representative Mitchell. And I'd like to thank all of them for their support on this piece of legislation. Representative Leitch actually carried this Bill in the 95th...in the 95th General Assembly and I'd like to thank him for allowing me to carry this piece of legislation in the 96th. If there are any questions, I'd be willing to answer

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

139th Legislative Day

5/7/2010

any of those and... but I'd like to ask for a favorable vote from the Body."

Speaker Lang: "The Lady's moved for the passage of the Bill. There being no discussion, 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? Fortner, Nekritz. Please take the record. On this question, there are 93 voting 'yes', 22 voting 'no' and 2 voting 'present'. And this Bill, having received the Constitutional Majority, is hereby declared passed. On page 3 of the Calendar, under the Order of Senate Bills-Third Reading, there appears Senate Bill 1118. Mr. Clerk, please read the Bill."

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

Speaker Lang: "Mr. Bradley."

Bradley: "There has been a lot of uncertainty in the law. By the way, I'm back. There's been a lot of uncertainty in the law regarding the 360/365 computation for the banking industry. There's been a lot of litigation over it. There's a dispute between some of the consumer groups and the banking groups over the interpretation of this. This could be resolved either legislatively or through the court system or both, so this is an opportunity to resolve this one way through the legislative process. If, in fact, folks in the Legislature settle this... the thought here is you settle this issue one way or the other with the vote on this Bill. So, I would ask you all to have a healthy

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

139th Legislative Day

5/7/2010

debate and let's settle this issue. Ask for an 'aye' vote."

Speaker Lang: "Gentleman moves for the passage of the Bill. And on that question, the Chair recognizes Representative Froehlich."

Froehlich: "Thank you, Mr. Speaker. Will the Sponsor yield? So, Representative Bradley, then would this Bill assure one side in this dispute in court wins? Is that what we're doing here, trying to..."

Bradley: "Well, it would still be up to the interpretation of the court. I can't say that it ensures one side to win."

Froehlich: "Well, what's your intent? What's your intent with this Bill?"

Bradley: "To provide... provide certainty as to what the 360/365 rule. This would be legislation that would be favored by the banking community and consistent with what they've done in the past."

Froehlich: "And that is to permit... permit them to collect interest on days that don't exist. Is that what your Bill would do?"

Bradley: "Well, I don't know if I would characterize it that. And Representative, I think you and I have talked about this, right? I want to settle this issue. So, if you want to go to the Bill and state your concerns, maybe that might be a more appropriate way to handle this than you and I going back and forth on questions 'cause I want to settle the issue."

Froehlich: "Okay. Thank you."

Speaker Lang: "Representative Monique Davis for two minutes."

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

139th Legislative Day

5/7/2010

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

Bradley: "Yes."

Speaker Lang: "Gentleman yields."

Davis, M.: "Representative Bradley, are there cases pending in court in reference to this issue?"

Bradley: "I think there is. I don't want to misstate. I know there have been cases in the past. My understanding was there was an explosion of cases over this issue, but to say how many or where they're at, I don't have that information. I've been concentrating on the Bill before this. And so, I apologize that I can't answer that more directly. I think there's... staff tells me there's 30 cases pending."

Davis, M.: "My understanding, it's about 50 cases that are in court."

Bradley: "Okay. I won't dispute... I won't dispute that."

Davis, M.: "Okay. And may I ask you why there is a need to put critical warning to lender?"

Bradley: "I don't know the... I don't know the answer to that. Let me see if I can find out, okay?"

Speaker Lang: "You completed your remarks, Representative Davis?"

Davis, M.: "No. No, I haven't. He's looking for this issue here."

Speaker Lang: "Can... Why don't we move on to the next question while they look up the answer for you?"

Davis, M.: "Okay. While he's looking for that. People may not be paying attention, but the issue is banks are lending

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

139th Legislative Day

5/7/2010

money to businesses purportedly at an annual interest rate and then they're adding another 5 or 10 days' interest on to that year, and most people are not aware of what is occurring. Listed as an opponent, of course, is the... the Trial Lawyers are opposed to the legislation and in committee we had a Mrs. Sanchez..."

Speaker Lang: "Please bring your remarks to a close and then we will get you your answer from Mr. Bradley to your previous question."

Davis, M.: "I'll bring my remarks to a close, but since there's not ample time to ask questions, I would just urge a 'no' vote."

Speaker Lang: "Representative Fritchey."

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

Speaker Lang: "Sponsor yields."

Fritchey: "John, yeah, I've wrestled with this issue and I think from a legal standpoint I have a hunch you and I see it the same way. There...there may be questions raised about this policy and whether it's a good policy, but at the same time ...Yeah. I fully support the notion that individuals in a commercial transaction should be allowed to agree to whatever they agree to. And if this is what they agreed to and it's set forth in the loan, then, you know, they're big boys or big women and they can do that, correct?"

Bradley: "Well, yeah, and the whole idea here is this legislation settles it one way or the other."

Fritchey: "Well..."

Bradley: "It passes or it doesn't."

Fritchey: "But... but and I guess..."

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

139th Legislative Day

5/7/2010

Bradley: "And it's still up to the courts, right?"

Fritchey: "Well, yeah, but it's..."

Bradley: "Regardless of what we do."

Fritchey: "But ...but it's not on a certain... Here's the part I have trouble with, and I've been wrestling with this thing for a week now. The statement that the legislation is declarative of existing law."

Bradley: "That's really where the rub is, I believe."

Fritchey: "It truly is because if that sentence wasn't there I don't think this Bill would have received any attention or any debate. It probably would have flown out. But, you... are you at all concerned that this Body is going to take steps potentially to impact not only pending loans, but pending litigation, more importantly. We've always tread very carefully to do anything that would impact pending litigation. That's what this would do because if the law was settled, the Bill wouldn't be here."

Bradley: "Well, I don't know the answer to that because I remember we did the med/mal thing a few years ago and that affected litigation. And actually, when I was a kid I got to argue in the Supreme Court and it was over a case that was affected by legislation that was passed and the file...the case hadn't been filed, but the action had accrued. So I think this comes up from time to time and ultimately. The courts and the Legislature have to figure it out and who's ultimately going to have the final say."

Fritchey: "Well, I guess, but in... and... I'll tell you one..."

Speaker Lang: "Please bring your remarks to a close, Sir."

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

139th Legislative Day

5/7/2010

Fritchey: "Thank you, Speaker. One of the reasons I bring this up is a party to one of these pending cases sent an e-mail to a plain... a bank that was a defendant, sent an e-mail to a plaintiff, in which they said, you may want to drop your case because this Bill that's pending is going to knock your case out of the water. For a defendant to rely on the Legislature to protect them in a pending lawsuit just seems to be troubling policy regardless of what the underlying issue is. So, I don't know if John, I guess, if that's a question or a statement and I don't know what the right answer is here. I guess this is maybe just an admonition that we really think long and hard before we affect people's rights, you know, midway in the battle."

Speaker Lang: "Representative Careen Gordon for two minutes."

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

Speaker Lang: "The Gentleman yields."

Gordon, C.: "Thank you. Representative Bradley, is the new language in subsection 5 in Senate Bill 1118 intended to make the bank method of calculating interest the only method, or even the default method, of calculating interest in these situations?"

Bradley: "No, the language is intended simply to clarify that the bank method is, and always has been, a method of calculating interest permitted under the Interest Act."

Gordon, C.: "So, if the loan agreement or the promissory note in these situations were silent as to the method of calculating interest, then the bank method would not be the default method?"

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

139th Legislative Day

5/7/2010

Bradley: "That is correct. The bank and borrower would have to agree in the loan documentation to use the 'bank method'."

Gordon, C.: "Because you can agree to anything as long as it's legal, right, Representative?"

Bradley: "Yes, that's correct."

Gordon, C.: "Okay. Thank you, Mr. Speaker."

Speaker Lang: "Representative Dunkin for two minutes."

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

Speaker Lang: "Sponsor yields."

Dunkin: "Representative, in committee this Bill took on a...a very contentious and almost accusatory atmosphere. Just some brief questions. When the bank states that an annual interest rate a loan rate, shouldn't they be charged that particular rate?"

Bradley: "I'm sorry. Give me a second. Yeah. Representative, can...can you repeat that question? I'm having trouble hearing."

Dunkin: "Mr. Speaker."

Bradley: "Chairman... Leader."

Dunkin: "I'm losing time here. Can you we... can you start the clock again, please?"

Speaker Lang: "I'll give you whatever time you need, Sir. Could we bring down the volume level in the chamber? Let's get our work done today, Ladies and Gentlemen. Thank you very much. Please proceed."

Dunkin: "Representative, the question is, when the bank states an annual interest rate and a loan rate, shouldn't they be charged that rate? If I say I want to charge you 5.875 percent..."

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

139th Legislative Day

5/7/2010

Bradley: "Well, my... the hesi... my hesitation..."

Dunkin: "...but in reality I'm charged 5.957 per year, is that a fair rate?"

Bradley: "My hesitation is and if you're reading from prepared questions, I don't have the benefit of that and so I have never done one of these loan agreements myself. So, I know that like when I've taken loans out that they have like a rate, but then they have to put the stuff up at the top. And I don't know if that's what you're talking about. It's like... do you have to include the fees in that when you do that too or... I guess I don't know the answer to your question. It sounds like a technical question

Dunkin: "Representative..."

Bradley: "Regarding banking."

Dunkin: "Okay. If this is an existing law, then why is it necessary to declare it?"

Bradley: "Well, I think that what's been going on, it's my understanding, is there's been a lot of controversy and conflict over the interpretation of it, the 360/365 rule..."

Speaker Lang: "Mr. Bradley, please complete your remarks."

Bradley: "There's been a lot of litigation over it and so the way litiga... that could be resolved would be creating certain fee either through the legislative process, the judicial process or perhaps both."

Speaker Lang: "Mr. Dunkin, we'll give you a short period of time to finish up, Sir."

Dunkin: "Thank you. This is the last question. What is the business purpose of using the 360/365 method?"

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

139th Legislative Day

5/7/2010

Bradley: "I don't know the answer to that. It's something that they've been, I... it's my understanding they've been doing for years and..."

Dunkin: "Representative, you're...you're carrying this... this is a major piece of legislation."

Bradley: "I mean..."

Dunkin: "You know, I certainly respect you."

Bradley: "Yeah."

Dunkin: "You carry a number of impressive issues to help citizens in our state. What is the method..."

Bradley: "Which is it?"

Dunkin: "...what is the purpose of using the 360/365 method?"

Bradley: "Well, I assume that if you..."

Dunkin: "That's the crux of the Bill, right?"

Bradley: "Right... right... well, but you're asking me to know the motives of a particular person who might use it and there's two different questions there. So, when you do the 360, you're going to get a different calculation than if you do 365. And so the question is, yearly rate, right, is it calculated on 360 or is it calculated on 365, provides different numbers, correct? And so when there's uncertainty as to whether or not a yearly contract or a year means 360 or 365, that's why we're here, to settle that, right?"

Dunkin: "So, no. Again, the confusion was... is, you know, there's litigation right now going on with about 25, 50 cases and we're here. So I just wanted you to explain the significance of this piece of legislation."

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

139th Legislative Day

5/7/2010

Bradley: "So... so, there's uncertainty in this. And if you're suggesting that the calculation of 360/365 is because under one calculation you receive more in interest payments than under the other calculation, that would be a possibility."

Dunkin: "I'm just trying to get some clarification."

Bradley: "Well, and I'm trying to provide it to you, but I'm no expert on this and I made that clear."

Dunkin: "Thank you."

Speaker Lang: "Thank you, Mr. Dunkin."

Dunkin: "Thank you, Mr. Speaker."

Speaker Lang: "Mr. Walker."

Walker: "Will the Sponsor yield?"

Speaker Lang: "Yes, he will, Sir."

Walker: "Mr. Bradley... Representative Bradley, I've heard you comment about consumer protection and consumer groups. Does this calculation in any way apply to any consumer product?"

Bradley: "My understanding is this is a dispute involving commercial loans only."

Walker: "So this is a dispute about commercial products between businesses and banks."

Bradley: "That's my understanding, yes."

Walker: "Do you know how long this interest calculation method has been used?"

Bradley: "Well, I heard things in committee the other day and...and it was a long time, over a hundred years."

Walker: "To the... to the Bill. The imp... the impact of the Bill is to declare this as law. This has, in fact, been used... been... in commercial transactions as a standard known and

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

139th Legislative Day

5/7/2010

disclosed process and procedure since 1300. This is over a thousand year practice. It is the standard practice for business loans every since our Interest Act was passed 135 years ago. It... every once in a while these waves of suits come up. They really just confuse the issue. This is a standard business practice, standard business disclosure, understood by all businesses. This is really a red herring. We should vote 'aye' on this."

Speaker Lang: "Mr. Leitch for two minutes."

Leitch: "Thank you very much, Mr. Speaker. And to reinforce what the preceding speaker said, this has been used for hundreds of years, entirely in business and commercial lending. It's one of several alternatives that are fully disclosed and agreed upon. There is no mystery or big deal to this at all because businesses are soph... sophisticated enough to know what it is, and to make what kind of choice interest that they have. This has been used for hundreds and hundreds of years and there's... it's not a big deal. The other point of this is was very, very much emphasized in committee, that no pending lawsuits would be impacted in any way by passage of this Bill which simply recodifies a long, long standing practice. I'd urge an 'aye' vote."

Speaker Lang: "Mr. Pritchard for two minutes."

Pritchard: "Thank you, Mr. Speaker. To the Bill. I would just like to relate to the Body that in the Finance Committee we heard testimony that this was a situation, where, contrary to some previous statements, it has been widely known and understood and no objections seem to have been filed until we got into the current recession, when a number of

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

139th Legislative Day

5/7/2010

businesses were not able to make payments and were not succeeding and found this area, if you will, as a basis for litigation to prevent foreclosures. And because of the size of the number of businesses being foreclosed, it has become a huge burden to the financial community. And the dollars that are spent in litigation and in paying unreasonable claims is taking away from the dollars that can be used for future loans. So, it's hurting all of our communities to be spending the money in litigation, rather than lending out to businesses that want to grow and hire busi... hire employees. So, I would urge the Body to help step in and help avoid further litigation and further subtraction of revenue that we need in our communities and support this Resolution."

Speaker Lang: "Mr. Bradley to close."

Bradley: "Again, this is to settle dispute, provide certainty in the law. Courts may still undecide it at some point or... but in any case, we're going to make a decision here one way or the other. And I ask for an 'aye' vote."

Speaker Lang: "Those in favor of the Bill shall vote 'yes'; opposed 'no'. The voting's open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Burns, Currie, Fritchey, Winters. Please take the record. On this question, there are 73 voting 'yes', 36 voting 'no' and 6 voting 'present'. And this Bill, having received the Constitutional Majority, is hereby declared passed. On page 4 of the Calendar, under the Order of Senate Bills-Second Read... excuse me... under the Order of Second... Senate Bills-Third Reading, appears Senate Bill 3712,

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

139th Legislative Day

5/7/2010

Representative Gabel. Mr. Clerk, please read the Bill. Lady takes the Bill out of the record. The Chair recognizes Representative Arroyo. For what reason do you rise, Sir?"

Arroyo: Mr. Speaker, I was supposed to be a 'yes' on that last vote. Senate Bill 1... 1118. Could you record me as being a 'yes', please?"

Speaker Lang: "The record will reflect your intentions, Sir. Mr. Rose, for what reason do you arise, Sir?"

Rose: "Thank you, Mr. Speaker. I wish to be recorded as a 'no' on Senate Bill 3749. I ask the record to reflect that."

Speaker Lang: "The record will reflect your intention, Sir. On page 4 of the Calendar, under the Order of Senate Bills - Third Reading, appears Senate Bill 3421, Representative Osterman. Mr. Clerk, please read the Bill."

Clerk Mahoney: "Senate Bill 3421, a Bill for an Act concerning firearms. Third Reading."

Speaker Lang: "Mr. Osterman."

Osterman: "Everybody calm down. Calm down. This is the first and last Bill that is sponsored by me that's supported by the NRA. But in all seriousness, there are another... other pieces of legislation that we'll be moving through this chamber that should get an extensive amount of debate. This Bill simply will allow for the state police to access \$1.7 million in federal funding that can be used to revamp the FOID system which all of us, I think, have an interest in. And based on a federal statute change that happened after the Virginia Tech shooting, our states is required to put in the statute a provision that would allow certain

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

139th Legislative Day

5/7/2010

individuals that have mental illness, the ability to seek relief to the Department of State Police. And in the last year there's currently provisions in place for them to do that. Last year, 14 individuals sought relief from the director of State Police and none of those individuals were... was able to do this. But, this is something that the Federal Government is asking us to do. Again, it is supported and is an issue of the state police. It's supported by the NRA and should get 118 votes. So, happy to answer any questions and ask for an 'aye' vote."

Speaker Lang: "Gentleman moves for the passage of the Bill. On that question, the Chair recognizes Mr. Bost."

Bost: "Thank you, Mr. Speaker. As he said, it's his... the one Bill that he supports that the NRA supports and it's the one Bill that I'm going to stand up, that where it says firearm and his name, that I'm going to say I support the Gentleman's Motion."

Speaker Lang: "Those in favor of the Bill shall vote 'yes'; those opposed 'no'. The voting's open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Cultra, Franks, McCarthy, McGuire, Mitchell. Mr. Clerk, please take the record. On this question, there are 108 voting 'yes', 7 voting 'no'. And this Bill, having received the Constitutional Majority, is hereby declared passed. On page 6 of the Calendar, under the Order of Senate Bills-Second Reading, appears Senate Bill 2863, Representative Osterman. Mr. Clerk, please read the Bill."

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

139th Legislative Day

5/7/2010

Clerk Mahoney: "Senate Bill 2863 has been read a second time, previously. Floor Amendment #1, offered by Representative Osterman, has been approved for consideration."

Speaker Lang: "Representative Osterman."

Osterman: "Thank you, Mr. Speaker and Ladies and Gentlemen of the House. This is a companion piece of legislation dealing with nursing home reform, and I'd ask for Amendment #1 to be adopted to the legislation."

Speaker Lang: "Gentleman moves for the adoption of Amendment 1. Those in favor say 'yes'; those 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 2863, a Bill for an Act concerning regulation. Third Reading."

Speaker Lang: "Mr. Osterman."

Osterman: "Thank you, Mr. Speaker, Ladies and Gentlemen of the House. Senate Bill 2863 is an initiative of Attorney General Lisa Madigan's Office and will provide some strong safeguards and criminal conduct provisions for those individuals that manage and neglect nursing homes. All of us have seen the problems and read about the problems. This would give some strength to the Nursing Home Act, also provide some transparency and on the nursing home fraud and abuse provisions. And I would ask for its support. Happy to answer any questions."

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

139th Legislative Day

5/7/2010

Speaker Lang: "The Gentleman moves for the passage of the Bill.
The Chair recognizes Representative Black."

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

Speaker Lang: "The Gentleman yields."

Black: "Representative, for purposes of clarification, what is
on the board and what is in your Amendment.. or the Bill, as
amended, are not quite the same but let me make sure that I
understand and..and the other...other Legislators understand.
There is nothing in this Bill that requires or mandates an
increased fee on child care providers. Is that correct?"

Osterman: "Thank you for clarifying that, Representative. This
has nothing to do with child care; it's not a fee or
license increase. Deals strictly with nursing home reform
and there's no fees in this Bill."

Black: "I think it's important that what people focus on is as
you said, the... it deals with licensed long-term care
facilities that receive Medicaid funding and notice to
patients and families. And I don't believe... perhaps you
can tell me for sure, I don't believe there's any
opposition to this Bill, as amended."

Osterman: "There is no opposition to this Bill. There was a
Senate Bill that came over to us, I think it was Senate
Bill 678, and the nursing home industry worked with the
Attorney General's Office and advocates. There were some
tweaks in the language, but there's no opposition to this
Bill."

Black: "Thank you very much."

Speaker Lang: "Mr. Mitchell."

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

139th Legislative Day

5/7/2010

Mitchell, J.: "Thank you, Mr. Speaker, just a point of order."

Speaker Lang: "Please state your point."

Mitchell, J.: "On Senate Bill 3421, I'd appreciate it if the record would reflect that I would have liked to have been a 'yes' vote."

Speaker Lang: "The record will reflect your intention. Mr. Osterman to close."

Osterman: "Ladies and Gentlemen of the House, over the last year we've read, again, a lot of stories about some gross neglect and mismanagement in nursing homes with our elderly and most fragile. This will give the Attorney General some strong provisions to go after those individuals that put those people in harm's way. All of us have an interest in improving the nursing home industry, including those that run those facilities. This is a sound piece of legislation and I would ask for everyone's support."

Speaker Lang: "Those in favor of the Bill should vote 'yes'; opposed 'no'. The voting's open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Please take the record. On this question, there are 117 voting 'yes', 0 voting 'no'. And this Bill, having received the Constitutional Majority, is hereby declared passed. The Chair recognizes Representative Franks."

Franks: "Thank you, Mr. Speaker. I've discovered that I actually have a 'green' switch here and I meant to use it for Senate Bill 1642. So, I'd like to have the record reflect that."

Speaker Lang: "The record will reflect that you have a 'green' switch, Sir. On page 15 of the Calendar, under the Order

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

139th Legislative Day

5/7/2010

of Resolutions, appears House Joint Resolution 119, Representative Acevedo."

Acevedo: "Thank you, Mr. Speaker, Ladies and Gentlemen of the House. A few weeks ago our nation watched in horror at the poisoning of our waters in the Gulf of Mexico, waters that have nourished a thriving fish... fishing industry, waters that serve as a life-blood for a diverse and rich wildlife, waters that our children swam in for generations without fear or worry. But, now all of that is threatened and our nation is united together in shock and anger. All of us recognize the need to rise up and demand swift action to clean up this mess before it causes irreparable damage, but those waters are not the only precious asset threatened in recent weeks. The misguided actions by the Legislature and the Governor of the State of Arizona threaten to poison the very soil by which our fellow Americans walk. Where is the shock and anger? Ladies and Gentlemen, I ask again, where is the shock and anger? It is time for all of us to rise up and demand the same swift action to clean up the mess this law created, now, and for generations to follow. Our American soil is known around the world for nourishing the dreams of immigrants that serve as life's blood for diverse and rich cultures who have come together to build one great nation. But now some of our children can no longer play on American soil without worry or fear. Unless something changes in the State of Arizona, some of them, if they look like me or my brothers and sisters or my sons, will have to worry that they or their father or mother may be taken into custody merely for walking upon the same American soil.

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

139th Legislative Day

5/7/2010

This outrageous law will make it a crime for a person merely to present upon American soil, to be present upon American soil if they are not carrying papers to prove they belong. It requires police to detain people they suspect may be here without proper authorization. In a nation with a system of laws founded on the presumption of innocence, this is an abomination. We must not sit idle by as we witness the poisoning of American soil in the State of Arizona. Ladies and Gentlemen, this great country was built on the blood and sweat and tears of the immigrant community. We can only see how the environmental catastrophe in the Gulf of Mexico threatens to corrode our rich fishing waters and wildlife sanctuaries. Now is the time for us to open our eyes and see these civil rights catastrophe in the State of Arizona threatens to erode our nation's rich history of freedom, tolerance, and fairness. I ask you, it's time for the people in Arizona, the citizens who are responsible for passing this legislation, to get back to what this nation's great about and it's equality and justice for all."

Speaker Lang: "The Gentleman moves for the adoption of the Resolution and on that question, the Chair recognizes Representative Berrios."

Berrios: "Thank you, Mr. Speaker, Ladies and Gentlemen of the House. First, I'd like to start by commending Representative Acevedo for sponsoring this Resolution. Thank you for bringing attention to Senate Bill 1070, a new law that will go into effect 90 days after it was signed by Arizona Governor Brewer. At a time when we are calling on

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

139th Legislative Day

5/7/2010

Federal Government to adopt comprehensive immigration reform laws, this new law is a step in the wrong direction. Senate Bill 1070 is an unconstitutional and costly measure, which will jeopardize the safety of all people living in Arizona. Senate Bill 1070 subjects Arizona's Latinos and newcomers to discrimination and racial profiling. Arizona has more than 30 thousand Latino-owned businesses that generate \$4.3 billion in revenue and employ more than 35 thousand people. Most of them are now looking for new locations to move their businesses. Here in Illinois we are looking at ways to create jobs, finding ways to use federal moneys to help us with employing people. Most states are trying to create jobs, Arizona isn't. They're getting rid of them. Arizona stands to be the next Detroit when this law goes into full effect. Supporters of Senate Bill 1070 say this measure is needed to curb the crime rate in Arizona. The truth is, Arizona's crime rate has been declining over the last several years. The U.S. Department of Justice's Bureau of Justice and Statistics show the state's crime rate is at its lowest point in decades and below the national average. After two separate conference calls this week with Arizona Mayors, Arizona Legislators and various national organizations, everyone agrees this legislation is not going to do what the supporters say it will do. This law violates the civil rights of all in Arizona and those visiting Arizona."

Speaker Lang: "We'll give you some more time, Representative."

Berrios: "Thank you. While, we can all agree that immigration reform is necessary this law does nothing to actually curb

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

139th Legislative Day

5/7/2010

the problem, but rather opens the door for a state in which every Latino will live in fear of harassment, whether their status is legal or not. In today's Sun-Times I read something that sums it all up. We all agree that our immigration system is profoundly broken and needs a fix. But, it's up to Congress to pass just and comprehensive immigration reform laws. I ask all of you to support this Resolution. It's the right thing to do. Let Arizona know Illinois does not support Senate Bill 1070. Thank you."

Speaker Lang: "Mr. Burns for two minutes."

Burns: "Thank you very much, Mr. Speaker, to the Resolution. I'd like to thank Representative Acevedo for bringing this Resolution forward as well. I join with my colleagues in supporting this Resolution, because the Arizona law neither secures our borders nor provides a pathway to citizenship. Rather, the Arizona law empowers and encourages local law enforcement officials to engage in racial profiling. As a member of a group in this country that has been the subject of racial profiling and unbridled police power, I must stand opposed to this legislation. This... law enforcement officials are now required to check the immigration status of any person under arrest and all residents are required to carry identification documents with them at all times. From my vantage point, Arizona now resembles a police state. This is not the America I know, this is not the America I love. And for those reasons I hope all of us will join our colleagues in voting 'yes' for this Resolution."

Speaker Lang: "Mr. Ramey for two minutes."

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

139th Legislative Day

5/7/2010

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

Speaker Lang: "Please state your inquiry."

Ramey: "Can we move this to Extended Debate?"

Speaker Lang: "It's... a Resolution, Sir, there is no limit on debate, but let's..."

Ramey: "On the time?"

Speaker Lang: "...recall, that it's a Resolution."

Ramey: "No limit on the time, Sir?"

Speaker Lang: "Sir?"

Ramey: "No limit on the speak time?"

Speaker Lang: "Well, we're going to limit you, but why don't...why don't you start your remarks and I'll give you whatever time you need if you're reasonable, Sir."

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

Speaker Lang: "Gentleman yields."

Ramey: "Representative, do you know the name of this Bill that you have filed this Resolution against?"

Acevedo: "Do I know the name of it?"

Ramey: "Yes, Sir."

Acevedo: "Senate Bill 1070."

Ramey: "And wha... what is the name given to that Bill?"

Acevedo: "I don't know the answer to that."

Ramey: "Did he answer the question? I didn't hear you."

Speaker Lang: "Gentleman said he didn't know the answer."

Ramey: "Doesn't know the answer."

Speaker Lang: "Why don't you tell him, Sir?"

Ramey: "Okay. The name of the Bill is Support Our Law Enforcement and Safe Neighborhoods Act. Did you know that

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

139th Legislative Day

5/7/2010

60 percent of America approves of this Bill, 31 percent opposed?"

Acevedo: "Under which... in Arizona or are you talking about the nation?"

Ramey: "No, that's... this is a poll of Americans that said 60 percent in favor, 31 percent opposed."

Acevedo: "The poll was probably done by the Minutemen."

Ramey: "Perhaps, but that's not what it said in the letter. Did you know that 71 percent of the peop... of Americans are in favor of local police determining status?"

Acevedo: "Well, I do know that some law enforcement officials here in the State of Illinois condemn the Bill as well."

Ramey: "Okay. Did you know that 70 percent of the people in Arizona agreed to the Bill?"

Acevedo: "I did... didn't know that."

Ramey: "It's posted, Sir, in many of the reports about this law. To the Bill, Mr. Speaker."

Speaker Lang: "To the Bill. We'll give you an additional minute to complete your remarks, Sir."

Ramey: "Thank you, Mr. Speaker. Over my four and a half years here I've created some waves with opinions on legislation like this, I'm sure. My colleagues on the other side of the aisle will be angry with me again with some of the comments I will make and I'm not trying to make them angry, I'm just trying to say that I am here to enforce the laws of this country and the laws of this state. And if those laws happen to change, I will enforce them as they change. But there's a lot of misinformation put out on this piece of legislation from Arizona. Yes, just like theft laws

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

139th Legislative Day

5/7/2010

discriminating... against thieves, illegal immigration laws discrimigate... I'm sorry, discriminate against illegal immigration. MSNBC breathlessly flashed a headline, 'Law makes it a crime to be illegal immigrant'. Kind of odd to say something like that. But when we talk about this type of thing you... you have to look at other countries and specifically, if we're talking about Arizona, you would look at Mexico. And if somebody's illegally in Mexico, they automatically get a two year jail term. Here, in... politically correct America, merely asking someone for proof of citizenship is a... is grounds for Klan induction. A recent University of Arizona study found illegal immigration cost the state \$1.4 billion a year. The state treasurer said the true cost is closer to \$2 billion a year. There are an estimated 460 thousand illegal immigrants in Arizona. Illinois has an estimated 800 thousand illegal immigrants. I wonder if Illinois would look at this issue as, I've introduced legislation before, and perhaps that \$4 billion question which was asked earlier today, that we may have just found an answer. I ask for a 'no' vote."

Speaker Lang: "Representative Soto."

Soto: "Thank you, Speaker and Members of the House. I just want to say I'd like to thank Representative Acevedo for introducing Resolution... I'm sorry, yes, Resolution... House Joint Resolution 119. I just want to say this is... this Bill is unjust. It is inhumane and it violates the civil rights of our people. And I just have to say, this is not fair. I think that Governor Jan Brewer was drunk when she

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

139th Legislative Day

5/7/2010

signed this damn Bill. Okay? And another thing, let me let you know that she ran for office, she did not run for a federal level position. So, you know what, she's got to watch what she's doing because this is not going to be tolerated in the State of Illinois and that is my message to this state."

Speaker Lang: "Representative Mendoza for two minutes."

Mendoza: "Thank you, Mr. Speaker, Ladies and Gentlemen of the House. I rise in support, obviously, of House Joint Resolution 119 and thank the Sponsor and all those who have joined us in denouncing what Arizona just did. The Arizona law, as Representative Burns says, does nothing to solve the problem of immigration or unlawful immigration and what it does do a very good job of doing is engendering hate and divisiveness. At this period of time in our history, that's the last thing that we need to move forward as a country. I am a proud citizen of the United States of America. My mother and my family are all proud citizens of this country; however, when these things occur there's nothing to feel proud about as a citizen who would live in a country that has a state that engenders hate, divisiveness and fear mongering. I'm probably not the most common Mexican who will get pulled over if I were in Arizona or asked to present my papers. But maybe should my mother go to Arizona or my brother, who isn't as light-skinned as I am and maybe not as freckly, maybe they should tattoo their Social Security number on their arm to make the lawmakers of Arizona feel a little bit more comfortable about their presence in that state. This is what we're

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

139th Legislative Day

5/7/2010

coming to, folks, and I think that Illinois is at a point here where we need to acknowledge that what they're doing in Arizona is not based on trying to keep Arizona safe. It's playing to and pandering to those type of individuals who get their news from the Fox News Network, from the Minutemen Society, from people who hate immigrants, whether they're legal or not. Folks, let's do the right thing and support this legislation and condemn hateful, racist and just ignorant.."

Speaker Lang: "Please complete your remarks. You have completed your remarks."

Mendoza: "They're done."

Speaker Lang: "Mr. Burke."

Burke: "Thank you, Mr. Speaker, Ladies and Gentlemen of the House. I think if the Members of this Body would reflect of recent history, we passed a matter that provided that immigration detainees should be afforded access to religious counsel, and that matter passed unanimously. I would hope, and I would certainly encourage this Body to consider the intent, to consider the importance of this Resolution. One of our previous speakers talked about maybe not wanting his colleagues to be angry with him for opposing the intent of this Resolution. I would be one that would certainly not encourage anyone to be angry, but I would certainly encourage you to observe what it is to be a decent neighbor, to be a friend, to be one that would say, yes, people have rights in this society. There are those that contribute to this community every day. And yeah, I might be angry when you call out a certain society

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

139th Legislative Day

5/7/2010

to say that maybe they're lesser than me. Yes, I'll be angry if you're going to treat people differently. Yes, I'm going to be angry if you're going to say you can do a dirty rotten job that maybe I wouldn't want to do. And yes, I'm going to be angry at Arizona for being a state that would call themselves out as racists. Ladies and Gentlemen..."

Speaker Lang: "Please complete your remarks, Sir."

Burke: "Ladies and Gentlemen, I would encourage your support of this Resolution."

Speaker Lang: "Mr. Fritchey for two minutes."

Fritchey: "Thank you, Speaker, to the Resolution. For those of you that don't know, I'm the son of an immigrant. My mom came here from this country legally, but she came here from this country. Most of you here probably haven't read the text of Arizona Senate Bill 10... 1070. The relevant portion provides that law enforcement officials can detain somebody if there's a reasonable suspicion that exists that that person is an alien who is unlawfully present. I listened to the Governor of Arizona say that they're going to come up with the standards on what an illegal alien looks like. I mean, do they expect them to be wearing a sombrero, a poncho? This is ridiculous to talk about what the majority of the country wants or the majority of the people in Arizona wants is nonsense. Ladies and Gentlemen, let's not go too far back in history, there was a time the majority of this country supported slavery. There was a time that this country supported... the internment of Japanese-Americans. There was a time that this country supported

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

139th Legislative Day

5/7/2010

separate but equal education, a time when a number of Members in this chamber right now would not be able to use the same bathroom or water fountain as we could. And the majority of the country supported that. Never let ignorance of the majority stand in the way of the rationality of the right. This is a bad policy that Arizona got into. It's divisive. The fact that we're spending our time debating this in the Illinois General Assembly shows that. It's amazing to me that in 2010 we're going to have a debate and we're going to compare the detaining... detaining of criminals to the detaining of... or thieves to the detaining of Hispanic looking individuals. There is no rational basis for this. There is no legal way to enforce this. I believe that the court system will do away with this long before we ever do, but this is a travesty that will be seen as a blight on American history. Support this Resolution."

Speaker Lang: "Mr. Stephens, two minutes."

Stephens: "Well, thank you, Mr. Speaker."

Speaker Lang: "Mr. Stephens..."

Stephens: "Mr. Speaker. Representative...Representative Black, our Floor Leader, has a... a moment... I reserve my time, but Representative Black has a question."

Speaker Lang: "...for two minutes."

Stephens: "Thank you."

Speaker Lang: "Mr. Black."

Black: "Mr. Speaker, in all due respect to all of my colleagues, I'm a little more concerned right now with the state of affairs in Illinois and I would move the previous

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

139th Legislative Day

5/7/2010

question. And I would ask that we do as we've discussed and this deserves a voice vote and let's get on with it."

Speaker Lang: "Mr. Black, we have two more speakers. We'll let them complete. Mr. Stephens."

Stephens: "Mr. Speaker, if I was in Arizona and I was looking for advice on how to run my state, I just don't believe I would look to Illinois when we are \$13 billion off budget. We're about to fall into a financial precipice that is unprecedented in our time. But here, when all that is pressing on us, we've spent a half an hour talking about a Resolution criticizing another elected Body. What... what is wrong with this picture?"

Speaker Lang: "We'll hear from Mr. Harris, Representative Hernandez and then we'll take a vote. Representative Harris."

Harris: "Thank you, Mr. Speaker, to the Bill. I think what we're talking about here is a larger issue than one state. We're talking about... what our Constitution guarantees and that we have sworn to uphold and protect of equal protection under the law. And for a state to attempt to deprive its citizens of equal protection under its laws because of their appearance, their behavior or some out...outside characteristic, puts each and every one of us in this chamber, and across this country, in jeopardy. Men and women have fought for the Constitution; they have fought for our rights. I think we need to stand up. I commend the maker of this Resolution for bringing it forward so that we could have a chance to speak."

Speaker Lang: "Representative Hernandez."

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

139th Legislative Day

5/7/2010

Hernandez: "Thank you, Speaker. I'd also like to thank Representative Acevedo for bringing this House Resolution. I think it's extremely important that we talk about this. Instead of moving in the direction of immigration reform we are allowing, by not saying anything, to regress. I also am a daughter of an immigrant. A mother of seven, a mother who was widowed with five children in Mexico and who had to cross legally, fortunately, and make... bring the... bread and butter to a point that she was... she was successful in... in bringing my brothers and sisters to the United States. But it wasn't until she met my father, also an immigrant but in the Army, enlisted in the army and made a career of the army. Many of you may not know, but I am, as many may call, an Army brat. I was born in an Army base and so was my younger sister. So, through the help of my father we were able to bring my brothers and sisters. But we were fortunate. Not many have that same opportunity. Just recently we passed a mandate, a mandate that... to teach our children about a history that we are... we should be very shameful about and should remember not to repeat, and that is the deportation of American..."

Speaker Lang: "Representative, can complete her remarks."

Hernandez: "...American Mexicans deported to Mexico. We can... American. Emphasize. Yes, let me emphasize American Mexicans. We cannot have this. With this law in Arizona, this is... this potentially could occur again. So I ask you, reflect on this. I encourage you to vote for this. Thank you."

Speaker Lang: "Mr. Acevedo to close."

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

139th Legislative Day

5/7/2010

Acevedo: "Thank you, Mr. Speaker, Ladies and Gentlemen of the House. You can sit here and you can tell me every poll you want to talk about. You can tell me the percentages of Arizona people who support this Bill. I guess Representative Mendoza said it best as far as tattooing your Social Security number on your arm. Why don't we go one further? Why don't we make them wear stars on their sleeves like Hitler did to the Jews in the Holocaust? Why don't we do that? Ladies and Gentlemen, I was born in the City of Chicago, so were all my 10 brothers and sisters. My parents were born here. When I passed the Driver's License Bill, I got a phone call, from someone who doesn't even live in my district, telling me I didn't know what it was to be a true American. I told them my father fought in the Korean War bravely. My family fought in the Vietnam War. My nephew fought in the Iraqi War and my...and my cousin's still fighting in Afghanistan. So I know what it is to be more of an American than he was because actually I'm part Native American and we were here before them. We all come from immigrant forefathers. We cannot turn our backs on these individuals. Not just undocumented, Ladies and Gentlemen think about it. Just because of the color of your skin or the way you look a police officer can stop you and ask you for identification. That is not what America is about."

Speaker Lang: "Those in favor of the Resolution shall say 'yes'; those opposed 'no'. In the opinion of the Chair, the 'ayes' have it. And the Resolution is adopted. Mr. Clerk, please read House Resolution 1206."

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

139th Legislative Day

5/7/2010

Clerk Mahoney: "House Resolution 1206, offered by Representative Riley.

WHEREAS, The members of the Illinois House of Representatives are saddened to learn of the death of Brian Colin Carey of Evergreen Park, who was killed in the line of duty on March 30, 2010; and

WHEREAS, Brian Carey graduated from Brother Rice High School in 1999; he then attended Loras College in Dubuque, Iowa, where he earned his bachelor's degree in journalism in 2003; and

WHEREAS, Brian Carey had dreamed of being a fireman since he was a little boy; he started his fire service career at the Roberts Park Fire Protection District in March of 2007; he became certified as a Firefighter II in November of 2007; he joined the Homewood Fire Department as a part-time firefighter/paramedic on August 20, 2008; he was hired as a full-time firefighter/paramedic on December 13, 2009; he was also certified in Technical Rescue Awareness, Hazmat Awareness, and Hazmat Technician and had National Incident Management System 100 200 & 700 certifications; and

WHEREAS, Brian Carey enjoyed reading, traveling, and watching shows on the Discovery Channel; he was affectionately known as "Boo" to his family and friends; and

WHEREAS, On March 30, 2010, the Homewood Fire Department was dispatched to a report of a structure fire at a single-family residence in Homewood; the first-arriving fire crews found a house with visible smoke and flames and were advised that at least one occupant remained inside the structure; Brian Carey was the first to enter the burning

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

139th Legislative Day

5/7/2010

house; during the rescue attempt, Brian and his colleague, Karra Kopas, were injured; Brian succumbed to his injuries and passed away while at the hospital; and

WHEREAS, The courage and bravery of Brian Carey has been commemorated in other parts of the world; the Dublin, Ireland Fire Brigade paid a tribute to Brian with the presentation of a bronze statue emblematic of his heroism on April 28, 2010; and

WHEREAS, Brian Carey is survived by his parents, Brian and Kathleen; his sisters, Margaret and Annie; and his brother, Kevin; therefore, be it

RESOLVED, BY THE HOUSE OF REPRESENTATIVES OF THE NINETY-SIXTH GENERAL ASSEMBLY OF THE STATE OF ILLINOIS, that we mourn, along with his family and friends, the passing of Brian Colin Carey; and be it further

RESOLVED, That a suitable copy of this resolution be presented to the family of Brian Carey as an expression of our sympathy."

Speaker Lang: "Mr. Riley."

Riley: "Thank you, Mr. Speaker. Members of the House, as we've been discussing a lot of very important measures today and generating heat and light, sometimes more heat than light, we've sort of come back to the time where I think we can all agree that there are those.. sometimes, you know, we will castigate the 20 something's that say that, you know, they need to be more involved. Well, we can celebrate the life of a young man that basically lived out his dream. Many of us wanted to be firefighters when we're young? That's what we're supposed to be. And he did that. He was

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

139th Legislative Day

5/7/2010

a firefighter-paramedic for two months before he died. I was just jotting down some notes that I just want to share with you, things that I remember. Just think about them for a second. We'll get through this together. Can... please, can you take that outside? Well, you know what? I'll go on because this is for Brian and his family who may be watching right now. Living his dream. The ultimate show of brotherhood. He died doing what he loved. He loved running 10Ks. I'm numb, but I'm proud of my son. He did everything to make it. It was the happiest day of his life; we went downtown for lobster, which was his favorite. His... heroic colleague, Karra Kopas, 21 years old. And I could go on and on. I went to the wake and you know I guess because, you know, I was the Representative from the area, knew the family, I was let in to see him through all of the crowds. The line went around the corner twice and down the street. At his funeral, the cortege stretched for more than a mile. And I know and you know, young people, just like Brian and just like Miss Kopas, there are those people that we know who really embody what they're doing. I mean, he...he was a fireman. And, at the wake he was in his full uniform looking regal. And I met the family, the brothers and the sisters and they were devastated, but they held up like... like you do. And I remember the father asking me, Representative. Riley, how...how do you get through this? And I said, well, it will just take time. But we want to have those tangible representations of a life well-lived, of a heroic life well-lived. He was first on the scene and went into that house not thinking about

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

139th Legislative Day

5/7/2010

his own safety. And so we'll talk about, you know, memorials to Brian. There'll be... they will name a street, you know they will name some facility, but it's that courage that we will always remember, first on the scene. From what I understand he was always like that, young man willing to help anybody and isn't that what it's about? And I think we can all learn from his example. We can all learn from his example. What a great young man, my son, your son, your friend, these young people that dedicate their lives to helping others. So today I would like to, with you and with my other colleagues who represent the great City of Homewood whose heart is still broken, I'd like to honor firefighter-paramedic Brian Colin Carey. May we have a moment of silence. Thank you so much. Mr. Speaker, I would like to defer to those colleagues who also represent the City of Homewood, Illinois, if they would like to make remarks."

Speaker Lang: "The Gentleman moves for the adoption of the Resolution. On that question, the Chair recognizes Representative Will Davis."

Davis, W.: "Thank you very much, Mr. Speaker. I want to take this time to commend my colleague, Representative Riley, for bringing this Resolution forward on behalf of a great young man in the Village of Homewood. After the incident, I had the opportunity to stop by the firehouse, and just to see how the fellow firefighters were doing, and I ran into a good friend of mine named Scott who's a firefighter and it's unfortunate that Scott happened to be the firefighter in charge, if I can use that phrase, at the time of the

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

139th Legislative Day

5/7/2010

incident. So, he took it and he is still taking it extremely, extremely hard that one of his fellow firefighters was lost on his watch. But as I looked around the firehouse and I know that other firefighters were mourning the death of this young man and the incident that hurt the young lady, I was very proud to see how the neighboring fire departments stepped up to provide coverage for the shifts that allowed these firefighters, that were on that particular shift, the opportunity to go and to be at home, to be with their families and their friends and to take the... to take the opportunity to really mourn the loss of that individual. And that sometimes not... does not often happen where when you have a tragic death that you really have the opportunity to mourn and it's just one of those things that we just have to do. It's what we have to do to be able to get past and be able to go beyond such a tragic incident. And...and those other fire departments were stepping up to the plate to provide that coverage to allow these young firefighters the opportunity to do so. And if at no other time was I more proud of being a resident of the Village of Homewood than seeing how others were wrapping their arms around this fire department than in this instance. And I know sometimes we often go back and forth on...on issues and things of that nature, and that's what we are supposed to do because we're Representatives of the areas. But, it's times like these and how unfortunate they may be when we all just must take a step back and recognize how fortunate we all are and to recognize our families and our friends. And, unfortunately, this young

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

139th Legislative Day

5/7/2010

man will not see his family again. The life that he would have lived and what he would have contributed to our society will never be realized. It will never ever be realized. So we can only think about what he would have been in our lives and the type of firefighter that he truly would have been. So, again, we take this opportunity just to... just to slow down just a little bit and recognize what's really, really important about who we are and what we do. So, again, thank you, Representative Riley, to my colleagues, Representative Miller, Representative DeLuca, we all have the pleasure of...of representing this very, very, very good town. A very great town in the south suburbs. And again, we thank all of you for joining us in this moment of silence and this mourning on behalf of Brian Carey. Thank you."

Speaker Lang: "Mr. Stephens."

Stephens: "Thank you, Mr. Speaker. Representative Riley, you... we join you in your sorrow, and mourning and your words were so eloquent when you said, it could be your son, it could be our son. You know, it doesn't say. It doesn't talk about his race or his background, it talks about his sacrifice. And I appreciate, Representative, that given the decorum infraction that occurred in the gallery while you were speaking, you, like a good paratrooper, you drove on and we appreciate that, and I think this young man would have appreciated that too. Representative Burns, you...you talked that this is the most important thing we do and your words are so true. The... what we do here today is right, and just yesterday we talked about, and we have Resolutions

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

139th Legislative Day

5/7/2010

filed. Representative Acevedo and I have filed a Resolution about the memorial service and what... how the House should handle that. Representative Sacia and I filed a Resolution objecting to the staff's handling of artifacts that someone might bring on a day such as this to honor their fallen loved one. A son or a daughter, somebody's husband or wife. We should always make this the most important of our events. And... so, Representative, I would only ask that you allow us all to join in cosponsorship of your Resolution and may God rest his soul."

Speaker Lang: "The Gentleman leave... moves that all Members be added as cosponsors and with leave of the Body that Motion is allowed. The Chair recognizes Representative Moffitt."

Moffitt: "Thank you, Mr. Speaker. Representative Riley, one of the comments that you made, and I thank you for bringing this before the Body, was when you talked to the father of this firefighter, he said to you, how do you get through this? And there's no easy answer how you do that, but I hope you will take back to them that he doesn't stand alone. That this Body, representing the entire State of Illinois, stands with that family and considers their son a hero. You know, frequently, I was... I wasn't going to comment, but it's just... all of you know that all emergency personnel and firefighters are very special to me as I know they are to you too. But I've just... I've said time and again when I'm working on fire issues, somebody would say, well, where do you live? What's your fire department? I'd say, well my home is in the Knoxville Fire Protection District and my office is in the... served by the Galesburg

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

139th Legislative Day

5/7/2010

Fire Department and I have a son who's a firefighter there. But that's not important where my home is because I consider every firefighter in the State of Illinois one of my firefighters. So I hope you will also take back to the family that we feel a personal loss, this body and the things that this Body has done for the fire service in recent years. You make in your statement how important it is. And I guess that one of the best ways we could honor this firefighter, in addition to the time we've had here today and the message that you will take back to the family, is that we just take time back in our communities and those that we know, that we stop and appreciate our firefighters, our police, our EMS. Stop and tell them thanks. Yesterday we had a memorial out here for police officers. I think every time we do that it... it's a way to help remember Brian Colin Carey and the sacrifices that he made and to show our appreciation. So, if you'll take that message back that... we share a loss, too. Our state, our society. We're better... we're better people because of the example that he set, the role model that he was. But we're... we feel a huge void and we know that a firefighter, like firefighter Carey, we were all safer because he was there and no questions would be asked. If we needed help or anyone else, if we were driving through or anyone else needed help, he and the rest of the fire service would be there. So if we... we'll make a real effort to thank our emergency personnel back home and anytime you see them. I think that's a way to honor him. Thank you."

Speaker Lang: "Mr. Schmitz."

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

139th Legislative Day

5/7/2010

Schmitz: "Thank you, Speaker. As many people in this Body know, that the fire service is steeped in tradition and the Gentleman from the other side of the aisle who attended the wake and the funeral saw some of those traditions. And with the indulgence of this Body I'd like to read a poem from 1958. It's called the Fireman's Prayer and it goes as follows: When I am called to duty God, whenever flames may rage, give me the strength to save some life whatever be its age. Help me to embrace a little child before it's too late or some older person from the horror of that fate. Enable me to be alert... alert and hear the weakest shout, and quickly and efficiently to put the fire out. I want to fill my calling and give the best in me, to guard my neighbor and protect his property. And if according to your will I have to lose my life, please bless with Your protecting hand my children and my wife. May God bless you, Brian Colin Carey."

Speaker Lang: "Those in favor of the Resolution shall say 'yes'; opposed 'no'. In the opinion of the Chair, the 'ayes' have it. And the Resolution is adopted. Representative Mell."

Mell: "A quick... a quick point of personal privilege. I'd just like to recognize the hardest working people in Illinois and say happy Mother's Day to everyone here who's a mother and everyone in the gallery and everyone... all mothers in Illinois."

Speaker Lang: "Mr. Clerk, Agreed Resolutions."

Clerk Mahoney: "On the Order of Agreed Resolutions is House Resolution 1236, offered by Representative Sacia. House

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

139th Legislative Day

5/7/2010

Resolution 1238, offered by Representative Pihos. And House Resolution 1239, offered by Representative Pihos. House Resolution 1241, offered by Representative William Davis. House Resolution 1243, offered by Representative Kosel. House Resolution 1245, offered by Representative Miller. House Resolution 1246, offered by Representative Feigenholtz. And House Resolution 1247, offered by Representative Collins."

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. Mr. Black."

Black: "Thank you, Mr. Speaker, inquiry of the Chair. Can you..."

Speaker Lang: "Please state your inquiry, Sir."

Black: "Thank you. Can you give us some direction on what we need to do for dinner plans, what we need to do, perhaps, for plans tomorrow..."

Speaker Lang: "If you'll be patient, Sir..."

Black: "...and when we may go to the Order of Concurrence?"

Speaker Lang: "If you'll be patient, Sir, for about five minutes, all things will become known to you."

Black: "Well said."

Speaker Lang: "Mr. Clerk, Adjournment Resolution."

Clerk Mahoney: "House Joint Resolution 122."

RESOLVED, BY THE HOUSE OF REPRESENTATIVES OF THE NINETY-SIXTH GENERAL ASSEMBLY OF THE STATE OF ILLINOIS, THE SENATE CONCURRING HEREIN, that when the two Houses adjourn on Friday, May 7, 2010, the House of Representatives stands

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

139th Legislative Day

5/7/2010

adjourned until the call of the Speaker; and the Senate stands adjourned until the call of the President."

Speaker Lang: "Repre... Representative Currie moves for the adoption of the Adjournment Resolution. All in favor say 'yes'; opposed say 'no'. In the opinion of the Chair the 'ayes' have it. And the Adjournment Resolution is adopted. The Chair recognizes Speaker Madigan."

Madigan: "Mr. Speaker, Ladies and Gentlemen, thank you for your very hard work over the last several days, weeks and months. As you all know, our business is not finished, so we will adjourn right now and we will stand adjourned subject to the call of the Chair. So, that when we are prepared to finish our business we'll come back to Springfield for one or two days. Hopefully, no more. Thank you, Mr. Speaker."

Speaker Lang: "And now Representative... before we go to that, the Chair recognizes Representative Black."

Black: "Thank you very much, Mr. Speaker. That was indeed a revelation."

Speaker Lang: "Now Representative Currie moves that the House, allowing perfunctory time for the Clerk, stand adjourned to the call of the Chair. 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. Referred to the House Committee Ru... on Rules is Senate Joint Resolution 89, offered by Representative Riley. There being no further business, the House Perfunctory Session will stand adjourned."