

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

160th Legislative Day

1/5/2011

Speaker Mautino: "The hour of 11:30 having arrived, the House shall be in order. We shall be led in prayer today by Wayne Padget, the assistant doorkeeper. Members and guests are asked to refrain from starting their laptops, turn off all cell phones and rise for the invocation and the Pledge of Allegiance. Mr. Padget."

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

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

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

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

Bost: "Thank you, Mr. Speaker. Let the record reflect that Representative Mulligan is excused on the Republican side of the aisle today."

Speaker Mautino: "Majority Leader Currie."

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Currie: "Thank you, Speaker. Please let the record reflect the excused absences of Representatives Mell, Miller and Smith."

Speaker Mautino: "Mr. Clerk, take the record. 114 answering the Roll and are present and the House is prepared to do its business. Mr. Clerk, Committee Reports."

Clerk Bolin: "Committee Reports. Committee... Representative Currie, Chairperson from the Committee on Rules reports the following committee action taken on January 05, 2011: recommends be adopted Amendment #2 for Senate Bill 3965. Representative Burke, Chairperson from the Committee on Executive reports the following committee action taken on January 05, 2011: recommends to be adopted Floor Amendment #2 to Senate Bill 3383; do pass as amended Short Debate for Senate Bill 1927; and do pass Short Debate for Senate Bill 3952. Representative Franks, Chairperson from the Committee on State Government Administration reports the following committee action taken on January 05, 2011: recommends be adopted Floor Amendment #1 to House Bill 1454 Floor Amendment #1 to House Bill 1515 and Floor Amendment #1 to Senate Bill 2525. Representative Mendoza, Chairperson from the Committee on International Trade & Commerce reports the following committee action taken on January 05, 2011: recommends be adopted House Resolution 1570. Introduction of Resolutions. House Resolution 1575, offered by Representative Cross. This Resolution is referred to the House Rules Committee."

Speaker Mautino: "Mr. Clerk, would you place House Resolution 1520 on the board. Representative Cavaletto."

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Cavaletto: "Point of personal privilege."

Speaker Mautino: "State your point, Sir."

Cavaletto: "Thank you, Mr. Speaker. We have with us today Breese Central Cougars Volleyball Team who finished runner-up in the Class 2A state finals in the balcony. Let's please give them a warm welcome. Thank you."

Speaker Mautino: "Mr. Clerk, would you read the Resolution?"

Clerk Bolin: "House Resolution 1520.

WHEREAS, the members of the Illinois House of Representatives are pleased to congratulate the Breese Central High School Girls Volleyball Team, the Cougars, on winning second place in the I.H.S.A. Class 2A state finals on November 12, 2010.

Speaker Mautino: "The Gentleman has moved that the House adopt House Resolution 1520. All in favor say 'yes'; opposed 'no'. Opinion of the Chair, the 'yesses' have it. And the Resolution is adopted. Ladies, congratulations and welcome to Springfield. The Gentleman from Crawford, Representative Eddy."

Eddy: "Thank you, Mr. Speaker. Ladies and Gentlemen of the House, if I could have your attention for just a second. I'd like you to join me in extending to my new seatmate, Representative Hays, birthday wishes. Today's his birthday. He's decided to have one just right after he joined the House of Representatives so he could have some of the additional recognition. So, if you could, let's give him a round of applause for making it another year."

Speaker Mautino: "The Gentleman from Vermilion, Representative Hays is seeking recognition."

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Hays: "Thank you, Mr. Speaker. Thank you for those warm birthday wishes. As a point of personal privilege, I would like to recognize the mayor of the community of Danville, Scott Eisenhower. Scott, would you stand? Scott does a terrific job in Danville and is also the voice of the undefeated Danville Vikings football team. So, mayor, welcome."

Speaker Mautino: "Welcome to Springfield. Page 4 of the Calendar, under Senate Bills-Third Reading, appears Senate Bill 647, Representative Coulson. Mr. Clerk, read the Bill."

Clerk Bolin: "Senate Bill 647, a Bill for an Act concerning education. Third Reading of this Senate Bill."

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

Coulson: "Thank you, Mr. Speaker. I urge an 'aye' vote on Senate Bill 647. It extends the reporting date deadline for a task force for one more year. The task force is on higher education private student loans and we need additional time to make sure we get all the data to check on what's happening with private student loans. I'd appreciate an 'aye' vote."

Speaker Mautino: "The Lady has moved passage of Senate Bill 647. On that question, the Gentleman from Jackson, Representative Bost."

Bost: "Representative, is this your last Bill?"

Coulson: "Yes."

Bost: "Well, I just wonder if we'll have as much fun with your last Bill as we did with your first Bill. But Representative, let me tell you that you've been a great

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pleasure to serve with and I'll support your Bill. I know... I know there's been some over the many years that I haven't supported, but I'm going to tell you that this one, I think, it's wonderful. I supported it in committee. I'll support it and I wish you well."

Speaker Mautino: "Further discussion? The Lady from DuPage, Representative Bellock."

Bellock: "To the Bill. I just want to say thank you to Representative Coulson for this Bill and all the other Bills that she has done on behalf of education in the State of Illinois and health care in Illinois. She's been an outstanding Representative. As soon as we see the name Coulson go up on that board, everybody was always assured that that was a good Bill. So, thank you, Representative Coulson."

Speaker Mautino: "No one seeking further recognition, the question is, 'Shall this Bill pass?' All in favor vote 'yes'; opposed 'no'. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Mr. Clerk. Representative Davis, Representative Brady, do you wish to be recorded? Mr. Clerk, take the record. 114 voting 'yes', 0 voting 'no', 0 voting 'present'. Senate Bill 647 is declared passed. Mr. Clerk, page 4 of the Calendar, Senate Bill 902. Representative Reitz. Mr. Clerk, read the Bill."

Clerk Bolin: "Senate Bill 902, a Bill for an Act concerning fish. Third Reading of this Senate Bill."

Speaker Mautino: "The Gentleman from Randolph, Representative Reitz."

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Reitz: "Thank you, Mr. Speaker. The... Senate Bill 902, now it removes language from the Wildlife Code. It was in contrast to language that we put in when we raised the fees on duck hunting. It basically allows the Ducks Stamp Committee to have the same authority they had in previous years. And it will allow them to release the money for the state Migratory Waterfall Stamp Fund to be used for duck hunting purposes. And I'd appreciate an 'aye' vote."

Speaker Mautino: "The Gentleman has moved passage of Senate Bill 902. And on that question, the Gentleman from Crawford, Representative Eddy."

Eddy: "Will the Sponsor yield?"

Speaker Mautino: "He indicates he will."

Eddy: "Representative, the Department of Natural Resources is fine with this. Isn't that kind of their initiative to use funds for a specific purpose?"

Reitz: "That's correct. This is their initiative."

Eddy: "So, this isn't what we have seen for some time here and those are fund sweeps. This is not a fund sweep that would go to General Revenue. This is a specific purpose use of funds as desired by the Department of Natural Resources. Is that correct?"

Reitz: "That's correct. This clarifies the language based on what was changed in the fee increase and allows them to use this... the migratory stamp money for maintenance of waterfowl habitat."

Eddy: "Thank you, Representative. I would urge the Body to vote 'yes'."

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Speaker Mautino: "No one seeking further recognition, question is, 'Shall this Bill pass?' All in favor vote 'yes'; opposed 'no'. The voting's open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Representative Coladipietro, you wish to be recorded? Mr. Clerk, take the record. 114 voting 'yes', 0 voting 'no', 0 voting 'present', Senate Bill 902, having received the Constitutional Majority is declared passed. Mr. Reitz, on the Calendar, page 5, also appears Senate Bill 2525. Mr. Clerk, read the Bill. Please return the Bill to Second Reading. Representative Reitz on Floor Amendment #1."

Reitz: "Thank you. The Floor Amendment makes the following change. It modifies the definition of the dependent state employee group insurance. This would... this reflects the changes under the Federal Law and the second component modifies the Military Leave Section under our State Law for the Group Insurance Act. This was an initiative of CMS and they're just trying to get us in compliance with various procedures regarding health insurance."

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

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

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

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

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Speaker Mautino: "The Gentleman from Randolph, Representative Reitz."

Reitz: "Thank you. The Amendment became the Bill. That's all it does, nothing's changed since 30 seconds ago. Appreciate an 'aye' vote."

Speaker Mautino: "The Gentleman has moved passage of Senate Bill 2525. On that question, Representative Eddy."

Eddy: "Will the Sponsor yield?"

Speaker Mautino: "He indicates that he will."

Eddy: "Representative, this is not an expansion. This is more of a clarification. Is that... is that correct?"

Reitz: "That's correct. It simply codifies changes that we have to make under the Federal Act to comply with the Federal Government. And the second one is it makes is in compliance the with the Group Insurance Act that the State of Illinois has regarding military leave."

Eddy: "And that relates specifically to dependant coverage through age 26?"

Reitz: "Correct."

Eddy: "Okay. I just... just wanted to make sure. I think there might have been some concern about expansion here. There is no expansion; it's a clarification."

Reitz: "No, no expansion. Just a clarification."

Eddy: "Thank... thank you, again, for the clarification, Representative."

Reitz: "You're welcome."

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

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

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Speaker Mautino: "Yes."

McCarthy: "Representative, does this include every pension system controlled by the state?"

Reitz: "It would... anything under CMS is controlled. Basically gets us into compliance with the Federal Law regarding adult children."

McCarthy: "Would this indemnify the trustees of the General Assembly Retirement System? Would that present a conflict if it did or...?"

Reitz: "I don't think if you're under 26, but yes."

McCarthy: "Thank you."

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

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

Speaker Mautino: "He indicates that he will."

Rose: "Representative, can you please explain the part of this Bill that deals with life insurance? What is the intent? Where did that come from? How would it work?"

Reitz: "Yes. Actually, for further clarification, I'll tell you exactly what it does. It codifies the current practices mandated by the Federal Government. It makes coverage of adult children more affordable by providing the IRS tax exempt status to premiums. It allows adult children to be provided life insurance under their parent's coverage. And Federal Law... all of these, Federal Law mandates that we make these changes during our FY12 benefit choice period, May 1 through the 31, 2011. Every state in the union has to make these changes."

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Rose: "How are you... how is it that you're taking, for life insurance on the minor you're taking a minor under the parent's policy? So, who's the covered... who's the insured... who's the covered insured?"

Reitz: "Under life insurance?"

Rose: "Yeah. There's a... the part that deals with the life insurance and apparently CMS has made a request to change the Code dealing with life insurance, to bring minors in under their parents' policies."

Reitz: "My understanding with CMS and they didn't have any questions in committee, but in discussions with them, all of these changes are required for the Federal Law. And all we're doing is coming into compliance with Federal Law, was my understanding."

Rose: "I don't think... well, our analysis here is that the life insurance aspect is not a federal enactment; it's something that CMS wants to change. Well, Representative, I know you're here with a Bill and I'm not going to get in your way, but I may just vote 'no' on that because I don't quite understand the life insurance part of this. It came from CMS. Why are we changing it, do you know?"

Reitz: "Why are we ch... My understanding was both of these changes, one had to do to comply with the Federal Act, the other one with the State Group Insurance Act. All of the changes were is my understanding."

Rose: "Well, I think on our end, we believe it's... one is a federal requirement and the other just is a initiative of the agency."

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Reitz: "That was not my understanding. I will pull it out and check if you want. We could do that."

Rose: "Would you mind? I mean, I'd like to know the answer to this question before we vote."

Reitz: "Let's pull this Bill out of the record and I'll find out."

Rose: "Thank you, Representative."

Speaker Mautino: "Please remove the Bill from the record. On [age 5 of the Calendar is Senate Bill 3965, Representative Franks. Mr. Clerk, read the Bill. Please return this Bill to Second Reading for the purpose of an Amendment. Senate Bill 3965, Representative Franks on Floor Amendment #2."

Franks: "Thank you, Mr. Speaker. Floor Amendment #2 is a technical Amendment. I believe we just changed a few words. I think we had the word 'or' instead of 'and'. It does not change substantively at all the Bill. And I'd ask for Amendment #2 to be adopted."

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

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

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

Clerk Bolin: "Senate Bill 3965, a Bill for an Act concerning local government. A Third Reading of this Senate Bill."

Speaker Mautino: "Representative Franks."

Franks: "Thank you, Mr. Speaker and Members of the General Assembly. We've had a couple of hearings on this in committee and I want to thank the Mass Transit Committee

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for their indulgence. We had a subject matter hearing last month and yesterday we had a meeting where this Bill passed unanimously out of committee and all witnesses slipped in favor of it, including all the transit agencies. And this is really a Bill that is long overdue and one that's so necessary in the State of Illinois. It's a way to end cronyism and to hold our transit agencies accountable. For those of you who have seen what's happened, unfortunately, in our transit agencies they have not had much oversight and the citizens of the State of Illinois as a result have suffered grievously. This Bill now will require board members and employees of the transit boards to comply with the provisions of the Ethics Act. Importantly, it will give the Executive Inspector General for the Governor jurisdiction to investigate allegations of fraud, waste, abuse, mismanagement, misconduct, nonfeasance, misfeasance, malfeasance or any violation of the Ethics Act. This would be an expansion of powers for the office of the executive inspector general. It will also allow that office to conduct an investigation and determine whether a board member or employee has committed wrongdoing. The Executive Inspector General then must submit a summary report to the ultimate jurisdictional authority. And this will now give the Governor the authority to remove any board member in response to one of these summary reports that indicates that a person has engaged in wrongdoing. This also will allow the transit boards to appoint or employ an Inspector General, but importantly, that person has to be approved by

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the Executive Ethics Commission. I'd be happy to answer any questions."

Speaker Mautino: "The Gentleman has moved passage of Senate Bill 3965. and on that question, the Gentleman from Lake, Representative Mathias."

Mathias: "Thank you, Mr. Speaker. Representative, as you know, I voted as everybody else in committee for your Bill and I'm certainly... support the concept that you're trying to promote, but I do have some issues as I stated in committee. At the present time, the Executive Inspector General or the Executive Ethics Commission, do they have authority at the present time to oversee any other non-state agency?"

Franks: "No. This is an... that's a good question, Representative. This is an expansion of the Executive Inspector General's powers. And the reason, the rationale for it, is we believe that an Inspector General... or I believe and I think you do as well, an Inspector General cannot serve at the pleasure of the inspected and the Inspector General must not answer to an agency in which it oversees. It needs real independence and that's what this Bill does. It gives independence to an Inspector General and we give a watchdog teeth that would have not happened in this state."

Mathias: "Doesn't the Executive, and I may be mistaken in this, but does the current Executive Inspector General serve at the pleasure of the Governor?"

Franks: "No. Once that person's appointed, then that's an independent agency and it's for a certain term and there's no... After they have been... I think Mr. Meza was just

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confirmed by the Senate last month and now it's an independent... independent agency completely. He cannot be removed by the Governor."

Mathias: "And you know, everybody always talks about the slippery slope approach and I'm going to bring it up now. Since you're making exception now for Metra, and Pace, RTA, and CTA, tomorrow somebody else could come in and say, well, you know something, there was some fraud going on in some little town in southern Illinois or northern Illinois. Why don't we include all of the cities, towns, counties, townships and have the Executive Inspector General inspect those, you know, that they should come under his purview also?"

Franks: "I appreciate the argument Representative, but we could argue slippery slope on pretty much every Bill that we do here. That's not the intent of this Bill. This is a unique situation where we have quasi-governmental agencies that are receiving tax dollars and subsidies both federal and state. And there is a real symbiotic relationship between these transit agencies and the State Government. So, that's why I think it's appropriate to have the expansion for these entities."

Mathias: "Of course, you can also argue that every city, village, township, and et cetera also and school district also receives or potentially can receive some federal dollars and certainly does receive state income tax dollars at the very least."

Franks: "That's not this intent of this Bill..."

Mathias: "All right."

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Franks: "...at all."

Mathias: "Okay. Now under this Bill does this... this does not preempt, is my understanding, the current Inspector General for the CTA? Is that correct?"

Franks: "Well, it does in a sense because what this Bill does is it allows any of the transit agencies to appoint their own Inspector General, but with a very large caveat. The caveat being that that person must be approved by the Executive Ethics Commission. So right now, for instance, the CTA already has an internal Inspector General. That person would still need to be approved now once... should this Bill pass by the Executive Ethics Commission. And ul... and the ultimate jurisdiction will reside in the Executive Inspector General. That person will trump the other Inspector Generals."

Mathias: "Right. As you know, my suggestion and I guess in some part it might have been covered a little bit in your Amendment, that if the Executive Inspector General should get involved maybe he should only get involved if it's a board member or higher executive officer of that agency rather than a bus driver who may have violated, you know... you know, and obviously it's a serious breach, but should the Governor decide whether to fire a bus driver as apposed to firing the head of that agency."

Franks: "Well, I think we're going to leave that... the goal of this Bill and the way it's written is to leave the discretion with the Inspector General because I don't think we can even imagine all the creative ways that we can get ripped-off in this state. I mean, the former Governor blew

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my mind in some of the things he was doing, you know, none of us could ever anticipate. So, I don't know if we're going to have a conspiracy of a number of bus drivers, for instance hopefully never, but I think we need to leave it flexible enough to let the Executive Inspector General, should he wish or she wish to take over investigation, to have that opportunity because we don't know oftentimes where the tentacles might reach."

Mathias: "Of course, on the other hand, as you stated, with our State Inspector General, he right now can't be fired, he's under certain rules. Could we adopt those same... that same legislation to the local service boards and say, okay, if you're going to hire... in fact right now... am I correct that the... under your legislation, if they do hire a local... let's say, Metra Inspector General they have to be approved by the Executive Inspector General?"

Franks: "They do and they still have to answer to them as well because it would still allow the Executive Inspector General to take over any investigation that the Executive which would choose to do.

Mathias: "Now, and... right."

Franks: "I think it is an important layer of checks and balances that we desperately need because otherwise if we don't do this it's going to continue with government by croning. Because the people who are on these boards are not there because of their expertise, Representative, they're there because of who they know, not what they know. I can tell you, in McHenry County, for instance, the only criteria to be on these boards is to be a former chairman

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of the Republican Party. That's it. And these people are getting paid salaries. They're getting pensions. They're getting health care. It's really an egregious breach of what the taxpayer is going on. What we saw with Metra... I mean the... the people who are entrusted to oversee what's going on, they said they didn't do it. They weren't overseeing their friends. They wouldn't look... they wouldn't look closely at their own cronies. We have to stop business as usual. We have to end government by crony in this state. This is the way we start."

Mathias: "And as I said at the beginning, I think your efforts are noble, and I think that I agree with them. And I think I agree with your last statement. Time has come. And I think that's a... certainly a bipartisan statement that we think we all would like to see that... the cronyism disappear in our state in all levels of government. And I'm supporting your Bill. I just, again, want to caution that I just don't want that slippery slope where tomorrow we're also dealing with cities and villages and other units of local government."

Franks: "Thank you."

Mathias: "Thank you."

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

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

Speaker Mautino: "He indicates that he will."

Sacia: "Representative Franks, getting into the discussion of the Executive Inspector General. I am introducing legislation this Session that has to do with criteria for

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Inspector Generals, and I... I'm interested if you would share or do you know what the criteria is to be employed as the Executive Inspector General?"

Franks: "I can get that for you."

Sacia: "No. I..."

Franks: "I don't know off the top of my head, but I can get that for you."

Sacia: "I'm not asking you to do that, Jack. I'm more concerned about where the conversation led earlier that there are still Inspector Generals within the individual agencies. Are they separate entities in any way, or are they part of the agency?"

Franks: "Well, they're employees. So if you don't like what they say, they can fire you. And that's why this Bill, I think, is so important because we are going to have an independent Executive Inspector General overseeing these. And it's just... you know you should never have someone..."

Sacia: "Exactly."

Franks: "...who's inspecting serve at the pleasure of those that are being inspected. Metra is a perfect example. The wrongdoing that's been alleged was by the executive director. Could you imagine if the Inspector General had to say, listen, I got to investigate you and this is... I'm going to... and I found these bad things. The executive director is probably going to fire that Inspector General."

Sacia: "Sure. Thank you, Representative. I guess I'm more concerned going forward and getting into next session when we are talking about Inspector Generals in general, if you

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will, and I'll save further comments for that time. So, thank you for your response."

Franks: "Thank you."

Speaker Mautino: "Further discussion? The Gentleman from McLean, Representative Brady."

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

Speaker Mautino: "Yes."

Brady: "Thank you. Representative, a couple questions for you. We're creating another area for the Inspector General's Office to have investigatory powers for, is that correct?"

Franks: "Correct."

Brady: "And we've, for the Inspector General's Office, created levels for the Inspector General of Higher Education, of the Legislative Branch, the Executive Branch..."

Franks: "Toll way."

Brady: "...the list goes on. We've created a lot of things for the Inspector General's Office to inspect."

Franks: "No, no. Those are separate ones."

Brady: "Those are... They're all separate?"

Franks: "There all... Well, not all of them because the Executive Inspector General looks over the... those agencies that are under auspices of the executive."

Brady: "But we got... we got Executive Inspector Generals. We got Inspector Generals. We got Auditor Generals. We got Attorney Generals. We got more generals than the armies, I think. How many Inspector Generals are we going to have now that will be newly appointed to be Inspector Generals that's going to investigate..."

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Franks: "None, none."

Brady: "...allegations?"

Franks: "None."

Brady: "And..."

Franks: "We don't need... There's no... there's no expansion here. There's no expansion of a new office. This is an existing office."

Brady: "Correct."

Franks: "And so what we're saying is you're already existing, you already have the ability, you already have the investigatory authority, and the ability and the power to do so. We're asking you to take on this additional responsibility."

Brady: "Okay. Okay. Just for the record, then. I'm glad you're clearing that up. The Inspector General's Office will not have to hire anyone new to absorb these authorities to absorb the investigations."

Franks: "They may."

Brady: "Wait a minute. Can I finish?"

Franks: "Okay."

Brady: "And to investigate complaints of potential wrongdoing. They won't have to expand. They have no plans to hire between 15 to 20 Inspector Generals to take on the responsibility here from the allegations of the Transit Authority."

Franks: "That's a... They may have to hire some, and Mr. Meza, yesterday in committee, said that he may have to do so, but right now, we don't know how much extra work there's going to be, but never fear, I have a way to pay for it, okay,

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should we do this. We have... I have Bills that I've filled that are trailer Bills that will take away the pension benefits in the future, as well as, all the pay in the future of these folks who sit on the boards, which is more than enough to cover. Additionally Metra, for instance, has spent over \$1.2 million this year on an outside agency to look at some of the problems they've had. They're budgeting for that right now. They can move that line item to pay for the Executive Inspector General. I don't think it's a hardship, and I don't wish to make this a bigger issue than it is because it really, in the big scheme of things, it's a small amount of money. In the Senate, and there was no numbers yesterday, but in the Senate, when Mr. Meza testified, he indicated that if he nee..."

Speaker Mautino: "Would you please turn the mic back on? Gentlemen, bring your remarks to a close."

Franks: "...that if he needed it add additional..."

Brady: "As soon as I get a chance, I will. Go ahead."

Franks: "It would be less than \$2 million. Okay? And he had... he didn't come up with those figures yesterday 'cause we don't know how much he would need to, but assuming there is an expansion, we have ways of paying for it because those line items are already being utilized in these transit agencies."

Brady: "Representative, I can certainly appreciate what you're trying to do, but I've watch an Inspector General's Office grow and grow and grow when it comes to having authority to investigate. And I certainly understand with that growth comes more authority and comes more individuals to be

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Inspector Generals to have to deal with the investigations and the legwork that goes on. That's where I have a real concern that, well intended, but we're creating another layer, bringing on more positions in this budget situation that we are in, maybe a different time, different place, financially for the legislation. I.. I see it differently than you do, as far as what the expansion and the cost is going to be here."

Franks: "Well, actually, Representative, the Inspector General's Office had some of its responsibilities taken away in the not too distant past, one that comes with DHS and others. I think, also, the Toll Highway Authority had been moved out as well. So, I think that the arguments you're making might have been well-founded before then, but I don't think they have much validity now."

Brady: "Well, I didn't expect you to agree my argument. I just..."

Franks: "Well, I just wanted to.. I want the facts to come forward instead of mere opinion."

Brady: "I appreciate it."

Speaker Mautino: "Gentlemen. Gentlemen."

Brady: "I want... I want the facts to come forward too."

Speaker Mautino: "Gentlemen."

Brady: "Thank you."

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

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

Speaker Mautino: "Indicates that he will."

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Eddy: "Representative, I have a couple of questions related to how this might work for collectively bargained contracts. Does this Inspector General have authority to conduct investigations outside of the scope of already collectively bargained due process?"

Franks: "They have to work within the collective bargaining agreements. There's no expansion. That's the current law."

Eddy: "So, what about whistle-blowing? Does this Inspector General have any authority to, in any way, alter current laws related to whistle-blowing that... that might affect how operations would take place?"

Franks: "I'm not sure I understand your question."

Eddy: "Well, would any current laws or any currently applied whistle-blowing policies and rules be exempt from the Inspector General's authority?"

Franks: "Yeah. What we've got is under these... That's a good question because under these agencies, these local transit agencies, they're under the local Whistle-Blower Protection Acts. And we were cognizant of that fact, and we wanted that to be included, quite frankly, in this Bill because those are stronger protections than the state ones."

Eddy: "Okay. All right. That clears that up in my mind. Now here... I understand that there's a need for additional oversight with this agency. Here's my problem. My problem is that we're creating the need for what the Inspector General Office estimates to be between 15 and 25 additional people based on their testimony, at some point. Now, that's their claim, and I understand now that they oversee about, what, 160 thousand, and this adds another 16 thousand. So,

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they're claiming it's a 10 percent increase in the number of people they oversee, but they're increasing their staff by about a third to cover that 10 percent?"

Franks: "Right. Remember that any staff increase would have to be appropriated, which we control."

Eddy: "Okay."

Franks: "And they'd have to sh... I mean, the fact of the matter is that they have the ability to oversea 16 thousand. You look at right now CTA, for instance, has their own Inspector General. Would the Executive Inspector General get involved in all of those? Most... probably not, you know, because if it's going to be, as one of the other speakers had talked about, you know, someone driving a bus having a problem. I doubt that the Executive Inspector General would want to jump into that. They'd let the local handle it and then they could oversee it if they saw. So, I think that the estimates were, a) inflated but b) more importantly, ultimately we have the ability to appropriate."

Eddy: "Well, what do you think the true cost might be? I mean, if they're claiming one thing, is there something you think is more a reasonable claim of what this might cost?"

Franks: "I don't... All I saw was... it never came up in committee yesterday; that question was never asked. But in the Senate, they talked about under \$2 million. I think that's vast..."

Eddy: "Representative, I can't hear. I'm sorry. Mr. Speaker, I can't hear his answer."

Speaker Mautino: "I would ask the Members of the House to please bring the noise level down."

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Eddy: "Representative, I'm looking for..."

Speaker Mautino: "Give respect to the Representatives."

Franks: "A number."

Eddy: "...at least your version of a number, cost wise."

Franks: "I... I don't know. I mean, it's a hypothetical, and we have... the Inspector General has until July to come up and let us show how much he's going to be spending, but I can tell you what he testified to was under 2 million. But I also have to look at the savings to the state by rooting out the corruption that was in... If we would have had someone early on who was getting to the heart of this, we could have saved hundreds of thousands of dollars just in... by one individual."

Eddy: "Well... my problem with this is the fact that the State of Illinois is going to bare the cost of that Inspector General, whatever those costs are and the RTA..."

Franks: "Well that's why..."

Eddy: "They're not paying any of this and that we're not in any way here requiring them..."

Franks: "That's not necessarily true because we could ta... we appropriate... For instance, we saw that Metra spent \$1.2 million on some investigat... you know, investigation after the, you know, the cow had gotten out of the barn. My point is they've already allocated those type of funds for investigatory purposes. We could use those funds for the Executive Inspector General."

Eddy: "I get that. I get that. I get that."

Franks: "Okay."

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Eddy: "And my time is running low here. I just want to make the point that I don't care... And very quickly to the Bill. If this cost half a million dollars, if this cost a million dollars, it's a half a million or a million dollars that this state does not have. The last time I checked this state wasn't paying vouchers from six months ago."

Speaker Mautino: "Please bring your remarks to a close. I'll grant you an additional minute because of the noise inside the chamber."

Eddy: "Thank you. Thank you, Mr. Speaker. I just don't see how, in a week that we're down to grapple with issues related to a fiscal crisis, that we add any more to the burden and I don't think that... that probably we have an accurate number. And I would agree with you on that, but I think we can all agree this is going to cost something. And not only is it going to cost us something, but the agency that we're overseeing is not going to be responsible for that cost. And I think that unless and until this state gets its fiscal house in order, we can all make good public policy arguments for additional oversight of numerous types of local government agencies, but the State of Illinois simply cannot afford that. So with all due respect to the idea and the idea that we ought to be promoting ethics and transparency, now is not the time to add one single nickel to the appropriation cost for the State of Illinois. We're down here to figure out a way to balance this budget, make cuts, and work together. And if that becomes a part of that larger puzzle, that's one thing, but to add another nickel now, I urge everyone in here to send the message that

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enough spending is enough and vote 'no', with all due respect to the purpose of this, vote 'no' on adding anymore cost to this state at a time when we can't pay a pension, let alone our bills."

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

Durkin: "Will the Sponsor yield?"

Speaker Mautino: "He indicates that he will."

Durkin: "Representative, I may have had a hard time trying to distinguish between the authorities of the internal Inspector General..."

Speaker Mautino: "Excuse me, Jim."

Durkin: "...and the Executive Inspector General."

Speaker Mautino: "Excuse me, Representative. Please give the Members the due respect. They can't hear above the noise within the chamber. Staff members and Members working other Bills, please bring the level down. Representative Durkin."

Durkin: "All right, I'll repeat. Could you explain to me the distinction between the internal Inspector General and Executive Inspector General, their jurisdictions that each one of them have with respect to the transit agencies."

Franks: "Well, currently the CTA has an internal Inspector General authorized by ordinance to investigate allegations of wrongdoing by employees but not of board members. The Executive Inspector General would have that authority to look at board members and those executives, if that helps clarify."

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Durkin: "All right. You said earlier that the Executive Inspector General will be able to trump the internal Inspector General."

Franks: "Yes."

Durkin: "So, the Internal Inspector General is... conducts an investigation, find that it's not warranted. We're saying that the Executive Inspector General can just completely dismiss their... his findings and conduct his own investigation, correct?"

Franks: "No, no. What we're saying is the Executive Inspector General can take over an investigation that's pending."

Durkin: "But you said earlier... Okay. But when you said earlier that he will... can trump..."

Franks: "Right. He can take over an investigation. That's what I mean by the word 'trump'."

Durkin: "Well, let me just make it perfectly clear that if there is an investigation conducted by the internal, in which, rules that there's no basis for any type of action that the Executive Inspector General does not have the ability to go in and overrule that Internal Inspector General's finding."

Franks: "Sure. If he doesn't think were... Listen. If he thinks that the guy didn't do a good enough job; if he thinks that maybe there was... like what's happened here before, government by crony. And the guy wasn't..."

Durkin: "No, no, no. That's... it was a yes or no question..."

Franks: "Let me finish my answer. No, it's not a yes or no..."

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Durkin: "...can the Executive Inspector overrule a finding of the internal Inspector General. That's... it's a yes or no question."

Franks: "Yes. And he can open another investigation, if he doesn't think that the first guy did a thorough enough job. And there's a lot of reasons. If you don't..."

Durkin: "That's all I am asking. All right. Does..."

Franks: "If you want to pretend that things aren't happening in this state, Mr. Durkin, please be my guest, but I know better."

Durkin: "All right. Well, of course, you certainly do. Well... Well... yeah... all right let me ask you this, does either the internal Inspector General, the Executive Inspector General have any subpoena authority?"

Franks: "Executive Inspector General does."

Durkin: "Okay. Do they... is this... how far does the authority go, just to employees and board members within the agency?"

Franks: "It could go to vendors as well."

Durkin: "Does it say that in the legislation?"

Franks: "I mean we saw... we had a lot of problems under the last administration with contracts."

Durkin: "Does this..."

Franks: "So, that would have the same... it's the same deal that we've been doing."

Durkin: "It extends the authority to... could tell either documents or one's appearance goes beyond just board members and employees but also to vendors. Is that..."

Franks: "Sure. That's what we have now."

Durkin: "All right. All right."

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Franks: "What we're doing is expanding the Executive Inspector General's authority of the transit boards."

Durkin: "I know. I know. I guess the thing is that, I mean, we're allowing for these agencies to have... to permit them to have inspector... Internal Inspector Generals, but if we're giving the EOIG (sic-OEIG) the ability to overturn that... their decisions, it seems to me that it's more of an advisory type of function that the internal Inspector General has."

Franks: "It could be advisory. It could be conclusory as well. I mean it may be that what they... that they handle more of the local stuff. I presume the Executive Inspector General is not going to want to get into a dispute on whether a bus driver did something improper by maybe giving somebody a free ride. I presume that's what they would handle at the CTA level."

Durkin: "But that's not clearly defined in..."

Franks: "No."

Durkin: "...any of this legislation."

Franks: "It give... it gives discretion where discretion needs to be given."

Durkin: "All right. Thank you."

Speaker Mautino: "Further discussion? The Gentleman from Jasper, Representative Reis."

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

Speaker Mautino: "He indicates he will."

Reis: "All right. Couple of question, Representative Franks. Did your Amendment change the Bill or was this the same substantive Bill that came across from the Senate?"

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Franks: "It did.. no.. it's changed the Bill."

Reis: "It's changing the Bill, so we can't look at the Senate vote and use that as a bearing."

Franks: "Well, it hasn't.. I mean, it's changed.. it has changed the Bill, yeah, it has changed the Bill. I know however you want to look at the Senate vote, I think 54 of them voted 'yes' or 53."

Reis: "I don't remember. I just.. I didn't know if your Amendment changed.. became the Bill and substantively changed the Bill. The vote was 38 to 12. And I bring that up because you said no one slipped in in opposition or promoting the Bill in committee and then it passed out. So, I was trying to..."

Franks: "Oh, yeah, it was 38 to 12. And actually in testimony yesterday the Executive Inspector General testified for it and all of the transit agencies slipped in support. We've been in constant contact with them and that's why we made some changes from the Senate Bill and we think.. and now with all the transit agencies on board and the Executive Inspector General, we believe it's an agreed Bill. There's no one who's objected to it."

Reis: "I just have one questions and I've tried to listen to the debate that's went on here and I've heard you give some.. Well, let me back up. It would be fair to say that you are not a strong proponent of the last administration, right?"

Franks: "That would be correct."

Reis: "And you gave some very fiery speeches about the administrations and their abilities or inabilities over the

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last six years prior to the last two. Why would you want to create an Inspector General's Office under an administration like that?"

Franks: "The Inspector General's is completely independent. I'm not sure you understand..."

Reis: "But it's... It's within the Governor's Office, right?"

Franks: "No, it's not. It's its own office. It's the Ethics... what's the name of this? It's the..."

Reis: "But they will serve at the will of the Governor?"

Franks: "It's all... No, they don't. They do not serve at the pleasure of the Governor."

Reis: "Okay. I'm trying to understand this."

Franks: "Good. I'm glad. I think other people might have the same misconception. It's a completely independent office and cannot... they do not serve at the pleasure of the Governor. They are appointed to a term and he was confirmed by the Senate I believe in November of 2010, much like the Auditor General."

Reis: "Okay. So this board will be separate from the Governor, but here it says in our... and maybe this was the original Bill. Gives the Governor the authority to remove any board member."

Franks: "No, that... Representative, can I... can I explain a little bit?"

Reis: "You sure can. That's what I'm trying to do here."

Franks: "Okay. Thanks. What we're doing is right now we already have an Office of Executive Inspector General. That office is independent from the Governor's Office."

Reis: "Right."

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Franks: "This Bill would expand the reach of the Office of Inspector General to be able to... the Executive Inspector General to also look at the transit boards. Th... But we're not altering the powers whatsoever. What you're seeing in your analysis is if the Office of Inspector General believes that there's been wrongdoing via... and then he writes up a summary report. It would empower the Governor to remove a board member who is found of wrongdoing, but there's also a procedural safeguard for that board member to be able to defend him or herself in a public hearing. But this way it gives an ability to remove a board member. Right now the only way a board member, for instance, can be removed from Metra is if the board itself votes to remove the member. Now, they have no incentive whatsoever to remove themselves because they all got pretty cu... cushy jobs and that's why they're not doing any oversight because they don't want to rock the boat because why should they when they get 25 grand a year, pensions, and health benefits. Everything's just swimming along just fine for these guys."

Reis: "Okay. Thank you for clarifying that because it... it kind of goes against what you've spoke about over the years and I didn't quite understand it, so thank you."

Franks: "Thanks."

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

Colvin: "Thank you, Mr. Speaker. Will the Sponsor yield? First of all, Representative Franks, I just want to say I support your Bill entirely."

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Franks: "Thank you."

Colvin: "And it goes right to the heart of something I've believed all along. Is that whenever you have individuals who are not entirely, in part, or in whole accountable to the voters, who are appointed and they have the stewardship of public dollars, it's a recipe for malfeasance and some of the other things we've seen from boards all across state and city government with respect to... (audio interrupted) Hello... So, first of all, so I'd really like to commend you that we create an additional layer of security for the taxpayer assets, particularly those who make decisions that impact... impacts millions of people and also impacts millions of dollars. And the folks who serve on these boards do so at the pleasure of executives who... giving them the privilege of serving in the public's interest. But we have to have some type of mechanisms in place to guard against those individuals who seek to make personal favor of public assets and I think this type of legislation is well overdue. We've seen time and time again abuse from appointed members of different boards who take advantage of taxpayer funds. I did have one question about one of the provisions in the Bill and it spoke to the issue of the Governor removing a member from one of the boards. And in your Bill, as I was reading through it here during the debate I wasn't sure under the circumstance by which the Inspector General if he conducts an investigation and there is wrongdoing that is found. The Governor at that time can remove that board member?"

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Franks: "Yes. After... and also that person has an opportunity to be publically heard if that individual wishes to have a hearing. But the Governor would have the ability to remove one who is found of wrongdoing by the Executive Inspector General, which is huge because right now you cannot remove anyone unless the board chooses. Can I give you an example Metra, again, unfortunately we keep having to go back to them, but a few years ago they had a board member by the name of Don Udsteun, again unfortunately from my county, who committed crimes, abused his position on that board. Steered contracts to his friends, took kickbacks, ended up spending time in prison because of it. Only way they removed him was after he was convicted of a felony. We shouldn't have to wait for crimes to be committed to have to remove someone."

Colvin: "Okay. I... I think I get your point. I think the only thing that I was hoping to raise by raising that issue is whether or not we're being... I guess we're giving the individual who's being accused, I should say..."

Franks: "Right."

Colvin: "...of mis... some wrongdoing, giving them the benefit of proving their innocence or perhaps the Inspector General offering up indisputable proof that someone's guilty of some wrongdoing before the Governor would take the step of removing that individual. That being said, I think I understand your logic. I think this is an excellent idea. It's an idea that, at this time, is welcome with regards to where we are in dealing with these boards. You, like me, are tired of reading story after story about people who

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abuse their ability to issue contracts and jobs and other things and they're not directly responsible to the voters. Having this level of accountability, I think, will deal with a lot of those problems and I think it's a good piece of legislation. And I urge everyone to vote 'yes'."

Franks: "Thank you."

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

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

Speaker Mautino: "He indicates that he will."

Arroyo: "I stand in support of this Bill... of this IG Bill, but one question, Jack. Currently, right now, we have two agencies that have IGs and there's two that don't. Will they be hiring... would this give the right to these other agencies to be able to hire another IG?"

Franks: "If they choose too, nothing would prohibit it. Maybe... if they wanted to. There's no mandate that they must, but this would allow them, should they choose, that they could hire their own internal Inspector General, but with the caveat that individual would have to be approved by the Executive Inspector General."

Arroyo: "Thank you, Jack. And I think that this Bill... there was a lot of mistakes done and this is going to be able to correct the mistakes that were done so these agencies can move forward. I want to thank you for this Bill, again, Jack. And I urge everybody for an 'aye' vote. Thank you."

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

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

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Speaker Mautino: "He indicates he will."

Dunkin: "Representative, currently is there a process of removal for board members or at least there's an invest... can we do a background check or an investigation on board members?"

Franks: "No. There's not even any qualifications to be a board member. That's what so absurd about what's going on here. I've got follow-up Bills that I'd like to do to have these guys appointed... elected rather than appointed. There is no qualifications. I'm telling you, all the people from McHenry County, they've been appointed simply because they were former chairmen of the Republican Party and in one case, a former Senator... a State Senator, but without any transportation expertise whatsoever. And there's no way to get these people removed unless the board themselves ask for them to be removed, and they're not going to do that because they're all... they're all appointed because of who they know. It's all political appointments and it's the... it's the quintessential example of government by cronyism that we have in this state."

Dunkin: "So is there any push back from the Governor's Office? Are they in support of this legislation?"

Franks: "The Governor's Office did not weigh in, but all the transit boards did as did the Executive Inspector General. I... I'd be shocked if the govern... Governor, with his background in good government, would not be for this Bill."

Dunkin: "So, this is the... this is what the people of Illinois want. This is... is this good government?"

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Franks: "Yeah. It's a good start. We have a long way to go. We've had a few starts recently, but this will continue toward that path. This is long overdue."

Dunkin: "All right. To the Bill. Thank you, Mr... Representative. I think this is a... certainly a step in the right direction. I'm impressed that we are at this juncture where we are starting to have a respectable approach in our appointments in our process here in government with the taxpayers' money. This level of transparency and responsibility is required and needed. Thank you for the legislation, Representative Franks."

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

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

Franks: "Sure."

Davis, W.: "Absolutely. Thank you very much, Representative. When I... when I see Bills like this, I guess what I want to make sure that I understand so let me begin by asking this question. Is this Bill in some respect a response to the unfortunate incident that happened with Metra..."

Franks: "Yes. It's..."

Davis, W.: "...with the former executive director."

Franks: "Yeah. It's a trag... It is in response quite frankly and we should have done it before. But it is in response and I'm sorry we hadn't done this previously 'cause maybe we could have averted a real tragedy."

Davis, W.: "So... so having said that when this Inspector General investigates at least in that case... So... so since we were talking about somebody that was hired by the board is it

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that he recommends to the board that an individual be removed from their position because of his or her findings on issues like that?"

Franks: "The Executive Inspector General would do what's known as a summary report and that would go to the Governor. And the Governor would then determine whether he wished to take that action to have someone removed, but if the Governor did choose to do that, the individual who was accused of the wrongdoing would be entitled to be publically heard. And the Governor is under no obligation to remove, but right now the system doesn't really allow for any removal from these board positions. Remember, these positions are not elected. They're simply appointed and they're appointed, you know, in my mi... in our instance by, you know, county board chairmen."

Davis, W.: "Well, that's why I want to make sure I understand because as I've heard the debate from other members a lot of emphasis has been talked about the Governor and the Governor's ability to remove board members. In that case, we're talking about someone that was hired by the board and that individual apparently may have, you know, engaged in some elicit activity. So, in that situation, is it that the Inspector General would then make a recommendation to the board that this individual be removed?"

Franks: "Anyone who's an employee would go to the board of that agency. If it was a board member, then it would go to the Governor."

Davis, W.: "A board member would go to the Governor, but... but... So, this Inspector General can investigate employees."

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Franks: "Correct."

Davis, W.: "And if he fi... if he or she has findings relative to employees, he can make a recommendation to the board. Is it the same... he makes a report to the board."

Franks: "Correct."

Davis, W.: "Here are my findings and then the board..."

Franks: "They can get..."

Davis, W.: "But the board is not required to take action, correct?"

Franks: "Correct. Nor is the Governor."

Davis, W.: "Nor is the Governor. So... so, in the situations where we have these things, now... and I can appreciate, you know, a recommendation by someone to take action in some way. I can appreciate that, but if we or this individual does have substantial findings and finds whatever the activity is and it's inappropriate, while we would expect action to be taken, but there's no guarantee that action can be taken. So, how do we... you know, how do we ensure because I don't know a lot about these boards but I think on a lot of these boards there's a lot of cronyism, a lot of, you know, things of that nature that... that happen. So people on these boards they hire their friends and they may not be inclined to take action against their friends unfortunately so if that is in indeed found is there anything that creates an... creates some recourse where if the board doesn't take action something else may happen particularly if that Inspector General finds that there is indeed fraud, misuse, waste, whatever the case may be?"

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Franks: "That's... that's a good point and there's probably a two- part answer to your question. First of all, if it's... if it's a board member and the Executive Inspector General comes with a finding of malfeasance or misfeasance or wrongdoing and the Governor in his or her decision decides not to do something, I mean, that's why we have elections. Because these are... this would be... this will be made public and if the Governor decides, no, I'm not going to punish a crony because, you know, he gave me 25 grand, you know, last election, then he's going to have to answer to the public for that, or if it's because, you know, my sister-in-law's, you know, idiot brother, that's why I'm not going to do anything. Understood. Now, for an employee though there are already things set in statute that if the board would not respond then I believe it goes to the EEC can then make its own finding. Oh then what they would do is then make that report public and then, again, putting more pressure. I guess the problem is we don't want to give the ultimate authority to the Executive Inspector General to be judge, jury, and executioner."

Davis, W.: "I... I mean, I can appreciate that, but again, as I understand some of these boards because of the relationships that exist I'm just trying to... not that this Bill can ensure that action is indeed taken, but I guess I'm just raising that as a major concern that I have because someone may find that there is something wrong and make that presentation to the appropriate people but still there's no guarantee that that individual or that board, if that's the case, would then subsequently take action in on

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that. And while I can appreciate public pressure but sometimes in certain communities in certain areas when you're dealing with certain race and ethnic groups public pressure really doesn't mean anything."

Franks: "Right."

Davis, W.: "You know, it really doesn't. And if the board members don't take action to remove an employee, does that mean that they are now subject in some way to some action by the Governor?"

Franks: "No."

Davis, W.: "But if that action isn't against the board members then they're not subject to that."

Franks: "No."

Davis, W.: "So because of their ina... because they didn't take action, there's really no..."

Franks: "Right. But that doesn't work."

Davis, W.: "...there's no hammer."

Franks: "Yeah, yeah. I understand your concern. And I guess that... that could... goes through all parts of government unfortunately. But hope... but now I think we're going to have a lot more accountability because we have an executive who's independent which we have not had before and if it doesn't work, Representative, let's come back and change it."

Davis, W.: "Okay."

Franks: "But I think let's... let's give this a shot..."

Davis, W.: "Right."

Franks: "...and see how it works."

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Davis, W.: "And I'm asking and I'm not saying that this... this is certainly a step in the right directions, certainly something that we need to do. We need to have this type of oversight on these boards because in my experiences in dealing with these... these companies or these entities like Metra, Pace, you know, whatever, when I..."

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

Davis, W.: "I will. When I bring forward issues on minority contracting, what there... what appears to be the fact that they aren't making opportunities for minorities, you know, I want these types of things to be raised and looked into as well. So, I hope that this individual, he or she, will have the opportunity to investigate those types of allegations as well, which are not necessarily allegations of misuse or fraud but fairness and have the opportunity to bring those types of things forward as well. And I certainly do encourage all Members of this Body to support your imitative. Thank you very much."

Franks: "Thank you."

Speaker Mautino: "Our final speaker will be Representative Moffitt, the Gentleman from Knox."

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

Speaker Mautino: "He indicates he will."

Moffitt: "Two just brief questions and certainly had an excellent discussion on this. And if you've covered this, I missed it. I've been listening and trying to catch the debate. Do you have an estimate of the number of employees additional that would be needed to do this?"

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Franks: "Well..."

Moffitt: "I'd heard 15 to 25. Is that..."

Franks: "Oh, how many additional employees that the In...
Executive Inspec..."

Moffitt: "For the... right."

Franks: "That he'll need. We don't know that yet."

Moffitt: "Okay."

Franks: "And that's why, I think he has until July to come up with those ideas, but remember ultimately we're the ones who are going to determine the appropriation whether it's reasonable. Because even though he'll have the ability to oversee 16 thousand additional employees it doesn't mean that he'll necessarily exercise it. Especially if these transit boards have their own Inspector Generals and probably at the lower levels he's not going to get involved unless it... there's something unexpected."

Moffitt: "Okay, So, we don't have an estimate on number or the cost. Is that right?"

Franks: "Correct."

Moffitt: "Okay. And no wild guess or..."

Franks: "Well, there was. In the Senate committee when the... when the Executive Inspector General testified, he testified there wa... that he thought it would be an additional 1.9 million."

Moffitt: "Okay. thank..."

Franks: "I have his written testimony to that affect."

Moffitt: "Great. Thank you. And one other final question. I assume that there is to be a report back of their findings from time to time and if so who is that to?"

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Franks: "You talking about the findings of the Executive Inspector General?"

Moffitt: "Right, of the Executive Inspector General. Do they report that back to the General Assembly or the Governor or who?"

Franks: "The Executive Ethics Commission receives those reports."

Moffitt: "And that's the only place it would go?"

Franks: "Correct."

Moffitt: "Okay. Thank you, I appreciate your response."

Franks: "Thank you."

Speaker Mautino: "The Gentleman from McHenry to close."

Franks: "Oh, thank you. I appreciate the spirited debate and the keen insights that were shared on the floor. I want to rebut one issue on the question of the cost. The cost we're not sure of and I appreciate the previous speaker bringing that up, but the fact of the matter is these transit agencies have already budgeted for these types of investigations. We can, as a General Assembly, use line items appropriately to make sure they're put where we need them for these investigations. Additionally, what I'd like to see is taking away of the benefits of these members on the board going forward and not paying their health care benefits, no longer putting in for pensions, and no longer paying them. Those figures alone would cover the estimate of the Executive Inspector General. Ladies and Gentlemen, I ask for your 'aye' vote here. I think it's critically important to our state to continue to move forward to recover from our culture of corruption that's seized every

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level of our government. We've seen it happen over and over again. We have to rise up and quit being the laughing stock of the entire nation when it comes to ethics. This is a strong movement forward. This will be a watch dog with real teeth. We need an independent Inspector General for the transit boards. We can no longer afford government by crony. I ask all of you for an 'aye' vote."

Speaker Mautino: "The Gentleman has moved passage of Senate Bill 3965. All in favor vote 'yes'; opposed vote 'no'. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Representative Boland, Cultra, Moore, Walker, do you wish to be recorded? Mr. Clerk... Representative Boland, do you wish to be recorded? Mr. Clerk, take the record. 92 voting 'yes', 21 voting 'no', 1 voting 'present'. Senate Bill 3965, having received the Constitutional Majority is declared passed. On page 5 of the Calendar appears Senate Bill 2525, Representative Reitz. Mr. Clerk, read the Bill."

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

Speaker Mautino: "Representative Reitz."

Reitz: "Thank you, Mr. Speaker. This is a Bill we took out of the record earlier. We have met with CMS and for clarification, adult children that are currently provided life insurance at the parents' cost is currently 24. It is moving to 26 to just be consistent with the other federal mandates and to be consistent with the IRS tax exempt status for all the premiums."

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Speaker Mautino: "The Gentleman has moved passage of Senate Bill 2525. No one seeking recognition... Representative Rose."

Rose: "Thank you, Mr. Speaker. To the Bill. I just wanted to thank the Sponsor for taking it out of the record, previously, to satisfy our concerns. And I look forward to voting for it. So, thank you, Mr. Spon... Mr. Speaker."

Speaker Mautino: "The Gentleman moves passage of Senate Bill 2525. All in favor vote 'yes'; opposed vote 'no'. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Mr. Clerk, take the record. 113 voting 'yes', 0 voting 'no', 1 voting 'present'. And Senate Bill 2525 is declared passed. On Supplemental Calendar #1 appears Senate Bill 3952, under Senate Bills-Second Reading. Representative Burns. Mr. Clerk, read the Bill."

Clerk Bolin: "Senate Bill 3952, a Bill for an Act concerning local government. Second Reading of this Senate Bill. No Committee Amendments. No Floor Amendments. No Motions are filed."

Speaker Mautino: "Third Reading. On the same Calendar, Senate Bill 1927. Representative Reitz. Mr. Clerk, read the Bill."

Clerk Bolin: "Senate Bill 1927, a Bill for an Act concerning regulations. Second Reading of this Senate Bill. No Committee Amendments. No Floor Amendments. No Motions are filed."

Speaker Mautino: "Third Reading. Under the Order of Resolutions is House Joint Resolution 1570. Representative Mendoza. House Resolution 1570."

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Mendoza: "Thank you, Mr. Speaker. I appear to be having some technical difficulties, but I would like to talk about House Resolution 1570. This Resolution is simply a call for our U.S. Congress to go ahead and enter into negotiations with the Republic of Turkey for a free trade agreement. Currently Turkey is undertaking free trade agreements with several different countries. They have 14 existing free trade agreements. And this is not specific in terms of what should be in the agreement. It's just a request on our behalf or an acknowledgement from the Illinois General Assembly to our member of the U.S. Congress to please go ahead and initiate the negotiations with U.S. House Resolution 1748 with Turkey. So, I would ask... be happy to answer any questions, but I would ask for your support of this Resolution today."

Speaker Mautino: "The Lady has moved adoption of House Resolution 1570. No one seeking recognition, all in favor say 'yes'; opposed 'no'. In the opinion of the Chair, the 'yesses' have it. And House Resolution 1570 is declared adopted. Representative Will Davis, on page 2 of the Calendar, under House Bills-Second Reading, appears House Bill 1454. Out of the record. Page 2 of the Calendar is House Bill 1515. Representative Howard. Read the Bill."

Clerk Bolin: "House Bill 1515 a Bill for an Act concerning finance. The Bill was read a second time on a previous day. No Committee Amendments. Floor Amendment #1, offered by Representative Howard, has been approved for consideration."

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

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Howard: "Yes. Thank you, Mr. Speaker. House Amendment #1 for House Bill 1515 would do a couple of things. At least four things for the Charitable Trust Stabilization Fund a fund that was established a couple of years ago to assist community based and not-for-profit corporations. It would clarify that preferences would be given to the smaller charitable organizations. It would allow grants and loans for operational purposes. It would allow the committees to employ staff if need be. It would allow the committee to enter into contracts and transfer funds to the administrator in order to further its mission. I will accept questions."

Speaker Mautino: "The Lady has moved adoption of Floor Amendment #1. All in favor say 'yes'; opposed 'no'. In the opinion of the Chair, the 'yesses' have it. And the Amendment's adopted. Mr. Clerk, further Amendments?"

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

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

Clerk Bolin: "House Bill 1515, a Bill for an Act concerning finance. Third Reading of this House Bill."

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

Howard: "Yes. Thank you again, Mr. Speaker. I think that I have explained what the Bill is about and what the Amendment is going to do. I would ask that my colleagues give me 'green' votes. Thank you."

Speaker Mautino: "The Lady moves passage of House Bill 1515. All in favor will vote 'yes'; opposed vote 'no'. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Mr. Clerk, take the record. 114

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voting 'yes', 0 voting 'no', 0 voting 'present', House Bill 1515 is hereby declared passed. Page 5 of the Calendar, under Senate Bills-Third Reading, is Senate Bill 3383, Representative Sente. Mr. Clerk, read the Bill. Mr. Clerk, place that Bill on Second Reading. Representative Sente on Floor Amendment #2. The Lady from Lake, Representative Sente."

Sente: "We're moving to adopt the Amendment. I move to adopt Amendment 2 to this Bill."

Speaker Mautino: "Lady moves to adopt Floor Amendment #2 to Senate Bill 3383. All in favor will say 'yes'; opposed 'no'. Opinion of the Chair, the 'yesses' have it. And Amendment #2 is adopted. Mr. Clerk, further Amendment?"

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

Speaker Mautino: "Third Reading. Take this Bill out of the record. House Bill 1454, Representative Will Davis. Representative Will Davis. Representative Davis on Floor Amendment #1."

Davis, W.: "Thank you very much, Mr. Speaker. Ladies and Gentlemen, on House Floor Amendment #1 to House Bill 1454, which we had in committee earlier today, is an effort to better design... define an add... let me catch my breath here. It's an effort to better define the target market program with IDOT. It's an effort... a program that will allow them to increase the number of minorities and women-owned businesses that will be able to have opportunities or access to contracting opportunities with the state. I'll be more than happy to answer any questions."

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Speaker Mautino: "The Gentleman moves adoption of Floor Amendment #1. No one seeking recognition, all in favor say 'yes'; opposed 'no'. The 'yesses' have it. And the Amendment is adopted. Mr. Clerk, further Amendments?"

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

Speaker Mautino: "Third Reading. Mr. Clerk, read the Bill."

Clerk Bolin: "House Bill 1454, a Bill for an Act concerning State Government. Third Reading of this House Bill."

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

Davis, W.: "Thank you very much, Mr. Speaker. Earlier this year... or during Veto Session, I'm sorry, we attempted to create an opportunity that would allow IDOT more flexibility in allowing for minority contractors on its... on its... in terms of road projects and... road projects and those projects associated to IDOT. As we move forward, this Bill creates a program that creates and allows an opportunity again to help IDOT with that flexibility in terms of bringing in more minority opportunities... more minority companies both women-and minority-owned businesses into the program. It allows the director of procurement to identify specific contracts where he can put in... that he can put into what is called the 'target market program'. Again, a program that will allow for increased opportunities for... for minorities. Be more than happy to answer any questions."

Speaker Mautino: "The Gentleman has moved passage of House Bill 1454. And on that question, the Gentleman from Jasper, Representative Reis."

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

Speaker Mautino: "He indicates that he will."

Reis: "Representative, I know Representative Howard and I have heard testimony on both sides of this issue in terms of appropriations committee chair. Does this allow them to lower the threshold in certain parts of the state and use those numbers to increase another part of the state in terms of minority contractor requirements?"

Davis, W.: "You said lower the threshold. This Bill does not specify any particular percentages or..."

Reis: "No, but does it give them the flexibility to lower it? I've had many of my projects that have been put on hold because we simply just cannot meet the minimum threshold that has been in place for the last several years in terms of percentage of minority workers on projects."

Davis, W.: "Okay."

Reis: "I would love to be able to let you have those threshold numbers up in the city where you have a higher percentage of minorities, but it has literally stopped many of my projects because we just cannot meet the minority threshold. So, I'm hoping that this gives them the flexibility to lower it in another part of the state and use those numbers while still maintaining the statewide threshold and put them in more useful situations where maybe you can have increase."

Davis, W.: "Well, I think I understand what you're asking, Representative, but I don't think this Bill necessarily allows the lowering of any... any thresholds. Again, what this does is it allows the chief procurement officer the

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opportunity to identify opportunities where he can, or in this case it is a male, but he or she can increase opportunities for... for minorities. And I appreciate, I think, what it is you're asking. And sometimes what we have experienced with contracts is that the prime contractor doesn't do a good job of trying to identify minority companies. They just don't put any effort behind it."

Reis: "And I won't argue with that, but in our area, believe you me, they try because we just cannot meet the threshold of a lot of those requirements, and I would love to allow them to take those threshold requirements and use them in an area where maybe you have extra minorities that you could hire."

Davis, W.: "But... but..."

Reis: "So... and if this Bill contains this, it's great. If not, I look forward to working with you on that, but there are a lot projects that are being put on hold where we just simply cannot meet the... the threshold in areas where we just don't have the minority population so."

Davis, W.: "Well, I don't think this Bill does that and if you'd like to work on something in the future, I certainly don't... don't have a problem doing that and at the very least... and not that I am any way an advocate of holding up projects because I want road projects in my district to be done just like everybody else does. At the very least, if they're holding up the projects, I hope that means that they're really trying to make a significant effort to find minority companies to do the work and if I'm not mistaken, IDOT does have provisions that will allow that, if they're

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unable to do it after a good effort, that the projects can indeed move forward."

Reis: "There is provision but a lot of times we miss two bid periods and we've had it to where we've missed a fall bid period or summer and then we've had to wait until the next spring. So, it has been a challenge for us."

Davis, W.: "Understood. I'm sorry."

Reis: "Thank you for your answers."

Davis, W.: "Thank you."

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

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

Speaker Mautino: "Indicates that he will."

Tryon: "Representative, just a couple of quick questions here. I just wanted to know what IDOT's position is on this Bill and what the genesis is. As well as, is this codifying current Federal Law or is this comply with current Federal Law what we're trying to do here?"

Davis, W.: "Well, I think it's... I think it's working in conjunction with Federal Law and I guess it doesn't supersede any particular Federal Law. I think this was designed to work in conjunction and where Federal Law is applicable, Federal Law is what prevails in these situations in trying to create opportunities for minorities. Now, your original question, I'm going to say that they are in favor of it because a representative from IDOT did join me at the table in committee and testified along with me in favor of this. And this Bill is a... the genesis of this Bill is from IDOT, in working with me as

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chair of the Black Caucus to try to create opportunities or more opportunities or find ways to create more opportunities for minority-women-owned businesses."

Tryon: "Okay. And then... you know, back to the actual going out and looking and finding instances of discrimination, we are definitely in compliance with Federal Law by amending our statutes with that provision?"

Davis, W.: "To make sure I understand your question, I couldn't quite hear, so..."

Tryon: "Well, part of Bill sets up a requirement that we investigate and look at instances of discrimination. I just want to make sure that we're being compliant with Federal Law if we put that into place."

Davis, W.: "Absolutely, Sir. Yes."

Tryon: "Okay. No further questions. Thank you."

Speaker Mautino: "Gentleman has moved passage of House Bill 1454. And all in favor will vote 'yes'; opposed vote 'no'. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Representative Lang, Representative Moore, do you wish to be recorded? Representative Moore. Mr. Clerk, take the record. 114 voting 'yes', 0 voting 'no', 0 voting 'present'. House Bill 1454 is declared passed. Page 5 of the Calendar, under Senate Bills-Third Reading, appears Senate Bill 3383. Mr. Clerk, read the Bill."

Clerk Bolin: "Senate Bill 3383, a Bill for an Act concerning State Government. Third Reading of this Senate Bill."

Speaker Mautino: "Representative Sente."

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Sente: "Okay. Senate Bill 3383 or budgeting for outcomes is a companion Bill in continuation of the performance based budgeting legislation that we passed in May. It does have some healthy additions. Number 1) revenue projections are now currently based on revenues..."

Speaker Mautino: "Excuse me, Representative. Would you mind taking the Bill out of the record for a moment? We'll come back to it."

Sente: "Certainly."

Speaker Mautino: "Mr. Clerk, take this Bill out of the record. The Lady from Lake, Representative May is seeking recognition."

May: "Yes, Mr. Speaker. If there's a lull in the action, I just would like to call to the attention of the Body a very important month. It's Radon Action Month in the State of Illinois and our own Illinois Emergency Management Agency, which does a very good job dealing with radon awareness in this state, announced yesterday a grant that will help 50 school districts help test professionally for radon. So Members of the Assembly such as Representative Dan Reitz did the fist radon awareness Bill and I'd like to thank Representative Eddy who helped me draft an awareness Bill for testing of our schools for radon. Radon is a gas that can cause people to get lung cancer. Twelve hundred people die of lung cancer from radon every year in the State of Illinois. So, for those of you who are not aware of radon I hope that you will look into it, encourage people to test for radon, and encourage your school districts to apply for

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these grants we have to now help them test for radon. Thank you very much."

Speaker Mautino: "Thank you, Representative. And in honor of radon, we will open a window. The Gentleman from Bond, Leader Stephens."

Stephens: "Just to endorse the Lady from Lake's concern about carcinogens and if a known carcinogen were to be promoted on the House Floor that I hope she would join me in opposition to the known ingestion of 33 carcinogens."

Speaker Mautino: "Appreciate your remarks. Mr. Clerk, on page 5 of the Calendar appears Senate Bill 3383. Read the Bill."

Clerk Bolin: "Senate Bill 3383, a Bill for an Act concerning State Government. Third Reading of this Senate Bill."

Speaker Mautino: "The Lady from Lake, Representative Sente."

Sente: "Thank you, Speaker. Senate Bill 3383, or budgeting for outcomes, is a companion Bill in continuation of the performance based budgeting legislation we passed in May. It makes numerous healthy additions. When we're projecting revenue for the current year's budget, the revenue will now be based on revenues actually in place, revenues passed by the General Assembly and revenues authorized to be collected in the current year. The Bill will result in bringing the GOMB's estimate... revenue estimate closer to COGFA's estimate that we get in March. Secondly, essential governmental services are defined as including, but not limited to, our pension obligation and debt service. They will be paid first before we will be dividing up the rest of the pie, assigning other items to the budget. Third, labor agreements will not extend beyond the fiscal year of

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the current administration, so the hands will not be tied of future administrations. Fourth, grant programs will sunset in July of 2012 and every five years unless the General Assembly reviews it, then it will continue. We do have some exceptions for some of the grant programs. Five, the Governor will present his annual budget priorities with a set number of overarching goals, the outcomes their... the outcomes they are expecting for each of those goals. Their work with the Governor appointed commission that will be presented to us in November 1st. This gives the General Assembly additional time to review and by Joint Resolutions if they wish, comment on those goals. I'm happy to take questions."

Speaker Mautino: "The Lady has moved passage of Senate Bill 3383, and on that question the Gentleman from Crawford, Leader Eddy."

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

Speaker Mautino: "She indicates she will."

Eddy: "Representative Sente, it looks like... you know, some of this where the obvious intent is to control through the General Assembly some of these fiscal matters. One has to do with the collective bargaining agreements from previous administrations and it restricts the... an incoming Governor's authority to make changes to a collective bargaining agreement, I think, to the first six months that they're in office. After that they can't... they can't make changes affecting wages and benefits? Is that right? What's the restriction?"

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Sente: "No. That's not exactly as it is stated. So, what we're trying to prevent is what happened most... in the most recent election. We want all the labor agreements to be negotiated with the current administration and not to extend beyond that administration's term, actually, the end of the fiscal year of that current administration. That also includes any wage or benefit changes."

Eddy: "Well, okay. So, just in practical terms once a new Governor takes office what is the restriction on that administration as far as collective bargaining agreements?"

Sente: "None. The restriction is on the existing administration. There are not restrictions when a new Governor comes in."

Eddy: "Well, once a Governor's... once a Governor is in office they are the existing administration."

Sente: "And so the new Governor can again only negotiate contracts that would go within his or her at the end of the fiscal year of their last year."

Eddy: "Up until the end of the fiscal year of their last year?"

Sente: "Correct."

Eddy: "So, they would have... if they come into office on January... mid-January, they would have up until when of their final year to collectively... to make changes to collective bargaining agreements?"

Sente: "June 30."

Eddy: "June 30 of their final year?"

Sente: "Correct."

Eddy: "Is that... this is an important point to make sure that... what you're trying to do, I understand because what we saw

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was a very late deal in a collectively bargain contract. And you're trying to rein in that authority and I understand that, but if a Governor comes into office in January and they are then the existing administration, when does their authority to collectively bargain benefits and wages end?"

Sente: "The current Governor can collectively bargain to the very end of their term."

Eddy: "Say that again."

Sente: "The current Governor can collectively bargain to the very end of their term. They just cannot enter into a contract that extends beyond the first year of the next Governor's term."

Eddy: "For six months?"

Sente: "I don't understand the six-month question."

Eddy: "Well, it says beyond June 30 of the term of office that they're... of their final term in office. That's what the Bill... I think that's what the Bill says. Representative, I think it is an important point to know that if we're trying to limit the authority of a Governor to collectively bargain, in an effort to rein in that, exactly what it is that you're doing along those lines in your Bill? And I don't think I'm against... I just want to may sure we're clarifying. I think it's an important thing to do."

Sente: "So, from the beginning of a new administration until June 30 wages and benefits cannot increase from an old administration."

Eddy: "Well, let me try it this way. The contract that we all know that we have problems with that was just negotiated

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when does it end? When do the terms of that contract end? How long would the new administration be bound by the existing collectively bargained agreement that took place last fall? How long would they have been bound by that?"

Sente: "It would end when the contract ends; it would not be affected."

Eddy: "Representative, say that again please a little louder."

Sente: "It would not end. It would end when that contract ends."

Eddy: "So, the restriction on the new administration is when? June 30 of the year that that person..."

Sente: "Correct."

Eddy: "Okay. Let's go on to another area, the grant portion of this. Basically, I think what this does is that it... it doesn't end grants, but it allows for a kind of a review or a reapportionment of grants like at a fifth year. For example, the after-school grants that are... that would be covered by this those programs would be reviewed. That would just not tie up funding for a program on some type of continuing type appropriation beyond that time period. Is that your intent?"

Sente: "Yes. That is the intent, so grant programs would all sunset July 2012 and every five years. It would allow the General Assembly a chance to review if the grant program is actually meeting its intended goal and then by Joint... via Joint Resolution, would have the opportunity to continue that grant or not."

Eddy: "Okay. So, the concern that programs like Teen REACH or some other after-school programs would end, it doesn't end

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that grant it just kind of reviews... there's a period at which that grant has to be reauthorized?"

Sente: "It actually does end the grant. And so at any time before that five-year period or before July 2012 the General Assembly has the opportunity, via Joint Resolution, to review that grant and continue it. So, it does actually sunset..

Eddy: "...much like a tax credit."

Sente: "Well..."

Eddy: "Okay. So we can do that now. If we wanted to... if we wanted to end the grant program now we could."

Sente: "This is..."

Eddy: "But this automatically ends it. This... this causes those grants to end and to have to be reinitiated rather than the opposite which would be us having to end those grants."

Sente: "Correct."

Eddy: "Okay. Well, there... there's some concerns... not at... I think the overall package here of ideas is something that a lot of people support, but I want to make sure that... that we understand what those two, particularly area... those two areas are trying to accomplish. And I think with... with both of them your intent is correct, but I certainly want to make sure that for the record the intent is on the record so that the purpose that you intend is actually carried out. So, I support the legislation. I think this is... this is the type of fiscal kind of discipline that we all are looking for and I urge Members to support this, but I also want them to understand that some of what people will think

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these measures accomplish aren't necessarily ending programs or ending flexibility but reining it in."

Sente: "That's a good way to state it. That's exactly what it's doing."

Eddy: "Okay. Thank you, Representative."

Sente: "Thank you."

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

Harris, G.: "Thank you, Mr. Speaker. Will the Sponsor yield? So, Representative, I also wanted to follow along some of the questions that Representative previous was asking to clarify the intent of this legislation. So, for the purposes of defining essential government services in Section 50 that is left to the discretion of the Governor?"

Sente: "Correct."

Harris, G.: "Thank you. As we discuss the Section dealing with grants, it's your intention that the grants that are subject to the sunset in review do not include grants such as Medicaid, the AIDS Drug Assistant Program, ICC... IBCCP, or other grants of that nature which are fee-for-service grants?"

Sente: "Correct. Fee-for-service grants and grants that go directly to individuals, you mentioned Medicaid and TANF, are excluded from this."

Harris, G.: "Thank you. And to the previous speaker's point I think we all need to realize that as we now have the responsibility to review and approve these programs going forward in a timely matter or to make the affirmative decision to discontinue them going forward in a timely

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matter. As we think about programs like our senior programs, our youth programs in our district, the responsibility is going to be on us to act in a timely matter to be sure that those reviews are done and the appropriate decisions are made."

Sente: "Absolutely."

Harris, G.: "But I do think it gives a very important accountability back to this Body and I thank you for making this effort."

Sente: "Thank you, Representative."

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

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

Sente: "Yes."

Speaker Mautino: "Indicates that he will... she will."

Rose: "Thank you. Representative, earlier you indicated that this was in response to something that happened. What happened?"

Sente: "The negotiation of the AFSCME contract."

Rose: "Oh, when was that?"

Sente: "Shortly before the election."

Rose: "A couple weeks of before the election?"

Sente: "Yes."

Rose: "And what was the outcome of that negotiation?"

Sente: "The purpose of this legislation is to make sure that..."

Rose: "No. What was the outcome of that... of that negotiation?"

Sente: "I don't know what specifically you'd like me to be referring to."

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Rose: "How much money were... the whole point of this is to make sure that taxpayers, governed by future General Assemblies and Governors, aren't saddled with the decisions of previous General Assemblies and Governors, if I get it, right? So how much are the taxpayers saddled with under that negotiation you just referenced?"

Sente: "I can't answer that... the details of that negotiation."

Rose: "A couple hundred million dollars? But that's what you're talking about. I mean, earlier you referenced a specific situation. That's what we're talking about right?"

Sente: "Correct."

Rose: "Okay. I just wanted to make sure we're talking about the same thing. I'll support your legislation, Representative."

Sente: "Thank you."

Speaker Mautino: "Representative Sente to close."

Sente: "The state is in a serious situation. We have a budget and a process that doesn't work. We're looking to change that budget process and what we passed in May and what we're looking to pass today is very important. It is not saying that we do not value the services that are provided by any of these entities, that a grant program perhaps is not extremely valuable. It is adding... adding a layer of accountability and transparency that this state needs to make sure we rein in where our budget is today. That is what we're doing; that is what we're asking for. And I urge your 'aye' vote."

Speaker Mautino: "The Lady moves passage of Senate Bill 3383. All in favor vote 'yes'; opposed vote 'no'. The voting is open. Have all voted who wish? Have all voted who wish?"

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Have all voted who wish? Representatives Brauer, Coulson, Hoffman, do you wish to be recorded? Representative Turner, Representative Howard? Mr. Clerk, take the record. 85 voting 'yes', 26 voting 'no', 3 voting 'present'. Senate Bill 3383, having received the Constitutional Majority, is hereby declared passed. Representative Flowers. Representative Hernandez is seeking recognition."

Hernandez: "Yes, can I... I inadvertently pressed the wrong button. Can you put me down for 'present' on the last..."

Speaker Mautino: "The Lady... the record will reflect your intentions. The Gentleman from Cook, Representative D'Amico is seeking recognition."

D'Amico: "There's... Mr. Speaker, I hit the wrong button on that last Bill as well. Could you record me as a 'present'?"

Speaker Mautino: "The Journal will reflect your intentions. Mr. Clerk, Agreed Resolutions."

Clerk Bolin: "Agreed Resolutions. House Resolution 1318, offered by Representative Cross. House Resolution 1521, offered by Representative Cavaletto. House Resolution 1574, offered by Representative Cavaletto."

Speaker Mautino: "Majority Leader Currie moves that the House adopt the Agreed Resolutions. All in favor say 'yes'; opposed 'no'. The 'yeses' have it. And the Agreed Resolutions have been adopted. Mr. Clerk, committee announcements."

Clerk Bolin: "Attention, Members. The Executive Committee will meet in Room 114 immediately upon adjournment. The Executive Committee will meet in Room 114 immediately upon adjournment."

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Speaker Mautino: "And now allowing perfunctory time for the Clerk, the House... Representative Currie moves the House adjourn 'til Thursday, January 6 at the hour of 10 a.m. All in favor say 'yes'; opposed 'no'. The 'yesses' have it. And the House stands adjourned."

Clerk Mahoney: "House Perfunctory Session will come to order. Committee Reports. Representative Burke, Chairperson from the Committee on Executive reports the following committee action taken on January 05, 2011: do pass as amended Short Debate is Senate Bill 737, and Senate Bill 1066. Introduction and reading of House Bills-First Reading. House Bill 6959, offered by Representative Bost, a Bill for an Act concerning public employee benefits. And House Bill 6960, offered by Representative Cross, a Bill for an Act concerning State government. Senate Bills-Second Reading. Senate Bill 737, a Bill for an Act concerning gaming. Second Reading. Senate Bill 1066, a Bill for an Act concerning civil law. Second Reading. There being no further business, the House Perfunctory Session will stand adjourned."