

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

163rd Legislative Day

1/9/2011

Speaker Madigan: "The House shall come to order. The Members shall be in their chairs. We ask that Members and their guests to refrain from starting their laptops, turn off all cell phones and pagers, and rise for the invocation and for the Pledge of Allegiance. We shall be led in prayer today by Lee Crawford, the pastor of the Cathedral of Praise Christian Center in Springfield.

Pastor Crawford: "Let us pray. Gracious and sovereign God, who art the author and the finisher of our faith, You are the Lord of Lords and the King of Kings and beside You there is no other. We reverence You this day, Holy God. We ask Your blessings upon this august Assembly, upon the Speaker of this House, all of its Leaders and upon all of its Members. Bless them as they deliberate. Bless them with Your wisdom, bless them with Your guidance, bless them with Your strength, bless them with Your direction, bless them to see clearly during dark times, bless them to hear clearly during noisy moments, empower them during these times not to compromise truth nor forsake Your ways, but to do that which is good, to do that which is the perfect and most precious will of God. Bless them to do that that brings You all the glory, brings You all of the honor and brings You all of the praise. This we pray in Your Son's name, Amen."

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

Smith - et al: "I pledge allegiance to the flag of the United States of America and to the republic for which it stands,

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one nation under God, indivisible, with liberty and justice for all."

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

Currie: "Thank you, Speaker. Please let the record reflect the excused absences of Representatives Collins, Feigenholtz, Golar, and Miller."

Speaker Madigan: "Mr. Bost."

Bost: "Thank you, Mr. Speaker. Let the record reflect that Representatives Mulligan and Coladipietro are excused on the Republican side of the aisle."

Speaker Madigan: "The Clerk shall take the record, there being 111 Members present. There is a quorum present. Mr. Clerk."

Clerk Mahoney: "Committee Reports. Representative Currie, Chairperson from the Committee on Rules reports the following committee action taken on January 09, 2011: approved for floor consideration is Amendment #2 to Senate Bill 3778. Representative Burke, Chairperson from the Committee on Executive reports the following committee action taken on January 09, 2011: recommends be adopted is Floor Amendment #2 to Senate Bill 1066 and Floor Amendment #2 to Senate Bill to 3644."

Speaker Madigan: "For what purpose does Mr. Colvin arise?"

Colvin: "Point of personal privilege, Mr. Speaker."

Speaker Madigan: "State your point."

Colvin: "Mr. Speaker, we've all gotten to know our good friend out here, Mike Carberry, who's only going to be here for another two days, but today we're joined here today by his

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wife, Michelle, who's here. Michelle, stand up, take a wave. And Mike's mother is here, as well, Veronica and one of her friends are here, as well. Is she in the gallery, Mike? There she is over there. Why don't you give them a great hand and welcome to Springfield."

Speaker Madigan: "Mr. Clerk, on page 4, on the Order of Senate Bills-Third Reading, there appears Senate Bill 3778. Mr. Clerk, put that Bill on the Order of Second Reading. And Mr. Clerk, what is the status of the Bill?"

Clerk Mahoney: "Senate Bill 3778, a Bill for an Act concerning local government. Amendment #1 was adopted in committee. Floor Amendment #2, offered by Representative Currie, has been approved for consideration."

Currie: "Thank you, Speaker. This Amendment would change the... the end of the Free Rides For Senior Program, in this respect, instead of giving the RTA six months to change the system it would say that seniors can stay on the system until their cards expire. And during the period that those cards expire, the RTA would be responsible for matching data with the senior citizens' Circuit Breaker Program, so that people could continue using their cards. If they're eligible for the Circuit Breaker, they will continue to get free rides. The RTA would also say that all those cards that were... that are expired for seniors who don't meet the criteria would also be able to use the cards for the half price ride. I'd appreciate your support for adoption of the Amendment."

Speaker Madigan: "The Lady moves for the adoption of the Amendment. The Chair recognizes Mr... those in favor of the

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Amendment say 'aye'; those opposed say 'no'. The 'ayes' have it. The Amendment is adopted. One more time. Those in favor say 'aye'; those opposed say 'no'. The 'ayes' have it. The Amendment is adopted. Are there any further Amendments?"

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

Speaker Madigan: "Put the Bill on the Order of Third Reading and read the Bill for a third time."

Clerk Mahoney: "Senate Bill 3778, an Act concerning local government. Third Reading."

Speaker Madigan: "The Bill is on the Order of Third Reading. The Chair recognizes Representative Currie."

Currie: "Thank you, Speaker. This is the Bill that would mandate the end of Free Rides for Seniors. It would say that a mass transit system that wants to continue free rides would be welcomed to do so, and under Federal Law, all seniors would be entitled to a significant price break, basically half price rides. Additionally, the Bill would provide that for people on the Circuit Breaker Program for Seniors in a family of two, that's about 32... 34 thousand a year, and they would continue to be able to ride free. All others would be able to ride at half price. The administrative burden will be borne by the RTA. That is, people who qualify for the Circuit Breaker Program would be able to continue using their cards. Those that don't would be able to continue using their cards, but they have to pay the half price fare. People would lose eligibility for the program when their current cards expire. So, if people have a free ride card, they'd be able to use it for free until

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whatever month, June of 2012, whatever it might be and at that point, then, the transition would be made, and RTA believes they have enough time to do that. The reason we're making this change is that RTA tells us that the finances to support Free Rides for Senior are not sustainable. Unfortunately, I can't give you a good idea of the cost of Free Rides as their numbers, RTA numbers, tell me it's somewhere between 37 million and 115 million. So take your numbers somewhere between those two edges, 37 million, 115 million. That's the cost of the system and the RTA tells us that that is not sustainable. For your information, 40 percent of the people who now get the free ride will still get free rides 'cause they will qualify for the Circuit Breaker Program. I'd be happy to answer your questions, and I'd appreciate your support for the Bill."

Speaker Madigan: "Representative Bassi."

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

Speaker Madigan: "Lady yields."

Bassi: "There are... Representative, can you tell me how many cards are currently in existence?"

Currie: "The last information I had was about 400 thousand."

Bassi: "Four hundred twenty-six thousand..."

Currie: "The numbers keep..."

Bassi: "Pardon me?"

Currie: "...numbers keep going up."

Bassi: "All with four-year expiration dates. Pardon me?"

Currie: "Numbers keep going up, but I think that may include the disabled who currently are eligible and will continue to be eligible for free rides."

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Bassi: "No, the RTA gave me that number tonight. There are 426 thousand cards out there. Three hundred of those cards will expire in 2012, correct?"

Currie: "That's correct."

Bassi: "And the rest are rolling with some... is there any way for the RTA to tell which are Circuit Breaker and which are not?"

Currie: "I am told by the RTA that they will do a data match with the Department on Aging so that they can identify people who qualify for the Circuit Breaker Program and for people who do, the cards will be programmed so that they will continue to provide free rides. For those that don't, the cards will be preprogrammed to say that the individual using the card has to pay half the cost."

Bassi: "But this is not until the cards expire, correct?"

Currie: "That is correct."

Bassi: "And so we actually could be looking at four to six years before all of these cards are... are expired, correct?"

Currie: "That is true. Although, I think many of them will expire in the early part of 2012."

Bassi: "Well, but those that do not expire in 2012, what is to prevent every single senior with a free... with a card right now from going out and renewing their cards today, which means that they wouldn't expire for a number of additional years. Which means that the \$37 to \$100 million that are currently being attached to this particular freebie, that we are giving to folks who do not need this freebie, would continue to get that free ride, when it's costing the 37 to 100 million dollars per year."

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Currie: "Well, first, I think..."

Bassi: "Particularly, Representative, since we have ten thousand seniors turning 65 every single day. Now, that is nationwide, but it is a very high number in the State of Illinois. We are an aging group of people and more and more folks are going to be wanting to use this free.. this freebie that the Governor wants to continue, which is fiscally irresponsible."

Currie: "Of course, it may not be 110 million. It might only be 30 million, but the reality is there would be no new applications after the effective date of the Bill. And my understanding is that RTA believes that they can limit participation to the end date of the cards that are currently out there rather than applying them to new applicants after the effective date of the Bill."

Bassi: "What is the effective date of the Bill?"

Currie: "Right away, as soon the Governor signs it."

Bassi: "Is Metra a proponent or an opponent?"

Currie: "My understanding is that RTA is now neutral on the Bill."

Bassi: "Metra?"

Currie: "I believe RTA represents METRA Pace and CTA and they are..."

Bassi: "No, Metra has a different system because Metra would have to hand-check every single card as they get on the trains."

Currie: "I am told that RTA representing the Service Boards is neutral."

Bassi: "But I asked about Metra."

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Currie: "My understanding is RTA speaks for them, and neutrality is the name of the game."

Bassi: "I don't know that that's necessarily true. When we're looking at the number of people that are going to continue this free rides program, this particular Amendment absolutely is a travesty in terms of what the fiscal responsibility should be and this Governor, obviously, is much more interested in currying senior votes than he is in being fiscally responsible. Thank you, Representative. I urge a 'no' vote."

Speaker Madigan: "Mr. Eddy."

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

Speaker Madigan: "Sponsor yields."

Eddy: "Leader Currie, of the 426 thousand estimated cards that have been issued by the RTA, how... how many would be effected immediately by anything in this Bill?"

Currie: "I believe the first expiration dates would be April 2012."

Eddy: "Okay. And we have, in our analysis, it shows in April of 2012 about 300 thousand of those cards expire. So, between the effective date of this Bill, if it's relatively soon, and April of 2012, all seniors with that card would continue to ride for free."

Currie: "That's right. Reducing pollution and congestion, getting the elderly out of their homes; there are some benefits to the Free Ride Program, Sir."

Eddy: "Okay. Well, fiscally, I guess, and if we concentrate on the fiscal part, and maybe that's not obviously the only part, but at the estimate of about \$37 million, I think, is

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one I had heard that if all of these cards for those who are income means tested immediately would no longer be valid. That would be about 37 million. Is that...?"

Currie: "We don't know. The... the RTA gives us estimates that range from 37 to 150 million, so choose your marker."

Eddy: "Well, let's say..."

Currie: "You know, say this is going to save 90 million or save... It's difficult for us..."

Eddy: "Well, let's just choose the lowest number. Let's just choose the lowest number, and it's \$37 million. Basically, what we're saying is, the public policy here that eliminates, or at least income means test these rides is good public policy, but it's not good public policy until the current cards expire. And in the meantime, even it's \$37 million, that savings is not something that we want right away for immediate... and we're going to wait. And that's... is that the Governor's Office that... that believes that we should wait or is that...?"

Currie: "I believe so. And I think that one could argue that people have the Ride Free card believe that it will be good until the point at which that card, the card in their wallet, expires. So it's keeping a commitment to the seniors in the RTA region. You do recognize that in the downstate systems many offer free rides today, and they'll continue to offer free rides tomorrow. So, we're really only talking about the seniors in northeastern Illinois."

Eddy: "Do you have any estimate as to the number of the 426 thousand current cards that are... are issued to individuals

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who would continue to have discounts based on the disability?"

Currie: "The RTA believes that about 40 percent of the current cardholders will qualify."

Eddy: "Okay. So, there's well over 50 thousand of these individual cards that will continue to qualify based on the disabled... the Federal Law related to disabled riders anyway. And then we're going to gradually..."

Currie: "A hundred and sixty thousand."

Eddy: "Well, we're going to gradually, I guess, experience the, whatever it is, 37 million to whatever the range is, but we're just not going to do it right away and the objection is the fact that we're going to continue the policy right away. What about the issue related to the validity of the free rides? My understanding is that CTA and Pace have these automated machines that will check the validity of the card but Metra does not and Metra will have to, at some point or another, hand check every free ride card presented."

Currie: "Well RTA issued the cards, and Metra, today, checks each card. That is, the conductor looks at the card to make sure that it's real and to make sure that it matches the individual presenting the card. I should think that the conductors could check dates, as well."

Eddy: "Representative, the Amendment that you've added, you say RTA is neutral and no other positions are known specifically, but you also state that RTA is basically speaking that neutrality for the whole system?"

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Currie: "As I believe that all of them are neutral, and I believe RTA does speaks for them when establishing a neutral position. If they've got a different position, they should have told us."

Eddy: "If the Amendment was tabled to this Bill, I think there's a lot support, not the Governor possibly because that's where that's coming from, but I think there's a lot of support for the concept that we should income means test this population. It's the timing and giving up on the possible savings immediately and I'm not sure why the RTA doesn't want the savings sooner, but would you consider tabling the Amendment?"

Currie: "That would be a possibility, but it seems to me this is a good program. It says that people, who were given a card, get to keep the card until it expires. I don't see anything wrong with that. As long as we're giving free rides without income tests to seniors throughout the State of Illinois, I'm not sure we should deny those in northeastern Illinois the same opportunity at least through part of 2012."

Eddy: "Well, I understand..."

Currie: "In your area, I believe they ride free, and it's nice of you to be concerned about how they shouldn't in my part of the world."

Eddy: "Well, I... I guess that's... that's not the way I would characterize it obviously; however, I think... I think that if you would table the Amendment, there would be support for the public policy here. And I would just request that you would consider tabling this Amendment, bringing the

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Bill back in the form without the Amendment and there would be a lot more agreement on this. Thank you very much, Mr. Speaker."

Speaker Madigan: "Representative Tracy."

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

Speaker Madigan: "Representative Bassi."

Bassi: "Thank you, Mr. Speaker. Ladies and Gentlemen of the House, if I could have your attention just for a minute please. This is an issue that I have worked on at length for quite some time. I made an error in not speaking to the Amendment before it was adopted. The underlying Bill is... is a really good Bill, fiscally responsible, will solve a problem that we should not have allowed to happen in the first place. Blago put this thing on... on us. We have twice in the House passed an... the Amendment to get rid of the free rides for those who can afford it. Those who cannot afford it, who are Circuit Breaker eligible, will continue to be there. Unfortunately, the Amendment that has been added to this Bill makes it an administrative nightmare for the RTA and Metra and the CTA, of all four systems. This is not something, I mean, they may be saying that they're neutral but trust me, this is going to cost them big time administratively. Representative, if you would consider tabling the Amendment, this Bill would fly. There is lots of support for the underlying Bill. It is the one we have already passed twice in the House. It allows the disabled to continue to ride free. It allows all of the Circuit Breaker folks to ride free, and it would be a fiscally

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responsible demonstration to the general public that we are trying to be fiscally responsible as a Body, given the \$15 billion hole that we're looking at now. We've been trying to get this underlying Bill passed forever. If we could table the Amendment, I would not only be 100 percent in support, I'd be 150 percent support, and I'll come back and hammer everybody to pass the Bill but without the Amendment. And I... it was my error in not speaking to the Amendment before it got adopted. My apologies to the Body. I got rattled, which never happens with me. Would you consider, Representative, please, tabling the Amendment?"

Currie: "I am considering asking for passage of Senate Bill 3778."

Bassi: "And if it doesn't pass?"

Currie: "I think that this is a good Bill. And I think that it would be a good idea for people in this chamber to vote for it."

Bassi: "But if it..."

Currie: "It is an end to free rides, but it does so in an orderly fashion keeping commitments to seniors who today have cards that enable them in northeastern Illinois to ride public transportation for free. So, I'd urge you to vote 'yes'. This is an issue that has mattered to you a great deal and in very short order, your idea will become the law of the State of Illinois. And seniors in my part of the world and in your part of the world will begin paying while our counterparts downstate will continue free."

Bassi: "But should it fail, Representative, would you bring it back without the Amendment?"

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Currie: "Representative, vote 'yes' on Senate Bill 3778."

Bassi: "I would urge the fact that we vote 'no' on this and wait for it... the Amendment to be tabled so that we can be fiscally responsible and allow this process to move forward immediately. Thank you, Ladies and Gentlemen. Please vote 'no' until the Amendment is tabled. Thank you."

Speaker Madigan: "Mr. Watson, are you seeking recognition? All right. The Bill is on the Order of Third Reading. Representative Currie has moved for the passage of the Bill. Those in favor signify by voting 'yes'; those opposed by voting 'no'. The Chair is about to take the record, but the Bill will require 47 votes to go on the Order of Postponed Consideration. That's what you want, Representative Bassi. And Representative Tracy, did you choose to vote? Now remember everybody, less than 47 the Bill fails. So, the Clerk shall take the record. On this question, there are 50 people voting 'yes', 57 people voting 'no'. The Bill is placed on the Order of Postponed Consideration. Mr. Clerk, put the Bill on the Order of Second Reading."

Speaker Madigan: "Mr. Clerk, have you received a Motion?"

Clerk Mahoney: "We've received a Motion to Table Floor Amendment #2."

Speaker Madigan: "Who filed the Motion, please?"

Clerk Mahoney: "Representative Currie."

Speaker Madigan: "Representative Currie has moved to table the Amendment. Motion will require 60 votes. Those in favor of the Motion vote 'yes'; those opposed vote 'no'. Have all voted who wish? Have all voted who wish? The Clerk shall

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take the record. On this question, 110 voting 'yes', 0 voting 'no'. The motion is adopted, and the Amendment is tabled. The Bill shall be put on the Order of Third Reading. And Representative Currie, on the Order of Third Reading."

Currie: "Thank you. This does exactly what the Bill did originally. It's just that it does it a whole lot faster. So, peoples' individual opportunities to ride free will end six months after the effective date of the Bill. The people who are low income that meet the definitions of the Circuit Breaker will continue to ride free in northeastern Illinois, unlike the rest of the state, all the other seniors will pay half fare. You've heard the debate; you've heard the discussion. There will be no extra time for people. No recognition of cards that are already in circulation. I'd appreciate your support."

Speaker Madigan: "Representative Bassi."

Bassi: "All I can say is thank you and please vote 'yes'."

Speaker Madigan: "Representative Sullivan."

Sullivan: "Thank you, Mr. Speaker. To the Bill. This is the way things should happen. We have a tremendous budgetary problem, and at some point, we have to address it. And I think what you saw today is people working together and trying to come up with a solution to solve the burdens that face our state. I want to thank the... the Majority Leader for acting diligently and acting quickly, so we could pass this on. And I want to thank the Representative to my right for her hard work. Thank you very much."

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Speaker Madigan: "The question is, 'Shall this Bill pass?' Those in favor signify by voting 'yes'; those opposed by voting 'no'. Have all voted who wish? Have all voted who wish? The Clerk shall take the record. On this question, there are 95 people voting 'yes', 15 people voting 'no'. This Bill, having received a Constitutional Majority, is hereby declared passed. From what... for what purpose does Representative Sommer arise?"

Sommer: "Point of personal privilege, Mr. Speaker."

Speaker Madigan: "State your point."

Sommer: "I'd like everyone to welcome our newest Member. Shane Cultra has been sworn-in in the Senate and our newest Member now representing the 105th District is Russ Geisler."

Speaker Madigan: "For what purpose does Mr. Poe seek recognition? Gentlemen withdraws. The Chair is prepared to adjourn, though we'd like your attention, please. We're prepared to adjourn. We will convene at 9 a.m. tomorrow morning. First Order of Business will be the issue of workmen's compensation, the Bill that was approved by the Executive Committee earlier today. We will adj... we will recess for people to attend the Inauguration of the Executive Officers, but then reconvene at 3 p.m. in the afternoon. So, again, convene at 9 a.m. for the purpose of workers' compensation, recess for the purpose of the Executive Inauguration, reconvene at 3 p.m. in the afternoon. And with that in mind, Representative Currie moves that the House stay here for a minute. Mr. Clerk, do you have Agreed Resolutions?"

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Clerk Mahoney: "Agreed Resolutions. House Resolution 1510, offered by Representative Mathias. House Resolution 1559, 1560, 1561, 1562, offered by Representative Cross. House Resolution 1588, offered by Representative Holbrook. House Resolution 1589, offered by Representative Pihos. House Resolution 1590, offered by Representative Pihos. House Resolution 1591, offered by Representative Crespo. And House Resolution 1592, offered by Representative Reitz."

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

Clerk Mahoney: "Committee meetings. Meeting tomorrow morning at 8:30 a.m. is Personnel & Pensions in Room 122B. Personnel & Pensions will meet tomorrow morning at 8:30 a.m. in Room 122B."

Speaker Madigan: "Representative Osmond."

Osmond: "Thank you, Mr. Speaker. The Republicans wish to continue their caucus in Room 118."

Speaker Madigan: "Representative Will Davis."

Davis, W.: "Thank you, Mr. Speaker. You indicated that workers' comp will be the first Order of Business tomorrow. I understand that there have been a couple of Amendments filed relative to that Bill. Are those going to be Floor Amendments, or are they going to committee?"

Speaker Madigan: "I am advised that they're Floor Amendments."

Davis, W.: "Thank you very much."

Speaker Madigan: "Anything further? So... Mr. Mathias."

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Mathias: "Yes. Mr. Speaker, I happened to bring my tuxedo down here for tomorrow evening. And I was just wondering whether I'll be able to use it for the Inaugural Ball or not?"

Speaker Madigan: "Mr. Mathias, we'd all be very pleased if you'd wear it at 9:00 in the morning."

Mathias: "I might just take you up on that."

Speaker Madigan: "Right. Again, we're prepared to adjourn. Representative Currie moves that the House stand adjourned until tomorrow morning at 9 a.m., providing perfunctory time for the Clerk. Those in favor say 'aye', those opposed say 'no'. The 'ayes' have it. The House does stand adjourned until 9 a.m. tomorrow morning."

Clerk Mahoney: "House Perfunctory Session will come to order. Representative Barbara Flynn Currie, Chairperson from the Committee on Rules reports the following committee action taken on January 09, 2011: approved for floor consideration is Amendment #3 to Senate Bill 1066 and Amendment #3 to Senate Bill 3644. There being no further business, the House Perfunctory Session will stand adjourned."