

STATE OF ILLINOIS  
95th GENERAL ASSEMBLY  
HOUSE OF REPRESENTATIVES  
TRANSCRIPTION DEBATE

39th Legislative Day

04/20/07

Speaker Hannig: "The hour of 10:00 having arrived, the House will be in order. The Members will please be in their seats. Members and guests are asked to refrain from starting their laptops. Turn off all cell phones and pagers and rise for the invocation and the Pledge of Allegiance. We shall be led in prayer today by Reverend David Upchurch who is the Pastor of Rochester Christian Church in Rochester. And Reverend Upchurch is the guest of Representative Brauer."

Reverend Upchurch: "Would you pray with me. Our God and Father in heaven, we thank You for a new day and the blessings that You will bring into our lives on this day. We thank You for the freedom we have to be able to assemble and come before You in prayer. We thank You for the freedom that we have to participate in government. Father, in our hearts and minds today are the families of those students and professors who were wounded and killed at Virginia Tech. May Your hand of comfort be upon each one and we ask for Your protection in the days to come for students and teachers all around our country. God, we also ask for Your hand of protection to be upon our brave men and women who are serving our country in Iraq and Afghanistan and other parts of the world. We pray for their safety and for their quick return to their country and loved ones. God, I want to thank You for the dedicated men and women who gather in this place to work together to serve and to lead our great state. May You grant them wisdom and may all that is decided be pleasing to You. We thank You for the privilege we have to freely express ideas, to disagree and to debate.

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But God, my prayer is that each debate would result in unity as each Representative works for the common good of the people of Illinois. God, Your word tells us to pray for our rulers and for those in authority. So I thank You for the privilege of being able to stand before these men and women and ask Your blessing upon them. Be with them as they serve the people of this state and be with their families when they are apart from them. Thank You, for Your blessings. Thank You for being so good. It is in Jesus' name I pray. Amen."

Speaker Hannig: "Representative Ford, will you lead us in the Pledge."

Ford - 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 Hannig: "Roll Call for Attendance. Representative Currie. Excuse me, Representative Bost. Representative Bost."

Bost: "Thank you, Mr. Speaker. Let the record reflect that Representative Leitch, Representative Stephens, Representative Black and Representative Schmitz are all excused today."

Speaker Hannig: "And Representative Currie."

Currie: "Thank you, Speaker. Please let the record show that Representative John Bradley and Representative Patterson are excused today."

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Speaker Hannig: "Mr. Clerk, take the record. There are 112 Members answering the Roll Call, quorum is present. Representative Bellock, for what reason do you rise?"

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

Speaker Hannig: "State your point."

Bellock: "I'd like to welcome all the students here today that have come down to study State Government. They're from the student council of St. Isaac Jogues School in Hinsdale, Illinois. If they want to stand up and take.. and their teachers. Thank you."

Speaker Hannig: "Representative Durkin."

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

Speaker Hannig: "State your point."

Durkin: "Yes, I would also like to recognize visitors from my district. The 7th and 8th grade student council from Gower School in Willowbrook, Illinois, have joined us today. If we could give them a warm Springfield welcome I'd appreciate it. And if they could stand up, please. Thank you."

Speaker Hannig: "Mr. Clerk, read the Committee Reports. So we're going to then begin on the Order of Third Reading. We had one... We stopped yesterday with Representative Wait. So we're going to resume there and then we'll start at the beginning of the alphabet again. So, Representative Wait, if you're prepared on House Bill 274 on Third Reading, we'll have the Clerk read the Bill now. So, Mr. Clerk, read the Bill."

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Clerk Bolin: "House Bill 274, a Bill for an Act concerning minors. Third Reading of this House Bill."

Speaker Hannig: "Representative Wait."

Wait: "Thank you, Ladies and Gentlemen of the House. Yes, House Bill 274 simply makes it illegal to possess tobacco for minors. Be happy to answer any questions."

Speaker Hannig: "This is on the Order of Short Debate. Does anyone stand in response? Then the question is, 'Shall this Bill pass?' All in favor vote 'aye'; opposed 'nay'. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Representative Currie, do you wish to be recorded? Have all voted who wish? Mr. Clerk, take the record. On this question, there are 111 voting 'yes' and 1 voting 'no'. And this Bill, having received a Constitutional Majority, is hereby declared passed. Representative Bradley on House Bill 1231. Rich... Excuse me. Rich Bradley. Out of the record? Okay. Representative Brady on House Bill 572. Mr. Clerk, read the Bill."

Clerk Bolin: "House Bill 572, a Bill for an Act concerning criminal law. Third Reading of this House Bill."

Speaker Hannig: "Representative Brady."

Brady: "Thank you very much, Mr. Speaker and Ladies and Gentlemen of the House. House Bill 572 simply provides that parole agents or probation officers who are presently not listed in statute be able to receive the identity, know the identity of individuals eighteen (18) years of age or younger when it comes to a criminal sexual offense. The purpose for this is that the very people charged with the

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protection and making sure that a convicted sex offender stay away from someone who is under age, as a victim, needs to know who the victim is. I'd be happy to answer any questions."

Speaker Hannig: "This is on the Order of Short Debate. Does anyone stand in response? Then the question is, 'Shall this Bill pass?' All in favor vote 'aye'; opposed 'nay'. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Mr. Clerk, take the record. On this question, there are 112 voting 'yes' and 0 voting 'no'. And this Bill, having received a Constitutional Majority, is hereby declared passed. Representative Brauer, you have House Bill 1832. Mr. Clerk, read the Bill."

Clerk Bolin: "House Bill 1832, a Bill for an Act concerning State Government. Third Reading of this House Bill."

Speaker Hannig: "Representative Brauer."

Brauer: "Thank you, Mr. Speaker, Ladies and Gentlemen of the House. This Bill codifies what's already practiced by Illinois Historic... and it's for property acquisition lease agreements. So this doesn't change the practice. The Attorney General came to 'em, said you need to have this in statute. This is the exact same language that DNR has. I'll answer all questions."

Speaker Hannig: "This is on the Order of Short Debate. Does anyone stand in response? Then the question is, 'Shall this Bill pass?' All in favor vote 'aye'; opposed 'nay'. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Representative

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Davis, Will Davis, do you wish to be recorded? Mr. Clerk, take the record. On this question, there are 112 voting 'yes' and 0 voting 'no'. And this Bill, having received a Constitutional Majority, is hereby declared passed. Representative Cole, you have House Bill 1242. Mr. Clerk, read the Bill."

Clerk Bolin: "House Bill 1242, a Bill for an Act concerning revenue. Third Reading of this House Bill."

Speaker Hannig: "Representative Cole."

Cole: "Thank you, Mr. Speaker. House Bill 1242 reinstates the corporate tax credit for start-up costs for providing child care. It also exempts the credit from the sunset provision, extending the tax indefinitely."

Speaker Hannig: "This is on the Order of Short Debate. Does anyone stand in response? Then the question is, 'Shall this Bill pass?' All in favor vote 'aye'; opposed 'nay'. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Mr. Clerk, take the record. On this question, there are 112 voting 'yes' and 0 voting 'no'. And this Bill, having received a Constitutional Majority, is hereby declared passed. Representative Crespo, you have House Bill 876. Representative Crespo, do you wish us to read 876? Okay. Out of the record. Representative Cross has House Bill 2858. Representative Cross. Mr. Clerk, read the Bill."

Clerk Bolin: "House Bill 2858, a Bill for an Act concerning criminal law. Third Reading of this House Bill."

Speaker Hannig: "Representative Cross."

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Cross: "Thank you, Mr. Speaker. This is a Bill, part of a package dealing with Internet safety. I think many of you saw perhaps an editorial in the Chicago Tribune last week that mentioned our package or actually spoke of our... was written about our package that said it was a... actually it ended up being a good balance between free speech and protecting of kids on the Internet. This particular Bill is part of the package and I have to say has been amended at the request of the committee which I appreciate their input. There have been some things that needed to change... and it has become a better Bill, but the essence of this Bill would.. says that if you are knowingly discussing acts of sexual conduct or penetration with a child over the Internet, and actually you can prove that there was intent there to actually commit the acts, then you would have committed a crime. Again, this has been changed as a result of good committee work and I would appreciate an 'aye' vote."

Speaker Hannig: "This is on the Order of Short Debate. Does anyone stand in response? Then the question is, 'Shall this Bill pass?' All in favor vote 'aye'; opposed 'nay'. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Mr. Clerk, take the record. On this question, there are 112 voting 'yes' and 0 voting 'no'. And this Bill, having received a Constitutional Majority, is hereby declared passed. Representative Flowers, you have House Bill 1759. Mr. Clerk, read the Bill."

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Clerk Bolin: "House Bill 1759, a Bill for an Act concerning public health. Third Reading of this House Bill."

Speaker Hannig: "The Lady from Cook, Representative Flowers."

Flowers: "Thank you, Mr. Chairman. House Bill 1759 would require all pregnant women that they must be informed that they're going to be tested for HIV, unless they refuse to be tested. And also, that the health care facility that services a pregnant woman must provide specific notification in regards to counseling on HIV. And I'll be more than happy to answer any questions you have regarding House Bill 1759."

Speaker Hannig: "This is on the Order of Short Debate. Does anyone stand in response? And the question is, 'Shall this Bill pass?' All in... Excuse me. Representative Miller, did you wish to speak on this? No? Okay. Then the question is, 'Shall this Bill pass?' All in favor vote 'aye'; opposed 'nay'. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Mr. Clerk, take the record. On this question, there are 111 voting 'yes' and 0 voting 'no'. And this Bill, having received a Constitutional Majority, is hereby declared passed. Representative Fritchey, you have House Bill 419. Mr. Clerk, read the Bill."

Clerk Bolin: "House Bill 419, a Bill for an Act concerning elections. Third Reading of this House Bill."

Speaker Hannig: "The Gentleman from Cook, Representative Fritchey."

Fritchey: "Thank you, Ladies and Gentlemen. 419 is a Bill that is unfortunately necessary these days. What 419 will do



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will change the qualifications for running for elected office, either statewide or at the legislative level, to mirror partially what we have at the municipal level. Specifically, it will say that if an individual is convicted of a felony related to their duties as an elected official, they will forfeit the right to run for office again. Presently, if you are convicted, one of the things you forfeit is your pension. What we are going to say is if you are convicted of a felony related to your duties as an elected official, you forfeit the right to defraud the public again. I know of no opposition to this Bill. We think it sends the right message at the right time. I'd be happy to answer any questions."

Speaker Hannig: "This is on the Order of Short Debate, but it appears that we need to move this to Standard Debate to accommodate some Members. And, Representative Durkin, you're recognized for 5 minutes."

Durkin: "Thank you, Mr. Speaker, will the Sponsor yield?"

Speaker Hannig: "He indicates he'll yield."

Durkin: "John, what is the current rules or law regarding to convicted felons? Can they run for public office in general? Can drug runners run for office? Can people who have committed murders, sexual assault, can they run... can they run for office?"

Fritchey: "The... it's an excellent question and I originally had this Bill formatted a different way, Representative. I had another piece of legislation. Personally, I am troubled philosophically by the way that our Code reads today. At the municipal level a felon cannot run for local office.

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The Supreme Court recently upheld that in Chicago, where some aldermen who wanted to run who had been previously convicted of bribery and other issues, and they cannot run. It is my intention to bring legislation down the road that is yes, you're going to remove that prohibition at the municipal level. It is my belief that as a society and as a Legislature we have been taking steps to facilitate reentry into society, restoration of rights, et cetera. One of, in my opinion, one of the finest aldermen we have in the City of Chicago is Walter Burnett. Walter was convicted of a felony as a young man. He spent decades turning his life around and actually had to get pardoned in order to be able to rerun. I believe that other felons should be entitled to run for office and let the public make that decision as to whether they are qualified to be an elected official or not. That is an issue that is relevant; it's an issue that must be addressed. But it's also, unfortunately for political reasons, candidly, an issue for another day. This Bill says, specifically, if you're convicted of a felony related to your duties as an elected official you no longer get to run again. So an alderman convicted of a felony cannot turn around and run for State Legislature or statewide office."

Durkin: "Can they be appointed to an office and not run, if they are convicted of a crime which relates to their previous duties in public office?"

Fritchey: "Representative, that is actually an excellent question. I would believe as a technical matter that they would be able to be appointed to fill a vacancy but would

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be ineligible to our... to run again for that office. I would be more than happy on the Senate side to look at extending a prohibition that not only could they not be... not only could they not run, but they would not be eligible for appointments. It's a very good point, Jim. Thank you."

Durkin: "I understand. I think that would be... if you could give me that agreement I'd appreciate that 'cause I think we just want to make it inclusive so that we don't have that situation where it defeats the purpose of what you're trying to get at with this legislation, Representative."

Fritchey: "It's an excellent point. I don't know who the Senate Sponsor will be yet, but I'm happy to talk to you about it and we'll talk to the Senate. To me it makes a lot of sense."

Durkin: "Thank you very much."

Speaker Hannig: "So this is on Standard Debate. We've now had one on each side and Representative Acevedo, would you like to speak in favor or in response?"

Acevedo: "Response."

Speaker Hannig: "Okay, 5 minutes."

Acevedo: "Will the Sponsor yield?"

Speaker Hannig: "He indicates he'll yield."

Acevedo: "John, about 10 years ago I introduced legislation that would not have convicted felons come up for public office and I made a huge mistake. I just said local offices. Now this legislation that you're trying to pass today is... includes county and state as well."

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Fritchey: "This would be county, legislative and statewide offices."

Acevedo: "Okay, John, one other question. And I hope that... I believe that it was Representative Durkin who was asking the question. You are going to to include that as far as an appointment, would be included that they're not eligible for... to hold public office again?"

Fritchey: "I will be candid. That is nothing more than an oversight on my part. I think it was an excellent idea and I want to have that added on in the Senate."

Acevedo: "Okay. Thank you, Representative."

Fritchey: "Thank you."

Speaker Hannig: "Representative Myers, would you like to speak in support or in response?"

Myers: "I really would not like to speak either way at this point. I have a question based on something the Representative said is all."

Speaker Hannig: "Okay, so then... so in... so we'll have you in response. So proceed."

Myers: "Okay. Representative, when you opened up your... in your opening remarks you said, you referenced the current law which impacts the pensions of people who are adjudicated guilty. Does your Bill in any way change that?"

Fritchey: "No. What... what..."

Myers: "So you were just referencing..."

Fritchey: "What I was trying to say, it's anal... it's an analogous concept. If you betray the public trust as an elected official, one of the ramifications to that... of that under the law today and going forward, is the forfeiture of

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your pension. The analogy that I was trying to draw, and if I did it inartfully (sic-unartfully) I apologize, is I believe if you betray the public trust as an elected official one of the other privileges that you should forfeit is the ability to run for elected office again."

Myers: "Thank you very much."

Speaker Hannig: "We've now had three in response and one in support. The rules would provide two additional speakers in support. In support, Representative Molaro? In support."

Molaro: "Well, I'm going to have to stand for in support, but I'm against the Bill 'cause the three in response actually said they're for the Bill. They're going to vote 'yes'. I have to ask them some questions so put me down for support, please. Thank you. Representative..."

Speaker Hannig: "Proceed."

Molaro: "Will the Sponsor yield?"

Speaker Hannig: "Indicates he'll yield."

Molaro: "I got to tell you, I don't get this and very seldom do we disagree... of our Speaker. This'll probably be the only 'no' vote, so don't... obviously, you don't have to worry. I don't get this. We pass Bills every day that says when you have people who are convicted of crime we should hire them in public government, every day. Now wait a second. Wait. And I don't care what the crime is, even if they work for the city and they got in trouble, they could come to work for the state. Now what we're saying is... now what we're saying is this. Here's what we're saying. I looked it up, there are no prohibitions. If you get caught... something

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with the city, you could go to work for the state. There's no prohibitions against it. So, my point would be is we're going to take the one thing that the people can actually decide on their own and say you cannot rehabilitate yourself. I don't care if you go spend time in jail and you become a minister, you're not going to be allowed to run for office. And I'm saying their conviction as a murderer, as a felon, as somebody who held office, the people, the aldermen, the state Rep district, you can't hide it. Let them know. Go out and run for office. Because I'll submit to you, you already said by your own speaking, Representative, that one of our better aldermen is someone who was convicted. Now whether he was convicted of murder, convicted of taking two hundred dollars (\$200) from someone 'cause he screwed up and didn't know the... and filed it five (5) days later and was convicted of a felony because he didn't follow the disclosure laws. I just don't understand the logic of it. I really don't."

Fritchey: "I understand what you're saying and I would anticipate you being a hyphenated Sponsor on my next piece of legislation, which is going to remove the prohibition. I believe..."

Molaro: "What prohibition?"

Fritchey: "...that people can... that peo... the prohibition on felons running for local office. I believe by the example that I gave before that..."

Molaro: "All right. So, in other words..."

Fritchey: "Represen... Representative..."

Molaro: "So, in other words if you're a felon..."

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Fritchey: "Representative... Representative, let me finish."

Molaro: "Any felony right?"

Fritchey: "Let me finish. I am going to run another Bill that says, and recognizes the fact that people do get a second chance, that people deserve a second chance, that people turn their lives around; and that if somebody committed a crime as a youth, as an adult, whatever it may be and have rehabilitated themselves, they deserve the opportunity..."

Molaro: "Representative, you're taking up my 5 minutes but you're not getting to the point. Why should we single out someone who takes two hundred dollars (\$200) as an alderman, as opposed to someone who raped and committed murder and say he gets a second chance, but the guy who took two hundred dollars (\$200) as an alderman doesn't get a second chance?"

Fritchey: "Because..."

Molaro: "Why does that make any sense?"

Fritchey: "Because philosophically I believe the individual that had the honor of holding an elected office and betrayed the public trust by violating their duties and was convicted of a felony, directly related to his duties as an elected official..."

Molaro: "Right."

Fritchey: "...he forfeits the right to do that to the public again."

Molaro: "But... but..."

Fritchey: "Or she."

Molaro: "But everybody... if you're a bad actor you either rehabilitate yourself or you don't. To say this crime we

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hold a little higher than that crime is a little tough for me I just got to tell ya. Again, back to the philosophical point and I'm not going to argue with it. You're not going to to change your mind, so, I don't want to keep this up. All I want... all I want to just say is, here it's better, we can stop the argument. To the Bill. No offense. To the Bill. I just... I understand what we're trying to do here. You get somebody who's convicted of a felony cause he took five hundred bucks (\$500). He shouldn't run for office. That's probably true. How could you ever vote for a guy like that? The problem is, if you live in the district, you live where an alderman are and you want to vote for a knucklehead like that, then you vote for him only because if you actually wind up believing in rehabilitation. I just don't know how we come up and say here's a state worker who committed a crime and stole money but he can go to work for the city. The same public trust argument he just made. You go back to work for the city, but here's a guy who took two hundred (200), didn't disclose it, and he's... and he's stopped from doing it. We got to have a little trust in the voters. My God, we got to let them do something. Either we believe in rehabilitation or we don't. I don't see how we let a truck driver who's taking money or an inspector. There were inspectors just indicted by the city. They're going to get it and five (5) years from now they could go to work for the state. I don't know why we would preclude anybody. It may hurt other people and I... I just don't like it."



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Speaker Hannig: "The rules would provide for one additional speaker in support. So, Representative Washington, are you in support? Okay, in support."

Washington: "Will the Sponsor yield?"

Speaker Hannig: "Indicates he'll yield."

Washington: "To the Sponsor, who I really respect and we have a good relationship. But I think as I look at the Bill, and I'm in support of the Bill in terms of where you're trying to go but I'm not understanding what you're going to.. what you're saying that you're going to do afterwards. Could you reexplain that?"

Fritchey: "I'm going to give you as honest an answer as you can get on this floor. The Bill the way I originally wanted to do it was going to have two components in this Bill: one was to remove the prohibition on felons running for municipal office because I do believe that individuals rehabilitate themselves. I do believe that individuals turn their lives around and I do believe that the public has the ability to make a decision of whether that person has turned their life around. The political reality was this. A lot of people want to support the Bill that says a convicted elected official doesn't run again. For political reasons, there's going to be people that oppose my legislation that say, if you were convicted of car theft, if you were convicted of burglary, if you were convicted of something else, you presently cannot run for municipal office and I want to remove the prohibition. Some people, despite common sense, are afraid to cast a vote for something that may make it look like they are soft

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on felons, ex-felons, et cetera. So I've divided this, this piece... I mean, it's a two very easy distinct pieces of legislation. This Bill right now says if you are convicted of a felony related to your duties as an elected official, you no longer get to run again. If the schedule and process permit, I have another piece of legislation that is winding its way through that is going to say if you are convicted of another felony, you can run for local office. We need to have the same standards, be it for an alderman, a county level position, a State Legislator or a statewide elected official. We have two sets of rules right now. I believe it should be one set of uniform rules up and down. This will create a uniform set for barring elected officials... convicted elected officials from running again. I want to further remove the prohibition on other felons running for municipal office because I do think the voters should make that determination. I'm a strong believer in voters getting the opportunity to look at a person, warts and all, good character, bad character, history, and make a determination if they want that person to be in office. But I'm also a firm believer that the ability to be on the ballot, the ability to be an elected official, the ability to have the privilege to serve the public trust is a cherished one, and it's one that you should forfeit if you've betrayed that public trust as an elected official."

Washington: "And you know that... and John, that's admirable. I... My hat is off to you because I think there should be some continuity. But looking at it historically and when I saw this legislation I thought back to those men and women who

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were scheduled for the chambers of death until the Governor Ryan put the moratorium. Being as a flawed system, being as a crooked system, being that the technology is so that you can take a picture of someplace and put them someplace that they've never been, yet one picture's still worth a thousand words. And when I look at those kinds of flaws and that kind of technology in the hands of people who have an agenda that is evil oriented because of something they don't like or something or someone they don't like, an idea, then that kind of makes me a little bit nervous. As it is to the legislation and it is to the purity of your intent, though your intent is pure, there are things that have been done, can be done that won't measure up to equal the purity of your intentions here. And that part of it, that little wedge has me with that little bit of doubt what is happening here and how many people will it hurt that are truly innocent of things but found themselves as Molaro was saying earlier, in situations beyond their control or small things that could easily be put to the past. So that's my only concern here. To the Bill. I think that this legislation has a place. I think that the author of the legislation has a good idea. But, John, I know that this is improper in some way, but I would ask if you would take it out of record today and let us have a powwow between your respective colleagues who respect your idea and maybe we can have a little more conversation on some of the things, maybe some of it can be tweaked. But if you don't want to do that I understand, but I would ask you if you

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could do that and spend some time with myself, Molaro and a few others who share."

Fritchey: "But, I... Representative, I... since you've been down here I don't think I've ever said 'no' to you and I'm uncomfortable doing it for the first time. But let..."

Speaker Hannig: "Representative, your time is expired. But, Mr. Clerk, why don't we turn on both Representatives and let them finish their line of questioning."

Fritchey: "The issues that you are addressing are valid ones. The issue that Representative Molaro addressed is a valid one. And these are related to felons convicted of other crimes not related to elected officials. I don't know of an elected official who was convicted based on faulty DNA. A bribe is a bribe. Extortion is extortion. Corruption is corruption. That's what this is dealing with. The idea about removing the shackles off of other felons and allowing them to reenter life is one that you and I are on the same page on, and that is that other Bill which I believe you will be thrilled about. Please, take no disrespect by me not taking this out of the record. The weeks and days are getting short that we have to move legislation. Representative Durkin had offered a suggestion which I think is a very good one. I anticipate there being an Amendment on this Bill should it get to the Senate... in the Senate. I'm telling you right now, personally and in front of everybody, I will work with you if there are concerns in this Bill that we can address. We can put those on to the... on the Senate side. That Bill will come back here. I think I have an excellent Bill but

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I am never one that's too bullheaded to make an excellent Bill better."

Washington: "Thank you, Representative. Thank you, Mr. Speaker."

Speaker Hannig: "So we've had now three on each side and the rules would provide, Representative Fritchey, you're recognized to close."

Fritchey: "Thank you, Speaker, Members of the Body. I think some excellent points were raised. It's unfortunate that we need legislation like this, but the fact of the matter is that we do. It's the right policy. It's the right time and it sends the right message to the people of Illinois. Thank you."

Speaker Hannig: "The question is, 'Shall this Bill pass?' All in favor vote 'aye'; opposed vote 'no'. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Representative Mitchell, do you wish to be recorded? Mr. Clerk, take the record. On this question, there are 102 voting 'yes', 4 voting 'no' and 6 voting 'present'. And this Bill, having received a Constitutional Majority, is hereby declared passed. Representative Golar, you have House Bill 33... Excuse me. Representative Franks, for what reason do you rise? Representative Golar, you're next on the list with House Bill 3383. Do you wish us to read that Bill? Mr. Clerk, read the Bill."

Clerk Bolin: "House Bill 3383, a Bill for an Act concerning transportation. Third Reading of this House Bill."

Speaker Hannig: "Representative Golar."

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Golar: "Thank you, Mr. Speaker. House Bill 3383 amends the Renter's Financial Responsibility and Protection Act, providing for one uniform charge for collision damage waiver. It actually regulates the price of collision damage waivers rental car agencies are offered to offer CDW, but customers are not required to purchase. This Bill makes two changes in the statute. First, it blends the current two-tier rate schedule that is based on suggested retail price. Many of the states that surround Illinois use a single rate. A single rate avoids confusion for the consumer and for rental car companies. The second thing this Bill does is that it sets a blended rate at twelve-fifty (\$12.50), which is less than the previous high rate but higher than the previous lower rate. While the consumer can refuse to purchase the CDW rate, the rental car company cannot refuse the collision damage waivers coverage to the consumer. That coverage is available to all consumers without regard to the past driving record of the consumer. I'm asking for an 'aye' vote."

Speaker Hannig: "This is on the Order of Short Debate. And in response the Gentleman from McHenry, Representative Franks."

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

Speaker Hannig: "Indicates she'll yield."

Franks: "Representative, I'm... reading the analysis and it says currently that a rental car company can charge nine-fifty (\$9.50) a day if the suggested retail price of the rental vehicle is not greater than thirty thousand dollars (\$30,000), or it can charge twelve-fifty (\$12.50) a day if

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the manufacturer's suggested retail price of the rental vehicle type is greater than thirty thousand dollars (\$30,000). Is that correct?"

Golar: "That's correct."

Franks: "So your Bill would allow for one uniform price regardless of the value of the vehicle."

Golar: "Correct."

Franks: "What would that uniform price be? That... I'm trying to find out if it's going to to cost consumers more, that's all."

Golar: "Well, I wouldn't say so."

Franks: "Now, I'm just saying, I don't know. Is there a specific... Our analysis doesn't go very far here. I don't know what, what we're trying to get here. Does that mean that we're going to have twelve dollars and fifty cents (\$12.50) for all cars now regardless of price, basically giving the rent-a-car company..."

Golar: "Well, that's my understanding of the Bill. That's what the change is."

Franks: "So it would be twelve dollars and fifty cents (\$12.50) standard for all cars now?"

Golar: "That is correct."

Franks: "Instead of nine dollars and fifty cents (\$9.50)? So this would be an increase in the insurance rate on rent-a-cars?"

Golar: "That is correct."

Franks: "Okay. Why do we need that?"

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Golar: "Well, because all things... it's basically as a regulation of collision damage. Things have gone up, prices have gone up and so we need an increase."

Franks: "Have they given you any information on the amount of loss that they've had or the amount of profit that they've had on these insurance rates."

Golar: "Okay. The currents... Let's see. I think the most important thing about this is that this is voluntary."

Franks: "Well, I understand that, but here's... it's voluntary if you want to sign up for it. But if you do sign up for it, now, what you're saying is instead of... if you have a... let's say you get the econo/subcompact car, which before you were paying nine-fifty (\$9.50) a day for, for insurance, but now you're going to pay twelve dollars and fifty cents (\$12.50) a day. My point is I want to know why they should get a mandatory increase for those costs. Have they shown a loss on their insurance at the rate that they're at now or is this just a windfall for the car rental companies?"

Golar: "Okay, let me... let me say this. The distinction of the suggested retail price of a car is confusing. It says car rental agencies are buying cars for rental purposes throughout the year. In a small number of circumstances a car might cost more than thirty thousand (\$30,000) yearly in the model year and then sell less before new models are introduced. This leads to confusion as to the CDW rate to the offer. Additionally, the distinction would only make sense in the circumstance of a total vehicle damage or at least near total damage. Otherwise, damage would cost the same for either the vehicle. Otherwise, it seems logical



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that the cost of the waiver should be the same no matter what the suggested retail price of the vehicle."

Franks: "Well, if we do agree with that type of thought process, then why don't we make it equal at nine dollars and fifty cents (\$9.50) instead of twelve dollars and fifty cents (\$12.50)? What have they shown to prove that they should have a 30 percent rate increase across the board?"

Golar: "The reason is, is because we are trying to keep up with the other states. And the other states have regulated theirs. Indiana has a thirteen dollar (\$13.00) rate, Ohio has fourteen (\$14.00), Iowa presently has fifteen (\$15.00), and Texas has seventeen (\$17.00). Other states, to make distinctions as to the type of vehicles or other reasons, in Minnesota they went from thirteen (\$13.00) to fifteen (\$15.00); from Michigan from thirteen (\$13.00) to seventeen (\$17.00); from Missouri to fourteen (\$14.00) to eighteen (\$18.00); Florida from twenty (\$20.00) to twenty-five (\$25.00); New Jersey, seventeen (\$17.00) to twenty (\$20.00); Wisconsin, twelve (\$12.00) non-airport locations, fifteen (\$15.00) and seventeen dollars (\$17.00)."

Franks: "Okay. I apprec..."

Golar: "So we're trying to regulate..."

Speaker Hannig: "Representative Franks, your time is expired. We're going to pause for a moment. Representative Currie is recognized. We're going to... I think we're going to pause for a moment of silence now. Representative Currie."

Currie: "Thank you Speaker and Members of the House. Virginia Governor Timothy Kaine has proposed a day of mourning in Virginia for the victims of the tragedy that happened on

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Monday. At noon Eastern Time, that's 11:00 our time, he proposed that the bells be rung then. In Illinois, our Governor is proposing that we ring bells, church bells, steeple bells, across the state at this hour as we remember the victims of that terrible tragedy. And I propose a moment of silence for us as we join with Virginians and all Americans in mourning our shared loss. Thank you, Speaker. Thank you, Members."

Speaker Hannig: "Returning to House Bill 3383, Representative Franks, did you need a few moments to conclude your remarks?"

Franks: "Thank you. What I wanted to find out and I appreciate your answers and you've done a very good job giving it the other states are doing. I think I know the answer to this question then. What I'm trying to find out, are the... are the rental car companies losing money when they're only charging nine-fifty (\$9.50) per day and that's why you need to bring it up to twelve-fifty (\$12.00) per day..."

Golar: "That is correct."

Franks: "...across the board."

Golar: "That's correct."

Franks: "Thank you very much."

Golar: "You're welcome."

Speaker Hannig: "Is there any further discussion? Then Representative Golar, you're recognized to close."

Golar: "Thank you, Mr. Speaker, and I would like to thank my colleague for his questions. I'm sure there might have been some questions from the others and they didn't bring them forth, but I hope that this makes it quite clear. In

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fact, we are, in Illinois, charging the lowest and we're just coming up to regulating ours across the board. So I appreciate an 'aye' vote."

Speaker Hannig: "The question is, 'Shall this Bill pass?' All in favor vote 'aye'; opposed 'nay'. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Mr. Clerk, take the record. On this question, there are 97 voting 'yes' and 15 voting 'no'. And this Bill, having received a Constitutional Majority, is hereby declared passed. Representative Granberg, do you wish us to read 3638? Okay. On down the list, Representative Harris, you have House Bill 1286. Mr. Clerk, read the Bill."

Clerk Bolin: "House Bill 1286, a Bill for an Act concerning health. Third Reading of this House Bill."

Speaker Hannig: "The Gentleman from Cook, Representative Harris."

Harris: "Thank you, Mr. Speaker and Members of the House. The intent of this Bill is to create a program to attempt to identify the persons living with HIV in Illinois who do not yet know their HIV status. Currently, health statistics show that there are forty thousand (40,000) persons who are HIV positive in Illinois, but ten thousand (10,000) of them do not yet know they're HIV positive and have not begun to get the lifesaving treatments. Based on the distribution of cases in Illinois the statistics show that about eight thousand (8,000) of these individuals are probably living in metropolitan Chicago area and two thousand (2,000) through the rest of the state. The majority are probably

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uninsured and low income; and this Bill attempts, subject to appropriation, to create a intensive testing program in emergency rooms, clinics, federally-qualified health care centers that would identify these people and counsel them into treatment. It would also provide the opportunity that does not exist under current law for the counseling to be done by more modern means such as DVD and computers and flip charts so that it can be standardized across the state. And it's supported by the AIDS Foundation of Chicago, the AIDS Legal Council, the Medical Society, and the Hospital Association. And I'd be happy to answer any questions."

Speaker Hannig: "This is on Short Debate, but we'll move it to Standard Debate to accommodate a couple of Members. And Representative Durkin you're recognized for 5 minutes."

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

Speaker Hannig: "He indicates he'll yield."

Durkin: "Representative Harris, I'm looking at our staff analysis and it states that this is subject to appropriation. What do you anticipate would be the cost of administering this program on a yearly basis?"

Harris: "It would be approximately two million dollars (\$2,000,000)."

Durkin: "Okay. Now, I think this is a noble idea. I'm just trying to... to myself trying to figure out how the Department of Public Health is going to be able to identify these individuals. I think you made some references to it, but is it going to be strictly a rulemaking at some point in the future or how can you... can you just maybe elaborate

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a little bit more of how the department is going to to be able to identify people who are not aware that they have this type of illness? If it... Uh huh."

Harris: "Absolutely. A perfect case in point is a recent pilot program that was done in Cook County at the Stroger Hospital where all those individuals who came into the emergency department there for any reason were asked, ya know, had they been tested for HIV. They were given the opportunity for free, rapid testing. They were given some pretest counseling. Of those people who were tested, 1.2 percent of them turned out to be positive and had no prior knowledge. The very sad thing, Representative, is that most of those people had progressed from HIV to AIDS because the disease had been dor... in their systems for so long and they had no knowledge. So the idea would be to get people in hospitals, health care settings, emergency rooms, federally-qualified health centers, and ask people, you know, have you had the test and provide an opportunity for free, rapid testing if they don't have means to afford it."

Durkin: "So it would strictly be in at some type of health care facility in which this type of..."

Harris: "Yes."

Durkin: "information would be sought from a person seeking assistance. I mean, is this going to require the Department of Public Health to run some type of PSAs of some sort, some type of marketing budget or campaign or is it strictly going to be this type of, like, interplay

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between health care providers and professionals and the patient?"

Harris: "If the department chose to run PSAs to advocate people to go in for a complimentary testing, free testing, that would be their choice. This urges it to be between the health care provider and the... their existing patients."

Durkin: "Well, good. Thank you very much."

Speaker Hannig: "The Lady from Cook, Representative Mulligan."

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

Speaker Hannig: "Indicates he'll yield."

Mulligan: "Representative, does your Bill include any mandating testing for any new group that would be tested?"

Harris: "This is not a mandating Bill."

Mulligan: "So it's all strictly voluntary?"

Harris: "We are urging people to do the smart thing for themselves and take test... and get the testing."

Mulligan: "When you do a written informed consent, which is what your Bill requires, does that take a great deal of time?"

Harris: "In order to cut down the time that a separate written conform... informed consent for HIV testing allows, we're also allowing that that consent to be combined in with the general consent for medical services. So we're hoping it will take very little time for the physician and the patient."

Mulligan: "So it'll be part of a total overall consent form, but a person could designate to take that part out if they chose?"

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Harris: "If they chose. And they would need to know that they were giving that consent, so it complies with..."

Mulligan: "All right. So you go down the consent, so you could strike out the parts of it that you don't care to have tested?"

Harris: "Yes, Ma'am."

Mulligan: "Okay. Is this also subject to appropriation?"

Harris: "Yes, it is, Ma'am."

Mulligan: "All right. And you're assuming that it would be approximately two million dollars (\$2,000,000)?"

Harris: "Those are the estimates I've been provided."

Mulligan: "And would that come through the Department of Public Health's budget?"

Harris: "Yes, it would."

Mulligan: "Okay. And would we get any matching funds for that?"

Harris: "I believe the department would seek matching funds and also seek federal funds for this expanded testing."

Mulligan: "All right. And I notice on our question list is here why doesn't this Bill implement the new CDC guidelines for HIV testing?"

Harris: "This Bill really targets persons in areas where there is a prevalence, of HIV. It urges people to come into health care settings. The CDC guidelines are voluntary and this provides a concrete plan in the areas of our state with the highest prevalence, where we believe the majority of these individuals already reside."

Mulligan: "So, if the Department of Public Health received or would put that line item of money in, how would it be

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distributed? Would it be distributed to the areas that applied for the money that had the highest incident of HIV?"

Harris: "Yes, I believe that the department would create a grant program to assist those areas where they believe they have the greatest need."

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

Speaker Hannig: "Representative Flowers."

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

Speaker Hannig: "Indicates he'll yield."

Flowers: "Representative Harris, does this Bill apply to children as well?"

Harris: "It... I believe it applies to everyone who would consent to... Let me just check here. I don't want to be in error. It applies to all individuals. Children would be covered if their parents chose, if they chose."

Flowers: "So... so in other words, are you in compliance with this legislation with the Center for Disease Control?"

Harris: "I believe so, yes."

Flowers: "Okay. According to the... our analysis here, the last sentence, it deletes a provision requiring a health care provider or a professional, to obtain informed consent under certain circumstances. Now, I thought in the beginning it stated that this was a volunteer program but being a volunteer program you're not going to let them know that you're going to test them for AIDS?"

Harris: "I'm trying to find what section you're looking at, Representative."



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Flowers: "The last sentence on the front page of the analysis. It says that it 'deletes a provision requiring a health care provider or a professional to obtain informed consent under certain circumstances.'"

Harris: "I believe that is from the original Bill. There is an Amendment."

Flowers: "Well, this is Amendment #1 and it replaces everything after the enacting clause. So you're taking away peoples opportunity or rights to opt-out and not be informed but they're going to be tested for AIDS?"

Harris: "I'm looking at the analysis on my computer, Representative, and I am not finding that language that you're referring to."

Flowers: "Well, the analysis on my computer... Here, you read it."

Harris: "Representative, all I can say is I'm looking at the analysis on my computer here..."

Flowers: "That's where I got mine. I got mine off my computer as well."

Harris: "...is different because this Bill... That this Bill does have..."

Flowers: "I'm just telling you what the synopsis says, so, is that not true?"

Harris: "Informed consent is required in all circumstances by this Bill."

Flowers: "But you do see the language..."

Harris: "Voluntary informed consent."

Flowers: "...that was printed off the computer?"

Harris: "I see this language."

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Flowers: "And would you... would you just read it for me, please."

Harris: "I'm sorry?"

Flowers: "Would you read that last sentence for me, please?"

Harris: "Yeah, you read it aloud and I see it here, but let me just look in the Bill because this Bill does require.. Representative, this may answer your question. I will read the language directly from the Amendment. 'Information may be provided in writing, verbally or by video, electronic or other means that is easily understandable by the subject. The subject must be offered an opportunity to ask questions about the HIV test and decline testing.' So it is voluntary informed consent. This is the actual language in the Bill. I'm not sure where that document came from. It's obviously in error."

Flowers: "Okay. So just... just to be clear, just to be clear, because there's quite a few AIDS Bills going around. This Bill would require that anyone that comes in contact with a health care provider can be tested for AIDS as part of their routine health care?"

Harris: "Absolutely. It encourages individuals to take the voluntary test, yes."

Flowers: "Oh, but it does not make this a part of the rou..."

Speaker Hannig: "Representative Flowers, your 5 minutes have expired. Could you quickly bring your remarks to a close, please."

Flowers: "This is not a part of the routine health care?"

Harris: "This is not a mandate. It is a..."

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Flowers: "No, not a mandate. And that's not a mandate because a person can opt-out. Is... My question is, is this part of the routine health care when a person goes to... for a physical?"

Harris: "This is a voluntary agreement between a person and their physician to have the test."

Flowers: "Thank you for the clarity, Representative."

Harris: "Thank you, Ma'am."

Speaker Hannig: "So the rules would provide for two additional speakers in support of the Bill. Representative Bellock, would you like to speak in support?"

Bellock: "Yes. Thank you very much, Mr. Speaker."

Speaker Hannig: "Okay. Proceed."

Bellock: "Will the Sponsor yield?"

Speaker Hannig: "He indicates he'll yield."

Bellock: "Thank you. We had this Bill in our committee. I just wanted to clarify again that the grant program is subject to appropriation, correct?"

Harris: "Yes, Ma'am."

Bellock: "Okay. And that it is not mandatory testing?"

Harris: "It is not mandatory testing, Representative."

Bellock: "Correct. Thank you very much."

Speaker Hannig: "And Representative Coulson would you like to speak in support? Okay, in support."

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

Speaker Hannig: "He indicates he'll yield."

Coulson: "Representative, basically this Bill still requires informed written consent for the testing, correct?"

Harris: "Yes, it does, Representative."

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Coulson: "So you're not trying to follow the new CDC guidelines on just that issue, but we are trying to make sure we identify as many people who may be infected so that we can get them treatment, correct?"

Harris: "To get them appropriate counseling, treatment and referral, yes, Representative."

Coulson: "Okay. All right. Thank you very much. I just wanted to clarify that and state that I think it's very important that sometimes in the state we need to take into consideration the CDC guidelines, but also to consider that informed consent, medical informed consent is a very important policy that we have in this state. So I would encourage an 'aye' vote."

Speaker Hannig: "Representative Harris, you're recognized to close."

Harris: "Thank you, Ladies and Gentlemen. I would appreciate an 'aye' vote on this Bill so that we can help get ten thousand (10,000) of our fellow citizens into early treatment and care and extend and improve their lives. Thank you very much."

Speaker Hannig: "The question is, 'Shall this Bill pass?' All in favor vote 'aye'; opposed 'nay'. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Representative Sacia. Mr. Clerk, take the record. On this question, there are 110 voting 'yes' and 2 voting 'no'. And this Bill, having received a Constitutional Majority, is hereby declared passed. Representative Jefferies, for what reason do you rise?"

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Jefferies: "Yes, I'd like... I would like the record to reflect for House Bill 419 a 'yes' vote. I inadvertently pushed the wrong button. Thank you."

Speaker Hannig: "Thank you, Representative, and the record will reflect your intentions on the Bill. Representative Granberg, you have House Bill 3638. Mr. Clerk, read the Bill."

Clerk Bolin: "House Bill 3638, a Bill for an Act concerning safety. Third Reading of this House Bill."

Speaker Hannig: "The Gentleman from Clinton, Representative Granberg."

Granberg: "Thank you, Mr. Speaker, Ladies and Gentlemen of the House. House Bill 3638 puts limitations on the type and size of items that can be held in a temporary transportation facility en route to a recycling center. With the Amendment we added on Second Reading there is no known opposition to the Bill."

Speaker Hannig: "This is on the Order of Short Debate. Does anyone stand in response? The Lady from DuPage, Representative Bellock."

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

Speaker Hannig: "He indicates he'll yield."

Bellock: "So, Representative, does this legislation, I was just looking through the reason for the change, allow a transfer station to bypass local siting requirements, siting requirements?"

Granberg: "What it does, it would have to comply with the permitting process, but for a temporary storage facility."

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So if you have like paints or solvents or light bulbs, they have to be in a sealed container that can be hauled for up to ten days (10) on their way to a recycling center."

Bellock: "Oh, okay. Okay. Thank you."

Speaker Hannig: "Any further discussion? Representative Granberg to close."

Granberg "I would simply ask for an 'aye' vote."

Speaker Hannig: "The question is, 'Shall this Bill pass'? All in favor vote 'aye'; opposed 'nay'. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Representative Harris, Mulligan, Scully, do you wish to be recorded? Have all voted who wish? Mr. Clerk, take the record. On this question, there are 100 voting 'yes' and 11 voting 'no'. And this Bill, having received a Constitutional Majority, is hereby declared passed. Representative Hassert has House Bill 39. Okay. Representative Reboletti is going to handle that Bill, Mr. Clerk. So, Mr. Clerk, read the Bill."

Clerk Bolin: "House Bill 39, a Bill for an Act concerning criminal law. Third Reading of this House Bill."

Speaker Hannig: "The Gentleman from DuPage, Representative Reboletti."

Reboletti: "Mr. Speaker, Ladies and Gentlemen of the House, House Bill 39 would permit law enforcement officials to eavesdrop on electronic communications with one party consent, which is a deviation from current state law where it's two-party consent. This will be in situations for child pornography where law enforcement could intercept this with only going through the State's Attorneys Office

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and not having to go to get an eavesdrop. Having spoken with the Will County State's Attorneys Office on this, at this point in time these conversations are not considered.. they're not considered conversation for legal purposes. However, case law across the country is divided on this and that the State's Attorneys Office is concerned that if case.. the courts consider this conversation, that all their investigations could be overturned and be basically brought down to zero. So, I would stand.. I stand asking for your support and be willing to answer any questions on the Bill."

Speaker Hannig: "Does.. This is on the Order of Short Debate. And in response the Gentleman from Lake, Representative Washington."

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

Speaker Hannig: "He indicates he'll yield."

Washington: "Representative, so you are proposing a legislation similar to some of the things in the Patriotic Act that will allow the broadening of eavesdropping under the pretense of one incident that had something to do with Internet sexual predators. Am I understanding that correctly?"

Reboletti: "This is not just one situation. This is a situation now where law enforcement could actually intercept these conversations without an eavesdrop. However, Representative, the courts can change, as these cases are appealed, that if it was considered conversation then an eavesdrop should have been ascertained. And in many situations the conversation with the agent is very

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fluid and the conversations could end long before a prosecutor could go to a judge to get an eavesdrop. So this seeks to clarify that and protect the investigations that are currently ongoing."

Washington: "But don't you think that this opens the door for those who may participate in entrapment that we empower with badges and authority for law enforcement, but being that we know that that network is not full of saints, we've seen it from the highest level, even with the controversy dealing with the exposing of the covert operative Ms. Plame that we recently hear in the news, don't you think that this is a little far fetching and broaden the Patriotic Act on another level to rob and rip off the American people of rights that they are supposing to have? Especially in light of when I look at who the opponents are. These are the opponents of the little people, of the common everyday American, that stiff that works hard every day to pay his or her bills and may or may not warrant eavesdropping and some degree of privacy that is supposed to be ensured."

Reboletti: "Representative, this is only in cases of child pornography, so we're not seeking to intercept general conversation. We're not asking for a huge expansion and make Illinois a one-party state. We're not trying to trap the average person having regular conversation. This is only in instances where child pornography is being intercepted by law enforcement."

Washington: "Well, I notice you keep using the word 'child pornography' and it does hit home and it is a buzz word and I have seven children and I'm very much against any child



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abuse, but I also know a Trojan horse. So to use the case of sexual predator and keep dropping the word child pornography if that would make two wrongs make it right. I think this... To the Bill. I think this is a bad piece of legislation. I think when you look at who the opponents are these are some of the very opponents that tried to assure that there is a balance in power when it comes to legislating law. And that does not lead to an entrapment or an abuse of that law. And I think if we're not careful we're going to give away, constantly chip away at what makes us uniquely different than the rest of the world and I suggest a 'no' vote for this legislation."

Speaker Hannig: "Representative Molaro."

Molaro: "Yes, thank you. Well, sometimes I can speak pretty well but Representative Washington actually did a great job and I was hoping a few people listened to it. We are actually a two party state. We differ than the Federal Government in the sense that if you're going to go out there and you're going to record conversations, it's been ours that you have to have two parties agree with it. If you don't have two parties agree with it then you usually go to court to get a court order. Pretty simple to do. They talk about emergency here when someone's life's in danger and we eroded that two-party conversation a few times in the General Assembly. Now when you go to this Bill, the Sponsor is absolutely right and Eddie... Representative Washington's right. I happen to have five children, you're two ahead of me Eddie and hopefully I'm done. But it says here listening with the aid of any

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device, the party of conversation consented to it and it talks about in the course of an investigation for child pornography. Well, I don't even know what the heck that means, investigation. So what we're doing is if you're investigating it, you don't need it. So I would rather we come in and say let's change Illinois law, let's become a one-party state. We shouldn't erode this. We have been a two-party state for many, many years. It's served us well. It's fantastic when it comes to civil liberties. They absolutely are catching these child pornographers and if they think child pornography is going on, there isn't a judge in the county that won't issue an overhear consensual warrant. Not a judge in any county anywhere. So take the ten (10) minutes, call up a judge, let him sign his name and it's accomplishing exactly what it does in this Bill. Let's not change a hundred and fifty (150) years of practice by putting the word child pornography and we all jump over it. Let's vote 'no' on this Bill. Let's talk to judges and get the warrants, just like we should and what this country is all about. So I urge a 'no' vote."

Speaker Hannig: "Representative Durkin."

Durkin: "Mr. Speaker, to the Bill. I think the issue is that some people are suggesting that we're overreacting to an issue and I think we need to realize exactly what we're dealing with and I think we ought to understand some of the statistics that are out there on child pornography. The National Society for the Prevention of Cruelty to Children state there are more than twenty thousand (20,000) images of child porn posted online every week. The National

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Center for Missing and Exploited Children estimate approximately 20 percent of all Internet pornography involves children. U.S. Customs Service estimates a hundred thousand (100,000) web sites offer illegal child pornography and as of December 2005 child porn was a three billion dollar (\$3,000,000,000) annual industry. Now I think that Reboletti is one who can speak with some clarity on this issue, he's a former prosecutor, I was a former prosecutor. This is not a typical type of an investigation. Most of these investigations are conducted through the Internet, which move at the speed of sound and speed of light and it is impractical to conduct a thorough investigation while having to find a court to sign-off on a overhear. I think this is reasonable. I think it's important considering this is a... an area within the... throughout the United States and throughout the world which is, you know, there are... people are proliferating and they're making a substantial amount of money but it's at the expense of the abuse of children. So, I rise in support of this and I hope people can support this legislation. I think it's practical as I said earlier, but it is not easy to find a judge at all hours. Particularly sometimes in Cook County you can't find a judge and mostly, even downstate when people are involved in these types of investigations, it's nearly impossible to find them at all times of the day. So I would suggest that we need to support this legislation, move it over to the Senate. If we have to make a couple changes here and there, sobeit. But I think this is a good policy statement for the State

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of Illinois and we will never become a one-party consensus state... consent state. We've discussed this in the past and it's not going to happen. So, if we have to create a separate exception for probably the most heinous and the most despicable crime which is... happens throughout the United States and also in our neighborhoods, sobeit."

Speaker Hannig: "We've had two on each side and, Representative Brosnahan, which side would like to speak on?"

Brosnahan: "Mr. Speaker, I just have a few questions. I'm not really sure how I'm going to vote on this yet."

Speaker Hannig: "Okay. So..."

Brosnahan: "Will the Sponsor yield?"

Speaker Hannig: "Indicates he'll yield."

Brosnahan: "One of the questions I have is, how is the approval given? Does the approval by the state's attorney have to be in writing? Is there going to to be any record of this approval? Or is..."

Reboletti: "It would be in writing. They would come to the state's attorney's Office, contact the prosecutor, who's probably on call if it's at night time or come into the office. The state's attorney himself or his designee, usually the first assistant, would then review the document and then sign-off on that and that would be available in discovery."

Brosnahan: "Okay. And then... and one of the questions, I looked at the language and maybe I just missed something because I thought that the Bill actually said that the state's attorney has to sign-off, has to give the approval. So one of my questions was like in Cook County with the felony

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review unit. But I thought under this Bill it restricted it, just that the state's attorney had to be the one to give the approval in this situation. So is that incorrect? Are you telling me that any assistant state's attorney that is given the authorization and is that in the Bill?"

Reboletti: "As it stands now for eavesdrops, the state's attorney himself can designate other prosecutors in the office to sign-off for him. In Will County, that happens to be where I was employed, was the first assistant could sign-off if the state's attorney was not available."

Brosnahan: "And is..."

Reboletti: "So, obviously, Dick Devine could do that so... for the felony review unit in Cook County, somebody... the supervisor there would have authority at night to sign-off on these."

Brosnahan: "And I guess, as part of this approval process, is there anything in this legislation that would require, you know, the person asking for the authority, the police departments, the Cook County, you know, the investigators for the state's attorney's Office, is there anything in there that requires them to indicate why they want the state's attorney to do it instead of judicial review?"

Reboletti: "This would establish the probable cause for the eavesdrop. Currently, Representative, there is no need to get an eavesdrop. So actually we're being proactive in the state's approach because if these cases... if an Appellate Court decides that this is considered conversation then these investigations will be lost and that then... we will have to be back here to approve this type of legislation."

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Brosnahan: "And I haven't talked to anyone from the State Bar Association on this Bill, but can you tell me what their objections were to the legislation when it was presented in committee?"

Reboletti: "They basically said that this would be the slippery slope, but if we wanted one-party consent we shouldn't chip away, we should just bring the legislation to do one-party consent throughout the state. So that was their objection."

Brosnahan: "Okay. And if you also.. if you tell me what the position of the Cook County State's Attorney's Office was on this legislation? Did they weigh in on committee?"

Reboletti: "The State's Attorneys' Association, is a proponent reported but they did not slip in or provide any representatives there at the committee hearing."

Brosnahan: "Okay. Were they neutral on the legislation or they didn't weigh in at all?"

Reboletti: "They didn't push their weigh in, no."

Brosnahan: "Okay."

Reboletti: "But I would assume they would be a proponent."

Brosnahan: "Okay. I have nothing further. Thank you."

Speaker Hannig: "So we've had two in support, three in opposition. The rules would provide for one additional speaker in support. Excuse me. In support. Representative Scully, are you in support?"

Scully: "Mr. Chairman, I don't know whether I'm in support or not. I have questions about whether or not this approval has to be prior approval, written approval, subsequent oral

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approval. So I can't tell you whether I'm in support of this legislation or not."

Speaker Hannig: "We'll allow you to ask the question, Representative, so the Sponsor will yield."

Scully: "Mr... Representative, I don't know if you heard my... my comments. Can this be subsequent approval?"

Reboletti: "My understanding is that once the investigator realizes he's dealing with a suspect in child pornography, he would then have to draft a document and come to the State's Attorney's Office for approval."

Scully: "Okay, there's... I'm looking at... Is the entire text of you...your Bill one paragraph in terms of the changes made?"

Reboletti: "That's correct, Representative."

Scully: "I suggest you take a look at your Bill. There's nothing in there that says written approval, prior approval, or subsequent approval. So this gives a copper the ability to eavesdrop, and if he hears something really interesting that has nothing to do with child pornography, the ability to go back to the State's Attorney's Office, subsequent means and say hey, I heard some really good stuff, would you please approve the illegal eavesdropping that I conducted yesterday. And oh, by the way, I was... I was... what was I doing. I was investigating child pornography. Yeah, that's what I was doing."

Reboletti: "Representative, that is not the case. This is only situations of child pornography. The status right now is that you don't even need to get an eavesdrop, so these are... this is not setting up anybody. We're not expanding anything. We're actually requiring law enforcement to jump

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through more hoops and actually have to go to the State's Attorney's Office and have this checked out. But I understand your concerns that the state of the law doesn't require an eavesdrop at this time."

Scully: "I'm sorry. Could you repeat that last ten (10) seconds? I was trying to hear, but I could not understand your statement."

Reboletti: "Representative, at this time across the state there are investigators all across, in chat rooms right now, intercepting these conversations and they're not considered conversation by case law in the State of Illinois. Where... this actually requires them now to get approval for an eavesdrop to listen into these conversations with one party consent because the case law across the country differs from state to state and in the federal case law. And this would actually be proactive, requiring the State's Attorney's Office to have to get an eavesdrop first."

Scully: "Again, Representative, where does it say that in your Bill that there has to be a prior written approval? You just responded to my question saying that your proposal does require written, written requests and prior approval. I don't see that in your Bill."

Reboletti: "Representative, you are correct, it is... but is not in the Bill."

Scully: "Thank you. To the Bill."

Speaker Hannig: "...Bill."

Scully: "I'm in strong opposition to this Bill and my opposition is based primarily on the fact that the Sponsor doesn't know the single paragraph that constitutes the



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entire text of his Bill. A couple of minutes ago on a critical issue of whether or not this requires prior written approval, he answered my question saying it does require written approval, it requires prior approval. Yet within the text of this Bill, there is no such requirement. He has now corrected himself. The request does not have to be written, the approval doesn't have to be written. It doesn't have to be prior. I ask you... I ask you to defend the constitutional rights and if we're going to give law enforcement this kind of power, we do so with much greater caution and much greater clarity as to what law enforcement can do. Thank you."

Speaker Hannig: "So we've now had three on each side and maybe a little stretch on that one side, but three on each side. Representative Reboletti, you're recognized to close."

Reboletti: "Thank you, Mr. Speaker. Ladies and Gentlemen, this actually makes law enforcement have to get an eavesdrop with prior approval and I'll work with those on the other side, when the Senate Sponsor gets it, to make sure that we can add language that we can all agree upon. And I urge an 'aye' vote."

Speaker Hannig: "The question is, 'Shall this Bill pass?' All in favor vote 'aye'; opposed 'nay'. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Representative Cultra, do you wish to be recorded? Mr. Clerk, take the record. On this question, there are 71 voting 'yes' and 34 voting 'no'. And this Bill, having received a Constitutional Majority,

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is hereby declared passed. Representative Lyons, for what reason do you rise?"

Lyons: "Speaker, I have a point of personal privilege."

Speaker Hannig: "State your point."

Lyons: "I'd like the chamber to acknowledge and a round long of applause for my home parish of Our Lady of Victory who are down here visiting us in Springfield today. Welcome OLV. Thank you everybody. Thank you very much."

Speaker Hannig: "Representative Hernandez, would you like us to read House Bill 1072? Out of the record. Representative Hoffman you have House Bill 1911. Representative Hoffman, do you wish us to read 1911? No? Okay. Out of the record. Representative Holbrook on House Bill 614. Mr. Clerk, read the Bill."

Clerk Bolin: "House Bill 614, a Bill for an Act concerning regulation. Third Reading of this House Bill."

Speaker Hannig: "The Gentleman from St. Clair, Representative Holbrook."

Holbrook: "Thank you, Speaker. House Bill 614 is... may undergo even another change over in the Senate. I'll tell everybody that up front. There are some negotiations going on with the Hospital Association. They seem to be a little divided on what they want on this issue. The bottom line to this Bill is, is we don't have any LTACHs in the Metro East area, nothing south of Aurora. And right now our constituents in the lower half of the state have to get in a five hour ambulance ride to Chicago to go to an LTACH, where families have to go up there to visit. We're trying to resolve this issue. We're still working with all the

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parties. This may end up being the final Bill, but I... we are leaving it open for negotiations with the Hospital Association on how they want to do this. The Bill right now asks for three pilot project LTACHs to be put in, in our state, including one in the Metro East which is downstate that we could access. I know of real... no real opposition to the Bill other than the negotiations going on currently with the Hospital Association. Be glad to take any questions."

Speaker Hannig: "This is on the Order of Short Debate. Does anyone stand in response? The Lady from Cook, Representative Mulligan."

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

Speaker Hannig: "Indicates he'll yield."

Mulligan: "Representative, for some reason I saw you up there but I realized it was on the... on the screen."

Speaker Hannig: "Could we ask the Gentlemen in the center aisle to move their conversation."

Mulligan: "Excuse me if I ask a question that you already answered in your opening, I was walking back in, but where do you stand on negotiations with the Hospital Association and doctors on this?"

Holbrook: "I just went through that and that is that there's a split among the Hospital Association people on how they want to handle this. They may want one more, one less. They're still working on that issue, but the bottom line is we need to do this at least downstate so we're not transporting our people up to Chicago to receive treatment. We're going to work with them. We negotiated 'til late the

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other day on these three pilot LTACHs. The Bill asks for three of these to be done right now, one of them in the Metro-East, in the St. Louis Statistical Metropolitan Area. We're trying to work with them. They really can't come to an agreement among themselves right now on what they want. And we're willing to work on them in Senate, but at the end of the day we need to get this facility, this type of service available to our downstate people."

Mulligan: "Did you make any agreement when this Bill came out of committee to hold it until there was an agreement?"

Holbrook: "I talked to both parties involved, both the Long Term Care Association and the hospital people and they know that I'm moving this Bill over to the Senate. They're well aware of that. And again, they were in negotiations up to and including yesterday trying to get me an Amendment for this Bill, but we're running out of time and I have to get this Bill out of here. So they know that if they can come to an agreement we'll adopt that over in the Senate with them."

Mulligan: "My problem with some of those things is I really feel this year that this is the house of last resort. You know, you send it over there and it's totally one way of doing it without maybe a way of stopping something. And I don't know who your Sponsor, who's going to pick up the Bill or what their agreement would be to come to some kind of consensus before the Bill moved forward. Fortunately for you, they have not talked... hospital people, people in my area have not talked to me about holding this up. I was just concerned that there must have been some agreement to

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have an agreement before you moved the Bill and then it's... now it's moving. So I'm hopeful that part of the debate and part of the reading of the debate by whoever picks up the Bill on the other side would be to come to a logical agreement that would be the benefit of all parties, which are going to hurt people in your area if there's not adequate hospital care that you feel. Where would the funding for this come from?"

Holbrook: "There would be no state funding whatsoever on this. This would... this is being done by private developers. My local hospital groups are the ones that came together and requested this to be done and they were going to to help fund that along with the long-term care facility people. So there would be no... the only state money would be here, is if there'd be reimbursement for the patients in there and it would be at significantly less cost than what it is today when they go either from the hospital or if they're transported up to the Chicago area for LTACH treatment."

Mulligan: "Are they not-for-profit organizations or are they for profit?"

Holbrook: "They are for profit."

Mulligan: "They are for..."

Holbrook: "The long-term care facility that's building, that's putting this in, is a for profit. It's not a not-for-profit."

Mulligan: "All right, thank you."

Speaker Hannig: "Representative Myers."

Myers: "Thank you, Representative. I stand in support of your legislation. I understand that we have different areas of

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the state; we have different availabilities of certain facilities in those areas. We, down here have struggled for a long time with how can we make sure that service is provided for all areas of the state that would be equal to any service provided in any other area. At least that's what I would like to see. And I think that your Bill addresses some of those needs for your part of the state. Having just gone through an experience in a rural area of Michigan with my own mother at my sister's house and we tried, we struggled trying to find long care term care facilities there and it's not... it's not good for the family to have to go through that type of family pressures to be frustrated by the fact that they want to do as well as they can for their relative, that has done everything for them over the years and now because a lack of facilities, you're making compromises. I would stand in strong support of it. And you know, if we can't get these governing bodies of the Hospital Association and those planners in this state that want to make the call on where we should be able to deliver health care services and what they should be. Well, if they can't get together and get something done on a timely basis so well then I think this Body should move on without'em. And I strongly stand...in strong support of it."

Speaker Hannig: "Representative Holbrook to close."

Holbrook: "Thank you. This is a good Bill as it's written. We might make it better over in the Senate. We have a real concern about health care needs in our area. This is not available outside the Chicago area. If you're a

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downstater, and it meaning anything outside of the collar, your folks don't have this. I'd urge an 'aye' vote."

Speaker Hannig: "The question is, 'Shall House Bill 614 pass?' All in favor vote 'aye'; opposed 'nay'. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Representative Granberg, do you wish to be recorded? Mr. Clerk, take the record. On this question, there are 109 voting 'yes' and 0 voting 'no'. And this Bill, having received a Constitutional Majority, is hereby declared passed. Representative Howard, you have House Bill 1639. Mr. Clerk, read the Bill."

Clerk Bolin: "House Bill 1639, a Bill for an Act concerning courts. Third Reading of this House Bill."

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

Howard: "Thank you very much, Mr. Speaker. House Bill 1639 amends the Juvenile Court Act of 1987. It provides that an objection to the expungement of a juvenile's court record must be filed within 45 days as opposed to 90 days after the notice of the petition for expungement is filed."

Speaker Hannig: "This is on the Order of Short Debate. And in response the Gentleman from Cook, Representative Durkin."

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

Speaker Hannig: "She indicates she'll yield."

Durkin: "Representative Howard, I'm just kind of curious. Why... where's the problem that... what we're trying to fix with this?"

Howard: "It seems that young people have not been able to be involved in the process in their best interest because the time is such a long period. And so the thought was given

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that we probably could make certain that more of them benefited if the time was a shorter period. And those who are... who work with young people and are involved in this process agree that there will be no harm if the young person has a lesser period of time to... to deal in this process."

Durkin: "I guess the question is, is it reasonable to think that the state's attorneys will have sufficient time to make a proper objection if they feel it's necessary? Some cases they may not even have to. Is that 45 days, is that fair to the Cook County State's Attorneys and other law enforcement officials to be able to... 'cause there are a number of these types of expungements, I imagine, that are filed for. Is it reasonable for them within that 45-day period to respond?"

Howard: "I understand your question..."

Durkin: "Yeah."

Howard: "...and I have to assume that if they believed that there was a problem, that there would be some indication. They would have come to the hearing to testify against the Bill or they would have in some way demonstrated their nonsupport. Inasmuch as they have not, then I will assume that they have felt that there's no problem in the lessening of the time."

Durkin: "I assume the state's attorney of... the Cook County State's Attorney has not opined on this or if they've given you the green light on this?"



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Howard: "I have... Yes, I would assume that there is a green light as I said, because I've heard nothing to the contrary."

Durkin: "Okay. Fine. Thank you very much."

Speaker Hannig: "Representative Howard to close."

Howard: "I'd appreciate the 'green' votes from my colleagues. Thank you."

Speaker Hannig: "The question is, 'Shall this Bill pass?' All in favor vote 'aye'; opposed 'nay'. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Representative Bost and Pihos, do you wish to be recorded? Mr. Clerk, take the record. On this question, there are 89 voting 'yes' and 19 voting 'no'. And this Bill, having received a Constitutional Majority, is hereby declared passed. Representative Jefferies, you have House Bill 948. Representative Joyce, you have... Kevin Joyce, you have House Bill 1835. Mr. Clerk, read the Bill."

Clerk Bolin: "House Bill 1835, a Bill for an Act concerning vehicles. Third Reading of this House Bill."

Speaker Hannig: "Representative Joyce."

Joyce: "Thank you, Mr. Speaker, Ladies and Gentlemen of the House. House Bill 1835 simply allows law enforcement to impound a police... impound a vehicle of a driver who was pulled over without insurance. I'd be happy to answer any questions."

Speaker Hannig: "This is on the Order of Short Debate. Does anyone stand in response? The Gentleman from Cook, Representative Durkin."

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Durkin: "Will the Sponsor yield?"

Speaker Hannig: He indicates he'll yield."

Durkin: "Representative Joyce, will it allow the police to impound the automobile if the individual does not physically have his insurance card with him in the automobile at the time in which there is a stop or some type of situation in which they are confronted with law enforcement, or is it just that they do not have insurance period?"

Joyce: "The intention is that they don't have insurance period."

Durkin: "Okay. So I just want to make it real cl..."

Joyce: "And that's why the database is collected by the Secretary of State's Office in the Bill."

Durkin: "Okay. So it's not going to be the situation, a lot of us don't bring our insurance cards with us, the police are not going to be able to impound your automobile until a time in which you figure out how to get home cause you don't have a car, and then bring your insurance card to wherever it's..."

Joyce: "It's certainly... certainly not the intent of the Bill."

Durkin: "...and it's been deposited. All right, thank you."

Speaker Hannig: "Representative Myers."

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

Speaker Hannig: "Indicates he'll yield."

Myers: "Representative Joyce, following up a little bit on Representative Durkin's questioning. How would you determine whether or not the individual had insurance if

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they didn't have their insurance card with them at the time?"

Joyce: "Well, they... first of all, the Secretary of State eventually will be able to have a database of all motor vehicles that do not have a insurance applied to it. And second of all, after talking with the State Police it's their view that law enforcement would use their discretion to allow the person to provide that insurance card and proof of insurance at the time of the stop."

Myers: "Okay. So this... this confis... this... the law enforcement would compound (Sic-impound) the car at the stop, right? It wouldn't be later after they determine that the individual didn't have insurance. It would be right at the stop."

Joyce: "If it's determined that the insurance clearly does not exist at the stop, correct."

Myers: "Well, the reason I'm asking these questions is we just had a recent incident back in my particular district where a family, a couple had... the Secretary of State conducts these audits from time to time. They send a card out to individuals asking them to verify whether or not they have insurance, and this couple had been sent a card by the Secretary of State's Office; they did not receive the card, so they did not respond to the card. They were stopped by a local sheriff's office and the sheriff, in checking with the registration of the vehicle, found a notice from the Secretary of State's Office that the plates, the license plates, were to be impounded because it was not determined that they had insurance, when the couple, in fact, showed

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them their insurance card. So, I guess my concern to you is that there are times when maybe the Secretary of State's Office may record a problem with a vehicle because of an error in the mail or some other... some other situation where the couple, in fact, can present a valid card, but because of other circumstances or other situations the Secretary of State may say, no, they don't have insurance. Is that something that maybe could be corrected or talk to the Secretary of State in the future to avoid a situation where the couple, in fact, does have insurance and can show a valid card when the Secretary of State says no, they don't have insurance?"

Joyce: "Yes. Yes, I would certainly join in that effort to talk to the Secretary of State's Office and make sure that their database is updated, that it's shared the way it's supposed to be shared with federal, state, and local authorities and any other options or ideas you may have to rectify that situation I'd be more than happy to help on that."

Myers: "Okay. As you can well imagine with your constituent service, I'm sure, that you provide, we went to work with the Secretary of State's Office and the liaisons to try to verify that this couple did in fact have insurance and the amount of... the amount of documentation that the Secretary of State's Office requested and had to be faxed to them required a little length of time in order to get this taken care of. It wasn't just that the couple could say well, we're sorry, we did not get the card but here is our proof. They had to have various more proof besides... besides faxing

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a copy of that particular card or even a particular... a copy of their particular policy."

Joyce: "Sure."

Myers: "And I can see examples or in situations where other individuals could be stopped as well and find that the Secretary of State has put some kind of notification or requirement on their... on their plates or their vehicle or their license when, in fact, it was an error. And I hope that when you send this over to the Senate that you do make that correction."

Joyce: "Yeah. And..."

Myers: "And ask the Senate Sponsor to make some kind of change."

Joyce: "And, Representative, I think that's part of the reason that we... that this does require a very comprehensive database to be set up by the Secretary of State's Office and obviously there's always, you know, things that they can do... that everyone can do better and hopefully this will help rectify that situation."

Myers: "Okay. Thank you."

Joyce: "Thank you."

Speaker Hannig: "So we've had two speak in opposition, or in response, and one in favor. Representative Turner, which side shall we put you on? Okay. So, you're recognized for 5 minutes in opposition."

Turner: "Thank you, Mr. Speaker. I'd ask the Gentleman if he'd want to yield but I just want to use an example, a very recent example where I was hit by a guy who thought he had insurance. In fact, the dealer or the agency issued him a

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card that had a number. In fact, I'm still trying to explore how the Secretary of State issued a driver... issued a plate to him but when I called the insurance agency, the insurance agency said that his insurance card was a temporary card. In other words, he hit me, like, New Year's Day, they said it that it didn't go into effect... his policy went into effect on the third. This guy was under the impression that he was insured. He bought his insurance in December from this agency, but the agency said that they were still exploring. So the fact of the matter is, he was not insured; his car then would be impound. And it's because of this, this thing with these agencies and I've gotten another call again yesterday from a guy, and it's the substandard insurance companies and their relationship would... and I don't want to mention the agency's name over the PA system, that leaves me a little reluctant to voting for this because in many cases, especially in the poor communities, we're dealing with we find... just like we talk about the predatory lending companies, we've got a number of fly-by-night agencies or agencies who are and it's this temporary card where people think they're insured and I'd hate to think about some of them as victims having their car towed. And it's because this situation has not been clarified and as I say I'm reaching out to the Secretary of State's Office now trying to figure how do agencies give the slip saying that a person's insured when, in fact, the insurance is pending while they're still trying to search a particular company and you know, the individual's out driving and more

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importantly, the Secretary of State has given them a temporary license plate and the guy never was covered, you know, according to the agency. And the agency showed me where the policy went into effect January 3 but the guy had been driving a month on what was supposedly ...and it's for this reason that I have concern and at this point I would not be able to support the legislation until somehow the conversation between the Secretary of State's Office and either/or the department can be worked out. New rules that say you don't issue, you know, pending, but that, in fact, that person who when he leaves that agency is in fact, insured. But that's a concern that I have and it's... it leaves me to be not able to support this Bill at this time."

Joyce: "I understand, Leader."

Speaker Hannig: "Okay, so we've now had three speak in response or opposition. The rules would provide that two additional speakers could speak in support. Are you in support, Representative Winters? Okay, Representative Winters."

Winters: "Thank you, Mr. Speaker. I believe I'm in support but I did have a couple of questions if the Sponsor would yield."

Speaker Hannig: "Indicates he'll yield."

Winters: "The database that the Secretary of State is going to be setting up, do you have any details on that database that would be available for the police agencies out on the road? Yeah, or is that going to be left up to Rules?"

Joyce: "That's going through Rules."

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Winters: "Well, have you had discussions with the insurance companies? Because one of the concerns is that from anecdote anyway, that many people will buy the insurance policy, say they want it for a six-month period, send their check in and then stop payment on the check. You know, they get the card out or they may cancel it 25 days, 30 days after they get the policy, then they'll cancel it, ask for a refund. Is there a way that the insurance companies are going to be required to let the Secretary of State know of cancellations? And currently, as Representative Myers was working on a constituent matter, I was also and to my understanding the insurance companies are adamantly opposed to that type of even an electronic record going to the Secretary of State of all cancellations."

Joyce: "Well, it's certainly not part of the Bill right now, Representative."

Winters: "Well, but it could be if we, if we write rules..."

Joyce: "Yeah."

Winters: "...and I'm... but you did not address it in here at all."

Joyce: "No."

Winters: "Okay. So, what you're doing is enhancing the penalties and let the... let the implementation of it be up to the Secretary of State?"

Joyce: "As far as the database program goes, yes."

Winters: "Okay. And the Secretary of State was okay with that... with setting up that program?"

Joyce: "They have not slipped... they have not slipped any opposition or opposed it."



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Winters: "Okay. They may, over in the Senate. I don't know. Okay. I just... I just wanted to clarify if you were aware of that problem with the early cancellation of policies and whether there'd been any discussion in the development of the Bill to that effect?"

Joyce: "Not... not at this point."

Winters: "Okay. Well, thank you very much."

Speaker Hannig: "Rules provides one additional speaker in support. Representative Rose, you're in support?"

Rose: "Yes, Mr. Speaker..."

Speaker Hannig: "Okay."

Rose: "...I do have a question."

Speaker Hannig: "So you have 5 minutes."

Rose: "Thank you. Good morning, Representative. As somebody who's spent a couple of years in traffic court I was very happy to see this, having the ability to check who is and isn't insured, it will be a great benefit. Some of the biggest benefit is you have people that go into court, get on court supervision because they bought insurance that morning, then as soon as they walk out the door they cancel the insurance. We'll be able to know and track and understand who is telling the truth and who isn't, so I'm very happy to see that. I do have a slight concern, if I can, and that is on the issue of the mandatory impoundment or I guess it's within the officer's discretion. Is it discretion of the officer or mandatory for the impoundment?"

Joyce: "No... it's discretion."

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Rose: "I'm a little bit concerned about that because having spent a lot of time in the district attorney's office, you do get quite a bit, more often probably than any of us here realize, you know, parents, grandparents, citizens who've never had an interaction with the system simply forget to pay their bill and then suddenly they're in court, probably for the first time in their lives having no insurance. And they've gone out and got it, reinsured, and they come to court with their new insurance card but it was an honest mistake. And I'm just wonderin' if maybe it's a little bit too severe to impound, at least maybe on a first offense, a vehicle. Perhaps, maybe if it was a second offense you could impound it, but would you be willing to work something like that in the Senate to address that, that concern?"

Joyce: "I would. And I will tell you that, you know, the language clearly states 'may' may impound not 'must'."

Rose: "I can't hear you, Representative, I'm sorry."

Joyce: "Yeah, I could... The Bill clearly states that law enforcement may, not must, may impound. And if you would like to see specific first time, second time, third time offense type language I'm more than happy to add that on in the Senate and bring it back for concurrence over here."

Rose: "I agree with you, because, you know, if you get somebody who's a serial, I don't know what you call it, but somebody who does not have insurance to come in through the system time and time again..."

Joyce: "It's breaking the law. Yeah."

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Rose: "Well, they are. They're a danger to everyone, themselves and the rest of us. I have no problem impounding that vehicle until it's insured, but I would bet you a number of people in this room have slipped and forgotten and become uninsured at some point in time through just a simple mistake. And I appreciate that, Representative, and we'll look forward to having that coming back here on concurrence then."

Joyce: "Thank you."

Speaker Hannig: "Okay. So the rules now have allowed three to speak on each side and so, Representative Joyce, you're recognized to close."

Joyce: "Thank you, Mr. Speaker, Ladies and Gentlemen of the House. This Bill is simply meant to enforce existing law that all drivers in the state have insurance. It's meant as a safeguard, as protection. Many people have been in car accidents before with someone who doesn't have insurance. They have no way to make up their loss, both damages or to their vehicle or damages to their body without someone being insured. And this certainly strengthens the penalties. I'd appreciate an 'aye' vote. I appreciate the concerns of some of the Members and I would be happy to address some of those over in the Senate. Thank you."

Speaker Hannig: "The question is, 'Shall this Bill pass?' All in favor vote 'aye'; opposed 'nay'. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Have all voted who wish? Representative Bradley, Crespo, Davis, do you wish to be

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recorded? Mr. Clerk, take the record. On this question, there are 78 voting 'yes' and 25 voting 'no'. And this Bill, having received a Constitutional Majority, is hereby declared passed. Representative Sacia, for what reason do you rise?"

Sacia: "Mr. Speaker, earlier today we acted on House Bill 419. I was inadvertently recorded as a 'no'. Would you correct that for me, please, to a 'yes'?"

Speaker Hannig: "The record will indicate your intentions, Representative. Representative Jefferies, you have House Bill 948. Mr. Clerk, read the Bill."

Clerk Mahoney: "House Bill 948, a Bill for an Act concerning aging. Third Reading of this House Bill."

Speaker Hannig: "The Lady from Cook, Representative Jefferies."

Jefferies: "Thank you, Mr. Speaker, Ladies and Gentlemen of the House. This is House Bill 948 which simply expands the class of drugs that a person enrolls... seniors that enroll in the Illinois Care Rx basic plan is eligible to include drugs covered by the Medical Assistance Program. There was an Amendment to this Bill providing only seniors access to new drugs, lowering its cost to the state. This Bill originally added the disabled to be included. I will answer any of your questions."

Speaker Hannig: "This is on the Order of Short Debate. Does anyone stand in response? The Lady from Cook, Representative Coulson."

Coulson: "Will the Sponsor yield?"

Speaker Hannig: "She indicates she'll yield."

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Coulson: "Representative, in our analysis there's an issue of a fiscal impact. Do you have any idea of a fiscal note on how much this is going to cost?"

Jefferies: "No, I do not at this time. The budget is still being drafted because of... because of the cost."

Coulson: "Well, I have several Bills and I've worked very hard on the senior care and circuit breaker coverage and they were able to give me fiscal notes on how much each of my increases or changes would have cost. Were you not able to get that from the department?"

Jefferies: "Well, I have an approximately, maybe... seven million dollars (\$7,000,000). That's approximate."

Coulson: "Okay. So, basically all... there's only a minor change that you're doing to this coverage? I'm trying to clarify what the exact change is."

Jefferies: "Actually, yes, because originally it added disabled persons. The change that took place is only... only takes in the seniors."

Coulson: "Only seniors up to what percent of the poverty level?"

Jefferies: "Pardon?"

Coulson: "Do you have a poverty level amount in here or what seniors does it add?"

Jefferies: "The poverty level is not being changed."

Coulson: "Okay. So what's..."

Jefferies: "We're just giving... we're just giving them more coverage."

Coulson: "What... I guess that's my question, what is the more coverage, for different drugs?"

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Jefferies: "Okay. It will cover the drugs that are not presently. All medical assistance drugs that's not formerly covered at this... There are ten (10) categories at this point. This will add to that."

Coulson: "Okay. So, basically we're taking the old ten (10) diagnoses and expanding it to cover all medications."

Jefferies: "Exactly."

Coulson: "I appreciate that. Thank you very much. And I would encourage an 'aye' vote."

Jefferies: "Thank you."

Speaker Hannig: "So, Representative Jefferies to close. Representative Jefferies, you're recognized to close."

Jefferies: "Thank you and I encourage an 'aye' vote."

Speaker Hannig: "The question is, 'Shall House Bill 948 pass?' All in favor vote 'aye'; opposed 'nay'. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Rep... Mr. Clerk, take the record. On this question, there are 107 voting 'yes' and 2 voting 'no'. And this Bill, having received a Constitutional Majority, is hereby declared passed. Representative Joyce, you have House Bill 820. Okay. Out of the record. Representative Lang, you have House Bill 1753. Mr. Clerk, read the Bill."

Clerk Mahoney: "House Bill 1753, a Bill for an Act concerning elections. Third Reading of this House Bill."

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

Lang: "Thank you, Mr. Speaker and Ladies and Gentlemen. House Bill 1753 would create a commission to study same day voter registration. I've had Bills before to deal with this

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issue and no one really wants to jump into it, so we created a Bill that would create a commission with Legislators from both chambers and both sides of the aisle and public members. You know, we're always interested in expanding the voter rolls and getting people more involved in the process and when we see elections where only 20 and 30 percent of the people vote, we need to do something about it. Out of the seven (7) states that have same day voter registration in America, five (5) of them are the states that have the highest voter turnout. I don't think it's a coincidence. This Bill does not set up same day voter registration; it merely sets up a study. I would ask for your support."

Speaker Hannig: "This is on the Order of Short Debate. Does anyone stand in response? The Gentleman from... The Gentleman from DuPage, Representative Myers."

Myers: "Yes, Sir, Representative, would you describe that you're saying this only sets up a study?"

Lang: "That's correct, Sir. It sets up a commission with legislative Members and public members to study whether this is feasible."

Myers: "What's the makeup of that committee... or commission?"

Lang: "I'm sorry, Sir."

Myers: "What is the makeup of that commission?"

Lang: "Four Members of the General Assembly; one from each caucus and four public members."

Myers: "And what... how are they going to conduct this study?"

Lang: "Well, I imagine though... I would imagine we would leave that up to them. But if I were running the study I would

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check with all the election authorities around the state to see how and... they would be implemented, if they're interested in it, how it would work in their counties. I would be checking with other states and other jurisdictions. I would be checking with the seven (7) states that have it today to find out what the flaws in their systems might be to determine how we would piece together whether or not... first, whether or not we should do this; and second, how we should do it if we wish to proceed."

Myers: "Well, I guess I'd like to center on the whether or not we should do it. You talked about the mechanics and I guess that's pretty straightforward, but to my way of thinking you should not be able to just walk in somewhere and say, hey, I moved into this precinct and I want to vote in that precinct today. You feel that the current system is really not a benefit to voter participation. How... what do you base that on other than the fact that you can bus people into an area and they can claim they live somewhere for that day only in other states."

Lang: "Well, Representative, clearly that wouldn't be permissible under any system. Obviously, if we are going to allow same day voter registration at some point in the future, then people would have to convince the election authorities that they are eligible to vote in that jurisdiction, in that precinct, in that location that we would have to set up those safeguards. I wouldn't vote for any system that didn't have those safeguards, Sir."



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Myers: "What type of safeguards do you envision that should be implemented?"

Lang: "Well, Sir, if I knew all of that we wouldn't need the commission. I would just propose the Bill for you."

Myers: "Well, you must have... you must have some kind of general thought on the matter."

Lang: "Well, Sir, we have... we have rules today about how you register to vote. You have to prove where you live. You have to have a sufficient ID. You have to prove that you're in the right precinct. We have many of these in the law today. And so while we're all concerned about election fraud, there are seven (7) states that have same day voter registration today and twenty (20) or more other states studying it as we speak, Sir."

Myers: "Well, I guess, to the Bill. I guess we can study things all day long. I would take... I would definitely be against allowing same day registration. I believe that if you live in a precinct that you should take the initiative to register on a timely basis so that your voting records can be processed so they can be made available at the precinct level so that it has time to filter through the system so that your voter ID at the other end can be pulled so that you aren't, in fact, registered in both places. I realize there are laws in effect that would penalize one if they were found guilty of all that but in all reality, that doesn't occur. We don't have investigating teams in general going out and deciding whether somebody has exercised their... their right to vote in more than one place

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the same day. I just don't believe that it's good public policy and I would stand in opposition to it."

Speaker Hannig: "Representative Winters."

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

Speaker Hannig: "Indicates he'll yield."

Winters: "Lou, you mentioned that in some of the states that had same-day registration, that the voter participation was among the highest recorded across the country. My question to you is, were those legitimate voters? Has there been any studies done of the percentage of fraud in those states and whether or not it exceeds the national average?"

Lang: "I don't have a specific answer to that question, but I have to presume that Minnesota, Maine, New Hampshire, Idaho, Wisconsin, Wyoming and Montana would have repealed their law if they felt that voter fraud was rampant."

Winters: "Could you repeat those states again? Minnesota, Maine, Wisconsin, Vermont..."

Lang: "Minnesota."

Winters: "Montana, go ahead. I'm just trying to think of any that you..."

Lang: "I'll read..."

Winters: "Yes."

Lang: "I'll read them to you so you don't have to tax your brain, Representative."

Winters: "It is severely taxed at this point."

Lang: "Minnesota, Maine, New Hampshire, Idaho, Wisconsin, Wyoming, and Montana."

Winters: "Well..."

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Lang: "And as many as twenty (20) other states are studying this now. Again, this is just a study."

Winters: "Okay. You know, I don't mind the study, but I think we need to make it on the record that we ought to be also studying the fraud rate. And by the way, those states that I can... you know, the ones that I... that come to mind that you mentioned are primarily rural states without large population centers, where the voter turnover is very low, the precinct workers know most of the people that are voting there. You don't find that in large urban centers where fraud has been a problem. So, I hope that the commission does that. One other question, is the recommendation binding or is it simply advisory to this General Assembly?"

Lang: "It's advisory, Sir."

Winters: "That's what I had assumed. I wanted to make sure. I would point out that if we're using the number of other states that have moved from public policy that that ought to be a precedent for Illinois, and you mentioned seven (7) states that have already put this into place. I would remind you that there is a public policy that in this United States, forty-eight (48) states out of the fifty (50), excluding Illinois, one of only two (2) states that allow no form of concealed carry other than for Chicago aldermen. And if we want to look at other states in precedent, then we ought to then apply it not only to voter registration the day of the elections, but we also ought to look at some of our gun control laws and model what forty-eight (48) other states have done. Thank you."

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Speaker Hannig: "Representative Lang, you're recognized to close."

Lang: "Thank you, Mr. Speaker. I think we all have an interest in increasing voter participation. This may or may not get us there, but it's a step forward to at least find out one possible new way to make it happen. Please vote 'aye'."

Speaker Hannig: "The question is, 'Shall House Bill 1753 pass?' All in favor vote 'aye'; opposed 'nay'. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Mr. Clerk, take the record. On this question, there are 68 voting 'yes' and 40 voting 'no'. And this Bill, having received a Constitutional Majority, is hereby declared passed. Representative Lang, you also have House Bill 1752. Mr. Clerk, read the Bill."

Clerk Mahoney: "House Bill 1752, a Bill for an Act concerning elections. Third Reading of this House Bill."

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

Lang: "Thank you, Mr. Speaker, Ladies and Gentlemen of the House. We all know that in certain parts of the state we're having trouble acquiring and retaining election judges. This would take a small step forward to try to keep those election judges in place and it would permit an election authority... No, it would require the state to provide an additional twenty dollars (\$20) stipend to election judges all over the state. I would ask your support."

Speaker Hannig: "This is on the Order of Short Debate. Does anyone stand in response? Representative Bassi."

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

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Speaker Hannig: "He indicates he'll yield."

Bassi: "Representative, can you tell me, what is the current compensation amount?"

Lang: "The state share today is twenty-five dollars (\$25)."

Bassi: "The state... Where does the rest of the money come from?"

Lang: "Local authorities."

Bassi: "All right. So the additional twenty dollars (\$20), is that to come from the state?"

Lang: "That would be correct."

Bassi: "Is it in this year's budget?"

Lang: "We don't have a budget yet, Representative. We would... if this Bill passes it'll be in the budget."

Bassi: "Is it subject to appropriation?"

Lang: "Everything we do here is subject to appropriation."

Bassi: "Is that language in the Bill?"

Lang: "I believe it is, but I can check it for you."

Bassi: "Would you, please?"

Lang: "It is not, however, it would have to be a line item in the state board's budget. This is the state board's proposal, so I assure you it will be in the state board's budget."

Bassi: "Okay. Thank you, Representative."

Speaker Hannig: "Representative Myers."

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

Speaker Hannig: "He indicates he'll yield."

Myers: "Representative, I'm not necessarily opposed to what you're proposing, I'm just interested what is the cost, projected cost for it?"

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Lang: "So, I don't think... Bear with me. I may have a piece of paper that will be helpful, Representative. But this, of course, will partly depend on how many election judges each jurisdiction wishes to hire. But let me... Bear with me a moment. You know what, I don't think I have that number."

Myers: "Okay. Well, you raised a point there and another question then and perhaps you have this answer. When you said the number of jurisdictions and number of judges in them, is there a cap on the number of judges per precinct, do you know?"

Lang: "I think each county makes their own determination as to how many election judges they wish to have."

Myers: "Okay. And so this... this would... this really wouldn't matter in terms of one county versus another. If Cook County wanted to have eight (8) judges in each precinct polling place and DuPage wanted to have five (5), that's a determination of the county you're saying and not bound by State Law in terms of a ceiling on the number of judges in each precinct?"

Lang: "Can you... I'm sorry, I was distracted here..."

Myers: "Yeah, I understand."

Lang: "...by people that want to get on this wonderful Bill. So, can you ask me that question again, Sir?"

Myers: "As well they should. Your response to me was that it depends on which county so, from that I'm led to believe that Cook County could have, say, for instance, eight (8) judges in a precinct and DuPage could choose to have five (5) and the makeup is determined on, in terms of Republican

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and Democrat or whatever, it's determined on the number of people that vote there. Is that the way it works?"

Lang: "Well, then they also determine for instance how many polling places there will be. So that... they control that. What we've decided here as a matter of public policy that we want the county clerks to control the election machinery. So, we have entrusted them with the decision of how many polling places, how many election judges. And since we're going to allow them to make those decisions, if we think that the people that they're hiring to be election judges ought to be paid a little more, this is the Bill to do it."

Myers: "Okay. Well, I guess I don't have a problem with what you're attempting to do, it's just that it seems to me like its just out there, that it's not... we don't control anything, that only the counties do and yet we're going to pay certainly a fairly significant part of the tab if I believe the figures that are there in my analysis. And, again, while this may not be appropriated, the potential is there and I was interested in how much it would cost. And it looks to me like it's fairly open-ended at this point, but thank you."

Lang: "Thank you."

Speaker Hannig: "Representative McAuliffe."

McAuliffe: "Will the Sponsor yield?"

Speaker Hannig: "Indicates he'll yield."

McAuliffe: "Representative, I'm not sure, do the senior high school students if they become judges do they get paid?"

Lang: "Yes, they receive pay just as every other judge."

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McAuliffe: "Okay. All right. And I think there was a Bill through the General Assembly to have juniors. So they would be able get paid also through this, right?"

Lang: "That's correct."

McAuliffe: "Okay. I think this is a good Bill. Being a committeeman, it's hard to find judges. We want to try and get more younger people in because of the technology is sometimes a little challenging to some people that don't know computers. Also, many of you may not know that the City of Chicago and the wards expanded the precincts, so there's less, even though the voters are still the same, there's less precincts, which means less judges now than there was like four (4) years ago."

Lang: "That's correct."

McAuliffe: "So, I think it's a good Bill. Thank you."

Lang: "Thank you, Sir."

Speaker Hannig: "Representative Black to close. Representative Lang to close."

Lang: "If he wants to close for me that's all right, Sir. I'm sure he'd do a very fine job. But let me just ask for 'aye' votes. Thank you."

Speaker Hannig: "The question is, 'Shall this Bill pass?' All in favor vote 'aye'; opposed 'nay'. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Mr. Clerk, take the record. On this question, there are 109 voting 'yes' and 0 voting 'no'. And this Bill, having received a Constitutional Majority, is hereby declared passed. Representative Mathias, you have House Bill 1327. Mr. Clerk, read the Bill."



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Clerk Mahoney: "House Bill 1327, a Bill for an Act concerning regulation. Third Reading of this House Bill."

Speaker Hannig: "The Gentleman from Lake, Representative Mathias."

Mathias: "Thank you, Mr. Speaker. House Bill 1327 requests... requires the Department of Public Health to establish a program for providing grants to hospitals and emergency rooms, to enable them to expand their services to victims of assault, domestic violence and sexual assault and abuse. Obviously, the goal of these grants is to train hospital emergency room personnel and walk-in medical clinic personnel to better identify and treat victims of domestic violence. And I ask for your 'aye' vote."

Speaker Hannig: "This is on the Order of Short Debate. Does anyone stand in response? Then the question is, 'Shall this Bill pass?' All in favor vote 'aye'; opposed 'nay'. The voting is open. Have all voted who wish? Have all voted who wish. Have all voted who wish? Representative Riley, do you wish to be recorded? Mr. Clerk, take the record. On this question, there are 109 voting 'yes' and 0 voting 'no'. And this Bill, having received a Constitutional Majority, is hereby declared passed. Representative Jerry Mitchell on House Bill 822. Representative Mitchell. Representative Mitchell, do you wish us to read this Bill? Mr. Clerk, read the Bill."

Clerk Mahoney: "House Bill 822, a Bill for an Act concerning animals. Third Reading of this House Bill."

Speaker Hannig: "Representative Mitchell."

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Mitchell, J.: "Thank you, Mr. Speaker, Ladies and Gentlemen of the House. I bring you a Bill that amends the Animal Control Act. It reduces the burden of proof and appeal process. Finding a dangerous dog doesn't do anything for vicious dogs. Provides that a dog found running at large with three or more dogs may be deemed a potentially dangerous dog. And this is a new category. 'Potentially dangerous' simply means that those dogs that run in packs are more often to have the inclination to attack either people or livestock. This Bill is supported by the ASPCA and has no opponents. Be happy to answer any questions."

Speaker Hannig: "This is on the Order of Short Debate. Does anyone stand in response? The Gentleman from Cook, Representative Fritchey."

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

Speaker Hannig: "He indicates he'll yield."

Fritchey: "Representative, just a quick question. When I'm looking at the summary it's one of the things that catches my eye, is actually a technical issue which is, there's a the change in the burden of proof or an appeal..."

Mitchell, J.: "Yes, there is."

Fritchey: "...from clear and convincing to a preponderance of the evidence?"

Mitchell, J.: "A preponderance of the evidence. And..."

Fritchey: "What's the rationale underlying that?"

Mitchell, J.: "Basically, the reason for that is that it's very difficult in many situations for a dangerous dog to have clear and convincing proof, but preponderance of the evidence in an argument where the owner wants to argue

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that, we still say that the animal control warden still has to have at least 51 percent of where the burden of proof must be on his side to keep that dog potential... in the dangerous category."

Fritchey: "Okay. It's as good an answer as I guess I can get on this one. But just to reiterate, ASPCA is good with this?"

Mitchell, J.: "Yes."

Fritchey: "No opposition from any of the other animal groups?"

Mitchell, J.: "This... this was their Bill and John, mainly what we're trying to do is establish that new category of potentially dangerous. We found that an ordinance in St. Louis that they proposed this same thing after a young man was killed by three (3) dogs running in a pack. They put this same language in or very close to the same language; they have not had an attack since that time. Representative Boland and I both went through, a couple of years ago, the death of Lydia Chaplin, a young girl that snuck out at night and she was attacked by three (3) dogs who simply would not let her get up and get to safety and she died of hypothermia."

Fritchey: "No, absolutely. And all too often the problems that these cases stem from are not bad dogs but bad dog owners."

Mitchell, J.: "Absolutely."

Fritchey: "And that's a whole separate issue. Let me get to something I can speak to personally, somewhat. You exempt out a dog that is in a dog-friendly area or dog park as not being considered being at large if it's monitored and supervised."

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Mitchell, J.: "That's correct. If we..."

Fritchey: "So in my neighborhood for example we have several dog parks and that's what... that's what their primary intention is, et cetera. However, there are some parks in the neighborhood that people will let their dogs run out and they're supervised. The owners are there, the dogs are running around playing. You know obviously open space in an area like mine is at a premium. It's not technically a dog park."

Mitchell, J.: "Right. That's correct."

Fritchey: "It's not technically a dog-friendly area. If a number of neighbors are sitting there having their dogs run in the park on the corner, are they going to still be subject to this?"

Mitchell, J.: "No. The young man in St. Louis was playing basketball in such a park as you say, but the dogs that attacked him the owners were not there. They weren't present with their dogs. That's what happened. We have to be really careful that we don't infringe upon the rights of dog owners, but at the same time we must protect the citizens from potential attacks."

Fritchey: "There's not a question about it. I'm going to support it. I'm going to ask you a question. I'm obviously going to take you at your word at it. If you would just do me a favor and take a look at this as it moves over. You're doing the right thing with the dog-friendly area or dog park, but the fact of the matter is the way this is written... here, I've got a park half a block from my house and technically... here, plain and simple,

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technically dogs are not supposed to be off leash in that park because it's not a dog park. But the reality is, early in the morning, late at night when the park is otherwise empty, a number of dog owners will go and let their dogs run and just get some exercise in the city. Those folks, under this statute, they would be liable because you know while the dogs are monitored and supervised, they're not monitored and supervised in a dog-friendly area."

Mitchell, J.: "Representative, we have an Amendment that exempts hunting dogs engaged in legal hunting and training activities and dogs exercising in dog parks from running at large. So I'm sure, I will go back to ASPCA, make sure that we have an exemption in the situations that you're talking about because that's not the intent of this legislation."

Fritchey: "Well, and I realize that, but oftentimes, you know, all best intentions aside, the technical language of a Bill will control. You know, it may surprise a lot of people to learn that I have a big hunting dog and I've got my big hunting dog and I like to have him out in the park sometimes and he looks a lot scarier than he is. But again, I know what your intention is, your intention is the right one but I'm just saying though that a dog in a public park that is not designated as a dog park, even though the owners are there and watching those dogs..."

Speaker Hannig: "Representative, could you bring your remarks to a close?"

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Fritchey: "They would still be potentially liable. If you just take a look at it, if there's not a way to fix it, it's still a good Bill."

Mitchell, J.: "We certainly will. I remember succinctly the wide load Bill that we passed at one time, so we don't want that kind of language that's going to confuse either animal control wardens or citizens. So, we will simply work on that issue to make sure that it's clear."

Fritchey: "That's all that I can ask. Thank you very much."

Mitchell, J.: "You're welcome."

Speaker Hannig: "Representative Mautino."

Mautino: "Thank you. Sponsor yield?"

Speaker Hannig: "He indicates he'll yield."

Mautino: "Jerry, do the veterinarians... were they involved in the negotiations at all? Did they have any comments on it?"

Mitchell, J.: "They are not opposed, but I don't know that they were in the negotiations on the Bill. But they certainly have looked at it. They don't seem to have any problems because we're really not doing that much with this Bill except entering this new category of dogs as the potentially dangerous and basically again that the... the fines are the same, the actions are the same and it's spayed or neutered and micro chipped if they're considered potentially dangerous."

Mautino: "And the determination of potentially dangerous is made by the court, State's Attorney? I mean who... who makes that decision?"

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Mitchell, J.: "The animal control warden, the administrator that the county hires to do that."

Mautino: "Okay."

Mitchell, J.: "And it can be appealed."

Mautino: "Okay. And then is there some recourse or how does someone if their animals are picked up. I have three dogs that are there and if they run over, and I live out in a rural area in the country and so they may run down to one of the neighbor's house, they may run up towards the golf course; how do I, you know, in case the toy poodle, the chihuahua and the lab are running as a gang and they get picked up, how do I make sure that we're not determined?"

Mitchell, J.: "Well, Frank, in that situation there is the potential and that's what we'll work on, but there is a potential that they could be picked up if somebody didn't notice them. Although, you know, I think publicly they have their dog tags on and everything else. They're not... they're not basically what we're looking for and that's potentially dangerous dogs."

Mautino: "And I respect that."

Speaker Hannig: "Representative Sullivan."

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

Speaker Hannig: He indicates he'll yield."

Sullivan: "Jerry, I'm going to you an example that under this legislation I think could happen. Three dogs running at large, game warden walks up to them, they sit down, one of them licks him, one of them lays down for his belly to be rubbed; they could be declared potentially dangerous dogs."

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Mitchell, J.: "In that situation, they may be picked up if the owner's nowhere around, but you can certainly reclaim your dogs if thy're legally tagged and..."

Sullivan: "Okay."

Mitchell, J.: "...they don't have to be potentially dangerous. That's not the intent of this legislation."

Sullivan: "Right."

Mitchell, J.: "The intent of this legislation is to make sure that dogs running without anybody around have the potential of hurting another human being or livestock. So we're talking about in a rural area pretty much."

Sullivan: "I travel with my dog and he could have the potential of maybe getting away from me, running around with a few dogs and ten (10) days later I find... I track him down. Within that time period could you have microchipped him and spayed him or microchipped him and neutered him?"

Mitchell, J.: "No. And Ed, I'm sure that your dogs are legally registered, legally licensed..."

Sullivan: "Sure."

Mitchell, J.: "...and you won't have any trouble reclaiming your dog if it's picked up by a warden. This does not say that dogs that are legally registered and taken care of can't be reclaimed just as they are now."

Sullivan: "Okay." but you're putting a time frame where I could potentially not know where my dog is. Maybe he doesn't, mine does not have a microchip right now..."

Mitchell, J.: "But..."

Sullivan: "...and within fourteen (14) days you're going to to take this action."



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Mitchell, J.: "If you've got your tags on your dog, the way the law reads now you should be notified long before fourteen (14) days because..."

Sullivan: "Absolutely."

Mitchell, J.: "...they're not going to want to feed your dog for fourteen (14) days before this action takes place. They're going to call you up or send you notification to come and get your dog. Now, if you're gone..."

Sullivan: "Sure."

Mitchell, J.: "...and you're the only living relative that knows this dog, you may have a problem, but I don't think that's going to be the case in many..."

Sullivan: "There are times when I'm bathing my dog that I take his tags off, he could get away. I mean, what I'm saying is you're now making the burden of proof on the dog to potentially be dangerous even... only for the only reason that he's with two(2) other dogs. Not any behavioral issues, only there's a set number he now could be declared a dangerous dog."

Mitchell, J.: "The preponderance of the evidence would have to be shown in a court of law if you wanted to do that with your dog. But if your dog is either microchipped, if your dog is legally licensed you have the right to come and claim your dog again. That's not what this legislation is looking for. We're not looking to take domesticated, tame animals and give you a hard time. And I don't think any animal warden would want to do that."

Sullivan: "Okay."

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Mitchell, J.: "It would be a burden on them to keep your dog for fourteen (14) days just so that they could prove this. You know, I... I don't think our warden... our animal control officers are the bad guys here and let's not make'em that."

Sullivan: "I think I know what you're trying to do here and..."

Mitchell, J.: "We're not going after responsible..."

Sullivan: "Just to tell you, I'm going to vote 'present' right now and wait for the Amendment to come over and we'll see how it works then. Thank you."

Speaker Hannig: "Representative Mitchell to close."

Mitchell, J.: "Ladies and Gentlemen, we continue to try to make our lives safer. Everybody has companion animals; everybody has animals that they love and I don't have a problem with that. What I have a problem with are dogs that run in packs that no owner takes responsibility for and we wind up with a problem like we had over by Erie, Illinois, or they had in St. Louis and some innocent child dies. That's what we're trying to do. We're not trying to be specific to any dog owner that's taking a good... taking good care of their pets. I urge an 'aye' vote. Thank you."

Speaker Hannig: "The question is, 'Shall House Bill 822 pass?' All in favor vote 'aye'; opposed 'nay'. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Representative Flowers, do you wish to be recorded? Mr. Clerk, take the record. On this question, there are 102 voting 'yes' and 5 voting 'no'. And this Bill, having received a Constitutional Majority, is hereby declared passed. Representative Munson, you have

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House Bill 1235. Mr. Clerk, read the Bill. House Bill 1235."

Clerk Mahoney: House Bill 1235, a Bill for an Act concerning State Government. Third Reading of this House Bill."

Speaker Hannig: "Representative Munson."

Munson: "Thank you, Mr. Speaker, Ladies and Gentlemen of the House. House Bill 1235, as amended, prohibits the knowing removal without authorization of sensitive material about our veterans from the offices of the Department of Veterans' Affairs and the Illinois Department of Military Affairs."

Speaker Hannig: "This is on the Order of Short Debate. Does anyone stand in response? Then the question is, 'Shall this Bill pass?' All in favor vote 'aye'; opposed 'nay'. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Mr. Clerk, take the record. On this question, there are 109 voting 'yes' and 0 voting 'no'. And this Bill, having received a Constitutional Majority, is hereby declared passed. Representative Myers, you have House Bill 290. Mr. Clerk, read the Bill."

Clerk Mahoney: "House Bill 290, a Bill for an Act concerning revenue. Third Reading of this House Bill."

Speaker Hannig: "The Gentleman from McDonough, Representative Myers."

Myers: "Thank you, Mr. Speaker. House Bill 290 provides an income tax credit for members of the National Guard that reside in Illinois. Currently, there is an income tax credit for members of the National Guard who reside in

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Illinois and also belong to Illinois National Guard units. This would extend that credit to members of the National Guard who reside in Illinois, belong... belong to National Guard units in other states. The genesis of this particular piece of legislation is from my district. I have a member of the National Guard who resides in western Illinois, but we're very close to the border of Iowa and Missouri as well. And I have a constituent who lives... as I said, lives in Illinois but belongs to a National Guard unit just across the river into Iowa. And he had at one time belonged to a guard unit in Illinois, moved to Iowa and transferred to a guard unit over there, and has since moved back to Illinois. And just was trying to level the playing field for all of our guard members and reservists who live in Illinois and deserve that tax credit."

Speaker Hannig: "This is on Short Debate. Does anyone stand in response? Then the question is, 'Shall this Bill pass?' All in favor vote 'aye'; opposed 'nay'. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Mr. Clerk, take the record. On this question, there are 108 voting 'yes' and 0 voting 'no'. And this Bill, having received a Constitutional Majority, is hereby declared passed. Representative Myers, you also have House Bill 291. Mr. Clerk, read the Bill."

Clerk Mahoney: "House Bill 291, a Bill for an Act concerning courts. Third Reading of this House Bill."

Myers: "Thank you, Mr. Speaker. House Bill 291 basically it does two things. It increases the age from thirteen (13) to fifteen (15) under which DCFS would be responsible for

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those individuals that would be adjudicated as delinquent. Currently, the age limit is thirteen (13) and at the age of thirteen (13) any child goes... that's adjudicated delinquent from there then becomes the responsibility of the county. It also establishes a... an independent basis of abuse, neglect and dependency rule that allows a minor and I think it's up to the age of eighteen (18), to also be adjudicated the responsibility of the Department of Children and Family Services, again taking the burden off of the counties. They do not have the appropriate child welfare agency that DCFS does and this would relieve them of additional expenses that they're beginning to accrue in great detail."

Speaker Hannig: "This Bill is on the Order of Short Debate. Does anyone stand in response? Then the question is, 'Shall this Bill pass?' All in favor... Excuse me, Representative Mulligan wishes to speak in response."

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

Speaker Hannig: "He indicates he'll yield."

Mulligan: "Representative Myers, two things. I notice the department is against this but it's mainly for fiscal concerns?"

Myers: "Yes."

Mulligan: "Could you give me an example of a situation where a 15-year-old is either adjudicated or said to be a delinquent where DCFS would have the custody? Could it be a runaway or if they did something? Are you just trying to move fiscal responsibility from counties to DCFS statewide or... I would just like an example of that kind of a case."

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Myers: "Well, I think the delinquent adjudication comes from individuals that have been picked up by law enforcement and has been sent to a juvenile detention center or a juvenile home. We have one in Quincy, we have one in Galesburg and when a county has to send that individual, that young person to one of those homes if they are over the age of thirteen (13) then the county bears that expense. These children, while they're adjudicated delinquent, they.. under the age of thirteen (13) DCFS is responsible for that type of care, that type of detention. Over the age of thirteen (13), then it's a county's responsibility. But I guess it's an arbitrary age, from thirteen (13) to fifteen (15). The juvenile court system or the DCFS Act basically says that the Department of Children and Family Services can have oversight into individuals up to the age of eighteen (18) and if they're homeless, up to the age of nineteen (19). So what we're doing here is just trying to relieve a little bit of the burden from the counties by requiring the Department of Children and Family Services to assume two (2) more years of responsibility."

Mulligan: "All right. In the analysis it says that it will bring about two hundred (200) children into the system and that they're looking at this costing, and I don't know who gave this figure, fourteen (\$14,000,000) to twenty million dollars (\$20,000,000)."

Myers: "Yes, and we have questioned that and when we've met with DCFS they cannot provide us exact details. I've asked for the detailed breakdown of how they can come up with that kind of figure and they've not provided that detail

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yet. When you break that down, let's just say two hundred (200) additional children, twenty million dollars (\$20,000,000), that's a hundred thousand dollars (\$100,000) per child a year. That seems awful high to me to put a child in a juvenile detention home. Most of these children are not there on a full-time basis anyway, so that shouldn't be a year-round cost. We don't even pay a hundred thousand dollars (\$100,000) a person to have somebody incarcerated in our correctional system. So I just can't... I can't understand how they can come up with that kind of figure."

Mulligan: "I can't either, but I... I would assume that it isn't that cost except that responses that we've had from agencies like DCFS this year have been unusual. So, I'm certainly going to support your Bill. I understand where you're coming from with it. I just was questioning the money amount of it and I wanted some situations that would pertain to this particular type of change. Thank you."

Myers: "Thank you."

Speaker Hannig: "Representative Myers to close."

Myers: "I just ask for support on this. We've been burdening our counties with a lot of unfunded mandates and this is one way of assisting them of relieving some of those mandates."

Speaker Hannig: "The question is, 'Shall House Bill 291 pass?' All in favor vote 'aye'; opposed 'nay'. The voting is open. Have all voted who wish? Have all voted who wish? Mr. Clerk, take the record. On this question, there are 109 voting 'yes' and 0 voting 'no'. And this Bill, having

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received a Constitutional Majority, is hereby declared passed. Representative Osterman, you have House Bill 758. Out of the record. Representative Reitz, it's my understanding that you wish to move House Bill 282, back from Third to Second. So, Mr. Clerk, on House Bill 282 Representative Reitz requests that we return that to the Order of Second Reading. Representative Ryg, you have House Bill 1717. Mr. Clerk, read the Bill."

Clerk Mahoney: "House Bill 1717, a Bill for an Act concerning criminal law. Third Reading of this House Bill."

Speaker Hannig: "Representative Ryg."

Ryg: "Thank you, Mr. Speaker, Ladies and Gentlemen of the House. House Bill 1717 amends the Criminal Code by enhancing protections for persons with disabilities who are severely or profoundly mentally retarded under the aggravated assault and aggravated battery statutes. Amending the statute has been supported by the CLEAR Initiative Commission and I'm open to any questions."

Speaker Hannig: "This is on the Order of Short Debate. Does anyone stand in response? Then the question is, 'Shall this Bill pass?' All in favor vote 'aye'; opposed 'nay'. The voting is open. Have all voted who wish? Have all voted who wish? Mr. Clerk, take the record. On this question, there are 109 voting 'yes' and 0 voting 'no'. And this Bill, having received a Constitutional Majority, is hereby declared passed. Representative Verschoore, you have House Bill 1470. Okay. Out of the record at the request of the Sponsor. Representative Wyvetter Younge on 1580. Mr. Clerk, read the Bill."



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Clerk Mahoney: "House Bill 1580, a Bill for an Act concerning human services. Third Reading of this House Bill."

Speaker Hannig: "Representative Younge."

Younge: "And there's Floor Amendment #1. House Bill 1580 requires the Department of Human Services to come up with a plan for the treatment of substance abuse among homeless. And Amendment #1 changes the time that the department would have to prepare the report from six (6) months to eighteen (18) months."

Speaker Hannig: "This is on the Order of Short Debate. Does anyone stand in response? Then the question is, 'Shall this Bill pass?' All in favor vote 'aye'; opposed 'nay'. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Mr. Clerk, take the record. On this question, there are 109 voting 'yes' and 0 voting 'no'. And this Bill, having received a Constitutional Majority, is hereby declared passed. Representative Currie, you have House Bill 556. Representative Currie. Mr. Clerk, read the Bill."

Clerk Mahoney: "House Bill 556, a Bill for an Act concerning revenue. Third Reading of this House Bill."

Speaker Hannig: "Representative Currie."

Currie: "Thank you, Speaker and Members of the House. This is a measure that would fix an error in the way we drafted or the way the Department of Revenue interprets the measure that provided for refundability of the earned income tax credit. And the way that language has been interpreted, means that the only people who are eligible for the refunding part of the earned income tax credit are people

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who had been eligible for public assistance under the state's public welfare program. That means that many similarly situated people are treated very differently under Illinois State Law. A parent of a foster child may not be eligible if that family had never been eligible for public aid; whereas, the family that had been eligible for public aid would be. So this is an effort to correct the language so that there can be no misinterpretation of the intention that anybody in the state, any working family that is otherwise economically eligible for the refundability portion of the earned income tax credit will not be left behind."

Speaker Hannig: "This is on the Order of Short Debate. Does anyone stand in response? Then the question is, 'Shall this Bill pass?' All in favor vote 'aye'; opposed 'nay'. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Representative Dugan, do you wish to be recorded? Mr. Clerk, take the record. On this question, there are 109 voting 'yes' and 0 voting 'no'. And this Bill, having received a Constitutional Majority, is hereby declared passed. Representative Arroyo, do you wish to call House Bill 1078? No? Okay. Out of the record. We're going to go to the Order of Second Reading. And I'm going to work off of a list that indicates some priorities by the Members. So, in the case where the primary Sponsor may be off the floor, if the... if another hyphenated Sponsor wishes to handle the Bill and there's an understanding, make sure that the Chair's aware of that and we'll try to process these Bills

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as quickly as we can. So, Representative Mendoza, you have House Bill 1900. Do you wish this to go from Second to Third? Okay. So, Mr. Clerk, read the Bill."

Clerk Mahoney: "House Bill 1900, a Bill for an Act concerning transportation. Second Reading of this House Bill. Amendment #1 was adopted in committee. Floor Amendment #2, offered by Representative Mendoza, has been approved for consideration."

Speaker Hannig: "Amendment #2."

Mendoza: "Thank you, Mr. Speaker, Ladies and Gentlemen of the committee... I mean of the House. This is a simple technical change. We're just naming the Bill Tina's Bill."

Speaker Hannig: "Any discussion? All in favor of the Lady's Amendment say 'aye'; opposed 'nay'. The 'ayes' have it. And the Amendment is adopted. Any further Amendments?"

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

Speaker Hannig: "Third Reading. Representative Jefferson, you have House Bill 1719. Out of the record. Representative Collins on House Bill 1050. Out of the record. Representative Bill Mitchell on House Bill 306. Do you wish us to read that, Representative? 306. Mr. Clerk, read the Bill."

Clerk Mahoney: "House Bill 306, a Bill for an Act concerning criminal law. Second Reading of this House Bill. Amendment #1 was adopted in Committee. No Floor Amendments No Motions filed."

Speaker Hannig: "Third Reading. And Representative Mitchell, do you wish us to read 1983? House Bill 19... Out of the record. Okay. Representative Colvin on House Bill 520."

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Do you wish us to read that Bill? No? Okay. Out of the record. Representative Dugan on... Okay. Representative Collins on House Bill 1050. Mr. Clerk, read the Bill."

Clerk Mahoney: "House Bill 1050, a Bill for an Act concerning courts. Second Reading of this House Bill. No Committee Amendments. No Floor Amendments. All notes have been filed."

Speaker Hannig: "To Third Reading. Okay. Representative Dugan on House Bill 1519. Out of the record. Representative Flider on... I'm sorry. There's Representative Dugan. I didn't see her. Do you wish us to read the Bill? So, Representative Dugan, read House Bill 15... Mr. Clerk, read House Bill 1519."

Clerk Mahoney: "House Bill 1519, a Bill for an Act concerning local government. No Committee Amendments. No Floor Amendments. No Motions filed."

Speaker Hannig: "Third Reading. Representative Flider on House Bill 1514. Mr. Clerk, read the Bill."

Clerk Mahoney: "House Bill 1514, a Bill for an Act concerning municipalities. Second Reading of this House Bill. No Committee Amendments. No Floor Amendments. No Motions filed."

Speaker Hannig: "Third Reading. Representative Flowers on House Bill 396. Out of the record. Representative Franks on House Bill 1551. Do you wish us to read that, Representative? Mr. Clerk, read the Bill."

Clerk Mahoney: "House Bill 1551, a Bill for an Act concerning renewable fuels. Second Reading of this House Bill. No

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Committee Amendments. No Floor Amendments. No Motions filed."

Speaker Hannig: Third Reading. Representative Schock on House Bill 699. Read the Bill, Mr. Clerk."

Clerk Mahoney: "House Bill 699, a Bill for an Act concerning local government. Second Reading of this House Bill. No Committee Amendments. No Floor Amendments. No Motions filed."

Speaker Hannig: "Third Reading. Representative Stephens on House Bill 617. Out of the record. Representative Turner on House Bill 951. Read the Bill, Mr. Clerk."

Clerk Mahoney: "House Bill 951, a Bill for an Act concerning State Government. Second Reading of this House Bill. Amendment #1 was adopted in committee. No Floor Amendments. No Motions filed."

Speaker Hannig: "Third Reading. Representative Granberg on House Bill 1496. Out of the record. Representative Rita on 855. Do you wish us to read that? Representative Rita. Read the Bill, Mr. Clerk, House Bill 855."

Clerk Mahoney: "House Bill 855, a Bill for an Act concerning criminal law. Second Reading of this House Bill. No Committee Amendments. No Floor Amendments. No Motions filed."

Speaker Hannig: "Third Reading. And House Bill 1270, Representative Rita, 1270. Read the Bill, Mr. Clerk."

Clerk Mahoney: "House Bill 1270, a Bill for an Act concerning local government. Second Reading of this House Bill. No Committee Amendments. No Floor Amendments. No Motions filed."

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Speaker Hannig: "Third Reading. Representative Smith on House Bill 1026. Read the Bill, Mr. Clerk."

Clerk Mahoney: "House Bill 1026, a Bill for an Act concerning local government. Second Reading of this House Bill. No Committee Amendments. No Floor Amendments. No Motions filed."

Speaker Hannig: "Third Reading. And Representative Smith on House Bill 1998. Mr. Clerk, read the Bill."

Clerk Mahoney: "House Bill 1998, a Bill for an Act concerning sex offenders. Second Reading of this House Bill. No Committee Amendments. No Floor Amendments. No Motions filed."

Speaker Hannig: "Third Reading. Representative Wyvetter Younge on House Bill 1878. Do you wish us to read that on Second? Mr. Clerk, read the Bill."

Clerk Mahoney: "House Bill 1878, a Bill for an Act in relation to homeless persons. Second Reading of this House Bill. No Committee Amendments. No Floor Amendments. All notes have been filed."

Speaker Hannig: "Third Reading. Representative Moffitt on House Bill 1637. Mr. Clerk, read the Bill."

Clerk Mahoney: "House Bill 1637, a Bill for an Act concerning revenue. Second Reading of this House Bill. Amendment #1 was adopted in committee. No Floor Amendments. No Motions filed."

Speaker Hannig: "Third Reading. And Representative Moffitt on 1638. Do you wish us to read that Bill? Mr. Clerk, read the Bill."

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Clerk Mahoney: "House Bill 1638, a Bill for an Act concerning the environment. Second Reading of this House Bill. No Committee Amendments. Floor Amendment #1, offered by Representative Moffitt, has been approved for consideration."

Speaker Hannig: "Representative Moffitt."

Moffitt: "Thank you, Mr. Speaker. I would move to adopt Amendment #1. This is a provision that... an agreement now with the trial lawyers. They're neutral on this Bill and it restores liability from the standpoint of doing a prescribed burn. So I'd move that adoption and would like to move it to Third."

Speaker Hannig: "Is there any discussion? Then all in favor of the Gentleman's Amendment say 'aye'; opposed 'nay'. The 'ayes' have it. And the Amendment is adopted. Any further Amendments?"

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

Speaker Hannig: "Third Reading. Representative Bill Mitchell on House Bill 954. Mr. Clerk, read the Bill."

Clerk Mahoney: "House Bill 954, a Bill for an Act concerning veterans. Second Reading of this House Bill. No Committee Amendments. Floor Amendment #1, offered by Representative Mitchell, has been approved for consideration."

Speaker Hannig: "The Gentleman from Macon, Representative Mitchell."

Mitchell, B.: "Thank you, Mr. Speaker. The Amendment 1 makes the Bill subject to appropriation and I move that the House adopt it."

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Speaker Hannig: "Is there any discussion? Then all in favor of the Amendment say 'aye'; opposed 'nay'. The 'ayes' have it. And the Amendment is adopted. Any further Amendments?"

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

Speaker Hannig: "Third Reading. Representative Cultra on House Bill 1116. Representative Cultra, do you wish us to read 1116? Read the Bill? Read the Bill, Mr. Clerk."

Clerk Mahoney: "House Bill 1116, a Bill for an Act concerning transportation. Second Reading of this House Bill. Amendment #1 was adopted in committee. Floor Amendment #2, offered by Representative Rose, has been approved for consideration."

Speaker Hannig: "Representative Rose, you have Amendment #2. Would you like to explain it?"

Rose: "Thank you, Mr. Speaker. Floor Amendment #2 reinstates the language of committee Amendment #1, but limits the recipients of the plates to fire chiefs only. I think that was the original intent of the Bill and it simply clarifies that, in fact, that is what we're trying to do."

Speaker Hannig: "Is there any discussion? Then all in favor of the Gentleman's Motion say 'aye'; opposed 'nay'. The 'ayes' have it. And the Amendment is adopted. Any further Amendments?"

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

Speaker Hannig: "Third Reading. Representative Lindner on 226. Shall we read House Bill 226? Mr. Clerk, read the Bill."

Clerk Mahoney: "House..."



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Speaker Hannig: "No? Hang on. Yeah. Did you wish us to read the Bill? Representative Lindner, what's your pleasure?"

Lindner: "I believe there's an Amendment that's still in Rules Committee. Is there?"

Speaker Hannig: "Clerk, what is the status of the Amendments that are pending?"

Clerk Mahoney: "The only Amendment on the Bill, Floor Amendment #1, was referred to Rules Committee."

Speaker Hannig: "So, you're waiting on that Amendment, Representative?"

Lindner: "Yes."

Speaker Hannig: "So, we'll just take it out of the record. Representative Brady, you have House Bill 957. Read the Bill, Mr. Clerk."

Clerk Mahoney: "House Bill 957, a Bill for an Act concerning regulation has been read a second time, previously. Amendment #1 was adopted in committee. Floor Amendment #2, offered by Representative Brady, has been approved for consideration."

Speaker Hannig: "On Floor Amendment #2, Representative Brady."

Brady: "Thank you very much, Mr. Speaker, Ladies and Gentlemen of the House. Floor Amendment #2 to House Bill 957 simply allows the Department of Professional Regulation to oversee this particular concept in a temporary license per their request. And I'd be happy to answer any questions."

Speaker Hannig: "The Gentleman moves for the adoption of Floor Amendment #2. Is there any discussion? All in favor say 'aye'; opposed 'nay'. The 'ayes' have it. And the Amendment is adopted. Any further Amendments?"

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

Speaker Hannig: "Third Reading. Representative Brauer on House Bill 1475. Mr. Clerk, read the Bill."

Clerk Mahoney: "House Bill 1475, a Bill for an Act concerning transportation. Second Reading of this House Bill. Amendment #1 was adopted in committee. No Floor Amendments. No Motions filed."

Speaker Hannig: "Third Reading. Representative Coulson on House Bill 982. Mr. Clerk, read the Bill."

Clerk Mahoney: "House Bill 982, a Bill for an Act concerning public aid. Second Reading of this House Bill. Amendment #1 was adopted in committee. No Floor Amendments. No Motions... all the notes have been filed."

Speaker Hannig: "Third Reading. Representative Eddy on House Bill 1784. Do you wish us to read that? Mr. Clerk, read the Bill."

Clerk Mahoney: "House Bill 1784, a Bill for an Act concerning education. Second Reading of this House Bill. Amendment #1 was adopted in committee. Floor Amendment #2, offered by Representative Eddy, has been approved for consideration."

Speaker Hannig: "On the Amendment, Representative Eddy."

Eddy: "It's just a very technical change in this Amendment that was recommended by the State Board of Education regarding wording for state aid payments. And I would ask that you approve the Amendment."

Speaker Hannig: "Is there any discussion? Then all in favor of the Amendment say 'aye'; opposed 'nay'. The 'ayes' have

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it. And the Amendment is adopted. Any further Amendments?"

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

Speaker Hannig: "Third Reading. Representative Lindner, do you wish us to call 224?"

Lindner: "Yes, Amendment... I move to adopt Amendment #3."

Speaker Hannig: "So is there any discussion? Okay. Mr. Clerk, read the Bill."

Clerk Mahoney: "House Bill 224, a Bill for an Act concerning local government has been read a second time, previously. Amendments 1 and 2 were adopted in committee. Floor Amendment #3, offered by Representative Hassert, has been approved for consideration."

Speaker Hannig: "Representative Hassert. Representative Lindner on the Amendment."

Lindner: "Yes, thank you. Amendment #3 simply adds Will County to the number of counties that could have a referendum for a gas tax."

Speaker Hannig: "All in favor of the Amendment say 'aye'; opposed 'nay'. The 'ayes' have it. And the Amendment is adopted. Any further Amendments?"

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

Speaker Hannig: "Third Reading. Representative Munson on House Bill 3416. Representative Munson, shall we read 3416 on Second? Read the Bill, Mr. Clerk."

Clerk Mahoney: "House Bill 3416, a Bill for an Act concerning criminal law. Second Reading of this House Bill. No Committee Amendments. No Floor Amendments. No Motions filed."

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Speaker Hannig: "Third Reading. Representative Sullivan, do you have House Bill 134? Shall we read that Bill on Second? Read the Bill, Mr. Clerk."

Clerk Mahoney: "House Bill 134, a Bill for an Act concerning State Government. Second Reading of this House Bill. No Committee Amendments. No Floor Amendments. No Motions filed."

Speaker Hannig: "Third Reading. Representative Watson on House Bill 403. Shall we read the Bill, Representative? Read the Bill, Mr. Clerk."

Clerk Mahoney: "House Bill 403, a Bill for an Act concerning revenue. Second Reading of this House Bill. Amendment #1 was adopted in Committee. No Floor Amendments. No Motions filed."

Speaker Hannig: "Third Reading. Representative Winters on House Bill 31. Read the Bill, Mr. Clerk, read the Bill."

Clerk Mahoney: "House Bill 31, a Bill for an Act concerning transportation. Second Reading of this House Bill. Amendment #1 was adopted in committee. No Floor Amendments. No Motions filed."

Speaker Hannig: "Third Reading. Mr. Clerk, what is the status of House Bill 1639? Repre... Mr. Clerk, what is the status of House Bill 1728?"

Clerk Mahoney: "House Bill 1728's is on the Order of Third Reading."

Speaker Hannig: "Return that to the Order of Second Reading at the request of the Sponsor. And Mr. Clerk, what is the status of House Bill 1119?"

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Clerk Mahoney: "House Bill 1119 is on the Order of Third Reading."

Speaker Hannig: "Return that to the Order of Second at the request of the Sponsor. Representative Lyons, you have House Bill 2304 on Second Reading. Out of the record. Representative Joyce on House Bill 1839. Mr. Clerk, read the Bill."

Clerk Mahoney: "House Bill 1839, a Bill for an Act concerning education. Second Reading of this House Bill. No Committee Amendments. No Floor Amendments. No Motions filed."

Speaker Hannig: "Third Reading. Representative Hamos on House Bill 1842, from Second to Third. Mr. Clerk, read the Bill."

Clerk Mahoney: "House Bill 1842, a Bill for an Act concerning energy efficiency has been read a second time, previously. No Committee Amendments. Floor Amendment #1, offered by Representative Hamos, has been approved for consideration."

Speaker Hannig: "Representative Hamos."

Hamos: "Thank you. Ladies and Gentlemen, this is the Energy Efficient Building Code and this House Amendment 1 was actually created by the committee. It's really a Committee Amendment 1 in Energy & Environment when the committee suggested that it would be useful to restrict the application of this new Building Code just to new construction. So that's what all this Amendment does is it takes out what was referenced before is ways to use Energy Efficient Building Code for rehab. It removes that and makes it clear that this is just for new construction. And

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again, I thank the committee for helping to formulate this Amendment."

Speaker Hannig: "Is there any discussion? Then all in favor of the Lady's Amendment say 'aye'; opposed 'nay'. The 'ayes' have it. The Amendment is adopted. Any further Amendments?"

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

Speaker Hannig: "Third Reading. Representative Osterman, you have House Bill 1797. Mr. Clerk, read the Bill."

Clerk Mahoney: "House Bill 1797, a Bill for an Act concerning property. Second Reading of this House Bill. No Committee Amendments. No Floor Amendments. No Motions filed."

Speaker Hannig: Third Reading. Representative Eddy on House Bill 613. Read the Bill, Mr. Clerk."

Clerk Mahoney: "House Bill 613, a Bill for an Act concerning regulation. Second Reading of this House Bill. No Committee Amendments. Floor Amendment #1 lost on the floor. Floor Amendment #2, offered by Representative Eddy, has been approved for consideration."

Speaker Hannig: "Representative Eddy on the Amendment."

Eddy: "Thank you very much, Mr. Speaker. This Amendment I think was adopted in committee. And basically what this does is it makes a minor change to the description of waters of the U.S. And I ask for the approval."

Speaker Hannig: "Any discussion? Then all in favor of the Amendment say 'aye'; opposed 'nay'. The 'ayes' have it. The Amendment is adopted. Any further Amendments?"

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

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Speaker Hannig: "Third Reading. And Representative Osterman, for what reason do you rise?"

Osterman: "Mr. Speaker, it was my intention to have House Bill 1797 read a second time but left on Second for purposes of an Amendment. So..."

Speaker Hannig: "Okay. So, Mr..."

Osterman: "...if it could be returned to Second, I'd appreciate that."

Speaker Hannig: "Yes. So, Mr. Clerk, let's return House Bill 1797 to the Order of Second Reading at the request of the Sponsor. And Representative Turner, you have House Bill 1380. Mr. Clerk, read the Bill."

Clerk Mahoney: "House Bill 1380, a Bill for an Act concerning courts. Second Reading of this House Bill. No Committee Amendments. No Floor Amendments. No Motions filed."

Speaker Hannig: "Third Reading. Representative Reis, you have House Bill 3289. Mr. Clerk, read the Bill."

Clerk Mahoney: "House Bill 3289, a Bill for an Act concerning education. Second Reading of this House Bill. No Committee Amendments. Floor Amendment #1 was referred to the Rules Committee. Floor Amendment #2, offered by Representative Reis, has been approved for consideration."

Speaker Hannig: "Representative Reis."

Reis: "Thank you, Mr. Speaker. I ask for your adoption of Floor Amendment #2 which makes changes to the... how the board of trustees are elected at the U of I."

Speaker Hannig: "Is there any discussion? Then all in favor of the Amendment say 'aye'; opposed 'nay'. The 'ayes' have

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it. And the Amendment is adopted. Any further Amendments?"

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

Speaker Hannig: "Third Reading. And Mr. Clerk, read House Bill 3666."

Clerk Mahoney: "House Bill 3666, a Bill for an Act concerning renewable fuels. Second Reading of this House Bill. No Committee Amendments. No Floor Amendments. No Motions filed."

Speaker Hannig: "Third Reading. Mr. Clerk, read House Bill 410."

Clerk Mahoney: "House Bill 410, a Bill for an Act concerning local government. Second Reading of this House Bill. Amendment #1 was adopted in committee. No Floor Amendments. No Motions filed."

Speaker Hannig: "Third Reading. Representative Nekritz, you have House Bill 1872, that's on the Order of Third Reading. So, Mr. Clerk... Mr. Clerk, read the Bill."

Clerk Mahoney: "House Bill 1872, a Bill for an Act concerning education. Third Reading of this House Bill."

Speaker Hannig: "Representative Nekritz."

Nekritz: "Thank you, Mr. Speaker. Last year we made some changes to the Election Code with regard to the canvassing boards. As sometimes happens when we make the changes to the Election Code, we neglect to make the comparable changes in the School Code which is where their election law is located. This is cleanup language. There's no opponents and it just makes... will make the School Code



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election law match our Election Code. I ask for your support."

Speaker Hannig: "This is on the Order of Short Debate. And response, the Gentleman from Crawford, Representative Eddy."

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

Speaker Hannig: "Indicates she'll yield."

Eddy: "Representative, I... trying to find out... the analysis we have here has the... has an opponent. Now, I know you mentioned there wasn't one and this sometimes happens that we could have... we could have... But our analysis states that the Management Alliance is opposed. And I don't know why they would be necessarily, but it does have it here on our analysis."

Nekritz: "Representative, I don't... I don't remember or recall that anybody signed in opposition in committee and... but that the clerks and recorders, I believe, with the... with... had signed in in support of the Bill. That is my recollection. I could be wrong. We did eighteen (18) Bills that day, so."

Eddy: "Okay. Just you..."

Nekritz: "I believe it was with the Amendment that the clerks and recorders came on board and I don't remember that the School Management Alliance..."

Eddy: "Okay. Thank you. I think your explanation is accurate and that they're not opposed to it. And I also agree with the technical change that needed to be made, but I appreciate you... your indulgence with my question. Thank you."

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Nekritz: "Thank you."

Speaker Hannig: "Any further discussion? The Gentleman from Cook, Representative Froehlich."

Froehlich: "Thank you, Mr. Speaker. Would the Sponsor yield for a question?"

Speaker Hannig: "She indicates she'll yield."

Froehlich: "Representative, does this Bill still have something to do with name changes or was that amended out?"

Nekritz: "I think, no, that was the... that was part of the Amendment was to include that so that it matched the Election Board... the Election Code."

Froehlich: "Okay. So if somebody changes his or her name within 3 years of an election, then on the ballot it has to state '

known as'."

Nekritz: "'Formerly know as' correct."

Froehlich: "Okay. I know both of us being from Cook County we've had occasion to see judicial candidates who adopt either surnames or even middle names just before they run for judge. And so I think that's an appropriate thing to put in the law. Thanks."

Nekritz: "Thank you."

Speaker Hannig: "Any further discussion? Representative Nekritz to close."

Nekritz: "I ask for your support."

Speaker Hannig: "The question is, 'Shall this Bill pass?' All in favor vote 'aye'; opposed 'nay'. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Mr. Clerk, take the record. On this

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question, there are 109 voting 'yes' and 0 voting 'no'. And this Bill, having received a Constitutional Majority, is hereby declared passed. Representative Monique Davis, you have House Bill 1359. Representative Davis, Monique Davis. Representative Monique Davis. She's in the... she's in the rear of the chamber. Could somebody help me get her attention? Mr. Clerk, read the Bill. House Bill 1359."

Clerk Mahoney: "House Bill 1359, a Bill for an Act concerning employment. Third Reading of this House Bill."

Speaker Hannig: "The Lady from Cook, Representative Davis."

Davis, M.: "Thank you, Mr. Speaker. House Bill 1359 is a Bill that allows a person who has lost his or her job... Well, let's see. It amends the Illinois Wage Payment and Collection Act by providing that an employee may file a complaint with the department of Labor alleging violations of the Act by submitting a signed, completed wage claim application on the form provided by the department, and by submitting copies of all supporting documentation. The Bill requires that complaints be filed within (5) years after the wages final compensation or wage supplements were due. The Department of Labor must review applications to determine... So, we amended it to only (1) year. And we have the support of the labor organizations on this Bill, right. Thank you."

Speaker Hannig: "On the Order of Short Debate and in response, the Gentleman from Winnebago, Representative Winters."

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

Speaker Hannig: "Indicates she'll yield."

Davis, M: "Mmm mmm"

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Winters: "There was opposition to this Bill in committee. Does the Floor Amendment remove that opposition?"

Davis, M.: "Yes, it does."

Winters: "Can you address what the issue was that they were particularly concerned with?"

Davis, M.: "The issue was there were limits of 10 years reduced to 5 and now they want it just 1. Because they felt that people move around, you can't get the witnesses you need, so it reduced it to 1 year."

Winters: "Okay. Now that would... does that remove the opposition of the State Chamber and the Employment Law Council or just the union?"

Davis, M.: "It redu... it removes all opposition."

Winters: "Okay. All opposition. Okay. I think that's all the questions that I had at this point. Thank you."

Speaker Hannig: "Is there any further discussion? Then Representative Davis to close."

Davis, M.: "I would just ask for an 'aye' vote. Thank you."

Speaker Hannig: "The question is, 'Shall this Bill pass?' All in favor vote 'aye'; opposed 'nay'. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Representative Coulson and Mulligan, do you wish to be recorded? Have all voted who wish? Mr. Clerk, take the record. On this question, there are 106 voting 'yes' and 1 voting 'no'. And this Bill, having received a Constitutional Majority, is hereby declared passed. Representative Schock, for what reason do you rise?"

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Schock: "Thank you, Mr. Speaker. I rise for a moment of personal privilege. Ladies and Gentlemen of the House, with us in the Speaker's gallery this afternoon are 30 members of my district, in the 92nd District, members of the Neighborhood Alliance led by their president, Paul Wilkinson, who are here visiting the State Capitol. Would they please stand up and if all of you would give them a hearty Springfield welcome I'd appreciate it."

Speaker Hannig: "Representative Feigenholtz, you have House Bill 1529. So, out of the record. Representative Hoffman has House Bill 1911. Mr. Clerk, read the Bill."

Clerk Mahoney: "House Bill 1911, a Bill for an Act concerning employment. Third Reading of this House Bill."

Speaker Hannig: "Gentleman... the Gentleman from Madison, Representative Hoffman."

Hoffman: "Yes, thank you, Mr. Speaker, Ladies and Gentlemen of the House. House Bill 1911 is simply an initiative of the Illinois Department of Labor. The Bill's intended to make minor revisions to the cross references pertinent to Sections of the Acts concerning safety inspections and the Education Act and it's very... it's a technical in nature. I know of no opposition. This will allow us to receive... be eligiable to receive one point four million dollars (\$1,400,000) in federal matching dollars. I ask for an 'aye' vote."

Speaker Hannig: "This is on the Order of Short Debate. Does anyone stand in response? Then the question is, 'Shall this Bill pass?' All in favor vote 'aye'; opposed 'nay'. The voting is open. Have all voted who wish? Have all

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voted who wish? Have all voted who wish? Representative Rose, Reboletti, Biggins, do you wish to be recorded? Have all voted who wish? Mr. Clerk, take the record. On this question, there are 109 voting 'yes' and 0 voting 'no'. And this Bill, having received a Constitutional Majority, is hereby declared passed. Representative Lindner, you have House Bill 224. Do you wish us to read that on Third? Representative Lindner. Out of the record. Representative Molaro, you have House Bill 1124. Mr. Clerk, read the Bill."

Clerk Mahoney: "House Bill 1124, a Bill for an Act concerning criminal law. Third Reading of this House Bill."

Speaker Hannig: "Representative Molaro."

Molaro: "All right. Thank you. This is a pretty straightforward Bill. All it does is for those of you that have ever been at VFW halls or parish halls or even in some taverns, they used to have dart games and they used to have these bowling games where you used the puck and they would have dart leagues and these bowling leagues. Well, now what a lot of it is, golf, they have golf, they have bowling and the dart games are now in video operations. So, all this does it says that if it's a game of skill, not cards, cards are completely out of this Bill, just that if it's a game of skill you can have these leagues where you can say, okay, you go for eight weeks and first prize is a hundred dollars (\$100); second prize is three hundred dollars (\$300). And this is a clarification that's wanted by the Department of Revenue because in most jurisdictions

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they treat it just like they do that, but one or two just want a clarification as to what it does."

Speaker Hannig: "This is on the Order of Short Debate. But we'll put it on Standard Debate so we can have some Gentleman answer questions. Representative Winters, you're recognized for 5 minutes."

Winters: "Thank you, Mr. Speaker, will the Sponsor yield?"

Speaker Hannig: "He indicates he'll yield."

Winters: "This, as I understand it, is electronic games that are what, in bars and restaurants, other kinds of venues like that?"

Molaro: "Well, okay, yes. Some..."

Winters: "And you know, the location of them."

Molaro: "Yes, some are there. They're in VFWs; they're in American Legion Posts. Yeah, they're video games."

Winters: "Okay. And the argument that you're following with this Bill is that because they're, say a golf game, and I don't remember, a Golden Tee or something like that is maybe the name of it. A golf game that is a skill."

Molaro: "Yeah, I think it's... yeah."

Winters: "It's not a game of chance."

Molaro: "What's... what's... what's the big one, Silver Tee or something like that?"

Winters: "Golden Tee, I think."

Molaro: "Golden Tee, right."

Winters: "Yeah."

Molaro: "That that's a game of skill."

Winters: "Not that I've ever played it or anything."

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Molaro: "Well, if you've ever played it you could see how very, very difficult it is."

Winters: "Well, I don't choose games like that that take skill because I'm not that skilled."

Molaro: "You're with me."

Winters: "Now, trivia, is that a skill? To be able to answer trivia games that's another..."

Molaro: "Yeah, it's an intelligence, a skill. It's certainly not a game of... That is by far, nobody could ever say Trivial Pursuit is a game of chance. That's all... Obviously, the only way you could win is by your intelligence or your skill level. Can't win on luck in a Trivial Pursuit game, you got to know the answers."

Winters: "Well, I... actually in Trivial Pursuit you have a certain limited number. There's what, five answers, right? Or three or four answers, something like that."

Molaro: "Well, there's trivial..."

Winters: "So you have a... there is a somewhat random chance if you just guess blindly you may be able to get the right answer."

Molaro: "Yeah, on the ones that have the multiple choice, yes. There are Trivial Pursuit games that you know, like the hard, real hard crossword puzzles. There are Trivial Pursuit games that they don't give you a... you just have to come up with the answer."

Winters: "You have to actually come..."

Molaro: "But yes, I guess if there's five answers you have a one in five chance of getting it right."

Winters: "Yeah, that would probably be the odds, yeah."



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Molaro: "That's correct."

Winters: "Twenty percent odds. But this basically, what the Bill does is said that if it's not a random chance, that it's not considered a gaming device and therefore not... the Gaming Board would not have authority over it. Is that..."

Molaro: "Right."

Winters: "That's basically what the Bill's trying to do."

Molaro: "Right."

Winters: "Okay. I think that answers the questions that we have. Thank you."

Speaker Hannig: "Representative Lang."

Lang: "Thank you, Mr. Speaker, Ladies and Gentlemen. I rise in support of the Gentleman's Bill. I know that some of you are immediately going to vote against this because you think it's some sort of gaming expansion. This Bill is not an expansion of gaming. Today, under the law, contests of skill are exempt from gambling. This is why we have golf tournaments in Illinois where people win large prizes. This is a game of skill, it's not gambling. The problem is that in some portions of the state there's a misinterpretation of this law and they take games, certain games that people play every day, that are machine games, trivia games, bowling games and other kinds of games, and some people are interpreting these as gambling games which prohibits people from having the kind of fun they would have by giving an award or a prize to whoever wins, just like you would give an award or a prize to someone who wins a golf tournament. All this Bill really does is define what a 'game of skill' is versus what is not a game of

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skill. All it does is define it in a way that's clear, that allows people that run businesses that already have these games to bring people into those businesses and maybe give them a prize for winning just like if you were lucky enough to shoot 62 four days in a row, you could win the State Farm Classic here in Springfield. So that's all this does. This does not expand gaming. You're not a gambling freak if you vote for this Bill. You can vote for this Bill. This Bill's actually good for business. Thank you, Mr. Speaker."

Speaker Hannig: "Representative Durkin."

Durkin: "Thank you. I just have one... just a few brief questions, Representative Molaro. I just want to make it real clear."

Speaker Hannig: "He indicates he'll yield."

Durkin: "These are going to be contests or leagues you said?"

Molaro: "Yes."

Durkin: "Will they have to be permitted by the Department of Revenue? Like if you want to do a bingo or..."

Molaro: "No, because..."

Durkin: "...casino night?"

Molaro: "You know that... you know bingo's a game of chance. It would be like a bowling league. Ever join a bowling league?"

Durkin: "No."

Molaro: "Oh."

Durkin: "I don't live in your neighborhood. Your neighborhood is probably real popular."

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Molaro: "Do people bowl... do people bowl anymore? There is bowling..."

Durkin: "I know the shirts that... in your neighborhood. They're, ya know..."

Molaro: "Well, yeah, I didn't wear my bowling tie today, but..."

Durkin: "You look like you could go bowling right now, yeah."

Molaro: "But when you have bowling leagues and for those of you who do know what bowling leagues are. Does anybody? All right, thank you. Geez. You know if you ever have a bowling league; there's ten leagues, you pay five bucks (\$5) when you bowl; a dollar (\$1) goes towards the end. They buy trophies; you win a hundred dollars (\$100). That's with this same thing here. And those don't have to be licensed or any of that stuff."

Durkin: "All right. Well, first of all, I don't live near Archer Avenue and I think that's where you probably have the..."

Malaro: "We do."

Durkin: "...central, that's where, that's bowling, ya know, mecca in Chicago. But all right, I just wanted to make sure that this is not a situation where people are going to have to get permitted, they'd have to go through Department of Revenue."

Molaro: "No. No."

Durkin: "Just exempting a fund under the gambling statute, correct? This kind of game is not going to be subject to any type of sanction."

Molaro: "No."

Durkin: "All right, thank you."

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Speaker Hannig: "Any further discussion? Representative Molaro to close."

Molaro: "Thank you. Lou and everybody else had it right. It's just... Unfortunately, I like regular bowling, some guys like to do it on a video game. I don't get it. And they're just as hard if not harder. And I would ask for a favorable Roll Call."

Speaker Hannig: "The question is, 'Shall this Bill pass?' All in favor vote 'aye'; opposed 'nay'. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Mr. Clerk, take the record. On this question, there are 62 voting 'yes' and 44 voting 'no'. And this Bill, having received a Constitutional Majority, is hereby declared passed. Representative Lyons on House Bill 2304. Do you wish us to read that on Second? Read the Bill, Mr. Clerk."

Clerk Mahoney: "House Bill 2304, a Bill for an Act concerning local government. Second Reading of this House Bill. No Committee Amendments. No... Floor Amendment #2, offered by Representative Lyons, has been approved for consideration."

Speaker Hannig: "Representative Lyons."

Lyons: "Thank you, Mr. Speaker, Ladies and Gentlemen of the House. The Amendment that I added to this Bill deals with some property, state property on the northwest side of Chicago. Those of you who were here last year know that I... I have the Dunning facility, the former state mental institution that was around for seventy-five (75) years. It's been parceled off over the last (20)-some years. There was an exclusive giving to a certain venture firm to

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try to develop some light industry on part of it which is the guts of what's being removed from the existing statutes so there is no exclusive rights to develop to this developer. And it does give the option to the City of Chicago and the Chicago Park District to purchase this on a quick claim and have the property developed, hopefully into some type of a agricultural school similar to what's done on the south side of Chicago, an agricultural earth science school and possibly a park district commu... park district parcel of properties. I'd appreciate your support."

Speaker Hannig: "All in favor of the Amendment say 'aye'; opposed 'nay'. The 'ayes' have it. And the Amendment is adopted. Any further Amendments?"

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

Speaker Hannig: "Third Reading. Representative Hoffman, you have House Bill 1915. Mr. Clerk, read the Bill."

Clerk Mahoney: "House Bill 1915, a Bill for an Act concerning transportation. Second Reading of this House Bill. No Committee Amendments. No Floor Amendments. All notes have been filed."

Speaker Hannig: "Third Reading. Mr. Clerk, read House Bill 1930."

Clerk Mahoney: "House Bill 1930, a Bill for an Act in relation to public employee benefits. Second Reading of this House Bill. No Committee Amendments. No Floor Amendments. No Motions filed."

Speaker Hannig: "Third Reading. Mr. Clerk, read House Bill 2133."

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Clerk Mahoney: "House Bill 2133, a Bill for an Act concerning transportation. Second Reading of this House Bill. No Committee Amendments. Floor Amendment #2, offered by Representative Hoffman, has been approved for consideration."

Speaker Hannig: "Representative Hoffman on Floor Amendment #2."

Hoffman: "Yes. Thank you, Mr. Speaker, Ladies and Gentlemen of the House. House Bill 2133, Floor Amendment #2 simply ensures that the St. Clair County Transit with regard to safety programs and the Bi-State Development Agency is in compliance with the Federal Laws."

Speaker Hannig: "All in favor of the Amendment say 'aye'; opposed 'nay'. The 'ayes' have it. And the Amendment is adopted. Any further Amendments? "

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

Speaker Hannig: "Third Reading... and return to the Order of Third Reading for one additional Bill. Mr. Clerk, read House Bill 1529."

Clerk Mahoney: "House Bill 1529, a Bill for an Act concerning local government. Third Reading of this House Bill."

Speaker Hannig: "Representative Feigenholtz."

Feigenholtz: "Thank you very much, Mr. Speaker. House Bill 1529, as amended, requires Cook County.. the Cook County Treasurer and no other unit of local government to accept credit cards for property tax payments that are made on time. I would be glad to answer any questions."

Speaker Hannig: "This is on the Order of Short Debate. Does anyone stand in response? Then the question is, 'Shall this Bill pass?' All in favor vote 'aye'; opposed 'nay'."

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The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Have all voted who wish? Representative Coulson and Mulligan, do you wish to be recorded? Okay. Mr. Clerk, take the record. On this question, there are 107 voting 'yes' and 0 voting 'no'. And this Bill, having received a Constitutional Majority, is hereby declared passed. Mr. Clerk, read House Bill 873."

Clerk Mahoney: "House Bill 873, a Bill for an Act concerning criminal law. Second Reading of this House Bill. No Committee Amendments. No Floor Amendments. No Motions filed."

Speaker Hannig: "Third Reading. Mr. Clerk, read the Adjournment Resolution. House Joint Resolution 50.

Clerk Mahoney: "RESOLVED, BY THE HOUSE OF REPRESENTATIVES OF THE NINETY-FIFTH GENERAL ASSEMBLY OF THE STATE OF ILLINOIS, THE SENATE CONCURRING HEREIN, that when the two Houses adjourn on Friday, April 20, 2007, they stand adjourned until Tuesday, April 24, 2007 at 12:00 noon."

Speaker Hannig: "Representative Currie moves that the adoption of the Agree... of the Adjournment Resolution. All in favor say 'aye'; opposed 'nay'. The 'ayes' have it. And the Adjournment Resolution is adopted. Mr. Clerk, read the Agreed Resolutions."

Clerk Mahoney: "Agreed Resolutions. House Resolution 310, offered by Representative Fortner. House Resolution 311, offered by Representative Reitz. House Resolution 312, offered by Representative Bellock. House Resolution 313, offered by Representative Bellock. House Resolution 314,

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offered by Representative Hoffman. And House Resolution 316, offered by Representative Mulligan."

Speaker Hannig: "Representative Currie moves for the adoption of the Agreed Resolutions. All in favor say 'aye'; opposed 'nay'. The 'ayes' have it. And the Agreed Resolutions are adopted. Representative Kosel, for what reason do you rise?"

Kosel: "Mr. Speaker, I believe we're probably getting ready to adjourn and I have a group from Liberty Junior High that is just walking into the upstairs gallery from New Lenox, Illinois. And I would like the chambers to welcome the group from Liberty Junior High, New Lenox, Illinois."

Speaker Hannig: "Are there any announcements? There are no announcements. Then Representative Currie moves that the House stands adjourned until Tuesday, April 24th at the hour of 12:00 noon. All in favor say 'aye'; opposed 'nay'. The 'ayes' have it. The Motion is adopted and the House stands adjourned."

Clerk Mahoney: "House Perfunctory Session will come to order. Introduction and reading of Senate Bills-First Reading. Senate Bill 313, offered by Representative Myers, a Bill for an Act concerning education. Senate Bill 546, offered by Representative Brosnahan, a Bill for an Act concerning government. Senate Bill 1179, offered by Representative Molaro, a Bill for an Act concerning local government. Senate Bill 1327, offered by Representative Hannig, a Bill for an Act concerning finance. Senate Bill 1348, offered by Representative Acevedo, a Bill for an Act concerning criminal law. Senate Bill 1349, offered by Representative



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Beiser, a Bill for an Act concerning public aid. Senate Bill 1354, offered by Representative Holbrook, a Bill for an Act concerning revenue. Senate Bill 1362, offered by Representative Holbrook, a Bill for an Act concerning revenue. Senate Bill 1415, offered by Representative Hannig, a Bill for an Act concerning public aid. Senate Bill 1347, offered by Representative Watson, a Bill for an Act concerning business. Senate Bill 1360, offered by Representative Watson, a Bill for an Act concerning revenue. Senate Bill 1366, offered by Representative Holbrook, a Bill for an Act concerning regulation. Senate Bill 1391, offered by Representative Howard, a Bill for an Act concerning criminal law. Senate Bill 1398, offered by Representative Colvin, a Bill for an Act concerning regulation. Senate Bill 1419, offered by Representative Hamos, a Bill for an Act concerning safety. Senate Bill 1464, offered by Representative Osmond, a Bill for an Act concerning business. Senate Bill 1468, offered by Representative Washington, a Bill for an Act concerning business. Senate Bill 1553, offered by Representative Flider, a Bill for an Act concerning public employee benefits. Senate Bill 1557, offered by Representative Froehlich, a Bill for an Act concerning education. Senate Bill 1481, offered by Representative Joyce, a Bill for an Act concerning public employee benefits. Referred to the House Committee on Rules is House Resolution 309 and House Resolution 315. There being no further business, the House Perfunctory Session will stand adjourned."