

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

42nd Legislative Day

4/25/2007

Speaker Hannig: "The hour of 11:00 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 Randy Mogler who's the minister of the Apola... Apostolic Christian Church in Washington. Reveren... Reverend Mogler is the guest of Representative Sommer."

Reverend Mogler: "It's humbling, a blessing to pray with you. Many of us around the state pray often for you as well as our local officials and federal officials that are elected and so for those who wish let's bow and pray. Father, we come before Thee in filiiety, God, we worship Thee, we praise Thee, we thank Thee. Oh, Father, we know that we're praying from here in Springfield, Illinois, the State of Illinois in North America, the Western Hemisphere, the Planet Earth, the Milky Way and we recognize that thou art God and we worship Thee and know that Thou are God of all people. We thank Thee. You have told us that Thy people who are called by My name, if we will humble ourselves and pray to seek Thee and turn our face toward Thee and forsake our... our selfish ways, that You would heal us and bless our land. So, we pray. Forgive us and help us. Lead the people in this place. I pray for the men and women here. Grant them grace, protection, blessings, open their hearts and minds to truth. Help them to seek truth, to know it, to live it, to advocate for it. Bless them and help them feel blessed by being public servants. We just pray that You would give them

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wisdom in all things, there are difficult decisions sometimes. Give them grace to know truth. Help them to seek truth and to have truth a part of who they are. We just pray that You would bless them in all their decision-making with grace to understand what to decide and grace to know when to know not to act. And we just thank You and praise You in all things. In Jesus' name. Amen."

Speaker Hannig: "Representative Reboletti, would you lead us in the Pledge, please."

Reboletti - 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."

Currie: "Thank you, Speaker. Please let the record show that Representatives Patterson and Scully are excused today."

Speaker Hannig: "And Representative Bost."

Bost: "Thank you, Mr. Speaker. Let the record reflect all Republicans are present."

Speaker Hannig: "Mr. Clerk, take the record. There are 116 Members answering the Roll Call, a quorum is present. Just an announcement as far as our schedule for this afternoon. Members should be advised, we're going to work here on the floor for a couple of hours. About 1:00 we'll break and go to committees. So, the Rules Committee has just met and assigned a number of Amendments to committees. So, we'll meet about 1:00 to consider those items. So, you may want to check and make sure that you've got your schedule in

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order for those... those committees and for those who'd like to have lunch, 1:00. Mr. Clerk, read the Committee Reports."

Clerk Mahoney: "Representative Barbara Flynn Currie, Chairperson from the Committee on Rules, to which the following legislative measures and/or Joint Action Motions were referred, action taken on April 25, 2007, reported the same back with the following recommendation/s: 'approved for floor consideration' is Amendment #2 to House Bill 230, Amendment #1 to House Bill 282, Amendment #2 to House Bill 448, Amendment #2 to House Bill 1294, Amendment #2 to House Bill 1560, Amendment #4 to House Bill 1662, Amendment #5 to House Bill 1727, and Amendment #1 to House Bill 1956. Representative Brosnahan, Chairperson from the Committee on Telecommunications, to which the following measure/s was/were referred, action taken on April 25, 2007, reported the same back with the following recommendation/s: 'do pass as amended Short Debate' is House Bill 827. Representative Burke, Chairperson from the Committee on Executive, to which the following measure/s was/were referred, action taken on April 25, 2007, reported the same back with the following recommendation/s: 'recommends be adopted' is Amendment #1 to House Bill 1478; 'do pass Short Debate' is House Bill 1346. Representative Jakobsson, Chairperson from the Committee on Human Services, to which the following measure/s was/were referred, action taken on April 25, 2007, reported the same back with the following recommendation/s: 'recommends be adopted' is House Floor Amendment #1 to House Bill 2241,

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House Joint Resolution 41; 'recommends be adopted as amended' is House Resolution 139."

Speaker Hannig: "Representative Osterman, for what reason do you rise?"

Osterman: "A point of personal privilege."

Speaker Hannig: "State your point."

Osterman: "Thank you, Mr. Speaker. Ladies and Gentlemen of the House, I'd like you all to welcome today students and teachers from Truman College, a community college in the uptown area of the city and they're down here today to lobby on some issues dealing with higher education and environmental issues. So, please give 'em a warm round of applause."

Speaker Hannig: "We've got a number of Bills on Third Reading we'd like to begin to deal with and then when we come back after the break, we'll be able to pick up some Second Readings. So, Representative... Representative Bost, you have House Bill 1492. Mr. Clerk, would you read House Bill 1492."

Clerk Mahoney: "House Bill 1492, a Bill for an Act concerning criminal law. Third Reading of this House Bill."

Speaker Hannig: "The Gentleman from Jackson, Representative Bost."

Bost: "Thank you, Mr. Speaker, Members of the House. House Bill 1492 requires the state's attorneys to seek a court order to compel a person accused of criminal sexual assault, aggravated criminal sexual assault, or predatory criminal sexual assault of a child to be tested for sexual transmitted diseases including HIV no later than 48 hours

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after the date on which the in... information... an incident was presented. Under the current law, there is no time limit and we're just trying to speed this up. This was a request of... from a constituent. I'll be glad to answer any questions."

Speaker Hannig: "This Bill's 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 115 voting 'yes' and 0 voting 'no'. And this Bill, having received a Constitutional Majority, is hereby declared passed. Representative Jakobsson, for what reason do you rise?"

Jakobsson: "Thank you, Mr. Speaker. I rise on a point of personal privilege."

Speaker Hannig: "State your point."

Jakobsson: "I'd like to give a big welcome to former State Representative Helen Satterthwaite. She's in the balcony to my right. She's got her hand up, waving and I know some of you'd be happy to see her."

Speaker Hannig: "Representative Berrios, would you like us to read House Bill 984? Okay. Mr. Clerk, read the Bill."

Clerk Mahoney: "House Bill 984, a Bill for an Act concerning State Government. Third Reading of this House Bill."

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

Berrios: "Thank you, Mr. Speaker, Ladies and Gentlemen of the House. I had previously brought this Bill up and took it out of the record for some clarification. That was taken

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care of. All we're doing is... this is cleanup language. We're deleting a Section from a DCFS that is requiring them to do a study to analyze... sorry, about that... the need for training and an estimate of the cost for such training for persons required to report suspected child abuse or neglect. That information was due in 1989. They've never had to resubmit that information, but because it's still in the books, they keep getting questions when they get audited. So, all we want to do is delete that Section. I'd ask for a favorable 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? Representative Flowers, do you wish to be recorded? Mr. Clerk, take the record. On this question, there are 116 voting 'yes' and 0 voting 'no'. And this Bill, having received a Constitutional Majority, is hereby declared passed. Representative Arroyo, do you wish us to call 3434? Representative Arroyo, do you wish us to read 3434? Okay. Out of... Out of the record. Out of the record. Representative... Representative Bradley, Rich Bradley on 1231. Out of the record. Representative Brady, you have House Bill 957. Mr. Clerk, read the Bill."

Clerk Mahoney: "House Bill 957, a Bill for an Act concerning regulation. Third Reading of this House Bill."

Speaker Hannig: "The Gentleman from McLean, Representative Brady."

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Brady: "Thank you very much, Mr. Speaker. Ladies and Gentlemen of the House, House Bill 957 is simply an initiative that would adjust the Funeral Directors and Embalmers Licensing Code in the event of a natural disaster to allow temporary licensings for individuals in that field to be in our state and practicing to assist us in regards to a disaster. This came in part out of my experience of doing my profession of coroner embalmer in New Orleans during Katrina. I'd be happy to answer any questions."

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

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

Speaker Hannig: "Indicates he'll yield."

Dunkin: "Thank you. Representative, I'm just curious as how this... how, for example, Louisiana or Mississippi or maybe even Alabama, handled or proceeded with this temporary licensure?"

Brady: "Well, it was a problem in which they somewhat struggled with. I was part of a team through FEMA that spent time there in my particular profession. And what they found was that some other individuals that were coming into the state there was questions on their license and the extent of their background and training and especially their license. What this would allow is the state to, on a temporary basis, issue the license and check credentials on individuals coming in our state to assist us in the event, and only in the event, of a mass disaster where help was asked for in the State of Illinois."

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Dunkin: "Okay. So, Louisiana, for example, did or did not have a process where they were assessing licensure?"

Brady: "Did not."

Dunkin: "Did not and so, would there be any costs associated with us implementing such a policy?"

Brady: "There would be... To my knowledge, no. It would be administered through Director Bluthardt office. In processing, what they want to do is make sure that anyone that they are allowing to practice certain services that would be needed during a disaster that there is a license... they want to track the individual providing the service and who the individual is, that it's a reputable individual that has the qualifications needed."

Dunkin: "Who would determine a catastrophic? Would that be our Governor, the FEMA?"

Brady: "No, actually... I mean, the disaster actually would be determined by the Governor, but the individuals coming into assist in, at least in my profession, and that being that of a licensed embalmer or otherwise, it would be the director who issues license throughout the State of Illinois to allow them to come in and receive a temporary license."

Dunkin: "Okay. Did... Has this legis... Have... Has the Louisiana situation... situation prompted other states to implement such or similar legislation as this here?"

Brady: "I can't speak actually to other states. It's my understanding that a number of us tried to take issu... situations from Katrina and learn from it and bring them back to our states. There's an actually a move afoot for a



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national protocol to do this, but I don't know the status of that and how long that may or may not take."

Dunkin: "Thank you, Representative."

Brady: "Thank you."

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

Brady: "Thank you very much, Mr. Speaker. I appreciate my colleague's questions. Certainly, I ask for an 'aye' vote on something that will just simply make sure that we have individuals assistance in the State of Illinois in the event of a disaster, that they're qualified to be here and that we have a way of tracking 'em. And I ask for a 'yes' 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? Mr. Clerk, take the record. On this question, there are 116 voting 'yes' and 0 voting 'no'. And this Bill, having received a Constitutional Majority, is hereby declared passed. Representative Brauer, you have House Bill 1475. Mr. Clerk, read the Bill."

Clerk Mahoney: "House Bill 1475, a Bill for an Act concerning transportation. Third Reading of this House Bill."

Speaker Hannig: "Representative Brauer."

Brauer: "Thank you, Mr. Speaker, Ladies and Gentlemen of the House. This is a very simple Bill. It gives the state's attorney a little more flexibility if somebody passes a stopped school bus it allows them to take away the registration. The way the old Bill is written and if they

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don't have a positive ID, then they can't move forward with the prosecution. I'll ask all... 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? Have all voted who wish? Mr. Clerk, take the record. On this question, there are 116 voting 'yes' and 0 voting 'no'. And this Bill, having received a Constitutional Majority, is hereby declared passed. Representative Brosnahan on House Bill 780. Out of the record. Representative Burke on House Bill 1657. Out of the record. Representative... Representative Collins on House Bill 1517. Out of the record. Representative Coulson on House Bill 982. Mr. Clerk, read the Bill."

Clerk Mahoney: "House Bill 982, a Bill for an Act concerning public aid. Third Reading of this House Bill."

Speaker Hannig: "Representative Coulson."

Coulson: "Thank you, Mr. Speaker. House Bill 982 is really a technical reporting and information Bill for D... DSCC which is the program in DHS. It requires an Amendment to a biannual report instead of an annual report requested by the department, updates terminology and does a few other technical changes. And I can answer any questions."

Speaker Hannig: "Is there any discussion? 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,

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take the record. On this question, there are 116 voting 'yes' and 0 voting 'no'. And this Bill, having received a Constitutional Majority, is hereby declared passed. Representative Crespo, do you wish to call House Bill 1434, at this time? No. Okay. Out of the record. Representative Eddy on House Bill 613. Mr. Clerk, read the Bill."

Clerk Mahoney: "House Bill 613, a Bill for an Act concerning regulation. Third Reading of this House Bill."

Speaker Hannig: "Representative Eddy."

Eddy: "Thank you very much, Mr. Speaker, Ladies and Gentlemen of the House. House Bill 613 requires that owners of discharging private sewage disposal systems must file a permit application with the EPA, unless the surface discharge from the disposal system does not enter waters of commerce, navigable waters of the state or surface waters that are tributary to the navigable waters of the state. This is an important Bill for rural Illinois and deals with an issue that has become quite a concern regarding proposed changes that would be onerous regarding fees and the permitting process. And I would ask for your favorable consideration of this Bill."

Speaker Hannig: "The Gentleman has moved for the passage of House Bill 613. And we're going to put this on the Order of Standard Debate, Representative, we have a couple of Members who wish to ask questions. Representative Franks, you're recognized for 5 minutes."

Franks: "Thank you, Mr. Speaker. Representative, I'm looking at our analysis and I see that the Illinois Environmental

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Council and the Sierra Club are both opposed. Could you please tell us why?"

Eddy: "Well, I think that their opposition stems from the fact that their view of... their definition of waters of the United States or tributaries or navigable waters does not include language they would like to extend that would actually make low-lying spots in someone's yard equal to navigable waters of the United States. So, I think that they're just opposed to this type of system in the rural part of the state and probably no matter what language is in there, they'd be opposed to it."

Franks: "When you say this type of system, we're talking about a private sewage disposal system? Could you please describe that for us?"

Eddy: "Well, in rural areas in the state, where there's not availability to hook up to a city sewage system, private residences use I think they'd be known as septic tanks, septic systems and at the... at the very end result there is an effluent that discharges from the system and that effluent discharges, in many cases, on lot, on someone's property, just into soil and really has been since I believe the year is 1986 or 1976 approved by state agencies and now there's some concern that changes purposed might offer a real threat to additional cost in permitting to a lot of these systems. So, this is trying to clear up exactly which systems would be, I guess, applicable to the... the new requirements."

Franks: "'Cause I know that Representative Tryon has a Bill he's working on, on discharge as well. But I'm just wondering,

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is this legal right now to do in the state to have the off lot discharging private sewage system?"

Eddy: "Well, I think that's a point of contention that this is trying to clear up and I know... I know there are various opinions on that. To be honest with you, Representative, this... this may end up with a court deciding that. My attempt here is to provide legislation that would, at least for homeowners in rural Illinois, point out that if they are discharging into navigable waters of the state, surface waters that are tributary to the navigable waters of the state, they need to file a permit with the Environmental Protection Agency."

Franks: "Is there a concern though, if it doesn't get to navigable waters but to the aquifers with the seepage, what I could see would be a concern. Has that been brought up in committee or by anyone to you?"

Eddy: "Not specifically. I think... I think the... the real reasonableness here is as to whether or not someone believes that a navigable water of the United States might be on lot, nowhere near any type of... of a waterway at all, let alone navigable, that there's a spot where your... the effluent is that they have to go through, what are going to be additional costs regarding permitting, maintenance, inspection and in rural Illinois, this could be several hundred dollars to folks who are, as you know, are already experiencing other costs related to utilities and that type of thing."

Franks: "And I was wondering, is there any way to dispose of this effluent because, for instance, I've got a septic

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system in my home 'cause I don't live in the city. I live in the county, unincorporated parts. So, periodically, I will have someone come and pump it out and then I..."

Eddy: "Well, I don't think that's a great point. What we're talking about here is maintenance to... a homeowner's maintenance and obviously, you do that because you know that your system has to operate correctly in order for sewage to be... be properly disposed of on your property. And you do that at your expense because it needs to be done and I think homeowners do that and... and there is the need to maintain those systems and they do it at their own costs. What this would require, though, is whether or not you necessarily need it to a scheduled type of cost with maintenance and permitting. Now, they did say that there is no fee with the initial permit, however, we all know that that could change, So, yeah, you're absolutely right."

Franks: "And that's what I'm concerned about, because I don't want to have to mandate, for instance, if someone has to have it pumped out, ya know, every year 'cause I know some people who don't do it for ten (10), twelve (12) years, 'cause they don't need to because they have the proper bacteria levels and et cetera, et cetera. And I'm just worried which way we're goin' here and..."

Eddy: "Well, I agree and what I'm trying to do is something reasonable here. Now, keep in mind, that if someone has... has... wants to bring some kind of complaint because of the type of system they may see, they can do that. There's nothing in this Bill that doesn't say that if you're discharging improperly that there can't be a complaint

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brought. And I would encourage people to do that, if they see that kind of improper discharge."

Franks: "Okay."

Speaker Hannig: "Representative, your time has expired. Could you bring your remarks to a close?"

Franks: "Thank... thank you. I appreciate your forthright answers. I'm going to listen to more of the debate."

Speaker Hannig: "Representative Rose."

Rose: "Thank you, Mr. Speaker. In favor of the Bill. Ladies and Gentlemen, this is an attempt by many of us to hopefully avert what would be an illogical outcome of what I think many people thought was, a logical and well thought through Federal Law when it went into effect. Unfortunately, the most well thought through and thought out plans often have... have some... lead to illogical conclusions. In this case, many of our constituents may be forced to pay upwards of five hundred dollars (\$500) per test to have their water tested when there's absolutely no, and I stress this, no indication that there was anything wrong with their septic system. Clearly, if something's wrong with their septic system or if a neighbor reported them, they should be tested. But in this case, to preemptively test hundreds of thousands of people, that makes absolutely no sense when there's no indication there's anything wrong in the first instance. This is a huge cost for these tests, absolutely huge cost, and would not be fair. I don't think you would actually enact the original intent of the Federal Law. I think it's extreme and is frankly an illogical conclusion of that law. So, I would ask everyone to please consider this

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Bill. It's a very important Bill to many of us on both sides of the aisle. I'll vote in favor of it. Thank you."

Speaker Hannig: "Representative Bost."

Bost: "Thank you, Mr. Speaker. To the Bill. Ladies and Gentlemen, I think the former speaker said it very well, but it is important that this piece of legislation does pass. I want to compliment the Sponsor on working very hard to make sure that the language that's put in here is something that can be worked with. Ya know, we had several people... and I know that those people, people from nonrural areas don't understand this issue... but when you put a septic system in there are qualified and certified people that have to come out and have to be approved system... it has to be approved from the health departments. And all of those things are done correctly and then a person who is a senior has moved into their home and had done this and unless something goes wrong, there's no reason that we should come up and put excessive costs of five hundred dollars (\$500) or a thousand dollars (\$1,000) a year which is a concern that's out there if this doesn't get put in place. I know that my constituents are very upset about this and very concerned and I... I do appreciate what the Sponsor's done because he has worked with others, there are certain groups that my never agree... but this is important for the people of our district and if you would... I think an 'aye' vote is the proper way to go."

Speaker Hannig: "We had... we've had three in support and one in response. So, the rules would provide two additional



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speakers in response. So, Representative Tryon, would you like to speak in response, in opposition or response?"

Tryon: "I'm in opposition and request..."

Speaker Hannig: "Okay. So, proceed."

Tryon: "...to speak."

Speaker Hannig: "Proceed."

Tryon: "Will the Sponsor yield?"

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

Tryon: "Representative Eddy, in your Bill you are defining waters of the state as navigable waters and waters that are used in commerce, correct?"

Eddy: "Yeah."

Tryon: "Is there... is that the same definition that already is in the Federal Code of Regulations that would apply to Illinois?"

Eddy: "Representative, my understanding is that the wording that describes this is under some contention in several court cases, however, I will clearly state what my intent of that... those words are and that is, navigable waters of the state, waters of commerce, are waters that would be navigable and useful for commerce. Now, courts are going to rule on this... As you know, the Supreme Court has been asked about this question. I don't think, ya know, we're going to decide today whether or not some decision down the road regarding what those terms actually mean is going to bind this Bill. This... this is government and how it works. Obviously, a law is passed and the courts will decide."

Tryon: "So, this is not the same definition that's currently in law in the Code of Federal Regulations. Is that correct?"

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Eddy: "These... these descriptions come from the descriptions; they do not include every single part of that."

Tryon: "Right."

Eddy: "But I want to point out again that is up for contention in several court cases and I believe that's where ultimately this may be decided, but my intent is commerce... waters of commerce and navigable waters of the United States should be the guiding factor."

Tryon: "Okay. And I know that you've worked very hard on this as well as I have and we were 80 percent in agreement, but I'd like to speak to the Bill. My problem with this Bill is the definition of 'waters of the state' doesn't include the same definition that's in Federal Law. And in essence, we will be asking IEPA to try to enforce a law that's less stringent than the law that they already have to comply with and I don't see how we can do that. This definition doesn't include drainage ways and ditches that lead to waters of the state and I think it's incumbent that we have to have a program that mirrors what other states are doing if we have an NPDES program. I don't think we have an option there. USEPA doesn't have the ability to let Illinois have less of a law than it requires on the rest of the country. I am totally in support of the efforts not to bring enforcement actions on those peoples that have already installed surface discharging systems, even if they install 'em in the waters of the state. I think they were misled by Illinois Department of Public Health and allowed to put those systems in. What I'm concerned about is from this day forward. People that install septic systems in the future, that

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discharge to waters of the state, need to comply with the Federal Law and I don't believe this Bill provides the proper definition and I stand in support of what the Sierra Club and the Environmental Law and Policy Center in their efforts to oppose this Bill."

Speaker Hannig: "So, we've had three in support and two in response. And the rules would provide one additional speaker in support... in opposition or response. So, Representative Reis, do you wish to speak? Okay. So, Representative Eddy, you're recognized to close."

Eddy: "Thank you very much, Mr. Speaker. I think Representative Bost stated this so correctly. This is tremendously important to rural homeowners. We have worked as hard as we can to try and craft language here that would be as close to what the federal regulations state regarding navigable waterways, waters of commerce. We don't want people dumping septic effluence into waterways and that's not what this Bill does. This Bill is a reasonable approach that allows for the Illinois EPA to back off a little bit on some of these rural homeowners so that they aren't scared of losing their homes. We have senior citizens who have lived in a home where the State of Illinois has approved the system that's in their home and now the State of Illinois, several years later, is coming and need... with new requirements, onerous permitting possibilities, onerous fees and maintenance that would be required. The same State of Illinois that said this is okay is now coming around and saying it's not okay. This is reasonable. It does not allow anyone to do anything that is harmful to the

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environment while, hopefully, easing the minds of folks in rural Illinois. Ya know, the Representative that spoke earlier said he's in support of efforts to try and solve this problem and in support of efforts that for the future these folks that have these systems installed not have these onerous types of EPA regulations. That's all this does. This protects those folks to some degree from that. A very important Bill for rural Illinois. I hope everyone pays attention to this. I appreciate an 'aye' vote and I thank you for the good debate on the issue."

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 Flowers, do you wish to be recorded? Mr. Clerk, take the record. On this question, there are 76 voting 'yes' and 40 voting 'no'. And this Bill, having received a Constitutional Majority, is hereby declared passed. Representative Burke, do you wish us to read 1657 on Third Reading? In the meantime, Representative Moffitt, for what reason do you rise?"

Moffitt: "Thank you, Mr. Speaker. A point of personal privilege."

Speaker Hannig: "State your point."

Moffitt: "Today is, of course, as many of you are aware and I hope you're all aware, that today is a day for recognizing the Illinois Association of Rehabilitation Facilities and I think a lot of you have members from your district. I hope you received a luggage tag in your offices, has a picture of the Capitol on it. It said that'd be help you identify your

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luggage when you're traveling. The... that was made by persons from my area, Knox County Council for Developmental Disabilities in Galesburg, Illinois, made this luggage tag and they're up in the balcony. I'd like for them to stand and would you make them welcome and thank them for that luggage tag you received."

Speaker Hannig: "So, Mr. Clerk, would you read House Bill 1657."

Clerk Mahoney: "House Bill 1657, a Bill for an Act concerning business. Third Reading of this House Bill."

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

Burke: "Thank you, Mr. Speaker, Ladies and Gentlemen of the House. House Bill 1657 is an initiative brought to us from the Automobile Dealers Association. This is legislation that would hope to offer an opportunity for these dealers to recoup some of their costs associated with the paperwork required by the State and Federal Laws and rules. Back in 1992, the fee was capped at forty dollars (\$40) and has only gone up eighteen dollars (\$18) in 15 years. Meanwhile, the amount of the paperwork and the liability to handle these papers has increased dramatically. Since 1992, there have been 76 new or amended State and Federal Laws that impact the sales process. This is a reasonable request brought to us again from the automobile dealers and I'd be happy to answer any questions on the matter."

Speaker Hannig: "This is... 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? Representative Burke, I'm just not quite sure we got in... how

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we even got in the place of setting the fees for the automobile dealers, in the first place, many years ago. Do you..."

Burke: "I... In this Bill, Representative, we are not setting a fee; we are capping the fee at a maximum of a hundred and fifty dollars (\$150). Now, whether or not the dealer would impose that on a purchaser is up to that dealer. So, literally, and I agree with you, I don't know why we would engage the process of establishing rates."

Durkin: "Dan, could you tell me when we first... when we had this first... when this fee was enacted? How many different things did the General Assembly impose or what types of unfunded mandates did we impose upon the automobile dealers in these transactions and where have we gone from the beginning when the first time we put this into place until now?"

Burke: "Well, just let... let me just give you a few and I don't want to take up the Body's entire afternoon because at the Prob... the list goes on pretty extensively. But just for your information, the Federal Safeguards Rule, Financial Privacy Rule, FACT Act, OFAC Drug and Terrorist Watch List, Do Not Call, FAX Rules, Cash Reporting Rule, Personal Information Protection Act, Motor Vehicle Leasing Acts and the list goes on and on and on."

Durkin: "So, all this does is that we're taking the fee right now which is at what?"

Burke: "At forty dollars (\$40)."

Durkin: "And we're putting a ceiling at a hundred and fifty (\$150), correct?"

Burke: "That is correct."

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Durkin: "And we're talking tens and maybe fifteen (15) or twenty (20) years worth of mandates from the State and Federal Government for the automobile dealer to process paper."

Burke: "Precisely. Fifteen (15) years."

Durkin: "Someone's got to process this paper and it doesn't take... it's just not by pushing a button, correct?"

Burke: "As well as purchasing software, upgrading the software, training and retraining employees, purchasing new forms, adjusting printer programs, paying vendors for adjustments and all the other attendant duties that a business has to undertake to process."

Durkin: "And I'm assuming the dealers cannot opt out of any of these requirements either?"

Burke: "Absolutely not."

Durkin: "All right."

Burke: "We created the law."

Durkin: "Right."

Burke: "We're holding 'em to it and we're making them pay for it."

Durkin: "Thank you. I stand in support of this Bill. I think it's reasonable, considering what I... it goes back to my original question, why are we even in this business? But the fact is if we're going to force automobile dealers to continually... continuing to force, ya know, force 'em to process paper for the myriad of things which Representative Burke said, we should at least allow them to recover the cost which they have to incur for the softgrade upgrade... software upgrades, personnel and also the time that the people within the dealership have to... process this paper."

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So, I think this is reasonable. It's not a significant change, but I think that under the current circumstances what Representative Burke said, I think we should support this Bill."

Speaker Hannig: "Representative Burke to close."

Burke: "Thank you, Mr. Speaker, Ladies and Gentlemen. Again, this is a reasonable request brought to us by a good corporate citizen of our state. Again, it is permissive; there is no mandate. We are not insisting that a dealer engaged in the business of selling automobiles, insist on a hundred and fifty dollars (\$150). It's up to the dealer. It just puts a cap on what they could charge and again, as I read the list of all of the mandates that we have placed on this business over the years, I think it's fair, it's equitable and they should be given consideration in this regard. And I would ask for your favorable consideration."

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 Dunkin, do you wish to be recorded? Mr. Clerk, can you vote Representative Dunkin... Representative, do you wish to vote 'yes' or 'no' and the Clerk can vote you? Representative Dunkin. Okay, he voted. So, Mr. Clerk, take the record. On this question, there are 69 voting 'yes' and 47 voting 'no'. And this Bill, having received a Constitutional Majority, is hereby declared passed. Representative Rose, for what reason do you rise?"



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Rose: "Thank you, Mr. Speaker. We're very happy today to have the Arthur eighth grade school kids here right behind me. On behalf of Representative Flider and I, who represent Arthur, can we please welcome the... Go and sit up, kids. Thanks for coming to Springfield."

Speaker Hannig: "Representative Eddy, you have House Bill 1784. Representative D'Amico, for what reason do you rise?"

D'Amico: "Thank you, Mr. Speaker. I'd like to be recorded as a 'no' vote on that Bill; it was a mistake."

Speaker Hannig: "So, the record will reflect your intentions. And so, Mr. Clerk, would you read House Bill 1784."

Clerk Mahoney: "House Bill 1784, a Bill for an Act concerning education. Third Reading of this House Bill."

Speaker Hannig: "The Gentleman from Crawford, Representative Eddy."

Eddy: "Thank you very much, Mr. Speaker. House Bill 1784 is a simple Bill really that just tries to level the playing field as far as school districts, regarding placement on the school financial watch warning list for any type of designation to the school district if the school district does not receive funds from the State of Illinois during the fiscal year that those funds are to be provided. The fact that those funds weren't provided cannot be used against the school district in the rating system. I do want to point out that in the language of the Bill that it points to the Comptroller actually as the failure in this of not getting the money to the schools. That's really not the case. They actually, as you all know, are the disbursing agency, but this really protects school districts in a way that helps

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them not be responsible for something that they absolutely have no control over. And I'd 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? Representative Graham, Howard and Washington, do you wish to be recorded? Mr. Clerk, take the record. On this question, there are 116 voting 'yes' and 0 voting 'no'. And this Bill, having received a Constitutional Majority, is hereby declared passed. Representative Feigenholtz, you have House Bill 3604. Mr. Clerk, read the Bill."

Clerk Mahoney: "House Bill 3604, a Bill for an Act concerning regulation. Third Reading of this House Bill."

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

Feigenholtz: "Thank you, Mr. Speaker, Ladies and Gentlemen of the House. This Bill amends the Hospital Licensing Act essentially requiring every hospital to adopt policies and procedures to ensure that in making decisions concerning treatment of a patient and time of death that that patient's religious beliefs are taken into account. I'd 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'. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Representative Flowers

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and Acevedo. Mr. Clerk, take the record. On this question, there are 116 voting 'yes' and 0 voting 'no'. And this Bill, having received a Constitutional Majority, is hereby declared passed. Representative Flider, you have House Bill 736. Okay. We'll take that out of the record for a moment. Representative Flowers, you have House Bill 1335. Out of the record. Representative Ford, you have House Bill 1361. Mr. Clerk, read the Bill."

Clerk Mahoney: "House Bill 1361, a Bill for an Act concerning regulation. Third Reading of this House Bill."

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

Ford: "Thank you, Mr. Speaker and Members of the House. House Bill 1361 amends the Real Estate License Act of 2000. The Bill adds a provision to the Real Estate Act as to when a licensee, acting as a real estate broker or a escrow agent, may transfer money as unclaimed property. It reduces the time that the agent holds the money in an account from five (5) years to six months and the money would be then transferred to the Treasurer's Office and deposited for... and it would be used and held and taken from there. And the money will then grow interest and the interest will be applied to the Pension Fund. The proponents of this is the Illinois Association of Realtors and I worked very closely with them and I worked very closely with the Illinois State Treasurer's Office. And I believe we summed this up and got a good deal for the people of Illinois. And I urge a 'aye' vote. Thank you."

Speaker Hannig: "This is on the Order of Short Debate. Does anyone stand in response? Then the question is, 'Shall this

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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 116 voting 'yes' and 0 voting 'no'. And this Bill, having received a Constitutional Majority, is hereby declared passed. Representative Franks, you have House Bill 1551. Mr. Clerk, read the Bill."

Clerk Mahoney: "House Bill 1551, a Bill for an Act concerning renewable fuels. Third Reading of this House Bill."

Speaker Hannig: "The... Representative Franks."

Franks: "Thank you, Mr. Speaker. House Bill 1551 would change Illinois renewable fuels development program by allowing smaller plants to be eligible to get state grants. Right now, you have to produce at least thirty million (30,000,000) gallons of renewable fuel per year to be eligible. This would reduce that requirement to five million (5,000,000). We have strong support for this. It seems to be the way that these plants are going to be built. They're going to be built smaller and it's easier to get the energy in and out. I'd 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'. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Representative Hoffman, do you wish to be recorded? Mr. Clerk, take the record. On this question, there are 116 voting 'yes' and 0 voting 'no'. And this Bill, having received a Constitutional Majority, is

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

Cole: "Thank you, Mr. Speaker. A point of personal privilege, please?"

Speaker Hannig: "State your point."

Cole: "May I introduce today a group of students from the College of Lake County. They're here on Student Lobby Day. Randy McDonnell, Jessica Wojciechowski, Daniel Sehl, Kristina Cornish and Nick Kallieris. Please help join me in welcoming them."

Speaker Hannig: "Representative Fritchey on House Bill 1. Out of the record at the... for the moment. Okay. There's Representative Fritchey. Do you wish us to read House Bill 1? Okay. Mr. Clerk, read the Bill."

Clerk Mahoney: "House Bill 1, a Bill for an Act concerning procurement. Third Reading of this House Bill."

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

Fritchey: "Thank you, Speaker, Members of the House. I am thrilled that the day has come that we've actually been able to bring this Bill to the Body. It is not an accident that this is House Bill 1. For too many years now, the #1 issue in newspaper headlines has revolved around allegations of pay-to-play in Illinois and local politics. For too many years now, the #1 issue in campaigns have been allegations and responses to pay-to-play in government. This Bill is an initiative of Comptroller Dan Hynes. I've been proud to work on him with this... with this legislation, with Minority Leader Tom Cross, with Bill Black who's been a ton of help

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on this and what we are going to do is sever the ties between doing business with the state and having to be a political contributor. More specifically, what this will do is prohibit individuals who have contracts worth twenty-five thousand dollars (\$25,000) or more from making political contributions. The Amendment that was adopted onto the Bill yesterday has tightened this up even more to say that there will be a bidding prohibition or a contribution prohibition during the bidding process so that we can reassure ourselves, State Government, and most importantly, the people of Illinois that your ability to do business with the state is not predicated upon your ability to be a large campaign contributor. This Bill has a whole host of Sponsors; it has a whole host of proponents. It is something that is long overdue; it is something that I am proud to be the Chief Sponsor of. I'd be happy to answer any questions and look forward to your support."

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

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

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

Dunkin: "Representative, I'm trying to figure out, I mean, I know we do a lot in terms of trying to make sure that we look good in front of our constituents and the public at large and we don't want to be sort of in the... on the wrong side of an issue, I understand that and sometimes that popular and sometimes it's not. But do we currently have laws that exist today that says if we do something wrong or

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that's not consistent with what's ethical or within compliance of the law today, that could really address most of these issues here?"

Fritchey: "Is that a question?"

Dunkin: "Yes."

Fritchey: "So..."

Dunkin: "I'm tryin' to figure out..."

Fritchey: "...is your question, do we have laws that say if you violate the law you've broken the law? Yes."

Dunkin: "No. My question was... some of these organi... some of these groups..."

Fritchey: What is ethical or what is illegal is a function of what our statutes dictate. So, what we are saying now is beyond what is on the books. There is nothing on the books to prohibit a large campaign con... contributor from doing and getting substantial contracts with the state. You come from Chicago; your district is not far from mine. Our local newspapers, it would be much, much thinner but for stories of scandal and corruption in our state. This is aimed at eliminating those stories; this is aimed at lim... eliminating the real or perceived ties between campaign contributions and doing business with the state. Like you, I want to ensure that any vendor doing business with the state is getting that business because they are the most qualified vendor and that they are going to get the taxpayers of Illinois the best services for their dollars. There should be no question in the mind of the taxpayers that a contract was awarded by virtue of campaign contributions rather than the capabilities and qualifications."

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Dunkin: "Representen... Representative, most of us, yourself included especially, are intelligent individuals here and we're able to discern whether or not, based on someone providing us with a contribution, big or small, that we should have the best vendor receiving a contract and we let the professionals in some of these various agencies address some of those particular bids and their qualifications, their RFQs, their RFPs. So help me make the correlation with us not having at least the good common judgment on us being so swayed by a mere contribution."

Fritchey: "Yeah, yeah. Let... let me clarify something for you if I hadn't. This has to do with contributions to the entity awarding the contracts. So, as a Legislator you do not have the ability to individually let state contracts. So, this does not apply to you. This applies to an agency to... whether it's the Governor's Office, the Comptroller's Office, the Secretary of State, I don't want to single any of them out, it applies to all of them. That you cannot be a contributor to one of them if you are getting a contract in excess of twenty-five thousand dollars (\$25,000). To boil it down for you it says this, you have a choice and I am very comfortable with having people make this choice, you can make the determination to be a large campaign contributor, you can make the determination to do business with the state, you won't get to do both under this Bill."

Dunkin: "Now, again, clarification as it relates to us as Legislators. Where do we fit in the scheme of things? I just want to make sure I'm clear. I'm not an authority on this particular legislation."



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Fritchey: "This is a Procurement Code Amendment, Representative. So, where this impacts you is that it does not, because you do not have the ability to put contracts out to bid and award those contracts. Again, this comes down to making sure that the taxpayers of Illinois are getting the value for their dollars that they deserve. This comes down to making sure that corruption is going to be further broken down within the state and within the local municipalities and this comes down to reassuring public trust in State Government, something which has been waning for far too long. The people of Illinois deserve to know that we have heard them. The people of Illinois deserve to know that we are taking action. The people of Illinois deserve to have House Bill 1 pass."

Dunkin: "Mmm Mmm. Thank you, Mr. Speaker. I would encourage a..."

Speaker Hannig: "Representative Durkin."

Durkin: "Will the Sponsor yield?"

Speaker Hannig: "Indicates he'll yield."

Durkin: "Yeah. Representative Fritchey, does this put a cap on the political contribat... contributions during the period of the pendency of the bid or does it just ban contributions?"

Fritchey: "Via... via Amendment 1, this puts a prohibition during the bidding process. My concern, to be candid with you, was with the Bill in its original form once you were awarded the contract the Bill officially would go into effect. But I was concerned that you may be one of the series of bidders that go and make a fifty thousand dollar (\$50,000) contribution during that bidding process which could just as

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easily if not taint the process surely have the perception of tainting the process. So, I am now... so, if you are a bidder, you cannot contribute during the bidding period. Should you get the contract that prohibition would extend for you, should you not be the prevailing bidder, the prohibition on you would be removed and then you could again be a contributor would you so choose."

Durkin: "All right. So, as I... say you were a contract and I lose out on one of the and I have not participated in a contract or I have lost the contract, I've not made the contribution, but I know there is a two-year length of it. It's going to be rebid. The losing party can make a significant contribution to the awarding agency during that period, correct? And when the next period comes up, in two years, that's all fair play, correct?"

Fritchey: "That... that is correct. That would, however, be subject to disclosure in that future bid during the look-back period when you have to disclose previous contributions during that window. The... the issue of large campaign contributions is a very legitimate but wholly separate when Representative Osterman has legislation pending that would give this Body the opportunity to voice its opinion on contribution caps. What I am looking to do is sever the ties, real or perceived, between contributions and contracts."

Durkin: "Does this ban apply to contracts awarded by the House of Representatives or the state or the Senate?"

Fritchey: "It would not in as much as contracts awarded by our... by these two Bodies are not Procurement Code contracts. So

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they may be service contracts that fall outside of the scope of the Code."

Durkin: "Do you think if we're going to be, we should be inclusive, we should probably go across the board if we are going to force the administration also who supplies' a procurement list... Let's go back a little bit. Applies not only to the Governor... to the administration, but all the Constitutional Officers as well, correct?"

Fritchey: "That's correct."

Durkin: "Now, we do..."

Fritchey: "And a number of who has slipped in support of this: Treasurer Giannoulis, Secretary of State White, Lieutenant Governor, Quinn."

Durkin: "But do you think it would be wise to have the ban in place for contracts which are awarded in these chambers?"

Fritchey: "Candidly, Representative, it's not something that I had thought of nor have I seen any stories or allegations of contracts being awarded by these chambers, service contracts or whatever you may have, that have any... would have been improper or influenced. Ya know, this is trying to address a real ongoing Party... a real... an ongoing issue of which both Parties have been accused. Unfortunately, corruption in our state has not been a partisan issue."

Durkin: "Don't... Don't disagree with me. I am supporting. I'm going to vote for this Bill, but I think if we're going to make a very dramatic statement, I think it should be... not only apply across the board to all Constitutional Officers but I think it also should apply to the respective chambers as well who are involved in awarding contracts."

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Fritchey: "Jim, I... I don't disagree with you. Ya know, the most candid comment I can give you, the issue had never been raised. We've been working with this for years now. I think you're aware of that and when you look at some of the groups that have worked with us on this very instrumentally: Campaign for Political Reform, who's as dogmatic a watchdog as you are going to find; Better Government Association; Citizen Action, et cetera. Nobody had ever raised that issue. I will commit to you that I'm happy to go back to them and discuss it with them and if they feel it should be added on, work to add that on on the Senate side. That's not a commitment that I'm going to add it on, but if they believe it's a real issue and I'm happy to talk with you some more. Just frankly, I had never seen this issue as one that had raised eyebrows or even the appearance of impropriety."

Durkin: "Now, we're talking... with the Constitutional Officers. The threshold has to be twenty-five thousand dollars (\$25,000), correct?"

Fritchey: "Yes, Sir."

Durkin: "Would that apply to legal services or like say financial advisors? So, any one of the Constitutional Officers needs to hire outside counsel, would it apply to them as well? 'Cause I mean, we do have a situation where we do issue bonds and there are different financial teams brought in, different underwriters, bond counsels, underwriters' counsels, to name many of 'em."

Fritchey: "There are... there are professional... I'm fortunate to not only to have one of our best staffers, but also..."

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Speaker Hannig: "Representative, your time has expired. Could you... Why don't you answer the question, Representative Fritchey and then bring your remarks to a close."

Fritchey: "I'd like to answer the question; it's an excellent one. This does not change any of the existing exemptions within the Procurement Code. One of those exemptions is professional services contracts, so that would cover things such as legal services being provided."

Durkin: "So, legal services are excluded and they would not be subject to the restrictions under this Bill within the Constitutional Offices, correct? So, attorneys would be able to make contributions if there is... I don't know the situation. I think the Constitutional Officers just name attorneys, but if they do put a bid out for legal services, people can... I'm not quite sure if that's the right thing. If we want to... 'Cause those are the areas when we're talking about professional services, I think that should be included as well, John. And hope you take that under consideration because we've seen enough over the past two (2) years, about four (4) years ago, and some people have gotten in trouble over some of the financial transactions the state has gone on where they've issued a number of... I mean, billions of dollars in bonds and there's significant fees which were recovered by a number of these individuals. I just think it'd be wise that if we're going to move down this road, like I said, I'm fully supportive of it, but I think we need to also go down in the professional services area as well and have that included within these prohibitions."

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Fritchey: "It's... it's a very valid point. As I said, that's an exemption that's in there today. And maybe we should look at revisiting that exemption, ya know, simply because something is an exemption doesn't mean that it's a proper one. I'm... I'm happy to revisit that. This was not... it was not our intention to rewrite the Procurement Code. I'm not saying that that may not be a wise issue to undertake and take another look at."

Durkin: "But I think that one of the major issues which has driven this type of... this legislation was through the transactions a few years back with the... the bonding Bill and also the services... the professional services which were awarded to a number of individuals. So, I think that it seriously should be considered. This Bill's going to pass out of the chamber, but I would hope that you would talk to the Senate Sponsor and let's be inclusive on this to ensure that those types of situations will not be exempt and that there is going to be a fair playing field across the board."

Fritchey: "I'll represent to you that I will speak to both of the proponents as well as the Senate Sponsor on this."

Durkin: "Thank you very much."

Fritchey: "Thank you for bringing those points up."

Speaker Hannig: "We've had one in support and two in response. And Representative Monique Davis, you're recognized for five (5) minutes."

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

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

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Davis, M.: "Representative, what role will the Inspector General play with your legislation or with your legislation will the Inspector General no longer be needed?"

Fritchey: "Well, the... the role of the Inspector General is a widespread one. It goes far beyond this. The Inspector General is not directly involved in this issue. This sets forth a pretty... a very clear ban on contributions for those individuals who are doing business with the state. This is not about the Inspector General's duties of uncovering wrongdoing or corruption within the government. That is a very necessary role and one which I support and one would... I was one of the Sponsors of creating that. So, that is not affected one way or the other by virtue of this legislation."

Davis, M.: "Do you think that this legislation would in any way hamper the role of the Inspector General?"

Fritchey: "Oh, by... by... by no means. I think if anything this may lighten the workload of the Inspector General by reducing the number of potential investigations of wrongdoing which need to be made because right now many of the allegations that we see about contracts being potentially improperly let as a result of campaign contributions, those would go by the wayside should this become law."

Davis, M.: "Have any other executive administrations had these kind of issues or is this something brand new?"

Fritchey: "Representative, I apologize if I don't understand the question."

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Davis, M.: "Well, I mean, it appears that all of a sudden we think it's necessary for this kind of legislation."

Fritchey: "This is... this is not an all of a sudden issue, Representative. We've been working on this with Comptroller Hynes, Senators del Valle and Dillard, Representative Black's been instrumental, for years now. My belief and the belief of the proponents of this legislation is that this is not all of a sudden, this is way overdue. We have been trying to do this. It's necessary. It's unfortunate that it's necessary, but our history in this state has proven that we do, in fact, need a law like this."

Davis, M.: "How long have we been trying to do this?"

Fritchey: "I believe that we have been working on this now for approximately three (3) years."

Davis, M.: "About three (3) years? And you don't feel that it will deny the ability of some business owners to support the candidates of their choice with some finance..."

Fritchey: "This would restrict certain entities doing business with the state from making campaign contributions to those offices from whom they received contracts. This is, in my opinion, the most significant piece of reform legislation that has come before this Body since the Ethics Act of 2003. I am thrilled that it's reached the floor."

Davis, M.: "Well... Okay. To the Bill, Mr. Speaker. I may..."

Speaker Hannig: "To the Bill."

Davis, M.: "I may support it. I'm going to continue to listen if there's more information, but it appears... it appears that we're hampering the ability of some businessmen to make contributions to the person of their choice. And if they do



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make those contributions to the person of their choice, then we're saying then you can't get a contract with the state. I'm not interested in what hyenas may have to say or do at this point, but I am very much interested, Representative, in businessmen being able to participate in our democratic process of making contributions and at the same time participating in bidding for... to do business with the state. I understand your attempt. You're attempting to rid corruption. If that is the attempt, I'm not sure this Bill will do that. I think that, here again, we're all going to vote 'yes' because it sounds like a good government thing to do, so we're all going to push a 'green' button. And yet, I believe, we're really not doing justice to those businessmen who want to support one side of the aisle or the other or they'll be perceived... they'll be perceived..."

Speaker Hannig: "Representative, your... your five (5) minutes have expired. Could you bring your remarks to a close, please?"

Davis, M.: "They'll be perceived as trying to buy influence. Thank you for your comments, Representative."

Speaker Hannig: "Any further discussion? Representative Fritchey, you're recognized to close."

Fritchey: "Thank you, Speaker. Let me just say as part of my closing, I am honored and humbled to have both Comptroller Dan Hynes as well as Treasurer Alexi Giannoulis in the chamber in support of this. Ladies and Gentlemen, the previous speaker discussed the democratic process and people being able to give to the candidates of their choosing. I believe a much more fundamental process, a part of our

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democracy, is that our taxpayers know that they are getting the best value for their dollars and that contracts are being awarded based on merit and not on campaign contributions. The concept and perception of Illinois as a state where you have to pay-to-play is repugnant, as every one of these stories that hits the newspapers, puts a black eye upon all of us. Personally, I'm tired of it. This legislation is long overdue. There's been so much work put involved in this everybody that supports this legislation will be able to go back to their constituents and say, I helped pass one of the most important Bills this decade to help clean up Illinois government and I was proud to be a part of it. Ladies and Gentlemen, thank you. I'd like to thank the Speaker as well for working with us to get this Bill to the floor. As I've learned over the years, sometimes the best ideas take years to move forward; I think this is one of those. We have a very good Bill put before this Body and I request 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? Mr. Clerk, take the record. On this question, there are 116 voting 'yes' and 0 voting 'no'. And this Bill, having received a Constitutional Majority, is hereby declared passed. And in... and in... and indeed we'd like to acknowledge that our Comptroller and our Treasurer have joined us here on the floor and we want to acknowledge their presence. Representative Howard, for what reason do you rise?"

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

Speaker Hannig: "State your point."

Howard: "I'm very happy to announce that there are some great people who came from my district today to visit us: Dr. Valerie Roberson, the president of Olive-Harvey College, Kelly O'Malley, the vice president of Olive-Harvey College, Professor Dolores Godley from the criminal justice department, Professor Addie Davis in the math department and two fine students: Denisa Williams, who is the president of Phi Beta Kappa Honor Society. She's also designated as one of the best community college students in Illinois and Donna Gentry also a student named by Phi Beta Kappa Honors Society as #1 student in Illinois and in the nation. Please help me to welcome them."

Speaker Hannig: "Representative Riley, for what reason do you rise?"

Riley: "A point of personal privilege, Mr. Speaker."

Speaker Hannig: "Yes, state your point."

Riley: "Ladies and Gentlemen of the House, I'd like to recognize from one of the great community colleges in the State of Illinois students who are down here for Lobby Day and also all Illinois scholars from a great college that does a lot in terms of providing comprehensive education and career development services to the south suburbs of Cook County and Dr. Paul McCarthy, students and staff of Prairie State College. Let's please recognize 'em. Thank you for coming."

Speaker Hannig: "Representative Gordon, for what reason do you rise?"

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

Speaker Hannig: "State your point."

Gordon: "Ladies and Gentlemen, April is Child Abuse Awareness Month. Just in Sangamon County and the surrounding counties alone, in 2006 there were over fifteen hundred (1500) reported cases of child abuse or neglect. It's something that we all work on down here together, passing laws, making sure that the reports are done to protect the children, but I also have at my desk blue ribbons. And so, if anyone would like to wear one to raise awareness about child abuse and neglect, I'd be happy to give you one of those ribbons. Thank you."

Speaker Hannig: "Mr. Clerk, read House Bill 736."

Clerk Mahoney: "House Bill 736, a Bill for an Act concerning regulation. Third Reading of this House Bill."

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

Flider: "Thank you, Mr. Speaker, Ladies and Gentlemen of the House. House Bill 736 is a Bill that will make the Illinois Commerce Commission more transparent... more transparent and open to concerned citizens of the state. The Bill is an initiative of AARP. The Bill requires the ICC to allow members of the public to participate in proceedings before the ICC, subject to restrictions, at ICC meetings and also requires a Web site and toll-free phone number that will accept public comments regarding matters before the ICC. I ask for your 'aye' vote."

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

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

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

Reis: "Just real quick, Representative. Does this change the way the ICC members are appointed to where they're... I mean, that's something that came up last summer with the... when the Ameren thing first started to develop was that the administration gets to appoint all the ICC members. Does this change that in any way?"

Flider: "No. That would be in another piece of legislation. I think that's pending before the ICC. This simply gives consumers an opportunity to state their views before the Illinois Commerce Commission which they really don't have an opportunity to do today."

Reis: "Okay. Thank you."

Flider: "Thank you."

Speaker Hannig: "Any further discussion? 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 116 voting 'yes' and 0 voting 'no'. And this Bill, having received a Constitutional Majority, is hereby declared passed. Representative Gordon, you have House Bill 3588. Mr. Clerk, read the Bill."

Clerk Mahoney: "House Bill 3588, a Bill for an Act concerning criminal law. Third Reading of this House Bill."

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Speaker Hannig: "The Lady from Grundy, Representative Gordon."

Gordon: "Thank you, Mr. Speaker. Ladies and Gentlemen, House Bill 3588 adds domestic violence and the prior crimes to... that can be... prior crimes of domestic violence can be used to show a propensity toward those crimes. It's the same law... it's the same statute that we use and checks the language for sexual abuse cases and prior... prior convictions and prior acts of that. Well, what we found out is that a domestic violence is a recurring crime in the same way that sexual abuse and sexual assault is. So, we're just giving law enforcement a tool and the victims a tool so that we can make sure, after a judicial inquiry and after a review by a judge, that we can use this evidence against the defendant if it's fair, if it's equitable, if it's reasonable, to make sure that the violence ends and the victims are safe. I'd be happy to answer any questions."

Speaker Hannig: "We're going to put this on the Order of Standard Debate to accommodate our Members. And Representative Durkin, you're recognized for five (5) minutes."

Durkin: "Will the Sponsor yield?"

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

Durkin: "Representative Gordon, is there any... what's the time frame in which you can use this, a prior offense of domestic battery to be used in a subsequent trial? Do you put any time limitations on it?"

Gordon: "Representative, that's something to be determined by the judge in the same way that prior crimes of sexual

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assault or sexual violence can be used. It traces the statute on evidence in other cases."

Durkin: "Does it say that in your Bill that it... that any type of gui... I mean, specifically tell me whether or not..."

Gordon: "One of the guidelines... one of the guidelines that the judge can use is the proximity of the... of the prior act to... to the current crime charged."

Durkin: "Is that in your Bill?"

Gordon: "Yes."

Durkin: "All right. So, something that... a domestic..."

Gordon: "It's on page 1 line 17."

Durkin: "But there really is no limitation time period. It could be a domestic violence offense. Now, first of all, let me see, does it have to be a conviction, a prior domestic violence conviction?"

Gordon: "No, Sir."

Durkin: "How about... it could be a... a prior domestic violence arrest, would be admissible?"

Gordon: "Potentially, after review by a trier of fact."

Durkin: "But what if the arrest subsequently turned into a not guilty or if charges were dismissed? Would that still be something that could be considered?"

Gordon: "It... it can always be considered by the judge, Representative, but... but you know..."

Durkin: "I don't recall ever that a..."

Gordon: "...you know as a former prosecutor, as well as I do, how closely the judge is going to look at prior offenses and prior acts so that the defendant is not prejudiced in front of the jury."

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Durkin: "Well, I think that... I don't recall ever getting into evidence of prior arrest and I think that the laws have been pretty strict about using prior convictions that... prior... prior offenses in which ultimately had to be convictions. So, I just... I just have some questions about whether or not we want to go back to twenty-five (25) years ago where somebody was arrested for a matter which... I don't think we even had a domestic violence statute in place back then, but which would probably meet the elements of the domestic violence statute but the charges were ultimately dismissed but being... allowing those to be used in a trial many years later on a domestic battery offense where there was no conviction, I just it's something that we can think about a little bit more. It's obviously going to pass out of the House, but I'll be more than happy to discuss this with you at a further time. Thank you."

Gordon: "Thank you, Representative."

Speaker Hannig: "Representative Bost."

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

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

Bost: "Representative, I understand and that many of us are not prosecuting or defense attorneys and I'm just trying to figure this out. It says at a reasonable time, but there's no definition of what 'a reasonable time is'. What... what do they... what do they normally do in a case like that? And I'm not trying fight against your Bill."

Gordon: "No, I know."

Bost: "I'm just trying to understand."



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Gordon: "It depends on how the crime is committed, the motive that was used, if it was the same pattern as the other crimes that were there. I... in the sexual assault cases that I prosecuted, you can see a pattern of abuse. The offender does the same thing in the same way. So... so, I mean, the earliest... the longest that I ever got annual was approximately, I think, seven (7) or eight (8) years previous to the crime."

Bost: "Seven (7) or eight (8) years previous to the crime anything that just might..."

Gordon: "Right. But they... they were..."

Bost: "So, a pattern or anything like that."

Gordon: "...they were so similar even right down to exactly what they said to the victim during the commission of the offense. I mean, it was very... it was almost the same, just with a new victim."

Bost: "Okay. When I read this and I'm seeing reasonable time, now you're... that's you were talking about the actual evidence that can be used, but this says it has to be presented in a reasonable time. Is that correct or am I reading that wrong?"

Gordon: "The... the evidence in advance of trial. I mean, it would... it would be a pretrial motion."

Bost: "Okay. I mean... I mean..."

Gordon: "So, that's the... I'd... and this'll..."

Bost: "...a day, two (2) days?"

Gordon: "The standard notice requirements. The prosecutor would file the pretrial motion to give notice to the defense of... that they want to present this evidence. It would go to a

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hearing before the judge. It all depends on the court schedule, but they have to give notice at all times according to... according to the notice requirements..."

Bost: "So, this... this idea of just reasonable time..."

Gordon: "...in the county that you're in. I'm sorry, what?"

Bost: "I'm just trying to figure it out because most times when we draft language we, something like that, we define what a 'reasonable time' is and in this..."

Gordon: "It's defined in other places in the statute and also by local rules depending on the court that you're in, Representative."

Bost: "Okay. Okay. That's what I mean, though. Thank you."

Speaker Hannig: "Representative Froehlich."

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

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

Froehlich: "Representative, why does the law currently not admit evidence of prior offenses at a trial?"

Gordon: "Well... you can... it's not at trial; you can use it at sentencing. It does. There's a specific statute that deals with prior crimes of sexual assault or sexual violence. Because it's been determined that when it comes to sexual assault the offender uses the same means, the same motive, they'll use the same weapon, they'll make the same threats. And so, with the pattern of abuse, it's been determined that after a review by a judge they can use that prior evidence to show that more likely than not to have committed this crime, especially involving children or rape victims. Right now, it doesn't also apply to domestic violence cases but domestic violence cases are very, very similar to the sexual

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assault crimes they commit. They're done in the same way, the same threats are made, the same type of victim, the same age. There's statistics out there that show that if during a domestic violence attack if the offender chokes the victim, then seven (7) times out of ten (10) it's more likely to lead to murder. I mean, very, very specific studies have been done."

Froehlich: "Aren't there other crimes where you have, ya know, repetitive patterns such as prostitution, drug use, arson. I mean, certainly, domestic violence isn't the only kind of crime or sexual assault where... where you have repeat offenders."

Gordon: "No, but those... those are very, very different types of crimes in the way that they're offended. I mean, drug crimes, somebody sells drugs. It's not the same specific acts by a specific person dealing with a specific behavior of violence and their tendencies to commit their crimes that way. I mean, it shows, I mean, serious psychological problems when people do this."

Froehlich: "Well, but isn't there an underlying reason to not admit past accusations at a... at a trial in general or do you think that... do you think we should repeal it for... for any kinds of crimes where you have patterns of repeat behavior?"

Gordon: "No, I don't and I also..."

Froehlich: "Well, why not? What... what... what are you trying to preserve in those other kinds of crimes that are not sexual assault or domestic violence?"

Gordon: "Above all, a defendant... a person is innocent until proven guilty, we all know this and there are some things

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that are overly prejudicial to the defendant and so, you wouldn't want to admit that type of evidence because the jury may convict them, oh, just because they've done it before, for example, selling drugs. But this... when you're trying a drug crime, it's a specific instance at a specific time. Did they commit the exact offense that they're charged with? It has nothing to do with prior instances of selling drugs. Sexual assault cases and domestic violence cases are very, very different and distinguishable from... from drug sales."

Froehlich: "But couldn't any... couldn't it be prejudicial in any case if..."

Gordon: "Which is why it's reviewed by a judge to determine whether the proximity is there, whether the motive, the opportunity, the means and all of the things are similar enough to... to the crime charged of whether or not that evidence can be used. There's a specific case... I tried a case in Clark County, it was a bench trial... the evidence was not admitted. The judge said it was overly prejudicial but just at... it was in a sex crimes case. Three (3) weeks later the Illinois Supreme Court found in a case that you could argue propensity to commit sexual crimes because of their history and how they're committed and... and the psychological problems with the offenders."

Froehlich: "Okay. Thank you."

Gordon: "So, we can now argue propensity."

Speaker Hannig: "So, we've had one (1) in favor and three (3) in response. And the rules would provide two (2) additional speakers in support. In support, Representative Reboletti."

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

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

Reboletti: "Representative, isn't it fair to say that you've prosecuted cases and other prosecutors have... have dealt with this where people have three (3) or four (4) or five (5) prior domestic violence convictions and they can walk into that courtroom as if they were... they had never done anything wrong in their entire life. Is that correct?"

Gordon: "Absolutely."

Reboletti: "And so this... the purpose of this Bill would be to enable to show the trier of fact, be it a judge or a jury, that there is a propensity that they can't claim self-defense in this particular issue because they've done this two (2), three (3) or four (4) prior times."

Gordon: "That..."

Reboletti: "Is that fair to say?"

Gordon: "Absolutely."

Reboletti: "That... To the Bill, Mr. Speaker. This is... this is good legislation. It's important that this situation is dealt with. We cannot have situations where domestic batterers walk in the courtroom and they sit there and can tell the trier of fact that they have done nothing wrong in the past and I can tell you that as a former prosecutor. Thank you very much."

Speaker Hannig: "So, the rules provide for one (1) additional speaker in support. Representative Davis, would you like to speak in support. We've already had three (3) in opposition. So, Representative Gordon, you're recognized to close."

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Gordon: "Thank you, Mr. Speaker. Ladies and Gentlemen, domestic violence is one (1) of the fastest growing crimes in this country. In this state we deal with it every day. Victims are likely to be abused seven (7) times before they even report what is going on. Not that... they don't even go through the prosecution at this point, but they will be abused seven (7) times before they even decide to report. This is a tool to give those victims a voice in court because of the pattern of abuse that most of them have suffered at the hands of someone that they trust, that they may love and someone who they have to deal with potentially for the rest of their life. I would ask you to support this Bill, to give a 'yes' vote to the victims in this state and to give law enforcement a tool to stop what can be a very, very violent and end up being deadly crime. 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 Boland and Turner. Mr. Clerk, take the record. On this question, there are 110 voting 'yes' and 6 voting 'no'. And this Bill, having received a Constitutional Majority, is hereby declared passed. Representative Rose, for what reason do you rise?"

Rose: "A point of personal privilege."

Speaker Hannig: "State your point."

Rose: "Ladies and Gentlemen, over here we have some of the students from Parkland College which is located in my district and Representative Jakobsson's district, Representative Cultra's, Black and they're here today."

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We're very happy to have them along with one of their members of their Board of Trustees, Lin Warfel who's my constituent from Tolono. So, thank you for being in Springfield."

Speaker Hannig: "Representative Graham, you have House... Excuse me. Representative Holbrook, for what reason do you rise?"

Holbrook: "Purpose of announcement. We're joined today by the Leadership Council of Southwest Illinois. Many of the members are here today down lobbying on our latest issues and they're here in the gallery. We'd like to give 'em a good Springfield welcome."

Speaker Hannig: "Representative Graham, you have House Bill 415. Do you wish us to read that on Third at this time? Mr. Clerk, read the Bill."

Clerk Mahoney: "House Bill 415, a Bill for an Act concerning insurance. Third Reading of this House Bill."

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

Graham: "Thank you, Mr. Speaker, Ladies and Gentlemen of the House. I have before you House Bill 415 which extends coverage for the state employees for children who are not in college to the age of twenty-five (25). I'll try to answer any questions at this time."

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 Rita and Kosel, do you wish to be recorded? Mr. Clerk, take the record. On this question, there are 116 voting 'yes' and 0

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voting 'no'. And this Bill, having received a Constitutional Majority, is hereby declared passed. Representative Granberg has House Bill 161. Mr. Clerk, read the Bill."

Clerk Mahoney: "House Bill 161, a Bill for an Act concerning transportation. 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 161, Amendment was added by Representative Lyons yesterday to include paratroopers. This creates the License Plate Act for the Illinois Military Relief Fund... I'm sorry. Fees set at forty dollars (\$40), twenty-five dollars (\$25) to be deposited in the Illinois Military Relief Fund, fifteen dollars (\$15) to the Secretary of State Special License Plate Fund. And this is for the Iraq Campaign and Afghanistan Campaign license plates."

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 Cultra and Sommer, do you wish to be recorded? Gentlemen? Have all voted who wish? Mr. Clerk, take the record. On this question, there are 113 voting 'yes' and 3 voting 'no'. And this Bill, having received a Constitutional Majority, is hereby declared passed. Representative Hamos, you have House Bill 742. Mr. Clerk, read the Bill."



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Clerk Mahoney: "House Bill 742, a Bill for an Act concerning civil law. Third Reading of this House Bill."

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

Hamos: "Thank you, Ladies and Gentlemen. This Bill amends the Whistleblower Act and the Whistleblower Reward and Protection Act by essentially including a number of the local governments that have not been previously included and that of course includes municipalities and school districts, commissions, so a level of local governments. And it provides these protections when an employer... it... to prohibit an employer from retaliating against an employee from disclosing information in a court, administrative hearing, legislative commission or committee and other kinds of protections. I think it's a simple Bill, but the goal of it really is protection for all of us, because the public must depend on people who work on the inside of government who know about problems that are going on, who know about corruption, who know about issues that really affect public health and safety and essentially, that's really what this Bill does as it... to include local governments where we have had State Government previously. I seek an 'aye' vote."

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: "Indicates she'll yield."

Fritchey: "Actually... actually, to the Bill. Ladies and Gentlemen, I want to commend Representative Hamos for moving forward with this. We need to understand that Whistleblower

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Bills are whistleblower protection and if the Sponsor already covered this, I apologize 'cause I had stepped out of the chamber, but these are truly as much about safety issues as they are about good government issues. We need to make sure that individuals that are aware of wrongdoing in government, whether that wrongdoing is an unsafe condition, whether that wrongdoing is corrupt activities, that they have the ability to bring that wrongdoing to light and to know that their job is not at stake, that their livelihood is not at stake for time... for trying to step up and protect the public good. This, again, is legislation that is long overdue. This seems to be a good theme for the day and I urge an 'aye' vote for this Bill as well. Thank you."

Speaker Hannig: "Representative Reis."

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

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

Reis: "Representative, on our analysis it says this preempts Home Rule. Is that the case?"

Hamos: "Yes, I believe it does."

Reis: "How does it do that?"

Hamos: "Well, it says that the state will have exclusive... let me just read for you the exact language and also for purposes of legislative intent..."

Reis: "So, is this just for the City of Chicago?"

Hamos: "No, no, no, no, no."

Reis: "No, I mean, would this only prove exempt... preempt Home Rule in the City of Chicago?"

Hamos: "No, no, no. Absolutely not. Again... what... what I wanted to do, Representative, if I could, was to read for you for

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purposes of legislative intent the exact language about how it does determine that the state... okay... it says, 'it is the public policy of this state that the provisions of this Act are the exclusive exercise by the state of powers and functions which might otherwise be exercised by other Home Rule units. Such powers and functions may not be exercised concurrently, either directly or indirectly, by any unit of local government, including any Home Rule unit except as otherwise authorized by this Act.' In fact, this preempts Home Rule of all Home Rule municipalities. This intends to be the public policy for the State of Illinois. And Representative, what you may be referring to, is that Amendment 1 attempted to take the City of Chicago out of this protection for whistleblower, but Amendment 3 put it back in. So, the City of Chicago is also covered."

Reis: "I... I support your legislation, Representative. I guess, a parliamentary inquiry to the Chair as to why... if this preempts Home Rule, it only requires 60 votes?"

Speaker Hannig: "I'm advised, Representative, that it requires 60 votes."

Reis: "How come when we... when we discuss and debate gun Bills, when we preempt Home Rule that it requires 71?"

Speaker Hannig: "We'll have the parliamentarian come and read you the reason, Representative. Did you wish to debate the Bill further, Representative?"

Reis: "No. If you could get us the answer to that inquiry."

Parliamentarian Ellis: "Representative Reis, on behalf of the Speaker in response to your inquiry, House Bill 742 preempts Home Rule powers on a subject on which the state is

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providing exclusive regulation. Therefore, under Article VII Section 6 (h) of the Illinois Constitution only 60 votes are required for passage."

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

Hamos: "Thank you, Ladies and Gentlemen. I think we've said... and I appreciate Representative Fritchey for working with me on this Bill. Ya know, I think we've said what we need to say. This is... this will make these protections statewide and I seek your '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 Collins, Jefferies, Riley and Younge, do you wish to be recorded? Have all voted who wish? Mr. Clerk, take the record. On this question, there are 116 voting 'yes' and 0 voting 'no'. And this Bill, having received a Constitutional Majority, is hereby declared passed. Representative Harris on House Bill 3490. Mr. Clerk, read the Bill."

Clerk Bolin: "House Bill 3490, a Bill for an Act concerning local government. Third Reading of this House Bill."

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

Harris: "Thank you, Mr. Speaker. This Bill is a initiative of the Public Building Commission of Chicago that was brought to me that would allow an industry best practice called design-build to be utilized by Public Building Commissions throughout the state. The intent of this is to bring

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school, police district, fire department and other similar public works projects in, on time and on budget. I would ask for a favorable vote. Thank you."

Speaker Hannig: "This is on the Order of Short Debate. Does anyone state in response? Okay. Representative Leitch, you're recognized in response. Actually, we'll put this on Short Debate and you can speak on either side. So, Representative Leitch."

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

Speaker Hannig: "Indicates he'll yield."

Leitch: "Does this apply only to the Public Building Commission in the City of Chicago or all Public Building Commissions in the state?"

Harris: "It would apply to all Public Building Commissioners, Representative."

Leitch: "Thank you."

Speaker Hannig: "Representative Joyce."

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

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

Joyce: "Representative Harris, my question is just with regard to if... a little follow-up to Representative Leitch's. Would this... would this be eligible for like say a park district and if they wanted to do a design and build of a play lot for example instead of having to go through the design and then the build phase? In essence, it takes about two and a half years to get yourself a play lot built at a community park. Are they able to use this or is just only for the Public Building Commission?"

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Harris: "This particular Amendment is to the Public Building Commission Act. If the park district was using the PBC in Chicago or other jurisdictions, it could apply. Otherwise, I'm not sure that it would."

Joyce: "And what's the effective date of this Bill?"

Harris: "The effective date..."

Joyce: "Ya know, you just get it to me..."

Harris: "I'll have them find out for you, Representative. Thank you."

Joyce: "I'd appreciate it. Thank you."

Speaker Hannig: "There any further discussion? Did you... did you ask... Okay. Is there any further discussion? Then Representative Harris, you're recognized to close."

Harris: "Thank you, Ladies and Gentlemen. I hope you can vote for this Bill which would allow faster and more economic construction of public buildings in many areas across the state."

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 116 voting 'yes' and 0 voting 'no'. And this Bill, having received a Constitutional Majority, is hereby declared passed. Representative Hoffman, you have House Bill 1930. Do you wish us to read that Bill? Mr. Clerk, read the Bill."

Clerk Bolin: "House Bill 1930, a Bill for an Act in relation to public employee benefits. Third Reading of this House Bill."

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

Hoffman: "Thank you, Mr. Speaker, Ladies and Gentlemen of the House. This amends the IMRF Article of the Pension Code and allows elected officials to hold elective office without participating in the IMRF Fund or losing their retirement annuities. This will address the situation where an elected official, who may have already earned rights under the IMRF Pension Code, can now elect not to participate in the fund if they were to be reelected or going to another office. This actually could... or will result in savings to the counties as well as the IMRF Fund, I believe."

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

Bost: "Will the Sponsor yield? Representative, I think I've dealt with this on several occasions. Right now, if you retire, and ya know, IRM... from IMRF and you want to run for any... any public office, you really can't without giving up your pension. Is that correct or is..."

Hoffman: "I... I think... I think you can elect to participate in the fund or not elect to participate in the fund. But this addresses the situation where you have already... you've already earned your benefits and..."

Bost: "And you've taken your retirement."

Hoffman: "I couldn't hear, I'm sorry."

Bost: "And... and basically what it is, is they have to give up their retirement to hold political office, correct?"

Hoffman: "Right or they would... they wouldn't... probably wouldn't maybe wouldn't even run for office because they'd be

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eligible for their benefit. This says that you can keep that benefit through the IMRS you could... IMRF, could run for another term. If you get elected then you wouldn't pay into the fund and you wouldn't earn additional time."

Bost: "Basically, it would be just like any other citizen that would want to run for office and they wouldn't be bound by this, correct?"

Hoffman: "Yes."

Bost: "Okay. I think it's a wonderful Bill. Thank..."

Speaker Hannig: "There any... is there any further discussion? Then Representative Hoffman to close."

Hoffman: "I 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. ...all voted who wish? Have all voted who wish? Have all voted who wish? Mr. Clerk, take the record. On this question, there are 116 voting 'yes' and 0 voting 'no'. And this Bill, having received a Constitutional Majority, is hereby declared passed. Representative Flider, for what reason do you rise?"

Flider: "A point... point of personal privilege, Mr. Speaker."

Speaker Hannig: "State your point."

Flider: "Yes. Ladies and Gentlemen of the House, I'd like to bring your attention to the people in the gallery to my left, behind me. They are representatives of Illinois Voices. Illinois Voices... They're not just in my left, they're all over the gallery. Illinois Voices is coordinated through Macon Resources which is in my district in Decatur, Illinois, which works with people with diff..



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developmental disabilities. Since 2005, Illinois Voices has supported more than fifteen hundred people (1500) with developmental disabilities from throughout the state in making their own decisions and becoming leaders for change. And so, they're having a rally here today at the State Capitol. Many... and we have many advocates here. Please give them a warm Springfield welcome."

Speaker Hannig: "Okay. I think everyone should have the committee schedule. We're going to recess here, almost... in the next few minutes. We're going to go to committees starting at 1; we'll return to the floor approximately at 3:00. So, at this time the House will stand in recess until the hour of 3:00. So, the House will be in order. And Members will be in their seats. We're going to begin with some Second Reading Bills. On the Order of House Bills-- Second Reading, Representative Acevedo, you have House Bill 1557. Representative Brauer, on Second Reading, you have House Bill 635. Representative Brauer. Mr. Clerk, read the Bill."

Clerk Mahoney: "House Bill 635, a Bill for an Act concerning State Government, has been read a second time, previously. No Committee Amendments. Floor Amendment #1, offered by Representative Brauer, has been approved for consideration."

Speaker Hannig: "So, Representative Brauer, you're recognized on House Amendment #1."

Brauer: "Thank... thank you, Mr. Speaker. Can... can... can I take this out of the rec... for a little bit?"

Speaker Hannig: "Certainly, Representative, that's... that's your call."

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Brauer: "Thank..."

Speaker Hannig: "Representative Coladipietro, you have House Bill 3767 on Second. Out of the record. Okay. Representative Coulson, you have House Bill 9... I'm sorry... 693. Mr. Clerk, read the Bill."

Clerk Mahoney: "House Bill 693, a Bill for an Act concerning education. Second Reading of this House Bill. Amendment #1 was adopted in committee. Floor Amendments 2 and 3, offered by Representative Coulson, have been approved for consideration."

Speaker Hannig: "Okay. We're going to have to take this out of the record for a few minutes. Representative Chapa LaVia, you have House Bill 1977. Do you wish us to read that Bill? No. Out of the record. Representative Colvin, you have House Bill 1662 on Second Reading. Shall we read that Bill? Mr. Clerk, could you tell us the status of the Amendments on 1662?"

Clerk Mahoney: "Floor Amendments 2 and 4 have been approved for consideration."

Speaker Hannig: "Do you wish us to read the Bill then, Representative or do you have further Amendments pending? Okay. Mr. Clerk, read the Bill."

Clerk Mahoney: "House Bill 1662, a Bill for an Act concerning children, has been read a second time, previously. Amendment #1 was adopted in committee. Floor Amendment #2, offered by Representative Colvin, has been approved for consideration."

Speaker Hannig: "Representative Colvin on Amendment #2."

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Colvin: "Thank you, Mr. Speaker. House Amendment #2 removes the language that requires a task force to review and make recommendations regarding the feasibility of an initial public deposit. In other words, we're clarifying the language of the Bill to remove the language in the Bill with respect to public deposits. In the committee hearing, we had extensive discussion in terms of what this... the task force would be discussing and from the premise of what it would be discussing. And there was some concern that state dollars would be involved. So, we simply removed any language with respect to a public deposit so that we can have a wide-open forum for any discussions with respect to implementing this program."

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: "Floor Amendment #4, offered by Representative Colvin, has been approved for consideration."

Speaker Hannig: "Representative Colvin."

Colvin: "Thank you, Mr. Speaker. House Amendment #4 amends the Act by increasing the number of task force members from twenty-five (25) to thirty (30). The Amendment also provides the State Treasurer with the opportunity to appoint one member of the... to the task force. The representative of the Treasurer's task force would also serve as cochair of the task force. Currently, the Treasurer would serve only as an ex officio member. This gives the Treasurer the

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ability to appoint someone who acts as the... the cochair of the task force."

Speaker Hannig: "You've heard the Gentleman's Motion. All in favor 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 Chapa LaVia, did you wish us to read 1977? Mr. Clerk, read the Bill."

Clerk Mahoney: "House Bill 1977, a Bill for an Act concerning education, has been read a second time, previously. Amendment #1 was adopted in committee. Floor Amendment #2, offered by Representative Chapa LaVia, has been approved for consideration."

Speaker Hannig: "Representative Chapa LaVia."

Chapa LaVia: "Thank you, Speaker and Members of the House. This is a piece of legislation we revisited the first time and there was some opposition on the Republican side about adding in a school district that was down south. So, what the initial Bill does, just to refresh everybody, it amends the School Code to require the State Board of Education to establish a 4-year pilot program in high schools to ach... to... to achieve a student/counselor ratio of 250 to 1. In Aurora, the one district now will be 131. The other district is Limestone Walters Community Consolidated School District 316 and then with the help of Representative Jerry Mitchell, Representative Mitchler... Mitchell, gave me a district... Unit District #1, Jerry? Jerry, it's District #1, correct? District 20 in Orange (sic-Township, Knox) County. Oh... So, I'll take any questions. But I want to thank the

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Republican side that worked with me to find another school district down south."

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

Winters: "I think we'll hold off until Third Reading on this."

Speaker Hannig: "...you, Representative. Representative Mitchell."

Mitchell, J.: "Yes. Mr. Speaker. The Sponsor of the Bill did work with me to come up with a downstate school so that the study itself would be... have a more diverse look and they did come up with Lawrenceville, a... it's a Lawrence County Community School District #20, I believe."

Speaker Hannig: "Thank you. Representative Chapa LaVia moves for the adoption of the Amendment. All in favor say 'aye'; opposed say 'nay'. The 'ayes' have it. The Amendment is adopted. Any further Amendments?"

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

Speaker Hannig: "Third Reading. Mr. Clerk, read the Committee Reports."

Clerk Mahoney: "Committee Reports. Representative Ryg, Chairperson from the Committee on Disability Services, to which the following measure/s was/were referred, action taken on April 25, 2007, reported the same back with the following recommendation/s: 'recommends be adopted' is Floor Amendment #2 to House Bill 226. Representative Osterman, Chairperson from the Committee on Labor, to which the following measure/s was/were referred, action taken on April 25, 2007, reported the same back with the following recommendation/s: 'recommends be adopted' is Floor Amendment #2 to House Bill 773. Representative Flowers, Chairperson

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from the Committee on Health Care Availability & Access, to which the following measure/s was/were referred, action taken on April 25, 2007, reported the same back with the following recommendation/s: 'recommends be adopted' is Floor Amendment #1 to House Bill 1432, Floor Amendment #1 to House Bill 1455 and Floor Amendment #1 to House Bill 2419. Representative McAuliffe, Chairperson from the Committee on Veterans Affairs, to which the following measure/s was/were referred, action taken on April 25, 2007, reported the same back with the following recommendation/s: 'recommends be adopted' is Floor Amendment #1 to House Bill 2179. Representative Saviano, Chairperson from the Committee on Registration & Regulation, to which the following measure/s was/were referred, action taken on April 25, 2007, reported the same back with the following recommendation/s: 'recommends be adopted' is Floor Amendment #2 to House Bill 1071, Floor Amendment #1 to House Bill 3679, and Floor Amendment #1 to House Bill 126. Representative Molaro, Chairperson from the Committee on Judiciary II-Criminal Law, to which the following measure/s was/were referred, action taken on April 25, 2007, reported the same back with the following recommendation/s: 'recommends be adopted' Floor Amendment #1 to House Bill 448. Representative Hoffman, Chairperson from the Committee on Transportation & Motor Vehicles, to which the following measure/s was/were referred, action taken on April 25, 2007, reported the same back with the following recommendation/s: 'recommends be adopted' is Floor Amendment #3, 4, and 5 to House Bill 1716, and Floor Amendment #1 to House Bill 2284. Representative

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Washington, Chairperson from the Committee on Prison Reform, to which the following measure/s was/were referred, action taken on April 25, 2007, reported the same back with the following recommendation/s: 'recommends be adopted' is Floor Amendment #2 to House Bill 3650. Representative Chapa LaVia, Chairperson from the Committee on Local Government, to which the following measure/s was/were referred, action taken on April 25, 2007, reported the same back with the following recommendation/s: 'recommends be adopted' Floor Amendment #1 to House Bill 2306 and Floor Amendment #1 to House Bill 2315. Representative Nekritz, Chairperson from the Committee on Elections & Campaign Reform, to which the following measure/s was/were referred, action taken on April 25, 2007, reported the same back with the following recommendation/s: 'recommends be adopted' is Floor Amendment #1 to House Bill 2672. Representative D'Amico, Chairperson from the Committee on Drivers Education & Safety, to which the following measure/s was/were referred, action taken on April 25, 2007, reported the same back with the following recommendation/s: 'recommends be adopted' Floor Amendment #2 to House Bill 3131. Representative Jakobsson, Chairperson from the Committee on Human Services, to which the following measure/s was/were referred, action taken on April 25, 2007, reported the same back with the following recommendation/s: 'recommends be adopted' is Floor Amendment #4 to House Bill 317. Representative Monique Davis, Chairperson from the Committee on Appropriations-General Services, to which the following measure/s was/were referred, action taken on April

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25, 2007, reported the same back with the following recommendation/s: 'do pass as amended' Senate Bill 241."

Speaker Hannig: "On the Order of Supplemental Calendar #2 is Senate Bill 241. Mr. Clerk, read the Bill."

Clerk Mahoney: "Senate Bill 241, a Bill for an Act concerning appropriations. Second Reading of this Senate Bill. No Committee... Amendment #1 was adopted in committee. No Floor Amendments. No Motions filed."

Speaker Hannig: "Third Reading. Returning to the Order of Second Reading, we have... All right. Representative D'Amico, you have House Bill 2749. Out of the record. Representative Monique Davis, you have House Bill 232. Mr. Clerk, read the Bill."

Clerk Mahoney: "House Bill 232, a Bill for an Act concerning education. Second Reading of this House Bill. Amendments 1, 2, and 3 were adopted in committee. Floor Amendment #4, offered by Representative Monique Davis, has been approved for consideration."

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

Davis, M.: "We withdraw Amendment #4, Amendment #5 and I'd like to adopt Amendment #6."

Speaker Hannig: "Number 4 is withdrawn, Mr. Clerk. Are there further Amendments?"

Clerk Mahoney: "Floor Amendment #5, offered by Representative Monique Davis, has been approved for consideration."

Speaker Hannig: "The Lady wishes to withdraw Amendment #5, Mr. Clerk. Are there any further Amendments?"

Clerk Mahoney: "Floor Amendment #6, offered by Representative Monique Davis, has been approved for consideration."



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Speaker Hannig: "And on the Amendment, Representative Davis."

Davis, M.: "Thank you, Mr. Chairman. House Amendment #6 establishes a 16 or more member task force on virtual education. The task force will be made up of members from the State Board of Education, people assigned by the Governor, the Speaker of the House, the Minority Leader, the Illinois Association of School Administrators, the Illinois Association of School Boards, a statewide organization representing business, the president of the Chicago Board of Education and also a member teacher administrator of the virtual school that's in Chicago. We decided to add this Amendment because the growth of virtual schools should be studied and a report will be due to this Body within a 2-year period. Thank you."

Speaker Hannig: "And on the Amendment, Representative Jerry Mitchell."

Mitchell, J.: "Thank you, Mr. Speaker. Sponsor yield?"

Speaker Hannig: "Indicates she'll yield."

Mitchell, J.: "Representative Davis, I just want to thank you and compliment you on the hard work you're putting in on this Bill from where it began and where it's at. I think it's something that will give us valuable information. It's a new concept and you are open to suggestion and I appreciate that. And I stand in strong support of your Bill. Thank you, Mr. Speaker."

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."

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Speaker Hannig: "Third Reading. Representative Will Davis, you have House Bill 2307. Out of the record. Representative Dugan on House Bill 2044. Representative Dugan. Representative Reitz, will you help me get Representative Dugan's attention? Do you want us to read House Bill 2044? Mr. Clerk, read the Bill."

Clerk Mahoney: "House Bill 2044, a Bill for an Act concerning transportation. Second Reading of this House Bill. No Committee Amendments. No Floor Amendments. No Motions filed."

Speaker Hannig: "Third Reading. Representative Ford on House Bill 3602. Representative Ford, do you wish us to read this? Mr. Clerk, read the Bill."

Clerk Mahoney: "House Bill 3602, 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 Ford, has been approved for consideration."

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

Ford: "Thank you, Mr. Speaker and Members of the House. I move to adopt House Amendment #2. The recommendation for adoption returns the Bill to its original form and requires the election of seven (7) members. Currently, we have five (5): three (3) from the 1st Judicial District of Cook County and one (1) from each of the remaining four (4). The Amendment clarifies that the two (2) new positions are not created immediately but are to be elected in the 2008 election. And I move to adopt this Amendment."

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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 Golar, you have House Bill 1398. Do you wish us to read that on Second? Mr. Clerk, read the Bill."

Clerk Mahoney: "House Bill 1398, 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. Representative Granberg on 1496. Out of the record. Representative Hamos on House Bill 611. 611 on Second Reading. Shall we call that? Is that ready to go from Second to Third, Representative Hamos?"

Hamos: "No... Well, there's been a... an Amendment filed."

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

Hamos: "Was that released from Rules? I don't think so. That... I was waiting for that to go back to committee."

Speaker Hannig: "Mr. Clerk, what is the status of the Amendments that are pending on this Bill?"

Clerk Mahoney: "On House Bill 611 on Floor Amendment #1 was filed today and has been sent to the House Committee on Rules."

Speaker Hannig: "Okay. So, you're waiting for that? Okay. So, that'll be out of the record. Mr. Clerk, read House Bill 1263. Read House Bill 1263."

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Clerk Mahoney: "House Bill 1263, 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 Black, for what reason do you rise?"

Black: "Mr. Speaker, parliamentary inquiry of the Chair."

Speaker Hannig: "State your point."

Black: "Thank you very much. Mr. Speaker, under the House Rule 18(g), I have filed in writing a Motion to Discharge House 344... House Resolution 344 from the House Rules Committee and that House Resolution 344 be placed on the Order of Resolutions. I'm accorded that right under House Rule 18(g). I have filed the Motion in writing. Time grows late. I would now move to discharge Rules Committee from further consideration of House Resolution 344 and it be advanced to the Order of Resolutions."

Speaker Hannig: "Did you say a Resolution or a Bill, Representative?"

Black: "Well, House Resolution 344, Mr. Speaker."

Speaker Hannig: "Thank you... thank you, Representative. So, the Gentleman's Motion is to discharge the Rules Committee and advance House Resolution 344 to the Order of Second Reading. This requires unanimous consent. Representative Currie."

Currie: "Thank you, Speaker. I object to the Gentleman's Motion."

Speaker Hannig: "So, Representative, there are objections, so your request fails."

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Black: "Mr. Speaker, it never ceases to amaze me how we can object to something that in all probability the objector has not even read the Resolution, but giving her the benefit of the doubt, Mr. Speaker, and having had about all I can take of the Minority rights simply being trampled upon and ignored, under Rule 57(a) I move to appeal the ruling of the Chair. And I believe that is a debatable Motion and I would ask the Chair to so rule, in fact, that the Motion to overturn the ruling of the Chair is, in fact, a debatable Motion."

Speaker Hannig: "Okay. So, Representative Black... Representative Black, you're... you're..."

Black: "Yes... yes, Mr. Speaker."

Speaker Hannig: "...you're within your rights to request to overrule the Chair and it is a debatable Motion."

Black: "Thank... thank you very much, Mr. Speaker. I believe there are some Members on my side of the aisle that would like to debate the merits of the Resolution."

Speaker Hannig: "Representative..."

Black: "We're in the last week of April; we are running out of time. I say... I saw a brief snippet on the television news last night that the Governor has said he was willing to spend as much time in Springfield as necessary in order to enact the Gross Receipts Tax. Well, is he here?"

Speaker Hannig: "Representative Currie..."

Black: "Well..."

Speaker Hannig: "...for what reason do you rise?"

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Black: "Wait a minute, Mr. Speaker, I have the... I have the floor. I have the floor. I didn't relinquish my time on the floor."

Speaker Hannig: "I think the Lady wants to make a parliamentary point."

Currie: "She does, she does, Speaker."

Speaker Hannig: "And under the rules she's recognized for that point."

Currie: " And the point I would make is that the Resolution... the Motion is debatable not the contents of the Resolution. So, if the Representative wants to confine his remarks to why his Motion... the Motion, not the contents of the Resolution, then that's what's debatable and I would ask the Chair to enforce the rule."

Speaker Hannig: "Thank you, Representative. So, Representative, the question is, 'Shall the Chair be sustained?' And you're certainly within your rights to debate that Motion."

Black: "Ya know, Mr. Speaker, I don't mind being a emasculated repeatedly on this floor, but I'm getting sick and tired of the way this place is run. The Chair has made a ruling in error. You don't even know what's in the Resolution. You're going to sit here in never-never land and pretend that Armageddon isn't around the corner. Why don't you just give us the right to be heard? Why don't you give us the right to debate Motions? Why don't you give us the right... I'll be... I'll stay here until it's Labor Day and I'll debate you or anybody else in the Chair about my rights as a Member. You have made a ruling that is not correct. The objector has no idea what's in the Resolution. What does

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she know if I'm talking about, she hasn't even read it. I stand in absolute object and I object to the way we are treated. I object to your Motion that we can't even bring something to the floor. I object to the ruling of the Chair. I object to being treated like an eighth-grade member of a student council. When are you going to be the Speaker for the entire House? When are you going to speak for the people of the State of Illinois instead of a small cadre of people in the Democrat Party who have abducted this chamber and the chamber across the aisle? You even... won't even allow your own Members a chance to advance their agenda. I hope you can look in the mirror in the morning because by God I'm comfortable I can, but I don't know how you can."

Speaker Hannig: "Representative Cross on the Motion to overrule the Chair."

Cross: "Mr. Speaker, let's make sure that we get Representative Black's point answered. We have filed a Resolution signed or supported by every Member of the House Republican Caucus that is very clear in its opposition to the Gross Receipts Tax. Every Member on our side of the aisle is a cosponsor of this Resolution. It is our intention to have an opportunity to be heard on this Resolution and as Representative Black said, there are a number of people on our side of the aisle they want the opportunity as Members of this cau... of our caucus and of this Body to comment on the Resolution. We have about a month to go in the process. The Gross Receipts Tax is the largest tax increase in the history of the State of Illinois, if I'm not mistaken, it's

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somewhere between eight and nine billion dollars (\$8,000,000,000 and \$9,000,000,000) that the Governor and his Party want to pass and impose on the people of the State of Illinois. I would think that we would have an opportunity as Republicans to voice our concerns about the largest tax increase in the history of the State of Illinois. We have some thoughts on it; we have some concerns about it. We have some observations. And I would hope that you would give us that opportunity this afternoon. We have been very accommodating to you this Session and you've been accommodating to us on a number of issues. But if we are going to talk about a budget that has seen an increase in our state's budget by over 30 percent, I would hope we would have an opportunity, Mr. Speaker, to talk about it. So, can I get some acknowledgement that you're going to call on our Members on this side of the aisle to address the Motion?"

Speaker Hannig: "Representative, there was... there was a Motion made to over... to discharge the Committee on Rules, there was an objection that I thought I clearly heard, Represent... which means that the Motion failed."

Cross: "And I think Representative Black..."

Speaker Hannig: "And Representative..."

Cross: "...then followed up with a Motion to override."

Speaker Hannig: "...with the Motion to overrule... overrule the Chair."

Cross: "Overrule the Chair and it just says that there shall be..."

Speaker Hannig: "And it's a debatable Motion."



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Cross: "Okay. So, I'm just asking... Well, I think there are a number of people on our side that would like to speak to that Motion and I would... just an acknowledgement that you're going to call on them."

Speaker Hannig: "That was the intention, Representative. We... we..."

Cross: "My mistake, I apologize. So, let's..."

Speaker Hannig: "...we said it was a debatable Motion."

Cross: "All right. So, you will allow them to speak?"

Speaker Hannig: "Yes."

Cross: "I under... I mean, let's... Ya know, Mr. Speaker, I want to make sure that everybody understands. This Mo... this Resolution, so we're all under... that we're all under... in agreement, is a Resolution opposing the Gross Receipts Tax. So, I... I want to make sure that you understand that's what's in the Motion. I don't know if you... the Bill... the Resolution. I'm not sure if you've read it yet. We just filed it a little while ago. So, I don't want anyone to be mistaken about the fact that everybody on the Republican side of the aisle is opposed to the Gross Receipts Tax and that is contained in this Motion or in the Resolution."

Speaker Hannig: "So, Mr. Clerk, what is the status of the Resolution?"

Clerk Mahoney: "House Resolution 344 was filed earlier today and has not been read in during Perfunctory Session and referred to Rules. It still has not been referred to Rules yet today."

Cross: "Okay."

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Speaker Hannig: "So, it would appear that not only was... so, it would appear that Mr. Black's Motion wasn't quite in order yet, but..."

Cross: "Well, we apparently bypassed that. We're now on the... on the Motion to sustain. We are trying to be very aggressive. This is an important issue. Again, a nine billion dollar (\$9,000,000,000) tax increase; we need to be ahead of the Governor on this. I would think you would agree. So, if you want to, we'd be willing to step aside for a couple seconds and let you read that Motion into the record... the Resolution into the record. We'd be more than willing to let you do that. In fact, it may... it might be appropriate, I would suggest that maybe we take a couple moments and let the Clerk read the Resolution into the record right now."

Speaker Hannig: "Repre... Representative, on this Motion, and just so you understand the rule, says the debate is limited to 2 minutes. A presentation by the principal Sponsor or a Member and then a two-minute presentation by a Member in response and a one-minute presentation by the principal Sponsor to close. So, it's a debatable Motion, but there is limit on the debate."

Cross: "Well, I would... you have been very accommodating on issues and Bills this Session to allow that to go beyond the rules with respect to the number of people that wish to speak. I would hope on this issue and nature of the budget you would allow us a little leeway on that. Again, Mr. Speaker, I would suggest to maybe move this along that you go ahead and read the Resolution into the record right now. We'd... we'd be willing to take a break for that. I don't... I

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certainly don't have an objection to that. In fact, Mr. Speaker, if it would be easier, I'll read it into the record. I mean, what we'll do is we'll just take a... every one of us will take a sentence, on this side of the aisle."

Speaker Hannig: "Representative, the Motion is to overrule the Chair or actually, should the Chair be sustained and so..."

Cross: "Well, what are you going to do about reading the Resolution into the record, so we have complied with the House Rules?"

Speaker Hannig: "Well, if... I mean, the Gentleman had a Motion..."

Cross: "I understand."

Speaker Hannig: "...we've made a ruling."

Cross: "But I want to..."

Speaker Hannig: "He made a Motion to sustain the Chair."

Cross: "I understand, but I want to make sure it hadn't been read into the record. We don't want anyone to be mistaken about what the... what's in the Resolution. It'll take... Gary... Gary, it'll take about 2 or 3 minutes. Why don't we read it? And we'll... we'll take... we'll take a couple minutes to read it; we're okay with that."

Speaker Hannig: "Representative, from a procedural point of view you would have to withdraw your Motion for us to end this Order of Business and then we could do something else."

Cross: "Well, I'm hesitant to do that unless you'll give me a commitment that we can go back to this Order of Business. If you're not willing to make that commitment, we're not going to back off."

Speaker Hannig: "Representative, then you're..."

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Cross: "Are we afraid... we're not afraid to read the Resolution are we?"

Speaker Hannig: "I'm sure it will be read in due course under the normal procedure like all the Resolutions are."

Cross: "Okay. Well, if you're not willing to read it, as long as you give an oppor... give us an opportunity to make our points on the Motion, we would appreciate that and you... if you made a Mo..."

Speaker Hannig: "And... and..."

Cross: "...made a comment a minute ago you were going to limit our debate, I hope you will not do that."

Speaker Hannig: "I would ask that the Members limit the debate to the Motion that the Chair be sustained. That's the Motion."

Cross: "We all have different interpretations on what that would be and you can respect that, but I would... what all I would ask is that you would give us leeway to those that have their lights on have an opportunity to speak. Can we do that? Okay. We will do our best. What's everybody afraid of? We want to talk about gross receipts, nine billion dollars (\$9,000,000,000). Can't we have a... can't we have a little discussion about this? Are we afraid of it? Just... just give us an opportunity, Mr. Speaker."

Speaker Hannig: "Representative Stephens is the next one that would..."

Cross: "All right."

Speaker Hannig: "...like to speak."

Cross: "All right."

Speaker Hannig: "So, Representative Stephens..."

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Cross: "Well, then we'll see how it goes from there. Thank you."

Speaker Hannig: "And the... the rules of debate would say 2 minutes, Representative."

Stephens: "Well, Mr. Speaker, not to belabor the point but understanding your remarks, if you're going to limit the debate after I am finished, we're going to have a choice to make. We're either going to be heard on this issue right now or we're going to caucus and we can... you can wait for us here or you can listen to us for a few minutes. Now, accommodate us, Mr. Speaker, or pay the price."

Speaker Hannig: "Representative, we're just simply trying to follow the rules of debate. So..."

Stephens: "Mr. Speaker, you know that it is well within your realm of responsibility to keep this chamber moving along..."

Speaker Hannig: "And it's work..."

Stephens: "...and you have the ability to accommodate us and you can either do that or I say, with all due respect, that is the right course of action..."

Speaker Hannig: "Representative..."

Stephens: "...or there will be consequences. We will not be denied being heard on this issue."

Speaker Hannig: "Representative, even under the rules of unlimited debate, we still run the clock and that's what I'm saying we're doing."

Stephens: "Mr. Speaker..."

Speaker Hannig: "We're running the clock at 2 minutes."

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Stephens: "...then I would... I would have a... a substitute Motion, if it's in order, that we be allowed unlimited debate on this Motion."

Speaker Hannig: "I've already said we would debate the Bill, but I said we would run the clock under the... under the rules and Rep..."

Stephens: "Mr. Speaker, do I... do I understand that each of my... our Members are going to be heard or not?"

Speaker Hannig: "Well, there are... there are nine Members requesting to speak at this time, so we'll listen."

Stephens: "Thank you, Mr. Speaker. 'Blagojevich Gross Receipts Tax Proposal is the wrong tax at the wrong time.' It's a headline from the largest paper in my region of the state. Let me repeat, 'Blagojevich Gross Receipts Proposal is the wrong tax at the wrong time.'"

Speaker Hannig: "Excuse me, Representative..."

Stephens: "I had to say it just when..."

Speaker Hannig: "There should... there's a point of... there's a point of..."

Stephens: "I am trying to explain the rationale behind my..."

Speaker Hannig: "...a point of order. Representative Lang is recognized..."

Stephens: "...support of the Motion to overrule the Chair."

Speaker Hannig: "Representative Lang on a point of order. What is your point, Representative?"

Lang: "Well, thank you. I have actually two points: the first, this is out of order in two ways, Mr. Speaker and I would ask the Chair to so rule. First, House Resolution 344 is not properly before the Body in any way shape or form. It..."

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it hasn't even been read into the record. Secondly... secondly... secondly, the rules of the House provide that this Motion, even if we are to hear it, even if the Motion itself is in order, is limited to the Motion to discharge committee. There is no debate relative to the Resolution itself and therefore, all commentary relative to the actual Resolution is out of order. And I'd ask the Chair to so rule."

Speaker Hannig: "Representative Stephens, we'll give you an additional 2 minutes, then we'll start over, okay?"

Stephens: "Mr..."

Speaker Hannig: "Representative, the Chair has already ruled that we're going to allow 2 minutes to each speaker, nine speakers, okay? And then we'll conclude the debate. So... Yeah. So, Representative Stephens, you have 2 minutes."

Stephens: "Thank you, Mr. Speaker. And on behalf of our side of the aisle, we appreciate the accommodation. 'The Blagojevich Gross Receipts Proposal is the wrong tax at the wrong time.' Those headlines in the Post Dispatch from a few weeks ago. Let me repeat to you, 'Blagojevich's Gross Receipts Proposal is the wrong tax at the wrong time.' I would have to say to you that I was out in my district like most of us were in the last two (2) weeks during the Easter break and I didn't witness any support for the Gross Receipts Tax Proposal by Rod Blagojevich. Not a shred of support and do you want to know why? People are paying more at the pump; people are paying more skyrocketing, high electricity bills which we have failed to address. People are... have just paid their income taxes. They're just..."

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they're preparing to pay their property taxes. People are fed up with taxes. No one in this state actually believes that they will be unaffected by a seven billion dollar (\$7,000,000,000) tax increase. No one believes that. And furthermore, I have two (2) other reasons that we should stand in total opposition to the Governor's Gross Receipts Tax Proposal. Those two (2) concepts are Interstate 70 running east and west through my district and Interstate 55 running north and south because those will be very busy highways if we pass the Gross Receipts Tax. The only industry that will benefit on a temporary basis from the Gross Receipts Tax is the trucking industry. They will be going north and south and east and west out of my district, carrying businesses and jobs to other states who have more reasonable tax proposals, more reasonable revenue streams and more reasonable ideas than Illinois has with the Governor's administration trying to tax us out of our jobs, out of our homes and out of our state."

Speaker Hannig: "Rep... Representative, your 2 minutes have expired. Representative Mulligan."

Mulligan: "Thank you, Mr. Speaker. Everyone knows that the Majority gets to set the rules and we've argued that this is one of the worst rules. Quite frankly, I think there's a good reason why the people on the other side of the aisle might want to be with us in listening to this. We have advocated our role as public policymakers by letting a Governor who is a good campaigner, but obviously has not been such a good administrator or a good public policymaker, go out there and propose a tax in campaign commercials and



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repeatedly do this in a campaign style as opposed to be able to talk about the public policy that we're doing, what taxes would support and what would happen. Everyone knows that this kind of thing happens like 3 minutes before the end of Session. Why not have this proposal talked about now? I'm one of the stronger Members on health care. I certainly am looking forward to having a debate on the health care issues, but not a debate that is carried on on TV against the people of Illinois... business people of Illinois, the employees of those business people in Illinois, by a Governor who chooses to be a campaigner. Not only are Legislators against this, but there are also other Constitutional Officers that are against this. The Comptroller, the Treasurer, they have all come out against what the Governor has proposed. What we're doing instead of discussing this now in this Body, we are letting the Executive Officer of this state, the Governor, dictate what the Legislature does. We are not looking at strong public policy in any of these areas and we're allowing this to move forward. I strongly urge the other side to vote against sustaining the Chair on this particular issue. This could happen to you; it can happen to anything in Illinois. We need to have this debate and we need to have it now, not on May 30."

Speaker Hannig: "Representative Bellock, you have 2 minutes."

Bellock: "Thank you very much, Mr. Speaker. I, too, would like to see a debate on this GRT issue right now and would be not in favor of sustaining the Chair. In the last couple of weeks... I've been in office... public office 14 years and I

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have never, ever received so many calls, faxes, e-mails, and petitions from the local residents of our district, to the point that Representative Durkin, Representative Pihos and Biggins and I held a town meeting in order to discuss this issue. We had over two hundred (200) people show up at that meeting wanting to have their voices heard on this issue. That's how important it is. We see all the businesses here, have been here for hundreds of years, they're family businesses leaving Illinois saying that they will no longer stay in this state. One man gave testimony and said, this was the end; he was leaving and going to Iowa or to Tennessee because Illinois would just not care about the business community. So, I urge us not to sustain the Chair on this issue. We need to listen to the regular people of the State of Illinois that have serious concerns over this issue. Even though they like the idea of health care and funding education, this is the issue, the GRT tax, that will tax people out of their districts, out of their homes, out of their businesses and out of Illinois. I would urge you not to sustain the Chair. Thank you."

Speaker Hannig: "Representative Bost, you have 2 minutes."

Bost: "Thank you, Mr. Speaker. Ya know, this is that one rule that I raised the complaints about when we first passed the rule of the House. Once again, one person can stand up and say we're going to stop debate on something that I believe is something that many Members on your side that would like to debate. This issue of the Gross Receipts Tax, no one's read the Resolution, we could put it in the record, we could actually deal with this and actually talk about the issue

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but instead we're going to make this move and then you're going to support it and we're going to play these games. The reality is that this proposal, that's being dragged all over the state and says how wonderful it is, I got a lot more people telling me that they don't support it and those are your constituents and my constituents. Now, however, I did get a note, got a letter... just got it in my possession, of course, this person does support the Receipts Tax. It's one of my county's Democrat county chairman because he works for the Governor. Now, if you want that on your back and your Party and not debate this issue, and not put it out there, because many of you, I thought, had told me that you weren't really for this, but apparently by supporting this, you are for it. You are for it because you're not willing to let us start talking and communicate about the largest tax increase in Illinois history. You're not willing to talk about it. Obviously, the Governor's not willing to talk about it; he hasn't been down here trying to talk about it. He goes out all over the place instead of right here where the people that have been elected to make those decisions are. Ladies and Gentlemen, this Motion is wrong. This, having one Member control the debate on this..."

Speaker Hannig: "Representative, your 2 minutes have expired.

Representative Krause, you're recognized for 2 minutes."

Krause: "Thank you, Mr. Speaker and Ladies and Gentlemen of the House. I rise in support of the Motion to overrule the Chair and to immediately proceed of a discharge the underlining (sic-underlying) Resolution which is so important to everyone in the State of Illinois. There is an

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urgency here; there is an urgency to tell all the people of Illinois and all the businesses of Illinois that there is a total lack of support, any support, for the Gross Receipts Tax and its billions of dollars. The Legislators have overwhelmingly heard from our constituents in strong opposition to the GRT which would indeed strangle the economic opportunity for the State of Illinois. As part of the GRT and with other increased taxes, the health program called Illinois Covered is also a part of the GRT. Back on February 2, Leader Tom Cross, of our caucus, sent a letter to the Governor urging him to consider to endorse Republicans in the process of health care by forming a bipartisan committee to examine and to develop a plan. It's now April 25, we never heard at all. Leader Cross is still waiting for a reply on that issue. It's extremely late for us now to pursuit on that and that is all the more urgent why the GRT Resolution should be called. If we did proceed, we can determine if there is any support for the GRT. I don't believe there is. There certainly isn't by the citizens of Illinois. But we do need to discuss the best way to provide services. Is it to raise the revenues through the GRT and thereby, totally shrink the tax base of the State of Illinois or do we grow our economy by carefully considering the resenue... the revenue structure and let opportunity strive. I strongly urge an override of the Mo..."

Speaker Hannig: "Representative, your time has expired. Representative Rose, you have 2 minutes."

Rose: "Thank you, Mr. Speaker. I have a number of employees that worked at the Kraft plant and they brought something to

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my attention. Ya know, the Governor said a lot about the GRT not affecting the price of food. A Kraft Macaroni and Cheese, one box, is taxed twenty-five (25) times prior to retail. Tax on farmers, the seed to grow the grain; tax on machinery to plant it, fertilizer, herbicide, pesticide; the combine will be taxed; the truck to take the grain ele... the grain to the elevator, the fuel for the trucks; the grain elevator will be taxed itself; the trucks to haul the grain to the market; the fuel on the trucks will be taxed and so forth and so on and so forth and so on until one box of Kraft Macaroni and Cheese will be taxed twenty-five (25) different times before it comes to market. And that's before the 3 percent payroll tax on the employees at the market. Well, Ladies and Gentlemen, I'm going to step back from the GRT. My cousin, I'm an only child, my cousin's an only child, is like my big brother, he and his wife had a baby and they live just outside of Atlanta, Georgia. I traveled down from my home in Atlanta to visit the new baby. From the Kentucky State line until Atlanta, Georgia, there was nothing, nothing, but new factories, new home starts, malls, economic growth, economic vibrance. Coming back, we had to eat dinner in Kentucky 'cause there wasn't anything in Illinois. From Effingham, Illinois, to the Kentucky line, there wasn't anything. Nothing. All the growth is going elsewhere; all the jobs are going elsewhere. It is time to get serious about providing an economic climate in this state that encourages jobs, encourages jobs."

Speaker Hannig: "Representative, your time has expired. Representative Winters, you're recognized for 2 minutes."

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Winters: "Thank you, Mr. Speaker. Ladies and Gentlemen of the House, I started this legislative year with high optimism. I thought we'd had some movement during the overtime Session, excuse me, the Veto Session, and the last few days of the last General Assembly in the Old State Capitol when Members of your side of the aisle were actually starting to think a little bit about the rules that we operate under. To the Motion of shall the Chair be sustained, this is where we were all elected by an even number of members of the Illinois citizenry. We all represent about a hundred and seven thousand (107,000) people. We are sent down here to look at public policy, not to look at a budget 30 minutes after it's plopped onto your address desk the last day of May to make major decisions and this, believe me, will be a year when we may make the most incredible increase in taxes in Illinois history. The proposals that we have in front of us that we have asked to be debated ahead of time, that's what this is all about. Get the General Assembly engaged in policymaking before the last day of Session. The proposals that are on the table range from six to eight and a half billion dollars (\$6,000,000,000 to \$8,500,000,000). The previous record, the record for any tax increase ever voted on in Illinois is less than one billion dollars (\$1,000,000,000). We're looking at six (6) to almost nine (9) times larger than any previous tax and yet we can't debate it until the last day of Session. Get serious. We're sent down here to look at how this state operates now and in the future. If we put off our constitutional obligation to the people who elected us to go over the

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budget, to make policy decisions based on our best knowledge of the state on our best ideas, we are failing them if we don't..."

Speaker Hannig: "Representative, your time has expired. Representative Durkin, you're recognized for 2 minutes."

Durkin: "Thank you. I think Representative Winters' points are well-taken. But first of all, I'd like to thank the four (4) Democrats who have signed on with this Motion. I appreciate their assistance and we have plenty of more room on our cosponsor sheets over here. And I just want to remind people before you vote to sustain the Chair think about what you're doin'. Just today, the news... the big story that the Dow closed above thirteen thousand (13,000), thirteen thousand (13,000) points for the first time in history. The economy is moving. The nation is moving in the right... the economy is moving right for the first place in a number of years and what are we doing in the State of Illinois, we are going to impose the largest, single tax in the history. Now, last week, we... we barely talked about what the... we think it could be, six to seven million dollars (\$6,000,000 to \$7,000,000). We had this hearing, we had the State Chamber at the hearing and they said by the time it's said and done it's going to be twelve to thirteen billion dollars (\$12,000,000,000 to \$13,000,000,000), of tax increases in the State of Illinois. So, before we move on to this, we need to discuss this wholly before the end of May. Let's do it now. But I will tell you that while the rest of the nation is moving forward, the economy is moving, we're taking ten (10) steps back. So, again, this is an

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issue which unfortunately it's taken on a life of its own. I've received correspondence now from Patti Bellock's district, Roger Eddy's district but also Jim Sacia's district up in the northwest side of the... northwest side of the state and it's... as I said, it's not something which should be left to the last week of May. We should start talking about it with the open public while we have our friends here from all over the state watching us... watching us do our work. We should... it should not be done behind closed doors. We need to have it brought to committee and let's have a full debate on it. But again, thank you and as I mentioned earlier, we have plenty of room on our cosponsorships for my friends on the other side of the aisle to join us."

Speaker Hannig: "Representative Sacia, you're recognized for 2 minutes."

Sacia: "Thank you, Mr. Speaker. Ladies and Gentlemen of the House, this very day I sent each and every one of you a copy of a letter that I sent to the Governor. I'm a very lucky man. Ten (10) years ago I retired after twenty-eight (28) years as an FBI agent. I have a nice retirement; I didn't have to do it but I did something I always wanted to do. I started a farm equipment business. The first year my wife, my son and I sold three hundred and fifty thousand dollars (\$350,000) worth of product. Last year, Ladies and Gentlemen, we did 5.2 million dollars (\$5,200,000) in sales, making me a corporate fat cat according to this Governor. Ladies and Gentlemen, I have fourteen (14) employees, every one of them gets their health care paid for, 50 percent of



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their employees or of their dependents' health care paid for, every one of them has a 401(k) plan. It is a good business. They all make between twenty-six thousand and sixty thousand dollars (\$26,000 and \$60,000) a year. Last year, on 5.2 million (\$5,200,000) in sales our bottom line was thirty-two thousand dollars (\$32,000). I'm not proud of that, Ladies and Gentlemen, I'm ashamed, but the Governor wants to take that thirty-two thousand (\$32,000) and thousands more from me. In my letter to the Governor, I said, Governor, I can't stand it. I will not put fourteen (14) good people on the street, but I will move fourteen (14) miles north to Wisconsin where I have land and I can move my business. This is the most invasive tax in Illinois history. It destroys business much like mine. I have fourteen (14) good people, Governor, don't put them on the street. Back up from this one and recognize that this is a bridge too far. The Gross Revenue (sic-Receipts) Tax will destroy numerous businesses, mine included. Thank you, Mr. Speaker, for the time."

Speaker Hannig: "Representative Beaubien, you're recognized for 2 minutes."

Beaubien: "Thank you, Mr. Speaker. I would hope that after having been here for ten (10) years that the Members of the Assembly would know that... I do know a little bit about policy and economics and pensions, et cetera and I hope that they will respect that knowledge. This is, as has been said many times, the largest tax increase in the State of Illinois. It's a consumer tax. This is a sales and income tax increase disguised as something other than what it is."

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The consumer is going to pay this tax. So, that's... that's #1, it's a myth that this is anything other than a sales and income tax increase, tax on the consumer. We are now currently by a latest report, I believe it was one of the major business publications, as one of the worst states to do business in the State of Illinois. This will take us right to the bottom; we'll be fifty (50). The last point I'd like to make is... there are two (2) points actually... this will cost jobs and again, I believe, I can tell ya I know what I'm talking about. We saw it with the trucks. I said that during a hear... during the negotiations that this will cost us jobs. It cost us twenty-some thousand jobs and trucker licenses in the State of Illinois. This will cost us jobs. And last but not least is, I really do not like the demagoguing of our business community. They pay almost 50 percent of all the taxes in the State of Illinois through income tax, sales tax, consumers' taxes, et cetera. To say... to go out there and say that business is not paying its fair share is absolutely disingenuous and it's wrong. So, again, I would urge you to consider that we will lose jobs; this is a sales and income tax increase. We're going to go to the bottom of the barrel of states to do business. I would urge you to adopt to try to... not to sustain the Chair on this Motion. Thank you very much."

Speaker Hannig: "Thank you, Representative. Representative Cross."

Cross: "Thank you, Mr. Speaker. And I appreciate the Chair's indulgence, letting us argue the Motion. As I said earlier, this is a rather sensitive issue of the people on this side

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of the aisle and apparently to a couple on your side of the aisle in our rather strong statement in our concern about the Gross Receipts Tax and our opposition to it. I would ask that... I'm going to defer to Representative Black here because he made the Motion... I would ask and I think he's going to make a... a subsequent Motion or a request to withdraw that Motion. I would ask that you would at least give some consideration to this over the next couple days in assigning it to committee. And I would defer to Representative Black, if the Chair will so acknowledge that."

Speaker Hannig: "Thank you, Representative Cross. Representative Black."

Black: "Mr... Mr. Speaker, thank you very much. Ladies and Gentlemen of the House, we thank you for at least giving us an opportunity to express some of our views and some of our frustration and I would also be remiss if I didn't take this point and I know this is out of order, excuse me in advance, now you see why I rail every two (2) years against the unanimous discharge rule. It isn't fair to either side to any subcaucus in this chamber. It isn't fair. But that's in the rules and I can't change that now. But we appreciate your indulgence, Mr. Speaker. I don't know what they're paying you to be in the Chair during these hours, but it isn't enough. Let me withdraw my Motion on overruling the Chair. And I thank you for your indulgence."

Speaker Hannig: "The Gentleman withdraws his Motion. Thank you, Representative Black. Yes. So, we're going to go back to

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the Order of Second Reading. Mr. Clerk, read House Bill 2307."

Clerk Mahoney: "House Bill 2307, a Bill for an Act concerning local government. Second Reading of this House Bill. No Committee Amendments. Floor Amendment #1, offered by Representative Will Davis, has been approved for consideration."

Speaker Hannig: "Representative Davis."

Davis, W.: "Thank you, Mr. Speaker. Amendment #1 to House Bill 2307 simply is a TIF extension Bill for the Village of Riverdale to extend their TIF another twelve (12) years. I ask for the adoption of the Amendment."

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 Holbrook on House Bill 1724. Mr. Clerk, read the Bill."

Clerk Mahoney: "House Bill 1724, a Bill for an Act concerning revenue. Second Reading of this House Bill. No Committee Amendments. No Floor Amendments. No Motions filed."

Speaker Hannig: "Third Reading. Representative Joyce on House Bill 3508. Do you wish us to read this on Second? Read the Bill, Mr. Clerk."

Clerk Mahoney: "House Bill 3508, a Bill for an Act concerning State Government. Second Reading of this House Bill. No Committee Amendments. Floor Amendment #1, offered by Representative Joyce, has been approved for consideration."

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

Joyce: "Thank you, Mr. Speaker. This House Amendment #1 would clarify the Residents Right to Know Act including the consumer choice information report which covers approximately a hundred (100) items under nine (9) major areas. And this is for the posting for nursing homes so that people can be educated on where they're sending their family or loved ones. I'd be happy to answer any questions."

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

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

Speaker Hannig: "Third Reading. Representative Joyce, do you wish us to read 2132? Mr. Clerk, read that Bill as well."

Clerk Mahoney: "House Bill 2132, a Bill for an Act concerning transportation. Second Reading of this House Bill. No Committee Amendments. Floor Amendment #1, offered by Representative Joyce, has been approved for consideration."

Speaker Hannig: "Representative Joyce."

Joyce: "Thank you, Mr. Speaker. House Amendment #1 deals with the... a similar Bill that came over from the Senate which Representative McCarthy is carrying on reform of towing and the operator... towing operators and the... as a result of a couple residents of mine that have been ridiculously charged and overcharged for both storage and towing away from an accident. Lieutenant Governor Quinn has been a... a stern

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advocate of this reform. And I'd be happy to answer any questions."

Speaker Hannig: "Is there any discussion? The Gentleman from Vermilion, Representative Black on the Amendment."

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

Speaker Hannig: "Indicates he'll yield."

Black: "Representative Joyce, this Amendment... did this come out of what happened in Springfield a few months ago? They had a downtown festival and as I recall, in the State Journal-Register dozens if not hundreds of cars were towed and people didn't... didn't know where they were towed or why they were towed and... or does this originate from Chicago. I worked on a towing Bill last year and I'm trying to figure out where this came from."

Joyce: "No, no. This... Well, I'm not aware of that."

Black: "Okay."

Joyce: "This actually originates from an incident in my community in which a car... a young man was in an accident, his father came out, a... for lack of a better term... a scavenger tower showed up on the scene, offered to take the car, insurance approved that they would... that they could take the car, then the car was disappeared for four (4) or five (5) days before they could find it. The next thing you know they had a fifteen hundred dollar (\$1500) towing bill."

Black: "Okay. I just have one question about that disclosure form. Let's say the driver is alone and is seriously injured in the accident, the nearest relative may be four (4) or five (5) states away, I mean, who do you give the

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disclosure form to? If you... Obviously, you have to get the car out of the accident scene and there's no family member within a reasonable proximity, who would you give the disclosure form to?"

Joyce: "Yeah, its... I think that... I think we still have to answer that and certainly want to work on that."

Black: "All right. I... I know that happened to me some years ago. I was in an accident in Colorado; it wasn't serious, but I had to go to the hospital and get checked out and the police were very accommodating, told me where my car was after I got out of the emergency room, but I was just thinking, had it been more serious and no one of my family was with me..."

Joyce: "Sure."

Black: "I'm twelve (1200)... I don't know, eleven hundred (1100) miles from home, obviously, they've got to leave the car somewhere."

Joyce: "I know. Yes."

Black: "So... so at some point maybe we can examine what happens in that case."

Joyce: "Right. And... and the, ya know, legitimate operators in the towing bus... industry are involved in this and certainly working through and we're trying to accommodate them."

Black: "Okay. Yeah. I appreciate what you're trying to do. Thank you."

Joyce: "Thank you."

Speaker Hannig: "Any further discussion? Then all in favor of the Gentleman's Motion say 'aye'; opposed 'nay'. The 'ayes'

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

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

Speaker Hannig: "Third Reading. Representative Mathias, you have House Bill 1613. Do you wish us to read that? Out of the record. How about 1614, Representative? Out of the record. Okay. Representative Mulligan, you have House Bill 2982. Do you wish us to read that Bill? 2982. Mr. Clerk, read the Bill."

Clerk Mahoney: "House Bill 2982, a Bill for an Act concerning State Government. Second Reading of this House Bill. No Committee Amendments. Floor Amendment #1, offered by Representative Mulligan, has been approved for consideration."

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

Mulligan: "Thank you, Mr. Speaker. Floor Amendment #1 creates the Legislative... Legislative Oversight Council on Cost Feasibility for Health Care Planning Implementation. What it does is it allows for twenty (20) members on a council that would be an outgrowth of the adequate health care task force that was disbanded that would look at the cost of any type of health care plans in Illinois that are being proposed. Each of the four (4) Legislative Leaders would appoint two (2) Members of the General Assembly and two (2) members of the general public. The director of Healthcare and Family Services, the secretary of Human Services, the director of Public Health, the directors of the Division of Insurance of the Department of Financial and Professional Regulations or their designees. Of appointed council



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members, the members should be appointed from the general public representing organizations such as business, labor, insurance, doctors, hospitals and nurses. The Senate President and the Speaker of the House will designate one (1) member of the council to serve as cochair. Council members shall serve without compensation. The council shall meet at the call of the Chair... of the two (2) cochairs but at least on a quarterly basis. The Department of Public Health will staff the... and do the administrative report as they did on the adequate health care. And I would answer anything on the Amendment that anyone would like to ask."

Speaker Hannig: "Is there any discussion on the Lady's Amendment? Then all in favor 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 Phelps, you have House Bill 825. Out of the record. Rep... Oh, excuse me, there he is. Do you wish us to read the Bill? Read the Bill, Mr. Clerk."

Clerk Mahoney: "House Bill 825, a Bill for an Act concerning regulation. Second Reading of this House Bill. Amendment #1 was adopted in committee. Floor Amendment #2, offered by Representative Phelps, has been approved for consideration."

Speaker Hannig: "Representative Phelps."

Phelps: "Thank you, Mr. Speaker, Ladies and Gentlemen of the House. House Amendment #2 is just..."

Speaker Hannig: "Excuse me, Representative Phelps. Representative Black, for what reason do you rise?"

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Black: "Mr. Speaker, my apologies. There's no good time to rise to a point of personal privilege, if I could. I..."

Speaker Hannig: "Sure, proceed."

Black: "Thank you. I'd like the House to recognize a former Member, now in the Senate, back here in the back, Dale Righter, served here in the House with distinction. I remember when House Members went to the Senate to kind of retire. Things are gettin' rough in the Senate. He comes back here on crutches. Let that be a lesson to any of you who want to go to the Senate. Welcome back, Representative Righter."

Speaker Hannig: "And on the Amendment, Representative Phelps."

Phelps: "Thank you, Mr. Speaker, Ladies and Gentlemen of the House. House Amendment 2 on House Bill 825 is just a Amendment that on the request of Minority spokesman, Representative Sullivan wanted me to do. It's just some cleanup language. And ask for its adoption."

Speaker Hannig: "Is there 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."

Speaker Hannig: "Third Reading. Representative Reboletti, do you wish us to read House Bill 3662? Out of the record. How about 1962? Out of the record. Representative Reis, you have House Bill 2820. Mr. Clerk, read the Bill."

Clerk Mahoney: "House Bill 2820, a Bill for an Act concerning regulation. Second Reading of this House Bill. No

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Committee Amendments. Floor Amendments 1 and 2 have been approved for consideration, offered by Representative Reis."

Speaker Hannig: "Representative Reis, what's your pleasure on the first Amendment?"

Reis: "I'd like to adopt both Amendments, please, Mr. Speaker."

Speaker Hannig: "So, explain Amendment #1, please."

Reis: "Amendment #1 is the recommendations from the meat and poultry task force that met last summer and fall and concluded this spring. Floor Amendment 2 is a technical correction that was recommended by the Department of Agriculture."

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

Speaker Hannig: "Representative Reis."

Reis: "As I... as I said, Amendment 2 is a technical correction that was offered by the Department of Agriculture that was redundant language."

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. Mr. Clerk, read House Bill 2920."

Clerk Mahoney: "House Bill 2920, a Bill for an Act concerning local government. Second Reading of this House Bill. No Committee Amendments. Floor Amendment #1, offered by

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Representative Winters, has been approved for consideration."

Speaker Hannig: "Representative Winters."

Winters: "Thank you, Mr. Speaker. And I do appreciate the indulgence. Floor Amendment 1 would allow firefighters or police officers who have served in another state to be considered for employment by a municipality in Illinois even if over the age of 35."

Speaker Hannig: "Is there 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. No Motions filed."

Speaker Hannig: "Third Reading. Representative Rose, you have House Bill 620. Mr. Clerk, read the Bill."

Clerk Mahoney: "House Bill 620, a Bill for an Act concerning local government. Second Reading of this House Bill. Amendments 1 and 2 were adopted in committee. No Floor Amendments. No Motions filed."

Speaker Hannig: "Do you wish that to advance to Third, Representative? Third Reading. And Representative... Okay. Third Reading. Representative Sacia, you have House Bill 3135. Do you wish us to read that? Mr. Clerk, read the Bill."

Clerk Mahoney: "House Bill 3135, a Bill for an Act concerning transportation. Second Reading of this House Bill. No Committee Amendments. Floor Amendment #1, offered by Representative Sacia, has been approved for consideration."

Speaker Hannig: "Representative Sacia."

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Sacia: "Ladies and Gentle... Thank you, Mr. Speaker. Ladies and Gentlemen of the House, the Floor Amendment simply adds... or asks to delete the word 'motor vehicle' and apply to all nonmotorized vehicles."

Speaker Hannig: "Is there 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. No Motions filed."

Speaker Hannig: "Third Reading. Representative Smith, you have House Bill 2106. We'll come right back to that one. Representative Sommer, you have House Bill 1877. Do you wish us to read that Bill? Okay. Out of the record. And let's return to House Bill 2106, Representative Smith."

Clerk Mahoney: "House Bill 2106, a Bill for an Act concerning agriculture. Second Reading of this House Bill. No Committee Amendments. Floor Amendment #1, offered by Representative Smith, has been approved for consideration."

Speaker Hannig: "The Gentleman from Fulton, Representative Smith."

Smith: "Thank you, Mr. Speaker, Ladies and Gentlemen. This Amendment incorporates the Farm Bureau's ethanol package for this year. There are a number of provisions to this which would enhance the grant programs currently administered by the Department of Commerce and Economic Opportunity and would add to those as well for other developments and other grant programs for the promotion of renewable fuels in the state. I know of no opposition. This is an initiative of the Farm Bureau. And I'd ask for adoption of this Amendment."

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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. No Motions filed."

Speaker Hannig: "Third Reading. Representative Sacia, you have House Bill 1406. Mr. Clerk, read the Bill."

Clerk Mahoney: "House Bill 1406, a Bill for an Act concerning regulation, has been read a second time, previously. Amendment #1 was adopted in committee. No Floor Amendments have been approved for consideration."

Speaker Hannig: "Is that to move to Third? Okay. So, Third Reading. Representative Stephens on House Bill 617. Do you wish us to read that? Mr. Clerk, read the Bill."

Clerk Mahoney: "House Bill 617, a Bill for an Act concerning State Government. Sec... This Bill has been read a second time, previously. Amendment #1 was adopted in committee. No Floor Amendments. No Motions filed."

Speaker Hannig: "Third Reading. Representative Verschoore on House Bill 410, 410. Mr. Clerk, read the Bill. 4... Out of the record. Out of the record. And Representative Wait on House Bill 1234. Representative Wait, do you wish us to read that Bill? On Second? Mr. Clerk, read the Bill."

Clerk Mahoney: "House Bill 1234, a Bill for an Act concerning finance. Second Reading of this House Bill. No Committee Amendments. No Floor Amendments. No Motions filed."

Speaker Hannig: "Third Reading. We're going to go down the list of Bills out of committee that have Amendments that were recently approved. So, this'll be in numerical order."

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Representative Saviano, you have House Bill 126. Mr. Clerk, read the Bill."

Clerk Mahoney: "House Bill 126, a Bill for an Act concerning regulation. Second Reading of... House Bill 126 is on the Order of House Bills-Third Reading."

Speaker Hannig: "Well, let's move this back to the Order of Second Reading. Is that correct, Representative? Okay. So, Mr. Clerk, read... move it back to the Order of Second Reading. Are there any Amendments pending?"

Clerk Mahoney: "House Bill 126 has no Committee Amendments. Floor Amendment #1, offered by Representative Saviano, has been approved for consideration."

Speaker Hannig: "Representative Saviano."

Saviano: "Thank you, Mr. Speaker. Floor Amendment #1 just rai... make some it clarifies the definition as it relates to reputations. It cleans up various other provisions of the Bill. This is an initiation of the Illinois Podiatric Medical Association. The State Medical Society supports the Amendment and were with the FPR, the position we're waiting for, but they didn't file a slip in opposition. So, I take it they're probably neutral on it. I would ask that we adopt Floor Amendment #1."

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

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

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Speaker Hannig: "Third Reading. Representative Lindner, you have House Bill 226. Do you wish us to read that Bill? The Amendment came out of committee. Mr. Clerk, read the Bill."

Clerk Mahoney: "House Bill 226, a Bill for an Act concerning business. Second Reading of this House Bill. No Committee Amendments. Floor Amendment #2, offered by Representative Lindner, has been approved for consideration."

Speaker Hannig: "Representative Lindner."

Lindner: "Yes. I would ask for Floor Amendment 2 to be adopted. It's an agreed Amendment and passed the committee."

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 Fritchey, you have House Bill 317. And Mr. Clerk, let's move that back to the Order of Second Reading. And are there any Amendments pending?"

Clerk Mahoney: "House Bill 317, Amendment #1 was adopted in committee. Floor Amendment #2 has been adopted to the Bill. Floor Amendment #4, offered by Representative Fritchey, has been approved for consideration."

Speaker Hannig: "Representative Fritchey on Amendment #4."

Fritchey: "Thank you, Speaker. Amendment 4 becomes the Bill. I'd just move that we adopt the Amendment. We can debate the Bill at the appropriate time."

Speaker Hannig: "You've heard the Gentleman's Motion. Is there any discussion? Then all in favor of the Amendment say



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'aye'; opposed 'nay'. The 'ayes' have it. The Amendment is adopted. Any further Amendments?"

Clerk Mahoney: "No further Amendments. However, notes have been requested and not yet received."

Speaker Hannig: "Representative Fritchey."

Fritchey: "If I... if I may, Speaker. I believe that the individual filing those notes has agreed to withdraw those notes. Can we... If I can find that individual, can we come back so I can move this to... at the appropriate time?"

Speaker Hannig: "So, we'll hold it on Second, but if the notes... if we can find that the note requests have been withdrawn..."

Fritchey: "Thank you."

Speaker Hannig: "...we'll move it at that time. So, this'll remain on the Order of Second Reading. Representative Durkin, you have House Bill 448. Representative Durkin. Representative Fritchey, you also have House Bill 773. Mr. Clerk, read the Bill."

Clerk Mahoney: "House Bill 773, a Bill for an Act concerning employment. Sec... It has been read a second time, previously. Amendment #1 was adopted in committee. Floor Amendment #2, offered by Representative Fritchey, has been approved for consideration."

Speaker Hannig: "Representative Fritchey."

Fritchey: "Thank you, again. Amendment 2 becomes the Bill. It removes, as far as I know, any of the previous objections to the Bill. We know of no objections to it. Asking for its adoption."

Speaker Hannig: "Is there any discussion? Then all in favor of the Gentleman's Motion to adopt the Amendment say 'aye';

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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. Mr. Clerk, read House Bill 448."

Clerk Mahoney: "House Bill 448, a Bill for an Act concerning criminal law. Second Reading of this House Bill. No Committee Amendments. Amendment #1, offered by Representative Durkin, has been approved for consideration."

Speaker Hannig: "Representative... Was it Representative Durkin's Amendment?"

Clerk Mahoney: "Floor Amendments..."

Speaker Hannig: "Representative..."

Clerk Mahoney: "...1 and 2, offered by Representative Durkin, have both been approved for consideration."

Speaker Hannig: "One and 2. So, what's your pleasure on 1, Representative?"

Durkin: "I would like to withdraw Amendment #1 and proceed with Amendment #2."

Speaker Hannig: "Okay. So, Amendment #1 is withdrawn. And Mr. Durkin to present Amendment #2."

Durkin: "Thank you very much, Mr. Speaker. Floor Amendment #2 to House Bill 448 does four (4) things. It sets up standards for lab accreditation within our forensic science industry in Illinois and our criminal courtrooms. Also, this helps... it also expands the discovery requests that are routinely made in a courtroom to avoid the long drawn-out discovery battles that we see over certain types of documents that are used in processing DNA. Also, it

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requires the State Police to analyze the data within 30 days upon receipt; we're talking about DNA samples. And this is something which we discussed in committee. And also puts restrictions on the types of work that the... our forensic labs can subcontract out to private laboratories."

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 Nekritz, you have House Bill 1071. Representative Nekritz. We can... Okay. Mr. Clerk, read the Bill."

Clerk Mahoney: "House Bill 1071, a Bill for an Act concerning property. Second Reading of this House Bill. Amendment #1 was adopted in committee. Floor Amendment #2, offered by Representative Nekritz, has been approved for consideration."

Speaker Hannig: "Representative Nekritz."

Nekritz: "Thank you, Mr. Speaker. Floor Amendment #2 to House Bill 1071 is an agreed Amendment with regards to some standards that we would be setting for those holding themselves out as community association managers."

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. Mr... Mr. Clerk, I'm advised that on House Bill 317 that the... that the note... has the note

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request been withdrawn? What is the status of the... of the note request?"

Clerk Mahoney: "Several note requests are still on the Bill and have not been filed or withdrawn yet."

Speaker Hannig: "Repres... Representative Hamos, for what reason do you rise?"

Hamos: "Thank you, Speaker. Can I orally withdraw those notes? Okay. I will file those immediately. Thank you."

Speaker Hannig: "So, we'll come back to this, Representative Fritchey, in just a moment. Representative Crespo, you have House Bill 1432. There's an Amendment out of committee. Mr. Clerk, read the Bill."

Clerk Mahoney: "House Bill 1432, a Bill for an Act concerning insurance. Second Reading of this House Bill. No Committee Amendments. Floor Amendment #1, offered by Representative Crespo, has been approved for consideration."

Speaker Hannig: "Representative Crespo on the Amendment."

Crespo: "Yeah. Thank you, Mr. Speaker. Basically, what we did with the Amendment we tightened the requirements and also it explained pretty much what the insurance coverage was for."

Speaker Hannig: "Any discussion? Then all in favor of the Gentleman's 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."

Speaker Hannig: "Third Reading. Mr. Clerk, read House Bill 3131."

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Clerk Mahoney: "House Bill 3131, a Bill for an Act concerning transportation. Second Reading of this House Bill. Floor Amendments 1 and 2, offered by Representative Cross, have both been approved for consideration."

Speaker Hannig: "Representative, you have House Bills... or House Amendments 1 and 2. What is... what are your intentions on Amendment #1?"

Cross: "I'd like both of them adopted."

Speaker Hannig: "Yes."

Cross: "And they're both cleanup as it... Well, they are takin' care of... I'm sorry, Mr. Speaker. Let's withdraw 1 and just move forward with 2."

Speaker Hannig: "Okay. So, Amendment #1..."

Cross: "My mistake."

Speaker Hannig: "...is withdrawn. And now, on Amendment #2..."

Cross: "I apologize."

Speaker Hannig: "...Representative Cross."

Cross: "Number 2 incorporates some suggestions, good suggestions, that came out of the committee and are also suggested and a... I should say... approved by the Secretary of State's Office with respect to the judicial driving... or the restricted driving permit that these youngsters would be eligible for. And I would appreciate an adoption or a 'yes' vote."

Speaker Hannig: "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."

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Speaker Hannig: "Third Reading. Representative Fritchey, you have House Bill 1455. Mr. Clerk, read the Bill."

Clerk Mahoney: "House Bill 1455, a Bill for an Act concerning criminal law. Second Reading of this House Bill. No Committee Amendments. Floor Amendment #1, offered by Representative Burke, has been approved for consideration."

Speaker Hannig: "Representative Burke on the Amendment. Representative..."

Burke: "Thank you, Mr. Speaker, Ladies and Gentlemen of the House. My Amendment #1 to House Bill 1455 quite simply would prohibit the display or use of false identification in obtaining tobacco products, would prohibit vending machines from which tobacco products are sold from dispensing any other nontobacco product and... from the same machine and simplifies the language in regard to and limits the location where such machines can be placed and would prohibit the sale of single cigarettes. I'd be happy to answer any questions."

Speaker Hannig: "Is there any discussion? The Gentleman from Winnebago, Representative Jefferson."

Jefferson: "No discussion on that."

Speaker Hannig: "On this issue? Okay. 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. No Motions filed."

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

Jefferson: "Thank you, Mr. Speaker. A point of personal privilege."

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Speaker Hannig: "State your point."

Jefferson: "Just want to recognize the fact that my mayor is here from Rockford, Illinois, Mayor Larry Morrissey. Let's welcome him to Springfield. He's in the gallery. Thank you. Welcome to Springfield."

Speaker Hannig: "Mr. Clerk, what is the status of House Bill 317?"

Clerk Mahoney: "House Bill 317 is on the Order of Second Reading."

Speaker Hannig: "Have all the notes been filed?"

Clerk Mahoney: "All notes have been filed or withdrawn."

Speaker Hannig: "Okay. So, this is now moved to the Order of Third Reading. Representative Verschoore, you have House Bill 1716. Mr. Clerk, read the Bill."

Clerk Mahoney: "House Bill 1716, a Bill for an Act concerning land. Second Reading of this House Bill. Amendment #1 was adopted in committee. Floor Amendments 3, 4 and 5, offered by Representative Verschoore, have all been approved for consideration."

Speaker Hannig: "Representative Verschoore, what are your intentions on... on 3, 4 and 5? Would you like to present the Amendments? Do you wish to adopt them all on..."

Verschoore: "They were adopted in committee this morning."

Speaker Hannig: "The committee recommended..."

Verschoore: "Oh. Okay."

Speaker Hannig: "...that they be adopted, but they need to be adopted on the floor. So..."

Verschoore: "Okay. What they are is it'd just be..."

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Speaker Hannig: "So, why don't... why don't we start with Amendment #3. Do you wish to adopt that Amendment?"

Verschoore: "Yes."

Speaker Hannig: "So, explain Amendment #3."

Verschoore: "Amendment #3 just... it's a way that at the state. They get... they offer bids on property. And it added fourteen (14) properties to that... that Bill."

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

Clerk Mahoney: "Floor Amendment #5, offered... Floor Amendment #4, offered by Representative Verschoore, has been approved for consideration."

Speaker Hannig: "And on #4, Representative Verschoore."

Verschoore: "All that does is adds two (2) more properties to that Bill."

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

Clerk Mahoney: "Floor Amendment #5 has been approved for consideration."

Speaker Hannig: "Representative Verschoore."

Verschoore: "And #5 adds another two (2) properties."

Speaker Hannig: "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. Representative Chapa LaVia, you have House Bill 2179. Mr. Clerk, read the Bill."

Clerk Mahoney: "House Bill 2179, a Bill for an Act concerning veterans. Second Reading of this House Bill. No Committee Amendments. Floor Amendment #1, offered by Representative Chapa LaVia, has been approved for consideration."

Speaker Hannig: "Representative Chapa LaVia."

Chapa LaVia: "Thank you, Speaker and Members of the House. This piece of legislation the Amendment becomes the Bill. And what it does it amends the Department of Veterans' Affairs Act by requiring the department to conduct a new program aimed in identifying, treating and preventing suicide among Illinois veterans due to post traumatic stress. And I would move for the adoption. Thank you."

Speaker Hannig: "Is there 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. No Motions filed."

Speaker Hannig: "Third Reading. Representative Boland, you have House Bill 2284. You wish us to read the Bill? Representative Boland. Mr. Clerk, read the Bill."

Clerk Mahoney: "House Bill 2284, a Bill for an Act concerning regulation. Second Reading of this House Bill. No Committee Amendments. Floor Amendment #1, offered by Representative Boland, has been approved for consideration."

Speaker Hannig: "Representative Boland."

Boland: "Thank you, Mr. Speaker. What Amendment 1 does is says that an insurer may not impose a increase in the rate on a vehicle policy based solely on the basis of the insured

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being a volunteer driver with the independent transportation network that... we have one in the Quad Cities, they're in five (5) other states and they drive senior citizens to doctors' appointments."

Speaker Hannig: "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. However, notes have requested and not yet received."

Speaker Hannig: "So, Representative Boland, did you hear that there were requests for some notes? So, you'll have to file some notes before this can move to Third. You may want to check with the Clerk. You may want to check with the Clerk; there's been some requests for notes on your Bill."

Boland: "Oh."

Speaker Hannig: "So, it cannot proceed to Third Reading just yet. Representative Reitz, you have House Bill 2306. Mr. Clerk, read the Bill."

Clerk Mahoney: "House Bill 2306, a Bill for an Act concerning local government. Second Reading of this House Bill. No Committee Amendments. Floor Amendment #1, offered by Representative Reitz, has been approved for consideration."

Speaker Hannig: "Representative Reitz."

Reitz: "Thank you, Mr. Speaker. House Amendment #1 becomes the Bill. It will provide the opportunity for non-Home Rule communities and for counties to set up a fee schedule for false alarms."

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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. The Amendment is adopted. Any further Amendments?"

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

Speaker Hannig: "Third Reading. Representative John Bradley on House Bill 2315. Out of the record. Representative Hernandez on House Bill 2419. Mr. Clerk, read the Bill."

Clerk Mahoney: "House Bill 2419, a Bill for an Act concerning State Government. Second Reading of this House Bill. No Committee Amendments. Floor Amendment #1, offered by Representative Hernandez, has been approved for consideration."

Speaker Hannig: "Representative Hernandez, could you briefly... could you briefly explain the Amendment and then we'll adopt it. We'll take this out of the record for the moment and you can check through your notes and we'll get back to you. Representative Fritchey on House Bill 2672. Mr. Clerk, read the Bill."

Clerk Mahoney: "House Bill 2672, a Bill for an Act concerning elections. Second Reading of this House Bill. No Committee Amendments. Floor Amendment #1, offered by Representative Fritchey, has been approved for consideration."

Speaker Hannig: "Representative Fritchey."

Fritchey: "Thank you, Speaker, Members of the Body. Floor Amendment 1 becomes the Bill. I would ask that we adopt it and we can debate the Bill in its entirety at the appropriate time."

Speaker Hannig: "Is there any discussion? Then all in favor of the Gentleman's Motion to adopt the Amendment say 'aye';

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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... Representative Saviano on House Bill 3679. Mr. Clerk, read the Bill."

Clerk Mahoney: "House Bill 3679, a Bill for an Act concerning regulation. Second Reading of this House Bill. No Committee Amendments. Floor Amendment #1, offered by Representative Saviano, has been approved for consideration."

Speaker Hannig: "Representative Saviano."

Saviano: "Thank you, Mr. Speaker. Floor Amendment simply adds the word 'oral laser' and 'intense pulsed light system'. We're referring to operations a physician may delegate. It also includes electrologists. There's no... no opponents that I know right now. The department, I believe, is still looking at it. I would ask it be adopted."

Speaker Hannig: "Is there any discussion? Then all in favor of the Gentleman's Motion 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. We're going to... Okay. Representative Hernandez's... Mr. Clerk, read House Bill 2419."

Clerk Mahoney: "House Bill 2419, a Bill for an Act concerning State Government. Second Reading of this House Bill. No Committee Amendments. Floor Amendment #1, offered by

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Representative Hernandez, has been approved for consideration."

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

Hernandez: "House Bill 2419 amends... will provide... actually, will provide that DCEO establish a program to make grants to women health care for the purpose of opening health care clinics in economically depressed areas."

Speaker Hannig: "Any discussion? Representative Osmond."

Osmond: "Thank you, Mr. Speaker. I'd like to ask the Sponsor if this was just not in Health Care Accessibility about 2 hours ago."

Hernandez: "Yes, it was."

Osmond: "And did you not say that you were going to look at amending this?"

Hernandez: "Yes. I'm just adding the Amendment to the shell Bill. My intention is to hold it. I'm... It's just I'm going to ho... a..."

Osmond: "Are you just going to hold it on Second, then?"

Hernandez: "Yes."

Osmond: "Okay. Thank you. Thank you, Mr. Speaker."

Speaker Hannig: "Representative Mulligan."

Mulligan: "Thank you, Mr. Speaker. I, too, had the same inquiry on that because there was a discussion over the content of the Representative's Bill. Many of us said we would try and help the bottom, the underlying issue that she was trying to solve, but we felt that the content of that Amendment was not generally a good Amendment. So, as long as she's willing to hold it, but I, ya know, it's not one that I

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think many of us would support to pass in the form that it's in now."

Speaker Hannig: "Representative Acevedo."

Acevedo: "Representative, just to clarify the situation. You're just adding the Amendment to the shell Bill, right?"

Hernandez: "Yes, I am."

Acevedo: "So, you do plan on holding it on Second Reading and to add further Amendments to work with the other side of the aisle?"

Hernandez: "Yes, I am."

Acevedo: "Okay. Thank you, Representative."

Speaker Hannig: "Is there any disc... Any further discussion? Then 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."

Speaker Hannig: "Is it your intention to hold it on Second? Okay. So, we'll hold this on Second, Mr. Clerk. Mr. Clerk, would you read House Bill 3650."

Clerk Mahoney: "House Bill 3650, a Bill for an Act concerning criminal law. Second Reading of this House Bill. Amendment #1 was adopted in committee. Floor Amendment #2, offered by Representative Washington, has been approved for consideration."

Speaker Hannig: "Representative Turner, do you wish to handle the Amendment? Represen..."

Turner: "Or Eddie..."

Speaker Hannig: "Well, Representative Washington. Representative Washington. Representative Turner."

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Turner: "Thank you, Mr. Speaker and Ladies and Gentlemen of the Assembly. Amendment #2 does three things: 1) it allows for prisoners who while receiving their... if they decide to get a GED, it increases their good time qualifications up to a period of a hundred and twenty (120) days, from ninety (90) days to a hundred and twenty (120) days. Secondly, it allows, upon appropriations, the Department of Corrections to provide that prisoners can go on and receive their AA, BS, or a degree of higher ed. And thirdly, what it does is, if, in fact, a parolee while he's out, if he goes to receive his GED, he would receive ninety (90) days good time if he receives his GED while he's out. The one prerequisite is that certainly none of these people have a high school diploma prior to starting this program. And I move for the adoption of Amendment #2 to House Bill 3650."

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. However, notes have been requested and not yet received."

Speaker Hannig: "Okay. So, there's been some note requests. And so, the Bill will remain on the Order of Second Reading. Representative Sommer, do you wish us to read House Bill 1877. Mr. Clerk, read the Bill."

Clerk Mahoney: "House Bill 1877, a Bill for an Act concerning schools. Second Reading of this House Bill. No Committee Amendments. Floor Amendment #2, offered by Representative... Representative Sommer, has been approved for consideration."

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Speaker Hannig: "Representative Sommer."

Sommer: "Mr. Chairman, a question. Has Floor Amendment #1 been withdrawn?"

Speaker Hannig: "Mr. Clerk, what is the status of Amendment #1?"

Clerk Mahoney: "Floor Amendment #1 was referred to the Rules Committee, where it remains."

Sommer: "Okay. Thank you. I'm ready with #2."

Speaker Hannig: "It's not been adopted. So, you move to adopt Amendment #2?"

Sommer: "We're to adopt Amendment #2. This is in response to committee... there was a question as to whether or not there should be collective bargaining in this to grant the use of sick leave for adoption. This was the wish of the committee and we have amended it to reflect that."

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 Brauer, earlier we had started on House Bill 635. Should we read that now? Mr. Clerk, read the Bill. House Bill 635."

Clerk Mahoney: "House Bill 635, a Bill for an Act concerning State Government, has been read a second time, previously. No Committee Amendments. Floor Amendment #1, offered by Representative Brauer, has been approved for consideration."

Speaker Hannig: "Representative Brauer."

Brauer: "Thank you, Mr. Speaker, Ladies and Gentlemen of the House. This Bill very simply changed the wording 'must' to 'may'. It talks about computer kiosks for tourism in our



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rest areas and it's a pilot program. I make a Motion to approve this Amendment."

Speaker Hannig: "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. Mr. Clerk, I need to clarify on House Bill 3650, what is the status of that Bill?"

Clerk Mahoney: "House Bill 3650 is on the Order of House Bills-Second Reading. All notes have been filed on this Bill."

Speaker Hannig: "Okay. So, we need to move that to Third Reading, then. Representative Reboletti, did you wish us to read House Bill 3662? 3662. No. How about 1962, 1962? No. Okay. We'll take both of those out of the record. Representative Brosnahan, you have House Bill 1798. Out of the record. Representative Rita on House Bill 2241. Mr. Clerk, read the Bill."

Clerk Mahoney: "House Bill 2241, a Bill for an Act concerning health. Second Reading of this House Bill. No Committee Amendments. Floor Amendment #1, offered by Representative Rita, has been approved for consideration."

Speaker Hannig: "Representative Rita."

Rita: "Thank you, Mr. Speaker, Ladies and Gentlemen of the House. House Amendment #1 puts the language in the Bill that changes... it's just a small change for funeral directors, it comes from the Funeral Directors Association, from seven (7) days to make it ten (10) days to report on a death certificate. Be happy to answer any questions."

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Speaker Hannig: "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. Mr. Clerk, House Bill 3427, we need to return that to the Order of Second Reading at the request of the Sponsor. And Mr. Clerk, House Bill 1050... 3427. No. House Bill 3427. We wish to return that to the Order of Second Reading. Okay. Oh, okay. So, let's look at 1050. What's the status of House Bill 1050?"

Clerk Mahoney: "House Bill 1050 is on the Order of House Bills- Third Reading."

Speaker Hannig: "Return that to the Order of Second Reading at the request of the Sponsor. On Supplemental Calendar #1 is House Bill 827. Mr. Clerk, read the Bill."

Clerk Mahoney: "House Bill 827, 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. And Mr. Clerk, read House Bill 1346."

Clerk Mahoney: "House Bill 1346, 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 Ryg, you have House Bill 1560. Mr. Clerk, read the Bill."

Clerk Mahoney: "House Bill 1560, a Bill for an Act concerning insurance. Second Reading of this House Bill. Amendment #1

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was adopted in committee. Floor Amendment #2, offered by Representative Ryg, has been approved for consideration."

Speaker Hannig: "Repre... Representative Ryg."

Ryg: "Thank you, Mr. Speaker. Floor Amendment #2 revises the language of the legislation in response to some of the concerns. It tightens the definitions and it takes out some references in terms of prescription or written order for this formula Bill which is intended to serve children who have severe food allergies."

Speaker Hannig: "Is there 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 Motions have been filed."

Speaker Hannig: "Third Reading. Representative Gordon, you have House Bill 2002. Mr. Clerk, read the Bill."

Clerk Mahoney: "House Bill 2002, a Bill for a Act concerning regulations. Second Reading of this House Bill. Amendment #1 was adopted in committee. No Floor Amendments. No Motions filed."

Speaker Hannig: "Third Reading. Representative Nekritz on House Bill 1421. ...Clerk, read the Bill."

Clerk Mahoney: "House Bill 1421, a Bill for an Act concerning public safety, has been read a second time, previously. Amendment #1 was adopted in committee. Floor Amendment #2 has been adopted to the Bill. All notes have been filed."

Speaker Hannig: "Third Reading. Representative Yarbrough on House Bill 315. Read the Bill, Mr. Clerk."

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Clerk Mahoney: "House Bill 315, 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 Monique Davis on House Bill 1890. Do you wish us to read the Bill, Representative? From Second to Third? Mr. Clerk, read the Bill."

Clerk Mahoney: "House Bill 1890, a Bill for an Act concerning education. Second Reading of this House Bill. Amendment #1 was adopted in committee. No Floor Amendments. No Motions filed."

Speaker Hannig: "Third Reading. Representative Harris on House Bill 147. Mr. Clerk, read the Bill."

Clerk Mahoney: "House Bill 147, a Bill for an Act concerning regulation, has been read a second time, previously. Amendment #1 was adopted in committee. Floor Amendments 2 and 3 were adopted to the Bill. All notes have been filed."

Speaker Hannig: "Third Reading. And Mr. Clerk, what's the status of House Bill 1647?"

Clerk Mahoney: "House Bill 16..."

Speaker Hannig: "1641, Mr. Clerk. What is the status of House Bill 1641?"

Clerk Mahoney: "House Bill 1641 is on the Order of House Bills-Second Reading."

Speaker Hannig: "Read the Bill, Mr. Clerk."

Clerk Mahoney: "House Bill 1641, a Bill for an Act concerning criminal law. Second Reading of this House Bill. No

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

Speaker Hannig: "Do you wish us to move it to Third? Third Reading. Okay. Third Reading. We're going to resume where we left off on the Order now of Third Reading. And I think we were working our way through the alphabet and the next... the next person up was Representative Hoffman with House Bill 1915. Representative Hoffman, do you wish us to read that Bill? Mr. Clerk, read the Bill."

Clerk Mahoney: "House Bill 1915, a Bill for an Act concerning transportation. Third Reading of this House Bill."

Speaker Hannig: "Representative Hoffman."

Hoffman: "Thank you, Mr. Speaker, Ladies and Gentlemen of the House. This simply would provide that the Secretary of State would designate on a certificate of title, area on the application for the certificate of title, a space where the owner of a vehicle may designate a beneficiary to whom ownership of the vehicle should pass in the event of the owner's death. This is very similar to what they do in Missouri and would assist in... if an individual passes away, it would say on there who would be the beneficiary of the vehicle."

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 Rose, Rita and McGuire, do you wish to be recorded? Representative McGuire, do you wish to be record... recorded?"

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Mr. Clerk, take the record. On this question, there are 115 voting 'yes' and 0 voting 'no'. And this Bill, having received a Constitutional Majority, is hereby declared passed. Representative Hoffman, do you wish to... for us to read 2133? Mr. Clerk, read the Bill."

Clerk Mahoney: "House Bill 2133, a Bill for an Act concerning transportation. Third Reading of this House Bill."

Speaker Hannig: "Representative Hoffman."

Hoffman: "Thank you, Mr. Speaker, Ladies and Gentlemen of the House. This has to do with the St. Clair County Transit District. When it... it indicates that St. Clair County... the Amendment indicates that this would make it consistent with Federal Law concerning safety on the Bi-State Transportation System, particularly Metro Link and indicates that St. Clair County would be the lead agency with regard to... to enforcement of public safety. 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... Oh, excuse me. Representative Mulligan, do you stand in response?"

Mulligan: "I just think as the evening rolls on, you shouldn't let any Bill just go totally unchallenged and particularly a Representative who has such clout, so this can't be just a simple Bill. So, I would hope that some of my fellow Members would quickly look at it. Does it carry anything in your Bill that would give money or keep you from getting money, is that why you needed to make these changes?"

Hoffman: "It's my understanding that the language only revises the current state statutes so that it's consistent with the

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recently revised federal regulations regarding state safety oversight of rail fixed guideway systems. And all this does with regard to our Metro Link system and the Bi-State Development Agency is in St. Clair County, which I represent, would be... would be... the statute would be consistent with federal regulations. There's no money or anything like that."

Mulligan: "All right. But if you weren't in compliance, would you be eligible for any kind of federal funds so you'd have to be in compliance in order to be?"

Hoffman: "I... I really... I don't really know the answer to that. I think that this will... I do know that this would put us in compliance with Federal Law. If we weren't in compliance whether we would lose federal money, I really don't know."

Mulligan: "All right. So, you're just... the person that St. Clair County came to to carry this Bill because you represent them?"

Hoffman: "Yeah, that's... that's kinda my job. I have other jobs, but that is my job."

Mulligan: "Yes, you have many other jobs. I'm trying to recognize that with a little bit of tact..."

Hoffman: "No, I know."

Mulligan: "...but since nobody was paying any attention I thought perhaps we should just have a moment to look at your Bill and discuss it."

Hoffman: "And I appreciate it."

Mulligan: "And this is on Third Reading, so when it's out of here, it's gone."

Hoffman: "Yep. It'll be gone."

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Mulligan: "Well, actually..."

Hoffman: "But no, there's nothing hidden."

Mulligan: "Nobody I know ever had the guts to stand up and ask,  
I don't know. But if it's a..."

Hoffman: "No, Representative, there's no... there's no hidden  
agenda here. This is simply a technical change..."

Mulligan: "So, this is your... your great Bill for your local  
area."

Hoffman: "Yes."

Mulligan: "Thank you."

Speaker Hannig: "Any further discussion? The Gentleman from  
Vermilion, Representative Black."

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

Speaker Hannig: "Indicates he'll yield."

Black: "Thank you very much. Representative Hoffman, how do you  
bring them into compliance? Do you have to spend a certain  
amount of money to bring them into compliance or..."

Hoffman: "No. It's no... it's no money. All we... all we would do  
is change the language to be consistent with the federal  
regulations. This does that and..."

Black: "So, it's just language in what, the original  
incorporation or intergovernmental agreements or..."

Hoffman: "Years ago... not years ago, I guess, although I have  
been here a long time... a few..."

Black: "Oh, you're older than you think."

Hoffman: "...a few years ago we passed leg... language that  
indicated that St. Clair County Transit Authority would be  
the person that would be designated for the Bi-State Transit  
Safety Act on the Illinois side. And all this does is it



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updates it pursuant to federal regulations. I believe that the RTA already passed this and we never have passed it for St. Clair and the Bi-State Transit Safety Act."

Black: "Okay. Now... now, you've confused me. RTA, you mean the Regional Transit Authority up north or is that what it's called in your area as well?"

Hoffman: "No. The Regional Transportation Authority up north, we already passed..."

Black: "Okay."

Hoffman: "...language that put them in compliance with the federal regulation. We neglected and didn't do the St. Clair County..."

Black: "Okay."

Hoffman: "...Transit Authority."

Black: "So, there's... there's nothing in the Bill that can be construed as taking dollars away from the Chicago Transit Authority, is there?"

Hoffman: "No, it has nothing to do with dollars."

Black: "Oh, that's too bad. I..."

Hoffman: "I figured that."

Black: "Yeah. So, all this is, basically, is you have to change some lang... operational language to be in compliance with Federal Law?"

Hoffman: "Yes."

Black: "Well, heaven knows we don't want to be out of compliance with Federal Law and I've ridden that short link, by the way, when I went to a baseball game, very nice system, very nice system."

Hoffman: "It is very nice."

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Black: "And I thought you did an excellent job of collecting the money. We all have to make do."

Hoffman: "Right."

Speaker Hannig: "Any further discussion? 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 Pihos and Krause, Ladies, do you wish to be recorded? Mr. Clerk, take the record. On this question, there are 113 voting 'yes' and 0 voting 'no'. And this Bill, having received a Constitutional Majority, is hereby declared passed. Mr. Clerk, read House Bill 894."

Clerk Mahoney: "House Bill 894, a Bill for an Act concerning regulation. Third Reading of this House Bill."

Speaker Hannig: "Representative Beiser."

Beiser: "Thank you, Mr. Speaker, Members of the House. 894 as amended deletes the reciprocity requirement of the Public Utility Acts so that we can get more competition into the system so more companies can become alternative retail electric suppliers. There are concerns that the courts have not followed the language and the intent of the provision and the defendant... defined it so broadly that it prohibits these areas from providing electricity in the state and thereby, restricting retail electric competition contrary to the intent of the drafters. So, this Bill would take care of that. I'd be happy to answer any questions. And I'd encourage an 'aye' vote."

Speaker Hannig: "Is there any discussion? Then the question is, 'Shall this Bill pass?' All in favor vote 'aye'; opposed

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'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 115 voting 'yes' and 0 voting 'no'. And this Bill, having received a Constitutional Majority, is hereby declared passed. Representative Jakobsson, you have House Bill 682. Do you wish us to read that on Third? Mr. Clerk, read the Bill."

Clerk Mahoney: "House Bill 682, a Bill for an Act concerning finance. Third Reading of this House Bill."

Speaker Hannig: "The Lady from Champaign, Representative Jakobsson."

Jakobsson: "Thank you, Mr. Speaker. House Bill 682 has an... addresses the Procurement Code and what it does is it sets out that this part of the Procurement Code does not apply to the printing by a public institution of higher education of material that's not paid for in any portion from funds appropriated from the General Assembly or printing that's performed by a university unit or printing that is performed in conjunction with contracts that are referenced in subsection (b)(1) of Section 1-10."

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 115 voting 'yes' and 0 voting 'no'. And this Bill, having received a Constitutional Majority, is hereby declared passed."

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Representative Jefferson, you have House Bill 1719. Do you wish us to read that? Mr. Clerk, read the Bill."

Clerk Mahoney: "House Bill 1719, a Bill for an Act concerning local government. Third Reading of this House Bill."

Speaker Hannig: "Representative Jefferson."

Jefferson: "Thank you, Mr. Speaker, Members of the committee. All this Bill does is gives the people in question the ability to negotiate if, in fact, you have been employed in this job for a while and there's determination made as to whether you're going to be dismissed or not. It gives them another address... or an avenue to contest whatever it is that's been said. The FOP is onboard with this. And I would answer any questions."

Speaker Hannig: "Is there any discussion? The Gentleman from Cook, Representative Durkin."

Durkin: "Will the Sponsor yield?"

Speaker Hannig: "Indicates he'll yield."

Durkin: "Representative Jefferson, is this only applied to the county sheriffs or can this be applied at the local level with the municipalities and disciplinary proceedings with municipal police departments?"

Jefferson: "To my understanding, the county sheriff's department."

Durkin: "And what is the impetus for this? I... I'm not quite sure where the problem is. If you could just explain why we're doing this?"

Jefferson: "Yes. A lot of times you might have a police and fire commission that's under control of your mayor, people in the city that might do what they're told to do as it

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relates to these individuals that are employed. This gives them another outlet to actually arbitrate their situation through a different mechanism."

Durkin: "Now in the county, like in Cook County, they have their own commission. Are we saying that we are going to eliminate them from the disciplinary process with any of their deputy sheriffs..."

Jefferson: "No, not at all. Basically, what this does is gives them another level that they can go to. If, in fact there's a ruling that they aren't content with, it gives them another level that they can go to."

Durkin: "So, if they're not pleased with the recommendation from the county she... for example, the Cook County Sheriffs Merit Commission, they can... they're allowed now to go to binding arbitration under this?"

Jefferson: "Arbitration, yes."

Durkin: "Is it binding or is it advisory?"

Jefferson: "No, it's not binding at all. It... it just gives them ability to go through arbitration."

Durkin: "I'm... I'm kind of curious. I haven't heard from the counties on this. Do you know if the county... Cook County hasn't said anything about this or the sheriff's office and I would think that they would probably have offered some type of thoughts to this. Have you discussed this with them?"

Jefferson: "There's no opposition as I'm aware of, Representative. Like I say, the Fraternal Order of Police are onboard with this and as far as I know, there is no opposition."

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Durkin: "Okay. All right. Thank you."

Jefferson: "Thank you."

Speaker Hannig: "Representative Mulligan."

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

Speaker Hannig: "Indicates he'll yield."

Mulligan: "This is not applied to municipality?"

Jefferson: "To my understanding, it's the county sheriffs' departments."

Mulligan: "So, it would be county."

Jefferson: "Yes."

Mulligan: "A part of our analysis, which I have to go back and find out, says that if it goes to arbitration they do not have to follow any established case law on these issues. Is that correct?"

Jefferson: "It says that it gives them the ability to seek another means of trying to settle this case."

Mulligan: "Are they worried that if it goes to a commission that they do not get as fair a discussion as they would if it goes to arbitration?"

Jefferson: "Well, we know sometimes, Representative, that there are certain situations where whatever the people in authority say is the rule as it relates to the commissions in place. So, yes, they are somewhat worried that they wouldn't have another outlet to turn to."

Mulligan: "So, is it everybody in that office or is it just the person that... that actually is doing the collective bargaining for their unit?"

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Jefferson: "It's those individuals that feel the need to go above and beyond what the police and fire commission has determined to be their fate."

Mulligan: "All right. So, does each individual officer have the right to ask for one or the other?"

Jefferson: "If, in fact, they're in litigation as it relates to their job, the extinction of their job, sure, they should have that right."

Mulligan: "All right. And so, it'll only apply to county sheriffs and not municipalities, at this point?"

Jefferson: "That's my understanding of the Bill, yes."

Mulligan: "All right. Thank you."

Jefferson: "Thank you."

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

Jefferson: "Thank you, Mr. Speaker, Members of the House. Ya know, this is a good Bill. If a person's been on the job for so many years, then they should have the right to... to challenge the process if, in fact, they don't agree with it and this gives them that right to do that. It's, ya know, it's a good Bill. I would ask for support from all the Members."

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 72 voting 'yes' and 42 voting 'no'. And this Bill, having received a Constitutional Majority, is hereby declared passed. Mr. Clerk, read House Bill 1517."

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Clerk Bolin: "House Bill 1517, a Bill for an Act concerning juveniles. Third Reading of this House Bill."

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

Collins: "Thank you, Mr. Speaker. We're... asking... we've passed this Bill out of the House a couple of times and we're asking for an 'aye' vote."

Speaker Hannig: "The Lady has moved for the passage of House Bill 1517. Is there any discussion? The Gentleman from Vermilion, Representative Black."

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

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

Black: "Representative, why... why are there so much opposition to this Bill from the law enforcement community, at least in my district there is? Is... Have they shared any of that with you?"

Collins: "Because they says it's going to cost a lot of money, money that they don't have right now. But if we really think about it, we spend... we've spent this year alone sixty million dollars (\$60,000,000) on probation services that the state gives. So, in the long run it's going to cost money anyway, but what it does is it saves first time offenders, the seventeen-year-olds, not to become felons. And if you think about it, if you're seventeen (17) and you're a felon, well, you got like sixty (60) more years maybe to live as a felon. So, you got all kind of obstacles standing in your way that you can't get a job."

Black: "But the court still has the option to transfer the juvenile to adult court, do they not?"



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Collins: "Yes, they do."

Black: "Okay. All right. Thank you very much, Representative.

Mr. Speaker, to the Bill. I... I talked with my county sheriff this morning about this very Bill. I wanted to make sure that I understood his opposition. And he brought forth some concepts and facts, if you will, that I was unaware of. If you raise this age to eighteen (18), what we are doing is perpetuating the circle we started several years ago and the dog is constantly chasing his tail. We... we went from being able to hold juveniles in a county detention facility as long as they were detained out of sight and out of sound from adult inmates. And that worked fairly well..."

Collins: "Mr. Speaker, this... that's the wrong Bill. You have the wrong Bill."

Black: "No, I don't, Representative, I have the Bill right here in front of me and I'm... I'm just speaking to the Bill. So, it's... you can't separate this Bill from where we've been and how we got here. So, then the Juvenile Justice Commission came back a few years later and they said, well, you can't hold them in a county jail even if you met the old standard of separation of sight and sound because you don't have a separate book-in facility. Well, most county jails in the State of Illinois at that time certainly could not meet the requirement that you have a totally separate, sally port, book-in area where the individual is brought in and processed. So, then we went to you'll have to transfer them to a juvenile detention facility in the State of Illinois and it got to the point about six (6) or seven (7) years ago then, in my home county, we had a seventeen-year-old stab a

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fifteen-year-old outside of a movie theater in a mall. There are fifty (50) witnesses; there wasn't any question that he stabbed the individual, ran from the mall, was soon arrested, arraigned, no bed. No juvenile bed in the State of Illinois that would hold this alleged offender. So, they sent him home. The family of the fifteen-year-old found out he was back home, a fight ensued, and the alleged perpetrator was severely beaten. And there was a threat to sue the county because he wasn't in protective custody. I mean, we've come around this circle where we had no juvenile detention beds, then we came back and said, we'll help you build a juvenile detention center and we, the State of Illinois, we'll fund the staff. Well, my home county built a... about a two million dollar (\$2,000,000) juvenile detention facility and guess what, the state didn't pay the full amount and they aren't paying anything for the staff. So, it's a cost that the county has had to absorb, in fact, they have almost had to close it, a year ago for lack of funds. They never have an empty bed. Very seldom, my sheriff told me, do they have an empty bed in that facility. Now, if you... now, we're going to adjudicate an eighteen-year-old, as a juvenile. I think many people in law enforcement are merely saying, where do you want us to put them? We have..."

Speaker Hannig: "Representative, your time has expired. Could you bring your remarks to a close."

Black: "Luckily, my time expired before I did. I... I... will, thank you, Mr. Speaker. I... I... I have great respect for the Sponsor and I know what she's trying to do and I think, if

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you just look at it on paper, I think what she's trying to do is right and just and fair, but if you look at it from the standpoint of those who have to administer the law, those who have to detain these people, those who are ordered by the courts to see that they are securely detained until trial, if that be the wish of the judge, all these law enforcement officials and all the sheriffs' association and other law enforcement agencies, including the State Police and the Chiefs of Police are saying, we can't do it. We don't have the facilities; we don't have the money and now you're going to be transferring as many as four or five or six thousand (4,000 or 5,000 or 6,000) people in the juvenile detention system and we don't have the beds, we don't have the staff and we don't have the money. And that's the reason they oppose the Bill and after talking to the person in my district who's on the frontline who deals with this every day, seven (7) days a week, twenty-four (24) hours a day, I stand in opposition to the Bill because the principle of the Bill is fine, the actual work a day process of the Bill from many law enforcement officers that I've talked to said it won't work, we have no place to put them. You're just creating an additional problem that we can't meet. I intend to vote 'no'."

Speaker Hannig: "This is on the Order of Standard Debate. And so, we'll have three (3) additional speakers on each side. Representative Reboletti, you're next and you have 5 minutes."

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

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

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Reboletti: "Representative, isn't it true that the same dispositions that would be available for a seventeen-year-old in adult court would be available for those if the eighteen-year-olds were in juvenile court?"

Collins: "Can you repeat the question? I'm sorry, I didn't hear you."

Reboletti: "Would the same dispositions that are available right now for a seventeen-year-old that sits in adult court for a misdemeanor, would they not be available for an eighteen-year-old that would be sitting in juvenile court?"

Collins: "But the difference is is that if you're a eighteen-year-old would be convicted as a felon, a seventeen-year-old would be adjudicated as a juvenile. So, you wouldn't get the same services and you wouldn't get the same sentence. See..."

Reboletti: "Representative, you're... as you're speaking about misdemeanors, they're not felonies, they're punishable by jail time. Most of the misdemeanors that are... are... are code are supervisable, meaning you get supervision for them. They could be expunged if the defendant follows through with all the conditions of the sentence and it doesn't change anything. But to the Bill, Mr. Speaker. This is a situation where you're going to have every county now moving judges from adult court calls to juvenile calls. You'll have probation officers moving from adult to juvenile probation and you're going to basically rearrange the entire court system without any input. As I look at the proponents, Cook County's against it. I can't imagine that

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any major counties are for it and I believe this is bad legislation. And I urge a 'no' vote."

Speaker Hannig: "Representative Turner."

Turner: "Yes. Thank you, Mr. Speaker and Ladies and Gentlemen. I arise in support of this legislation. And the reason that I do so is because House Bill 1517 is the right thing to do. This Bill not only raises the age by one (1) year to eighteen (18) for misdemeanors only, but also sets up a task force to work out some of the details that we heard from some of the opposition earlier. It's also consistent with the rest of the world and the rest of the nation, the 38 other states that do what we're proposing here today. Violating offenders will still be tried as an adult. Under this Bill, any seventeen-year-old for which an offense can be tried as an adult, current law allows for juveniles as young as thirteen (13) to be transferred to adult court. This Bill does not change any of those laws. A seventeen-year-old first-time misdemeants saves... what this does is it saves them from the adult record. Current law has no provisions to allow a court to treat a seventeen-year-old first-time offender as a juvenile with a juvenile record. Right now, a high school junior or senior is automatically an adult with an adult record. This is consistent with brain development showing that adolescent brains differ from juve... from different... adolescent brains differ from adults and I think that this is the right thing to do. The impact is minimal. Only a total of two hundred and eighty-five (285) seventeen-year-olds were on probation for the entire state in one (1) year. This is information that we got from

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the Criminal Justice Information Authority. This number will not cause a significant financial impact on any entity. And I might add that there's a disproportionality and I think that's why the Lady is pushing so hard for this legislation. But do you know that the sentencing of seventeen-year-old youth as adults that African Americans and Latino youth are the ones that are hit the hardest. Of the seventeen-year-olds held in Cook County jail, over 95 percent of them were youth of color, 82 percent black, 13 percent Latino. And on July 3 of this year, 83 percent of those seventeen-year-olds were black and 14 percent were Latino. I think this is something that can be worked out. There is this issue of finance and I don't believe that the numbers that have been thrown around are as high as they're alleged to be. And I rise in support for this Bill and I think that this is great legislation and I commend the Sponsor for introducing it."

Speaker Hannig: "So, it's had two (2) on each side. And the rules would provide for one additional speaker on each side. So, Representative Molaro, you're next and which side would you like to speak on?"

Molaro: "I'm for the Bill."

Speaker Hannig: "Okay. For the Bill."

Molaro: "Now, let me... let me clear something up and one of the Representatives over there said it. First of all, they used the number eighteen (18). Let's make this absolutely clear. If you're eighteen (18) in the State of Illinois, you're an adult. This Bill does not talk about eighteen (18) years old. So, if you're an eighteen-year-old, you're an adult,

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you're tried as an adult. This is seventeen-year-olds, okay. Now, some of us, I think, we should probably be tried as misdemeanors... I mean, as juveniles 'cause we haven't reached the age that we should be tried as adults. But let me make this absolutely clear. Someone talked about money, but I don't think they understand and I don't think some of these... these areas don't understand, our sheriffs and the police chiefs, we changed the Bill. This is seventeen-year-old misdemeanors only, not felonies. Nobody's going to jail; nobody's going to be held in jail. There is no cost. Seventeen-year-olds that are charged with misdemeanors get I bonds or they put a hundred dollars (\$100). It's these felons that are the bad actors that we have to lock up, they're going to stay locked up. It's going to be exactly like it is now. We're not going to have where you have a seventeen-year-old misdemeanor that it's going to cost the counties. Now, might there be minor costs 'cause a couple of misdemeanors might wind up... well, okay, then they're minor costs and we don't send 'em to the big boy jail we send 'em to the juvenile jail where they belong in a juvenile detention center for the very, very few misdemeanors. Now, those of you who practice law and those of you who don't, you know that when you're charged with shoplifting or you're charged with some misdemeanor, you don't go to jail. So, if someone's here saying that we don't have anywhere to send these seventeen-year-olds who are charged with misdemeanors, you don't get charged with a misdemeanor and go to jail. If you're charged with a misdemeanor, you get an I bond or you put up a hundred

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dollars (\$100). So, all this is saying is that instead of being eighteen (18) and you're shoplifting and you have a criminal record for the rest of your life, if you're eighteen (18) you get it. It's a criminal record for the rest of your life, but if you're seventeen-years-old, you're usually a junior or senior in high school and you get caught shoplifting, it's on your juvenile record. That makes sense to me; it makes sense to thirty-eight (38) different states and it makes sense here today. There is no cost. If we were here, which we may be in a couple years, talking about seventeen-year-old felons being treated as juveniles where you have to house 'em, well, then we got to talk about the cost. But this Sponsor was bright enough that she wanted to pass this Bill that came back that said let's make it misdemeanors only so I can get the cost down, so there's almost no cost. She should be commended for what she's trying to do and seventeen-year-old misdemeanors should be tried as juveniles, not adults. There's no cost and these seventeen-year-olds do not have the prerequisite to be tried as adults and they should not be given adult records at seventeen (17) years of age as juniors in high school. This is a good Bill. Let's vote 'yes'."

Speaker Hannig: "So, we've had three (3) in favor and two (2) in response. Representative Mulligan, would you like to speak in response?"

Mulligan: "I'd like to speak for the Bill."

Speaker Hannig: "Well, there's already been three (3) that have spoken..."

Mulligan: "I'd like to take it off of Standard Debate."



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Speaker Hannig: "You'd like to put it on Extended Debate which would allow two (2) additional Sponsors... speakers. Would that..."

Mulligan: "Yes, I would like to do that."

Speaker Hannig: "Okay. So, we'll put it on Extended Debate at your request, Representative. So, you have 5 minutes."

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

Speaker Hannig: "Indicates she'll yield."

Mulligan: "This only covers misdemeanors, correct?"

Collins: "That's correct."

Mulligan: "And in most cases, misdemeanors, a lot of them, do not... they are not held. They're..."

Collins: "They go home. They get Probation."

Mulligan: "They go home. So, what some of the other Representatives have said, it would only be if it were a larger crime?"

Collins: "Right."

Mulligan: "All right. And this also creates... doesn't it create a task force to look into this issue?"

Collins: "Yes."

Mulligan: "Okay. I want to speak to this Bill. I haven't talked about this for a long time on the House Floor, but as some of you know, a great number of years ago my father was murdered by five (5) young men in the Chicago Housing Authority projects. Two (2) of them were fifteen (15), two (2) were seventeen (17) and one (1) was eighteen (18). Three (3) of them went to prison for twenty-two (22) years and they were all out in eleven (11). And sitting through

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that, the several murder trials that happened there, it became very apparent to me that there is... there is a class distinction over what happens and how people will move forward in their lives. Some of the issues that I bring with me to the General Assembly are colored by that and others of them are also colored by that but in a different vein. The vein is that right now we have very few Bills where we're allowed to make any public policy or make any changes. Even though most of the Representatives seem to think this only affects black and Latino, I would question also that I think it impacts white youth and it impacts people that state's attorneys may want to throw an extra book at it; it impacts poor people, people that can't afford defenses. The fact of the matter is we don't want to continue creating a culture of young people, because of the laws that we pass so that we all look tough on crime, that can't get a job, can't have normal things happen to them, go to a prison where they... they learned how to be bigger criminals than they already are. I think about these Bills hard and long whether I want to support them. I don't do it lightly because of my past history. I'm supporting the Lady in this Bill because I think the back... the background of this and the things that come from the juvenile justice people are a good rationale of why we should be doing things like this and why we should be looking at public policy here in Illinois and why we should be making these changes. I'm very much in support of what they're doing in a lot of these instances and when I'm not, I speak up. This Bill is changed; it's only misdemeanors. I think that's an

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important issue. We know we have a lot of youth unfortunately at a young age that... that do some really big crimes and we're not looking at those young people at all. We're only looking at people that have committed misdemeanors. I think this is important. I think it's an issue where, as a Legislature, we may be stymied from making good public policy in other areas, but I think this is one area where we can strike out and try and make some public policy to make changes that are going to affect the youth, what happens to them, where they're going from here, how they're affected and what we teach them. I do think there's a lot, a lot of issues that should be looked at by a task force. I'd like to support the Lady in this and I would urge an 'aye' vote. I think this is something we really need to take a good, hard look at and the recomen... and the recommendations that they im... that the Juvenile Justice Commission has made because I think it's really important in Illinois to change what's happening to our youth. And as more issues happen downstate, I think they're going to be impacted as much as we are upstate. So, I would urge an 'aye' vote on this Bill."

Speaker Hannig: "Representative Bellock."

Bellock: "Thank you very much, Mr. Speaker. To the Bill."

Speaker Hannig: "To the Bill."

Bellock: "I'm just rising in support of this Bill and I'll just be brief because all of the other people that have spoken on it, I think, have made the point. But I think what we all have worked towards in the last couple of years is to change the juvenile justice system in Illinois for the better. And

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this Bill only affects two hundred and eighty-five (285) young lives, that if we can save those people from adult records and going to prison as we know that as soon as they get an adult record and go into prison 80 percent are back in prison again. This is a way of trying to change the system in Illinois and a lot of us that believe that that system needs to be changed, I ask you to support the Bill. Thank you."

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

Collins: "Thank you. I would just urge everyone to do an 'aye' vote and wanted to make a couple of clarifications that the state's attorney and the Illinois... the Cook County State's Attorney, the state's attorney appellate prosecutors are neutral on the Bill because we went for misdemeanors only. We made some adjustments in the Bill. And we also are going to do a task force to study whether others should be included and how much it's going to cost, if we did that. So, now we've just included misdemeanors in the... in this Bill and we urge an 'aye' vote. 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? Have all voted who wish? Mr. Clerk, take the record. On this question, there are 64 voting 'yes' and 50 voting 'no'. And this Bill, having received a Constitutional Majority, is hereby declared passed. Representative Mautino on House Bill 1628. Okay. Representative Molaro. No. Okay. Representative Mendoza

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on 1958. Out of the record. Representative Lindner on House Bill 3678. Mr. Clerk, read the Bill."

Clerk Bolin: "House Bill 3678, a Bill for an Act concerning children. Third Reading of this House Bill."

Speaker Hannig: "Representative Lindner."

Lindner: "Thank you, Mr. Speaker. This Bill says that when a infant is reported to DCFS with a controlled substance in their blood after they are born that the... this referral should be done to the State's Attorneys Office so they can decide whether or not to refer it to the juvenile court."

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? Representative Dunkin, do you wish to be recorded? Mr. Clerk, take the record. On this question, there are 115 voting 'yes' and 0 voting 'no'. And this Bill, having received a Constitutional Majority, is hereby declared passed. Mr. Clerk, read House Bill 951."

Clerk Bolin: "House Bill 951, a Bill for an Act concerning State Government. Third Reading of this House Bill."

Speaker Hannig: "Representative Turner."

Turner: "Thank you, Mr. Speaker, and Ladies and Gentlemen of the House. I bring to you House Bill 951 which amends the Department of Public Health powers and duties regarding the Civil Administrative Code. What it does is it allows the Illinois Department of Public Health to contract with local health authorities in dealing with pandemic situations or health crisis that may arise throughout the state. House

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Amendment #1 really is the substance of the Bill and it defines what those local or who those local health authorities are. And it also talks about... it authorizes the Illinois Department of Public Health to delegate its authorities and powers instead of just duties and it provides upon that delegation that the Department of Public Health may waive any portions of its fees that's been established or by the statute or rule. This is a piece of legislation that's required, in particular, the City of Chicago is a main proponent for it. And it would allow the State Department of Public Health to contract with the Chicago Department of Public Health or any other local health authorities. And I move for the adoption of House Bill 951."

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 115 voting 'yes' and 0 voting 'no'. And this Bill, having received a Constitutional Majority, is hereby declared passed. Representative Meyer, you have House Bill 3091. Out of the record. Representative Mitchell, you have House Bill 954. Mr. Clerk, read the Bill."

Clerk Bolin: "House Bill 954, a Bill for an Act concerning veterans. Third Reading of this House Bill."

Speaker Hannig: "Representative Mitchell."

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Mitchell, B.: "Thank you, Ladies and Gentlemen... Mr. Speaker, Ladies and Gentlemen of the House. House Bill 954 it's a Bill that's subject to appropriation. It would make the four (4) ten-bed homes at Lincoln Developmental Center an Alzheimer's treatment unit."

Speaker Hannig: "This is on... Is there any discussion? The Gentleman from McHenry, Representative Franks."

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

Speaker Hannig: "Indicates he'll yield."

Franks: "I'm... I'm reading our analysis and was this the Bill that you had had last year, Representative?"

Mitchell, B.: "No."

Franks: "Okay. Is it... is it within your district?"

Mitchell, B.: "It's... it's just outside of it."

Franks: "Okay. Because our analysis indicates that the department was against it because there are a number of different buildings. How many buildings are we talking about?"

Mitchell, B.: "There are four (4)... four (4) buildings are there right now that are vacant that the State of Illinois... it's costing the state nearly a million bucks (\$1,000,000) for that... those facilities."

Franks: "And how is it Constitution..."

Mitchell, B.: "See, they were originally developed for a... the Governor announced that they were going to be for a developmental center and of course, they changed their plans, so these are four (4) vacant ten-bed facilities. Now..."

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Franks: "But they're separate facilities so each have to be staffed separately, correct?"

Mitchell, B.: "That's correct. That's why this Bill is subject to appropriation. We said that the agency is not... they told me they were neutral on this."

Franks: "We have the oppo... the opponent as Department of Veterans' Affairs."

Mitchell, B.: "Yeah. They told me... I talked to the counsel and he told me that the agency was neutral on this Bill."

Franks: "How much money are we talking to run these four (4) separate facilities?"

Mitchell, B.: "Well, I guess the question is, how much monies are we taking to maintain the facilities and they're vacant. That's why..."

Franks: "Well, that..."

Mitchell, B.: "...this is subject to appropriation. So, hopefully, right now it's costing the taxpayers a lot of money to keep these vacant. Now, as you know, Alzheimer's is growing. And we had hearings last... last summer where the Department of Veterans' Affairs testified that they need treatment centers be... 'cause they require more extensive treatment than what our present nursing facilities..."

Franks: "We... we all know that and we all agree with that."

Mitchell, B.: "Well, I don't know if the people... a lot of people know that."

Franks: "I'm just wondering if this is the best solution, 'cause if you have to have four (4) separate facilities for forty (40) beds..."



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Mitchell, B.: "Look. I'm sorry. They're together; they're four (4) buildings located together on the same grounds."

Franks: "But they have to be run separately because they're not connected, correct?"

Mitchell, B.: "Well, I... I don't know that, Representative."

Franks: "I would imagine that you would have to have separate nurses for each building because since they're not contiguous; you would have to have separate staff for each building so you wouldn't have the economy of scale in a... in a... let's say you had a..."

Mitchell, B.: "Well, you know..."

Franks: "...ten-bed facility where it was all on one floor, you would be able to have staff in one facility."

Mitchell, B.: "Yeah. I don't know...:"

Franks: "Here, you would need four (4) separate facilities' staff."

Mitchell, B.: "Yeah. I mean, Representative, I don't know that that's necessarily true. They're all on the same grounds. What people with Alzheimer's do is they require more extensive care than that can be currently provided at our existing homes. These were developed... these homes were developed for people with developmental disabilities. The administration's goals changed in the last fiscal year and I thought that they would be ideally suited for this. Now, if the administration has a better purpose for these facilities, which are brand spanking new, and it costing us taxpayers to keep them..."

Franks: "Were they originally built to house the Alzheimer's patients?"

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Mitchell, B.: "They're originally... they're designed to house people with developmental disabilities."

Franks: "Is... and I don't know the answer to this. Is the treatment modalities different for a patient with Alzheimer's as opposed to someone with a developmental disability?"

Mitchell, B.: "I... I think and I'm not an expert so this is just only a hypothesis on my part. But they require more expo... both require more extensive treatment than a person maybe a senior citizen that is... is just in a long-term care facility."

Franks: "Okay. I know what you're trying to do. I think it's a great idea. I just want to make sure that our money's being spent wisely 'cause if we can do... if we can house forty (40) other people for half the price..."

Mitchell, B.: "And... and... and Representative, if you have an idea for these facilities, I'm all willing to... to listen. That's why this Bill is subject to appropriation. Anyone who has a better idea, I say come on and; I'll be glad to listen."

Mitchell, B.: "All right. Thank you."

Speaker Hannig: "We're going to put this on the Order of Standard Debate. And Representative Mulligan, you're recognized for 5 minutes."

Mulligan: "Thank you, Mr. Speaker. Representative, how many years has Lincoln been vacant now?"

Mitchell, B.: "Oh, Representative Mulligan, I would say... gosh, and this is just a guess... five (5)."

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Mulligan: "Five (5). Yeah, that's my guess too. I'm trying to think how long. Your Bill... Veterans' is against the Bill. Do you know why?"

Mitchell, B.: "No, they're they're... not against the Bill and this is..."

Mulligan: "They're against the money; and not having the money."

Mitchell, B.: "They're neutral. I talked to the counsel member that was the... the liaison, of course, who testified at the hearing. He testified against the Bill. After the hearing, the general counsel to the agency came up and told me that that was an error on his part, that the agency's neutral. Certainly, I would think it's fair to say that the agency is concerned about finding money for running the facility. That's why I made it subject to appropriation. What happened, Representative Mulligan, was in the last year, the veterans and House Republicans ran a hearing all across the state and at the hearing in Bartonville, which I was an attendant, that the Department of Veterans' Affairs testified that as the years go out more people ask... the veterans are... are reflective of the population as a whole, Alzheimer's is going to become more sizable among their long-term care and they're requiring more extensive treatment. Light bulb went off in the head and said, well, maybe these four (4) buildings at Lincoln could be there 'cause they're sitting there vacant, a brand new building that were developed for people with developmental disabilities, so I..."

Mulligan: "There... there has been a number of proposals of what to do with the property. One or two of which I didn't think

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were totally appropriate because the population they would put there would need employment of some sort which wasn't in the cards in that area. So, it wasn't... I didn't think it was a good idea. But each time this comes up there's a question of the money to run it and what's going to happen. So, Veterans has had a problem recently with dollars..."

Mitchell, B.: "I beg your pardon?"

Mulligan: "...the Veterans have had a problem... the Veterans' Department has had a problem with their nursing homes, with dollars."

Mitchell, B.: "We had..."

Mulligan: "The Governor's made some raid on their funds which we've tried to stop."

Mitchell, B.: "That's Correct."

Mulligan: "So, what is the approximate cost that they would have to appropriate in order to make this facility viable as an Alzheimer's care facility?"

Mitchell, B.: "I... I think... I think, Representative, what was in the FY '07 budget for when it was a DD facility was seven million dollars (\$7,000,000). Of course, as you know, you're... you're aware of what happened that that money was taken out of the..."

Mulligan: "Okay. So, what happens if this legislation passes and there's no appropriation?"

Mitchell, B.: "Well, that then the status..."

Mulligan: "Does... does it drop so that it doesn't go into effect or would it sit there vacant until we had the money so we have to keep appropriating the money to take care of it?"

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Mitchell, B.: "That's a very good question. And when I've explained to people who... this is just a concept, an idea. If there is no money appropriated, the status quo remains in effect, these buildings are sitting there idle costing taxpayers... brand new as you know... brand new facility."

Mulligan: "Actually, staff just reminded me and it's been a while since we heard the budget that there is seven million dollars (\$7,000,000) in the DHS budget that the Governor put in there this year, which is unusual if there's money put in with no designation for that facility. That could be transferred to Veterans' for the appropriation."

Mitchell, B.: "That's the ticket."

Mulligan: "What I'm... what I'm reluctant to see is, I'm reluctant to keep... to keep this on the books constantly without actually doing something about it. So, if we're going to move forward and have it be a state facility, we need to move forward and have it be a state facility, not sit there empty waiting for an appropriation. But it's actually costing us money; in order to keep it viable we have to keep mowing the lawn and taking care of the buildings and doing whatever which is, in our analysis, eighty-two thousand dollars (\$82,000) a year, I mean, a month. So, by the end of the years it's a lot of money, which could be better used towards serving some people that would use that."

Mitchell, B.: "It certainly is a growing segment of our veterans' population, people with Alzheimer's; I thought that this would be a... a ideal use for those buildings. If the administration differs, I said come up with a plan."

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Mulligan: "All right. But my only question is what happens if there's no money, does it fall?"

Mitchell, B.: "The... the status quo remains the place. We have four (4) brand new buildings that are costing you, the taxpayer, money and they will remain vacant."

Mulligan: "Okay. Thank you."

Speaker Hannig: "Representative Chapa LaVia."

Chapa LaVia: "Will the Sponsor yield?"

Speaker Hannig: "Indicates he'll yield."

Chapa LaVia: "Representative, have you spoken to your State Senator about this program that you want to do or this Bill that you want to..."

Mitchell, B.: "Senator Brady?"

Chapa LaVia: "Yes."

Mitchell, B.: "Yes."

Chapa LaVia: "And is he... stand in support?"

Mitchell, B.: "I think... I think it would be fair to say Senator Brady... and I can't speak for him... stands for using the facility somehow."

Chapa LaVia: "And has... specifically for veterans and the Alzheimer concept?"

Mitchell, B.: "You'll... you'll have to ask Senator Brady. I don't know."

Chapa LaVia: "Well, he's your Senator, that's why I'm asking you. Also, and if there are... and if there are no federal... state dollars, have you spoken to your Congressman on obtaining dollars for the facility?"

Mitchell, B.: "Ya know, this is a... this is a state facility. There are... there seems to be money for anything that the

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Governor wants. There's seven million dollars (\$7,000,000) in the DHS budget that was appropriated in '07 that we could transfer over to the Department of Veterans' Affairs."

Chapa LaVia: "All right. Well, it seems like I have the same situation as the last speaker about, ya know, we put a lot of things into play and if there's no follow-through with dollars..."

Mitchell, B.: "I beg your pardon. I can't hear you, Representative."

Chapa LaVia: "I'm sorry?"

Mitchell, B.: "I can't hear you."

Chapa LaVia: "I said, I had the same concerns as the last speaker is that we do things, we enact things, and if there's no follow-through with the dollars, they're just hollow promises made by us to veterans that deserve services."

Mitchell, B.: "Certainly we know, and I presume you know, that we have in our veterans' home waiting lists. We have more people waiting to get in veterans' homes than there are beds."

Chapa LaVia: "Right. Well, that... that's definitely connected with our shortage of nurses and all the federal restrictions that we adhere by and I... it's just, ya know, it's a well intended piece of legislation, yes, and I commend ya on that. But it seems like we keep on coming over the same... coming up to the same line of let's do something great and fantastic and then there's no dollars to follow it. And although it looks good, it's... it's a little bit hollow. So..."

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Mitchell, B.: "Ultimately... ultimately, the Governor made a commitment in his first campaign to reopen that facility. There was a change apparently in the Governor's... the administration's direction. This was... just we know that there's a need. We know that the veterans... the population is growing. We know, as the population grows, there's going to be more people that are afflicted with veter... with, excuse me, Alzheimer's. We know that they... Alzheimer's requires more intensive care than it can be afforded in their present homes, ya know, so I think that we need to confront this problem and address it, rather."

Chapa LaVia: "I... I understand. I understand your commitment. Thank you."

Speaker Hannig: "We've had three (3) now speak in response and the rules would provide that two (2) additional speakers could rise in favor of the Bill. So, Representative Stephens, are you in support?"

Stephens: "I... I can't think of a reason why I wouldn't be."

Speaker Hannig: "Okay. So, proceed."

Stephens: "The... the Bill is subject to appropriation, so... so don't stand up and say, well, this is going to take money away from somewhere else. That is a hollow argument. Absolutely, subject to appropriation and... and how dare any Representative stand on the floor and say that... that... that this doesn't ring true, that this is a hollow promise. That... that is just... it just doesn't make any sense to me that... that the truth of the matter is that the Gentleman is trying to address a very serious issue. A need that is going unmet in a facility that's going... that is going



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unused. What would make more sense in these times, when people of my generation are being affected by the very syndrome that this would affect deliver service to those people that are affected by that syndrome and we're saying, well, it might not be the best idea at the best time. It is the best idea at the really best time. And I'm really in strong support of using an unused facility, meeting an unmet need. It couldn't be more common sense. I rise in strong support."

Speaker Hannig: "The rules would provide for one additional speaker in support. Representative Brady, would you like to speak in support?"

Brady: "Thank you, Mr. Speaker. I just thought I heard my name in debate. You're a Senator. Aw, okay. And thank you."

Speaker Hannig: "Okay. Representative Mitchell to close."

Mitchell, B.: "Yeah. Thank you, Ladies and Gentlemen of the House. I just 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? Mr. Clerk, take the record. On this question, there are 109 voting 'yes' and 5 voting 'no'. And this Bill, having received a Constitutional Majority, is hereby declared passed. Representative Mautino, do you wish to call House Bill 1628? Representative Mautino, 1628. Mr. Clerk, read the Bill."

Clerk Bolin: "House Bill 1628, a Bill for an Act concerning regulation. Third Reading of this House Bill."

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Speaker Hannig: "The Gentleman from Bureau, Representative Mautino."

Mautino: "Thank you, Mr. Speaker. And I would ask that the... ask for an 'aye' vote on 1628. Amendment 1 deleted the reference to the proportions of deductibles. Those have been taken out of the Bill. And what is left now is a report to the General Assembly, no later than September 1 of each year, which will tell us the utilization under the All Kids program and it'll break it out by county the number of professionals who are involved in serving the children, those who accept the current program under the All Kids and has programs set forward so it'd have to lay out how disease management performance is working along with both performance measures like summary, primary care providers. I think this is a valuable information as we look to providing health care we should probably also evaluate the programs which are currently underway and that's what this Bill asks."

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

Franks: "Frank, you took out the... Let me ask ya. When you introduced the Bill, what was it introduced as?"

Mautino: "This program, which I just explained, which just tells us the utilization rates plus it also had a provision in it where the doctors would no longer have to collect the copay and deductibles at their level. They're finding that it's

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costing them more to seek the... to go out and try and collect those premiums than what it's bringing in in actual dollars. The department objected to that because part of the basis in their programming is that people should pay something towards their health care, the doctors agreed and so then they put on Amendment 1 which took the provision out and said that the copays and deductibles stay as the formula's designed."

Franks: "Okay. Thank you for explaining that. In the report that we shall be getting on September 1, will it tell us how much we're spending on this program?"

Mautino: "This is more designed... it's not a program on overall cost structure. Inside the Bill itself, what they're asking for is, who are our care providers. Some of you may have found in your district that although they've purchased the All Kids program there are not providers who are willing to accept it. So the basis of any working health care program is that you have front-line doctors, providers, specialists, who are willing to treat the people involved in the program. And this is the number we're trying to track down, not the overall cost, that's a vital number and I think everyone should know that: what is in KidCare, what is in FamilyCare, what is in All Kids and I think that's something that should be in the debate going forward. But for this, I think it's also critical that we know every county that is enrolled in it, the providers on the front end, the specialists, to see who's treating the children within the program."

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Franks: "Is there anywhere we can find out how much it's costing and how much it's costing per patient and which physicians are getting the most dollars on this?"

Mautino: "For what's in the Bill, no, because that's not what's assigned."

Franks: "Well, I understand that. But is there another place where we can get that information?"

Mautino: "Another place where you can look for that would be a financial performance audit on the fund itself, but we haven't..."

Franks: "I'm wondering if may... I understand..."

Mautino: "But I don't know that you can get that quickly."

Franks: "Right. Is there any way... would you be amenable to possibly having this amended in the Senate and sending it back over so we could have that information and have it all together on this Bill, 'cause I think it would be a better snapshot of how All Kids is working, if we knew the real cost and who was utilizing it as well."

Mautino: "Currently... and I would be amenable to that. I think that we need a full view of... of the 2.2 million (2,200,000) people who are currently within our program: who came from All Kids that had been running, who..."

Franks: "Right."

Mautino: "...who came from KidCare. I don't know if they'll be able to do that in the Senate, if they could it'd be a good thing and I think that's just valuable information for all the Members. There's one (1) provision in the Bill that the docs are going to be talking with the department of... about, there's one (1) line in there that requires a physician as a

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secondary referral to a specialist, which actually was lifted directly from our current Managed Care Patient Bill of Rights Act which you helped with about seven (7) or eight (8) years ago, that's... that's still under negotiations so I expect that'll come back from the Senate anyway."

Franks: "All right. Well, if we're going to... if we can work on it more, I think it's a very good idea. I think we should be supporting this but I'd like for it to go farther. I think you've got a great framework here, but I think we can get more out of this Bill. So, I look forward to working with you on it."

Mautino: "As always, thanks."

Franks: "Thanks."

Speaker Hannig: "Repres... Representative Mulligan."

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

Speaker Hannig: "Indicates he'll yield."

Mulligan: "It's getting late in the day already and it isn't even late. Representative, I actually pulled the legislation, I think yesterday, to go over it, which I didn't go over in detail, so, forgive me if I ask any questions that are not pertinent. I've done a num... a lot of legislation on this, I'm also on JCAR and a lot of the... the way the original All Kids legislation, which was then All Kids, was passed there was nothing in it. The way KidCare was passed there was lots of stuff in it. But now through rule the department has changed all children's programs to say they're under the name of All Kids, which makes it very confusing. They also passed rules for... in order to pay for the original All Kids which was the coinsurance above

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KidCare, that we would have managed care and Medicaid, which was kind of under the radar screen..."

Mautino: "Well, I believe the..."

Mulligan: "...until after November. But now they've come to us with rules for the PCCMS, but there was never any indication that the rules were going to apply to the children's program. So, is that your concern now is that they're going to apply those rules to the children's programs?"

Mautino: "I... As opposed to the discussion on the capitated managed care program, I believe the funding mechanism for the All Kids was designed as moving the 1.6 million (1,600,000) people into a PCCM model and for that you have to find front-line doctors willing to take the card..."

Mulligan: "Right."

Mautino: "...and now, when you roll in the All Kids program with that as well, it becomes a little more difficult to pick out who's who. You could probably look at who we're receiving federal reimbursement for because under the provisions of All Kids themselves, since we have different guidelines and restrictions on who can come in there's a portion that aren't available for a federal match. Maybe you can look at it that way..."

Mulligan: "That's correct."

Mautino: "...from that population. So, I... but my hopes with this is to take a look at a program and find out who we actually have providing the services, at this point, because there may be some counties, medically underserved areas, where you have physicians that have enrolled in the program but they're not accepting new patients and that doesn't help."

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Mulligan: "We've... we've discussed this, but we haven't done a hearing yet, but in Human Service Appropriations and in other hearings that we've had, it's turning out that doctors from both the City of Chicago and around the state are not taking new patients even though the department says they're the same people. The other problem with this is that in changing the name of all the kids' programs to All Kids it blurs the lines under who's actually covered and who isn't covered. And when we try to get the numbers, there's a vast number of children in the former All Kids programs that are kids that are a level of... their parents are a level of income that they would have been eligible for KidCare except they're not eligible for KidCare, so we're not getting the federal match. So, we have all these mixes and how is your Bill going to solve some of the problems which I hope it's going to solve?"

Mautino: "Well, my... my thought with this and I know that back when we did a decade ago KidCare, I mean there were quite a few people who were involved in the design of the program. Representative Krause, myself, Majority Leader Currie, Representative Flowers and that system worked really well and All Kids basically just picked up those 12 pages of languages and moved the poverty lines and changed some of those at that point when it came in. My idea with where this can help us, is we can back into the number we need by showing what providers are accepting the card, who is in the program, if there are specialists there, because from the acceptance side you can figure out where that number is and where we're actually at with the program before we go into

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expansions. To your other statement that everything was done primarily and laid out within the Bills themselves, I agree."

Mulligan: "All right. I think what's... what the problem is is that KidCare was very well done so that they have to come back to the Legislature. I just hope that All Kids was specifically done..."

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

Mulligan: "Right. I was told that All Kids was specifically designed with nothing in it so it would all be done by rule, which means they circumvent the Legislature for the most part, only go to JCAR and we don't always get the numbers. That's... I have some other legislation about the numbers and about publishing. I think what you're doing is something that I approve of and I'm... and I'm trying... I think it would be a good idea, but I do think what's actually happening with providers is of great interest to many of us because it's not just in one part of the state, it's all over the state."

Mautino: "Okay."

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

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

Speaker Hannig: "Indicates he'll yield."

Flowers: "Representative, I'm sorry, what is the purpose of this legislation?"

Mautino: "Basically, to get a report on what doctors and specialists by county, by region, of the state are involved and accepting new patients into the All Kids program. And



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that way we can look at our county and say, I represent LaSalle County, I have 70 providers who are enrolled in the program and are taking new patients. I have three (3) specialists. It's information that we don't have broken out now that I think can be useful to each Member and then also, help us figure out how our programs are doin'."

Flowers: "I want to thank you for bringing forth this type of legislation, because oftentimes I've heard nothing but complaints because lots of families are not able to get in to see the doctor because of referrals being delayed and denied and yet they are paying their copays. And will this Bill still allow them to pay copays or are you eliminating the copays?"

Mautino: "The copays were taken out in negotiations between the doctors and the... and the department. They had some concerns... the department wanted to still keep the sliding scale levels of copays and deductibles. So, we went ahead and made that accommodation going forward."

Flowers: "so, this is a..."

Mautino: "The doctors' concern was they weren't able to collect it, it was costing them more, so they wanted to do away with it."

Flowers: "So, basically, what House Bill 1628 is is the collecting of the data from across the state so we can collectively look at it and see where the doctors are and how many patients they have and how many they might be able to receive. Are we going to inquire about the delivery of service and the referrals and how long it may take for them to make the referrals and the number of families that's been

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waiting for a long time, upwards of six (6) months, just trying to get into see the doctor and are we also going to talk about, ya know, just the access period because unfortunately, once again, a lot of people are paying their copays and their premiums and not having access."

Mautino: "Well, this... all very good points, well respected and well-taken. I think this is the... the front end of it to find out who our providers are and what the rules are going to be or any variance procedures from disease management programs that might be implemented, utilization reviews. We'll get all that kind of... they're going to have to tell us what their program standards are in a provision that is not left to rules. So, we'll... we'll see that in those reports. But the most important thing in any health care system, if you're going to look towards access, is do you have doctors willing to take it in those areas? And I know that I'd like to know that for Bureau, LaSalle and Putnam County as you would like to know in the city where you can have constituents who have bought into the program go to find a primary care doctor, Mary. So, that's kind of what we're lookin' for now."

Flowers: "I agree. And more importantly, I want to know how many children has actually had access to health care as opposed to just paying out the premiums. Thank you very much."

Speaker Hannig: "Representative Black."

Black: "Thank you very much, Mr. Speaker and Ladies and Gentlemen of the House. I rise in strong support of the Gentleman's Bill. I could give you, if you are interested,

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a 2-page article that appeared about two (2) weeks ago in the newspaper serving Champaign-Urbana and east central Illinois, The News-Gazette, that indicated a family who signed up for KidCare, FamilyCare and had a problem with their young son and they went all over the area trying to find a pediadentist to treat the son and within a hundred and thirty-five (135) mile radius of Champaign-Urbana, they could not find a single pediadentist who would treat the son. So, the family is upset, thought they had been bamboozled and we often tend to do that here. We pass programs that sound good and perhaps are good, but we fail to follow through and what we think is going to happen often doesn't happen and that's what's happening around the state with this insurance program. And I think you should.. I know I commend Representative Mautino for trying to go at this in a reasonable, rational fashion to see where it's working, where it isn't working, what needs to be done to make it work more efficiently so that the copays and premiums that people were paying and now were told they had insurance can begin to discover whether or not they really have access to health care or whether or not it's just simply a piece of paper that says, well, you do have health care if you can find somebody to take it and that's been the problem in my area. And I'm proud to be a cosponsor with Representative Mautino and I look forward to getting the information we need to make this program work as efficiently and as effectively as people said it would but in real, actual day-to-day life it didn't work that way at all. I hope you... you'll vote 'aye'."

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Speaker Hannig: "Further discussion? Representative Mautino to close."

Mautino: "Thank you. 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 115 voting 'yes' and 0 voting 'no'. And this Bill, having received a Constitutional Majority, is hereby declared passed. Representative Moffitt on House Bill 1637. Mr. Clerk, read the Bill."

Clerk Bolin: "House Bill 1637, a Bill for an Act concerning revenue. Third Reading of this House Bill."

Speaker Hannig: "Representative Moffitt."

Moffitt: "Thank you, Mr. Speaker, Ladies and Gentlemen of the House. House Bill 1637 is an initiative of the Illinois Realtors Association. No known opponents. What it does is it changes the requirement that a property be in excess currently in... of ten (10) acres down to five (5) acres when being subdivided to avoid the increase in assessed value prior to improvements being put on it. In other words, once it's platted if it's currently... if it's in excess of ten (10) acres there's still no change in assessed value 'til it's sold or improvements are made. This would lower that threshold to five (5) acres. Would be happy to entertain any questions."

Speaker Hannig: "Is there any discussion? This is on the Order of Short Debate. And then the question is, 'Shall this Bill pass?' All in favor vote 'aye'; opposed 'nay'. The voting

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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 114 voting 'yes' and 0 voting 'no'. And this Bill, having received a Constitutional Majority, is hereby declared passed. Representative Munson, you have House Bill 3416. Mr. Clerk, read the Bill."

Clerk Bolin: "House Bill 3416, a Bill for an Act concerning criminal law. Third Reading of this House Bill."

Speaker Hannig: "Representative Munson."

Munson: "Thank you, Mr. Speaker. I... I wish to move this Bill back to Second Reading for the purpose of an Amendment."

Speaker Hannig: "Okay. So, we'll move this back, Mr. Clerk, to the Order of Second Reading at the request of the Sponsor. Representative Osterman, you have House Bill 1805. Mr. Clerk, read the Bill."

Clerk Bolin: "House Bill 1805, a Bill for an Act concerning health. Third Reading of this House Bill."

Speaker Hannig: "Representative Osterman."

Osterman: "Thank you, Mr. Speaker, Ladies and Gentlemen of the House. House Bill 1805 is an effort to proactively address the ongoing problem we have in our state of lead poisoning of Illinois children. Illinois has more children poisoned each year by lead than any other state in our country. 1805 continues to work, supported by the Lead Safe Housing Advisory Council, and does a number of things. It establishes a CLEAR-WIN grant program that will target certain communities in our state and work to proactively remove lead in the homes mainly through removal of windows. Provides the grantees will remove the lead in compliance

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with standards established by the Lead Safe Housing Advisory Council and will work to establish training programs that will promote more lead paint abatement workers. This Bill is subject to appropriation. Today our state acts on... only on this issue of lead poisoning once someone has been diagnosed with lead poison. This legislation will proactively go out and remove lead from the home. When the lead is gone, the problem is gone. And I'd ask for an 'aye' vote."

Speaker Hannig: "This is on the Order of Short Debate. And in response, Representative Bellock."

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

Speaker Hannig: "Indicates he'll yield."

Bellock: "We had a lot of discussion about this in the Human Service Committee and I just wanted to go over some of the facts with Representative Osterman regarding the pilot projects. How many are there?"

Osterman: "Two (2)."

Bellock: "Two (2) and is it..."

Osterman: "And Amendment #... Amendment #2 specified two (2) pilot projects and pi... so it specifies the number of two (2)."

Bellock: "And are those the areas chosen for those projects?"

Osterman: "They had not been so chosen yet, but there's an advisory council... the legislation asks that the advisory council would chose two (2) communities for this pilot project."

Bellock: "Okay. And this legislation is definitely subject to appropriation, correct?"

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Osterman: "It is absolutely subject to appropriation."

Bellock: "Thank you."

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

Black: "Mr. Speaker, the Sponsor yield?"

Speaker Hannig: "Indicates he'll yield."

Black: "Thank you. Representative, I was talking with staff and looking at the computer and I want to... and I think Representative Bellock asked this question. At one time the Department of Public Health was opposed to the Bill because of the potential cost. Could you... did I hear you just say that the Bill is subject to appropriation?"

Osterman: "It is subject to appropriation."

Black: "Did that remove the opposition from the Department of Public Health?"

Osterman: "My understanding is that they are in support of the Bill. And I think that... they're obviously want to make sure that there's money to do a program like this that would not take away from other programs that they're working on."

Black: "Okay. Yeah."

Osterman: "So, they are in support of the Bill now though."

Black: "Yeah. That's fine. Thank you very much."

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

Osterman: "Ladies and Gentlemen, I appreciate the support on this Bill and the questions that were asked. This is subject to appropriation and hopefully, whenever we are out of here on a budget, there will be money for this program, but our state still is last in our country in protecting

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children when it comes to lead paint poisoning. This is a step, a continued step, in the right direction. And I would ask everyone's support on this Bill."

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 Colvin and Lyons. Representative Colvin, do you wish to be recorded? Mr. Clerk, take the record. On this question, there are 115 voting 'yes' and 0 voting 'no'. And this Bill, having received a Constitutional Majority, is hereby declared passed. Mr. Clerk, read House Bill 1635."

Clerk Bolin: "House Bill 1635, a Bill for an Act concerning commerce. Third Reading of this House Bill."

Speaker Lyons: "Representative Lyons in the Chair. The Chair recognizes the Lady from Cook, Susana Mendoza."

Mendoza: "No, that's not the one... That wasn't it."

Speaker Lyons: "Mr. Clerk, take that Bill out of the record. House Bill 2242, Mr. Clerk."

Clerk Bolin: "House Bill 2242, a Bill for an Act concerning health. Third Reading of this House Bill."

Speaker Lyons: "Representative Mendoza."

Mendoza: "Thank you, Mr. Speaker, Ladies and Gentlemen of the House. House Bill 2242 amends the Communicable Disease Prevention Act to add invasive pneumococcal disease to the communicable diseases that are targeted by the law and requires the Department of Public Health to within thirty (30) days of the effective date, promulgate rules requiring the age-appropriate series of pneumococcal conjugate vaccine



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as recommended by the advisory committee on immunization practices of the U.S. CDC, to children who are under the age of two (2) years who are enrolled in state-licensed daycare facilities. Very simply, all we're doing with this is adding a very important vaccine that really children who are in a state sponsored or state-licensed daycare facility should have. It is the #1 Preven... #1 largest killer of children under the age of five (5) of diseases that are currently able to be immunized. So, there is no reason why any child, certainly in this state, should fall sick to this disease. This particular virus is responsible for different strains of meningitis and other types of influenza-related diseases. So, there was no opposition in committee. And I would hopefully request an 'aye' vote from the chamber today. Thank you."

Speaker Lyons: "Is there anyone seeking recognition on House Bill 2242? The Chair recognizes the Lady from Cook, Representative Beth Coulson."

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

Speaker Lyons: "She indicates she will."

Coulson: "Representative, could you remind us, are you just mandating this for child care centers or for all children?"

Mendoza: "It's for all children who are registered in a state licensed daycare facilities. So, only for daycare facility children."

Coulson: "And... and is this an additional vaccine that they currently do not yet have to have?"

Mendoza: "That is correct."

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Coulson: "And can you tell me, remind me again why you felt the need to do this?"

Mendoza: "Yes. Actually, because this particular strain, the pneumococcal infection, has caused over seven hundred (700) cases of meningitis, thirteen thousand (13,000) blood infections and about five million (5,000,000) ear infections in children under the age of five (5). So, it's... it's a... it's a pneumo... the pneumococcal disease is very, very serious and I think that it can lead to issues as pneumonia, deafness and brain damage in children under the age of five (5). Anyway, I think we could all recognize and agree that in these childcare facilities children particularly under the age of two (2), ya know, have a lot of transfer of saliva and things of that nature which is how the disease is spread primarily and it also disproportionately affects for certain reasons, I guess, children of Native American heritage, Alaskan native heritage and also African-American children in disproportionate amounts."

Coulson: "And just to repeat, you are not mandating this for all children. It's just children who are in a congregate type setting..."

Mendoza: "Exactly."

Coulson: "...so that they would be more exposed to these types of germs and therefore, might be more likely to... to have the disease."

Mendoza: "Yes. Thank you for your questions."

Coulson: "Okay. The only other question I have and typically, vaccines are run through the Illinois Immunization Advisory Committee and there are public hearings. Has that been done

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with this or are we just mandating a vaccine that we have not had our public hearings on?"

Mendoza: "That's a good question. I don't know the answer to whether there have been public hearings on this. What I do know is that it has received tremendous support from most of the medical community and they have assured us... I know some of the other concerns that typically... that come up with vaccines are whether they have compounds like mercury or thimerosal in them that many people are against. This drug or this vaccine does not have any of those components in it..."

Coulson: "Okay."

Mendoza: "...and has been highly recommended by most of the medical professionals out there."

Coulson: "Okay. Thank you very much. And to the Bill, Mr. Speaker. I believe she's, the Sponsor, has answered most of the concerns. I would hope that if the cost of this is going to be passed on to the parents, that we... we have an idea of what the cost would be, but in general this a very dangerous disease for children to have and especially in congregate settings they're much more susceptible. So, I'd encourage an 'aye' vote."

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

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

Speaker Lyons: "Indicates she will."

Black: "Representative, I see no opt-out language in your Bill. Is it in there specifically?"

Mendoza: "Yes."

Black: "On what grounds can a parent opt-out?"

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Mendoza: "We did it exactly the way they can opt-out now in any of the other six (6) vaccines that are currently administered in state-licensed childcare centers."

Black: "Okay. Religious grounds would be one, I assume?"

Mendoza: "Yeah. Truthfully, you might know better than I do. We just made sure that the opt-out was exactly the way it is for the other six (6) vaccines."

Black: "All right."

Mendoza: "Sorry, I don't recall the exact..."

Black: "What... what I'm... what I'm trying to get at and... if... if a parent tells the licensed daycare provider that I... I've read and I've heard about mercury autism reaction. I just don't... I don't want it. I don't want my child to have it. No religious reason, no... no medical reason perhaps, but the parent just says, look, I don't like these vaccinations. He or she has already had some; I just don't think this is necessary and I don't... I don't want my child to have it. Now, does that preclude the parent from having the child enrolled in daycare?"

Mendoza: "Well, under the example that you used, I think a simple explanation that this vaccine does not have mercury in it and does not have thimerosal, which are the two (2) major concerns for this, the advocates against immunization and that would pretty much clear up that parent's concern about administering an immunization that has 'ya know, compounds that they're concerned about."

Black: "First of all, I'm not sure that anybody's in a position to guarantee that there's no percentage however infinitesimally small of mercury in a vaccine. Secondly, to

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get to the question, knowing my district, again, can a parent, whose child is enrolled in daycare, simply say, no, I don't want my child to have this shot. And if the parent says no, since that parent is responsible for that child and... for whatever the reason the parent may have, fear, cost, whatever the reason, if the parent says no, is their child then excluded from daycare?"

Mendoza: "Okay. The answer to that would be this, Representative. Technically, they cannot object just for personal reasons or ya know, personal conscience, let's say. They can do it under specific guidelines like religion as you mentioned, but my understanding is that this perhaps has some..."

Black: "All right."

Mendoza: "...flexibility in there. So, I mean..."

Black: "Well, I..."

Mendoza: "...I don't know that particular daycare agency would absolutely negate you enrolling your child. They would encourage you to have that vaccine, but I think they would be under their legal right to preclude you from registering if they were that stringent about it."

Black: "Let me come back to that in a second when I... when I close."

Mendoza: "And again, I guess the important point here is just to reiterate that we're not treating this particular vaccine any different than we'd be treating the other six (6) vaccines that they would currently be mandated to... to take."

Black: "All right. Well, what about the cost? Who... who bears the cost?"

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Mendoza: "There... there's a different variety, I guess, of costs. There's All Kids, there's different vaccine grants that are given as well. The Governor, I know this isn't going to give you much reassurance, but has committed to coming up with about a million and a half dollars (\$1,500,000) to fully fund this."

Black: "Yeah. I'm still waiting for my grandchildren to get their book-of-the-month club too."

Mendoza: "I'm kind of waiting on a lot of things myself..."

Black: "All right."

Mendoza: "...but... but I guess just to address your issue that would... there's different venues for... for ways to pay for this."

Black: "All right. Thank you, Representative."

Mendoza: "Thank you."

Black: "Mr. Speaker, if I might, to the Bill in the time I have left. Obviously, the Bill's going to pass and I don't... I don't have a philosophical problem with it. I recognize we have a state responsibility; I also recognize we have a specific district responsibility. I have very many of my constituents, a large number, who are already on subsidized daycare. And it doesn't take much of a raise, in fact I'm working on a case now where the mother moved up to about twenty-four thousand dollars (\$24,000) a year and suddenly lost her subsidy. She would be better off to go back to the lower paying job because the childcare costs more than, ya know, it ate up all of her raise. Now, she, and I won't speak for her, but I think the situation clearly shows if you have three (3) or four (4) minor children in daycare,

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you're a single parent and you're on subsidized daycare and you just don't want your child to have the shot, tough, you have no say. Secondly, if you can't afford to pay the vaccine, you're still not going to get daycare. Now, where does this person go, in that case, so that she can go to work? The child will be excluded from daycare; the parent then may or may not be able to go to work because many of them have no family network. I, again, I... I understand this Bill. It's the law of unintended consequences. You're going to turn somebody who simply cannot afford to be without daycare away. You're dealing with parents who have fears today, right or wrong, about the efficacy of vaccines for young children. And I, ya know, I know it's the same as others, but when you tell a parent you have no control over this and secondly, you need to pay twenty-five, thirty-five, fifty (25, 35, 50) whatever dollars it is, you're putting that parent in a terrible predicament. I, ya know, again, maybe it's... it's my district, maybe it's the way I look at my district, but I can't vote in good conscience for a Bill where the parent does not have the ultimate say-so, where the cost is indeterminate and may also preclude the child from participation in daycare which then creates an even bigger societal problem in what does the single parent do. And that, believe me, that's going to happen if this Bill becomes law and I suspect it will and we'll deal with those problems, I guess, down the road."

Speaker Lyons: "The Chair recognizes the Lady from Cook, Representative Mulligan."

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

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Speaker Lyons: "She indicates she will."

Mulligan: "I'm getting very... expensive staff. Representative, how much do... does a shot like this cost?"

Mendoza: "I... Representative, truthfully, I don't have a number for an individual cost of the shot. The estimate that I was given was about a million and a half dollars (\$1,500,000) to run this program."

Mulligan: "For all of it? But you're not making..."

Mendoza: "From the state."

Mulligan: "...you're not mandating that the state covers the shot, are you?"

Mendoza: "No. It would be... that's the state's commitment to doing it and there's programs like Family... I mean, All Kids and also private insurances and social service agencies that give these shots if women can't afford them and so forth, for their children."

Mulligan: "But you... But things like All Kids are done by rules, so... ya know, whether that shot's covered or not would be a part of whatever they might decide. It may or may not be covered depending on the cost."

Mendoza: "Right. But I... I don't believe this to be an exception to kind of what we're doing now with the other immunizations and those services that are covered under the same ...those rules."

Mulligan: "I know there are certain types of this vaccine that... that, my understanding is quite expensive, but do you understand that there are six (6) vaccinations that are currently required: polio, DPT, measles, mumps, rubella, one flu vaccine, in which I think we can get through the



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state, Hepatitis B and our chicken pox vaccine. So, for a small child, perhaps three (3), what are the chances are that all those shots could not be administered in one doctor's visit so then it would not only be the shot it would be an additional doctor's visit, maybe one (1), maybe two (2), maybe three (3), depending on the child and what the doctor decides. And then there are other children depending on how the vaccine... vaccine is grown or what happens that are allergic to certain things and need special vaccine. So, how do... how do we cover the cost for people that are either low-income or marginal as far as how they're paying for daycare and what the cost would be for the shot and the fact that it may require more than one (1) doctor's visit?"

Mendoza: "Representative, it's a good question, but my understanding is that there's no indication that this would require an additional visit to the doctor outside of what they'd be doing for their normal dayca... I'll look at this... the parents' already are planning on enrolling their child into the daycare facility, they have to make that doctor's visit to begin with in order to get the other six (6) shots. This is just one more additional. There's no indication from the testimony that we've heard that there would have to be an additional visit or an additional, ya know, cost to that parent outside of what they can already cover with the programs that we have in place."

Mulligan: "I have young granddaughters and my... my understanding of just talking to particularly about the younger one (1) that was a preemie, they don't give her all the shots in one

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visit. They scatter them so that they don't get... she doesn't get six (6) vaccinations in one doctor's visit. And now you're adding a seventh and for some people who are struggling with subsidized daycare just to make the subsidy, ya know, I don't know what... if it would totally be covered, if All Kids is going to come out and cover it, how much it's going to be. And not that I agree with the concept, there's a really big issue particularly among parents of some children and that they have different childhood problems that part of the problem is caused by vaccines. So..."

Mendoza: "Yeah. I... I..."

Mulligan: "...this is not like a simple no-brainer Bill; there's a little more to it than that."

Mendoza: "I think if those concerns exist in terms of from the medical side of the parents, they could get a medical exception that would preclude them from having to get this vaccine. But the reality of this particular vaccine is that we have an absolute assurance that it does not contain mercury, it's unique in that respect, does not contain thimerosal, which are the two biggest components that parents fear in terms of like when we talk about possible autism or other, ya know, diseases or..."

Mulligan: "I didn't want to put that on the record, but you did. Okay."

Mendoza: "...conditions that could come down the line. So, I... I think it's important though to put that on the record because it is a concern and I mean, I don't how you could argue with the parent that they shouldn't be concerned about it. But I think they should also look at the side of

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passing this legislation will help us prevent children from coming down with very serious illnesses and although I know that there's a cost element involved, I think it's a greater cost to see your child come down with a severe illness that could lead to death. And this particular strain causes the largest amount of deaths and serious repercussions in children under the age of five (5); we can prevent that and I think it's a..."

Speaker Lyons: "Representative Mulligan, your time has expired. If you could conclude your remarks in a minute or so, I'd appreciate it."

Mulligan: "I... Right. I just have some concern, not only with the concept which I tend to agree with, but how it would be administered, I don't think you can do all of this in one doctor's visit, which increases the cost. And even last year with the thimerosal-free... flu vaccine, there was such a big issue at the state level that the department had to send out letters that only that that vaccine went to children and the ones that went... because the Federal Government provides it and we don't get it all. The one that was not thimerosal-free we got, went to adults. So, ya know, I think... I think it's a good concept. I just am not sure that... it came about so quickly that I don't know how much the department or anybody has actually looked at it. And I really would be interested in a doctor's point of view if... if you would need several visits, which I think you would."

Speaker Lyons: "The Chair recognizes the Lady from Cook, Representative Flowers."

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

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Speaker Lyons: "She indicates she will."

Flowers: "Representative, I understand what it is that you're trying to do and I asked you in committee was this applicable to all daycare centers and you said that..."

Mendoza: "State licensed."

Flowers: "...only state and it is my understanding from some of the previous speakers that it... I thought parents had the opt-out."

Mendoza: "They do have the opt-out. We're keeping it consistent with what the opt-out provision is right now for the other six (6) immunizations. So, we're not creating anything different or special or unique to this one."

Flowers: "But..."

Mendoza: "So the opt-out is there."

Flowers: "But as a... as a result of this not having any type of public hearing, parents are not aware of what this can and cannot do and as one of the previous speakers spoke and said in regards to autism and the... and the concern about... of the ingredients that may be in there."

Mendoza: "Yes. They complained, but we did address that."

Flowers: "May... but again..."

Mendoza: "We did."

Flowers: "...again, because this has not had a public hearing and a parent... if this becomes law and that parent chooses not to have their child engage in this vaccination, a parent who's required because of any type of state participation to have her child in a daycare will not be able to put her child in that particular daycare, but yet if it was a private daycare, he or she would be able to attend."

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Mendoza: "Right. I guess you bring up a good point, though. The hearing that we did have was obviously the one in our committee. I would suggest that you, ya know, I'm taking very much to heart with your comment just was about not getting parents an opportunity to perhaps get more involved in this issue. But what I can tell you is that we've had no opposition or no kind of outcry from any type of advocates for children against doing this vaccine. Eighteen (18) other states right now do it, ten (10) other states including ours are considering the exact same legislation. There's a general consensus among... amongst the medical community that this is the right thing to do and it's something that just has to happen. And I think that, ya know, once we move this over to the Senate, I wouldn't be opposed by any means, Representative, to holding a hearing if you want to and inviting parents to participate. But I think it's important to keep this thing moving and push..."

Flowers: "But... but in the meantime... in the meantime for parents because, there again, there has not been a public hearing and they don't know the consequences of this vaccination. As you stated, only eighteen (18) states have done this and so..."

Mendoza: "Eighteen (18) states have already done it, ten (10) more are doing it now and we anticipate that next year it'll probably be an additional some of those. But it... this is now a very big focus in the medical community because they see the urgency in trying to protect children under the age of five (5)."

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Flowers: "May I suggest, again, because if it's really that important, it should be applicable to all daycares but since it's not and only state-funded daycares, I think there should be that the parents should be able to opt-out as a result until such time, again, that there is a public hearing and clarification."

Mendoza: "Okay. The only thing... thank you for your comments, first of all."

Flowers: "Um hmm."

Mendoza: "The only thing I would add to that is that this did go through the CDC; it is a big recommendation from them. They did hold hearings; we didn't here in Illinois but the CDC had... held hearings on this issue and it was their recommendation, as of very recently, that this is important to do. I would, ya know, encourage more debate on this issue and I think the issue of allowing all daycare settings to do this would be an issue for a subsequent piece of legislation because that would be then an issue that we'd have to consider for the other six (6) vaccines and not just this one solitary vaccine."

Flowers: "So, did the Center for Disease Control suggest there is... this only be applicable to state-funded daycares or was this something that you..."

Mendoza: "No. It's not only that, we did it because we kept it consistent with what the mandatory vaccines are right now. So, those are only mandatory for a state licensed... licensed daycare. We thought let's... just add that in to the ones that we already do that we have direct oversight over."

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Flowers: "But what specifically did the Center for Disease Control say in regards to this vaccine?"

Mendoza: "They suggested that all children under the age of five (5) could be covered if given this vaccine that it would help."

Flowers: "And so... and so, as a result of that, because if you'd want to be in compliance with the Center for Disease Control we should be in fully compliance and for those parents who have the opportunity that don't have to comply because they're fortunate enough not to send their children to state daycare that should not... we should not punish parents because to me there's a disparity and it shows... it shows a little discrimination."

Mendoza: "Yeah. We... There's nothing that would discourage a parent who wants to immunize their child to do that. If I send my child to a private daycare center, not a state sponsored one... or a state-licensed, whether I send 'em over to my mother's house for daycare, let's say, I have every right and the ability to vaccinate my child."

Flowers: "Of course."

Mendoza: "The only thing we're saying right now is that the CDC is providing a guideline for..."

Speaker Lyons: "Representative Flowers, your time has expired. If you can conclude your remarks in the next minute, we'd appreciate it."

Flowers: "Thank you, Mr. Speaker. Representative, I would appreciate it if you would just take into consideration, again, what the Center for Disease Control says and what your Bill is actually doing. Thank you very much."

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Speaker Lyons: "Representative Mendoza to close."

Mendoza: "Thank you, Mr. Speaker and Ladies and Gentlemen of the chamber. I would just respectfully ask for your support. I think that the Center for Disease Control has given us a good guideline that we should follow. It's not an absolute mandate on how to do things, but I think that right now keeping it consistent with how we handle the other six (6) vaccines is the best approach. And I would encourage a strong 'aye' vote. Thank you."

Speaker Lyons: "The question is, 'Should House Bill 2242 pass?' All those in favor should signify by voting 'yes'; those opposed vote 'no'. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Representative Davis. Representative Osterman. Representative Ron Wait. Mr. Clerk, take the record. On this Bill, there are 90 Members voting 'yes', 20 voting 'no', 5 voting 'present'. This Bill, having received the Constitutional Majority, is hereby declared passed. Mr. Clerk, Representative Hannig has House Bill 1347. What's the status of House Bill 1347?"

Clerk Bolin: "House Bill 1347, a Bill for an Act concerning education. The Bill's been read a second time, previously. No Committee Amendments. Floor Amendment #1, offered by Representative Hannig, has been approved for consideration."

Speaker Lyons: "The Chair recognizes the Gentleman from Montgomery, Representative Gary Hannig."

Hannig: "Yes. Thank you, Mr. Speaker and Members of the House. The underlying Bill dealt with some rights that noncertified people who work for school districts have. It's a



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controversial Bill. And we had some meetings with the management side and what this mea... what this Amendment represents is those areas of the Bill where we could find agreement. It doesn't make it an agreed Bill, but it certainly closes the gap on any number of issues. And so, I'd ask that we adopt the Amendment."

Speaker Lyons: "No one seeking recognition, the question is, 'Should Amendment #... Floor Amendment #1 to House Bill 1347 be adopted?' All those in favor signify by saying 'aye'; those opposed say 'no'. In the opinion of the Chair, the 'ayes' have it. And the Amendment is adopted. Anything further, Mr. Clerk?"

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

Speaker Lyons: "Third Reading. Mr. Clerk, what's the status of House Bill 126?"

Clerk Bolin: "House Bill 126 is on the Order of Third Reading."

Speaker Lyons: "Move that Bill back to Second Reading on the request of the Sponsor. Mr. Clerk, what's the status of House Bill 3428?"

Clerk Bolin: "House Bill 3428 is on the Order of House Bills- Third Reading."

Speaker Lyons: "On the request of the Sponsor, move that Bill back to Second Reading. Mr. Clerk, the Calendar, the committee meetings. Committee schedule for Thursday."

Clerk Bolin: "The following committees have been scheduled for tomorrow morning. At 8:30 a.m. the Electric Utility Oversight Committee will meet in Room 118 and the Environmental Health Committee will meet in Room 114. At 9:30 a.m. tomorrow morning the Elementary & Secondary

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Education Committee will meet in Room 118; Environment & Energy in Room 114; Higher Education in Room C-1; Judiciary II-Criminal Law in D-1; Smart Growth & Regional Planning in Room 122-B. At 10:00 a.m. tomorrow morning there will be a Democratic Caucus in Room 114 and a Republican Caucus in Room 118."

Speaker Lyons: "Ladies and Gentlemen of the House, you've been passed out the schedule of the House committees and also there is, please note, a Democratic and a Republican Caucus at 10:00 tomorrow morning. Democrats Caucus in Room 114; Republicans Caucus in Room 118. Mr. Clerk, Agreed Resolutions."

Clerk Bolin: "Agreed Resolutions. House Resolution 331, offered by Representative Lang. House Resolution 332, offered by Representative D'Amico. House Resolution 333, offered by Representative Burke. House Resolution 336, offered by Representative Coladipietro. House Resolution 337, offered by Representative Kosel. House Resolution 338, offered by Representative Kosel. House Resolution 339, offered by Representative McCarthy. House Resolution 340, offered by Representative Reboletti. And House Resolution 341, offered by Representative Reboletti."

Speaker Lyons: "You've heard the Agreed Resolutions. All those in favor of their adoption signify by saying 'yes'; those opposed say 'no'. In the opinion of the Chair, the 'ayes' have it. And the Agreed Resolutions are adopted. So, allowing perfunctory time for the Clerk, Leader Barbara Flynn Currie moves that the House stand adjourned 'til the hour of 11 a.m. tomorrow, Thursday, April the 26th. All

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those in favor signify by saying 'aye'; those opposed say 'no'. In the opinion of the Chair, the 'ayes' have it. And the House stands adjourned 'til Thursday, April 26 at the hour of 11 a.m. Have an enjoyable and safe evening everyone."

Clerk Bolin: "The House Perfunctory Session will come to order. First Reading of Senate Bills. Senate Bill 461, offered by Representative Currie, a Bill for an Act concerning revenue. Senate Bill 1380, offered by Representative Molaro, a Bill for an Act concerning public employee benefits. Senate Bill 1576, offered by Representative Gordon, a Bill for an Act concerning business. Senate Bill 8, offered by Representative Chapa LaVia, a Bill for an Act concerning veterans. Senate Bill 20, offered by Representative Rose, a Bill for an Act concerning juries. Senate Bill 34, offered by Representative Mathias, a Bill for an Act concerning business. Senate Bill 38, offered by Representative Brady, a Bill for an Act concerning local government. Senate Bill 50, offered by Representative Osterman, a Bill for an Act concerning natural resources. Senate Bill 51, offered by Representative Schock, a Bill for an Act concerning public aid. Senate Bill 69, offered by Representative Froehlich, a Bill for an Act concerning business. Senate Bill 71, offered by Representative D'Amico, a Bill for an Act concerning transportation. Senate Bill 1665, offered by Representative Moffitt, a Bill for an Act concerning State Government. Senate Bill 1686, offered by Representative Cross, a Bill for an Act concerning local government. Senate Bill 1729, offered by Representative Chapa LaVia, a

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Bill for an Act concerning finance. Senate Bill 101, offered by Representative Froehlich, a Bill for an Act regarding disabled persons. Senate Bill 108, offered by Representative Chapa LaVia, a Bill for an Act in relation to children. Committee Reports. Representative Currie, Chairperson from the Committee on Rules, to which the following legislative measures and/or Joint Action Motion were referred, action taken on March... action taken on April 25, 2007, reported the same back with the following recommendation/s: 'direct floor consideration' for House Bill 2007 Amendment #1. Introduction of Resolutions. House Resolution 334, offered by Representative Bellock. House Resolution 335, offered by Representative Bellock. House Joint Resolution 52, offered by Representative Monique Davis. Senate Joint Resolution 30, offered by Representative Arroyo. These Resolutions are referred to the House Rules Committee. There being no further business, the House Perfunctory Session will stand adjourned."