

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

58th Legislative Day

5/22/2007

Speaker Madigan: "The House shall come to order. The Members shall be in their chairs. We ask the Members and our guests in the gallery to turn off laptop computers, cell phones, and pagers, and we ask our guests in the gallery to rise and join us for the invocation and the Pledge of Allegiance. We shall be led in prayer today by the Reverend Gary Kniepkamp who is the Pastor of St. Jacob United Church of Christ in St. Jacob, Illinois. Reverend Kniepkamp is the guest of Representative Stephens."

Reverend Kniepkamp: "Let us pray. Holy One, Creator and sustainer of us all, we are truly thankful for this beautiful day in the wonderful State of Illinois. We are thankful for this free and independent assemblage, elected by the citizens of this state to fairly and honestly govern for us. We thank You especially for the men and women of integrity, purpose and commitment, the Representatives of this House and for all who work here in the Capitol. We come before You this day asking for Your blessing and guidance. We know that You are always with us, yet we pray for a special manifestation of Your spirit that this House may administer the affairs of the state fairly, that peace and security, happiness and prosperity, justice and freedom may forever abide in our midst. Give our Representatives the courage of their convictions, yet keep their hearts open to new ideas and new ways. Be present in the conversations, the discussions, the debates happening today, guiding all to seek the common good. Guide us so that disagreements and deadlocks can be settled, not merely by strength and numbers, but by seeking out the best way forward for all the

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people. This morning we turn our thoughts and prayers, especially, and we would ask if You would watch over the men and women of our Armed Forces, especially today, our Illinois Army and Air National Guard units serving overseas. Protect them, we pray. Keep them from harm. Guard them from all evil and bring them home as soon as they safely can. Be with their families. Comfort them and give them peace of mind while they are apart. Finally, we ask Your blessing on our State Senate, on our Governor and all who advise them. We ask Your continued blessing on our whole state, our country and indeed, upon this world. Eternal One, we lift these prayers before You, as well as all the unspoken prayers of our hearts. Hear all these prayers we humbly ask. Amen."

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

Moffitt - 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 Madigan: "Roll Call for Attendance. Representative Currie."

Currie: "Thank you, Speaker. Please let the record reflect that Representatives Jefferies, May and Patterson are excused today."

Speaker Madigan: "Mr. Bost."

Bost: "Thank you, Mr. Speaker. Let the record reflect that the Republicans are here in full force and ready to do the work of the people."

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Speaker Madigan: "The Clerk shall take the record. There being 115 Members responding to the Attendance Roll Call, there is a quorum present. Mr. Clerk."

Clerk Mahoney: "Committee Reports. Representative Reitz, Chairperson from the Committee on Agriculture & Conservation to which the following measures were referred, action taken on May 22, 2007, reported the same back with the following recommendations: 'do pass Short Debate' is Senate Bill 201 and Senate Bill 216. Representative Boland, Chairperson from the Committee on Financial Institutions to which the following measures were referred, action taken on May 22, 2007, reported the following back with the following recommendations: 'do pass Short Debate' Senate Bill 171. Representative Holbrook, Chairperson from the Committee on Public Utilities to which the following measures were referred, action taken on May 22, 2007, reported the same back with the following recommendations: 'do pass Short Debate' Senate Bill 124. Representative Hoffman, Chairperson from the Committee on Transportation & Motor Vehicles to which the following measures were referred, action taken on May 22, 2007, reported the same back with the following recommendations: 'recommends be adopted' is Floor Amendment #1 to House Bill 2135; 'do pass Short Debate' is Senate Bill 314, Senate Bill 393 and Senate Bill 673; 'do pass as amended Short Debate' is Senate Bill 1260. Referred to the House Committee on Rules is House Resolution 450, offered by Representative Moffitt, and House Joint Resolution 67, offered by Representative McCarthy."

Speaker Madigan: "Mr. Lyons in the Chair."

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Speaker Lyons: "Ladies and Gentlemen, we'll be starting on page 28 of the Calendar with Senate Bills-Third Reading. So if you can follow along ahead of time, we will not be skipping around, right down page 28 to page 29. Representative Bellock, on page 28 of the Calendar, you have Senate Bill 6. Mr. Clerk, read the Bill."

Clerk Mahoney: "Senate Bill 6, a Bill for an Act concerning public aid. Third Reading of this Senate Bill."

Speaker Lyons: "The Lady from DuPage, Representative Patti Bellock."

Bellock: "Thank you very much, Mr. Speaker. And I'm proud today to present Senate Bill 6 which was sponsored by Senator Demuzio over in the other chamber. This was one of the number one recommendations that we had after we went throughout the entire State of Illinois this summer with the Rural Health Care Task Force. And what this would do would be to provide telepsychiatry services and to be funded by Medicaid. So it would allow people, especially in central and southern Illinois, to receive psychiatric services and that was the number one issue out of the recommendations that we had from the Rural Health Care Task Force. I'd be glad to answer any questions."

Speaker Lyons: "Is anyone seeking recognition? Seeing not, the question is, 'Should Senate Bill 6 pass?' All those in favor signify by voting 'yes'; those opposed vote 'no'. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Representative Berrios. Mr. Clerk, take the record. On this Bill, there are 115 Members voting 'yes', 0 voting 'no' and 0 voting 'present'."

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This Bill, having received the Constitutional Majority, is hereby declared passed. On page 28 of the Calendar, Mr. Clerk, we have Senate Bill 14. Representative Cole. Read the Bill, Mr. Clerk."

Clerk Mahoney: "Senate Bill 14, a Bill for an Act concerning sex offenders. Third Reading of this Senate Bill."

Speaker Lyons: "Representative Cole."

Cole: "Thank you, Mr. Speaker. Senate Bill 14 is similar to a House Bill that we passed unanimously here. It offends the Sex Offender Registration Act. I'm sorry; it amends the Sex Offender Registration Act, requiring e-mail addresses, blog sites to be indicated on the Sex Offender Registration."

Speaker Lyons: "Are there any questions on Senate Bill 14? Seeing not, the question is, 'Should Senate Bill 14 pass?' All those in favor signify by voting 'yes'; those opposed... The question is, 'Should Senate Bill 14 pass?' All those in favor signify by voting 'yes'; those opposed vote 'no'. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Representative Tracy. Mr. Clerk, take the record. On this Bill, there are 115 Members voting 'yes', 0 voting 'no'. This Bill, having received the Constitutional Majority, is hereby declared passed. Mr. Clerk, on page 28 of the Calendar, Representative Reitz has Senate Bill 19. Representative Dan Reitz, Senate Bill 19. Read the Bill, Mr. Clerk."

Clerk Mahoney: "Senate Bill 19, a Bill for an Act concerning public health. Third Reading of this Senate Bill."

Speaker Lyons: "The Gentleman from Randolph, Representative Dan Reitz."

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Reitz: "Thank you, Mr. Speaker. I believe on this one I'm still waiting on something. If we could pull this out of the record, I'd appreciate it."

Speaker Lyons: "Mr. Clerk, take that Bill out of the record. Representative Mautino. Representative Coladipietro, Senate Bill 31. Read the Bill, Mr. Clerk."

Clerk Mahoney: "Senate Bill 31, a Bill for an Act concerning civil law. Third Reading of this Senate Bill."

Speaker Lyons: "The Gentleman from Cook, Representative Coladipietro."

Coladipietro: "Thank you, Mr. Speaker, Ladies and Gentlemen of the House. Senate Bill 31 amends the Crime Victims Compensation Act to provide an alternate period for filing an application for a claim under the Act. Currently, a claim must be filed within two (2) years of the occurrence of the claim. This legislation would allow a person to file a claim from one (1) year from the date of a criminal indictment under the Act. There's no opposition to this Bill. It's similar to a Bill passed by Senator Millner out of the General Assembly in the 94th General Assembly. I ask for your 'aye' vote."

Speaker Lyons: "Is there anyone seeking recognition on Senate Bill 21? Seeing not, the question is, 'Should Senate Bill 21 pass?'... 'Should Senate Bill 31 pass?' All those in favor signify by voting 'yes'; those opposed vote 'no'. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Mr. Clerk, take the record. On this Bill, there's 115 Members voting 'yes', 0 voting 'no'. This Bill, having received the Constitutional

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Majority, is hereby declared passed. Mr. Clerk, on page 28 of the Calendar, Representative Nekritz has Senate Bill 46. Read the Bill, Mr. Clerk."

Clerk Mahoney: "Senate Bill 46, a Bill for an Act concerning government. Third Reading of this Senate Bill."

Speaker Lyons: "Representative Nekritz."

Nekritz: "Thank you, Mr. Speaker. Senate Bill 46 codifies the Illinois Green Government (sic-Governments) Coordinating Council. That council was established by an executive order in 2005. The purpose of the Green Governments Coordinating Council is to assure that government and especially Illinois State Government is a leader in reducing negative environmental impacts and preserving resources for future generations. The council has a number of duties and the legislation also requires a plan from each state agency regarding its goals and plan to reduce its environmental impacts."

Speaker Lyons: "Is there anyone seeking recognition? Seeing not, the question is, 'Should Senate Bill 46 pass?' All those in favor signify by voting 'yes'; those opposed vote 'no'. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Representative Harris. Representative Hoffman. Mr. Clerk, take the record. On this Bill, there are 115 Members voting 'yes' and 0 voting 'no'. This Bill, having received the Constitutional Majority, is hereby declared passed. Representative Brady. Representative Dan Brady, Senate Bill 38. Mr. Clerk, read the Bill."

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Clerk Mahoney: "Senate Bill 38, a Bill for an Act concerning local government. Third Reading of this Senate Bill."

Speaker Lyons: "The Chair recognizes the Gentleman from McLean, Representative Dan Brady."

Brady: "Thank you very much, Mr. Speaker, Ladies and Gentlemen of the House. This Senate Bill 38 simply increases the size of the Bloomington/Normal and Springfield Airport Authority from five (5) to seven (7), and I would be happy to answer any questions. This only pertains to the Bloomington/Normal Airport Authority and the Springfield Airport Authority and I'd be happy to answer any questions."

Speaker Lyons: "Is there any discussion? Seeing none, the question is, 'Should Senate Bill 38 pass?' All those in favor signify by voting 'yes'; those opposed vote 'no'. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Representative Biggins. Mitchell. Jerry. Mr. Clerk, take the record. On this Bill, there's 115 Members voting 'yes', 0 voting 'no'. This Bill, having received the Constitutional Majority, is hereby declared passed. Mr. Clerk, on page 28 of the Calendar, Representative Verschoore has Senate Bill 55. Read the Bill, Mr. Clerk."

Clerk Mahoney: "Senate Bill 55, a Bill for an Act concerning criminal law. Third Reading of this Senate Bill."

Speaker Lyons: "The Gentleman from Rock Island, Representative Pat Verschoore."

Verschoore: "Thank you, Mr. Speaker, Ladies and Gentlemen. A couple years ago with the help of the Attorney General we passed a law whereby if you wanted to buy ingredients to



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manufacture methamphetamines you had to have some type of a driver's license or some type of an identification. What this Bill does is just... what it does is when you unlawfully alter a driver's license or some type of identification it changes the law to a Class IV felony for the first offense; a Class III felony for the second offense and a Class II felony for the third and subsequent offenses. I would ask for an 'aye' vote and I'd be happy to answer any questions."

Speaker Lyons: "The Chair recognizes the Lady from Kane, Representative Pat Lindner."

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

Speaker Lyons: "He indicates he will."

Lindner: "Representative, isn't this already a crime at present?"

Verschoore: "I couldn't hear you."

Lindner: "Isn't this already the... in law? Why do we need this? Isn't this a crime now?"

Verschoore: "No, the sub... the second and third offenses weren't in the law now. It extends the sentencing of... for a longer sentence if you do it a second or third or subsequent time. It's the way I understand it, anyhow."

Lindner: "And so, it's..."

Verschoore: "I got this Bill from Senator Sullivan."

Lindner: "Okay. So, you are just increasing the penalties, is that it?"

Verschoore: "Yes."

Lindner: "All right. Thank you."

Speaker Lyons: "The Chair recognizes the Gentleman from Lake, Representative Ed Washington, passes. Any further

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recognition... Anybody seeking recognition? Seeing not, the question is, 'Should Senate Bill 55 pass?' All those in favor signify by voting 'yes'; those opposed vote 'no'. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Mr. Clerk, take the record. On Senate Bill 55, there's 115 Members voting 'yes', 0 voting 'no'. This Bill, having received the Constitutional Majority, is hereby declared passed. Representative Mautino, you have Senate Bill 21. Read the Bill, Mr. Clerk."

Clerk Mahoney: "Senate Bill 21, a Bill for an Act concerning insurance. Third Reading of this Senate Bill."

Speaker Lyons: "The Chair recognizes the Gentleman from Bureau, Representative Frank Mautino."

Mautino: "Thank you, Speaker, Ladies and Gentlemen of the House. Senate Bill 21 amends the Insurance Code and it provides that a group or individual major medical policy for health insurance or a managed care plan delivered after January 1st shall not, solely on the basis of insured being intoxicated or under the influence of a narcotic, exclude coverage for medical treatment. No... No opposition and this is commonsense legislation that came through. We actually thought this was already covered and we wanted to make sure that people didn't deny coverage on this."

Speaker Lyons: "Is there any discussion on Senate Bill 21? Seeing none, the question is, 'Should Senate Bill 21 pass?' All those in favor signify by voting 'yes; those opposed vote 'no'. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Harris."

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Representative Scully. Mr. Clerk, take the record. On this Bill, there are 115 Members voting 'yes', 0 voting 'no'. This Bill, having received the Constitutional Majority, is hereby declared passed. Representative Brauer, you have Senate Bill 69. Representative Rich Brauer, Senate Bill 69. Read the Bill, Mr. Clerk."

Clerk Mahoney: "Senate Bill 69, a Bill for an Act concerning business. Third Reading of this Senate Bill."

Speaker Lyons: "The Chair recognizes Representative Brauer."

Brauer: "Thank you, Mr. Chairman, Ladies and Gentlemen of the House. This is identical language to House Bill 1654 which passed earlier. And I'll answer any questions."

Speaker Lyons: "Any questions on Senate Bill 69? Seeing none, the question is, 'Should the... should the Bill 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 Leitch. Mr. Clerk, take the record. On this Bill, there's 114 Members voting 'yes', 1 Member voting 'no'. This Bill, having received the Constitutional Majority, is hereby declared passed. Mr. Clerk, on page 71 (sic-28) Representative D'Amico has Senate Bill 71. Read the Bill, Mr. Clerk."

Clerk Mahoney: "Senate Bill 71, a Bill for an Act concerning transportation. Third Reading of this Senate Bill."

Speaker Lyons: "The Chair recognizes the Gentleman from Cook, Representative John D'Amico."

D'Amico: "Thank you, Mr. Speaker, Ladies and Gentlemen of the House. What this Bill does, basically, is close a loophole

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that lets commercial truck drivers, if they're transporting a child under eight (8) years old, that they be in a child safety seat while they're driving. I'll be free to answer any questions."

Speaker Lyons: "The Chair recognizes the Gentleman from Jackson, Representative Mike Bost."

Bost: "Will the Sponsor yield, please?"

Speaker Lyons: "He indicates he will."

Bost: "Representative, doesn't it already require, the State Law, doesn't already require that if you're operating a commercial vehicle, it's just like any other vehicle and you're required to have the proper child safety seat?"

D'Amico: "No. The way I understand it, this was a loophole that was not. When the original child safety seat was enacted, commercial vehicles were not included in that. And what wound up happening is we had an accident up in Chicago where this very thing took place. And that's when we discovered that this..."

Bost: "Really?"

D'Amico: "...did not exist."

Bost: "Okay. All right. I always thought it was already in existing law, so thank you."

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

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

Speaker Lyons: "Indicates he will."

Black: "Representative, we discussed this in committee. Just for the record now, the seatbelt requirement, the restraint

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requirement would be if the tractor, we're talking about a semitrailer tractor here, was equipped with a passenger seat. There are some that aren't."

D'Amico: "Correct."

Black: So, okay. And it does not include the sleeper area in the tractor, correct?"

D'Amico: "Yes, you're right. That's what we talked about in committee."

Black: "Okay. Thank you very much."

Speaker Lyons: "Any further discussion? Seeing not, the question is, 'Should Senate Bill 71 pass?' All those in favor... Representative Rose."

Rose: "Just a quick question. Would this apply to farm equipment?"

D'Amico: "No, not to my... It applies to trucks or truck tractors."

Rose: "So if... Oftentimes on the field you'll get, you know, younger people out on it, driving it, all kinds of things. So it would not... I want to be absolutely clear, it does not apply to farm equipment?"

D'Amico: "Right."

Rose: "Okay. Thank you."

Speaker Lyons: "Anyone else seeking recognition? Seeing not, the question is, 'Should Senate Bill 71 pass?' All those in favor signify by voting 'yes'; those opposed vote 'no'. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Representative Acevedo. Representative Wait. Mr. Clerk, take the record. On this Bill, there's 115 Members voting 'yes', 0 voting 'no'. This

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Bill, having received the Constitutional Majority, is hereby declared passed. Mr. Clerk, on page 28 of the Calendar, Representative Molaro has Senate Bill 75. Read the Bill, Mr. Clerk."

Clerk Mahoney: "Senate Bill 75, a Bill for an Act concerning criminal law. Third Reading of this Senate Bill."

Speaker Lyons: "The Chair recognizes the Gentleman from Cook, Representative Bob Molaro."

Molaro: "Thank you. This is a very straightforward Bill. Basically, what it does, after so many convictions of prostitution you could... there's such a term as felony prostitution. So all this Bill does is it makes felony prostitution just like we do drug charges. When you have a drug charge for the first time as a felony, you can get 7-10 probation, 14-10 probation on first time charge for felony drug. On felony probation (sic-prostitution) it would be the same exact thing, that what you would do is if you have your charge for the first time and only the first time for felony prostitution, you have to plead guilty; they enter a judgment of guilty; then you have to go on probation for two (2) years; have no arrests of any kind. You would then have to go to whatever they can put you into any kind of program, and after two (2) years of leaving the life, never being arrested again, they would take that guilty finding that was entered and reverse the judgment of putting nolle prosequi in. But again, it would have to be only your first time that you were arrested for felony prostitution and it would have to be that after two (2) years of probation. I'll answer any questions."

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Speaker Lyons: "The Chair recognizes the Lady from Kane, Representative Pat Lindner."

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

Speaker Lyons: He indicates he will."

Lindner: "Could you tell me, normally how many times does someone get picked up for prostitution before they get a felony charge?"

Molaro: "Well, each district is different, but there would probably be a number... You mean where they're charged with a misdemeanor, Representative?"

Lindner: "Yes."

Molaro: "One misdemeanor conviction could be allowed. If you're convicted once as a misdemeanor, you can be allowed to be charged as a felon in any county in Illinois."

Lindner: "All right. Now, what does this do differently than what happens now when someone's charged with a felony prostitution?"

Molaro: "I'm sorry."

Lindner: "What does this..."

Molaro: "Mr. Speaker, I can't hear."

Speaker Lyons: "Ladies and Gentlemen... Representative Lindner..."

Lindner: "What does this Bill do that's..."

Speaker Lyons: "Representative Linder. Ladies and Gentlemen, there's a high noise level in the chamber. It's very hard to have a conversation on the Bill. Could we please lower, please lower the conversations. Thank you. Representative Lindner, proceed."

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Lindner: "All right. What... Normally, if someone was charged as a first offender with a felony prostitution, wouldn't the same thing happen to them today as under your Bill?"

Molaro: "No, because we don't have this program in the law today. If you're charged with felony prostitution, you either plead guilty or plead not guilty. They can give probation, but you cannot come back in two (2) years and get rid of the finding. This allows what we did in drug court, when you're found guilty, you're found guilty. But years ago we gave first offenders the option of 14-10 probation, which means after the probation period is over you can vacate the finding. We can't do that with felony prostitution today as we speak."

Lindner: "Okay. So, that's really all this Bill does because actually there's no counseling program or no... nothing like drug court for the prostitute to go to in this Bill because there are just the normal conditions of probation that are in this Bill."

Molaro: "That's... that's correct. Unfortunately, as you know, when you were in the committee, obviously, I would like to get mandatory treatment but who's got the money for it. That's the problem. But we do... What we do, Representative Lindner, I must point out, it is twenty-four (24) months of probation. Most of the time, when women are in this life giving it up for a week would be very difficult. Now that it's a felony they know it means business. And so we stopped them from a felony conviction. We're going to give them this one chance and one chance only after 24 months of probation."



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Lindner: "All right. There's one of the conditions of probation is to undergo medical or psychiatric treatment or treatment or rehabilitation by a provider approved by the Illinois Department of Human Services. Are there any programs for prostitution?"

Molaro: "Yes. Yes, there are many good programs, one right here in Springfield. As a matter of fact the name escapes me, but she did testify in committee and if you were there maybe you can remember the name of the program. But we also had a couple of women that used to be in the life that are now out of the life that swore by these programs, that they did turn their lives around. And that's what we're hoping to do with this Bill, is to give that one more carrot and stick to hopefully get them out of this spiral, this death spiral, if you will."

Lindner: "Well, I do remember that program, but I think there were only eight (8) people in it and it was a private program. So there are no programs funded by the state, is that correct?"

Molaro: "Correct."

Lindner: "All right. Thank you."

Speaker Lyons: "The Chair recognizes the Gentleman from DuPage, Representative Reboletti."

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

Speaker Lyons: "He indicates he will."

Reboletti: "Representative, we've talked about this in committee and we talked about if you can get supervision on prostitution. So the prostitute, the defendant, could have 10 prior supervisions for a misdemeanor and then eventually

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be charged on a conviction and then get a felony, is that correct? That's possible, right?"

Molaro: "That's definitely possible."

Reboletti: "All right. Why wouldn't drug court be a more appropriate alternative when you take these people that have mental health issues, that have substance abuse issues? These programs are more structured than allowing the people to best... this be, kind of manage themselves, but obviously they haven't been able to manage themselves very well when they're out on bond or while they're on supervision, which would have the same or similar conditions as this 14-10 probation."

Molaro: "Right. If there was a drug court in every county, I would certainly agree with you. And if drugs were related to the prostitution, which in a lot of cases it is, I would agree with you. But two (2) things I would say... there are prostitutes that are in the life that aren't drug addicted or have a substance abuse and, secondly, there are counties that do not have a drug court. However, I do basically agree with your statement."

Reboletti: "Is... And would it also be fair to say that TASC would be an option if they had a substance abuse problem?"

Molaro: "Yes, that would be another fair statement you just made."

Reboletti: "So, I guess some of the concerns that I've had with this and I've talked to you about is that are we not just adding one more level of... well here's... you're really, this is really your last chance. You had supervision. You blew the supervision. You may have had a couple of misdemeanors,

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now you're at a felony. And now we add another level because I'm assuming that if the person did have a substance abuse problem they could either be... and they blew the 4-10 probation, they could be resentenced to 4-10 probation; they could be resentenced to TASC; they could get a conviction. I guess that's my concern is when... when is enough, enough? When do we... How many times is enough to give somebody a chance?"

Molaro: "Well, first of all, I agree with everything you just said. The question becomes, when is enough, enough? Okay. And we, in the General Assembly have to decide when enough is enough. Okay. And I agree with that. So, I'm submitting to the General Assembly in general and I'm submitting to you in particular, that I would say that when the state's attorney of that county or the police of that county and jurisdiction have had enough, and say, we're done fooling around, we're charging you with a felony. We're done with you, right? I'm saying at that point they could come before a judge, and this isn't mandatory, the judge could do whatever he wants, but the judge could say, now you're in big girl court or big boy court, now you're going to be hooked up as a felon and now you're life is going to be over, 'cause you're going to get a felony conviction. It's all over for you, but here's what we're going to do. I'm going to give you this one last chance and you're going to have to prove to me that you cannot be arrested for twenty-four (24) months. And I submit to you, that's almost next to impossible for a prostitute who's been doing it and convicted, or they have supervision ten (10) or twelve (12)

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times, to go twenty-four (24) months without an arrest. That's almost impossible. So all I'm saying is, I think this General Assembly is saying with this Bill, enough is enough. You get a look... You get a felony arrest, this is it. Twenty-four (24) months without an arrest or you're going to be a felon and you're going to jail. We're getting tough, but at the same time giving them that one last chance to get out of their life and with their record... in. So I'm agreeing with you that this is a great Bill."

Reboletti: "And Representative, I don't know if it's a great Bill, I haven't decided that yet but... Okay. The other issues I have is that as Representative Lindner talked about which is the dealing with the services. I don't know, every time it's going to be a little bit different. I understand the process of 4-10 probation and I'm all for the treatment side of it. The problem is if these services aren't available, why don't we just give it one more level of... before we really mean it this next time? That's what, I guess, I'm concerned about."

Molaro: "Well, and I don't blame you for that. I'm concerned with that, too. I mean, obviously, all of us, no matter where a district's from. You know we get calls from people about prostitutes hanging here, prostitutes around there, so obviously we're trying to get it. The best way to do it is, obviously, is to stop people from being in the life, and that's what we're trying to do with this Bill is to get them out of the life with another carrot and stick. As far as services, my God, I'd love to be able to have the services for pros... but we're spending so much money with drugs, with

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all kinds of things, there just isn't enough money. But I'll bring a trailer Bill maybe if we're here in overtime and they allow me to... to see if we get some money for services."

Reboletti: "Is the mental health part, is that going to be required or is that going to be up to the judge for the sentencing? The mental health evaluation as well as substance abuse, is that separate?"

Molaro: "No we... No we... We can ask for that, but as far as the treatment is concerned, as you know, a judge in any case, if he feels there's mental health problems, he could order that in any case. So, this would be the same there. Hopefully, we'll do that."

Reboletti: "Thank you."

Speaker Lyons: "The Chair recognizes the Lady from Cook, Representative Connie Howard."

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

Speaker Lyons: "He indicates he will."

Howard: "Representative Molaro, please give me a little better understanding of this process. A person is arrested, brought into court, what happens from that point?"

Molaro: "So, if they're arrested and charged with a felony, Representative, remember, if it's a misdemeanor this Bill doesn't count. If they're charged with a felony, the first thing that the judge and the prosecutor looks at is if this is the first time they're charged with a felony. If it is and the prosecution either can prove the case or the defendant's forced to plead guilty because it's a clear-cut case. The judge can say at that point, since this is your

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first arrest as a felony prostitution, what I'm going to do is I'm going to accept the plea, I'm going to enter a plea or a finding of guilty, but instead of putting a judgment of guilty, I'm going to cont... give you probation for twenty-four (24) months. If at the end of twenty-four (24) months you do everything that we ask you to do, and the number one thing is stay out of the life and not be arrested for twenty-four (24) months. If you do that, in the rare case that we give an opportunity for this young lady to change her life around and she comes back to court and she hasn't been arrested in twenty-four (24) months, the judge will vacate the finding of guilty, it will go to a nongUILTY and be off her record."

Howard: "So it gives a person two (2) years to prove that they are going to take the right path and not sin again in that respect, is that correct?"

Molaro: "That's correct. And you know, in this life two (2) years is like an eternity. If they can do it for two (2) years, then they've changed their life around."

Howard: "And I think that's fair because two (2) years is a long time for a person to have to figure out how to survive in probably the only way that they... other than the only way that they've ever known, and so I think it's a good Bill. To the Bill. I certainly hope that my colleagues understand that there is a need to help people to make a decision to get on the right path and to do the right thing and to get on with their lives and, hopefully, to become productive citizens. Please, only 'green' votes for this legislation. Thank you."

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

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

Speaker Lyons: "He indicates he will."

Mulligan: "It was my understanding from one of our staff members that Cook County used to also require medical testing and that they cut it out in the recent budget crunch. Do you know if that's true or not?"

Molaro: "I don't. Medical testing for... I'm sorry..."

Mulligan: "I would say STDs or AIDS."

Molaro: "Yeah, I'm not sure."

Mulligan: "What happens to a pimp or a john?"

Molaro: "Well, each... each jurisdiction charge... Obviously, they can be charged with the crime too. You know, the problem is it's... a lot of times these prostitutes are part of a sting operation. But as you well know, it's also against the law for a pimp or a john to be a part of prostitution."

Mulligan: "I noticed this is sponsored by the Chicago Coalition for the Homeless. Isn't this an invitation that probably what happens here is young people, particularly runaways who have no other means of support, are victimized into going into the life in order to survive and get some money and have some place to stay?"

Molaro: "Unfortunately, that's true."

Mulligan: "So wouldn't it be a good idea, rather than letting women be victimized, to vote for something like this and try and help them get out of what might be a tough life situation as opposed to continually being victimized? And so I'm certainly going to support your Bill, Representative. I think it's a really good Bill."

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Molaro: "Thank you."

Mulligan: "I noticed all the women's organizations have signed on to this. Project IRENE, which are nuns who really look at political activism, are a part of this. I think this is a good group of people that are asking for us to pass a Bill like this and try and do something. We've tried to do things like this in the past, I commend you for continuing."

Molaro: "Thank you."

Speaker Lyons: "The Lady from Cook, Representative Monique Davis."

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

Speaker Lyons: "He indicates he will."

Davis, M.: "Representative, is this just for female prostitutes or male also?"

Molaro: "No, it goes both ways, I think."

Davis, M.: "The other question I have is, is the prostitute only the arrested person? How about the person who allows her to ply her trade? Are the males arrested?"

Molaro: "Well, sure, if they can find out who the pimp is, for want of street vernacular. If they find out who he is, of course, he's always arrested. And he would not be given... he would not be given this opportunity. This is strictly for the prostitute herself."

Davis, M.: "But you're speaking of the pimp, I'm speaking of the johns."

Molaro: "Well, the john also is violating a crime. We certainly don't give him this opportunity either because, you know, they probably would not be charged with the felony. They'd be charged with a misdemeanor of soliciting prostitution."



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And they could go to jail. As you all know, it's a Class A misdemeanor. And they still put them on the Internet, by the way, in Cook County."

Davis, M.: "Does your Bill allow for counseling that these women can partake in?"

Molaro: "Yes. It doesn't mandate it because we don't have the money for it, but it certainly allows it."

Davis, M.: "I think it's a great piece of legislation. I commend you and Representative Howard for bringing this before the General Assembly. I think it's a Bill whose time has come and I will support your Bill."

Speaker Lyons: "Representative Molaro to close."

Molaro: "Thank you. I just want to remind people who may think its a little bit soft on crime. The good news is we got a finding of guilty and a plea of guilty. If they violate their probation it automatically goes to a conviction. So, we've got a lot more people who want to take this chance and plead guilty. We'll save the state money; we save the state's attorneys, and then of course the human factor. I can't tell you how important it is that we give these women one more chance to leave the life, but it is a carrot with a big, big stick. This is good for the entire State of Illinois and for these people. I urge an 'aye' vote."

Speaker Lyons: "The question is, 'Should Senate Bill 75 pass?' All those in favor signify by voting 'yes'; those opposed vote 'no'. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Have all voted who wish? Pritchard. Rita. Washington. Representative Rita. Mr. Clerk, take the record. On this

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Bill, there's 76 voting 'yes', 37 voting 'no', 2 voting 'present'. This Bill, having received the Constitutional Majority, is hereby declared passed. Mr. Clerk, on page 28 of the Calendar, Representative Monique Davis has Senate Bill 76. Read the Bill, Mr. Clerk."

Clerk Bolin: "Senate Bill 76, a Bill for an Act concerning criminal law. Third Reading of this Senate Bill."

Speaker Lyons: "The Chair recognizes the Lady from Cook, Representative Monique Davis."

Davis, M.: "Thank you, Mr. Chairman. Senate Bill 76 expands the offense of aggravated battery to include a battery where the attacker knows that the individual harmed is a taxi driver and on duty, and a battery is committed while the driver's certainly on duty. This legislation passed out of the House at the last General Assembly unanimously and it passed out of the Senate unanimously. The cab drivers are the only people today that continue to collect cash and this makes them very vulnerable. We stand ready to answer questions."

Speaker Lyons: "The Chair recognizes the Lady from Kane, Representative Pat Lindner."

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

Speaker Lyons: "She indicates she will."

Lindner: "Yes, Representative, was this a Bill that you presented last year?"

Davis, M.: "Yes, it was, Representative."

Lindner: "And what happened to it?"

Davis, M.: "It passed out of here and the Senate never called it. So this year the Senate called it first."

Lindner: "All right. Thank you."

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Davis, M.: "It passed out of... It was House Bill 4141 and it passed 112 to 0."

Lindner: "All right. Thank you."

Speaker Lyons: "Any further recognition? Seeing none, the question is, 'Should Senate Bill 76 pass?' All those in favor signify by voting 'yes; those opposed vote 'no'. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Mr. Clerk, take the record. On this Bill, there are 114 Members voting 'yes', 0 voting 'no', 1 Member voting 'present'. This Bill, having received the Constitutional Majority, is hereby declared passed. Representative Dunkin, for what purpose do you seek recognition? Representative Acevedo, for what purpose do you seek recognition?"

Acevedo: "Speaker, I want... my last vote was recorded as 'yes'. I'd like to be recorded as 'present'."

Speaker Lyons: "The Journal will so reflect. Mr. Clerk, Representative Patti Bellock has Senate Bill 79. Read the Bill, Mr. Clerk."

Clerk Bolin: "Senate Bill 79, a Bill for an Act concerning education. Third Reading of this Senate Bill."

Speaker Lyons: "Representative Bellock."

Bellock: "Thank you very much, Mr. Speaker. Senate Bill 79 requires that in the development of the individual education program for a student that has a disability on the autism spectrum that the IEPT must consider certain specific factors that are listed in the Bill. This Bill does not mandate anything new, it just deals with the complications

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of the disorder of autism and that it asks that they consider these specific factors when they do their IEP."

Speaker Lyons: "Any discussion? Seeing none, the question is, 'Should Senate Bill 79 pass?' All those in favor signify by voting 'yes'; those opposed vote 'no'. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Mr. Clerk, take the record. On this Bill, 115 Members are voting 'yes', 0 voting 'no'. This Bill, having received the Constitutional Majority, is hereby declared passed. Mr. Clerk, on page 28 of the Calendar, Representative Nekritz has Senate Bill 80. Read the Bill, Mr. Clerk."

Clerk Bolin: "Senate Bill 80, a Bill for an Act concerning transportation. Third Reading of this Senate Bill."

Speaker Lyons: "The Lady from Cook, Representative Elaine Nekritz."

Nekritz: "Thank you, Mr. Speaker. Senate Bill 80 updates our traffic laws with regard to bicycles. It does three (3) things. First, it allows a bicyclist to signal a right hand turn by simply extending their right hand and pointing to the right, rather than raising their left hand and holding it upright as you would if you were in an automobile. The second thing it does is it clarifies how far to the right a bicyclist must ride under conditions where the bicyclist is coming upon a right hand turn lane. Currently, the law says that the bicyclist must stay as far to the right as practicable. This would allow them to ignore the right if they're going straight through an intersection, to ignore the right hand turn lane and stay in the three lane. I

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think for safety's sake, that makes a lot of sense. The third thing it does is to say that they're... that when a vehicle is overtaking and passing a bicyclist, they must leave a three- (3-) foot clearance. Currently, the law is that they have to pass at a safe distance. This, I think for driver education purposes, gives a driver a distance to shoot for, rather than just saying that they have to be a safe distance because a lot of drivers buzz past bicyclists and don't give them adequate room. And I can attest to that having been knocked off my bike from the rear last summer. So I ask for your support."

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

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

Speaker Lyons: "She indicates she will."

Black: "Representative, I'm sorry, did you say that somebody knocked you off your bicycle last year?"

Nekritz: "Last August, yes."

Black: "Last August. It wasn't anybody in this chamber, was it? It wasn't the... "

Nekritz: "Well, they drove off, so I can't be sure."

Black: "Was it a dark SUV with tinted license plates?"

Nekritz: "Hmmm. I really can't remember. Maybe it was."

Black: "It had license plate #1 on it. I'm sure it wasn't."

Nekritz: "No, I'm pretty sure it was not #1."

Black: "I'm sure it wasn't. I only have one question about the Bill and it's going to sound silly, but I don't think it... I don't mean it to be. How would anybody prove that I had in fact kept a three- (3-) foot buffer between my vehicle and

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the bicyclist? I mean it is... are the police going to be able to ticket me if visually they say we think you were within two (2) feet?"

Nekritz: "I couldn't agree with you more, Representative, and I don't think it's a silly question, it sort of goes to the purpose of the legislation. There's two (2) areas that I would say where this comes into play. One is if a cyclist gets hit, it's pretty clear that they did not give a three-(3)- foot clearance. So it does come into play in situations like that. The second thing is, it really is, I think, for education purposes to make it clear that you have to leave three feet between the driver and the bicyclist, rather than leaving... rather than the sort of amorphous safe-passing distance. And it... So for... It really is an educational item."

Black: "Now does the three (3) feet mean a box clear around the bicycle? I mean three (3) feet... If I'm coming up on the bicyclist I have to stay three feet behind or does it mean if I am passing in the traffic lane, I must maintain three (3) feet between the right side of my vehicle and the bicyclist?"

Nekritz: "I believe it's the latter. I don't think that there's currently any..."

Black: "Okay."

Nekritz: "Any..."

Black: "All right."

Nekritz: "...statement in the traffic laws about..."

Black: "Now..."

Nekritz: "...how close in front or behind you have to be."

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Black: "And having grandchildren who ride bicycles and... I worry very much about them every time they get on a bike, but what happens on a narrow road or maybe there's a turn lane; now my wheels get into the... across the line? I mean, I give bicyclists as much room as I possibly can. I'm just trying to figure out where I'm going to get in trouble with law enforcement. If I swing out around the bicyclist and my two (2) left tires are now across a double yellow line, I'm technically in violation of the Vehicle Code."

Nekritz: "Well, Representative, it's my... I mean it would be the same situation if you had to go around a slow moving tractor or something. I think you're allowed to pass in order to... in order to get around and it would be the same situation if it was a bicycle."

Black: "Well... "

Nekritz: "And if it's not safe to proceed around them, then you'll have to slow down and wait a little bit 'til it's safe to come around them."

Black: "Okay. Well, what you said is very true and in my area we do have implements of husbandry on the roads now in planting and certainly next fall at harvest, but we don't have the three (3-)-foot rule. And on many, even state roads in my district, if I do pass a combine or a tractor hauling a planter, let's say, on most roads I'm going to be hard-pressed to keep twelve(12) inches between the right side of my car and that implement of husbandry. I mean the law doesn't specify that I have to have X number of feet between the tractor or combine and my car because on the average state highway, two lane, my car would have to be off

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the road. I'd have to go off on the shoulder to maintain the three (3) feet. But you're... it's not your intention that the Bill be designed to put a motorist in violation of the Vehicle Code, it's just, I think what, a reminder and this should not only be for bicycles, but motorcycles as well, then you need to give them a cushion, if you will, a safety area."

Nekritz: "That's correct, Representative, and I'm not even sure how this would apply to motorcycles, first of all, because they're able to maintain the same speed as a vehicle."

Black: "Right."

Nekritz: "And also they are authorized to ride in the middle of a lane and should ride in the middle of a lane..."

Black: "Right."

Nekritz: "...whereas, a bicyclist, by law, has to be as far to the right as practicable."

Black: "Okay. Well, one of the interesting things coming up is little bitty scooters that are very popular because they get such phenomenal mileage, particularly among college students. They're not a motorcycle. I'm not even sure what they're classified. I know they have a license plate. But be that as it may, there's still one area I'd like to get your expertise on. Let's say that I am giving the three-(3-)foot cushion and the bicyclist, for whatever the reason, sees a pothole, an animal..."

Speaker Lyons: "Mr. Black, we'll give you another minute to finish your thoughts on this."

Black: "If the bicyclist suddenly veers in front of the car, then what's the determining factor when the accident is



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investigated, had I, in fact, left this three- (3-)foot cushion or did the bicyclist come into my car because of circumstances beyond the bicyclist's control, an animal, a pothole, whatever?"

Nekritz: "I guess, Representative, it would be... it would be my feeling that that would be up to the... up to law enforcement to make that determination. And there certainly would, you know, there's going to be statements by each."

Black: "Right. Okay."

Nekritz: "I would think that if the bicyclist swerves, that that would certainly not be the fault of the driver. And it's up to the bicyclist to anticipate road hazards as much as it is the driver's."

Black: "Okay. Representative, thank you very much."

Nekritz: "Thank you."

Speaker Lyons: "The Chair recognizes Representative Shane Cultra."

Cultra: "Will the Sponsor yield?"

Speaker Lyons: "She indicates she will."

Cultra: "All right. Representative, how are you changing the hand signals?"

Nekritz: "Well, I... this is not going to work very well for the record, but right now the law for a bicyclist is that to signal right... "

Cultra: "Right."

Nekritz: "you have to raise your left hand. And this would simply allow a bicyclist to point to the right to indicate that they're turning right."

Cultra: "Or straight out is a left turn, normally, right?"

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Nekritz: "Well, with your left hand, correct, and that would stay the same. But this would be straight out to the... from... with the right hand, to point... to go... indicate that the cyclist would be turning right."

Cultra: "And what is the rationale for this?"

Nekritz: "Well, I think most people, most cyclists do that anyway and so this just sort of changes our traffic laws to reflect the reality that a cyclist does not have to raise their left hand. And I think a lot of people, if I do that as a bicyclist, a lot of people think I'm giving them... using an obscene gesture. So I would much prefer to be able to extend my right hand to indicate that I'm actually turning right."

Cultra: "Well, the concern I have is holding your hand straight out is a left turn. If you hold your hand straight out even though it's your right hand, people might think you're turning left. I mean that's traditional hand signals, and it seems to be something to be very confusing for anybody following a bicycle."

Nekritz: "Well, Representative, I don't know. I guess I've never had anybody behind me be confused by my... a right hand turn signal to the right. And those hand signals were developed for automobiles at a time before turn signals existed, so when you were in an automobile, you couldn't extend your right hand. That had no meaning because nobody behind you could see it, so you had to use all the signals with your left hand. I mean, I think this just is a pretty practical use of a pretty well understood gesture."

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Cultra: "Well, I think hand signals right now are pretty universally understood and I'm afraid this might confuse people."

Nekritz: "Well, Representative, twenty-three (23) other states have done... have made a similar change. So and we're not aware of any difficulty that's arisen in those states."

Cultra: "All right. Thank you."

Nekritz: "Thank you."

Speaker Lyons: "The Lady from Cook, Representative Rosemary Mulligan."

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

Speaker Lyons: "She indicates she will."

Mulligan: "Is there anything in the Rules of the Road that specifies how a motor vehicle driver should treat bicyclists and even motorcyclists? I mean, I was really surprised coming down here on 55, as fast as everybody goes, there was somebody on a motorcycle that weaved in and out faster than traffic, which was really unusual. So is there anything, and then, if you pass this would it have to go into the Rules of the Road so that people would have some idea on how to handle this?"

Nekritz: "Yes, Representative, it would be part of the Rules of the Road and we would hope it would be part of the drivers' education and bicyclists' education as well. The current law on a... and I'm not... I don't really know the laws with regard to motorcycles very well, but the current law with regard to a bicycle is that they must ride as far to the right as practicable, and that does not change under than... except in the instance where you got a right hand turn. So,

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you know, if someone's weaving in and out of traffic on a bicycle, they are violating the law currently and they would be even after this."

Mulligan: "And one of the reasons that I find it very interesting in our area, particularly late at night a lot of shift workers that are immigrants that don't have driver's licenses, ride bicycles. And it's dark and it's hard to see them and so I think trying to make it more appropriate as to what you're supposed to do, at least putting it in the Rules of the Road so people have some idea of what you should do. I think it's a good idea."

Nekritz: "Thank you."

Mulligan: "So, I will support your Bill."

Nekritz: "Thank you. The worst instance is where they ride against traffic. And really trying to get people educated that a bicyclist really should ride with traffic, rather than opposed to it, is something... something we face with that."

Mulligan: "When I was a child, my parents wanted me to ride..."

Nekritz: "Against traffic."

Mulligan: "...against traffic so I could see."

Nekritz: "I'm glad you made it, Representative."

Mulligan: "Yeah."

Speaker Lyons: "Representative Nekritz to close."

Nekritz: "I ask for your support."

Speaker Lyons: "The question is, 'Should Senate Bill 80 pass?' All those in favor signify by voting 'yes'; those opposed vote 'no'. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Have all voted who wish? Have all

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voted who wish? Representative Mitchell, Jerry. Mr. Clerk, take the record. On this Bill, there's 107 Members voting 'yes', 8 voting 'no', 0 voting 'present'. This Bill, having received the Constitutional Majority, is hereby declared passed. Mr. Clerk, on the top of page 29, the first Bill listed is Representative Holbrook's Senate Bill 88. Read the Bill, Mr. Clerk."

Clerk Bolin: "Senate Bill 88, a Bill for an Act concerning criminal law. Third Reading of this Senate Bill."

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

Holbrook: "Thank you, Speaker, and by the way you look wonderful up there in that podium. Senate Bill 88 makes it a criminal offense to knowingly delay the restoration of public services, like water, sewer, telecommunications, due to theft. Also, it sets up a geographic area, if you deprive people of their public utilities through the theft of product. I know of no opposition to the Bill and it passed the Senate unanimously. Take any questions."

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

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

Speaker Lyons: "He indicates he will."

Black: "Representative, what does the Amendment do to the Bill?"

Holbrook: "They inadvertently left out cell towers that handle the 911 calls."

Black: "Okay."

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Holbrook: "And if they would disrupt those. They wanted to say if you went in and stole the wiring off of it for salvage or whatever, that would apply."

Black: "Okay. All right. Now, and this is becoming a very difficult offense. I've seen many articles where people are actually stealing your outside air conditioner condenser, cutting off the copper tubing, taking the whole condenser with you to sell it for scrap. But what if somebody steals a roll of wire off of a loading dock? Is the penalty still the same or is your Bill aimed at taking the wire from the pole..."

Holbrook: "It's either taking it from the pole or the staging area where they would be getting ready to restore. Like we had a huge storm..."

Black: "Right."

Holbrook: "...and they staged the copper and the transformers and that sort of thing..."

Black: "Okay. All right."

Holbrook: "And they go in and steal it and they delay restoration of utilities to that area..."

Black: "Okay."

Holbrook: "...due to the theft of that product."

Black: "Well, several... several of these brilliant people have paid the ultimate price for trying to steal copper wire off of a live pole. The death penalty may be held in abeyance in Illinois, but about four (4) of them have been electrocuted in the last six (6) months for trying to cut a live power wire in order to steal the copper. You know,

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take the coating off and steal the copper. What punishment is in your Bill? Would it be a misdemeanor?"

Holbrook: "Currently, there's a Class A misdemeanor and a second offense is a Class IV felony under current law. This makes it a Class II if they deprive a service area..."

Black: "Okay."

Holbrook: "...of service of their public utilities."

Black: "And the wireless would only be if they took the wiring from the tower site, correct?"

Holbrook: "Right."

Black: "Okay."

Holbrook: "Or the restoration. Let's say they're staging to repair it, someone stole it before..."

Black: "Okay. Thank you very much."

Speaker Lyons: "Representative Holbrook to close."

Holbrook: "Ask for an 'aye' vote."

Speaker Lyons: "The question is, 'Should Senate Bill 88 pass?' All those in favor signify by voting 'yes'; those opposed vote 'no'. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Representative Osterman. Kathy Ryg. Representative Ryg. Mr. Clerk, take the record. On this Bill, there's 115 Members voting 'yes', 0 voting 'no'. This Bill, having received the Constitutional Majority, is hereby declared passed. Mr. Clerk, back on page 28, Representative Schock has Senate Bill 51. Read the Bill, Mr. Clerk."

Clerk Bolin: "Senate Bill 51, a Bill for an Act concerning public aid. Third Reading of this Senate Bill."

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Speaker Lyons: "The Chair recognizes the Gentleman from Peoria, Representative Aaron Schock."

Schock: "Thank you, Mr. Speaker. Senate Bill 51 is an initiative of the Autism Society of Illinois and it expands the definition under DHS for developmental disabilities to include autism, thereby guaranteeing more extensive services through DHS to those families and young folks who are suffering with autism. Be happy to answer any questions that Members would have. I urge a 'yes' vote."

Speaker Lyons: "Is there any discussion? Seeing not, the question is, 'Should Senate Bill 51 pass?' All those in favor signify by voting 'yes'; those opposed vote 'no'. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Representative Ford. Mr. Clerk, take the record. On this Bill, there's 115 Members voting 'yes', 0 voting 'no'. This Bill, having received the Constitutional Majority, is hereby declared passed. Mr. Clerk, on page 29 of the Calendar, Representative Dan Reitz has Senate Bill 97. Read the Bill, Mr. Clerk."

Clerk Bolin: "Senate Bill 97, a Bill for an Act concerning criminal law. Third Reading of this Senate Bill."

Speaker Lyons: "The Gentleman from Randolph, Representative Dan Reitz."

Reitz: "Thank you, Mr. Speaker. This Bill was brought forth by our Metro East Task Force on Car Thefts. This legislation would define what a bait car is to try to apprehend car thefts. It would also allow the use of a microphone to record the goings on, what's going on when they're using



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these bait cars to try and break up these rings. And I'd be happy to answer questions."

Speaker Lyons: "Any discussion? Seeing none, the question is, 'Should Senate Bill 97 pass?' All those in favor signify by voting 'yes'; those opposed vote 'no'. The voting is open. Have all voted who wish? Have all voted who wish? Representative Hamos. Mr. Clerk, take the record. On this Bill, there's 115 Members voting 'yes', 0 voting 'no'. This Bill, having received the Constitutional Majority, is hereby declared passed. On page 29 of the Calendar, Representative Al (sic-Greg) Harris has Senate Bill 108. Read the Bill, Mr. Clerk."

Clerk Bolin: "Senate Bill 108..."

Speaker Lyons: "Mr. Clerk, take that Bill out of the record on request of the Sponsor. Representative Jakobsson has Senate Bill 110. Read the Bill, Mr. Clerk."

Clerk Bolin: "Senate Bill 110, a Bill for Act concerning education. Third Reading of this Senate Bill."

Speaker Lyons: "The Chair recognizes Representative Naomi Jakobsson."

Jakobsson: "Thank you, Mr. Speaker. Senate Bill 110 amends the State Universities Civil Service Act to authorize a University Civil Service Merit Board appointed hearing officer to preside over demotion, removal and discharge hearings. The hearing officer would be subject to the same regulations and duties that the hearing board have. It's in... The Bill is in response to a Joint Committee on Administrative Rules recommendation. Currently, this is what the University Civil Service System's rules authorize

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and they're just trying to codify the statutes. And this is very similar to a House Bill that went out of here."

Speaker Lyons: "Is there any discussion? Seeing none, the question is, 'Should Senate Bill 110 pass?' All those in favor signify by voting 'yes'; those opposed vote 'no'. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Representative Dugan. Representative Dugan, do you wish to be recorded? Mr. Clerk, take the record. On this Bill, there's 114 Members voting 'yes', 0 voting 'no', 1 Member voting 'present'. This Bill, having received the Constitutional Majority, is hereby declared passed. Page 29 of the Calendar, Representative Paul Froehlich has Senate Bill 116. Read the Bill, Mr. Clerk."

Clerk Bolin: "Senate Bill 116, a Bill for an Act concerning health. Third Reading of this Senate Bill."

Speaker Lyons: "Representative Paul Froehlich."

Froehlich: "Thank you, Mr. Speaker. Senate Bill 116 simply creates a task force on gang tattoo removal. The task force will study the cost and effectiveness of a program for removal of gang tattoos, report its findings to the General Assembly by January 1, 2009. I know of no opposition. Be happy to answer any questions."

Speaker Lyons: "Any discussion? Seeing... The Chair recognizes the Gentleman from Vermilion, Representative Bill Black."

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

Speaker Lyons: "He indicates he will."

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Black: "Representative, do we really need in statute something creating the Gang Tattoo Removal Task Force? What's this task force going to tell me?"

Froehlich: "Well, I'm not sure exactly what it's going to tell you. I wouldn't try and prejudge what the recommendations are going to be."

Black: "Well, whatever it tells me, what if the gang member says, I don't want my tattoo removed?"

Froehlich: "Well, I don't think this would force anybody to get them removed, but as part of rehabilitating, especially juveniles who get into the court system, this is a part of what we'd hope would be rehabilitation, getting them on the straight and narrow, part of that, getting their gang tattoos off."

Black: "Well, my point exactly. It doesn't force anybody to do anything. And it doesn't say anything about... How much does it cost to remove a tattoo? I've no idea."

Froehlich: "I don't know either."

Black: "So, if the recommendation is that we set up a new Department of Tattoo Removal and hire a director for a hundred and twenty thousand dollars (\$120,000) and that director can hire a driver for eighty-five thousand dollars (\$85,000) and then they'll drive around the state and get out and hand somebody a card and say, you know, 'tattoos are us.' Call the State of Illinois if you want your tattoo taken off. I don't know why we need this in statute. Couldn't we do this by Resolution?"

Froehlich: "I think you probably could. I don't know why Senator Hultgren chose to use a Bill exactly other than task

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forces created by Resolution have a shelf life only as long as the General Assembly in which they're created. Often these reports don't meet the deadline. It might be easier to extend the deadline on a task force created by statute, if need be."

Black: "Okay. I wonder what would one have to do to be appointed to the Gang Tattoo Removal Task Force."

Froehlich: "Well..."

Black: "You just put in an application or..."

Froehlich: "I suppose in our case request the House Minority Leader to appoint 'cause he has one appointment and the Speaker has one appointment."

Black: "Well, I'm looking for something to do in my old age, so I'm going to keep this in mind. Thank you."

Froehlich: "You're welcome."

Speaker Lyons: "The Chair recognizes the Lady from Kane, Representative Linda Chapa LaVia."

Chapa LaVia: "Speaker, will the Sponsor yield?"

Speaker Lyons: "He indicates he will."

Chapa LaVia: "Representative, did you know that in Randy Hultgren, Senator Hultgren's area, Edwards Hospital removes tattoos for gang members, as long as they go on to a registry, for free?"

Froehlich: "Well, that's good news. I didn't know that."

Chapa LaVia: "So, I think maybe I have to concur with the last speaker. I don't often do that. But I have to concur with the last speaker on the need for this. When we do have programs out there and all it takes is maybe communicating with other people that have gang issues in their area to see

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what we do provide as services, not-for-profit services out there, that can provide the same thing, and in that program they have to... they document the tattoo and they actually put it onto a program that law enforcement knows the person that has that too, but they have to agree to that. And usually this is... these are for individuals that no longer want to be part of a gang, want to get out that life, want to have a new start and this allows them to do it at no cost. So I think maybe, if you'd like, I'll talk to you and the Senator about it, but I don't know if this is really necessary. Thank you."

Speaker Lyons: "The Lady from Cook, Representative Rosemary Mulligan."

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

Speaker Lyons: "He indicates he will."

Mulligan: "Did anyone ask you how much this is going to cost?"

Froehlich: "Well, the fiscal impact listed in the... our staff analysis is minimal. Just says minimal. The only impact could be reimbursement allowed to members of the task force for reasonable expenses."

Mulligan: "Representative, I think you've caught me on a bad day. Oh, yes. When you look at the fact that we've had a task force that they've never even appointed members to, to take a look at how many developmentally disabled people there are in Illinois living with caregivers over the age of 60 or that we can't pay our bills on time or that we can't provide health care or there's not enough money in the budget. I can't believe that someone from juvenile justice or somebody hasn't already done this and can't give us the

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results without the state doing a task force and putting money in. If we had all the money in the world and I think basically what we probably ought to do is give this Governor a million and let him go buy a printing press to put in the basement, is the only way we're going to fulfill the needs, then I could see voting for something like this. But quite frankly, I think that there should be a study out there that's already been conducted that we could use to decide if we want to do this program. And since Cook County has cut back on health care, they want us to pick up, everybody's doing... I can't see this as being a fiscally responsible thing to do at this time."

Speaker Lyons: "The Chair recognizes the Gentleman from Jackson, Representative Mike Bost."

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

Speaker Lyons: "He indicates he will."

Bost: "Representative, and I've seen you carry pieces of legislation that are wonderful pieces of legislation and not badmouthing this particular piece, but right now when we're dealing with the electric rates and we're dealing with all the issues out there, and I know quite often we deal with some very light legislation and not saying the gang... the gang situation is not a problem, but a Gang Tattoo Removal Task Force. And you know quite often we see legislation come over from the Senate and we argue that isn't it wonderful it got 56 votes in the Senate, so obviously it's a good Bill. And I think, Representative, someone was asleep over in the Senate. It's an age thing, I'm sure. But I don't think this is where we need to be going right now."

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And nothing against you personally, you're a fine Sponsor but this is just not right."

Speaker Lyons: "Representative... Representative Froehlich to close."

Froehlich: "Thank you, Mr. Speaker. Really, the purpose here is to reduce repeat offenses; to get people out of gangs, help them stay on the straight and narrow. There should be virtually no cost associated with this. It's just one of probably dozens of task forces that this Body creates in a given year. So, I'd ask for an 'aye' vote."

Speaker Lyons: "The question is, 'Should Senate Bill 116 pass?' All those in favor signify by voting 'yes'; those opposed vote 'no'. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Have all voted who wish? Have all voted who wish? Mr. Clerk, take the record. On this Bill, there are 12 Members voting 'yes', 101 Members voting 'no', 1 voting 'present'. This Bill, having received... failed to receive the Constitutional Majority, is hereby declared failed. Representative Dan Reitz, for what purpose do you seek recognition?"

Reitz: "Just to tell the Sponsor of the last Bill, I guess. I had the last Bill that got 100 'no' votes, and I turned around and passed it later in the year. I wouldn't recommend that with this Bill."

Speaker Lyons: "Okay. On page 29 of the Calendar, Representative Ed Acevedo has Senate Bill 129. Read the Bill, Mr. Clerk."

Clerk Bolin: "Senate Bill 129, a Bill for an Act concerning criminal law. Third Reading of this Senate Bill."

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Speaker Lyons: "The Gentleman from Cook, Representative Acevedo."

Acevedo: "Thank you, Mr. Speaker, Ladies and Gentlemen of the House. Senate Bill 129 makes delivery and possession of fentanyl the same level of offense as delivery and possession of..."

Speaker Lyons: "Hold off, Representative, we'll come back. All right. Now that the trophy ceremony is over, we'll get back to serious business. Representative Acevedo on Senate Bill 129."

Acevedo: "Thank you, Mr. Speaker, Ladies and Gentlemen of the House. Senate Bill 129 makes delivery and possession of fentanyl the same level of offense as the delivery and possession of heroin and cocaine, which is a Class II felony. When the amount involved is five (5) grams or more of fentanyl the offense becomes nonprobational, the same as currently exists of heroin and cocaine. If the defendant is found guilty to have delivered or possessed with the intent to deliver a controlled substance containing fentanyl, a mandatory three (3) years is added to the sentence. Currently, it is a Class III felony to deliver fentanyl or to possess fentanyl with the intent to deliver, and regardless of the amount of involved, the offense is probational. The current ranging, sentence range, is from two (2) to five (5) years imprisonment. I'd be happy to answer any questions."

Speaker Lyons: "Are there any questions on Senate Bill 129? The Chair recognizes the Lady from Kane, Representative Pat Lindner."



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

Speaker Lyons: "Indicates he will."

Lindner: "Could you just tell us what this is and how it's used?  
What fentanyl is?"

Acevedo: "Fentanyl is 80 times more powerful than morphine. It  
can kill within minutes. It's used for schedule 2 synthetic  
opiate. Pain... It's used for a pain management tool."

Lindner: "So, is it a legal drug?"

Acevedo: "It's a legal drug as far as when it's used for medical  
purposes. And it's used as... it's 80 times percent more  
powerful than morphine is as a pain killer."

Lindner: "And are people selling this on the street, just as a  
drug or are they putting it in other things or how is it  
used?"

Acevedo: "Yes, Representative, it has been confirmed that 309  
victims of fentanyl fatalities has occurred in Cook County  
alone. What the drug dealers are doing, it's called the  
ultimate high, and what they're doing is they're putting a  
certain amount of fentanyl, mixed in with heroin, which can  
easily cause immediate death or severe brain damage."

Lindner: "Okay. Thank you. A very good Bill."

Speaker Lyons: "The Chair recognizes the Lady from Cook,  
Representative Graham."

Graham: "Thank you, Mr. Speaker, Ladies and Gentlemen of the  
General Assembly. I stand in strong support of my  
colleague's Bill. Last summer, I don't know if you guys  
kept up with the news articles of people basically just  
dropping dead having consumed... after having consumed this  
drug and the shame of it all is that people were looking for

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it on the street. It was rapid incidents as high as seven (7) and eight (8) in one day and it would continue to happen over the summer months. So, I think it's an important piece of legislation to show drug dealers that we're not going to tolerate what they're doing. They're not certified chemists, they think they are. And this piece of legislation is very important to our communities, so I'd urge an 'aye' vote. Thank you."

Speaker Lyons: "The Gentleman from Cook, Representative Ken Dunkin."

Dunkin: "Thank you, Mr. Speaker, to the Bill. You know, actually before it went out west this actually was sold very actively, unfortunately, in a portion of my district. And it is such a serious situation with this extra substance that they put in there that it literally devastates not only that person's family, but communities as well. I'll never forget, when I was running back in '01 and '02 that there was a long line, a long line of people and they're standing orderly in this public housing project within my district, and they were in this line to buy drugs. And that was the most humbling experience that I ever had. And so, Representative, I'd like to congratulate you for supporting or sponsoring such legislation. I think it is high time. I think the message that we need to send has to be very, very serious and I would encourage all of my colleagues a strong and immediate 'aye' vote. Thank you, Sponsor."

Speaker Lyons: "Representative Acevedo to close."

Acevedo: "Thank you, Mr. Speaker. I'm getting a little worried here because this is the second time today I agreed with

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Representative Ken Dunkin. This legislation is required to reflect the danger nature of this drug, whether it's sold straight or it's used as an additive. As one of my colleagues brought up, there was last summer throughout the west side of Chicago and east side of Chicago there was so many deaths that occurred when this additive was added to heroin or cocaine. It's a dangerous drug that we need to take off the streets of the City of Chicago. And as we said, in the Cook County alone there's been 309 victims that we know about. So, I urge for an 'aye' vote."

Speaker Lyons: "The question is, 'Should Senate Bill 129 pass?' All those in favor signify by voting 'yes'; those opposed vote 'no'. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Representative D'Amico. Representative Verschoore. Pat Verschoore. Mr. Clerk, take the record. On this Bill, there's 115 Members voting 'yes', 0 voting 'no'. This Bill, having received the Constitutional Majority, is hereby declared passed. On page 29 of the Calendar, Representative Paul Froehlich has.. Representative Dave Winters, for what purpose do you seek recognition?"

Winters: "This is a very serious matter. As the founding Member of the Century Club we wanted to welcome Representative Froehlich in with a presentation of a hat and the trophy. ...the trophy is available. Representative Froehlich, this is a very honored and esteemed society that you've just chosen to join."

Speaker Lyons: "Mr. Clerk, we do have on page 29 Senate Bill 132. Read the Bill, Mr. Clerk."

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Clerk Bolin: "Senate Bill 132, a Bill for an Act concerning criminal law. Third Reading of this Senate Bill."

Speaker Lyons: "The Chair recognizes the award winning Representative from Cook, Representative Paul Froehlich."

Froehlich: "Thank you, Mr. Speaker. Now this Bill has nothing to do with creating a task force, so I thought I'd, you know, take the risk that I could beat my own record from a couple of minutes ago. This Bill simply makes it a Class A instead of a Class A misdemeanor to falsely represent oneself as a public employee or an employee of the Federal Government. Also makes it a Class IV felony if this misrepresentation is done as in the furtherance of committing a felony. Until now I knew of no opposition and be happy to answer any questions."

Speaker Lyons: "The Chair recognizes the Gentleman from Cook, Representative Lou Lang."

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

Speaker Lyons: "Indicates he will."

Lang: "Thank you. Representative, I need to know if this is an important Bill to you."

Froehlich: "This one? No, I picked it up from the Senate. It passed unanimously."

Lang: "So... so if it's not an important Bill, do you... if I would suggest on this floor that you could be the first back to back winner of the trophy... Would that be... would that be appropriate, Sir?"

Froehlich: "Sure."

Lang: "Sure?"

Froehlich: "Well, I would appreciate the advice, sure."

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Lang: "You'd appreciate my advice?"

Froehlich: "Sure."

Lang: "You know my name's on that trophy, too."

Froehlich: "I see it."

Lang: "Yeah. So how many people are on that trophy twice, Sir?  
Is Mr. Dunkin on that trophy twice?"

Froehlich: "No, just once."

Lang: "Should he... probably deserved it more than once, right?  
So, I don't know. If the Bill's not important to you, I'd  
be inclined to vote 'no' and encourage all my colleagues to  
do the same. Thank you."

Speaker Lyons: "Representative Froehlich."

Froehlich: "I'd like to pull it out of the record."

Speaker Lyons: "Bill's out of the record on request of the  
Sponsor. Representative Froehlich, we are on the order of  
Paul Froehlich. You have another Bill. Do you want to pass  
that right now? Good decision, Representative. On page 29,  
Representative Lou Lang has Senate Bill 144. Read the Bill,  
Mr. Clerk."

Clerk Bolin: "Senate Bill 144, a Bill for an Act concerning  
regulation. Third Reading of this Senate Bill."

Speaker Lyons: "The Chair recognizes the Gentleman from Cook,  
Representative Lou Lang."

Lang: "Thank you, Mr. Speaker. I'd move to move this Bill back  
to Second Reading for the purpose of an Amendment."

Speaker Lyons: "...request of the Sponsor, we'll move the Bill to  
Second Reading. Representative Washington, on page 29 of  
the Calendar, you have Senate Bill 154. Read the Bill, Mr.  
Clerk."

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Clerk Bolin: "Senate Bill 154, a Bill for an Act concerning safety. Third Reading of this Senate Bill."

Speaker Lyons: "The Chair recognizes the Gentleman from Lake, Representative Washington."

Washington: "Thank you, Mr. Chairman. Senate Bill 154 deletes the sunset date, January 1, 2008, for a fifty cent (\$.50) fee on new and used tires that is deposited in an Emergency Public Health Fund and thus makes the fee permanent. Moneys in the Emergency Public Health Fund are used by the Illinois Department of Public Health to provide grants to county public health departments throughout the state for the control of West Nile Virus. And by the way, two (2) weeks ago the first case of West Nile Virus went on record for 2007. And I ask for favorable passage of this legislation."

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

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

Speaker Lyons: "He indicates he will."

Black: "Representative, this is a direct tax on people. People pay it, when you buy a new set of tires or a used set of tires. Do you have any correspondence from the Governor that he would sign this Bill making this fifty cent (\$.50) fee per tire sold in the State of Illinois, that he would sign this into law?"

Washington: "No, Sir, Representative, I've had no such commitment. It would have been nice, though."

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Black: "I... I agree with that. I was here when we did this Bill, originally, and all of the money was to go to county health departments for spraying and other materials to combat, and you mentioned the West Nile was already here, a little earlier than I recall last year.."

Washington: "Yeah."

Black: "...but, unfortunately.. Mr. Speaker, to the Bill."

Speaker Lyons: "To the Bill."

Black: "Unfortunately, like so many things that happen here, this is a direct tax on people and it was to have gone away and it was a good idea. And the money was to go to county health departments, as I said earlier, to help control the mosquito population which we now know spreads the West Nile Virus. My difficulty is the Governor, while he often makes statements about this tax or that tax and it's a direct tax on the people, he never says anything about this and it is a tax on people, comes to two dollars (\$2.00) every time you buy a set of tires, used or new or if you buy all four (4) tires. But what really irks me about this is that in the last two (2) fiscal years, FY05 and FY06, instead of making all of the grants to the state.. or the county health departments, as was the intent of the General Assembly, the Governor has swept four hundred and eleven thousand dollars (\$411,000) from this fund in the last two (2) years. You know, I'm getting a little tired of going back home, excuse me, and telling people that this tax, while no tax is appreciated and embraced by everyone and tires are certainly more expensive than they were fifteen (15) or twenty (20) years ago, and some people do complain about the two dollar

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(\$2.00) tax on the disposal of tires. But when they find out that the money they're paying is not going for the purpose for which it was intended, then they really get upset, particularly if you're in a county like mine that has had cases of West Nile. I would strongly suggest to the Sponsor that if he has time, and in the Majority you always have time, that there be an Amendment added to this Bill that it is not and will not and cannot be subject to administrative chargebacks and sweeps. The four hundred and eleven thousand dollars (\$411,000) that the Governor has taken out of this West Nile Fund would have been far better spent, far better spent on the purpose that the General Assembly intended. If I'm going to pay and ask my constituents to pay a direct tax every time they buy a new or used tire to help eradicate the mosquito population, which hopefully lowers the risk of West Nile, then that's what the money should be used for. But in the last two (2) fiscal years the Governor has not seen fit to distribute all the money in the fund and in fact has taken four hundred and eleven thousand dollars (\$411,000) out of the fund to put in the General Revenue Fund. I think that's wrong. I think this Bill should have an Amendment on it that it is not subject to sweep, not subject to chargeback and I would certainly, at that time, be willing to embrace it most strongly."

Speaker Lyons: "The Chair recognizes the Lady from Cook, Representative Rosemary Mulligan."

Mulligan: "Thank you, Mr. Speaker. Representative, I agree with what you're trying to do, but I agree with what the previous



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speaker just said. I think there should be an Amendment on this Bill. The Governor has taken money out of this, the great health care Governor has taken money which should have gone to public health and to local communities, particularly in Cook County when everything is being cut back in their budget, I would hate to have him sweep this fund again. I don't think there's any purpose because I sit on JCAR and every time he sweeps a fund they raise a fee. And so when you say you're not taxing the people, if you're sweeping funds and you're raising fees, then you are taxing people whether it's by circumventing what he calls taxes or what he's actually doing, so that everyone that buys a new tire has to pay this, everyone that turns in... I certainly agree with what you're doing. We've already passed one Bill out similar to this. I think a good thing to do would be to take it out of the record and put an Amendment on it that says he cannot sweep this fund and send a message that if you're going to spend money like this, we ought to spend it where it should go and it shouldn't be to sweep funds and we shouldn't not tell the truth about how we're taxing people to sweep 'em."

Speaker Lyons: "Representative Washington to close."

Washington: "Mr. Speaker, I want to thank my colleagues for their concern and I want them to know that I share the same concerns. But I really don't want to get caught in the middle, but I think that message was heard loud and clear and I think a lot of us here would agree with that message. But I do ask for favorable support of this particular legislation."

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Speaker Lyons: "The question is, 'Should Senate Bill 154 pass?' All those in favor signify by voting 'yes'; those opposed vote 'no'. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Kosel. Osmond. Mr. Clerk, take the record. On this Bill, there are a hundred... there are 62 Members voting 'yes', 53 Members voting 'no'. This Bill, having received the Constitutional Majority, is hereby declared passed. On page 29 of the Calendar, Mr. Clerk, Representative Elaine Nekritz has Senate Bill 157. Read the Bill, Mr. Clerk."

Clerk Bolin: "Senate Bill 157, a Bill for an Act concerning ethics. Third Reading of this Senate Bill."

Speaker Lyons: "Representative Nekritz."

Nekritz: "Thank you, Mr. Speaker. Senate Bill 157 amends the State Officials and Employees Ethics Act. Under the current law that was passed several years ago, the execu... and this only deals with the Executive Ethics Commission and the Executive Inspector General. Under the law that was passed the Executive Ethics Commission is not aware of when investigation of wrongdoing by a state employee or someone within a state agency or within the executive branch, they're not aware of when an investigation is opened or what the disposition of that investigation might be. Senate Bill 157 creates a mechanism by which the Inspector General reports not only the opening of a... an investigation, but also gives a summary report of that investigation to the commission so that they can discern trends and otherwise have a much better oversight over what's going on within

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the... within the executive branch. I'm available for questions."

Speaker Lyons: "The Chair recognizes the Gentleman from Jackson, Representative Mike Bost."

Bost: "Mr. Speaker, will the Sponsor yield?"

Speaker Lyons: "She indicates she will."

Bost: "Representative, I'm trying to quickly read and understand. We had a problem with our ethics training in many of our universities that they were actually taking the ethics training too fast and they were... then all of a sudden told that they were in violation because they actually were, I guess, accused of cheating because they took the training so fast. Is this dealt with in this or can this be dealt with?"

Nekritz: "Representative, I believe it can be. The first... and I apologize, I neglected to mention that as part of my opening that there is a part of the Bill that deals with the ethics training and it does allow each ultimate jurisdictional authority to submit an annual report regarding their ethics training and it also requires them to lay out a plan for the ethics training in coming years. So I think that that... there is an opportunity to address that kind of a situation."

Bost: "Well, but I..."

Nekritz: "But it doesn't deal with it specifically."

Bost: "Right."

Nekritz: "I would acknowledge that."

Bost: "I do hope that in placing this in place that maybe common sense will prevail. I have never been more frustrated with

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the fact that realizing that people who are very well educated at our universities go in and they realize that, you know what, I can read this fairly quickly. I understand the answers. I don't need to cheat. And I've said many times on this floor, my father taught me ethics, not the government, and I think he did a fine job. As many of the people in this House and many of these rules were set in place to kind of appease the needy at the time when we were dealing with some issues and now that they're trying to implement them, quite often what is occurring is, is that we're making criminals out of people who aren't. And in the case that I was talking about, I had many professors at the university who are good, honest people, that all of a sudden because of the rules and regulations set forth, they're all of a sudden being painted as not being necessarily ethical or honest. And I hope that this will bring some common sense to that situation."

Nekritz: "And Representative, I would hope so as well. I think having the 14 member commission being able to be involved in that process might improve that... might improve the availability of some common sense."

Speaker Lyons: "Representative Nekritz to close."

Nekritz: "...for your support."

Speaker Lyons: "The question is, 'Should Senate Bill 157 pass?' All those in favor signify by voting 'yes'; those opposed vote 'no'. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Representative Granberg. Mr. Clerk, take the record. On this Bill, there's 115 Members voting 'yes', 0 voting 'no'."

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This Bill, having received the Constitutional Majority, is hereby declared passed. Representative Sandy Cole, you have Senate Bill 166. Mr. Clerk, read the Bill."

Clerk Bolin: "Senate Bill 166, a Bill for an Act concerning transportation. Third Reading of this Senate Bill."

Speaker Lyons: "Representative Cole."

Cole: "Thank you, Mr. Speaker. Senate Bill 166 requires each school district to have a policy in place by January 1, 2008, that ensures that school bus drivers, the last person leaving the bus, and that no passenger is left behind on board the school bus at the end of the route, the work shift or the work day."

Speaker Lyons: "Is there any discussion? Seeing none, the question is, 'Should Senate... The Chair recognizes the Gentleman from Vermilion, Representative Bill Black."

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

Speaker Lyons: "She indicates she will."

Black: "Representative, having spent 20 years of my life in education, I believe you'll find this is embodied in the School Code by rule. Is it your desire or is it your... are you maintaining that the rule has not worked and that therefore you want to codify it into State Law?"

Cole: "Representative, the intent of the Bill is to actually work out... a lot of schools now have contracts with private bus service. And this would require the private bus service to have within their contract with the school district, this same code."

Black: "ISBE already requires this, whether you're a private contractor or a school-owned bus, by rule. So I'm left to

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assume that you feel the rule has not worked and so you want to codify it into state statute, correct?"

Cole: "That's true, Representative."

Black: "Okay and thank you."

Speaker Lyons: "Representative Cole to close."

Cole: "I would just like an 'aye' vote. Thank you."

Speaker Lyons: "The question is, 'Should Senate Bill 166 pass?' All those in favor signify by voting 'yes'; those opposed vote 'no'. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Representative Ryg. Mr. Clerk, take the record. On this Bill, there's 115 Members voting 'yes', 0 voting 'no'. This Bill, having received the Constitutional Majority, is hereby declared passed. Representative Chapa LaVia, you have House Bill 186. Read the Bill, Mr. Clerk. Senate Bill 186."

Clerk Mahoney: "Senate Bill 186, a Bill for an Act concerning local government. Third Reading of this Senate Bill."

Speaker Lyons: "Representative Chapa LaVia."

Chapa LaVia: "Thank you, Speaker. Senate Bill 186 is an initiative of the library association. It amends the Public Library Act of 1991, increasing the amount of money that library districts can keep in their working... keep in their working cash funds. And I would ask for a favorable vote."

Speaker Lyons: "Any discussion? Seeing none, the question is, 'Should Senate Bill 186 pass?' All those in favor signify by voting 'yes'; those opposed vote 'no'. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Representative Colvin. Verschoore. Pat Verschoore. Mr. Clerk, take the record. On this Bill,

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there's 113 Members voting 'yes, 2 voting 'no'. This Bill, having received the Constitutional Majority, is hereby declared passed. Bottom of page 29, Representative Dan Reitz has Senate Bill 199. Out of the record. On the top of page 30, under Senate Bills-Third Reading, Representative Mathias has Senate Bill 207. Read the Bill, Mr. Clerk."

Clerk Mahoney: "Senate Bill 207, a Bill for an Act concerning State Government. Third Reading of this Senate Bill."

Speaker Lyons: "Representative Sid Mathias."

Mathias: "Thank you, Mr. Speaker. House... I'm sorry... Senate Bill 207 creates a new DCO... DCEO grant program to municipalities for urban preservation and redevelopment and for using environmentally friendly technology. It is subject to appropriation and I ask for your 'aye' vote."

Speaker Lyons: "Is there any discussion? The Chair recognizes the Gentleman from Vermilion, Representative Bill Black."

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

Speaker Lyons: "He indicates he will."

Black: "Representative, why is this put under what I have always considered to be the primary agency for economic development and that's the Department of Commerce and Economic Opportunity? Why wouldn't this Bill be put under the IEPA?"

Mathias: "That's a good question. Of course the Senate... since I'm not the Senate Sponsor, that's what she chose. I assume it was... a lot of times I know in the past I've chosen agencies that don't want to do certain procedures or take certain programs and others who do. So, I'm sorry, I would have to actually ask the Senate Sponsor why this agency was chosen."

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Black: "Yeah, I... and I don't have any problem with the underlying Bill. It's just that I think we are beginning to dilute what used to be the... its primary purpose from the day it was initiated was economic development and assistance in economic development and infrastructure, and we're beginning to make DCEO now responsible for all kinds of things. I would much rather they concentrate on bringing new jobs to Illinois. One could argue that this Bill might maintain or retain jobs. I don't know. But I'm... I'm very uncomfortable with DCEO administering this program. In my district we've lost two major, major projects: one that would have had two thousand (2,000) jobs and five hundred and eighty million dollars (\$580,000,000) in construction costs alone because we were not in a position to compete with Indiana which is only eight (8) miles from my home. And Indiana is extremely aggressive in attracting new jobs and retaining jobs. And while I don't have any problem with what you're attempting to do and what the underlying Bill is, let me just say that my 'no' vote is based solely on the fact that I think DCEO should be the primary economic development and retention agency in the state, and anything that tends to dilute that, having seen first hand what can happen when you dilute that ability and capability, I intend to vote 'no'."

Speaker Lyons: "The Chair recognizes the Lady from Cook, Representative Mulligan."

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

Speaker Lyons: "Indicates he will."

Mulligan: "Representative, I also do not have a problem with the underlying issue but DECO has become the agency that



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delivers pork. It kind of bothers me that this is a grant program to municipalities. They also are the agency that's been overseeing workforce development, which I don't find to be functioning as well as it should have been. So for some reason I'm just a little bit concerned over how they would administer a grant program like this. So I would like to be on record, basically, as saying that although I would like to support your Bill, I'd like to also have some way of knowing that they're going to do this in a way that is with utmost care for the reality of a state budget and where they're going because I don't find that this is an agency that I'd like to hand out additional grants to particularly. So it puts me at a cross as to whether I wanted to vote for it or not for that simple reason. So I'd like it to be on record that that's what I feel that they're doing and although I'd like to support your Bill, I'm going to give it another minute's thought before I hit the switch."

Speaker Lyons: "Representative McCarthy."

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

Speaker Lyons: "He indicates he will."

McCarthy: "Representative, I know you said this is subject to appropriation, but could you give me an idea of what type of appropriation you'd be looking for if this was successful?"

Mathias: "I don't know if a note was reques... request... It doesn't show in my analysis. So, I'm sorry. I don't have the answer to that."

McCarthy: "Well, I mean as a Sponsor, are you thinking ten million (\$10,000,000), fifty million (\$50,000,000), a

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hundred million (\$100,000,000) or ten thousand (\$10,000). I mean, just a ballpark figure."

Mathias: "No, I'm sorry. I don't... I can't even give you a ballpark figure 'cause I don't want to mislead without knowing the, you know, the specific facts."

McCarthy: "So the proponents who asked you to pick up the Bill..."

Mathias: "It's... I guess it's a question of how much money we can appropriate for it..."

McCarthy: "Okay. Well, the..."

Mathias: "...then I'm sure it can be spent."

McCarthy: "...if the... You know, depending on that size. I mean, if it's a very, very small amount, I wouldn't say to you, what's your source of revenue, but if it was a sizable amount I would be interested in saying, you know, what kind of revenue source are you identifying because we certainly don't have a lot of extra money in our regular growth budget. The other thing is, there's two cities that are on there as supporters and I was kind of wondering did they contact you as to why they were in support of this? Did they feel they are a smart city already or..."

Mathias: "I think one of them was actually the home city of the Sponsor. I believe that was the case. At least that was in her district."

McCarthy: "Oh, so that Senator might have both Elgin and Aurora?"

Mathias: "Well, not both of them but at least, I think Aurora, I believe, is in her district. Not Elgin. I don't think Elgin is but..."

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McCarthy: "Okay. Well, I'm not familiar with Senator Holmes, but I am concerned about what the size of the revenue request would be. The fact that the proponents really didn't share even an approximation with you is somewhat troubling and I think we should be cautious of pushing things that are going to cost us money and identifying revenue sources has been... become very, very difficult."

Speaker Lyons: "Representative Mathias to close."

Mathias: "Obviously, we will have to find the funding for this and I know this is a tight year, but at least we'll have legislation in place to attempt to find some appropriation, and the legislation at least would continued to a time that we can find it and I ask for your 'aye' vote. It is a good Bill. It does support jobs and it obviously is an environmentally friendly Bill."

Speaker Lyons: "The question is, 'Should Senate Bill 207 pass?' All those in favor signify by voting 'yes'; those opposed vote 'no'. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Representative Schock. Mr. Clerk, take the record. On this Bill, there are 96 Members voting 'yes', 19 voting 'no'. This Bill, having received the Constitutional Majority, is hereby declared passed. Don't sit down, Representative, you have Senate Bill 208. Mr. Clerk, read the Bill."

Clerk Mahoney: "Senate Bill 208, a Bill for an Act concerning State Government. Third Reading of this Senate Bill."

Speaker Lyons: "Representative Sid Mathias."

Mathias: "This is a very similar Bill, Senate Bill 208. It basically also allows the same department, the Commerce and

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Economic Opportunity to establish and administer a grant program subject to appropriation for municipalities whose buildings conform with nationally recognized and accepted green building guidelines and I ask for your 'aye' vote."

Speaker Lyons: "Is there anyone seeking recognition? The Chair recognizes the Lady from Cook, Representative Mulligan."

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

Speaker Lyons: "He indicates he will."

Mulligan: "Representative, I certainly understand as a former mayor why you'd be carrying this legislation. What I said about the last Bill goes for this one. DECO is primarily the pork agency at this point, plus, I think they've done a lot to undermine workforce development, which helped our individual communities. So, what happens is, I can either make a statement that I disapprove of what they're doing or who gets the grants or... and make it a bad vote or I can vote with you, which puts me at odds, because at some point as we enter the end of Session, you have to start making statements about what's going on in this state. And it really is sad, but that's the way we have to vote on things like this cause I find the fact that that's what they're doing is unconscionable and I don't like it. So, and for all I know, what they're probably doing is I think from the way they've handled workforce development, I think they're using federal funding. So it's very, very interesting."

Speaker Lyons: "The Gentleman from Vermilion, Representative Bill Black."

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

Speaker Lyons: "He indicates he will."

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Black: "Representative, would you have any idea how much money we've put on the table just this year by inserting one sentence, 'subject to appropriation'? Would it be in the millions or billions?"

Mathias: "I have not kept track, but I'm sure it's a substantial amount."

Black: "In the hundreds of millions. The two (2) cities that are listed on the proponent side, would those two (2) cities perhaps, if this Bill passes, have an inside track to some of these grants?"

Mathias: "I don't think they should have an inside track anymore than any other city."

Black: "Well, I agree with that. I didn't say 'if'. Let's just put on our political hat for a second. Do you think they might have an inside track since they're proponents of the Bill, and the Senator comes from that area?"

Mathias: "That's always a possibility."

Black: "Ah."

Mathias: "But I... but it's not, you know, that's up to the department to administer it based on the need and the... how well the program is that's supplying for the funds."

Black: "Yes, now if it were only that simple. To the Bill."

Speaker Lyons: "...Bill."

Black: "I know in some of your areas this is very important and you'll have an opportunity to build 'green' buildings. Others of us represent areas where we aren't building any buildings at all. The job shrinkage to our surrounding states has reached a crisis. The agency charged in its original legislative establishment is the Department of

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Commerce and Economic Opportunity. I think that's what they should concentrate on, that should be their sole purpose: to attract jobs, retain jobs, and as the previous speaker said, do a much better job of job training and upgrading so that we can keep certain companies here so they don't leave for a better trained workforce, not to mention the tax structure and the general business environment. I harbor no ill will toward the Sponsor, certainly no ill will towards some of you that this is an important issue, but I represent an issue where we'd like to build any building, green, brown, pink, we don't care. We'd just like to have some construction activity. We'd like to see jobs come into our area. We'd like a more aggressive stance on keeping jobs that we have, instead of sitting at the border waving good-bye, as thousands of them migrate to Indiana and Wisconsin and Iowa. That's what this agency was created for, not all of the things we've added to it this year subject to appropriation. I've no doubt that this Bill will pass, have no doubt that it'll pass by a substantial margin and I have no doubt that it continues to show the ever widening regional differences that people in State Government don't want to address or even refuse to acknowledge. My BuildingTrades Council would salivate over the opportunity to build any building, green or otherwise. We won't get any of these grants, we know that going in. We'd just like DCEO to do the job they were supposed to do instead of taking on every conceivable feel good, be good, look good, piece of baloney that translates into what we shouldn't be doing and takes away from what we should. Come to my area, talk to my

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buildingtrades people. Talk to my people who worry day after day whether they're even going to have a job and let them tell you what they think DCEO should do, rather than what we think they should do. I intend to vote 'no'."

Speaker Lyons: "Representative Mathias to close."

Mathias: "Thank you. Senate Bill 208 is very similar to House Bill 3394, which did pass the House on a vote of 99 to 5 and I ask for your 'aye' vote. I think it is good legislation. It is again good for the environment and good for municipalities and for business. And I ask for your 'aye' vote."

Speaker Lyons: "The question is, 'Should Senate Bill 208 pass?' All those in favor signify by voting 'yes'; those opposed vote 'no'. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Collins. Hamos. Bill Mitchell. Nekritz. Representative Collins. Mr. Clerk, take the record. On this Bill, there 97 Members voting 'yes', 18 voting 'no'. This Bill, having received the Constitutional Majority, is hereby declared passed. Representative JoAnn Osmond has Senate Bill 214 on page 30. Read the Bill, Mr. Clerk."

Clerk Mahoney: "Senate Bill 214, a Bill for an Act concerning regulation. Third Reading of this Senate Bill."

Speaker Lyons: "The Lady from Lake, Representative Osmond."

Osmond: "Thank you, Mr. Speaker. I bring before you Senate Bill 214 which amends the Illinois Dental Practice Act, adds additional requirements for assistants who are monitoring patients receiving dental treatment while under conscious sedation. This Bill requires standards for education and

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training for dentists who do sedation; requires all persons must maintain current certifications in basic life support and requires continuing education for dentists with sedation permits. Be happy to answer any questions."

Speaker Lyons: "Is there any discussion? The Chair recognizes the Gentleman from Cook, Representative David Miller. Does not seek recognition. The question is, 'Should Senate Bill 214 pass?' All those in favor signify by voting 'yes'; those opposed vote 'no'. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Brauer. Crespo. Jerry Mitchell. Poe. Mr. Clerk, take the record. On this Bill, there's 115 Members voting 'yes', 0 voting 'no'. This Bill, having received the Constitutional Majority, is hereby declared passed. Representative Flider. Bob Flider, you have Senate Bill 247. Read the Bill, Mr. Clerk."

Clerk Mahoney: "Senate Bill 247, a Bill for an Act concerning municipalities. Third Reading of this Senate Bill."

Speaker Lyons: "Representative Bob Flider."

Flider: "Thank you, Mr. Speaker, Ladies and Gentlemen of the House. Senate Bill 247 would extend the TIF district in Mt. Zion from twenty-three (23) years to thirty-five (35) years. This is legislation which all the taxing bodies have sent in their letters; they're on file. I ask for your support."

Speaker Lyons: "Is there anyone seeking recognition? Seeing none, the question is, 'Should Senate Bill 247 pass?' All those in favor signify by voting 'yes'; those opposed vote 'no'. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish?"



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Representative Granberg. Representative Dunn. Mr. Clerk, take the record. On this Bill, there's 111 Members voting 'yes', 4 voting 'no'. This Bill, having received the Constitutional Majority, is hereby declared passed. Representative Ramey. On page 30 of the Calendar is Senate Bill 249. Read the Bill, Mr. Clerk."

Clerk Mahoney: "Senate Bill 249, a Bill for an Act concerning local government. Third Reading of this Senate Bill."

Speaker Lyons: "Representative Ramey."

Ramey: "Thank you, Mr. Speaker. Senate Bill 249 is exact to House Bill 840, which we passed earlier this year. What the Bill does is to take the City of West Chicago off a taxing roll... the DuPage Water Commission. I ask for an 'aye' vote."

Speaker Lyons: "Is there any discussion? Seeing none, the question is, 'Should Senate Bill 249 pass?' All those in favor signify by voting 'yes'; those opposed vote 'no'. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Mr. Clerk, take the record. On this Bill, there's 115 Members voting 'yes', 0 voting 'no'. This Bill, having received the Constitutional Majority, is hereby declared passed. Senate Bill 255. Mr. Clerk, read the Bill."

Clerk Mahoney: "Senate Bill 255, a Bill for an Act concerning State Government. Third Reading of this Senate Bill."

Speaker Lyons: "Representative Sid Mathias."

Mathias: "Thank you. We previously... the General Assembly previously created the Local Government Consolidation Commission Act. The commission has been meeting on a

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regular basis. I'm a member of the commission. We need additional time to file our final report and this legislation just extends that time to December 31st of 2007. And I ask for your 'aye' vote."

Speaker Lyons: "Is there any discussion? Seeing none, the question is, 'Should Senate Bill 255 pass?' All those in favor signify by voting 'yes'; those opposed vote 'no'. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Mr. Clerk, take the record. On this Bill, there's 115 Members voting 'yes', 0 voting 'no'. This Bill, having received the Constitutional Majority, is hereby declared passed. Representative Riley, you have Senate Bill 258. Read the Bill, Mr. Clerk."

Clerk Mahoney: "Senate Bill 258, a Bill for an Act concerning civil law. Third Reading of this Senate Bill."

Speaker Lyons: "Representative Al Riley."

Riley: "Thank you, Mr. Speaker, Ladies and Gentlemen of the House. Senate Bill 258 essentially provides that in the case of a foreclosure of a residential property where a tenant is current on his or her rent, that any order of possession that is filed, made the tenant notice of that order of possession, the tenant can retain possession of their rental property for either a hundred and twenty days (120) or the duration of their lease, whichever is shorter. This Bill passed unanimously in the other Body. There is no opposition. And I request an 'aye' vote."

Speaker Lyons: "Any discussion? Seeing none, the question is, 'Should Senate Bill 258 pass?' All those in favor signify by voting 'yes'; those opposed vote 'no'. The voting is

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open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Mr. Clerk, take the record. On this Bill, there's 115 Members voting 'yes', 0 voting 'no'. This Bill, having received the Constitutional Majority, is hereby declared passed. On page 30 of the Calendar, Representative Connie Howard has Senate Bill 265. Read the Bill, Mr. Clerk."

Clerk Mahoney: "... 265, a Bill for an Act concerning criminal law. Third Reading of this Senate Bill."

Speaker Lyons: "The Chair recognizes the Lady from Cook, Representative Connie Howard."

Howard: "Thank you, Mr. Speaker. I ask consideration for Senate Bill 265. This legislation allows the chief judge of each circuit to adopt rules permitting incarcerated criminal defendants to make court appearances through the use of video conferencing technology or closed circuit television for certain proceedings. I will take questions."

Speaker Lyons: "Is there any discussion on Senate Bill 265? The Chair recognizes the Lady from Kane, Representative Pat Lindner."

Lindner: "Yes. Could... Will the Sponsor yield?"

Speaker Lyons: "She indicates she will."

Lindner: "Thank you. What kind of hearings... at what kind of hearings would this take place?"

Howard: "Any hearings that have to do... Well, any hearings that require that the defendant be present in court. So no matter what that is, they can opt to... to not come if they so desire and let the process be televised."

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Lindner: "All right. And this is some... This Bill was suggested by the Department of Corrections?"

Howard: "In fact it is an initiative of the Department of Corrections."

Lindner: "All right. And is there a problem with transportation or why do they need this?"

Howard: "Yes. They were trying to reduce cost. It seems that overtime, fuel, vehicle wear and tear, was all sort of eating away at the budget and so this was an opportunity to try to save a little money."

Lindner: "But can... If the person wants to appear in person, is that his or her choice?"

Howard: "That is absolutely his or her choice. This process is voluntary."

Lindner: "All right. Thank you."

Speaker Lyons: "The Chair recognizes the Gentleman from Cook, Representative John Fritchey."

Fritchey: "Thank you, Speaker. I forgot I had my button lit. Well, will the Sponsor yield?"

Speaker Lyons: "She indicates she will."

Fritchey: "Representative, out of curiosity, the Cook County Public Defender is listed as an opponent. I don't often see you with legislation that they're opposed to. I'm just curious what the reason is for their opposition."

Howard: "You know, I'm not certain why they're not, especially in light of the fact that, as I said earlier, this is totally voluntary. I don't know why they are opposed to this, but we think it's fair because no one is being forced to do it. And that is interesting that they are not on the

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same page with me once in a trillion different pieces of legislation."

Fritchey: "Well, then and that's why it caught my attention. I agree with you, I think it is fair, it is justly drafted, it is something that I think preserves the rights of the involved parties, and it can result in a significant savings to the affected departments as well. So I think it's a good idea. I was just curious about that. Thank you."

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

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

Speaker Lyons: "She indicates she will."

Reboletti: "Representative, how much money will the Department of Corrections save annually based on this?"

Howard: "Between nine (\$9,000,000) and thirty-three million dollars (\$33,000,000)."

Reboletti: "And maybe to answer Representative Fritchey's question, I think that the public defender's issue with it was that the defendants weren't going to be personally present. I think, however, this is good legislation. I guess the one question I do have is it's my understanding, and I thought it would be up to the court to determine if the inmate was going to be there, not up to the actual inmate to make that determination. Am I mistaken in that?"

Howard: "According to..."

Reboletti: "Because otherwise..."

Howard: "Accor..."

Reboletti: "Representative and I apologize. I having dealt with the... this as an assistant Attorney General, a lot of times

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I've seen the inmates just really want to get out of a facility, be it at maximum security at Tamms, they want to take a field trip so... you know, that they can... it's not?"

Speaker Lyons: "Ladies and Gentlemen, we're having a hard time to have a conversation between the Sponsor and Representative Reboletti's asking questions. ... Could we again keep the noise level down, please."

Howard: "Is your question whether or not it is up to the court or to the inmate to make that kind of decision?"

Reboletti: "That's correct."

Howard: "According to the information that I have, either can make that decision, either the court or the inmate."

Reboletti: "Thank you. That's what..."

Howard: "So, if one says yes, then it's that; if the other says no, then it's that."

Reboletti: "Thank you. I support the legislation."

Howard: "Mmm mmm."

Speaker Lyons: "Representative Howard to close."

Howard: "I think this is a good piece of legislation. In fact, if it allows us to save a little money but not jeopardizing the rights of those persons who are incarcerated, I think it's good. I urge 'green' votes. Thank you."

Speaker Lyons: "The question is, 'Should Senate Bill 265 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? Mr. Clerk, take the record. On this Bill, there's 115 Members voting 'yes', 0 voting 'no'. This Bill, having received the Constitutional Majority, is hereby declared

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passed. Representative Flider has Senate Bill 267. Read the Bill, Mr. Clerk."

Clerk Mahoney: "Senate Bill 267, a Bill for an Act concerning revenue. Third Reading of this Senate Bill."

Speaker Lyons: "Representative Flider."

Flider: "Thank you, Mr. Speaker, Ladies and Gentlemen of the House. Senate Bill 267 is a Bill that passed the Senate unanimously. And what it does is it exempts all those who are private producers of biodiesel and biodiesel fuel blends and ensures that they're not subject to licensure under the Motor Fuel Tax Act from licensure and bonding requirements. Now right now, a twenty-five hundred dollar (\$2,500) bond and special license are required for those who blend and use biodiesel fuel and biodiesel blends for personal use. To put this into layman's terms, this would include those people who use what's known as veggie oil in their automobiles. So we have these innovative entrepreneurs, among them many in my community, probably many in yours who have collected oil from local restaurants or in this case, my constituent collected his oil from the local Disabled Veterans Administration and transforms that into oil that he uses in his car. The Department of Revenue wanted to come after them and ask them to pay special fees, a special bond of twenty-five hundred dollars (\$2,500) as if they were a producer of fuel. This legislation, by agreement, would waive that requirement and also ensure that those innovative entrepreneurs who are working to make sure that not only they've got a low cost way of driving with innovative fuel,

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also helping reduce our dependence on foreign oil, can go forward. I'd ask for an 'aye' vote."

Speaker Lyons: "Is there any discussion? Seeing none, the question is, 'Should Senate Bill 267 pass?' All those in favor signify by voting 'yes'; those opposed vote 'no'. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Representative Mary Flowers. Mr. Clerk, take the record. On this Bill, there's 115 Members voting 'yes', 0 voting 'no'. This Bill, having received the Constitutional Majority, is hereby declared passed. Mr. Clerk, we have Senate Bill 273. Read the Bill, Mr. Clerk."

Clerk Mahoney: "Senate Bill 273, a Bill for an Act concerning criminal law. Third Reading of this Senate Bill."

Speaker Lyons: "The Chair recognizes the Gentleman from Cook, Representative Sid Mathias."

Mathias: "Thank you, Mr. Speaker. Unfortunately, we see and read in the paper more and more about people videotaping or transmitting live video feed of another person, putting it on the Internet of that... of people in restrooms, tanning beds, tanning salons, locker rooms, changing rooms, even hotel bedrooms. And that is illegal now, but it's only a misdemeanor. Senate Bill 273 would make it a Class IV felony. I think we really need to send a very strong message that this type of behavior not only is criminal, but just unacceptable in our society. And I ask for your 'aye' vote."

Speaker Lyons: "Is there any discussion? Seeing none, the question is, 'Should Senate Bill 273 pass?' All those in



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favor signify by voting 'yes'; those opposed vote 'no'. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Representative Brauer. Jerry Mitchell. Mr. Clerk, take the record. On this Bill, there's 115 Members voting 'yes', 0 voting 'no'. This Bill, having received the Constitutional Majority, is hereby declared passed. On page 30 of the Calendar, Representative Tracy has Senate Bill 274. Out of the record. Senate Bill 281, Representative Tracy. Mr. Clerk, read the Bill."

Clerk Mahoney: "Senate Bill 281, a Bill for an Act concerning conservation. Third Reading of this Senate Bill."

Speaker Lyons: "The Chair recognizes the Lady from Brown, Representative Jil Tracy."

Tracy: "Thank you, Mr. Speaker. Today I'm presenting Senate Bill 281 which amends the State Forest Act by adding to Section 5 the last line, 'All revenue from the sale of timber from state forests under this Section shall be deposited into the Forestry Development Fund.' I'll be glad to entertain any questions."

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

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

Speaker Lyons: "She indicates she will."

Black: "Representative, I learned a long time ago it's the question you don't ask that comes back to haunt you. I see it in the analysis, but let me make sure. We're only talking about timber that is grown on state property, correct?"

Tracy: "That is correct."

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Black: "So private... If somebody's sells forty acres of woodland to a commercial forester, then obviously this Bill doesn't apply?"

Tracy: "No, it's only the... from the timber sold off of state forests."

Black: "Okay. So, It's timber that is grown and owned by the people of the State of Illinois?"

Tracy: "That's correct."

Black: "Okay. Fine. Thank you."

Speaker Lyons: "Any further discussion? Seeing none, the question is, 'Should Senate Bill 281 pass?' All those in favor signify by voting 'yes'; those opposed vote 'no'. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Mr. Clerk, take the record. On this Bill, there's 115 Members voting 'yes' and 0 voting 'no'. This Bill, having received the Constitutional Majority, is hereby declared passed. On the bottom of page 299 (sic-30) Representative Nekritz has Senate Bill 299. Read the Bill, Mr. Clerk."

Clerk Mahoney: "Senate Bill 299, a Bill for an Act concerning elections. Third Reading of this Senate Bill."

Speaker Lyons: "The Lady from Cook, Representative Elaine Nekritz."

Nekritz: "Thank you, Mr. Speaker. Senate Bill 299 amends the Election Code for both general elections and primary elections, to allow a nonpartisan civic organization to be entitled to appoint pollwatchers to serve in precincts. And it includes a definition of 'a nonpartisan civic organization' so that it's a statewide group whose primary

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purpose is to educate voters on elections and inform voters as to their rights and so forth. I ask for your support."

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

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

Speaker Lyons: "She indicates she will."

Black: "Under the definition of your Bill, would the Committee on Political Education be considered a nonpartisan civic organization? That's been the political 'get out the vote' arm of the UAW for a number of years."

Nekritz: "Well, I'd have to see the charter of the Committee for Political Education to know what... to know whether they would qualify or not because they have to have a stated purpose in their articles of incorporation that they provide voter information and education and the protection of individual's... voters' rights, as well as the promotion of free and equal elections, so..."

Black: "Well, almost any front group could meet that definition in a very short period of time. Wouldn't you agree? Citizens for Fair Elections, the Moral Two-Thirds Majority, Citizens for Bipartisan Love, Peace, and Harmony, I mean, it's not hard to come up with a name and a charter that would meet this definition because there's no date at which it had to be established. I mean, if this becomes law I can envision dozens of such groups affiliated with either political Parties or political agendas being formulated in order to get pollwatchers, 'cause it doesn't say that you have to be established prior to the election of 2006 or

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whatever, it just says you have to have certain things in your charter."

Nekritz: "Representative, I do believe the things that are stated in that charter, you know, that... under... I'm no corporate law expert, but it'd seem to me that if you are... file your charter and then are not about those things, that there would be different repercussions other than what would happen under this Bill."

Black: "Well, let's just take any special interest group. They form a nonpartisan group, they have an attorney or several attorneys write their charter so that they are seen as interested in getting out the vote, civic activities, et cetera, et cetera, et cetera. They could meet that standard, couldn't they? I mean, it's not that difficult."

Nekritz: "Well, they... I mean certainly if they include that in their articles of incorporation they could meet that standard, but I think then the question becomes whether or not they are in fact doing those things. And those things would include the protection of individual voters rights, generally. I think not the protection of individual rights... an individual's voters' rights for a specific purpose. And I think that... and I don't, again, I don't know the consequences of filing a charter and then doing something different in your activities, but it would seem to me that that could be an enforcement mechanism for this."

Black: "But you would agree that we have front groups all over the place that establish and pay for television ads for this and against that. It's not a stretch for them to figure out how to become one of these organizations and get a

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pollwatcher's certificate. There don't seem to be a whole lot of safeguards in the Bill."

Nekritz: "Well, Representative, it's not as though there would be dozens and dozens of these pollwatchers in each precinct. There are limits on the number you could have in a precinct and they have to file forty (40) days in advance of the election in order to be on the list. So I don't know that it's necessarily a..."

Black: "Let me ask you a question. The Bill, as I read it, are there only two (2) pollwatchers per precinct regardless of how many organizations request a pollwatchers certificate, or is it two (2) from any organization that qualifies?"

Nekritz: "I believe it's two (2) from all the enti... all the organizations combined and it's..."

Black: "So some of the organizations then would be shut out?"

Nekritz: "Correct."

Black: "Okay."

Nekritz: "And it's... okay."

Black: "Thank you very much, Representative. Mr. Speaker and Ladies and Gentlemen of the House, to the Bill. Again, this is a well-intentioned Bill, but for those of you who have been pollwatchers and have worked precincts, I've been a precinct committeeman for forty-one (41) years and I have seen things like this come and go. I have seen political pollwatchers who challenge almost every voter that they would believe might be the other Party and for no valid reason than other than it slows down the process. And as the ly... and I've seen Republicans do it and I've seen Democrats do it and then as the line gets longer people

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leave. They have their lunch hour or they want to get there before work starts. Now you add two (2) more pollwatchers who might have the most innocent of..."

Speaker Lyons: "Mr. Black, if you could finish your thoughts, we'll give you another minute or two."

Black: "The underlying Bill, again, I think the Sponsor is certainly well-intentioned, but for somebody and many of you in this room have spent as much time or more time than I in elections, in getting out the vote and working precincts, being pollwatchers and you know it doesn't take much for a pollwatcher to throw a monkey wrench into the works. And sometimes it's inadvertent, hey, I think most of it's inadvertent, but I've seen it where I would testify under oath that it was preplanned and predetermined that some precincts were going to be slowed to a crawl for one Party's advantage or the other. Now to throw two (2) more pollwatchers into this mix where they may not know the people, they aren't involved in the political process as intimately as some of you have been over the years, I think it's just, the Bill is so broadly drafted that if it were only the League of Women Voters, fine, but this is so broadly drafted, any number of organizations will be competing by having a charter very carefully drafted and flooding the election facilities and election officers with requests for pollwatchers literally arguing, I can see some of these arguments and challenges going to the Board of Election Commissioners as to who or not... who should get the pollwatchers certificate and who shouldn't. I don't see any reason why we need this. The current system, I think, works

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fairly well. Well, I wouldn't say works fairly well. It works. But to throw two more pollwatchers into the mix, and you've all been involved in this, you know how political this can become and you know what mischief can be done if the purpose is to do mischief. That isn't what the charter will say; it isn't what this Bill says, but in reality the law of unintended consequences, again, depending on where you're voting and what the issues are, that's what it could be and that I don't think is what we really want to get into at this time. I would urge a 'no' vote."

Speaker Lyons: "Ladies and Gentlemen, this Bill is on Standard Debate. We've had one (1) person talk for the Bill, somebody in response. We have about five (5) lights on, most of them on the Republican side of the aisle, so I'll take them in order. Representative Osmond."

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

Speaker Lyons: "Indicates she will."

Osmond: "Representative, in our analysis it says that this came out of Lake County because the League of Women Voters were denied access. Was the denial of their access due to their charter?"

Nekritz: "Representative, I don't think it was just Lake County. I think there are some other locations around the state, so it isn't... it isn't directed at one particular county. And I believe it's that... I'd have to... I don't really... I don't really know the reason why those particular counties that have been denying the League access have been doing so."

Osmond: "I believe it was Lake County and DuPage are the ones that I was told, and it was because their charter does not

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specifically have in it to allow them to do this. It was education and another... another factor. But my..."

Nekritz: "Where there... there must be some dispute about that because other counties were letting them, so..."

Osmond: "I grant you, I'm... you wouldn't be here if they were all letting them. So, part of the confusion that I have is that on each side of the political arena we have our precinct committeemen and we have our pollwatchers. Again, I'm confused. Are you, at this point, saying only two (2) pollwatchers per precinct? Because the way I understand it, there's one pollwatcher for a established political Party, then there's two pollwatchers per precinct for candidates, and one pollwatcher for precincts from organizations of citizens from the county."

Nekritz: "Representative, the proposed legislation says that there's no more than two (2) from that statewide civic organization. So it doesn't affect the other... the other pollwatchers that might be there."

Osmond: "So in effect you could have maybe possibly five (5) in one precinct for different entities."

Nekritz: "Possibly five (5) per what?"

Osmond: "You could have a possibility of as many as five pollwatchers in one precinct, depending on who they represent."

Nekritz: "Yes."

Osmond: "I guess... what... what happens when ten (10) people show up? Do you just pick the first five (5) or however they fall in?"



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Nekritz: "The leg... legis... yeah, the legislation requires that someone from one (1) of these statewide nonpartisan organizations has to apply forty days before the election. And although it's not in the legislation, the administrative rules for how pollwatchers are assigned does require that it be done on a first-come-first-served basis. So it isn't as though there would be a free-for-all at the precinct, you would know going in who the two (2) from the statewide civic organization are and who else is not allowed and the election judges are entitled to control the polling place."

Osmond: "Okay. So, those two (2) that are coming from statewide are the people that you're trying to establish here. Is that correct?"

Nekritz: "Yes."

Osmond: "Okay. Thank you."

Speaker Lyons: "The Chair recognizes the Gentleman from Jasper, Representative David Reis. Proponent, Representative, or in response?"

Reis: "Opponent."

Speaker Lyons: "Proceed."

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

Speaker Lyons: "Indicates she will."

Reis: "Representative, you just made some... you partially answered a question that I was going to have. You have two (2) appointees who are going to be determined to... to be selected and they're going to apply, but you said first-come-first-served is how they're chosen, so there's no selection process, no interviewing, no... nothing other than just first-come-first-served?"

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Nekritz: "Correct. There's... If it's not within the discretion of the county clerk, it is a first-come-first-served deal."

Reis: "You don't find that disturbing?"

Nekritz: "I guess I would find it more disturbing if it were within the discretion of the Clerk."

Reis: "Well, I guess I find the whole legislation disturbing, but I find it even more that, you know, are they going to be stamped? I mean... I mean, there's just so much that Parties could do to manipulate who gets those in there first and who gets selected. And, you know, my question goes beyond that. Say there's six (6) people that apply: pro union groups, pro business groups, AFL-CIO, whatever. I mean, is there going to be one (1) of each, but it'd be just first-come-first-served?"

Nekritz: "Well..."

Reis: "I mean, if the election judges now, based on previous elections, you at least have one (1) of each and in one certain instances you have two (2) of each in various Party situations. But here..."

Nekritz: "Representative, keep in mind that these... this is a nonpartisan civic organization. Now I know what you're going to say..."

Reis: "But it can make it partisan by being first-come-first-served."

Nekritz: "Pardon me?"

Reis: "It could become partisan by being first-come-first-served. Say, in a downstate race two (2) very conservative groups got in there first, and there are two (2) more election judges that are conservative minded."

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Nekritz: "No, Representative, these are not election judges, these are pollwatchers."

Reis: "Well..."

Nekritz: "They... they're, I mean, it's elec... it's up to the election judges to control their..."

Reis: "You're right."

Nekritz: "I think that's a significant difference between a pollwatcher who sits back and maybe has, you know, says something every once in awhile and the election judge who controls the election..."

Reis: "Pollwatchers can still manipu..."

Nekritz: "...in the polling place."

Reis: "Pollwatchers can still manipulate things and if two (2) of the pollwatchers are conservative..."

Nekritz: "Then it's up to the election judge to take control."

Reis: "But they don't know who's calling saying so and so hasn't voted."

Nekritz: "Representative, the pollwatcher must come in with credentials and so they..."

Reis: "You're right."

Nekritz: "...and they have to present those to the election judges..."

Reis: "But if there's two (2) conserva..."

Nekritz: "...so the election judges know exactly who those people are."

Reis: "If there's two (2) conservative though, they're call the conservative people who haven't voted, or liberal in the other situations, they're going to call and say you haven't voted yet, please come vote. I mean, that's why we're

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having trouble with this Bill. And then you're only limiting it to two (2) people but what about all the other interest groups that may want to have a say in this?"

Nekritz: "Then they need to get their application in early. It's very clear."

Reis: "To the Bill, Mr. Speaker. One of the things that I find disturbing in my three (3) years here is how easy we're willing to throw out election laws in this state and change them with little or no debate. I'm sure the roll's going to show that when this... when this Bill is voted on. But we are changing our election process in this state dramatically the last three (3) years and I find it troubling that we're doing this. I would urge a 'no' vote on this piece of legislation."

Speaker Lyons: "The Chair recognizes the Lady from Cook, Representative Beth Coulson in support of the Bill."

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

Speaker Lyons: "She indicates she will."

Coulson: "Representative, in this Bill you've worked very closely with the State Board of Elections to try to narrow down the criteria of who would be considered a nonpartisan organization. Is that true?"

Nekritz: "Yes."

Coulson: "And could you tell us what the specific criteria are in the Bill?"

Nekritz: "The criteria are that a nonpartisan civic organization must have three (3) things: first, they have to have within their articles of incorporation a statement that they are primarily for the provision of voter information and

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education, the protection of individual voter's rights and the promotion of free and equal elections. They must also be organized and primarily conducting their activities within the State of Illinois and they have to continuously maintain an office or business location within Illinois together with a phone number."

Coulson: "Thank you. And Representative, as we all know, the League of Women Voters has been very supportive of this because they are concerned about being able to be a nonpartisan pollwatcher in the polls. Does this specifically... this would allow the League of Women Voters to do that."

Nekritz: "We believe so, yes."

Coulson: "And I guess... To the Bill, Mr. Speaker. This Bill is important for the fact that we can have some independent pollwatchers in... in any polling place, not in order to sway the vote or to call voters, but to make sure that the votes are coming in accurately and not being swayed by anyone else in there. And I understand the concerns that have been voiced by several of the previous speakers, however, having watched as a nonpartisan pollwatcher in a precinct in the past, obviously now I can't do that, I really believe that these people have the best interests of the electorate and the process at heart. And I would urge an 'aye' vote."

Speaker Lyons: "We've had three (3) speakers in response, two (2) in support. Representative Sullivan, are you in response?"

Sullivan: "Yes."

Speaker Lyons: "Do you have a question?"

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Sullivan: "Thank you, Mr. Speaker. Well, I have a question and Repre... Would the Sponsor yield?"

Speaker Lyons: "Indicates she will."

Sullivan: "Great. Representative, this might have been asked. We were having a discussion over here and I might have missed it. If you have let's say six (6) organizations that apply for these new credentials, should this Bill pass, how do you take or decide or who decides and how do they take the order of the two (2) that could potentially be within the organization, all right, within that precinct? Or is it in the Bill?"

Nekritz: "Representative, it's my understanding that there's an administrative rule. It doesn't... it doesn't say that... it doesn't say that except that procedure in the legislation."

Sullivan: "Right. I don't see it in the Bill; that's why I asked the question."

Nekritz: "Yes, but there are... there's an administrative rule out there that indicates that the election judges are to take those people that show up on a first come, first served basis. So it would be the first two (2) that would show up in the morning."

Sullivan: "What happens if five (5) show up at the same time, like we do... Let's say, I'm running for State Representative in the Republican Primary and five (5) people want to run at the same time and they were there before 8:00. Do we have some type of rules or procedures if multiple organizations show up at the same time?"

Nekritz: "Representative, it would be up to the clerk to determine how to do that, but yeah, I would think that that

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would be fairly easy for the judges to set aside an area and first come, first served. We let the first two in."

Sullivan: "Well, I mean, we already have rules in regard to what I just said, running for State Representative and multiple people show up at the same time. So, okay. So, you're going to allow the clerks to make their own rules in regard to that. What happens..."

Nekritz: "Well, the clerk... I mean, the clerk doesn't get to change the first come, first served, but they do get to... they do get to recommend as to how that is... how that's implemented."

Sullivan: "The reality is they're going to have to at some point say, all right, there's three people, I need to make a decision. Don't you think that's going to have to take place?"

Nekritz: "Well, they'll do that on a first... I mean if they're going to comply with the State Board of Elections Administrative Rules, they'll have to do that on a first come, first served basis."

Sullivan: "All right. Well, we can play around this game all day, I guess. What hap... now, if you have two (2) groups, one (1) is, let's say, a antigun and one (1) is a progun organization. Potentially, you could have two (2) organizations lobbying on behalf of their ideas or what their group stands for in each precinct. Is that... is that... Would that happen under this legislation?"

Nekritz: "Based on the way you state that question, I don't think either of those groups qualify."

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Sullivan: "You don't think that we could have one (1) group where in a group established with the underlying theme of working against gun legislation or for gun legislation that's nonpartisan?"

Nekritz: "No, Representative, these are nonpartisan statewide civics groups whose primary purpose is voter education and information, as well as... let me read it again. Voter education information, the protection of individual's voters' rights and the promotion of free and equal elections. I don't believe that... that any... that the... that a group promoting either gun safety or gun rights would qualify under that definition."

Sullivan: "Well, don't gun groups, whether for or against, support Republicans and Democrats to begin with? I don't... what I'm getting at is, under your legislation the potential is to have opposing sides be there to try and influence a vote."

Nekritz: "Well, Representative, these are nonpartisan civic organizations. I don't believe that those organizations that you just described would qualify on either side."

Sullivan: "If they're not... but why? That's the question, why would they not apply if they are not... If this organization backs a Republican and a Democrat or doesn't back anybody but they want to influence certain legislation, you just said, they are being educational. Let's say you don't back any people."

Nekritz: "So are you saying that they would be electioneering within the polling place?"



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Sullivan: "Do you think that the potential for electioneering takes place if two (2) groups opposing an idea..."

Nekritz: "No more so than the par... no more so than the partisan pollwatchers that we have there now."

Sullivan: "So, why..."

Nekritz: "And again, it's up to the election judge to control the polling place. And I don't know about in Lake County, but in Cook County if you show up with a button on or something those... you know, our judges are under instruction to kick you out."

Sullivan: "Certainly, I understand that. Mr. Speaker, should this Bill get the requisite votes, we'd like to ask for a verification."

Speaker Lyons: "There's been a request for verification by Representative Sullivan. We've put this on Extended Debate with four (4) people already speaking in response. Representative Riley, in favor of the Bill... in support of the Bill?"

Riley: "In favor."

Speaker Lyons: "Proceed, Representative."

Riley: "Will the Sponsor please yield?"

Speaker Lyons: "She indicates she will."

Riley: "Representative, I know you've done a lot of research on this Bill and spoken to a lot of people. Can you tell me something about the conversations that you had with regard to the view that this was a... this was a Bill which would aid in more people participating in the process?"

Nekritz: "Representative, the conversations I've had with regard to this Bill are most... primarily with the State of Illinois

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League of Women Voters, which is a nonpartisan good government group whose primary interest is in protecting voters' rights and eliminating... and eliminating fraud. And so they are concerned that when they are kept from the polling place that there's not a nonpartisan group being able to oversee the conduct of the elections and making sure that they're free and fair. So I think that this is an effort to make sure that a group whose interest is in having free and fair elections is able to do... have somebody in the polling place to make sure that's happening."

Riley: "And again, I'm not so sure that you were really being heard. There's a great big difference between being a pollwatcher and being an election judge."

Nekritz: "There's all the difference in the world."

Riley: "And the election judge... judges, rather... they represent both Parties, do have the primary responsibility of keeping order within the polling places. That not correct?"

Nekritz: "Correct."

Riley: "Mr. Speaker, to the Bill."

Speaker Lyons: "To the Bill."

Riley: "We hear all the time about low voter turnouts. We hear all the time about people feeling that the voting process is not transparent. We hear all the time, you know, just the panoply of conversation about people not really participating in the process. I think that this Bill is a direct indication that we want people to participate in the political process, we want people to see exactly what's going on. I think that the groups, as tightly defined as they are in this piece of legislation, have all the rights

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in the world to come and observe that process and to be sure that everything is going the way that it should be. And I think this is a direct indication and hopefully, it will spur more people to participate in the process. Hopefully, we can get more people to the polls by basically bringing the election process more and more in the sun, if you will. So, I would encourage an 'aye' vote to this good piece of legislation."

Speaker Lyons: "Representative Scully, I assume you are in favor of the Bill? Be the last speaker in favor of the Bill? George Scully."

Scully: "Thank you, Mr. Speaker, to the Bill. I've been listening very closely to this debate for the past half hour. People talking about all the things that might happen, all of the abuses that might occur, all the gamesmanship that might occur at the polling place. I don't doubt that somewhere in the State of Illinois every one of those possibilities is going to become a reality. I don't doubt at all that each one of those possibilities will occur, but let's start talking about the probability that we're going to get more active involvement by nonpartisan groups who intend to participate in the poll watching process, who have no intention of breaking the law and electioneering at a polling place. They want to participate to make sure the elections are conducted in a proper manner. I want to thank the League of Women Voters and Representative Nekritz for bringing this legislation before us and I want to say that the benefits that will come from this legislation will drastically outweigh any gamesmanship

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that certainly will be played on a very small scale, local basis. And when that gamesmanship occurs, we'll deal with it. If someone breaks Illinois law and is campaigning in a polling place, we'll call the State's Attorneys Office and we'll deal with it. But most importantly, we'll get people involved in the voting process. I ask for your support for this Bill. Thank you."

Speaker Lyons: "I'm informed by the parliamentarian that we do have room for one more on each side, five (5) and five (5) by the rules. Is there one... Representative Watson, did you want to speak in response to the Bill? You had your light on. Does not seek recognition. In favor of the Bill, Representative Osterman."

Osterman: "Yes. Will the Sponsor yield for a question?"

Speaker Lyons: "Indicates she will."

Osterman: "Representative Nekritz, I came in late on the debate but is it my understanding that local non... not nonprofits, but nonpartisan organizations have the ability to get poll watching credentials and what you're simply looking to do is to extend this to statewide organizations?"

Nekritz: "No, I don't believe that's correct, Representative. That... there have been some counties that have allowed statewide civic organizations, nonpartisan groups, to get credentials and others not and this is an attempt to clarify, to make sure that statewide these nonpartisan civic organizations can get credentials."

Osterman: "Okay. And the view of the League of Women Voters and other groups that care about open and fair elections feel that this is going to help them watch the process throughout

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our state where they want to and try to help ensure that there are open and fair elections that take place."

Nekritz: "Correct. The League has been a primary proponent of this."

Osterman: "And this doesn't limit this just to the League of Women Voters, this could be any organization. If there's a statewide referendum, if it meets a specific criteria but dealing with election fraud, if another organization wants to have that be their focus they would have that ability as well to get these credentials?"

Nekritz: "As long as they meet the criteria in the legislation for a statewide nonpartisan civic organization."

Osterman: "Okay. To the Bill, Mr. Speaker and Ladies and Gentlemen of the House. I think that around our country we have seen when there are very close elections the general population sometimes feels cheated. And if there are organizations around our state that want to work to make sure that we have clean and fair elections, I think that every Member of this Body should applaud that and support that. And I think the Lady is trying to work with some of these organizations. I think all of us have an interest in fair elections and I think that this measure would help other people get involved and support that and participate in the process and be encouraged to participate in the process. And with that, I would ask for an 'aye' vote."

Speaker Lyons: "Representative Nekritz to close."

Nekritz: "Thank you, Mr. Speaker and Ladies and Gentlemen of the House. I appreciate the debate about this. I think we've fully aired the issues. I would just like to close by

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saying that the goal of this legislation is to assure that we have free and fair elections in this state and I don't think that anyone can argue with that goal. There's been a lot of discussion about the possibility for mischief and the gamesmanship and so forth. I have to say that given the way our pollwatchers are selected now, which is on a purely partisan basis, it's as fraught with the gamesmanship and the mischief that partisans can engage in and I can't imagine it could be any worse. Again, it's up to the election judges to make the determination about who comes in to a polling place, who's allowed to be there, who's allowed to stay there, what their conduct is, and how they are running the election. The pollwatcher can observe and make comments, but if they get too disruptive the election judge can throw them out. I believe they have that right. So, again, this is about making sure that our elections are open, accessible, free and fair to everyone and I believe a statewide nonpartisan civic organization whose primary purpose it is to see that voters have that right is exactly the kind of person.. or pollwatchers that we would want in our polling places to make sure that our elections are conducted in that fashion. I ask for your support."

Speaker Lyons: "Ladies and Gentlemen, there's been a request by Representative Sullivan for verification, so I'd ask staff to go to the back of the room, Members vote your own switch. The question is, 'Should Senate Bill 299 pass?' All those in favor signify by voting 'yes'; those opposed vote 'no'. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Mr. Clerk, take

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the record. On this Bill, there are 71 voting 'yes', 37 voting 'no'... 78 Members voting 'yes', 37 Members voting 'no'. Representative Sullivan withdraws his request for verification. Mr. Clerk, take the record. And on this Bill, 78 voting 'yes', 37 voting 'no'. This Bill, having received the Constitutional Majority, is hereby declared passed. Mr. Clerk, on the top of page 31 under Senate Bills-Third Reading, Representative Bob Molaro has Senate Bill 300. Read the Bill, Mr. Clerk. Take it..."

Clerk Mahoney: "Senate Bill 300, a Bill for an Act concerning transportation. Third Reading of this Senate Bill."

Speaker Lyons: "Take that Bill out of the record on request of the Sponsor. Representative Kathy Ryg has Senate Bill 203... 303. Representative has 303. Read the Bill, Mr. Clerk. Senate Bill 303."

Clerk Mahoney: "Senate Bill 303, a Bill for an Act concerning safety. Third Reading of this Senate Bill."

Speaker Lyons: "The Chair recognizes the Representative Kathy Ryg."

Ryg: "Thank you, Mr. Speaker, Ladies and Gentlemen of the House. This legislation creates the Plastic Bag Recycling Act and the Plastic Bag Recycling Task Force, charged with adopting procedures and guidelines to implement a pilot plastic bag recycling program in Lake County. The program is supported by the retail merchants and will provide that retailers owning more than ten thousand (10,000) square feet of space will provide a receptacle for collection of plastic bags and arrange for recycling. A report from the task force will be required by March 1 of 2010, and the Act would be repealed

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June 1 of 2010. But we hope that this will serve as a model that can be used on a statewide basis to address the issue of recycling of plastic bags. I'm happy to answer any questions."

Speaker Lyons: "Is there any discussion on Senate Bill 303. The Chair recognizes the Gentleman from Vermilion, Representative Bill Black."

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

Speaker Lyons: "She indicates she will."

Black: "Very briefly, Representative. Having served on the county board and having been county board chairman and we're not... we were not a Home Rule county and still are not a Home Rule county, why do you need this in... as State Law? I think we could... I'm sure if the county of Vermilion wanted to do this they could do this under their own ordinance capability."

Ryg: "That's true, Representative. This is an initiative of the Solid Waste Agency of Lake County. It started out being a required Act by the retailers to support recycling of the plastic bags, and so this was the agreement, but there was some concern that it have the authority of a task force that would have some credibility with the recommendations that they are able to present after the model program."

Black: "Well, that piques my interest. Evidently some people in Lake County didn't want it to be a mandatory program, correct?"

Ryg: "The issue was between the retail merchants and the recycling market, because these bags do not get recycled typically as newspapers and cans and bottles do, so it



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requires a different market who can accept the bags and reuse them. And so that's where the interest came in trying this as a pilot program, finding out where that market exists and how to expand access to it."

Black: "But where is the Lake County Board on this issue? Do they want this pilot program or do they not want the pilot program? Do they want a recycling program or do they not want a recycling program?"

Ryg: "They do want the program. The concern was if this program wasn't implemented appropriately, people would be misled into thinking when they bring their bags back to a store for collection that they would be recycled, when in fact if we didn't have the appropriate market, they would just go into the landfill just en masse from the retailers."

Black: "I... I still fail to understand the necessity of this Bill. A county has the legal authority to do what you're doing by state statute, so why do we need to add to the eight hundred (800) pounds of state statutes that we already have?"

Ryg: "This is... This is to provide an opportunity for the study to present recommendations for further use throughout the state. It's a first step in anything that we would mandate."

Black: "If Lake County wants to do a pilot program, why don't they do it?"

Ryg: "They are. They want to do this, they will do this. They would like to have the task force again serve as a model for other areas of this state."

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Black: "Oh, They want to do it, but they want the state to mandate that they do it. Is that right?"

Ryg: "They want the state to authorize them to do this..."

Black: "Oh, to authorize them to do it."

Ryg: "...and to give them credibility going forward."

Black: "To authorize them to do it when they have the authority to already do it. I mean..."

Ryg: "Now this is..."

Black: "...I just find that... I find that very circuitous."

Ryg: "Well, I can't really speak to the authority. This is not Lake County per se; it's the Solid Waste Agency of Lake County. It's an intergovernmental group that addresses solid waste..."

Black: "Well, God knows we don't have enough..."

Ryg: "...and recycling."

Black: "Yes. We don't have enough intergovernmental groups. We need... we need thousands more. I still... you've still not answered my basic question. If a county government in Illinois wanted to do this, they can do it by a simple ordinance by a majority vote of the county board. So why are you asking me to vote on a pilot program in Lake County?"

Ryg: "This is not the county board. This is a separate agency..."

Black: "Well, then that begs the question, why isn't it the county board? They're the governing authority of Lake County."

Ryg: "The Solid Waste Agency is the intergovernmental agency that oversees solid waste and recycling efforts."

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Black: "Why don't they ask the county board for the authority to do this? Have they?"

Ryg: "I don't know the answer to that."

Black: "You don't know the answer to that question and yet you want those of us who are not the least bit familiar with this program to tell a county board what's going to take place in their county when we don't even know if the intergovernmental agency has failed to ask the county to do this?"

Ryg: "We're not telling the county board to do anything. This is an agreed task force and pilot project between the retailers and the Solid Waste Agency of Lake County."

Black: "Okay. I surrender. Mr. Speaker, to the Bill."

Speaker Lyons: "To the Bill."

Black: "This is the proverbial, I'm just chasing my tail. The authority exists for a county to do what we're asking the state to do. That makes absolutely no sense to me. And you know, she did say one thing that I just want to say on behalf of the downstaters which so many of you think are so backwards and..."

Speaker Lyons: "Mr. Black, if you conclude your remarks I'll give you another minute."

Black: "Yeah. You know, we've been doing recycling for years in downstate Illinois, but we call them junk dealers and junk yards. It was only when it migrated up north that it got a better sounding name, but we've been doing that for probably a hundred (100) years. We just didn't have the right catchphrase, the right name. Doggone it. But we've been doing that for years and years and years but it just goes to show

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you what ten (10) years of service on the county board gets me down here, absolutely zero. This Bill makes no sense to me whatsoever. You're asking the state to intervene in what should be a local issue. This isn't a statewide pilot program; it's a countywide pilot program. Then have the county deal with it. Have the Solid Waste Management Division deal with it. Why do we have to bring every conceivable problem down here and put it in State Law? I can't carry the state statutes now. I've got to have a Page and a pushcart, and yet we continue to add a thousand pages a Session and this is a classic. This is a county issue, but oh, no, we're going to put it in State Law."

Speaker Lyons: "The Lady from Cook, Representative Rosemary Mulligan."

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

Speaker Lyons: "She indicates she will."

Mulligan: "Representative, what's the difference between this Bill and House Bill 259, which is Representative Cole's Bill?"

Ryg: "I believe 259 was introduced by the Representative and I introduced a similar... Well, I did not introduce the Bill, I apologize. I had the language for a Bill that came from the Solid Waste Agency of Lake County. We decided that we would work off of the Senate Bill and I believe there's a difference in terms of the representation on the task force. But this is the agreed language from the Solid Waste Agency of Lake County with the Retail Merchants Association."

Mulligan: "Isn't Sierra Club left off of this now?"

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Ryg: "I believe that they were not included in the Senate version and I believe that was because there was a concern again that this is not a typical recycling program, there's a special recycling process for plastic bags. And so the concern was that there be representation from someone who could speak to that specific process."

Mulligan: "Well I'm always suspect when a new Legislator has her Bill thoroughly diced in committee and then a similar Bill comes out of the committee not too long after that, and then when a major organization like Sierra Club that's a premier environmental group is left off, I think it's very interesting. Although it seems like a good idea, I do think that some of the things that happened around this Bill were interesting to say the least."

Speaker Lyons: "The Gentleman from Morgan, Representative Jim Watson."

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

Speaker Lyons: "Indicates she will."

Watson: "Representative, just to be... just to be clear is it... and I think I heard you say this but I want to make it clear for the record, your goal here, your overreaching goal, your long-term goal is to have a statewide mandated recycling program, is that correct?"

Ryg: "We need to have some experience and... before we would mandate anything on a statewide basis."

Watson: "But that's kind of your goal. That's when you want to head down the road, is that correct?"

Ryg: "Well, we would like to address the issue of the proliferation of plastic bags. And people,

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environmentalists included, this is supported by the Illinois Environmental Council and Environment Illinois. They would like to get this experience to understand what the appropriate market is for these bags to be recycled so that that could be made available on a wider basis."

Watson: "I would just... with all due respect and I'm not... I have a great, great deal of respect for you, but there's no way that we do not know how to do this if we want to do this. And I mean, there are other states that have these programs. The question is and the question on this vote for everyone is, is do you want to head down the road to a mandated statewide recycling program. If you do then you will vote 'yes'. If you think you have some concern about that you should vote 'no'. Thank you."

Speaker Lyons: "Representative Ryg to close."

Ryg: "There's some confusion about how this fits into our current understanding of recycling. Plastic bags require a specific process in terms of the film recycling. The retail merchants when they thought there might be a mandate, they support this concept but they were concerned that their members would not have access to the appropriate recycling process. This is not what most recyclers can accommodate. If you put your plastic bags in your curbside recycling program, they end up in a landfill. So we're attempting to address that issue. This is an initiative of the Solid Waste Agency of Lake County. The County of Lake is a member as are the municipalities, but in and of themselves they do not have the authority to authorize this task force and this pilot program. So I think this is an important

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environmental measure that will give us some information we can use to evaluate how we can proceed in addressing plastic bags on a statewide basis. I would ask for your support."

Speaker Lyons: "The question is, 'Should Senate Bill 303 pass?' All those in favor signify by voting 'yes'; those opposed vote 'no'. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Representative Granberg. Mr. Clerk, take the record. On this Bill, there are 89 Members voting 'yes', 26 voting 'no'. This Bill, having received the Constitutional Majority, is hereby declared passed. Representative Chapin Rose, for what reason do you seek recognition?"

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

Speaker Lyons: "Please proceed, Representative."

Rose: "Ladies and Gentlemen, I'm very happy today. In the gallery we have several students from the Charleston School District where I went to school. And up here, if we could just welcome them to Springfield, behind in the gallery."

Speaker Lyons: "Representative Schock, on page 30 of the Calenda, you had House Bill 263. Representative Schock, 263. Senate Bill 263? Read the Bill, Mr. Clerk."

Clerk Mahoney: "Senate Bill 263, a Bill for an Act concerning local government. Third Reading of this Senate Bill."

Speaker Lyons: "The Gentleman from Peoria, Representative Schock."

Schock: "Thank you, Mr. Speaker. Senate Bill 263 seeks to do similarly what we did a number of years ago for DuPage County, which more accurately represents the area that the Peoria greater... the Greater Peoria Airport represents and it

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expands the boundaries to the entire Peoria County. Local officials came down and spoke in support of this. I'd be happy to answer any questions and I urge a 'yes' vote."

Speaker Lyons: "Is there any discussion? Seeing none, the question is, 'Should Senate Bill 263 pass?' All those in favor signify by voting 'yes'; those opposed vote 'no'. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? McAuliffe. Dave Winters. Mr. Clerk, take the record. On this Bill, there are 73 Members voting 'yes', 42 voting 'no'. This Bill, having received the Constitutional Majority, is hereby declared passed. Back to page 31 on the Calendar, Representative Jack Franks has Senate Bill 304. Read the Bill, Mr. Clerk."

Clerk Mahoney: "Senate Bill 304, a Bill for an Act concerning revenue. Third Reading of this Senate Bill."

Speaker Lyons: "The Gentleman from McHenry, Representative Franks."

Franks: "Thank you, Mr. Speaker. This Bill comes to me from Senator Link and I understand... recently I just found it. Representative Moffitt had a similar Bill. And what this Bill does it affects how the tax judgment, sale, redemption and forfeiture records are kept. Currently, you have to let the folks know five (5) days ahead of time what the status of the property is. This Bill would change it to be the day of or the day before the application for judgment is made 'cause oftentimes between the five (5) days before the sale and the sale people come in and redeem and take care of the



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properties. This would just make it more accurate. I'd be glad to answer any questions."

Speaker Lyons: "Is there any discussion on Senate Bill 304? Seeing none, the question is, 'Should it pass?' All those in favor signify by voting 'yes'; those opposed vote 'no'. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Mr. Clerk, take the record. On this Bill, there's 115 Members voting 'yes', 0 voting 'no'. This Bill, having received the Constitutional Majority, is hereby declared passed. Representative Ryg, you have Senate Bill 305. Mr. Clerk, read the Bill."

Clerk Mahoney: "Senate Bill 305, a Bill for an Act concerning finance. Third Reading of this Senate Bill."

Speaker Lyons: "Representative Ryg."

Ryg: "Thank you, Mr. Speaker, Ladies and Gentlemen of the House. This Bill amends the Public Funds Statement Publication Act. Currently, each public officer who receives public funds annually prepares and publishes a financial statement and files the statement with the office from whom the funds were received. Failure to publish and file this statement results in payments being withheld. This Bill, as amended, would eliminate the duplicative recordkeeping by providing that the filings be made with the county clerk and the treasurers would then be responsible for verifying compliance and withholding funds for any violations. I'm happy to answer any questions."

Speaker Lyons: "Any discussion? The Chair recognizes the Gentleman from DuPage, Representative Jim Meyer."

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

Speaker Lyons: "She indicates she will."

Meyer: "What is the reason that you're doing this?"

Ryg: "To prevent duplicative recordkeeping."

Meyer: "I don't serve on local government, but my analysis indicates the Press Association's opposed as it passed committee because there was no method to ensure that the taxing bodies publish their annual budget. Is that opposition still in place?"

Ryg: "They have not contacted me about that."

Meyer: "Well, evidently, they must have said something in committee if they are opposed to it as it passed committee, communicated with some people at least."

Ryg: "I believe their concern was stated after committee. I know that they're afraid that the checks and balances don't exist, but there is still the requirement that the notices be filed with the county clerk and the treasurers would verify that."

Meyer: "And have you had a conversation with them at all along those lines?"

Ryg: "I'm sorry?"

Meyer: "Have you had a conversation with them along those lines?"

Ryg: "With the Press Association?"

Meyer: "Yes."

Ryg: "No."

Meyer: "How are you aware that that is their opposition?"

Ryg: "That was communicated to me in writing after the committee by the staff. I checked with the township of... I'm sorry.."

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the Treasurer's Association and they said that there had been no follow up, so they assumed that the concern had been addressed. I didn't hear anything from them either."

Meyer: "Well, if it was communicated that there was a problem and... but by letter, and there's no indication that it's been addressed, then why... what would lead you to believe that it still isn't there?"

Ryg: "They never expressed their concern to me. They never followed up with the Treasurer's Association that brought the legislation, so we didn't go out and seek opposition."

Meyer: "Okay. Well, it sounds kind of like a Catch-22. Well, I would just point out to the Members of the Body that evidently that the Press Association, which is usually really on top of this type of issue, has taken exception to it because they don't believe that there is a check and balance in place, and if that has not been addressed, well then that still must be out there."

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

Black: "Thank you very much, Mr. Speaker and Ladies and Gentlemen of the House. To the Bill. Ten (10) minutes ago all I heard were arguments about transparency in government and openness in government, and that way we'd get more people to participate and so forth and so on and so forth. Now we have a Bill before us, as amended, that it's entirely possible that the county treasurer won't bother to check the county clerk's files, thus won't find out if there's an error in the county clerk's files or if there was any problem in any of the budgets; and therefore, the taxing

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bodies will not publish their budgets as the law currently requires and they may not even realize it. They assume that the county clerk and the county treasurer is going to do this. You don't ever assume anything in this business. And when you take out that provision that now nobody is truly responsible for seeing to it that these budgets are in fact published, how does that promote transparency in government? I know... Well, this Bill's been around in one form or another for fifteen (15) years and there's always been the argument from the clerks and the treasurers that it's expensive to publish those budgets and that's true, but why not go at that directly. This Bill has been amended in such a way, and that's why the Press Association is adamantly opposed to it, that now no one is truly responsible and it's more likely than not that the taxing bodies' budgets will not be published and that is a violation of existing law. And it's for that reason and for the reason that I've learned the hard way, it doesn't pay to argue with people who buy ink by the railroad car and newsprint by the ton, I stand with the Press Association, intend to vote 'no' on the Bill."

Speaker Lyons: "Representative Ryg to close."

Ryg: "Thank you. This Bill does not change the legal requirement that the financial statements be prepared and published. All it does is change the requirement of who that gets filed with. It gets filed with the county clerks. The treasurers are still charged with the responsibility to ensure the public bodies are in compliance with that requirement and the transparency is there when anyone can go to the county clerk and verify that the appropriate

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financial statements have been filed and notice provided to the county clerks as required by this law. The opposition is not made known to the Treasurer's Association who brought me this legislation, nor to me as the Chief Sponsor, nor to the staff that would indicate it on our side of the aisle with the analysis, so I question how opposed they really are to this and what we might have been able to do to address their concerns. So, as it stands, I believe this is important legislation in terms of reducing duplicative recordkeeping, making it clear where the statements need to be filed, where the proof of publication can be found for any interested parties and I ask for your support."

Speaker Lyons: "The question is, 'Should Senate Bill 305 pass?' All those in favor signify by voting 'yes'; those opposed vote 'no'. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Mulligan. Bassi. Mr. Clerk, take the record. On this Bill, there are 67 Members voting 'yes', 48 voting 'no'. This Bill, having received the Constitutional Majority, is hereby declared passed. Representative Franks, you have Senate Bill 306. Read the Bill, Mr. Clerk."

Clerk Mahoney: "Senate Bill 306, a Bill for an Act concerning education. Third Reading of this Senate Bill."

Speaker Lyons: "Representative Jack Franks."

Franks: "Thank you, Mr. Speaker. This Bill will amend the School Code concerning waiver of experience requirements for alternative teacher certification. Currently, to receive provisional alternative teacher certification outside the City of Chicago an individual must meet a variety of

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criteria including five years of work experience relevant to his or her education. This Bill will allow for another layer of assurance against assigning unqualified or under qualified teachers by requiring a local superintendent and a local teachers' union to approve the assignment. This was passed unanimously in the Senate and it's backed by Teacher America, Illinois Education Association and the IFT. I'd be glad to answer any questions."

Speaker Lyons: "Is there any discussion? The Chair recognizes the Gentleman from Crawford, Representative Roger Eddy."

Eddy: "Representative, just so we're co... Will the Sponsor yield?"

Speaker Lyons: "Indicates he will."

Eddy: "Thank you. Just so we're clear, does the teacher have to be applying for the alternative certification in an area that has been deemed as hard to staff?"

Franks: "Yes. And also, this Bill will not change the cap that we currently have on alternatively certified teachers, which as you know is 260 per year. And it's only good for one year as well."

Eddy: "So right now, elementary certification is something that is not a hard defined area. This does not allow someone with a B average without the work experience or five (5) years to apply for alternative certification because that's not a hard to staff area?"

Franks: "Correct."

Eddy: "However, in math, foreign language, science or something that has been certified as hard to staff, this simply provides another avenue then to seek..."

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Franks: "Actually, you still have to work for the five years. You still have to have the same... oh, you're going after the same experience. I'm sorry. You're right; it would be exactly as you say that..."

Eddy: "This is instead of the five years which..."

Franks: "Right."

Eddy: "...which really kind of opens up a pool of individuals now that aren't available for those hard to staff areas. So..."

Franks: "Correct. Correct."

Eddy: "...if someone has shown the academic proficiency to be able to, without the work experience, they can substitute that but it has to be in that area."

Franks: "Correct."

Eddy: "Okay. Thank you very much."

Speaker Lyons: "Representative Franks to close."

Franks: "Representative Eddy helped me very much on that Bill. I appreciate his description. I'll stick with that. I'd ask for an 'aye' vote."

Speaker Lyons: "The question is, 'Should Senate Bill 306 pass?' All those in favor signify by voting 'yes'; those opposed vote 'no'. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Jerry Mitchell. Ron Stephens. Mr. Clerk, take the record. On this Bill, there's 115 Members voting 'yes', 0 voting 'no'. This Bill, having received the Constitutional Majority, is hereby declared passed. Representative Golar, you have Senate Bill 307. You wish the Bill... Mr. Clerk, read the Bill. Out of the record on the request of the Sponsor.

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Representative Jil Tracy, you have Senate Bill 308. Read the Bill, Mr. Clerk."

Clerk Mahoney: "Senate Bill 308, a Bill for an Act concerning State Government. Third Reading of this Senate Bill."

Speaker Lyons: "Representative Tracy."

Tracy: "Thank you, Mr. Speaker. Today I would like to bring before you Senate Bill 308 which would amend the Department of Transportation Civil Administrative Code and provide a new Section concerning educational facility entrances which would require that whenever there is a state highway construction project that the Department of Transportation would evaluate, fund, and repair within the right-of-way the entrances to all public educational facilities that border state highways. And I would entertain any questions and I also ask for an 'aye' vote on this particular law."

Speaker Lyons: "The Chair recognizes the Gentleman from Crawford, Representative Roger Eddy."

Eddy: "Will the Sponsor yield?"

Speaker Lyons: "She indicates she will."

Eddy: "Representative, just to make sure we're all on the same page here, this public education facility, does it include public universities and community colleges as well as public K-12?"

Tracy: "It would."

Eddy: "So..."

Tracy: "Any that border on a state highway."

Eddy: "Okay. So, in any case where there is a route... a state route that goes in front of that facility, this would take care of the cost of the cut ins and the drive ins for those



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facilities that existed at the time the construction... the improvement?"

Tracy: "Well, yes. Actually, this Bill was brought to my attention and the Senator that brought the Bill by a Department of Transportation worker. And although that it's usually the practice of the Department of Transportation to repair or evaluate an entrance to the... on the right-of-way road that it's not part of required procedure and it would require that they... whenever they're right there in that vicinity that they would also evaluate the entrance to the public facility, which as you know receive a great deal of public traffic."

Eddy: "So IDOT isn't opposed to this. In their view this is kind of codifying what they already do and they don't have a problem with it?"

Tracy: "That's true."

Eddy: "Okay. Thank you."

Speaker Lyons: "Representative Tracy to close."

Tracy: "I would ask an 'aye' vote."

Speaker Lyons: "The question is, 'Should Senate Bill 308 pass?' All those in favor signify by voting 'yes'; those opposed vote 'no'. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Representative Granberg. Collins. Arroyo. Mr. Clerk, take the record. On this Bill, there are 115 Members voting 'yes', 0 voting 'no'. This Bill, having received the Constitutional Majority, is hereby declared passed. Representative Rich Myers has Senate Bill 313. Read the Bill, Mr. Clerk."

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Clerk Mahoney: "Senate Bill 313, a Bill for an Act concerning education. Third Reading of this Senate Bill."

Speaker Lyons: "The Gentleman from McDonough, Representative Rich Myers."

Myers: "Thank you, Mr. Speaker. Today I present Senate Bill 313. It requires that state university students who have been identified as needing to complete remedial course work to finish that necessary remedial course work before beginning his or her major course of study. The Illinois Board of Higher Education and the University of Illinois both support it. There are no known opponents to my knowledge and according to the Board of Higher Education there is no fiscal impact."

Speaker Lyons: "Any discussion? The Chair recognizes the Lady from Cook, Representative Monique Davis."

Davis, M.: "Representative, what is this supposed to stop or prevent?"

Speaker Lyons: "The Sponsor yields."

Myers: "It's supposed to make sure that the students who definitely need remedial coursework get that coursework accomplished before they start any kind of work in their major course of study. That does not prevent them from doing general studies or their general education background. But when it comes to their coursework, the major study, then the remedial has to be done before that."

Davis, M.: "You know, I would think that a student who's in college would have completed any remedial requirements. I mean, before..."

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Myers: "Well, Representative, I'm looking at the legislation that this is amending and it deals with admission standards and remediation within community colleges and the four-(4-) year institutions. It's... they're based on guidelines that go back to 1980, I believe, and those guidelines specified how an institution, whether it's a community college or four-(4-)year institution, would implement the remedial studies. I think what this is doing is changing the perception in the guidelines or adding to the guidelines that would say that instead of concurrently taking some of your courses while you're doing remedial work, this says that you shall have to have your remedial coursework done before you take any of your major coursework studies."

Davis, M.: "So usually the remedial work would be in what? What would... In college what do you have, remedial math that might be necessary?"

Myers: "Could be. Could be remedial math, could be remedial English..."

Davis, M.: "Those are the only two that I know of, remedial math and remedial English."

Myers: "Mmm mmm."

Davis, M.: "But you're saying that if a student wants to major in art, he can't take an art course until he's completed his remedial math and his remedial reading. Is that correct?"

Myers: "That's correct."

Davis, M.: "Why?"

Myers: "Because..."

Davis, M.: "Why?"

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Myers: "...the Sponsor in the Senate, I think, basically felt that it would assist that student in their major coursework study."

Davis, M.: "To the Bill, Mr. Speaker. You know, I really believe the Sponsor is well intended, extremely well intended. However, I have grave concern when we put further obstacles in the way of people completing their college degree. Now, there are... there's certain credit requirements before you take certain courses anyway. In other words, before you take, you know, English 204, you have to have completed perhaps a remedial English or 101 or English 100. But I would hate to think that a student who was going to college, probably as an adult, who needed assistance perhaps with remedial math or remedial reading, perhaps not even both, would be delayed in taking an art class, if that's his or her wish, a computer technology class, if that's he or her wish. I just really have concern when we put obstacles in the way of people trying to earn a college degree. There are enough... in my opinion, there are enough academic requirements that would prevent a student from going further than he or she could in any coursework anyway because there are prerequisites. There are prerequisites in most courses of study and if you haven't completed the remedial work, you're not going to meet the prerequisites. Now, I can see... I can see a Bill that said before you could take a prerequisite class, you had to have completed your remedial classes. I could see that. But I really don't see the need and I think it will be harmful to some students to say to them, even though we hope all of our students are successful

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in reading and in math, but if you need remedial math and reading when you get to the college level then you shouldn't be stuck in just taking those two things. You know what I'm saying? There's geography... what else? There are so many other things, but I can't think of many that wouldn't require knowledge in reading and math."

Speaker Lyons: "Representative Davis, your time has expired. The Chair recognizes the Gentleman from DuPage, Representative Fortner."

Fortner: "Thank you, Mr. Speaker, to the Bill. I think the previous Representative raised an important concern and I could not agree more that what we want to do is see students graduate from university. We'd like to see them... everyone who wants to, get in and everyone who wants to, graduate, but according to the State Board of Higher Education, 82 percent of students who enter the state universities who need remedial programs, whether it be math, reading or something else, are failing to graduate. So many of our courses in our major disciplines require knowledge that the state universities will typically assume they have coming in. Sometimes there is a disconnection between those requirements which might well be known to parts of the university and to the major classes that the student would like to get in. And for many majors there is a stronger requirement for success. Those are the classes they are majoring in, they can't just maybe get by with a minimal passing grade. Majors often require a higher standard. And it does our students of all backgrounds a disservice to allow them to take those courses with that level of

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difficulty without having had that remedial background. And what this Bill will do is this will provide that clear guidance that those students need, so they will have the best possible chance of completing their four-(4-)year degree at our state universities. I would strongly urge an 'aye' vote."

Speaker Lyons: "Representative Black."

Black: "Mr. Speaker, I don't think it could be said any more clearly or eloquently than the previous speaker. If you'll just remember your own university experiences, you can't move into premed and organic chemistry if you're deficient in chemistry. The previous speaker, I believe was Representative Fortner, I think has laid it out very clearly. It's a good Bill. It will lead to increased graduation standards, not de... or increase graduation rates, not decreased helping their life."

Speaker Lyons: "Representative Myers to close."

Myers: "Thank you, Mr. Speaker. I do want to clear up one thing. I think the previous Representative from Chicago maybe misunderstood a little bit about this Bill. Let's just use the example that I got my degree in agriculture. If I want to take a computer course, if I want to take an art course as an elective in the general education studies associated with my major, I can do that. I just cannot take one of the courses within my major until the remedial work is completed. But the general studies, the general electives, those courses could also be taken at the same time you're taking your remedial courses. I think that this

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is going to help our overall graduation rate and certainly request an 'aye' vote."

Speaker Lyons: "The question is, 'Should Senate Bill 313 pass?' All those in favor signify by voting 'yes'; those opposed vote 'no'. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Mr. Clerk, take the record. On this Bill, there's 113 Members voting 'yes', 0 voting 'no', 2 people voting 'present'. This Bill, having received the Constitutional Majority, is hereby declared passed. Representative Bassi, for what purpose do you seek recognition?"

Bassi: "Thank you, Mr. Speaker. For a correction in the record. On Senate Bill 305 I should have been recorded as a 'no'."

Speaker Lyons: "The Journal will so reflect."

Bassi: "Thank you."

Speaker Lyons: "Representative Hannig in the Chair."

Speaker Hannig: "On page 31 of the Calendar, Representative Franks you have Senate Bill 321. Mr. Clerk, read the Bill."

Clerk Mahoney: "Senate Bill 321, a Bill for an Act concerning State Government. Third Reading of this Senate Bill."

Speaker Hannig: "Representative Franks."

Franks: "Thank you, Mr. Speaker. I... First of all I'd like to acknowledge that our Senator... our Treasurer Alexi Giannoulis is with us today. And the reason, this is... Welcome him. Thank you. The reason he's here because this Bill was his idea and this, should it pass today and I encourage your 'aye' vote, will be the first Bill that he'll be sending to the Governor. And his idea is one that I hope you all support and I think it makes a lot of sense. You

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guys can, you know, debate him later on it. But under current law the Treasurer is not required to post information on a Web site that would talk about the total amounts of funds held by the Treasurer, the asset allocations for the investments, the benchmarks established by the State Treasurer and current and historic return information. This Bill would require the Treasurer to do so on a monthly basis. I think it's a great piece of legislation for sunshine; lets us know how our money's being invested and where it's invested. I'd be glad to answer any questions."

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

Bassi: "Thank you, Mr. Speaker. Just to... to the Bill. There is a very similar Bill that would require the entire State Government budget to be posted on the Internet that is languishing in the Senate at the moment. I congratulate the Treasurer on his willingness to be open and aboveboard and recommend an 'aye' vote. Thank you."

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

Franks: "I've just been told by the Treasurer that this month every person in the General Assembly will receive a printout of all our investments we have in the state and how they've been performing. So I want to thank him for that and I'd encourage 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



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voted who wish? Representative Turner and Jefferson, 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. Representative Lang, you have Senate Bill 330. Mr. Clerk, read the Bill."

Clerk Mahoney: "Senate Bill 330, a Bill for an Act concerning liens. Third Reading of this Senate Bill."

Speaker Hannig: "Representative Lang."

Lang: "Thank you, Mr. Speaker. Senate Bill 330 would provide for construction... for mechanics liens on leased construction equipment. It's been thoroughly discussed over a number of years. I would be happy to answer your questions."

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

Mathias: "Will the Sponsor yield?"

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

Mathias: "Representative, is this the Bill that adds construction equipment... the leasing of construction equipment to the Mechanics Lien Act. Is that correct?"

Lang: "That's correct, Sir."

Mathias: "And I know in committee there was some discussion about the priority... that this would have priority over a first mortgage or construction loan. Is that correct?"

Lang: "I guess I recall some discussion about that."

Mathias: "And obviously, this is being opposed by the Illinois bankers and the title companies. Is that correct?"

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Lang: "It is... it is correct. The bankers indicated they were opposed, but frankly, I haven't spoken to them since committee. I don't think their opposition was all that strong. The title company had an interest in providing for an Amendment, but it was more of a clarifying Amendment than anything else and my understanding is they could not come to agreement."

Mathias: "Well, in fact, I had talked to two (2) of them and they wanted to clarify the fact that this would not take precedence over an existing mortgage because this would basically give... I mean, this very question of policy, you know, traditionally mechanics liens are for improvements to the property as opposed to leasing equipment. And while I didn't have a... fundamentally a problem, per se, with the Bill, I did have a problem with the fact that it would take priority over mortgages, which I thought we were still working on language to try to alleviate that, and I think in fact, I think our chairman at the time, Representative Fritchey, I think also had some concerns about... about that also. And in fact, I thought that you had stated that you would try to work with the parties before, you know, presenting this Bill on Third Reading."

Lang: "Well, that is true, Sir, and we... they did try to work. They sat down more than once as I understand. They were not able to come to an agreement, so we've been moving the Bill forward."

Mathias: "Well, like I said, this does make a fundamental change in mechanics lien law. It does put these companies at an advantage over the construction loans may have a problem..."

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the title companies may have a problem in being able to determine if these, you know, because this is rental, it's not like a plumbing or electrician, which you know is going to be on every single project. But here, we may have a lien that the title company may be even unaware of because it's a rental situation. So, to the..."

Lang: "Well, their... Sir, they would be aware of it because the lien still has to be recorded. So, they would be aware of the lien. There would not be a situation where they wouldn't be aware of the lien."

Mathias: "While the lien would only be... you know, you have a certain amount of time to file liens and it's very possible that this lien doesn't get recorded until after all of the funds have been disbursed and that's where my... In fact, if... I don't know if you had a chance to look at the Amendment, but the Amendment did just that. It stated that you would have to record this in order to get priority and to have a valid lien and that was what was turned down. So, to the Bill."

Speaker Hannig: "To the Bill."

Mathias: "I would urge a 'no' vote at this time to this Bill until we can have a full discussion on this. I think that this will change existing mechanics lien law to give a renter of equipment priority over banks. It's very possible that these... this lien will not have to be filed or if it is filed, it's filed already after the disbursement of all the funds, and there won't be any funds to pay it and could lead obviously to a foreclosure procedure and that's the reason why the title companies are opposed and the bankers. So at

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this point, until there's an agreement by the parties, I would urge a 'no' vote, because this is a fundamental change in mechanic's..."

Speaker Hannig: "Representative, your time expired. Would you like to finish your thought? Okay. He's finished. Representative Fritchey, you're recognized for five minutes."

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

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

Fritchey: "Representative, I'll echo some but not all of the previous speaker's comments. I will say that the affected parties did present to me an Amendment yesterday. Due to time constraints, I had not had a chance to substantively look at it, although it was very short. I was just curious, had you seen that Amendment?"

Lang: "I saw the Amendment, but frankly what I did was determine that there was no agreement on the Amendment. And as I indicated in committee, I would allow the parties to negotiate for a period of time and then I would move the Bill forward."

Fritchey: "All right. So the Amendment that was presented to me did not help get the parties closer to where they were?"

Lang: "Apparently not."

Fritchey: "Okay. All right. To the Bill. Ladies and Gentlemen, we actually had a very interesting debate about this legislation in committee. It is trying to find a solution to a difficult situation and a situation in which you can find two parties, neither one of whom are truly wrongdoers. I don't think it's a perfect solution. I do

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think it's a good solution. I think it merits our support. I will tell the Sponsor and the Members of this Body and the interested parties that I, and I'm reluctant to speak for the Representative, but I believe the Representative, as well, would be amenable to if we can take a good idea and make it better. In the fall or next Session that we'll obviously continue to do that. Folks, again, it's not perfect, but it does help put some protections where protections need to be placed. Thank you."

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

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

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

Mulligan: "Representative, this Bill came out of the Senate and this passes and sends it to the Governor. How you work on it?"

Lang: "Well, there are a number of ways. I... First of all..."

Mulligan: "An Amendatory Veto from this Governor..."

Lang: "...it was the... it was the..."

Mulligan: "...with the enlightened staff."

Lang: "I didn't say I was going to work on it. The prior speaker said we might want to work on it. That's first. Second, this could be changed by Amendatory Veto if there was a subsequent agreement or by a trailer Bill during the Veto Session, but... and if the parties could agree on some additional language anytime between now and then, I'd be proud to accommodate them by providing the necessary language. But this Bill's pretty good just the way it is, Representative. It deals with a real problem in construction. These folks deserve to get paid just like

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everybody else and this lien goes into the Mechanics Lien Act because while we protect people who have built these structures, we should also protect the people that provide the equipment to allow people to build structures and therefore, it fits perfectly in the Mechanics Lien Act."

Mulligan: "If someone that is not directly in light with the contract, say a subcontractor, leases something and then doesn't pay for it, why should the primary person who had the contract be responsible for paying for it if he has no control over whether the subcontractor who leased the equipment ever pays for it?"

Lang: "Well, it's just an extension of the current Mechanics Lien Law. General contractors have that same problem now with subs. We would just, in effect, consider the leasing company just another sub."

Mulligan: "To this Bill."

Speaker Hannig: "To the Bill."

Mulligan: "For some reason the other side of the aisle seems to seem that they should change mechanic liens, independent contractor, bodies of law that have been around here in Illinois for a long time. I think one of the first things we should probably do is look at the Hippocratic Oath that says don't do anything to harm people and we're doing plenty things to harm people. We're changing bodies of law that have been in existence for quite some time. I don't know who this Bill is primarily important to, but if you can't sit down and have a negotiation that comes out with a reasonable dialogue, I don't think we should pass the Bill. I think we should send it back and wait for a little while

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to see what a reasonable dialogue could be. If there's never going to be a reasonable dialogue, then we ought to kill the darn thing and let it go to Bill heaven. Quite frankly, we're doing a whole lot of this this year; we're passing stuff that makes no sense just because you can. Well, just because you can doesn't mean it's important to the people of the State of Illinois to make a bad law and make it worse."

Speaker Hannig: "Representative Scully. Representative Rose."

Rose: "To the Bill, Mr. Speaker. Ladies and Gentlemen, the whole purpose of the Illinois Mechanics Lien Act is that materials and work that go into a building to build a building, repair a building, improve a building, what have you, cannot simply be taken back out of the building and thus they're lienable. To the extent that anything goes into that building and can't easily be removed, it should be lienable. It's my view that this is entirely consistent with the original premise of why we have a Mechanics Lien Act in the first place. And in adding, I support the Sponsor and intend to vote 'aye'."

Speaker Hannig: "Representative Lang to close."

Lang: "Well, I can't say it any better than Representative Rose. Please vote 'aye'."

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 Schock, do you wish to be recorded? Mr. Clerk, take the record. On this question, there are 98 voting 'yes' and 15 voting 'no'. And this

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Bill, having received a Constitutional Majority, is hereby declared passed. Senate Bill 335, Representative Coulson. Do you wish us to read that Bill? Mr. Clerk, read the Bill."

Clerk Mahoney: "Senate Bill 335, a Bill for an Act concerning children. Third Reading of this Senate Bill."

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

Tracy: "Thank you, Mr. Speaker. For the prior Bill I meant to be recorded as a 'no'."

Speaker Hannig: "So the record will so reflect your intentions. And Representative Coulson you're recognized on Senate Bill 335."

Coulson: "Thank you, Mr. Speaker. Senate Bill 335 amends the Abandoned Newborn Infant Protection Act to require that every hospital, fire station, emergency medical facility, and police station that accepts abandoned newborns to put up a sign informing the public that a newborn infant could be relinquished there. And just so you know, we are working with a private foundation to be able to give these signs away so that there would be no cost to any of these entities or at least a minimal cost. And I'd appreciate an 'aye' vote."

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

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

Speaker Hannig: "Indicates she'll yield."



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Schmitz: "Does the legislation indicate where the signs would have to be posted?"

Coulson: "No, it does not. We're just making sure that someone who may be needing to relinquish their baby knows the appropriate places. The Department... Let's make sure... that DCFS will work on a design, a specific design of this sign and then obviously, by rule, they could put other rules in."

Schmitz: "'Cause my fear is as when you're dealing with some of these facilities, not every part of the facility is open to the public. And so we have the internal signs, that say, fire departments, where they'll have all the labor laws posted, but there's no entryway or some sort where you're going to have a sign posted out front that could comply with this."

Coulson: "Yeah. I believe the actual language is a conspicuous place for the public and I'm just looking for it here. On the exterior of the building housing the facility, but it doesn't specifically say it has to be by a door, at just a conspicuous place."

Schmitz: "Okay. Thank you."

Coulson: "Thanks."

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

Coulson: "I would appreciate an 'aye' vote. Thank you."

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

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there are 114 voting 'yes' and 0 voting 'no'. And this Bill, having received a Constitutional Majority, is hereby declared passed. Senate Bill 340, Representative Mathias. Out of the record. Senate Bill 341, Representative Fritchey. Out of the... Oh, there he is. Mr. Clerk, read the Bill."

Clerk Mahoney: "Senate Bill 341, a Bill for an Act concerning municipalities. Third Reading of this Senate Bill."

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

Fritchey: "Thank you. Ladies and Gentlemen, this Bill was an initiative of some local officials of the City of Chicago. This will simply allow restaurant owners the option of permitting owners to bring companion dogs with them on the outdoor areas of a restaurant. It is supported actually by the Restaurant Association and reflects the fact that this is actually a piece of legislation that is simultaneously pro-business and pro-consumer. We know of no objections to the same. I'd request an 'aye' vote."

Speaker Hannig: "This is on the Order of Short Debate. And on that question, the Gentleman from Vermilion, Representative Black."

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

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

Black: "Representative, if I throw this Bill over to you, would you bring it back? I mean, do you know how to play that game?"

Fritchey: "It'll give a whole new meaning to a 'fetcher' Bill, Representative."

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Black: "Okay. Oh, no, don't say that. Let me ask you just one question so I can be at least consistent today. If Chicago wants to do this, why do they need state authorization to do it?"

Fritchey: "It is actually the understanding that because of controlling state statutes that they do, in fact, need the state authority to allow them to do this if they are unable to do it on their own."

Black: "Okay."

Fritchey: "I had had the same question and it's a val..."

Black: "Okay."

Fritchey: "...it's a valid question, but the determination from the law department of the city was that they could not do it absent a change in State Law."

Black: "Okay. Even though they're a Home Rule city they still can't do this without a substantive change in State Law?"

Fritchey: "That... that..."

Black: "Okay."

Fritchey: "Yes."

Black: "Does it only allow companion dogs? I've seen... I've seen some people that have a capuchin monkey that, seriously, quadriplegics. The monkey will pick things up for them and... But this only deals with dogs?"

Fritchey: "This only deals with dogs. In those sensitive situations those are actually service animals at times. When it comes to that service animals are already allowed under, I think, various local and Federal Laws."

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Black: "All right. Have you checked with Representative Molaro, since he maintains that horses are companion animals, could you bring a horse to the outside cafe?"

Fritchey: "That may have to come in a horse trailer Bill."

Black: "Representative, you just made the day worthwhile. Thank you."

Speaker Hannig: "Representative Fritchey to close."

Fritchey: "I request an 'aye' vote. It sounds like a silly issue, sort of, but it's truly not. I'll tell you, in my district and in a lot of areas a lot of folks already do this. It comes to our attention that they may have been operating outside the scope of the law in doing this. This simply is something that is for the benefit of the restaurant patrons, the restaurants themselves. We are not forcing anybody to do anything. As I said, it's been very favorably received back home. 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? Representative Watson, Sullivan, Lyons, and Dunn, do you wish to be recorded? Mr. Clerk, take the record. On this question, there are 113 voting 'yes' and 2 voting 'no'. And this Bill, having received a Constitutional Majority, is hereby declared passed. Senate Bill 343, Representative Leitch. Mr. Clerk, read the Bill."

Clerk Mahoney: "Senate Bill 343, a Bill for an Act concerning local government. Third Reading of this Senate Bill."

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Speaker Hannig: "The Gentleman from Peoria, Representative Leitch."

Leitch: "Thank you very much, Mr. Speaker. All this Bill does is permit auditors and county treasurers not to keep duplicate records for the County Bridge Fund, Matching Tax Fund, and Motor Fuel Tax Fund. It's purely permissive. I'd ask for an 'aye' vote."

Speaker Hannig: "This is on the Order of Short Debate. Does anyone stand in response? Then the question is, 'Shall this Bill pass?' All in favor vote 'aye'; opposed 'nay'. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Representative Saviano, McAuliffe, Lyons, do you wish to be recorded? Last call. 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 Senate Bill 345."

Clerk Mahoney: "Senate Bill 345, a Bill for an Act concerning local government. Third Reading of this Senate Bill."

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

Mathias: "Thank you, Mr. Speaker. Senate Bill 345 only changes the required language to be used by a county sales tax referendum proposal on the ballot. This does not... that authority is already there, but as you know if you've seen, I'm sure when we all go to vote and we see what the ballot questions, what they look like, they're very convoluted. A lot of times you don't understand them. In fact, right now what it says on the ballot, it says 'shall' and then it

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lists the county, 'be authorized to impose a public safety tax at the rate of upon all persons engaged in the business of selling tangible personal property at retail in this county on gross receipts from sales made in the course of their business.' Well, obviously, if you read that no one's going to understand it. All Senate Bill 345 does is clear up the language so that when you read it you understand what you're voting on and it basically changes that language that I read before to say that the referendum would pay for public safety purposes and that they're authorized to impose this. And so it just clears up the language. The law already previously is there to afford the referendum. And it also is more of a truth in lending also type of Bill because it states what the exact amount is that you're going to be paying for every hundred dollars (\$100) spent. So it clears that up. So I... And a county board, in enacting that, can actually provide that this has a sunset clause if they wish. So I ask, I think this is good legislation for voting and I ask for your 'aye' vote."

Speaker Hannig: "This is on 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: "Representative, I think I heard you say the... on the ballot they'd explain how much the consumer would be paying for every one hundred dollars (\$100) spent at retail. Is that a requirement or is it optional?"

Mathias: "I believe if the county... Well, right now this would be up to the county board to pass this legislation and if they

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do pass it, then I believe they'd have to use this language. So, in other words, the county board, according to what it says here may opt to est... I'm sorry. Just one second. I believe it gives the county board... It actually states, this is the language. Yeah. This is... the language is set out in the statute and it does take out the original language that I first read, which was very confusing."

Franks: "I'm reading the draft right now. I'm reading the language. If you go... Do you have a copy of it in front of you, Representative?"

Mathias: "Yes, I do."

Franks: "I'm reading it as a 'may' and not as a 'must'. And I know that now, if someone is going to run a referendum to raise your property taxes, we passed a law here a couple of years ago that said if you do that this is how much it's going to effect a home that's worth a hundred thousand dollars (\$100,000) and then consumers can do the math from there. This language is permissive and it doesn't require it at the way I'm reading it, unless you're seeing a different way."

Mathias: "I think what happens is the initial, if you go to page 2, it sets forth the required language. Then if there is additional information that may appear on the ballot and then it shows the additional language. So certain of the language is required and a certain part of it is permissive to the county as well as the fact that they can establish the sunset, that's also permissive."

Franks: "Well, and that's how I read it as well. And I think it would be a better Bill and wondering if you have time to

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amend this. If we can move it back to Second, and I think you'd agree, that part on page 2 where it says, 'and additional information on the ballot below the question may appear the following:' and they put in quotes, 'this would mean that a consumer would pay an additional', and you insert the amount, 'in sales tax for every hundred dollars (\$100) of tangible personal property bought at retail.' Wouldn't you agree that that should be on the ballot question so our consumers, our voters, would be informed fully?"

Mathias: "I understand what you're reading. Obviously, this is the way it came from the Senate and I... honestly, I don't remember the reason why it didn't include this 'all' in there."

Franks: "Don't you think it'd be a better Bill if we moved it back to Second and made it mandatory 'cause I think we have plenty of time to do that?"

Mathias: "Well, rather than moving it to Second, let me take it out of the record, find out from the Sponsor why he separated the question and had some that was not permissive and some that is. And, in fact, hopefully, I could even get back to you today with that answer."

Franks: "Thank you."

Speaker Hannig: "So, we'll take this Bill out of the record at the request of the Sponsor. And Representative Reboletti, you're next with Senate Bill 364. Mr. Clerk, read the Bill."

Clerk Mahoney: "Senate Bill 364, a Bill for an Act concerning offenders. Third Reading of this Senate Bill."



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

Reboletti: "Thank you, Mr. Speaker. Senate Bill 364 sets out to have local law enforcement that have a library in their jurisdiction to indicate to them any of the sex offenders or violent offenders against youth that are required to register in those jurisdictions. The law enforcement is then supposed to take that information over to the local libraries so that they are aware of the offenders that are in the neighborhoods or that may pass through the facility. I would urge an 'aye' vote, then would entertain 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? Representative Lyons, 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 Senate Bill 300."

Clerk Mahoney: "Senate Bill 300, a Bill for an Act concerning transportation. Third Reading of this Senate Bill."

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

Molaro: "Thank you, Mr. Speaker. This Bill has been a lot of hard work since it came here. We have the Secretary of State who's now a full proponent. It was an initiative of the Mothers Against Drunk Drivers, MADD, and basically what

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this does, what we did in the law, as you well know, if you take the breathalyzer and you blow over a .08... .08 or above, you get a suspended license. If you don't take the breathalyzer on implied consent, you'll also have your license suspended. So what we did for people who got to use a car to and from work, during this suspension a judge could decide to give you a judicial driving permit. So a judge in the case and chief, before they find you guilty or not guilty, was allowed to give what they called a judicial driving permit. You'd bring a letter in from your work and the judge would stand there and decide, you know, whether you could drive back and forth. The judges didn't like that; the Secretary of State doesn't like that. We had people driving outside the restrictions. People were coming with phony letters. And here's the other hard part. If you were either a student or you were a housewife or your son was out of a job, you wouldn't be able to get this permit. So what the Mothers Against Drunk Drivers and now the Secretary of State came up with, they come up with an idea that if you are a first-time offender and you had this suspension you either; A) do not drive during it, or if you would like and it's your choice you would opt into the program that allows you to drive if you put one of these interlocking devices on your car that you would blow into. And what this would do is this would do exactly what we want it to do, that during the suspension we wouldn't have people out there who were driving outside restrictions or driving drunk. The Mothers Against Drunk Drivers loves this idea and now the Secretary of State does because now you would

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have people on the road who are sober driving and this is their initiative. The judges like it because they no longer have to issue these ridiculous permits and this is what we should have done maybe twelve (12) years ago and now we just caught up to where we should be. And as I said before, Secretary of State as well as the Mothers Against Drunk Drivers are now all for this Bill. I'll answer any questions."

Speaker Hannig: "We're going to put this on Standard Debate and Represen... the Gentleman from DuPage, Representative Reboletti, is recognized for 5 minutes."

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

Speaker Hannig: "Indicates he'll yield."

Reboletti: "Representative, I appreciate the legislation that you're bringing here. I concur with you having dealt with these situations in trying to draft judicial driving permits. You have situations where people are salesmen, they work Twelve (12) hours a day, seven (7) days a week... where the different hours of operation every day. It's very hard to monitor the scope of a judicial driving permit. Each person's different. If you're a pro se defendant and don't have another... if you had a public defender, they couldn't do the judicial driving permit for you because it's a civil matter. So therefore they could... maybe not even have the opportunity to get a judicial driving permit. These are also things that we used to request as prosecutors, especially in the situations where people had higher blood alcohol content so that every time they got into a vehicle that it would be monitored to what their

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situation was. And I think that this will alleviate a lot of the concerns that many of us have as we see the situations that happen every day on our roads. And I believe this is a great piece of legislation and it will work to keep drunk drivers off the road. And I urge an 'aye' vote."

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

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

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

Mulligan: "Representative, these devices are already put on cars in some class, just not everybody. So, there is some problem in the last couple of years where the devices are made and where they were installed and who monitored them. Do you know if there's anything in your Bill that makes for a better way of handling this situation?"

Molaro: "Well, I don't know exactly in the Bill, but we did have testimony in committee that there were a bunch of manufacturers, but they all worked it out. So, they haven't... there was a list of a lot of places you could go to put these on. That's part of the Bill, that you would be given this list by the clerk of the Circuit Court or Secretary of State. I can't recall where in the Bill, but it does give you thirty (30) places to go or call and you could choose that. And there's an extra five dollars (\$5) for indigent defendants so they don't have to pay for it. All that was worked out with the Secretary of State and MADD."

Mulligan: "I tried to work this out several years ago because there were some places from out of state that were selling

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these devices and the way they would calibrate them because the devices were able to be overridden with like an air pump, because not all the devices are created equal. So in some instances, particularly the ones that are from companies that are... that install and put them in in Illinois, they can check the devices. But in other instances there were companies that were listed on the Secretary of State Web site that were from out of state and they could be overridden with an air pump because they weren't all created equal. So, my caution here is, I want to support your Bill. I'm hopeful that they worked it out. I don't know if they're going to come through JCAR, but I'm certainly going to be interested in taking a look because the way they did it previously, it seemed to me that particularly certain companies here in Illinois that were installing them were given preferential treatment, even though those devices were from out of state and the way that they monitored them was not good for the public for the people that wanted to be overridden."

Molaro: "I... I would agree..."

Mulligan: "And also... How about a commercial vehicle? Someone that is a taxi cab driver or a UPS driver, what would happen to the vehicle that they drive, would the company be responsible or if they wanted to keep their job driving, particularly if they had a commercial driver's license, would the company that employs them be responsible for having that monitor, because they above all wouldn't they be driving the public in some instances, which would be very important that they are sober?"

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Molaro: "Well, I think they'd have to be one of those cab drivers that own their own. I don't think Yellow Cab would be forced to put one in for them."

Mulligan: "So, how do you monitor a driver for a company, a limo driver, a cab driver that's gotten a DUI? Would their company then suspend them or..."

Molaro: "Yes."

Mulligan: "...how would you work?"

Molaro: "Well, right now with judicial driving permits, I don't think, if you're a cab driver I don't think they give you eight (8) hours to drive a cab."

Mulligan: "All right. So, staff is pointing out to me part of the law that says, 'in the course of their employment duties may seek permission for the court to drive an employer-owned vehicle that does not have an ignition interlock device.' So, that seems to be a problem, particularly if they're driving the public."

Molaro: "Well, you want to repeat that again, I didn't catch that?"

Mulligan: "On page... I think it's still 18..."

Molaro: "Of the Amendment?"

Mulligan: "Section (a) 2..."

Molaro: "Okay."

Mulligan: "...of Amendment to Senate Bill 300."

Molaro: "You know which Amendment?"

Mulligan: "Amendment #2. No, Amendment #1, staff is saying."

Molaro: "Yeah. Okay."

Mulligan: "It says 'persons who are issued an MDDP and must drive employer-owned vehicles, in the course of their

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employment duties, may seek permission from the court to drive an employer-owned vehicle that does not have an ignition interlock device. The employee shall provide to the court a form prescribed by the Secretary of State, completed by the employer, verifying that the employee must drive an employer-owned vehicle in the course of employment.' So it puts the onus on the court to allow someone that is driving the public to have an exemption from having it on their vehicle."

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

Mulligan: "I mean, that's the end of my remark. I think the Bill is a good Bill except for that particular flaw and I think that's a problem if they're driving the public. I don't know how you would address it at this point, but I think it certainly needs to be addressed."

Speaker Hannig: "Representative Molaro to close."

Molaro: "Well, thank you. We worked it out with the Secretary of State, Representative Mulligan. That was House Amendment #1 is the Secretary of State's Amendment, so I will certainly bring that up to them to see where they're at. Since we do have a House Amendment, it does have to go back to the Senate and we will work with that. As I said earlier, as far as the devices are concerned, Mothers Against Drunk Drivers feel that they do have this concern under control. There has been a lot of changes in the last two (2) or three (3) years that Representative Mulligan talked about. As I said, there's no known opposition. State's attorneys, Secretary of State, the chief judges as

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well as everybody has now agreed to this Bill and they feel this should be the law of the land. And we ask for an 'aye' vote."

Speaker Hannig: "The question is, 'Shall this Bill pass?' All in favor vote 'aye'; opposed 'nay'. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Representative Tryon, 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 the Rules Committee Report."

Clerk Mahoney: "Rules Committee. 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 May 22, 2007, reported the same back with the following recommendations: Referred to the Order of Second Reading is House Bill 2187 and House Bill 2755; 'approved for consideration' is Amendment #1 to House Bill 3676, Amendment #1 to House Joint Resolution 16, Amendment #1 to Senate Bill 56, Amendment #1 to Senate Bill 135, Amendment #1 to Senate Bill 226, Amendment #1 to Senate Bill 1097, and Amendment #1 to Senate Bill 1391."

Speaker Hannig: "So, we're going to move to the Order of Second Readings for a while. We're going to start in the beginning with Senate Bill 29 and where the... we'll skip over those Bills where the Chair knows there's Amendments pending or there's notes requested that are outstanding. So,



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Representative Sacia, you have Senate Bill 29. Mr. Clerk, read the Bill."

Clerk Mahoney: "Senate Bill 29, a Bill for an Act concerning civil law. Second Reading of this Senate Bill. No Committee Amendments. No Floor Amendments. No Motions filed."

Speaker Hannig: "Third Reading. Representative Bradley, you have Senate Bill 30. Mr. Clerk, read the Bill."

Clerk Mahoney: "Senate Bill 30, a Bill for an Act concerning criminal law. Second Reading of this Senate Bill. Amendment #1 was adopted in committee. No Floor Amendments. No Motions filed."

Speaker Hannig: "Third Reading. Representative Mathias, you have Senate Bill 34. Mr. Clerk, read the Bill."

Clerk Mahoney: "Senate Bill 34, a Bill for an Act concerning business. Second Reading of this Senate Bill. Amendment #1 was adopted in committee. No Floor Amendments. No Motions filed."

Speaker Hannig: "Third Reading. Representative Hamos on Senate Bill 47. Read the Bill, Mr. Clerk."

Clerk Mahoney: "Senate Bill 47, a Bill for an Act concerning public aid. Second Reading of this Senate Bill. No Committee Amendments. No Floor Amendments. No Motions filed."

Speaker Hannig: "Third Reading. Representative Franks on Senate Bill 56. And I'm advised the Amendment's out of Rules. So, Mr. Clerk, read the Bill."

Clerk Mahoney: "Senate Bill 56, a Bill for an Act concerning transportation. Second Reading of this Senate Bill. No

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Committee Amendments. Floor Amendment #1, offered by Representative Franks, has been approved for consideration."

Speaker Hannig: "Representative Franks."

Franks: "Thank you. Floor Amendment #1 is identical to House Bill 145, which we passed unanimously before, which allows the ICC to regulate the relocation of commercial vehicles in excess of ten thousand (10,000) pounds. I wanted to put it on this Bill so all the towing legislation can be on one."

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 Brosnahan on Senate Bill 121. Shall we read the Bill? Read the Bill, Mr. Clerk."

Clerk Mahoney: "Senate Bill 121, a Bill for an Act concerning criminal law. Second Reading of this Senate Bill. No Committee Amendments. No Floor Amendments and no Motions filed."

Speaker Hannig: "Third Reading. Representative May on Senate Bill 126. Out of the record. Representative Chapa LaVia. Excuse me. Representative Gordon on Senate Bill 135. Any Amendments out of Rules, Representative? So, shall we read the Bill? Representative Gordon."

Gordon: "I wish to withdraw Floor Amendment #1 and just move the Bill to Third Reading, Mr. Speaker."

Speaker Hannig: "So, Mr. Clerk, read the Bill."

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Clerk Mahoney: "Senate Bill 135, a Bill for an Act concerning State Government. Second Reading of this Senate Bill. No Committee Amendments. Floor Amendment #1, offered by Representative Gordon, has been approved for consideration. All... No Motions filed."

Speaker Hannig: "So, it's Representative Gordon's intention to withdraw Amendment #1?"

Gordon: "Correct, Mr. Speaker."

Speaker Hannig: "Okay. So, Amendment #1 is withdrawn and the Bill moves to Third Reading. Representative Mathias on Senate Bill 142. Mr. Clerk, read the Bill."

Clerk Mahoney: "Senate Bill 142, a Bill for an Act concerning criminal law. Second Reading of this Senate Bill. No Committee Amendments. No Floor Amendments. No Motions filed."

Speaker Hannig: "Third Reading. Representative Saviano on Senate Bill 149. Wish us to read that Bill? Mr... Read the Bill? Read the Bill, Mr. Clerk."

Clerk Mahoney: "Senate Bill 149, a Bill for an Act concerning regulation. Second Reading of this Senate Bill. No Committee Amendments. No Floor Amendments. No Motions filed."

Speaker Hannig: "Third Reading. Representative May on Senate Bill 158. Out of the record. Representative Ryg on Senate Bill 170. Do you wish us to read it? Mr. Clerk, read the Bill."

Clerk Mahoney: "Senate Bill 170, a Bill for an Act concerning transportation. Second Reading of this Senate Bill. No

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

Speaker Hannig: "Third Reading. Representative Rose on Senate Bill 174. Out of the record. Do you wish us to read it? Okay. We can read 174. Mr. Clerk, read the Bill."

Clerk Mahoney: "Senate Bill 174, a Bill for an Act concerning criminal law. Second Reading of this Senate Bill. Amendment #1 was adopted in committee. No Floor Amendments. No Motions filed."

Speaker Hannig: "Third Reading. Representative Dunkin on Senate Bill 182. Do you wish us to read it? Mr. Clerk, read the Bill."

Clerk Mahoney: "Senate Bill 182, a Bill for an Act concerning finance. Second Reading of this Senate Bill. No Committee Amendments. No Floor Amendments. No Motions filed."

Speaker Hannig: "Third Reading. Representative Reboletti on Senate Bill 226. The Amendment's out of Rules. So, Mr. Clerk, read the Bill."

Clerk Mahoney: "Senate Bill 226, a Bill for an Act concerning criminal law. Second Reading of this Senate Bill. No Committee Amendments. Floor Amendment #1, offered by Representative Reboletti, has been approved for consideration."

Speaker Hannig: "Representative Reboletti."

Reboletti: "This Floor Amendment just brings the Senate Bill into compliance with the same language that we passed in House Bill 457, which bans the substance salvia divinorum. Thank you."

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

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

Speaker Hannig: "Third Reading. Representative Boland, you have Senate Bill 252. Do you wish us to read that? Mr. Clerk, read the Bill."

Clerk Mahoney: "Senate Bill 252, a Bill for an Act concerning local government. Second Reading of this Senate Bill. No Committee Amendments. No Floor Amendments. No Motions filed."

Speaker Hannig: "Third Reading. Representative Meyer on Senate Bill 285. Mr. Clerk, read the Bill."

Clerk Mahoney: "Senate Bill 285, a Bill for an Act concerning local government. Second Reading of this Senate Bill. No Committee Amendments. No Floor Amendments. No Motions filed."

Speaker Hannig: "Representative Osterman on Senate Bill 333. Excuse me. We need to move 285 to Third Reading, Mr. Clerk. That was my mistake. Okay. Out of the record on 333. Representative Davis, Will Davis on Senate Bill 355. Mr. Clerk, read the Bill."

Clerk Mahoney: "Senate Bill 355, a Bill for an Act concerning business. Second Reading of this Senate Bill. No... Amendment #1 was adopted in committee. No Floor Amendments. No Motions filed."

Speaker Hannig: "Third Reading. Representative Froehlich, you have Senate Bill 376. Out of the record. Representative

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Holbrook, you have Senate Bill 386. Read the Bill, Mr. Clerk."

Clerk Mahoney: "Senate Bill 386, a Bill for an Act concerning criminal law. Second Reading of this Senate Bill. No Committee Amendments. No Floor Amendments. No Motions filed."

Speaker Hannig: "Third Reading. Representative Beiser on Senate Bill 387. Mr. Clerk, read the Bill."

Clerk Mahoney: "Senate Bill 387, a Bill for an Act concerning education. Second Reading of this Senate Bill. No Committee Amendments. No Floor Amendments. No Motions filed."

Speaker Hannig: "Third Reading. Representative... Representative Feigenholtz, you have Senate Bill 390. Mr. Clerk, read the Bill."

Clerk Mahoney: "Senate Bill 390, a Bill for an Act concerning State Government. Second Reading of this Senate Bill. No Committee Amendments. No Floor Amendments. No Motions filed."

Speaker Hannig: "Third Reading. Representative Jerry Mitchell on Senate Bill 397. Mr. Clerk, read the Bill."

Clerk Mahoney: "Senate Bill 397, a Bill for an Act concerning education. Second Reading of this Senate Bill. Amendment #1 was adopted in committee. No Floor Amendments. No Motions filed."

Speaker Hannig: "Third Reading. Representative Lang on Senate Bill 398. Mr. Clerk, read the Bill."

Clerk Mahoney: "Senate Bill 398, a Bill for an Act concerning education. Second Reading of this Senate Bill. No

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Speaker Hannig: "Third Reading. Representative Black on Senate Bill 401. Mr. Clerk, read the Bill."

Clerk Mahoney: "Senate Bill 401, a Bill for an Act concerning education. No Committee Amendments. No Floor Amendments. No Motions filed. Second Reading of this Senate Bill."

Speaker Hannig: "Third Reading. And Representative Black on Senate Bill 402. Read the Bill, Mr. Clerk."

Clerk Mahoney: "Senate Bill 402, a Bill for an Act concerning education. Second Reading of this Senate Bill. No Committee Amendments. No Floor Amendments. No Motions filed."

Speaker Hannig: "Third Reading. Representative Osmond on Senate Bill 404. Mr. Clerk, read the Bill."

Clerk Mahoney: "Senate Bill 404, a Bill for an Act concerning regulation. Second Reading of this Senate Bill. Amendment #1 was adopted in committee. No Floor Amendments. No Motions filed."

Speaker Hannig: "Third Reading. Representative Winters on Senate Bill 424. Do you wish us to read this Bill? Mr. Clerk, read the Bill."

Clerk Mahoney: "Senate Bill 424, a Bill for an Act concerning education. Second Reading of this Senate Bill. No Committee Amendments. No Floor Amendments. No Motions filed."

Speaker Hannig: "Third Reading. Representative Watson on Senate Bill 426. Shall we read the Bill? Mr. Clerk, read the Bill."

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Clerk Mahoney: "Senate Bill 426, a Bill for an Act concerning state funds. Second Reading of this Senate Bill. Amendments #1 was adopted in committee. No Floor Amendments. No Motions filed. Second Reading of this Senate Bill."

Speaker Hannig: "Third Reading. Representative McCarthy on Senate Bill 435. Shall we read the Bill, Representative? Shall we read the Bill? Out of the record. Okay. Representative Fortner on Senate Bill 436. Mr. Clerk, read the Bill."

Clerk Mahoney: "Senate Bill 436, a Bill for an Act concerning local government. Second Reading of this Senate Bill. No Committee Amendments. No Floor Amendments. No Motions filed."

Speaker Hannig: "Third Reading. Representative Joyce on Senate Bill 438. Do you wish us to read it? Mr. Clerk, read the Bill."

Clerk Mahoney: "Senate Bill 438, a Bill for an Act concerning transportation. Second Reading of this Senate Bill. No Committee Amendments. No Floor Amendments. No Motions filed."

Speaker Hannig: "Third... Third Reading. Representative Mathias on Senate Bill 441. Mr. Clerk, read the Bill."

Clerk Mahoney: "Senate Bill 441, a Bill for an Act concerning transportation. Second Reading of this Senate Bill. No Committee Amendments. No Floor Amendments. No Motions filed."

Speaker Hannig: "Third Reading. Representative Moffitt on Senate Bill 448. Mr. Clerk, read the Bill."



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Clerk Mahoney: "Senate Bill 448, a Bill for an Act concerning regulation. Second Reading of this Senate Bill. No Committee Amendments. No Floor Amendments. No Motions filed."

Speaker Hannig: "Third Reading. Representative... Representative Reitz on Senate Bill 455. Clerk, read the Bill."

Clerk Mahoney: "Senate Bill 455, a Bill for an Act concerning revenue. Second Reading of this Senate Bill. No Committee Amendments. No Floor Amendments. No Motions filed."

Speaker Hannig: "Third Reading. Representative Scully on Senate Bill 472. Mr. Clerk, read the Bill."

Clerk Mahoney: "Senate Bill 472, a Bill for an Act concerning civil law. Second Reading of this Senate Bill. Amendment #1 was adopted in committee. No Floor Amendments. All notes have been filed."

Speaker Hannig: "Third Reading. Representative Chapa LaVia on Senate Bill 473. Read the Bill, Mr. Clerk."

Clerk Mahoney: "Senate Bill 473, a Bill for an Act concerning local government. Second Reading of this Senate Bill. No Committee Amendments. No Floor Amendments. No Motions filed."

Speaker Hannig: "Third Reading. Representative Coladipietro on Senate Bill 478. Out of the record. Representative Gordon on Senate Bill 479. Mr. Clerk, read the Bill."

Clerk Mahoney: "Senate Bill 479, a Bill for an Act concerning finance. Second Reading of this Senate Bill. No Committee Amendments. No Floor Amendments. No Motions filed."

Speaker Hannig: "Third Reading. Mr. Clerk, read Senate Bill 481."

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Clerk Mahoney: "Senate Bill 481, a Bill for an Act concerning civil law. Second Reading of this Senate Bill. No Committee Amendments. No Floor Amendments. No Motions filed."

Speaker Hannig: "Third Reading. Representative Rita on Senate Bill 495. Do you wish us to read the Bill? Read the Bill, Mr. Clerk."

Clerk Mahoney: "Senate Bill 495, a Bill for an Act concerning regulation. Second Reading of this Senate Bill. No Committee Amendments. No Floor Amendments. No Motions filed."

Speaker Hannig: "Third Reading. Rep... Mr. Clerk, read Senate Bill 497."

Clerk Mahoney: "Senate Bill 497, a Bill for an Act concerning civil procedure. Second Reading of this Senate Bill. No Committee Amendments. No Floor Amendments. No Motions filed."

Speaker Hannig: "Third Reading. Representative Bassi on Senate Bill 498. Read the Bill, Mr. Clerk."

Clerk Mahoney: "Senate Bill 498, a Bill for an Act concerning hunting. Second Reading of this Senate Bill. No Committee Amendments. No Floor Amendments. No Motions filed."

Speaker Hannig: "Third Reading. Representative Winters on Senate Bill 505. Do you wish us to read the Bill? Representative Winters, shall we read the Bill? Read the Bill, Mr. Clerk."

Clerk Mahoney: "Senate Bill 505, a Bill for an Act concerning education. Second Reading of this Senate Bill. Amendment

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#1 was adopted in committee. No Floor Amendments. No Motions filed."

Speaker Hannig: "Third Reading. Representative Feigenholtz on Senate Bill 511. Read the Bill, Mr. Clerk."

Clerk Mahoney: "Senate Bill 511, a Bill for an Act concerning information technology access. Second Reading of this Senate Bill. No Committee Amendments. No Floor Amendments. No Motions filed."

Speaker Hannig: "Third Reading. Representative Poe on Senate Bill 514. Representative Poe, shall we read the Bill? Representative Poe, do you wish us to read this Bill on Second? Read the Bill, Mr. Clerk."

Clerk Mahoney: "Senate Bill 514, a Bill for an Act concerning transportation. Second Reading of this Senate Bill. No Committee Amendments. No Floor Amendments. No Motions filed."

Speaker Hannig: "Third Reading. Representative Reitz on Senate Bill 518. Do you wish us to read the Bill? Read the Bill, Mr. Clerk."

Clerk Mahoney: "Senate Bill 518, a Bill for an Act concerning wildlife. Second Reading of this Senate Bill. No Committee Amendments. No Floor Amendments. No Motions filed."

Speaker Hannig: "Third Reading. Representative Lyons, you have Senate Bill 523. You wish us to read the Bill? Read the Bill, Mr. Clerk."

Clerk Mahoney: "Senate Bill 523, a Bill for an Act concerning local government. Second Reading of this Senate Bill. No Committee Amendments. No Floor Amendments. No Motions filed."

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Speaker Hannig: "Third Reading. Representative Feigenholtz on Senate Bill 526. Out of the record. How about Senate Bill 528, Representative? Mr. Clerk, read the Bill."

Clerk Mahoney: "Senate Bill 528, a Bill for an Act concerning property. Second Reading of this Senate Bill. No Committee Amendments. No Floor Amendments. No Motions filed."

Speaker Hannig: "Third Reading. Representative Molaro on Senate Bill 532. Out of the record. Representative Dunn on Senate Bill 533. Read the Bill, Mr. Clerk."

Clerk Mahoney: "Senate Bill 533, a Bill for an Act concerning transportation. Second Reading of this Senate Bill. No Committee Amendments. No Floor Amendments. No Motions filed."

Speaker Hannig: "Third Reading. Representative Will Davis on Senate Bill 538. There he is in the back. Mr. Clerk, read the Bill."

Clerk Mahoney: "Senate Bill 538, a Bill for an Act concerning education. Second Reading of this House Bill. No Committee Amendments. No Floor Amendments. No Motions filed."

Speaker Hannig: "Third Reading. Representative Hernandez on Senate Bill 545. Do you wish us to read the Bill? Read the Bill, Mr. Clerk."

Clerk Mahoney: "House Bill 4...545... Senate Bill 545, a Bill for an Act concerning State Government. Second Reading of this Senate Bill. No Committee Amendments. No Floor Amendments. No Motions filed."

Speaker Hannig: "Third Reading. Actually, we skipped over Senate Bill 540. Representative Flider. Okay. Mr. Clerk, read the Bill."

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Clerk Mahoney: "Senate Bill 540, a Bill for an Act concerning vehicles. Second Reading of this Senate Bill. No Committee Amendments. No Floor Amendments. No Motions filed."

Speaker Hannig: "Third Reading. Representative Mathias on Senate Bill 550. Mr. Clerk, read the Bill."

Clerk Mahoney: "Senate Bill 550, a Bill for an Act concerning health. Second Reading of this Senate Bill. No Committee Amendments. No Floor Amendments. No Motions filed."

Speaker Hannig: "Third Reading. Representative Holbrook on Senate Bill 555. Read the Bill, Mr. Clerk."

Clerk Mahoney: "Senate Bill 555, a Bill for an Act concerning insurance. Second Reading of this Senate Bill. No Committee Amendments. No Floor Amendments. No Motions filed."

Speaker Hannig: "Third Reading. Represen... Representative Reitz on 557. Mr. Clerk, read the Bill."

Clerk Mahoney: "Senate Bill 557, a Bill for an Act concerning animals. Second Reading of this Senate Bill. No Committee Amendments. No Floor Amendments. No Motions filed."

Speaker Hannig: "Third Reading. And Senate Bill 560. Mr. Clerk, read the Bill."

Clerk Mahoney: "Senate Bill 560, a Bill for an Act concerning animals. Second Reading of this Senate Bill. No Committee Amendments. No Floor Amendments. No Motions filed."

Speaker Hannig: "Third Reading. Representative Ramey on Senate Bill 561. You wish us to read the Bill? Shall we read the Bill? Read the Bill, Mr. Clerk."

Clerk Mahoney: "Senate Bill 561, a Bill for an Act concerning local government. Second Reading of this Senate Bill. No

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Speaker Hannig: "Third Reading. Representative Phelps, 569? You wish us to read the Bill. Out of the record? Okay. Out of the record. So, Mr. Clerk, what's the status of Senate Bill 108?"

Clerk Mahoney: "Senate Bill 108, a Bill for an Act in relation to children. Third Reading of this Senate Bill."

Speaker Hannig: "Mr. Clerk, return that to the Order of Second Reading at the request of the Sponsor. Repre... On page 51 of the Calendar, under the Order of Resolutions, there's House Joint Resolution 58. Representative Franks, would you like to... would you like to explain the Resolution briefly."

Franks: "Thank you, Mr. Speaker. What this Resolution will do is proclaim May 2007 as Lou Gehrig Disease Awareness Month in the State of Illinois and urges the President and Congress to provide additional funding for research. I'd be glad to answer any questions."

Speaker Hannig: "Is there any discussion? Then all in favor of the Resolution say 'aye'; opposed 'nay'. The 'ayes' have it and the Resolution is adopted. Representative Ryg, for what reason do you rise?"

Ryg: "Thank you, Mr. Speaker, for purposes of an announcement."

Speaker Hannig: "Make your announcement."

Ryg: "The Disability Services Committee tomorrow morning at 8:30 will be meeting in Room D-1, not 122B. So, Disability Services meeting in Room D-1. Thank you."

Speaker Hannig: "Mr. Clerk, read the Agreed Resolutions."

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Clerk Mahoney: "On the Order of Agreed Resolutions is House Resolution 447, offered by Representative Osterman. House Resolution 448, offered by Representative Poe and House Resolution 449, offered by Representative Fortner."

Speaker Hannig: "Representative Currie moves for the adoption of the Agreed Resolutions. All in favor say 'aye'; opposed 'nay'. The 'ayes' have it and the Resolutions are adopted. And Representative D'Amico, for what reason do you rise?"

D'Amico: "Point of personal privilege."

Speaker Hannig: "State your point."

D'Amico: "I just want to announce that we have softball practice tonight a half hour after we adjourn. We got the trophy; we want to keep it here in the House. So, please come on out to practice."

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

Sacia: "A point of personal privilege."

Speaker Hannig: "State your point."

Sacia: "Ladies and Gentlemen of the Body, you may recall that last evening we had a benefit for a very lovely lady Sheila Riley, who is in very dire straights medically. Also, to compound that, her husband received a liver transplant a year ago, so neither one of them are able to work. Contributions are still being taken, you can drop them off with me or any other assistance that you could give would be graciously and deeply appreciated by this wonderful lady. She works for Representative Munson and Representative Osmond. Again, thanks to all of you who participated last night and if anyone can still offer any assistance we would

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be most grateful. Thank you, Mr. Speaker and Members of the Body."

Speaker Hannig: "Are there any further announcements before we adjourn for baseball practice? Okay. So, Representative Currie moves, that allowing perfunctory time for the Clerk, that the House stands adjourned until tomorrow, Wednesday, May 23 at the hour of 12:00 noon. All in favor say 'aye'; opposed 'nay'. The 'ayes' have it. The Resolution... the Motion is adopted and the House stands adjourned."

Clerk Mahoney: "House Perfunctory Session will come to order. Referred to the House Committee on Rules is House Joint... Senate Joint Resolution 40, offered by Representative Hannig. Introduction and reading of House Bills First Reading. House Bill 4101, offered by Representative Wait, a Bill for an Act concerning courts. House Bill 4102, offered by Representative Pritchard, a Bill for an Act concerning horses. House Bill 4103, offered by Representative Feigenholtz, a Bill for an Act concerning appropriations. Senate Bills. Introduction and First Reading is Senate Bill 778, offered by Representative Verschoore, a Bill for an Act concerning State Government. First Reading of this Senate Bill. There being no further business, the House Perfunctory Session will stand adjourned."