

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

246th Legislative Day

4/3/2008

Clerk Mahoney: "House Perfunctory Session will come to order. Referred to the House Committee of Rules is House Joint Resolution 120, offered by Representative Fritchey."

Speaker Hannig: "The hour of 10:00 having arrived, The House will be in order. Members will be in their seats. Members and guests are asked to refrain from starting their laptops, turn off all cell phones and pagers, and rise for the invocation and for the Pledge of Allegiance. We shall be led in prayer today by Practitioner Donna Matheson Crawford, who is a practitioner at the First Church of Christ Scientist in McHenry. Practitioner Matheson is the guest of Representative Franks."

Practitioner Matheson: "Thank you. Let's have a moment of silence just to reflect our thought to receive these holy words of wisdom. Our Heavenly Father, Mother God, we come to You with humble hearts to ask for the grace we need to enter this house of law in order to do our duty to the citizens of this great State. We thank You for the virtue and energy You have granted us to lead and protect those who have entrusted us with this public office. And we promise to uphold the right in all actions and decisions to the best of our ability. In serving the people in Illinois, we are serving the principle of love, which You are, and Your grace will inspire us to maintain all the standards to which we have pledged ourselves. We ask that Your grace feed and sustain us during times of challenge when temptations of favoritism, selfishness, or impure motives arise. Your grace will be sufficient to free us. The right ideals of balance, control, and harmony will

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unfold in this governing Body to foster wise solutions beneficial to all residents of Illinois and to bring glory and honor to You. Dear Lord, we commit today to let honesty and integrity be our banner to uphold in serving those we are privileged to represent. We ask in Your name to receive the blessing promised in the book of Ephesians, unto every one of us is given grace according to the measure of the gift of Christ. Amen."

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

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

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

Currie: "Thank you, Speaker. Please let the record reflect that Representatives Hamos, Osterman, Washington, and Rich Bradley are excused today."

Speaker Hannig: "And Representative Bost."

Bost: "Thank you, Mr. Speaker. Let the record reflect that Representatives Black, Dunn, Pihos, and Watson are excused on the Republican side of the aisle today."

Speaker Hannig: "Mr. Clerk, take the record. There are 108 Members answering the Roll Call. A quorum is present. Mr. Clerk, read the Committee Reports."

Clerk Mahoney: "Rules Report. Representative Barbara Flynn Currie, Chairperson from the Committee on Rules, to which the following legislative measures and/or Joint Action

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Motion were referred, action taken on April 03, 2008, reported the same back with the following recommendation/s: approved for floor consideration 'recommends be adopted' is House Joint Resolution 120."

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

Stephens: "A point of order."

Speaker Hannig: "State your point, Sir."

Stephens: "The Lady asked for a moment of silence. Can she be arrested for that?"

Speaker Hannig: "No, Representative."

Stephens: "I understand it's not allowed in schools."

Speaker Hannig: "It's allowed here in the House."

Stephens: "Thank God."

Speaker Hannig: "On Supplemental Calendar #1, under the Order of Resolutions, is House Joint Resolution 120. Representative Fritchey."

Fritchey: "Thank you, Speaker. Members, we recently passed a Resolution authorizing the creation of bipartisan/bicameral committee to issue the language that will be presented to the voters of this state regarding the upcoming constitutional convention question on the ballot this fall. The original Resolution had provided that the language would be submitted by April 4, which is tomorrow. This Resolution simply extends that date to the end of April. This was discussed and we believe that it's a prudent way to proceed. I don't see any reasons for discussions, but obviously, I'd be happy to answer any if there are."

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Speaker Hannig: "Is there any discussion? Then the question is, 'Shall the res... Excuse me, Representative Eddy, did you wish to speak?'"

Eddy: "Just very briefly, a clarification. We had some Members just coming in. Representative Fritchey, basically, this does nothing to the... the structure or the content of the original Resolution except changes the deadline from one date to another. Could you give us again the deadline change?"

Fritchey: "It is solely a deadline change. The majority of the work that has to be performed is really prescribed by the constitution and by statute. This is simply a date for the question. You know, I would..."

Eddy: "The original deadline was?"

Fritchey: "Well, the original deadline was April 4. This would now make it April 30. You know, I would just tell you just by way of history, twenty (20) years ago when this happened, you know, the language was ultimately submitted a couple weeks after the deadline specified in the Resolution in any event, but we decided it's prudent not to take any technical... any chance with a technical problem and so this was discussed. The Members on your side are Representatives Lindner and Durkin were at the meeting as well yesterday. It's really more administrative than anything else."

Eddy: "Thank you very much, Representative."

Fritchey: "Thank you."

Speaker Hannig: "Representative Lindner."

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Lindner: "Thank you, Mr. Speaker. Did we agree to May 15 yesterday? Or..."

Fritchey: "We had discussed May 15 and I was apprised late in the day that there were concerns among Leadership that given the timing and the need to get this thing out of the RFP that we had discussed yesterday, let's shoot for the April 30 date. I think you'll agree that during our meeting yesterday, while we discussed May 15 as a safeguard, it seems in all practicality that we may actually have this done well in advance of a April 30 date."

Lindner: "And I know we have subcommittee meetings next week. And so, all right."

Fritchey: "Yeah, we're scheduled to have our first follow-up meeting next Tuesday and then, hopefully, have something very close to final language a week after that. Again, there's bigger and better things..."

Lindner: "All right, I just was confused about the dates, so..."

Fritchey: "No. No, you're absolutely correct and let me apologize for not getting back to you. This was... and I said this all came to me kind of out of left field itself. But again, you know, I think that we had a very good meeting yesterday and we're going to continue to work together and I don't want to see something like this create..."

Lindner: "All right. I agree."

Fritchey: "...any sense of conflict."

Lindner: "That's fine. Thank you."

Fritchey: "Thank you."

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Speaker Hannig: "Is there any further discussion? Then the question is, 'Shall the Resolution be adopted?' All those in favor vote 'aye'; opposed 'nay'. The voting is open. Have all voted who wish? Mr. Clerk, take the record. On this question, there are 108 voting 'yes' and 0 voting 'no'. And the Resolution is adopted. On page 34 of the Calendar, Representative McCarthy, you have Senate Joint Resolution 75. Representative McCarthy."

McCarthy: "Thank you, Mr. Speaker. The... Senate Joint Resolution recognizes international education as an essential component of higher education. And I'd ask for a favorable Roll Call."

Speaker Hannig: "Is there any discussion? Then all in favor of the recognition... All in favor of the Resolution say 'aye'; opposed 'nay'. The 'ayes' have it. And the Resolution is adopted. Okay, we're going to start on the Order of Third Readings. So, we're gong to start with Representative Beaubien, House Bill 2825. Mr. Clerk, read the Bill."

Clerk Mahoney: "House Bill 2825, a Bill for an Act concerning wildlife. Third Reading of this House Bill."

Speaker Hannig: "Representative Beaubien."

Beaubien: "Yes, thank you, Mr. Speaker. We discussed this Bill yesterday. It's an initiative of the... an Amendment to the Wildlife Code. It adds to the statement of residents being eligible for the apprentice hunter and license Bill. Also, nonresidents will be eligible. This is an initiative of the Sportsmen's Caucus and I ask for an 'aye' vote."

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

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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 Brauer and Poe, Colvin, you wish to be recorded? Mr. Clerk, take the record. On this question, there are 108 voting 'yes' and 0 voting 'no'. And this Bill, having received a Constitutional Majority, is hereby declared passed. Representative Beiser, you have House Bill 4692. Do you wish us to read that Bill? Out of the record. Representative Brosnahan on House Bill 5983. Mr. Clerk, read the Bill."

Clerk Mahoney: "House Bill 5983. A Bill for an Act concerning State Government. Third Reading of this House Bill."

Speaker Hannig: "Representative Brosnahan."

Brosnahan: "Thank you, Mr. Speaker, Ladies and Gentlemen of the House. House Bill 5983 amends the Illinois Health Facilities Planning Act that governs the issuance of certificate of need for health facility capital expenditures. What this legislation does, it exempts from the law the construction of any new facility or any renovation of an existing facility located on any campus facility as defined by the Illinois Public Aid Code provided at the overall facility encompasses thirty (30) or more contiguous acres and that the new or renovated facility is intended for use by a licensed residential facility. This Bill primarily applies to Misericordia Heart of Mercy, which is located on the north side of the City of Chicago. The CON process was designed originally for expensive hospital projects, not the type of projects

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that Misericordia is working on. The certificate of need process has proved to be cumbersome, quite expensive, and undoubtedly has caused delays in the construction of these facilities. House Bill 5983, in a very limited manner, exempts Misericordia from the CON requirement when constructing or renovating buildings on its campus. It should be noted that Misericordia has over 400 residents on its waiting list so there is undoubtedly a need for these new facilities. The Misericordia residential projects are self funded. They shouldn't have tens of thousands of dollars added on to their costs for no public benefit. And these proposed residential facilities are completely contained within the campus of Misericordia so it's not going to have an effect of the outside neighborhoods. I'd be happy to answer any questions."

Speaker Hannig: "This is on the Order of Short Debate. Is there any discussion? The Gentleman from McHenry, Representative Franks."

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

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

Franks: "Representative, has Misericordia... And I support your Bill. I think it's a good Bill, but my question is, has Misericordia had to file with the Illinois Health Facilities Planning Board a certificate of need? Are they planning an expansion right now?"

Brosnahan: "They have applied in the past, a certificate of need process when they are building facilities for adults. So, if there's a facility that they want to build inside their campus and it's for children, they don't have to

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apply for a CON because it's licensed... it's licensed by DCFS or DHS. It's only if it's an adult facility, then they have to go through the CON process and that's why it kind of unfairly impacts Misericordia. If they were doing a CILA, Misericordia... in the neighborhood, not on its campus, they wouldn't have to go through a certificate of need process. So, that's why we're... we're trying to bring about some... some fairness so it doesn't adversely impact Misericordia."

Franks: "Thank you. To the Bill. I think it's a good Bill. I think the certificate of need process in this State ought to be scrapped. I think it's not up to date. The rules haven't been changed. It adversely affects providing health care to those who need it most and I know we past a Bill in the House here to extend the sunset on the certificate of need process. Hopefully, when we hear more stories like this with the certificate of need process is not representative and is not helpful, then when this comes up in the future, then we will change the system and I think this is... We need to exempt this fine organization from the problem they're having here and I hope everyone votes 'aye'."

Speaker Hannig: "We'll move this to Standard Debate and we've now had two (2) speak in favor. Representative Dugan, you're recognized for 5 minutes."

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

Speaker Hannig: "Indicates he'll yield."

Dugan: "I certainly understand your concern and certainly support this organization. Unfortunately, I'm not going to

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be able to support this Bill and the reason why is because I am a member of the Health Care Task Force and we are right now, in the throes of testimony throughout... from people throughout this state determining what we need to do as far as the CON process. It is the... the task of that task force to come back with recommendations. It may be that the CON process should be eliminated, maybe it should stay with certain exemptions and those types of things. But that's what we have been working on and continue to work on. And so, I just hate to see us now start to take apart and exempt certain ones as we're trying to come up with the results. So, I certainly appreciate what you're trying to do and understand and certainly appreciate and support the organization, but because of the task force and what we're trying to do for every health facility in the State of Illinois, I'm going to have to vote 'no' on this, but thank you very much."

Speaker Hannig: "The Gentleman from Bureau, Representative Mautino. Representative Mautino is recognized for 5 minutes"

Mautino: "Thank you. I just had a couple of questions. Representative, the... in looking through the analysis of the Bill, the Bill has a number of opponents. Now, I have not been contacted by them so I don't know the source of their opposition to it, but it lists the Council of Developmental Disabilities, the Independent Living Networks, Coalition for Citizens with Disabilities, Arc of Illinois. Can you tell me what the basis of their objections is or has that been rectified?"

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Brosnahan: "Frank, when we had this Bill in committee, none of those groups testified against it. They have not contacted me to express what their specific concerns were. I mean, I think many of those groups have an overall, you know, problem with a facility like Misericordia because it is a campus facility and quite honestly..."

Mautino: "And they're all home-based..."

Brosnahan: "...some of those groups, they don't want... they don't like the campus facilities. So, to me, that's their opposition, but they have not expressed anything specific about this Bill that they have a problem with. They have not come to me or spoken to me about their specific problems."

Mautino: "Thank you, Representative."

Speaker Hannig: "Representative Bellock."

Bellock: "Thank you very much, Mr. Speaker, just to the Bill. I strongly support the Bill and see that this organization, I think it's spent over a hundred and fifty thousand dollars (\$150,000) in legal fees the last time they had to do this. It's a nonprofit group dealing with severely disabled children and adults and this would help them to put that money towards serving those people with individual special needs. Thank you."

Speaker Hannig: "Representative Brosnahan to close."

Brosnahan: "Thank you, Mr. Speaker. I would certainly ask for an 'aye' vote on this Bill. I think it's an important piece of legislation. Moving forward, I know Misericordia's going to have many fine projects that are going to benefit not only to the immediate area of

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Misericordia, but the whole state. And I would certainly ask for your support. Thank you."

Speaker Hannig: "The question is, 'Shall this Bill pass?' All in favor vote 'aye'; opposed 'nay'. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Have all voted who wish. Mr. Clerk, take the record. On this question, there are 107 voting 'yes' and 1 voting 'no'. And this Bill, having received a Constitutional Majority, is hereby declared passed. Representative Franks, for what reason do you rise?"

Franks: "A point of Personal Privilege."

Speaker Hannig: "What's your point?"

Franks: "I'd like to introduce and welcome to Springfield, in the gallery, we have the very first eighth grade class from the new Creekside School in Woodstock, Illinois. Thanks for being here."

Speaker Hannig: "Welcome to Springfield. Representative Burke, you have House Bill 4485. Do you wish us to read that Bill? Shall we read that Bill? Read the Bill, Mr. Clerk."

Clerk Mahoney: "House Bill 4485, a Bill to for an Act concerning regulation. Third Reading of this House Bill."

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

Burke: "Thank you, Mr. Speaker and Ladies and Gentlemen of the House. I think this is a very important public policy to require that dental practice offices that administer a certain type of anesthesia would have an AED, an automatic external defibrillator, on premises in the event of some

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misfortune in the patient's experience. And I'd be happy to answer any questions."

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

Miller: "Thank you... Thank you, Mr. Speaker. To the Bill. I want to commend the Sponsor for working with the Illinois State Dental Society to provide a Bill that we can support. It is something that is needed in case of emergency and would ask for a favorable 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 wish? Representative Joyce and Cole, do you wish to be recorded? Mr. Clerk, take the record. On this question, there are 108 voting 'yes' and 0 voting 'no'. And this Bill, having received a Constitutional Majority, is hereby declared passed. Representative Monique Davis, you have House Bill 5729. Mr. Clerk, read the Bill."

Clerk Mahoney: "House Bill 5729, a Bill for an Act concerning regulation. Third Reading of this House Bill."

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

Davis, M.: "Thank you, Mr. Speaker. House Bill 5729 requires that every daycare center or part-time daycare center or group home for children have a minimum of daycare evaluation drills to prepare the students or children and the staff for fires, tornados, and these drills must be conducted in a manner prescribed by the department. This

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is a Bill that merely codifies what the department already does."

Speaker Hannig: "This is on the order of Short Debate. Does anyone stand in response? Then the question is, 'Shall this Bill pass?' All in favor vote 'aye'; opposed 'nay'. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Representative Rita and Cole, do you wish to be recorded? Mr. Clerk, take the record. On this question, there are 108 voting 'yes' and 0 voting 'no'. And this Bill, having received a Constitutional Majority, is hereby passed. Representative Ford, you have House Bill 4195. Read the Bill, Mr. Clerk."

Clerk Mahoney: "House Bill 4195, a Bill for an Act concerning civil law. Third Reading of this House Bill."

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

Ford: "Thank you, Mr. Speaker and Members of the House. House Bill 4195 provides that a specified notice shall be sent by mail to a mortgager prior to a judicial sale, to notify the homeowner of their right to remain in possession for 30 days after the order of possession. In light of all the foreclosures, I believe that this is a great Bill for the State of Illinois and I ask for a favorable vote."

Speaker Hannig: "This is on the Order of Short Debate. Does anyone stand in response? Then the question is, 'Shall this Bill pass?' All in favor vote 'aye'; opposed 'nay'. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Representative Rose and Reboletti? Mr. Clerk, take the record. On this question, there are 108 voting 'yes' and 0 voting 'no'."

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And this Bill having received a Constitutional Majority, is hereby declared passed. Representative Jefferson, you have House Bill 5285. Mr. Clerk, read the Bill."

Clerk Mahoney: "House Bill 5285, a Bill for an Act concerning regulation. Third Reading of this House Bill."

Speaker Hannig: "The Gentleman from Winnebago, Representative Jefferson."

Jefferson: "Thank you, Mr. Speaker and Members of the House. House Bill 5285 simply amends the State Employees Group Insurance Act to say that Voluntary Health Services Plans Act to require the continuation for coverage for a dependent college student who takes a medical leave of absence or reduces his or her course load to part-time status because of an illness or injury. I would ask for a favorable vote."

Speaker Hannig: "The Gentleman has moved for the passage of House Bill 5285. 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 Mitchell, do you wish to be recorded? Mr. Clerk, take the record. On this question, there are 105 voting 'yes' and 3 voting 'no'. And this Bill, having received a Constitutional Majority, is hereby declared passed. Representative Joyce, you have House Bill 5579. Out of the record. Representative Meyer, you have House Bill 4402. Out of the record. Representative Osmond, House Bill 4207. Mr. Clerk, read the Bill."

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Clerk Mahoney: "House Bill 4207, a Bill for an Act concerning criminal law. Third Reading of this House Bill."

Speaker Hannig: "Representative Osmond."

Osmond: "Mr. Speaker, could we remove that back? After the discussion yesterday, we need to put an Amendment on it."

Speaker Hannig: "Okay."

Osmond: "Thank you."

Speaker Hannig: "So, Mr... Mr. Clerk, return this to the Order of Second Reading at the request of the Sponsor. And, Representative Patterson, you have House Bill 4506. Would you like to present your Bill? Mr. Clerk, read the Bill."

Clerk Mahoney: "House Bill 4506, a Bill for an Act concerning criminal law. Third Reading of this House Bill."

Speaker Hannig: "The Gentleman from Cook, Representative Patterson. Proceed, Representative."

Patterson: "Thank you, Mr. Chairman and Honorable Men and Women of the House. The Bill... the intent of the Bill is to deter financial and physical crimes against seniors and disabled persons. Police reports today show that there's an alarming rise in crimes against seniors and disabled persons. We need some type of deterrent to stop these predators from stalking and robbing our seniors and disabled citizens of Illinois. Thank you."

Speaker Hannig: "The Gentleman has moved for the passage of House Bill 4506. Is there any discussion? Then the question is, 'Shall this Bill pass?' All in favor vote 'aye'; opposed 'nay'. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Mr. Clerk, take the record. On this question, there

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are 108 voting 'yes' and 0 voting 'no'. And this Bill, having received a Constitutional Majority, is hereby declared passed. Representative Reboletti, you have House Bill 5524. Do you wish us to read this Bill? Read the Bill, Mr. Clerk."

Clerk Mahoney: "House Bill 5524, a Bill for an Act concerning criminal law. Third Reading of this House Bill."

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

Reboletti: "Thank you, Mr. Speaker. What this Bill is attempting to do, and something that Representative Sullivan and Ramey and I have been working on since last year, is that this legislation is trying to deal with a situation that we have seen in the City of Chicago over the last year where we have twenty-some odd Chicago public school students that have been killed, I believe since September. What this Bill is attempting to do is go after what law enforcement would call the straw man. And the state of the criminal law at this time is that if you are purchasing fire arms for somebody else and you can legally purchase the firearm and then you give it to somebody else or sell it to somebody else who can not possess it, it's only a Class IV felony and it moves up a level based on the amount of firearms that you're trying to sell. So this would target what I would perceive as a major problem and that we have proponents being the City of Chicago and the National Rifle Association. So, we're bringing in very divergent groups to try to solve a problem that is plaguing

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the people of this state. And I would be open for any questions, Mr. Speaker."

Speaker Hannig: "Is there any discussion? The Lady from Cook, Representative Graham."

Graham: "Thank you, Mr. Speaker, Ladies and Gentlemen of the House. Will the Sponsor yield?"

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

Graham: "Representative Reboletti, explain to me what this... what the intent of this legislation is again."

Reboletti: "What we're... most of the time what we see, especially in the gang crimes in the City of Chicago and other areas, is that these individuals that commit the crimes with the firearms were never eligible to have firearms... firearms owners identification card. So their... somebody's purchasing the firearms legally for them. Be it from the State of Mississippi where we find a lot of the guns traveling up I-57 or I-65 from Indiana. And we're trying to focus on the people that are legally purchasing the firearms and getting them into the hands of the... of the criminal that are then committing the types of offenses that Representative Acevedo was trying to accomplish with his Bill."

Graham: "So would you say that this piece of legislation... I understand that you say that you're going after the straw purchaser... the straw man with the guns. Is that correct?"

Reboletti: "That's correct."

Graham: "Now, how are you presuming that the straw person is getting in possession of the firearms?"

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Reboletti: "What they do, Representative, and let me also explain the penalty and what we're looking to do here, and hopefully, this message can be carried out through the media, is that you can get probation right now for many of these cases and probably no jail time or a low amount of jail time, this would be mandatory prison. So, what this is trying to accomplish is a... I can go... I can go get a firearms identification card right now. I can legally possess it. I can travel to Mississippi where the gun laws are more lax than they are here. I can travel to Gary, Indiana where the gun laws are less... are less stringent than they are here. I can then purchase those firearms, go into any area and sell them to somebody who might be a convicted felon, a convicted domestic batterer, somebody with a violation... or an order of protection against them, give them the gun, sell them the gun for cash and then that gun is used in a subsequent crime. Law enforcement can then investigate that type of crime and trace back, hopefully, to the person, that being myself, that I purchased a firearm legally and then sold and gave that firearm to somebody who could not legally possess the firearm."

Graham: "But some of the statistics have shown that folks have not traveled to Mississippi to get the firearms. They have in fact purchased the firearms from licensed dealers here within the State of Illinois. A small percentage of dealers are knowingly selling to people who are able to buy the handguns at an exorbitant amount of guns and selling them out on the street. And we believe that licensed

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dealers, some of which a small percentage... 'cause I know that there are some dealers within our State that have integrity that are doing and making the appropriate sales to the appropriate people. But there is a small percentage of dealers who know what they're doing and who are... who is driven by the profit of selling to a straw purchaser to go out and liquidate those guns to the street. So I think that this is a... somewhat of a half measure... I agree with you that the straw purchaser should be dealt with, but I also agree... believe that the dealers who make those sales... knowingly make those sales, should be dealt with as well."

Reboletti: "Representative, I would make the argument to you that this would also incorporate those individuals that are doing that. That they are illegally selling..."

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

Reboletti: "Representative, I would make the argument to you that this would also include those individuals that are violating their privilege to sell firearms, knowingly selling them to somebody that can not possess that firearm."

Graham: "Well, I guess I'm looking at the very point, the scenario that you gave to me. You said that you were a legitimate firearm purchaser and you'd gone to make this purchase and... so, in a sense your comment kind of eliminates the dealer who's actually made the sale to you, you being the straw purchaser."

Reboletti: "We're not looking to do that and I do know there may be some out there that are doing that and... that was also the intention if that is the case, that they would

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fall under this. And if there's an issue with it, Representative, we can maybe deal with it if we can get it out of the House. I have no issue to try to work with you on that and deal with it over in the Senate, if that's amenable to you."

Graham: "Well, I'm glad you said that because I do have a piece of legislation, House Bill 796, that deals with dealers in this particular instance of trying to license our gun dealers in the State of Illinois to make sure that they're making the appropriate sales. I also think that within that piece of legislation, it deals with dealers..."

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

Graham: "Thank you. It deals with people selling to individuals who live areas that have... issues on the books that don't allow them to have them. So, your legislation doesn't address that?"

Reboletti: "I'm not sure if... I couldn't hear you, Representative, and I apologize, if you could repeat that."

Speaker Hannig: "Representative Monique Davis."

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

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

Davis, M.: "Representative, I was just curious as to why your Bill wants to enhance the penalties of the purchaser. But I see that you don't have any penalties for the seller."

Reboletti: "What you're doing... really, you are the seller, Representative. You're purchasing the gun and then you're going to sell the gun illegally. So you're purchasing it with an illegal intent. So, you're not buying the gun

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legally and then you're going to go use it to go trap shooting or go hunting. Your intention is to purchase the firearm to sell it for profit to those who can not legally possess a firearm."

Davis, M.: "And could you tell why you feel the current penalties are not enough?"

Reboletti: "Because I think there's a... there's a situation where if you only get probation that the message should be that these people that are doing this would go to prison and that the message will be put out to the state that if you do choose to do this and sell firearms illegally... purchase them legally but sell them illegally, that there's mandatory prison, not just an opportunity for probation."

Davis, M.: "But this says nothing about the seller. This says something about the purchaser."

Reboletti: "Well, that's what it is. It's the straw man is the purchaser, the person who legally purchases the firearm but then sells the firearm. So, technically, you are the purchaser, but it's dealing with the sale or the transaction of the firearm to somebody who can not possess it."

Davis, M.: "Approximately how many people do think in the State of Illinois are purchasing guns for illegal purchases?"

Reboletti: "Representative, that I don't have a number for and that's something I could probably talk to DuPage County about, Cook County State's Attorneys office, as well the Federal Government who also from time to time will involve themselves in these types of prosecutions depending on how large the amount of weapons that are being sold."

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Davis, M.: "So, you must have had some indication to want to increase these penalties. I mean, there must have been some indication of something going on that made you want to increase these penalties."

Reboletti: "Representative, when I used to prosecute some of these cases, we started to see these things and work on doing that, but what we also see is, I'm not sure how the gang members in the City of Chicago that are getting the firearms because most of them don't have FOID cards. They do have prior convictions for felonies or misdemeanors that would not make them eligible. So, somehow they're getting them. It's these people that are providing the firearms for them and that's what this is trying to do is.."

Davis, M.: "You don't... you don't think by having legislation that enhances or gives penalties for the seller would be a better method for preventing what you want to prevent?"

Reboletti: "Representative..."

Davis, M.: "If I'm... if I'm selling a weapon, I would be darn careful of who I sold it to. I would make sure that they met all the state requirements with the FOID card if I thought these were the penalties that I was going to get. But if I'm off scot-free and I can just sell and then whoever buys it, that's not my problem. I think that's why we're having the conditions in Chicago that we have today."

Reboletti: "Well, Representative..."

Davis, M.: "I think it's the conditions that we're allowing for those who sell the weapons."

Reboletti: "I've had colleagues on both sides of the aisle approach me about this because of the confusion about

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purchaser versus seller, but really the Act is about somebody purchasing but then selling. So the Act might say purchase, but it really means purchasing then with the intent to sell and then selling."

Davis, M.: "Let me ask you this. Of all of the so-called crime in Chicago that you continue to mention, do you ever find that the person who sold the weapon has been caught or charged?"

Reboletti: "That has happened, Representative."

Davis, M.: "Has it happened?"

Reboletti: "Yes."

Davis, M.: "Do you know how frequently?"

Reboletti: "I'm not sure, maybe others... maybe Representative Acevedo could tell you about that in his other capacity, but those investigations do occur."

Davis, M.: "I mean you... you read about these kids with a gun who shoot each other in school. Do you ever hear about where they get the gun from?"

Reboletti: "I can tell you..."

Davis, M.: "Do you ever hear about a prosecution of where they got it?"

Reboletti: "Representative... Representative, let me tell you something. There was a murder in the City of Elmhurst very recently that involved a murder/suicide and the individual could not possess a firearm because he had a valid order of protection against him and some other convictions that would've made him ineligible. I can tell you... I would surmise that the City of Elmhurst police chief and their investigative staff is continuing to pursue to find out

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where that firearm came from. If they can trace it back, they would charge that person with the laws we have in place right now."

Davis, M.: "But isn't it peculiar that we rarely see where those weapons are bought from?"

Reboletti: "It's very..."

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

Davis, M.: "I'll bring... I'll bring my remarks to the close. My close is, I think we're going after the wrong individual and I urge a 'no' vote on this Bill. Not only because it's... it's directed at the wrong people, but it's costly to the state. The taxpayer will end up spending a lot more money and not solving any crimes."

Speaker Hannig: "The Gentleman from Jasper, Representative Reis."

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

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

Reis: "Representative Reboletti, under our analysis that says that the City of Chicago is in support of your legislation. Is that true?"

Reboletti: "Representative, that is true. In the Judiciary II Committee, they came up to me and they did slip this as a proponent because I believe that they realized with the situation, how grave it is with these conditions that are occurring to the school children in that community."

Reis: "All right. Thank you."

Speaker Hannig: "Representative Froehlich."

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

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

Froehlich: "Yeah, Representative, I agree with you about straw purchasing being a problem. I'm just curious how exactly would this... this law be enforced? How would we catch those straw purchasers that we both agree are out there and doing dirty deeds? How do you catch them?"

Reboletti: "Representative, that's already occurring today. And it's...

Froehlich: "Right."

Reboletti: "...either looking at the serial number on the firearms and tracing it back. It could be from accomplices that are caught in the commission of the crime that then turn, what we call, state's evidence and implicate whoever gave them the firearm. So, these investigations are occurring at this time. This is already the law. I'm just trying to enhance the penalty to make sure that we're locking these individuals up, sending a message back to the community and to the criminals, basically, that if you're going to involve yourself in this type of behavior, it's prison time, it's not probation."

Froehlich: "Right. By the way, do you... do you have any estimate on what it would cost if these enhanced penalties go in to effect? What it would cost in DOC expenses?"

Reboletti: "Representative, they didn't... they usually approach me on enhancement Bills to give me some kind of indication. They did not approach me or slip in in any way, shape or form their position on the Bill."

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Froehlich: "Okay. One last thing, what do you think of a way to get at the straw purchaser problem, just like a way to get at the under-aged drinking problem, is doing sting operations. City of Chicago did some a few years ago to try and deter the retailers from knowingly selling to a straw purchaser when it's pretty obvious that that's the intent of that person who has the FOID card. Is that a kind of enforcement that you think could help deter this problem?"

Reboletti: "Representative, I would agree with you that if we... just as Representative Graham mentioned, that if we have people that are selling firearms including those that are retailers and they're doing it illegally, then they should also be charged if the state can prove the case against them. So, I have no issue with that."

Froehlich: "Good, well we agree. Thank you."

Speaker Hannig: "So, we've had three (3) in response and two (2) in support. The rules provide for one additional speaker in favor. Representative Sullivan, would you like to speak in favor? You have 5 minutes."

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

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

Sullivan: "Representative, they are some on both sides of the aisle that are somewhat concerned that this Bill could be amended in a way that would be beneficial to the NRA and they are somewhat reluctant to potentially vote for this. Is your intention to have any other new type of Amendment attached to this that potentially could lose some votes on this side over in the Senate?"

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Reboletti: "I'm not looking to put anybody on one vote and then it goes to the Senate and would change their position. This is already the state of the law in Illinois. It's just an enhancement of penalties, but if there was some language clarification that we could deal with in the Senate to make sure that we're taking in this conversation, then I would be willing to work with the NRA, the City of Chicago, and any other Legislator to accomplish what we're trying to do here today."

Sullivan: "And I thank you. To the Bill. We just want to clarify that because there is no intent to do anything else with this. I remember my first year down here, a Member on that side of the aisle said that she was tired of the gangbanger girlfriends buying the weapons legally and then selling them to their gangbanger boyfriends that can't possess a firearm. This stops that problem. This penalizes the people and they're going to have to learn if they do this type of purchase, we're going to have problems. You're going to spend a long of time in jail. So, if you want to stop these problems, you want to stop these gangbangers from getting weapons that they can not possess, please vote for this Bill. Thank you."

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

Reboletti: "Thank you, Mr. Speaker. I appreciate the comments of all my colleagues and really, the intent is to really prosecute the... as Representative Sullivan talked about, the people that are buying these guns legally with only the intent to sell them illegally and then we find these guns

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being used in all kinds of criminal activity throughout the state. So, I would urge an 'aye' vote."

Speaker Hannig: "The question is, 'Shall this Bill pass?' All in favor vote 'aye'; opposed 'nay'. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Mr. Clerk, take the record. On this question, there are 90 voting 'yes' and 1 voting 'no', 17 voting 'present'. And this Bill, having received a Constitutional Majority, is hereby declared passed. Representative Stephens, you have House Bill 5904. Shall we read this Bill? Read the Bill, Mr. Clerk."

Clerk Mahoney: "House Bill 5904, a Bill for an Act concerning civil law. Third Reading of this House Bill."

Speaker Hannig: "The Gentleman from Bond, Representative Stephens."

Stephens: "Thank you, Mr. Speaker. This Bill simply would codify the treasurer's current practice of making sure that medals... military medals that have become unclaimed property are given the proper respect and in deed, the treasurer has a long-standing policy of keeping those medals, using them in a display and making sure that they are not auctioned off or otherwise improperly disposed."

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 Mautino, do you wish to be recorded? Mr. Clerk, take the record. On this question, there are 108 voting 'yes' and 0

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voting 'no'. And this Bill, having received a Constitutional Majority, is hereby declared passed. Representative Yarbrough, you have House Bill 4826. Mr. Clerk, read the Bill."

Clerk Mahoney: "House Bill 4826, a Bill for an Act concerning appropriations. Third Reading of this House Bill."

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

Yarbrough: "Thank you, Mr. Speaker. House Bill 4826 is an appropriation Bill. It appropriates two million (\$2,000,000) dollars from the General Fund to fund a regional 911 center for the villages of Hillside, Maywood, Westchester, Berkley, Bellwood, and Broadview. Be happy to answer any questions."

Speaker Hannig: "The Lady has moved for the passage of House Bill 4826. 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? Have all voted who wish? Representative Rita, do you wish to be recorded? Mr. Clerk, take the record. On this question, there are 94 voting 'yes' and 14 voting 'no'. And this Bill having received a Constitutional Majority, is hereby declared passed. Representative Wyvetter Younge, you have House Bill 5209. Mr. Clerk, read the Bill."

Clerk Mahoney: "House Bill 5209, a Bill for an Act making appropriations. Third Reading of this House Bill."

Speaker Hannig: "Representative Younge."

Younge: "Thank you, Mr. Speaker. House Bill 5209 appropriates one million, one hundred and twenty-five thousand dollars

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(\$1,125,000) from the General Revenue Fund to the Department of Commerce and Community... Economic Opportunity for the purpose of making a grant to promote housing development and construction in East St. Louis."

Speaker Hannig: "The Lady has moved for the passage of House Bill 5209. 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? Have all voted who wish? Representative Gordon, do you wish to be recorded? Mr. Clerk, take the record. On this question, there are 79 voting 'yes' and 29 voting 'no'. And this Bill, having received a Constitutional Majority, is hereby declared passed. Representative Molaro, you have House Bill 5088. Representative Molaro? Okay, out of the record. Representative Joyce, you're recognized on House Bill 5579. Mr. Clerk, read the Bill."

Clerk Mahoney: "House Bill 5579, a Bill for an Act concerning aging. Third Reading of this House Bill."

Speaker Hannig: "Representative Joyce.

Joyce: "Thank you, Mr. Speaker, Ladies and Gentlemen of the House. House Bill 5579 would amend the Senior Citizens and Disabled Persons Property Tax Relief of Pharmaceutical Assistance Act. It basically expands the drug coverage of the existing pharmaceutical assistance program to include... on the list of covered prescription drugs, those used in the treatment of multiple sclerosis. Simply would ask for an 'aye' vote and be happy to answer any questions."

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

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

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

Winters: "Representative Joyce, as I understand the Bill, we're dealing with one specific disease here with multiple sclerosis and that we're... we're extending coverage to drugs that would treat the effects of multiple sclerosis... I'll get that out... versus those that actually treat it. Are there no drugs that will go in and try to heal multiple sclerosis? What's the genesis of using these drugs, of covering this class of drugs?"

Joyce: "Well, historically, it's been unknown, obviously, as you know there's no cure, but it's been unknown what could be used to treat multiple sclerosis. What has happened is they've just made a lot more scientific discoveries and these drugs have been helpful for people that are inflicted with multiple sclerosis."

Winters: "Well, I'd like to get back to that, but our notes also say that it looks like there was an agreement in committee. Now, you were not in committee... one of the cosponsors carried it, but the agreement was that it was going to be held on Second Reading for an Amendment dealing with the scope and costs of these provisions. Has that Amendment been applied to the Bill?"

Joyce: "There's an agreement... I'm sorry, what was the agreement?"

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Winters: "Well, our notes say that when Representative Jakobsson ran this Bill in committee, due to concerns raised by HFS, she agreed the Bill would be held on Second for an Amendment to address concerns relating to the scope and costs of these provisions. And maybe you weren't aware of that...'

Joyce: "I was not."

Winters: "...but at least in our notes..."

Joyce: "I was not, but I do have the fiscal costs of.. the fiscal note on this Bill and..."

Winters: "Well, I don't know how much we trust the fiscal notes, but I think industry is the ones that the fiscal note only covers the costs to State Government. Are there additional costs that would be borne by the insurance industry? Our notes also note that the fiscal incap.. impact, can vary very dramatically depending on how the term 'effect' is interpreted. In other words, a drug could be prescribed that has an effect, but it's not curing the disease, it's just dealing with the symptoms. I wondered if we can pull this out of the record and try to get some answers."

Joyce: "You know what... yeah... yeah, we can pull it out of the record and get to the bottom of it, but yeah, that's fine. Take it out, Mr. Speaker."

Speaker Hannig: "So we'll take it out of the record for the time being. Representative Molaro, you're recognized on House Bill 5088. Mr. Clerk, read the Bill."

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Clerk Mahoney: "House Bill 5088, a Bill for an Act concerning public employee benefits. Third Reading of this House Bill."

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

Molaro: "Thank you, Mr. Speaker. This is a Bill brought by the Treasurer's Office and it falls on the category that, I tell myself everyday, is that I don't know everything in this building even though I try to purport that I do. In pension funds, what happened was years ago, we created what they call the State's Pension Fund. And what we did is we would take the unclaimed property and it would go to the State Pension Fund and the State Pension Fund was then supposed to give it our systems. Well, what happened years ago as we started sweeping that money for the General Revenue Fund, and that was a mistake. I didn't know that was happening. I actually thought it went to the Pension Funds. So, what was happening is, when we have our actuarially defined contribution that we have to make every year, our continuing appropriation, I always assume that the thirty, forty, fifty million (30,000,000, 40,000,000, 50,000,000) and we think might be about two hundred million (200,000,000) in 2010 and then go back to about averaging seventy (70,000,000), eighty (80,000,000) million a year. We thought that seventy (\$70,000,000) or eighty million dollars (\$80,000,000) million dollars was going to the pension system. It wasn't. Now let me just say this, I got from Committee on Forecasting Governmental Accountability that says what a positive impact it would

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be. And for over the last 25 years, we would have been putting that seventy (70,000,000) or eighty million (80,000,000) in like I thought we were doing, our pension funds would not be in the shape that they are now. This just stops the sweep, puts 'em where they're supposed to go and I think it's a great idea and it's something that we put in the law years ago. So it stops what almost has become a sweep that we just take for granted and it'll go to the pension system and it'll help close that enormous gap and that enormous debt. I'll... I'll answer any questions if there are any."

Speaker Hannig: "The Gentleman's moved for the passage of House Bill 5088. And on that question, the Gentleman from Cook, Representative Fritchey."

Fritchey: "Thank you, Speaker. To the Bill. Ladies and Gentlemen, all of us have probably spoken in our district and elsewhere about the importance of dealing with our pension crisis and the unfunded liabilities. This is a way to handle this situation with money that we already have in our possession that should have been handling this. The benefits of this Bill are really greater than a direct fiscal impact, because every dollar that gets freed up from our pension liabilities is a dollar that you could put into programs that we've been trying to work on, whether it's in health care, whether it's in education, whatever it may be. As the Representative said and he knows better than most anybody in here about how the pension system works. Here is a chance to do what we thought we had been doing in the meantime. Let's save that unclaimed property and let's

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make sure that when it does come back to this state, that we can use it to pay down our bills, pay down both of the balance of the bills, reducing our interest payments going forward. It's good policy. It's good economic policy. It's prudent policy and it's something that we've all talked about the importance of doing. And this is the chance to put those into action. I strongly urge an 'aye' vote. This is a Bill that is not maybe the sexiest Bill that you're going to see, but it's an extremely important Bill and one that's really going to let us put our money where our mouths are. Thank you."

Speaker Hannig: "Okay, so, we've had two (2) speak in favor of the Bill. Representative Bellock, would you like to speak... actually, you can speak on either side. Representative Bellock. Is the Lady not seeking recognition? No? Okay. So then the question is, 'Shall this Bill pass? All in favor vote 'aye'; opposed 'nay'. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Mr. Clerk, take the record. On this question, there are 108 voting 'yes' and 0 voting 'no'. And this Bill, having received a Constitutional Majority, is hereby declared passed. Mr. Clerk, read the Committee Reports."

Clerk Mahoney: "Committee Reports. Representative Molaro, Chairperson from the Committee on Judiciary II-Criminal Law, to which the following measure/s was/were referred, action taken on April 03, 2008, reported the same back with the following recommendation/s: 'recommends be adopted' is Floor Amendment #1 to House Bill 2757, Floor Amendment #1

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to House Bill 2769, Floor Amendment #1 to House Bill 2860, and Floor Amendment #1 to House Bill 4506."

Speaker Hannig: "I have a Motion in Writing by Representative Patterson to reconsider the vote by which House Bill 506 just passed. Is there leave to use the Attendance Roll Call on the Gentleman's Motion to reconsider? Leave is granted. The Motion to reconsider prevails. So, the Bill's now on Third Reading. Mr. Clerk, return House Bill 4506 to the Order of Second Reading for the purposes of an Amendment. And Mr. Clerk, would you read the Bill?"

Clerk Mahoney: "House Bill 4506, had been read a second time, previously. Floor Amendment 1, offered by Representative Patterson, has been approved for consideration."

Speaker Hannig: "So, Representative Patterson now moves for the adoption of the Amendment. All in favor say 'aye'; opposed... The 'ayes' have it. The Amendment is adopted. Third Reading. Mr. Clerk, read the Bill."

Clerk Mahoney: "House Bill 4506, a Bill for an Act concerning criminal law. Third Reading of this House Bill."

Speaker Hannig: "Representative Patterson."

Patterson: "Thank you, Mr. Speaker. Ladies and Gentlemen of the House, the Amendment simply removes the word 'permanent' from the Bill as it relates to disability, because as long as the word 'permanent' was there, a temporarily disabled person would not be applicable to this Bill. I ask for your... for your 'aye' votes for this Amendment change. Thank you."

Speaker Hannig: "Is there any discussion? Then the question is, 'Shall this Bill pass?' All in favor vote 'aye';

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opposed 'nay'. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Representative... Mr. Clerk, take the record. On this question, there are 108 voting 'yes' and 0 voting 'no'. And this Bill, having received a Constitutional Majority, is hereby declared passed. We're going to move to the Order of Second Reading for a time, but I suspect we'll go back to Third before the day's over. So... so, Mr. Clerk, would you read House Bill 5125."

Clerk Mahoney: "House Bill 5125, a Bill for an Act concerning children has been read a second time, previously. Amendment #1 was adopted in committee. No Floor Amendments. No Motions filed."

Speaker Hannig: "We've... we've read that Bill so hold it on Second Reading. Representative Crespo, you have House Bill 5731. Do you wish us to read that Bill? Out of the record. Representative Fortner, on House Bill 5263, shall we read that on Second? Read the Bill, Mr. Clerk."

Clerk Mahoney: "House Bill 5263, a Bill for an Act concerning elections. Second Reading of this House Bill. Amendment #1 was adopted in committee. No Floor Amendments. No Motions filed."

Speaker Hannig: "Third Reading. Representative Flowers on House Bill 4223. Shall we read that Bill? Read the Bill, Mr. Clerk."

Clerk Mahoney: "House Bill 4223, a Bill for an Act concerning insurance. Second Reading of this House Bill. Amendment #1 was adopted in committee. Floor Amendments 2 and 3,

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offered by Representative Flowers, have both been approved for consideration."

Speaker Hannig: "So, Representative Flowers, what do you wish on Amendment #2?"

Flowers: "Thank you, Mr. Speaker. I wish to adopt Amendment #2."

Speaker Hannig: "Could you briefly explain it?"

Flowers: "Oh, I'm sorry. Amendment #2 would basically bring into compliance... would create an external review and it would allow the Department of Insurance... Okay, I'm sorry. It would... I want to withdraw Amendment #2, Mr. Speaker."

Speaker Hannig: "The Lady withdraws Amendment #2. Mr. Clerk, are there further Amendments?"

Clerk Mahoney: "Floor Amendment #3 has been approved for consideration."

Speaker Hannig: "And Representative Flowers on Amendment #3."

Flowers: "I want to withdraw Amendment #3."

Speaker Hannig: "The Lady wishes to withdraw. Is that correct?"

Flowers: "Yes."

Speaker Hannig: "Amendment #3 is withdrawn. Are there any further Amendments?"

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

Speaker Hannig: "Did you wish to hold the Bill or did you want it to move to Third, Representative?"

Flowers: "Third Reading, please."

Speaker Hannig: "Okay, so, Mr. Clerk, Third Reading. Representative Schock, you have House Bill 4545? You wish us to read this Bill on Second? Okay, let's take it out of

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the record with the... for the moment. Representative Berrios, you have House Bill 5687. Out of the record? Okay. Representative Brosnahan, you have House Bill 5059. Out of the record. Representative Collins, you have House Bill 1518. Out of the record. Representative Biggins, you have House Bill 4699. Shall we read that on Second? I think your staff's indicating 'no'. Out of the record. Representative Brauer, on House Bill 5536. Out of the record. Okay. Representative Monique Davis, you have House Bill 4668? You wish us to read that on Third? Out of the record. Representative Will Davis on House Bill 5116. Shall we read this on Second? Mr. Clerk, read the Bill."

Clerk Mahoney: "House Bill 5116, a Bill for an Act concerning education. Second Reading of this House Bill. Amendment #1 was adopted in committee. Floor Amendment #2, offered by Representative William Davis, has been approved for consideration."

Speaker Hannig: "Representative Davis, you're recognized on the Amendment."

Davis, W.: "Thank you very much, Mr. Speaker. Amendment #2 is simply, more or less, a technical Amendment which creates the fund by which these resources will be put in. I ask for the adoption."

Speaker Hannig: "Is there any discussion? Then all in favor of the Amendment... Excuse me. Representative Eddy on the Amendment."

Eddy: "Quick question."

Speaker Hannig: "The Sponsor will yield."

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Eddy: "The same question I have when we create funds, Representative Davis, is there a mechanism to protect that fund you're creating from sweeps in the legislation?"

Davis, W.: "Well, Representative, the Lieutenant Governor's office drafted the Amendment, so I'm going to assume that it is protected against sweeps."

Eddy: "Okay. If you, obviously, would check that for sure... I know what you're trying to do and one of the things you don't want to have happen, is to establish a fund, especially that's going to have private donations as part of the funding mechanism, only to see those private donations swept in any attempt by the administration to, you know, throw some money in the General Revenue. So, if you could check that to be sure in this Amendment, we'd appreciate it. Thank you."

Davis, W.: "I will, Representative, and make sure before we try to pass it on Third Reading that we have that information. Thank you."

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

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

Speaker Hannig: "Third Reading. Representative Ford, you have House Bill 4613. Excuse me. Representative Bost, for what reason do you rise?"

Bost: "Thank you, Mr. Speaker. We just need to put in the record that Aaron Schock was excused today as well, if we could, please."

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Speaker Hannig: "The Chair was incorrect. Yes, Representative Schock is excused. I was just working off of a list that had his name on it. So, I apologize, Representative. Okay. And back to Representative Ford. Mr. Clerk, read House Bill 4613."

Clerk Mahoney: "House Bill 4613, a Bill for an Act concerning criminal law. Second Reading of this House Bill. No Amendments. No Motions filed."

Speaker Hannig: "Third Reading. Representative Brauer, did you indicate you're ready to call 5536? Brauer. So, Mr. Clerk, read the Bill."

Clerk Mahoney: "House Bill 5536, a Bill for an Act concerning transportation, has been read a second time, previously. Floor Amendment #1, offered by Representative Brauer, has been approved for consideration. Floor Amendment #2 has been referred to the Rules Committee."

Speaker Hannig: "So, on Amendment #1, Representative Brauer."

Brauer: "Okay, Mr. Speaker, if I could go ahead and pull that out. I apologize. Amendment #2 hadn't gone through Rules yet."

Speaker Hannig: "Okay. Is that correct, Mr. Clerk, 2 is still in Rules?"

Clerk Mahoney: "Floor Amendment #2 is referred to Rules Committee."

Speaker Hannig: "Okay. So, we'll come back at a later time. Out of the record. Representative Fortner, you have House Bill 5186? Representative Fortner, do you wish us to read 5186? Out of the record. Representative Howard... Connie Howard, you have House Bill 5516? Out of the record."

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Representative Jakobsson, you have House Bill 4903? Do you wish us to read this on Second Reading? Do you... this is on Second Reading, Representative, do you wish us to read the Bill? Representative Jakobsson, do you wish us to read the Bill? Yes or no? Why don't we just take it out of the record. We'll come back to it. Representative Joyce, on House Bill 4651. Out of the record. Representative May, you have House Bill 4812. Shall we read this on Second? Mr. Clerk, read the Bill."

Clerk Mahoney: "House Bill 4812 has been read a second time previously, a Bill for an Act concerning State Government. Amendment #1 was adopted in committee. Floor Amendment #2, offered by Representative May, has been approved for consideration."

Speaker Hannig: "Representative May."

May: "Yes, Amendment #2 which is pending... it was a drafting oversight, quite honestly. We need to mention because of it affects state-owned building in the Department of Central Man... Central Management Services. We just need to add that."

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 McGuire, you have House Bill 4813. Do you wish us to read this Bill on Second? Read the Bill, Mr. Clerk."

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Clerk Mahoney: "House Bill 4813, a Bill for an Act concerning appropriations. Second Reading of this House Bill. No Amendment. No Motions filed."

Speaker Hannig: "Representative, did you wish us to move this to Third? Move it to Third. Okay, Mr. Clerk, Third Reading. Representative Osmond, you have House Bill 4162? Do you wish us to read this on Second? Okay, I'm advised you have an Amendment in Rules. Did you wish to move it without the Amendment?"

Osmond: "Yes."

Speaker Hannig: "Representative Osmond?"

Osmond: "Yes."

Speaker Hannig: "So, Mr. Clerk, read the Bill."

Clerk Mahoney: "House Bill 416... House Bill 4162, a Bill for an Act concerning animals. Second Reading of this House Bill. Amendment #1 was adopted in committee. Floor Amendment #2 has been referred to the Rules Committee. No Motions filed."

Speaker Hannig: "Third Reading. Representative Phelps, on House Bill 5204. Out of the record. Representative Rose, on House Bill 5909? Mr. Clerk, read the Bill."

Clerk Mahoney: "House Bill 5909, a Bill for an Act concerning criminal law. Third... Second Reading of this House Bill. No Committee Amendments. Floor Amendment #1, offered by Representative Rose, has been approved for consideration."

Speaker Hannig: "The Gentleman from Champaign, Representative Rose."

Rose: "Thank you, Mr. Speaker. The Committee Amendment number... Floor Amendment #1, excuse me, creates an affirmative

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defense for... it's similar to running into a burning building in defense of a family member, a spouse, a child, then that would be affirmative defense to this. It's a pretty simple Amendment and would ask for its adoption."

Speaker Hannig: "Is there any discussion? The Gentleman from Cook, Representative Fritchey."

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

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

Fritchey: "Representative, we can chat about this for a... for a second. You know, the concepts behind having a policy of preventing individuals from running back into burning buildings, et cetera, is that that person in so doing, not only put themselves at risk, but also puts firefighters at risk."

Rose: "That was..."

Fritchey: "Now, obviously, you know, God forbid that any of us are in a situation faced with a dilemma of breaking the law or trying what your natural instinct would be which is to save a relative in a crisis situation. But then the question becomes, I guess, you know, how do you differentiate from the, I guess, the general policy of not wanting to put yourself inadvertently, others inadvertently, or firefighters inadvertently at risk, even though you're doing what your heart is telling you to do..."

Rose: "Right."

Fritchey: "...but maybe not what your head is telling you to do."

Rose: "Well, Representative, first of all, this comes from the committee. In fact, it was Representative Dunkin's suggestion. And it's one I agree with. If that's my kid

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in that building, I'm going in. And you can tell me whatever you want to tell me, I'm going in. And the committee did not think, nor did I think, nor do I... and I agree with them, that it's not fair to hold someone responsible for that conduct in that state of mind. And so, this Amendment simply adds to this as an affirmative defense. Currently, it's not actually a crime to run back into a burning building, which is what this Bill would do. If a firefighter directs you to stop, in fact it came out of a case in Coles County that I represent... 'cause you're right, you are putting a firefighter's life at risk. However, the committee's thoughts, and my agreement... and I'm in agreement with it, is that if that's your child, my child, I'm going in, and you would, too, as a father. So, we did not think it was fair to hold someone criminally responsible for that 'cause you're going to... 'cause that... I mean, you're going to do that anyway. That's part of being a parent and that's what this Amendment does and that's all the Amendment does."

Fritchey: "Okay, now, the language as I'm looking at it, provides for the affirmative... I apologize. I'm trying to... trying to figure out how to juggle my microphone and my laptop here. It provides for an affirmative defense in the event that you're going back into the building to rescue a relative related to that person by blood or marriage. So, you're saying that you can go in to rescue your wife and it would be an affirmative defense."

Rose: "Correct or your..."

Fritchey: "You could go in to rescue your..."

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Rose: "...child..."

Fritchey: "...child and it would be an affirmative defense, unless that child was an adopted child 'cause that child is not related to you by blood or marriage."

Rose: "That's a good point, Representative. It's a very good point. I'll tell you what, let's... let me look at this really fast."

Fritchey: "And again, Chapin, you and I know each other well enough, I'm not trying to..."

Rose: "No, I know. I know."

Fritchey: "...Yeah, I..."

Rose: "Well, and ,Representative, this is..."

Fritchey: "I'll assume this is an oversight and not your intention."

Rose: "I... I agree. Tell you what, we'll file another Amendment to... to make that the case, because that... the point is, if it's a loved relative, there ought to be an affirmative defense. And then that's how you get to that. Mr. Speaker, let's pull this and I'll file another Amendment to address Repre..."

Fritchey: "I... I do appreciate that. Thank you."

Rose: "No, it's my pleasure."

Speaker Hannig: "Okay. So, we'll... we'll take this out of the record at the request of the Sponsor. Representative Ryg, you have House Bill 4264. Read the Bill, Mr. Clerk."

Clerk Mahoney: "House Bill 4264, a Bill for an Act concerning regulations. Second Reading of this House Bill. Amendment #1 was adopted in committee. No Floor Amendments. No Motions filed."

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Speaker Hannig: "Third Reading. Representative Sacia, you have House Bill 4811 on Second. Shall we read the Bill? Read the Bill, Mr. Clerk."

Clerk Mahoney: "House Bill 4811, a Bill for an Act concerning transportation. Second Reading of this House Bill. Amendment #1 was adopted in committee. Floor Amendment #2, offered by Representative Sacia, has been approved for consideration."

Speaker Hannig: "Representative Sacia, you're recognized on the Amendment."

Sacia: "It's simply a technical change and just adds a word. Very simplistic."

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

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

Speaker Hannig: "Third Reading. Representative Saviano, on House Bill 4762? Out of the record. Representative Scully, on House Bill 5286? Out of the record. Representative Stephens, you have House Bill 4625? Representative Stephens, should we read 4625? Out of the record. Representative Soto, on House Bill 5000? Shall we read the Bill? Read the Bill, Mr. Clerk."

Clerk Mahoney: "House Bill 5000, Bill for an Act concerning education, has been a second time, previously. Amendments 1 and 2 were adopted in committee. Floor Amendment #3, offered by Representative Soto, has been approved for consideration."

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Soto: "Thank you, Speaker and Members of the House. House Bill 3 is a gut and replace Amendment. House Bill #1 removes the ISBE's rulemaking authority to... in regards to the new Act and inserts the no rulemaking language. House Amendment #2 does the following as indicated in our laptop. And I'm open for any questions and I urge an 'aye' vote, please."

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

Eddy: "Thank you. Representative, a quick a question. You said Amendment #3 is a gut and replace Amendment?"

Soto: "Yes, it is."

Eddy: "And you had mentioned that Amendment #1 was the rulemaking Amendment? So, does the rulemaking Amendment then become part... Amendment 3 becomes the Bill?"

Soto: "Yes."

Eddy: "Is Amendment 1 then incorporated in with the rulemaking?"

Soto: "Yes."

Eddy: "Okay, thank you."

Soto: "Thank you."

Speaker Hannig: "Is there any further 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 Turner, on House Bill 4385? Out of the record. Representative Ron

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Wait on House Bill 5946. Shall we read this on Second?
Read the Bill, Mr. Clerk."

Clerk Mahoney: "House Bill 5946, Bill for an Act concerning economic development. Second Reading of this House Bill. Amendments 1 and 2 were adopted in committee. No Floor Amendments. No Motions filed."

Speaker Hannig: "Third Reading. Representative Yarbrough on House Bill 5164. Shall we read it? Read the Bill, Mr. Clerk."

Clerk Mahoney: "House Bill 5164, a Bill for an Act concerning education. Second Reading of this House Bill. Amendments 1 and 2 were adopted in committee. No Floor Amendments. No Motions filed."

Speaker Hannig: "Third Reading. Representative Younge, you have House Bill 4922? Wyvetter Younge, shall we read this on Second? Out of the record. We'll return to the Order of Third Readings. Representative Beiser, you have House Bill 4602? It's on Postponed Consideration. Would you like to present the Bill? Representative Beiser."

Beiser: "Thank you, Mr. Speaker, Members of the House. A couple days ago we did postpone this. I've had a chance to meet with those that had concerns regarding this Bill and we believe we've answered those. Basically, to recap, 4602 as amended, takes the FDA recommendations of which they've done studies of the shingles vaccination for those sixty (60) and older and makes it part of the insurance coverage for those insurance programs that are governed by the State of Illinois regulations. So I'd be happy to answer any further questions and I would ask for a favorable vote."

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Speaker Hannig: "And on that question, the Gentleman from Crawford, Representative Eddy."

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

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

Eddy: "Representative Beiser, thank you for working on this side with our folks regarding the opposition to this. What's your understanding now regarding the original opposition from the business community at this point?"

Beiser: "It's... we're let... we're told that the... they have no opposition to this as presented... as amended here."

Eddy: "Okay. So, they basically have gone from any opposition to a neutral position?"

Beiser: "I think that would be accurate."

Eddy: "Okay. All right, well, once again, thank you very much for the work you've done with Representative Coulson on this side of the aisle regarding this issue."

Beiser: "Thank you."

Speaker Hannig: "Is there any further discussion? Then the question is, 'Shall this Bill pass?' All in favor vote 'aye'; opposed 'nay'. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Representative Ramey, Meyer, Gordon, Golar, Dugan, Coladipietro... Mr. Clerk, take the record. On this question, there are 107 voting 'yes' and 0 voting 'no'. And this Bill, having receiving a Constitutional Majority, is hereby declared passed. Representative Burke, you have House Bill 4732? Do you wish us to read that? Mr. Clerk, read the Bill."

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Clerk Mahoney: "House Bill 4732, a Bill for an Act concerning revenue. Third Reading of this House Bill."

Speaker Hannig: "Representative Burke."

Burke: "Thank you, Mr. Speaker and Ladies and Gentlemen. This is a simple matter that the State Treasurer's Office brought to my attention and it provides that withdrawals or refunds made because of the beneficiaries' death, disabilities or receipt of a scholarship shall not be recaptured. Also provides that administrative agencies here, being the Department of Revenue, finding it necessary to adopt rules that implement this legislation shall present them to the General Assembly which in turn, shall take appropriate action. I'll be happy to answer any questions."

Speaker Hannig: "This is on Short Debate. Does anyone stand in response? "Then the question is, 'Shall this Bill pass?' All in favor vote 'aye'; opposed 'nay'. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Representative Tracy, Stephens, Somers, Patterson, Leitch, Krause, Bost, do you wish to be recorded? Mr. Clerk, take the record. On this question, there are 84 voting 'yes' and 20 voting 'no'. And this Bill, having received a Constitutional Majority, is hereby declared passed. Representative Cultra, you have House Bill 5243. Mr. Clerk, read the Bill."

Clerk Mahoney: "House Bill 5243, a Bill for an Act concerning criminal law. Third Reading of this House Bill."

Speaker Hannig: "The Gentleman from Iroquois, Representative Cultra."

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Cultra: "Thank you, Mr. Speaker, Ladies and Gentlemen of the House. House Bill 5243, an initiative by the er... the Illinois Sheriffs' Association, repeals provisions under the Count Jail Act that mandate members of the grand jury inspect jail facilities. These Sections are being repealed because the Illinois Department of Corrections already is mandated by statute to conduct yearly inspections. And I would answer any questions."

Speaker Hannig: "This is on the Order of Short Debate. Does anyone stand in response? Then the question is, 'Shall this Bill pass?' All in favor vote 'aye'; opposed 'nay'. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Representative Mitchell, Leitch, Kosel, Howard, Hoffman, do you wish to be recorded? Mr. Clerk, take the record. On this question, there are 107 voting 'yes' and 0 voting 'no'. And this Bill, having received a Constitutional Majority, is hereby declared passed. Representative Eddy, you have House Bill 4225. Mr. Clerk, read the Bill."

Clerk Mahoney: "House Bill 4225, a Bill for an Act concerning education. Third Reading of this House Bill."

Speaker Hannig: "Representative Eddy."

Eddy: "Thank you, Mr. Speaker. House Bill 4225 simply states that if a school district does not receive all funds that are appropriated in general state aide or other categoricals in the fiscal year that those monies were appropriated, that amount of the funding, if any, that's not received, cannot cause the district to become a financial impact or oversight type district and it just

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extends the protection that is already afforded the school districts in property tax, revenue receipts, to include general state aide and categoricals and I'd appreciate favorable consideration."

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 Mautino and May, do you wish to be recorded? Mr. Clerk, take the record. On this question, there are 107 voting 'yes' and 0 voting 'no'. And this Bill, having received a Constitutional Majority, is hereby declared passed. Representative Franks, you have House Bill 5049. Mr. Clerk, read the Bill."

Clerk Mahoney: "House Bill 5049, a Bill for an Act concerning transportation. Third Reading of this House Bill."

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

Franks: "Thank you, Mr. Speaker. This Bill came to me from the City of Harvard Police Department and what it would do, it would require that when demanded by a prosecutor, the owner of a vehicle that was involved in an accident involving death, personal injury, or an unattended vehicle or property, must provide a written statement or deposition to say who was actually driving the vehicle at the time. It'll help law enforcement immensely. We have no opposition. It left unanimously from committee."

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Speaker Hannig: "This is on Short Debate. Does anyone stand in response? Then the question is, 'Shall this Bill pass?' All in favor vote 'aye'; opposed 'nay'. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Representative Rita, Colvin, Saviano, do you wish to be recorded. Mr. Clerk, take the record. On this question, there are 107 voting 'yes' and 0 voting 'no'. And this Bill, having received a Constitutional Majority, is hereby declared passed. Representative Fritchey, you have House Bill 5141. Out of the record. Representative Jefferson, you have House Bill 5288. Mr. Clerk, read the Bill."

Clerk Mahoney: "House Bill 5288, a Bill for an Act concerning transportation. Third Reading of this House Bill."

Speaker Hannig: "Representative Jefferson."

Jefferson: "Thank you, Mr. Speaker, Members of the committee. House Bill 5288 simply allows the City of Rockford, along with several other counties to... Cook County, DuPage, Kane, Lake, Madison, McHenry, St. Clair, and Will Counties are authorized to establish red light cameras. What this does, is allows us in Rockford, Illinois, to establish red light cameras to issue tickets if it, if fact, would catch violators going through the red lights. So, I would ask for an 'aye' vote."

Speaker Hannig: "This is on the Order of Short Debate. And in response, Representative Winters."

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

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

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Winters: "Representative Jefferson, there's been some recent publicity of studies done in Florida by the Florida Department of Transportation, I believe, that in fact, finds that by using red light cameras, the accident rate and the injury rate, in fact, goes up. Are you familiar with those studies?"

Jefferson: "Somewhat, but not entirely."

Winters: "Well, the argument is, and people need to pay attention on the floor, that we are trying to expand to a significant number of additional communities the right to put red lights out. They automatically photograph any car that is in the intersection when the light turns red. And the presumption is that they ran the red light and that they are going to get a ticket. The problem is that, we've also had news reports of cities that when they put these into place as a means of driving the revenue up, they shorten the length of the yellow light. As a result, as hundreds of people start to get red li... red tickets or red light tickets, they... awareness in the public is that, oh my gosh, the yellow turn... or the yellow light is on, I'd better slam on my breaks and they, in fact, drive up the number of read end con... accidents quite substantially and the injury and death rates are much higher, particularly for senior citizens whose bodies can't handle the impact of an automobile accident as easily as when those people were younger. Their reactions tend to be little bit... a little bit slower than younger people. So, I think we need to very seriously consider whether this is a Bill that we should put in the state statute, expands it further and I

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think eventually, will... will turn out to... could be a detriment to the public health and safety. It may help cities revenue for their tickets for a short period of time, but when you consider the costs to society, costs of additional accidents and of injury, that this is probably not a good Bill for us to pass. Thank you, Mr. Speaker."

Speaker Hannig: "So, we'll... we'll remove this from Short Debate to allow some additional speakers. Representative Leitch, you're recognized for 5 minutes."

Leitch: "Thank you very much, Mr. Speaker. I, too, would like to express my very, very great reservations about this proposal. I do not favor this proposal for... for several reasons. I think the first of which is that studies all over the country have shown that the problem the Bill seeks to address can be very easily resolved by lengthening the time for the yellow lights. Study after study has shown that that adds to the safety, and indeed, shortening the time for the light to be yellow creates more accidents, more violations and above all, more revenue for the city or the village or whomever is collecting on the red lights. Indeed, recent reports in the Tribune suggested that the City of Chicago this year will be budgeting fifty two million dollars (\$52,000,000) to receive in their budget from these type of violations. Up, by the way, from about twenty million (20,000,000) just a few years ago. The third reason that I am very much opposed to this is because already in my district office, not unlike so many of you have experienced with Chicago parking tickets, phantom parking tickets, we are having to deal increasingly with

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incorrect yellow light violation in Chicago. Often the wrong car, a misread license plate, people have never even been to Chicago, are being swept up in this as well. So, while I know there are many who are in favor of this and who think this is a really great idea, I would strongly urge you to consider not voting in favor of this measure. I think it has more problems than would appear on the surface. And, above all, if we're concerned about safety, all that's necessary is to lengthen the yellow light. Thank you."

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

Lang: "Thank you very much, Mr. Speaker. I rise to declare a potential conflict on this matter so I will be voting 'present'."

Speaker Hannig: "Representative Dunkin, you're recognized for 5 minutes."

Dunkin: "Thank you, Mr. Speaker and Members of the Illinois House. I rise in support of this measure because it simply does what seven (7)... eight (8) counties that already that have joined it: Cook, DuPage County, Lake, Madison, McHenry, St. Clair, and Will Counties. They're already authorized in establishing this red light system. I represent the central part of Chicago, downtown, and a good portion of the south side and what's happened in our city, is there's been a tremendous decrease in individuals blowing past stop signs or red lights. It involves a T-crash, when a lot of... you have a lot young drivers or people feeling as if they're in a rush and they try to rush across that red light at the last minute and there's

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another car coming on and it creates a T-crash. That's pretty prominent in our city and over the last 3 years, the City of Chicago, the County of Cook, there's been a decrease in the number of incidences that have... has occurred. So this Bill simply allows or gives the county... six (6) additional counties the ability, local government control to put this within their city or their county or not. I think it's a good measure because it provides that local control. It's a proven safety technology that exists. It decreases the T-bone crashes and most suburb... suburban areas already... outside of the City of Chicago already have this as well. So again, it's a proven technology that works. It simply reduces accidents that can prove deadly or very catastrophic with serious industries... injuries and I believe that allowing six (6) counties... six (6) additional counties to have local control can also add value to the lives of individuals. I rise in support of this Bill."

Speaker Hannig: The Gentleman from DuPage, Representative Reboletti, you're recognized for 5 minutes."

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

Speaker Hannig: "Indicates he'll yield."

Reboletti: "Representative, one of the issues that have been brought to my attention on these red light cameras is that they do issue tickets... are you aware of... does your staff know, if you do get one of these tickets and you plead guilty and get supervision or whatever, is that recorded with the Secretary of State's Office and goes against your driver's abstract and recorded as a red light violation?"

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Jefferson: "I don't think it's recorded as a moving violation."

Reboletti: "You see that's... that's one of the issues that I have. 'Cause if a police officer were to pull you over and they issued you a ticket, you would go to court or pay on the Internet and that would be recorded on you abstract so that the next judge who reviews your case, would know that you had a red light violation six (6) months ago. If you're violating these, you could do it ten (10) times and the judge in whatever county may not know that you've done that somewhere else. So, I think that's part of the problem with the cameras."

Jefferson: "That's currently the way the... it's administered now. In a lot of counties, there's administrative hearing as relates to red light... people running red lights caught on video camera. So, each city has their own methodology of handling this and this is something that the City of Rockford initiated. This is something they requested, so I think it's only fair for them to be able to request this as it relates to safety for the City of Rockford."

Reboletti: "And I agree with you, Representative, and that's correct, but at the same time, these aren't being recorded anywhere else so that a prosecutor somewhere would know that this person had three (3) red light violations in the Rockford area. That's... I think that might be part of an issue so that a judge and a prosecutor would know that you had prior violations. And that's all I'm suggesting, but I'll listen to the rest of the debate. Thank you, Representative."

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Speaker Hannig: "So, we've had three (3) in opposition, two (2) in support, the rules would provide one (1) additional speaker in favor. Representative Rose or Cultra, would you like to speak in favor?"

Rose: "Question... questions."

Speaker Hannig: "Well, we've had three (3) in response already, Representative."

Rose: "I... well, my county's listed here and no one from my county has ever bothered to contact me to say they want this, so I have a question about where that came from."

Speaker Hannig: "All right. So we'll grant you a question, Representative."

Rose: "Thank you. Representative Jefferson, where did Champaign come from on this list?"

Jefferson: "There were surveys done. Anyone who requested red light ticketing wanted to be part of this Bill."

Rose: "Surveyed by who?"

Jefferson: "Survey done by Municipal League."

Rose: "I mean, I've never been contacted by the City of Champaign, Urbana, or Champaign County about this."

Jefferson: "I appreciate that, Representative Rose. A lot of the things happen in my county, I'm not contacted about either."

Rose: "Outstanding. Representative Cultra here represents a big part of Champaign County which also... he indicates not contacted about this. Are these... are these criminal tickets that are being issued?"

Jefferson: "It's a violation of municipality's laws."

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Rose: "It's not Illinois Vehicle Code or is it Illinois... It's not Illinois Vehicle Code?"

Jefferson: "It's a violation... of the municipal ordinance."

Rose: "The reason I ask if it's an Illinois Vehicle Code, then you have an equal protection problem because now we're treating different counties differently."

Jefferson: "I don't think it's effecting the individuals differently. It's up to each municipality as to how they handle the situation."

Rose: "Well, but... Okay. All right. I guess I'm just going to say it as I... and I'm just opening this up right here. It says Illinois Vehicle Code as amended, and if you're dealing with Illinois Vehicle Code, you can't have... I mean, you have to treat all citizens the same no matter what county is it. Now, if it's a municipal ordinance ticket, that's a different story. But if it's a State Illinois Vehicle Code... state citation, which will carry points to the Secretary of State's Office against their record, you can't have one rule for some counties and not the same rule for the other counties. That would be a blatant violation of equal protection. On the other hand, if it's a municipal Code, that's a different story because it's a Municipal ordinance and... and I guess I've got some concern here about what... I'm concerned, one, about Champaign being added, but I'm more concerned about the constitutionality of this unless you can tell me that this is not going to be an Illinois Vehicle Code citation. Okay. Well, I... I'm going to vote 'no'..."

Jefferson: "We do not believe it's a Vehicle Code violation."

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Rose: "You don't believe so?"

Jefferson: "No. It's not on your record."

Rose: "I'm just looking at the language and it's in the IVC. I mean, it's in the Illinois Vehicle Code. Is there something in here that makes it a municipal ticket? I think... I think actually, Representative, you may be right on that point. Although, I can't... having so little time here to look at this... I mean, it's several pages long. Well, Representative, I'm going to go ahead and vote 'no'. I'm not sure why Champaign got added to this, but I... actually, a number of my fellow colleagues here, would like to move this to unlimited debate if we can. I think I'm joined by the requisite number here on my side, and I'd ask that as I close. Thank you, Mr. Speaker."

Speaker Hannig: "Why... why don't we do this, Representative Cultra seeking recognition and I'll recognize him and then we'll close. Okay? So, Representative Cultra, you have 5 minutes."

Cultra: "Thank you. Representative Jefferson, where do you live?"

Jefferson: "Winnebago County."

Cultra: "Why are you including Vermilion and Champaign County in your... in your legislation?"

Jefferson: "They requested to be included."

Cultra: "Who... Who requested? Who in Champaign and Vermilion County requested to be included?"

Jefferson: "I'm sorry?"

Cultra: "Who contacted you from Vermilion and Champaign County to be included in this Bill?"

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Jefferson: "Certain municipalities in those counties requested that they be part of the Bill."

Cultra: "Could you be more specific as to..."

Jefferson: "Without having those... that information in front of me, no, I can't be... other than through Municipal League."

Cultra: "Well, I represent Vermilion and Champaign County and... and there's certainly been no concern that has been brought to my attention that we were wanting to do something like this. And, in fact, I know probably a lot of people that I know would be vehemently opposed to... this would be considered, maybe large, intruding government when you start putting cameras at stop lights. And I don't think that's something that we really, really want and I was just wondering why you, from Winnebago County, would be doing something like this for... for Champaign and Vermilion County?"

Jefferson: "Well obviously, Representative, somewhere down the line, someone from your area requested this. But the situation is this, if they don't want to enforce this, they don't have to do this. This is just to include them in the process in case they decide they want to participate. It's up to your local authorities to decide whether or not they want to participate in the red light video cameras. If they choose not to do this at this time, they... They're the ones that authorize this in your individual area. So, if they choose not to participate at that time, they don't have to. But if they choose to participate later on, then this gives them the authority to do that."

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Cultra: "Well, I just... it just seems strange to me that... that I'm in those counties all the time and haven't had any concern brought to me that... wanting to do this and how you, in Winnebago County would be hearing from people from counties that I represent, counties that Bill Black represents, Naomi Jakobsson represents, Chapin Rose... I mean, we have a lot of representation in those counties and no... none of those representatives are bringing forward this type of Bill. And it just seems like to me that you ought to represent your county and... and let the rest of us represent our counties. Thank you."

Jefferson: "Thank you."

Hannig: "No other speakers seeking recognition? Representative Jefferson is recognized to close."

Jefferson: "Thank you, Mr. Speaker. You know, this is an initiative, as I said before, that was requested by the City of Rockford and all the people that are part of the legislation. At some time, maybe over the last year, two (2) years, had requested at one point to be part of this video camera legislation. Oftentimes, things go on in my community that I'm not aware of as I'm sure, all the Representatives here happening that is not always brought to their attention until after the fact. This is something the city requested. This is something that they brought to my attention to say that they want it along with the other counties that are included in the legislation. I think, if I can remember correctly, I think Representative Brady had requested that his county become part of this, along with other people: the City of Rockford Municipal League,

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Northwest Municipal Conference, Metro Counties, RedSpeed, Illinois LCC, City of Champaign, DuPage Mayors and Managers, Barrington Area Council of Governments, and on and on and on. So, this is something requested by them. The bottom line is, if it comes to your county, you choose not to use this, that's your right to do that. But if you also choose to authorize this and there's... something came up before about the yellow lights, I think the yellow lights, you should become more cognizant of the fact that a yellow lights mean that you need to stop. A lot of times people think the yellow lights mean you have to speed up and go through the intersection. That's not the case. You become more cognizant with a yellow light to know that the red light is coming next. And if in fact you're running red lights and you are jeopardizing other people's safeties, then you should be penalized, you should be ticketed. I've seen a lot of accidents where people, after the fact, are saying, I'm sorry because I ran that red light. Sorry doesn't always get it when someone is injured or on their way to the hospital. This is a precaution to say slow down. The yellow light is cautioning you to slow down because the red light is coming up next. If in fact you choose to speed up and go through that light, then you're taking a chance on getting the ticket. I think it's a safety issue. I think we should always be cognizant of the safety and I think this is a good Bill. The City of Rockford requested it through me, through legislation, and I would ask for an 'aye' vote. Thank you."

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Hannig: "The question is, 'Shall this Bill pass?' All in favor vote 'aye'; opposed 'nay'. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Have all voted who wish? Mr. Clerk, take the record. On this question, there are 65 voting 'yes'; and 39 voting 'no'. And this Bill, having received a Constitutional Majority, is hereby declared passed. Representative Lang, you have House Bill 4527. Mr. Clerk, read the Bill."

Clerk Mahoney: "House Bill 4527, a Bill for an Act concerning local government. Third Reading of this House Bill."

Hannig: "Representative Lang."

Lang: "Thank you, Mr. Speaker. Ladies and Gentlemen, this is a Bill that advances the issue for libraries of funding. We have some very poor libraries in this state and some very school... very poor school libraries in this state. This initiative by Jesse White, the Secretary of State, seeks to increase state funding for the poorest libraries and the school libraries serving the smallest school districts. It's a Bill that's subject to appropriation and it's a Bill that received no negative votes in committee and believe it has no opposition."

Hannig: "This is on Short Debate. Does anyone stand in response? Then the question is, 'Shall this Bill pass?' All in favor vote 'aye'; opposed 'nay'. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Representative Krause, do you wish to be recorded? Mr. Clerk, take the record. On this question, there are 108 voting 'yes' and 0 voting 'no'."

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And this Bill, having received a Constitutional Majority, is hereby declared passed. Representative Lindner, you have House Bill 4291. Mr. Clerk, read the Bill."

Clerk Bolin: "House Bill 4291, Bill for an Act concerning public aid. Third Reading of this House Bill."

Speaker Hannig: "The Lady from Kane, Representative Lindner"

Lindner: "Thank you, Mr. Speaker. This is an agreement with Health Care and Family Services when child support is up to date and the... both the custodial and noncustodial parent agree, but the agency keeps collecting child support and for some reason has a... thinks that the noncustodial parent owes more, that when that happens and there is a wrongful collection and it's the fault of the department, that the department will pay the money back."

Speaker Hannig: "The Lady moves for the passage of House Bill 4291. Is there any discussion? Then the question is, 'Shall this Bill pass?' All in favor vote 'aye'; opposed 'nay'. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Mr. Clerk, take the record. On this question, there are 108 voting 'yes' and 0 voting 'no'. And this Bill, having received a Constitutional Majority, is hereby declared passed. Representative Meyer, you have House Bill 5013. Out of the record. Representative Mulligan, you have House Bill 5599. Rosemary Mulligan, do you wish to call this Bill? Read the Bill, Mr. Clerk."

Clerk Bolin: "House Bill 5599, Bill for an Act concerning National Guardsman's compensation claims. Third Reading of this House Bill."

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Hannig: "Representative Mulligan."

Mulligan: "Thank you, Mr. Speaker. House Bill 5599 requires that any claim under the Illinois Line of Duty Compensation Act must be processed with one... one year of being filed with the Illinois Court of Claims."

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 Wait, Jefferies, Colvin, do you wish to be recorded. Mr. Clerk, take the record. On this question, there are 108 voting 'yes' and 0 voting 'no'. And this Bill, having received a Constitutional Majority, is hereby declared passed. Representative Munson, you have House Bill 5586. Representative Munson. Out of the record. Representative Myers, you have House Bill 4890. Okay. Out of the record. Representative Poe, Raymond Poe, you have House Bill 5860. Mr. Clerk, read the Bill."

Clerk Bolin: "House Bill 5860, a Bill for an Act concerning wildlife. Third Reading of this House Bill."

Hannig: "The Gentleman from Sangamon, Representative Poe."

Poe: "Yeah, Mr. Speaker and Ladies and Gentlemen of the House, what this would do, any member of the Armed Services that had served abroad on active duty would be able to get their hunting and fishing license in Illinois, would be free, their lifetime and I'd ask for a favorable vote."

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

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pass?' All in favor vote 'aye'; opposed 'nay'. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Mr. Clerk, take the record. On this question, there are 108 voting 'yes'; and 0 voting 'no'. And this Bill, having received a Constitutional Majority, is hereby declared passed. Representative Saviano, you have House Bill 5503. Out of the record. Representative Tryon, you have House Bill 4367. Mr. Clerk, read the Bill."

Clerk Bolin: "House Bill 4367..."

Speaker Hannig: "No? Okay. Out of the record, Mr. Clerk. Is that correct, Representative Tryon? Out of the record? Okay. In fact, Represent... Mr. Clerk, the Gentleman requests that we move House Bill 4367 back to Second Reading. So, Second Reading. Representative Verschoore, on House Bill 5196. Mr. Clerk, read the Bill."

Clerk Bolin: "House Bill 5196, Bill for an Act concerning local government. Third Reading of this House Bill."

Hannig: "Representative Verschoore."

Verschoore: "Thank you, Mr. Speaker, Ladies and Gentlemen. What this Bill does is, now the county auditors are the only ones that do not receive a stipend. Every other elected county official gets a stipend and what this Bill does is gives a stipend of sixty-five hundred dollars (\$6500) a year to the auditors. There's eighteen (18) of them that fall under this category. So, I'd be happy to answer any questions."

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Hannig: "This is on the Order of Short Debate, but we're going to move it to Standard Debate. And Representative Winters, you're recognized for 5 minutes."

Winters: "Thank you, Mr. Speaker. Question for the Sponsor."

Hannig: "He indicates he'll yield."

Winters: "Will the county auditors, in fact, be receiving this in the middle of their terms or would this only take place after they are... their terms of office are ended? Are they all running on the same four-year cycle or does that vary by county?"

Verschoore: "I think it varies by county."

Winters: "Is this then immediate effective where they would start to receive the salaries or does it have to take place after their next election?"

Verschoore: "I think it takes immediate effect."

Winters: "I'm sorry?"

Verschoore: "That's immediate. I think it's immediate."

Winters: "Well, most... almost anytime that we look at increases in elected officials, we don't do it. They are elected, they know ahead of time what the salary is going to be. They know if there will be costs of living increases and they, basically, volunteer to sign up. When you go out to get your petitions and ask your fellow citizens to support you for an office, it is voluntary. Nobody, you know, holds a gun to your head and says you need to run for public office. So, the idea has always been to lock in either schedule increases or to lock in a salary that will remain the same through the length of that term. So, I would like to at least... if your staff can... can verify

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whether or not we are rewarding the auditors with a higher salary in the middle of a term that they had already voluntarily agreed to serve for a certain salary. If you could just..."

Verschoore: "Yeah, I... I don't have the Bill with me. I didn't bring it over from my office and so I'm not quite sure and I know other... Mark, do you have the Bill down there?"

Winters: "I was going to suggest, well maybe, we should get a copy of the Bill, any notes that you took in committee or any of the background on it. Would you like to pull it out of the record for a minute?"

Verschoore: "Yeah, it does... it does become effective when it becomes law, Representative."

Winters: "It becomes effective immediately and it... our notes... further as I'm looking at it, it looks like all the auditors are up for election next... next year."

Verschoore: "Next... Right."

Winters: "I don't know if that means this fall. That would be the normal election cycle that county officials are running."

Verschoore: "They're up this year. They're up this year."

Winters: "Yeah. They're up this year. So, we've found... we've already found an error in our analysis. My question is, why don't we have this effective with the next term of office? What was the immediate urgency? I understand the need that they're the only elected official... countywide elected official that doesn't receive some form of support from the state for their functions as part of our government, but why are we doing it in the middle of the

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year instead of putting it off until their next... next term would start? I assume either the first of December or the first of January."

Verschoore: "Well, I don't know. The way it's written now, it becomes effective immediately."

Winters: "Well... well, here's... and this is one possible argument. The possible argument might be that these are poor deserving souls and there's a lot of money in the State Treasury. This only costs about one hundred and ten thousand dollars (\$110,000), so this is a great way to spend down the state balance. Is that... was that the genesis of this that we have..."

Verschoore: "No. No..."

Winters: "...too much money in the state accounts and we ought to..."

Verschoore: "No."

Winters: "...share the wealth?"

Verschoore: "What the genesis... what the genesis of this was, is there's only... these are the only county officials that don't receive a stipend from the state right now. So it's just to get those eighteen (18)... it affects eighteen (18) people, what it affects."

Winters: "Would you consider in the Senate putting on an Amendment that would have the effective date moved back... maybe not the effective date, but the date when the salary increase would take effect, to the beginning of their next term?"

Verschoore: "I can ask the Senate Sponsor to do that."

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Winters: "Well, you can... I'm sure you're recruiting the Senate Sponsor and I would ask that you try to get that as a pledge that they put that into the language. With that, I have no further questions at this point. Now that I'm down to twenty-two (22) seconds left and, you know, I want to make sure that we use the full 5 minutes."

Verschoore: "Thank you."

Speaker Hannig: "Representative Bost."

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

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

Bost: "I just need to know, I have... okay, this is going to be the language and implementation of the... have you already been working with the budget to make sure the budget... that line item is... is going to put in... obviously, if we're going to do this, this wasn't in the Governor's budget."

Verschoore: "There were several fiscal notes on it and it doesn't have a... there's several fiscal notes but there was not a... a lot of... of harm to the budget. It was... I think it's a hundred and some thousand dollars is what it amounts to."

Bost: "Right. Right. I understand that. And I want to explain something to you on why I'm in opposition to this Bill. Okay? The problem I have is, is that many times we have passed stipends for our counties and they have never been funded. So, the Legislators and different ones can go back and say, well, you know we... and I'm not accusing you of doing this. Don't get me wrong. But we have passed certain things... and I'll give you an example. Just before I got here several years ago, there was a stipend that was

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passed for counties that... for the county... for the circuit clerks in counties where the county has state prison facilities because they're an extra... it's actually ten thousand dollar stipend (\$10,000). We have never funded it, ever. Now all of a sudden, we're going to come forward and we're going to say we're going to create a new stipend, but what about paying for the ones that are already in there? The budget never... never puts them in there."

Verschoore: "Um hmm."

Bost: "Over the years, the lines have not... the line items have not come up and so, we've got the language, but we've got no money going to take care of these problems. We don't start a new stipend for somebody else, and the problem I have is, is why would I vote for this to help out somebody else when we're not even funding the ones that have already been passed in this House? And that's the problem I have, Representative."

Verschoore: "Thank you."

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

Verschoore: "Thank you very much, Mr. Speaker and Ladies and Gentlemen. I'd ask for an 'aye' vote."

Speaker Hannig: "The question is, 'Shall this Bill pass?' All in favor vote 'aye'; opposed 'no'. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Representative Durkin, Flider, Saviano, Sommer. Have all voted who wish? Mr. Clerk, take the record. Representative, do you wish for Postponed Consideration? Okay. So, this will go on Postponed

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Consideration. Representative Durkin, you have House Bill 5513. We'll take that out of the record then. Representative Flowers, you have House Bill 4437. Do you wish us to read that on Third? Read the Bill, Mr. Clerk."

Clerk Bolin: "House Bill 4437, a Bill for an Act concerning education. Third Reading of this House Bill."

Speaker Hannig: "Representative Flowers."

Flowers: "Thank you, Mr. Speaker and Ladies and Gentlemen of the House. House Bill 4437 would merely require an EKG be given to athletic students and... before they join the particular program... athletic program at the school. And I'll be more than happy to answer any questions."

Speaker Hannig: "And on that question, the Gentleman from Crawford, Representative Eddy."

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

Speaker Hannig: "Indicates she'll yield."

Eddy: "Representative, has there been any Amendment to the original Bill?"

Flowers: "Yes, there has been. And in committee, we had discussed that we would..."

Eddy: "Let me make sure, if I can go through the... the... the chronology of this timewise. As originally introduced, this would require an EKG for all of the physicals that any student would have to take to be able to participate in any interscholastic athletic event. It would add that as a requirement. That was originally."

Flowers: "Right. There is... the Bill as amended would make EKG test a requirement for the Department of Public Health, rather than each school board. In addition, it states that

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the EKG test will be a part of the health examination that students are required to undergo if they're going to participate in athletics. And also, this... the other Amendment would incorporate the no rulemaking Amendatory language. And this is the language that I got from Deanna Sullivan."

Eddy: "Okay. I guess what I'm trying to get to at the end of this is whether or not every single student who takes a school physical at the required grade levels and in addition to those students, who are participating in interscholastic athletics of any kind, at any grade level, would have to have included an EKG in the actual examination. If every student has to have that, that's my question."

Flowers: "Okay. You're asking would every student in the school or every student that would be participating in the athletic program?"

Eddy: "Well, what I'm asking you is, for example, there are certain grade levels where all students in the state have to have a physical to come to school."

Flowers: "Okay. That's not a... that stands. This is for the students who will be participating. For instance, if you had a daughter and she was going to run track and she may have had her phys... her regular school physical, let's say for the tenth grade..."

Eddy: "Okay. This isn't for any student for a regular school physical at any grade level. This is only for students... only for students that are participating in athletics."

Flowers: "Yes."

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Eddy: "And does Amendment #3 also limit the requirement of the EKG testing for students... these athletic examinations to Chicago School District as a pilot program?"

Flowers: "Amendment #3 provides that it will require that an EKG test be a part of the health examination that students athletic... athletes are required to undergo as part of a three-year pilot program."

Eddy: "But it's only for the City of Chicago schools?"

Flowers: "Yes."

Eddy: "Okay. And it is for all students in the City of Chicago then who would participate in athletics?"

Flowers: "Yes."

Eddy: "Is the pilot limited to any number of schools or all?"

Flowers: "All."

Eddy: "Okay. And the cost of the EKG is estimated to be about seventy-five dollars (\$75), hundred (100)..."

Flowers: "Not quite."

Eddy: "Okay."

Flowers: "In the school district that's in the City of Chicago, when I spoke to the doctor there, I think the average cost was like forty-six dollars (\$46)."

Eddy: "Okay. So, do you know how many students would have to... is there a rough estimate of the number of students that under this would be required to have that?"

Flowers: "No, I do not have those numbers."

Eddy: "You don't know how many participate? And this is K-12 or probably more like junior high, up, because that's when the athletics start, right?"

Flowers: " Yeah, I would say."

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Eddy: "Okay. And this... This then, would add that cost to whom?
Who would pay this?"

Flowers: "Well, quite frankly, if... I would imagine that the
parents' insurance would pay it.. "

Eddy: "Okay."

Flowers: "...and/or the parents would pay it. And, you know, the
reason why this is so important, is we often heard the
stories of students dying on the field because they just
didn't know that their child may have had a heart
condition. And studies have proven by having an EKG, that
could have eliminated a whole lot of problems and it's very
cost effective. And this one particular.."

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

Eddy: "Thank you. And... and I know where you're going with that
and I don't... I don't disagree with the theory that it would
be really nice to be able to have an EKG for every single
person. I'm just concerned about the cost, the impact to a
budget if, for example, the Department of Human Services,
if you're eligible for those services, would it be paid by
them? And... I'm just wondering total dollars. But there's
other folks that maybe can get that with you. I'll... I'll...
for the sake of time allow that maybe question to be taken
over by others. But thank you."

Speaker Hannig: "Representative Winters."

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

Speaker Hannig: "Indicates she'll yield."

Winters: "Representative, on... our analysis said that... that
you're, basically, trying to deal with hypertrophic

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cardiomyopathy. Is that the health condition that you're trying to deal with?"

Flowers: "Representative, the vast majority of the deaths are caused by that disease, but there's others, as well."

Winters: "Okay. So, that... Do you have any statistics on the number of heart attacks or heart problems that are exacerbated by physical exercise that occur in the City of Chicago Public Schools on a yearly basis?"

Flowers: "Well, according to the information, there are roughly two dozen sports-related deaths of high school and college students from sudden cardiac arrest in the United States each year."

Winters: "A couple of dozen per year?"

Flowers: "According to the National Center for Catastrophic Sports Injury Research."

Winters: "Now, does that include accidents, you know, like helmet ramming into somebody or is this just that one disease? Is this all... all heart related or is there other injuries?"

Flowers: "This is heart related. Yes."

Winters: "Heart related, a couple dozen a year? How many students that will not take sports? Because for every action that we do as a Legislature, there is a reaction, particularly poor families who are faced with a cost... our analysis says up to a hundred and fifty dollars (\$150) for an EKG. How many families that have multiple kids that are in sports are going to say, you know what, if they're going to price it like this, this is another requirement, I've got to take off work to take my kids to the doctors to get

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this EKG. How many kids are now going to not develop athletic habits that they can carry through their life? They become sedentary. They become obese. They're dying of other causes that you're increasing because of this mandate on all student athletes in the City of Chicago. I think that you have a laudable goal of trying to reduce heart-related deaths, but there are other programs that are free that they can find. There are health foundations that will provide this. I think if you went to their family doctor, many of them would say, you know what, there might be some indications from family history. There might be indications from my observation of you over the years as your family doctor that maybe we should order it as a preventative method. But it's based on... it's based on the real-life history of that child, not everybody."

Flowers: "Well, I'm glad... I'm so glad you brought that up, Representative. At first, I want to say to you that if there's ever anything that I could do to prevent the death of one child in... in... in this entire state, in this entire world, I promise you, I'll be the first one to do that. That's number one..."

Winters: "Well, unfortunately..."

Flowers: "Number two..."

Winters: "Unfortunately..."

Flowers: "...in regards to the cost..."

Winters: "...we do not have unlimited, public resources."

Flowers: "In regards... In regards to the cost, Sir..."

Winters: "To the Bill."

Flowers: "The cost..."

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Winters: "To the Bill, Mr. Speaker."

Flowers: "...the cost can be minimum because... Representative, I want to answer your question. You asked me would I yield."

Winters: "I didn't ask you a question. I didn't ask you a question."

Flowers: "You asked... You asked, Sir, if I would yield."

Speaker Hannig: "So, let's let Representative Winters use his time as he wishes, Representative Flowers. You'll be allowed to close. Representative Winters."

Winters: "Thank you. To the Bill. This is an overreach. It's is a cost on, particularly, the poor families of Chicago. It will drive down the number of athletes. It will damage, I think, more people in the long run than creating a mandate. And the comment of the Sponsor that regardless of cost, if she can save one life, she will do that. Well, that's a laudable goal to never have any deaths in the world, but there are other countervailing actions that will happen. If we require medical costs to go up, if we require an overburdening of the EKG testing labs, families will pull their kids out of sports. And I think that this is an overreach and that we have to consider the cost of what we do here. Yes, we'd love to never have a child die of a heart attack engaged in physical activity, but is the next step to require that everybody that takes physical education have an EKG? And that's one of the mandates of this state. They're supposed to be in daily physical activity and yet, there are probably kids in gym class that pass away from heart conditions. I think this is an

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overreach. It is a mandate on families that I don't think that we should support. Thank you."

Speaker Hannig: "Representative D'Amico. You have 5 minutes."

D'Amico: "Thank you, Mr. Speaker. Will the Sponsor yield?"

Flowers: "Yes."

Speaker Hannig: "Indicates she'll yield."

D'Amico: "Representative, I just have a couple things to say. One, does this include parochial schools?"

Flowers: "Sir, no, it's only applicable to the Chicago Public Schools, but I'll be more than happy to extend it."

D'Amico: "Okay. And this is only high schools, correct?"

Flowers: "No, it's not. It's for beginning ages... well, it is recommended testing from the ages of twelve (12) to fourteen (14). So, it's middle school and high school."

D'Amico: "Okay. Well, to the Bill, Mr. Speaker. I rise in support of this legislation. I think that Representative is doing a great job with this Bill. We got to continue to do whatever we can to help preserve our kids on the athletic fields. So, I rise in support of your legislation."

Speaker Hannig: "We've had two (2) in favor and two (2) in response. Representative Mitchell, you're next."

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

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

Mitchell, J.: "Representative, does your legislation cover organized intramurals?"

Flowers: "Pardon me?"

Mitchell, J.: "Does it include organized intramural activities?"

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Flowers: "Is that going to be held in the school?"

Mitchell, J.: "Yeah, it's not... there not particularly athletic contests, but intramurals within the school and usually in basketball, sometimes in other sports, as well."

Flowers: "If it's going to be held in the school, yes."

Mitchell, J.: "How does the Medical Society feel about your legislation?"

Flowers: "You know, Representative, you've asked me that on numerous occasions and as you know, they never once became... came before the committee and it's my understanding that they are neutral."

Mitchell, J.: "Well, I, in fact, have spoken to the lobbyist for the Med Society and they are opposed to this legislation. In fact, they've told me that the reason they didn't even come and testify is they didn't think it would get out of committee and they don't think it's necessary, whatsoever. In fact, they say that there's so many other things that cause deaths of athletes and students that the EKG won't cover that it's... it's not going to do a whole lot of good. Are any... are there any insurance companies that cover the cost of an EKG so that maybe some students might be able to get insurance coverage for this?"

Flowers: "You know, Sir, I just want to bring to your attention, I'm glad you asked that question because this is not about the insurance coverage, because District 74, in the State of Illinois, which is the only District in this state that it's mandatory that you have this test. They're not worried about the insurance because the parents are willing to pay for it themselves and/or the doctor made it

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affordable by bringing the EKG machine to the school. And just like kids sell taffy apples and other types of fundraiser, I'm sure every parent will be more than happy to pay toward some type of fundraising mechanism to save their child's life."

Mitchell, J.: "But you don't know that for a fact."

Flowers: "Pardon me."

Mitchell, J.: "You don't know that for a fact."

Flowers: "You... you don't think that... you don't... well, let me just assume the average parent that I know would do everything they can to save their child's life."

Mitchell, J.: "Are you indicating... did you indicate..."

Flowers: "I'm going to say, 'yes'. I do know that for a fact."

Mitchell, J.: "You indicated to me that School District 274 requires this already?"

Flowers: "I'm going to say to you, Sir, School District 74..."

Mitchell, J.: "Seventy-four (74), where's that located?"

Flowers: "It's in the northern suburbs."

Mitchell, J.: "But that was an individual school board that made that decision for their particular students."

Flowers: "And I've commended them for doing that also because not only did that individual school board in the state, but if you want to go outside the country, the European society has done likewise because they think it's important that they protect their children as well."

Mitchell, J.: "Well, Representative, I voted with you to allow this out of committee. I certainly never made any commitment on the floor. And I still think, after talking to the Med Society, that this is, again as Representative

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Winters said, a far reach and an expense that most families won't be able to afford. And quite frankly, I'm afraid that... that fundraising for an EKG is going to be very, very slim."

Speaker Hannig: "Is there any further discussion? The rules will provide one additional speaker in favor. Representative Mulligan, do you wish to be in favor?"

Mulligan: "I'll be whatever it gets me this."

Speaker Hannig: "We'll give you 5 minutes."

Mulligan: "Whatever you would like, I will do. Representative, I understand what you're trying to do. But the problem I have with the Bill is an EKG does not show the problem that you want. What you would need is an echocardiogram which is much more expensive. And an EKG, particularly a resting EKG, will not divulge to the student athlete that they have this particular disease. What it might do, is give them a false sense of security that they don't have it. So, what you're doing by passing the Bill, is you're putting it out there for young people who in some school districts, and some of my school districts, they now make the student athletes, you know, participate financially for the program, because we don't have enough money, then you're adding that on top of it. But what happens is, even if you have the EKG, it won't show what you want. And I understand what you're trying to do..."

Flowers: "But..."

Mulligan: "...but you'd have to step it up one step further to an echocardiogram and..."

Flowers: "But that's exactly what an EKG is, Representative."

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Mulligan: "No, it is not. An echocardiogram is different. It's... it's like having a sonogram when you're pregnant. You go in and it's a test that shows up on a machine, your heart on a screen and it's a whole different procedure and it's a lot more expensive."

Flowers: "An EKG is a..."

Mulligan: "An EKG is just electrodes that just run off of the person having it on you. It's a simple test you can have in your doctor's office. An echocardiogram is much more extensive and it shows your heart beating and how it works internally on a screen. And that's what would show, usually, the defect that you're trying to pinpoint in athletes so they don't drop dead. But what you're trying to do will not show what you want it to show. It's just an expense that won't do what you want it to do. So, what you would have to do is come back and find out or have some medical discussion over... and my understanding is an EKG would not show this up. A doctor listening to the heart may recommend an echocardiogram, but an EKG is different. So, since your Bill doesn't exactly do what you want it to do but causes... costs parents or school districts, whoever is paying for it, additional money, I think if I were you I'd rethink it and figure out how to do it differently. But this won't accomplish what you want."

Flowers: "Representative, if I just may read this cond... this one sentence to you. It says the major cause of a sudden death among athletic students is a... is a condition known as hypertrophic cardio... I'm sorry... myopathy... hypertrophic cardiomyopathy. And it says this can... it can be spotted on

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the EKG 90 percent of the time. By an estimate, as many as three hundred (300) people will die..."

Mulligan: "And who gave you that information? 'Cause my understanding is that you would need a different test that would actually show the picture, which is an echocardiogram and not what you're trying to do."

Flowers: "Again, Representative, the information came from the National Center for... Catastrophic Sports Injury Research."

Mulligan: "Well then, how come the American Academy of Pediatrics is an opponent to your Bill?"

Flowers: "Representative, I'm not aware... and I'm really sorry that the Med Society for something that is so important, that they chose not to come before your committee to testify if it was such a waste of time. They should have been willing to go on the record to indicate that. And so, I've done my homework, the Bill has been out there, it has been before your committee on numerous of occasions. I've worked out all the differences with everyone as I promised to do so. And once again, this Bill is about saving lives and on... Yes."

Mulligan: "Mary, I understand that and it's not the Med Society, it's the American Academy of Pediatrics..."

Flowers: "I've not heard from them either."

Mulligan: "...who are doctors. And so, I don't think anyone is disagreeing with you that we would like to save lives. It certainly is, you know, startling when you have a young athlete running down the court who drops dead. But if this test doesn't show it, then it's not..."

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Speaker Hannig: "Representative, your time is expired. Okay, so, Representative Flowers, you're recognized to close."

Flowers: "Thank you, Mr. Speaker, and Ladies and Gentlemen of the House. I would appreciate an 'aye' vote on House Bill 4437. This Bill will save children's lives. Over three hundred (300) people die each and every year because their parents just didn't know. And they always say, if only I had known, if only I had known. And there are lots of children or those of us that have a... conditions that we're not aware of because, unfortunately, a lot of parents don't have health care insurance and do not have the opportunity to take their children to the doctor to find out. This Bill would not stop anyone from participating on the sports. If the parents choose not to do so, that's perfectly fine. So, again, this Bill is about saving lives. It don't necessarily have to cost forty-five dollars (\$45), it don't have to cost a hundred and forty-five dollars (\$145). It some cases, as it was stated in District 74, that there was some type of fundraising program to help the parents out. And I'm sure, if you ask the parents of the children in the City of Chicago that attend the public schools if they would do something to save their children's lives by raising some monies or carrying this costs, they'll be more than happy to do so. So, I would ask for an 'aye' vote. Thank you."

Speaker Hannig: "The question is, 'Shall this Bill pass?' All in favor vote 'aye'; opposed 'nay'. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Representative Acevedo, Franks,

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Froehlich, Scully, do you wish to be recorded? Mr. Clerk, take the record. Representative, do you wish request... do you request Postponed Consideration? Okay. Postponed Consideration. Representative Durkin, you have House Bill 5513. Mr. Clerk, read the Bill. Excuse me. Representative Turner, for what reason do you rise?"

Turner: "Thank you, Mr. Speaker, for a point of personal privileges."

Speaker Hannig: "State you point."

Turner: "I'd like to welcome the students from Whitney Young High School, which is in my district. They're in the gallery to my immediate left. I'd like to welcome to Springfield. If we could give them a Springfield welcome."

Speaker Hannig: "Welcome to Springfield. Mr. Clerk, read the Bill."

Clerk Mahoney: "House Bill 5513, a Bill for an Act concerning civil law. Third Reading of this House Bill."

Speaker Hannig: "Representative Durkin."

Durkin: "Thank you, Mr. Speaker. House Bill 5513, I think is rather innocuous, but it's a straightforward Bill that's an Amendment to the Illinois Code of Civil Procedure. It says that when a final judgment has been ordered granting either declaratory or injunctive relief, the losing party in order to stay enforcement of the proceeding, must file a petition stating just cause for the state. The problem is, which we've been experiencing is that local governments, whether municipalities or counties, who are seeking this type of relief against individuals for housing violations for keeping homes of prostitutions or drug houses, that the...

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when they do enjoin or find some type of equitable relief, they shut down the building. The attorneys come in and they are granted an automatic stay under the current law, without setting forth a good faith basis for it. So, we're just asking the... to articulate in their motion why they need to stay the enforcement of the judgment."

Speaker Hannig: "Is there any discussion? Representative Turner, for what reason do you rise?"

Turner: "Yes, Mr. Speaker, I apologize because I did not make it known to the Body that one of the Dolphins first graduates, Representative... Representative Annazette Collins is a graduate of Whitney Young. She was in the first graduating class from that school. So, they do have an alumnus here and I wanted them to know that their alumnus was here."

Speaker Hannig: "House Bill 5513's on the Order of Short Debate and in response, the Gentleman from McHenry, Representative Franks."

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

Speaker Hannig: "Indicates he'll yield."

Franks: "Currently, Representative, what's the standard if one is looking to stay enforcement?"

Durkin: "Currently, the law states under the... the Section of that Civil Code that a motion filed in apt time stays enforcement of the judgment but it does not state that you need to articulate good cause or reason to why the losing party is seeking a stay of the enforcement."

Franks: "But don't they sometimes have to file a bond?"

Durkin: "I'm not aware of that."

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Franks: "Now, your proposal here, would it just be to help counties or state or local unit of governments?"

Durkin: "That's correct."

Franks: "Why wouldn't other litigants have that same ability then? Why are we giving the state and local governments, frankly, extraordinary power over other litigants?"

Durkin: "I'm not quite sure I agree that is the extraordinary power that we're just asking that the..."

Franks: "Well, it's a much higher standard."

Durkin: "Pardon me?"

Franks: "It's a much... it's a much higher standard."

Durkin: "I think that if you're going to... if you are... come out in the losing end of a... of an action which either declaratory relief or some type of injunctive relief has been granted that if you're going to stay the enforcement, that you seek, in the petition, just cause... just cause for the... I'm not quite sure what... how that raises the standard or why that becomes extraordinary."

Franks: "Well, because right now, you don't have to show cause. And what you're saying is, you're going to treat one class of litigant different than another class of litigant."

Durkin: "That's fine."

Franks: "What you're going to say is, if you're the government, you're going to... and you are the respondent, so it's me, and the government's suing me. I am going to have to have a higher standard now than if someone else was suing me. So, why are we giving the government more power over it's citizens?"

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Durkin: "I'll tell you what, would it appease you if I took out the language which strictly refers to local governments and any other governmental entity and make it just universally applied? I'd be more than happy to do that."

Franks: "Yeah, I just don't see why we would be giving the government more power."

Durkin: "Sure. You make a good point. And I tell you what, Mr. Speaker, if we could take the Bill out of the record and I'll prepare an Amendment."

Speaker Hannig: "So... so, we'll take it out of the record at the request of the Sponsor. Do you wish us to move it back to Second, Representative, at this time? No. Okay, we'll leave it there for now. Representative Myers, you have House Bill 4890. Mr. Clerk, read the Bill."

Clerk Mahoney: "House Bill 4890, Bill for an Act concerning education. Third Reading of this House Bill."

Speaker Hannig: "Representative Myers."

Myers: "Thank you, Mr. Speaker. House Bill 4890 amends the data security on State Computers Act by removing the state universities from the provision of the Act. It also removes the General Assembly as well as the Lieutenant Governor's Office, the Comptroller's Office, the Attorney General's Office, the State Treasurer's Office, and the Secretary of State's Office from the provisions of the Bill. However, it does provide that the governing board of each state university shall implement a policy to mandate that all hard drives of surplus electronic data processing equipment be cleared of all the data and software before being prepared for sale to an agent or transfer by

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following certain requirements. Amendment #2 also gives the General Assembly... provides that the General Assembly shall oversee the process of clearing state-owned electronic data processing equipment or, in other words, computers that we utilize here."

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

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

Speaker Hannig: "Indicates he'll yield."

Fritchey: "Representative, the idea beneath the... behind the... or the underlying idea behind the Act was to safeguard the public from disclosure of personal information and making them subject to identity theft. And I... I have two questions. Why would we want to undermine that concept when it comes to universities and constitutional offices and the General Assembly?"

Myers: "Well, I can answer part of that question very easily. As far as the state universities are concerned, most of the state universities... well, in fact, all of the state universities wipe their computers clean before they ship them off to the... to the one, the one contractor in the State of Illinois that's been contracted by CMS to do this. So, they feel it's a duplication of effort and it's an additional cost for the state universities and in this case, where we're limiting their funding increases, if they get an increase at all, we're limiting that. This is a way for them to save money. But they have told me that they're not about to let any of their computers off their campus

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with any information on it that can pertain to the students that they have on campus or the faculty that they have on campus. Now, for the second part of your question, with regard to the General Assembly and the constitutional officers, you need to ask your Majority Leader Currie the answer to that question because it was her Amendment that added those additional parties."

Fritchey: "Well, she's not here and I'm not going to question her motivations. What I will say to the Body, though, is I think that passing this will send a very mixed message that what is good enough for everybody else should not apply to us and that we don't have to show the same concern for people's personal identification and personal information as do the other people that we're dictating have to follow this. And I believe that if we feel that it's good policy for the agencies and that it's a policy that promotes the safeguard of personal information that it should apply to the constitutional officers and to this Body as well. Anybody that has read about or known anybody that's been the victim of identity theft, knows that the cost to repair the damage done by identity theft far outweighs the cost involved in preventing it in the first place. And I think this takes us a step backwards at a time when we should be moving forward. Thank you."

Speaker Hannig: "The Gentleman from DeKalb, Representative Pritchard."

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

Speaker Hannig: "Indicates he'll yield."

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Pritchard: "Representative, could you walk us through, real quickly, what the normal process is that a university or some of these other agencies might follow when they have a computer that is no longer necessary and they want to return it to surplus?"

Myers: "I'm not sure I'm fully knowledgeable of the process that they take, but I can share with you a little bit about what the universities do. They have their own personnel that every time a computer is deemed surplus or excess or no longer valuable for the university, their particular people in the fiscal plant, go ahead and according to a process that's already been established by the state requirement, there's like an eight- or a ten-step process that they use to wipe that computer clean. And then they ship it off to this one state contractor that is wiping all of the computers clean for the state. So, it's already empty when it leaves the university campus."

Pritchard: "So, the real issue is that, whether we're talking the university or the Attorney General's Office or the Lieutenant Governor's Office, they feel that there's secure information or private information they don't want to even leave their possession before it's wiped."

Myers: "That's correct."

Pritchard: "And therefore, they're taking they're own steps to wipe that hard drive clean."

Myers: "That's correct."

Pritchard: "And the cost that they're incurring to do this is in what ballpark neighborhood?"

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Myers: "The universities have told me that it's thirty-two dollars (\$32) per computer."

Pritchard: "So, they're spending thirty-two dollars (\$32), we're sending this out to a private contractor for another thirty-two dollars (\$32). We're paying shipping. And what might this computer sell for if it is one of them that's modern enough to sell to anybody else?"

Myers: "Representative, I don't have an answer to that question."

Pritchard: "Probably ten cents (\$.10) on the dollar."

Myers: "Probably."

Pritchard: "So, we continue to spend money on outdated equipment to preserve the security that is already in the hands of those that let go of this computer. This is an example of how we continue to spend money foolishly when we have so many unmet needs in this state. I think you have a good Bill. I think we ought to look for ways to economize and this is a good place to start."

Speaker Hannig: "Representative Currie."

Currie: "Thank you, Speaker and Members of the House. First I would say about the Bill, there really is no reason to pay to do the same exercise twice. And I think that is the heart of Representative Myers' proposal. For that reason, I support it. A question was raised why the General Assembly might be exempt from the same provisions that the universities would like exemption from. And I would say, in part, it's a separation of powers argument. We certainly abide by all the laws we pass that the Governor signs, but when it comes to particular administrative

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edicts about the way the Executive might wish to run it's job, that's fine and good, but that doesn't mean that those particular edicts must apply to us. Just as the universities know how to scrub their computers, we know how to scrub ours. We want to make sure that we do so in a way that is cost effective that saves taxpayer dollars. That was the reason for the Amendment Representative Myers earlier referenced, and I would appreciate your support for all of the items that are in House Bill 4890."

Speaker Hannig: "We've now had three (3) speak in favor and one (1) in response. Representative Verschoore, the only spots left are in response or opposition."

Verschoore: "Thank... Thank you, Mr. Speaker. I just want to point out before they hired this contractor and when they... the universities and these agencies were cleaning their own, I just want to point out that I have a sheet here that there was problems with twelve hundred and eighty-four (1284) of those computers that were supposedly clean. So, there is a problem with the universities doing their own cleaning of them. I just want to make a point of that and that's why I'll be voting 'no' on this."

Speaker Hannig: "Had three (3) in favor and two (2) in opposition. Representative McCarthy, there's one spot opposed. Would you like to speak in opposition?"

McCarthy: "I'd just like to point a clarification..."

Speaker Hannig: "Yeah, Okay. So, we'll let the..."

McCarthy: "...that was made very clear..."

Hannig: "The Sponsor will yield."

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McCarthy: "Okay. Thank you, Mr. Speaker. I just wanted a point in clarification. It was made very clear in committee by Representative Myers and... after the Amendment by Representative Currie that this in no way reduces the requirement of the universities or any of the other agencies to wipe these computers clean before they're returned to CMS. So..."

Myers: "No, it does not reduce that requirement."

McCarthy: "...it's not that it's not being done, it's just going to be done in-house for a lesser cost and the duplicative cost will not be incurred by the universities or by the other agencies."

Myers: "That's correct."

Speaker Hannig: "Representative Myers to close."

Myers: "Appreciate an 'aye' vote because I think this Bill helps our universities control the costs that they have to incur and we all know the difficulty that they've been facing in the last few years and this is just one more way that they can be more efficient."

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 Osmond, do you wish to be recorded? Mr. Clerk, take the record. On this question, there are 107 voting 'yes' and 1 voting 'no'. And this Bill, having received a Constitutional Majority, is hereby declared passed. Representative Munson, you have House Bill 5586. Mr. Clerk, read the Bill."

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Clerk Mahoney: "House Bill 5586, Bill for an Act concerning local government. Third Reading of this House Bill."

Speaker Hannig: "Representative Munson."

Munson: "Thank you very much, Mr. Speaker, Ladies and Gentlemen of the House. House Bill 5586 is a measure to protect residents from identity theft when documents containing their Social Security numbers and other personal information are posted on the Internet by County Recorder of Deeds. The Bill provides that recorder of deeds must remove or redact from their Web site, Social Security numbers and other personal information like taxpayer IDs, driver's license numbers, state ID numbers, bank account numbers and PIN numbers when a written request is made by the individual who is affected. The legislation also requires recorder of deeds currently, publicly display records on a Web site create a policy outlining how and when they will remove all Social Security numbers from all records displayed on their Web site and then they must submit that policy to their county board. Additionally, it prohibits recorders that don't yet have records posted on a Web site from posting those records until they have a policy in place that insures Social Security numbers are not on the Web site. And finally, the Bill prohibits persons or entities from presenting documents with Social Security numbers to be filed with the county recorders. I'll take any questions and I ask for your 'aye' vote."

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

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wish? Have all voted who wish? Have all voted who wish? Represent... Mr. Clerk, take the record. On this question, there are 108 voting 'yes' and 0 voting 'no'. And this Bill, having received a Constitutional Majority, is hereby declared passed. We're going to do a number of Second Reading Bills at this time. So... Mr. Clerk, read House Bill 4724."

Clerk Mahoney: "House Bill 4724, Bill for an Act concerning State Government. Second Reading of this House Bill. Amendment #1 was adopted in committee. No Floor Amendments. No Motions filed."

Speaker Hannig: "Third Reading. Representative Acevedo, you have House Bill 4900. Out of the record. Representative Beaubien, on House Bill 4454. Out of the record. Representative Boland on House Bill 5006. Representative Boland. Representative Boland, shall we read this Bill? Shall we read this Bill on Second? Out of the record. Representative Bellock on House Bill 4869. Shall we read this Bill, Representative? Should we read it on Second? No? Yes. Okay. Mr. Clerk, read the Bill."

Clerk Mahoney: "House Bill 4869, Bill for an Act concerning civil law. Second Reading of this House Bill. No Committee Amendments. Floor Amendment #1, offered by Representative Bellock, has been approved for consideration."

Speaker Hannig: "Representative Bellock."

Bellock: "Thank you very much, Mr. Speaker. And yes... and I want to... it is now, this Amendment that I move for adoption is agreed language. I want to thank the trial lawyers and

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the Med Society and Representative Hamos for working with us on this. So, it is agreed language now."

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

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

Speaker Hannig: "Third Reading. Representative Bradley on House Bill 5576. Representative Bradley, 5576, from Second to Third. Out of the record. Representative Brady on House Bill 4252. From Second to Third? No. Okay. Out of the record. Representative Burke on House Bill 5363. Out of the record. Representative Coulson on House Bill 5595. Out of the record. Representative Monique Davis on House Bill 4160. From Second to Third? Read the Bill, Mr. Clerk."

Clerk Mahoney: "House Bill 4160, a Bill for an Act concerning regulations. Second Reading of this House Bill. Amendment #1 was adopted in committee. No Floor Amendments. All notes have been filed."

Speaker Hannig: "Third Reading. Representative Dugan on 4471. Out of the record. Representative Feigenholtz on House Bill 4623. Out of the record. Representative Kosel on House Bill 4936. Representative Kosel, do you wish us to call this on Second? Out of the record. Representative Flider on House Bill 4634. Out of the record. Representative Lindner on House Bill 4426. From Second to Third? Read the Bill, Mr. Clerk. Pardon. 4426."

Clerk Mahoney: "House Bill 4426, a Bill for an Act concerning waste gasification. Second Reading of this House Bill.

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Amendment #1 was adopted in committee. No further Amendments. No Motions filed."

Speaker Hannig: "Third Reading. Representative Franks on House Bill 4193. From Second to Third, Representative? Read the Bill, Mr. Clerk."

Clerk Mahoney: "House Bill 4193, a Bill for an Act concerning education. Second Reading of this House Bill. Amendment #1 was adopted in committee. No Floor Amendments. No Motions filed."

Speaker Hannig: "Third Reading. Representative Fritchey on House Bill 4844. Out of the record. Representative Meyer on House Bill 4629. Out of the record. Representative Froehlich on House Bill 5690. Out of the record. Representative Golar on House Bill 5019. Out of the record. Representative Graham on House Bill 5750. Out of the record. Representative Howard on House Bill 1831. No? Out of the record. Representative Mulligan on House Bill 5928. No? Out of the record. Representative Hernandez on 5231. Read the Bill, Mr. Clerk."

Clerk Mahoney: "House Bill 5231, a Bill for an Act concerning public aid has been read a second time, previously. Amendment #1 was adopted in committee. No Floor Amendment, however, notes have been requested and not yet filed."

Speaker Hannig: "Okay. So, we still have to hold it until your notes are here, Representative. Representative Nekritz on House Bill 4683. Out of the record. Representative Osmond on 4157. Representative Osmond. Okay. Out of the record. Representative Phelps on House Bill 4931. Out of the record. Representative Reboletti on 48... House Bill 4868.

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Out of the record. Representative Stephens on House Bill 4625. Representative Stephens. No? Out of the record. Representative Rita on House Bill 5308. Do you wish us to read that on Second? Out of the record. Mr. Clerk, what's the status of House Bill 5908?"

Clerk Mahoney: "House Bill 5908's on the Order of Third Reading."

Speaker Hannig: "Return that to Second at the request of the Sponsor. What is the status of House Bill 5331?"

Clerk Mahoney: "House Bill 5331's on the Order of Third Reading."

Speaker Hannig: "Return that to Second at the request... at the request of the Sponsor. Mr. Clerk, what's the status of House Bill 4694?"

Clerk Mahoney: "House Bill 4694 is on the Order of Third Reading."

Speaker Hannig: "Return that to the Order of Second Reading at the request of the Sponsor. Mr. Clerk, read the Agreed Resolutions."

Clerk Mahoney: "On the Order of Agreed Resolutions is House Resolution 1123, offered by Representative Reboletti. House Resolution 1125, offered by Representative Bellock. House Resolution 1126, offered by Representative Davis. And House Resolution 1130, offered by Representative Sacia."

Speaker Hannig: "Representative Currie moves for the adoption of the Agreed Resolutions. All in favor say 'aye'; opposed 'nay'. The 'ayes' have it. The Agreed Resolutions are adopted. Mr. Clerk, read the Adjournment Resolution."

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Clerk Mahoney: "House Joint Resolution 121, offered by Representative Currie. RESOLVED, BY THE HOUSE OF REPRESENTATIVES OF THE NINETY-FIFTH GENERAL ASSEMBLY OF THE STATE OF ILLINOIS, THE SENATE CONCURRING HEREIN, that when the two Houses adjourn on Thursday, April 03, 2008, the House of Representatives stands adjourned until Monday, April 07, 2008, in perfunctory session; and when it adjourns on that day, it stands adjourned until Tuesday, April 08, 2008, at 12:00 noon; and the Senate stands adjourned until Tuesday, April 08, 2008, at 12:00 noon."

Speaker Hannig: "Representative Currie moves for the adoption of the Adjournment Resolution. All in favor say 'aye'; opposed 'nay'. The 'ayes' have it and the Adjournment Resolution is adopted. Are there any announcements? Representative Fritchey."

Fritchey: "Thank you, Speaker. Members, as many of you, I think, may be aware, you know, unfortunately, our dear friend and colleague Harry Osterman's father passed away earlier this week. For those Members that may be interested, visitation for Harry Joseph Osterman, Harry's dad, is going to be tomorrow from 10:30 a.m. 'til noon at St. Gertrude's Catholic Parish, which is 1420 West Granville. It's on the north side of Chicago. Funeral services will follow thereafter. If any of you don't have the information and would like it, please feel free to contact my office and we'll give it to you. And obviously, Harry and his family appreciate your thoughts and prayers. Thank you all very much."

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Speaker Hannig: "Thank you, Representative Fritchey. Are there any other announcements? Okay. Then allowing perfunctory time for the Clerk, Representative Currie moves that the House adjourn until Tuesday, April 8, at the hour of 12:00 noon. All in favor say 'aye'; opposed 'nay'. The 'ayes' have it. The Motion is adopted and the House stands adjourned."

Clerk Mahoney: "House Perfunctory Session will come to order. Introduction and reading... Senate Bills-First Reading. Senate Bill 2077, offered by Representative Leitch, Bill for an Act concerning local government. Senate Bill 2078, offered by Representative Beiser, Bill for an Act concerning public employee benefits. Senate Bill 2292, offered by Representative Joyce, Bill for an Act concerning local government. Senate Bill 2327, offered by Representative Fortner, Bill for an Act concerning State Government. Referred to the House Committee on Rules is House Resolution 1124, House Resolution 1127, House Resolution 1131, House Resolution 1132, and House Joint Resolution 119. Introduction and reading... First Reading of House Joint Resolution Constitutional Amendment. HOUSE JOINT CONSTITUTIONAL AMENDMENT 42.

RESOLVED, BY THE HOUSE OF REPRESENTATIVES OF THE NINETY-FIFTH GENERAL ASSEMBLY OF THE STATE OF ILLINOIS, THE SENATE CONCURRING HEREIN, there shall be submitted to the electors of the State for adoption or rejection at the next election occurring 6 months after the adoption of this resolution a proposition to amend Section 3 of Article IX of the Illinois Constitution as follows:

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ARTICLE IX

REVENUE

SECTION 3. LIMITATIONS ON INCOME TAXATION

- (a) A tax on or measured by income shall be at a non-graduated rates, by category, as determined under this Section. At any one time there may be no more than one such tax imposed by the State for State purposes on individuals and one such tax so imposed on corporations.
- (b) The categories under this Section are (i) "individuals (under \$250,000)" for individuals whose annual net income, combined with the annual net income of the spouse, is under \$250,000, (ii) "individuals (\$250,000 or more)" for individuals whose annual net income, combined with the annual net income of the spouse, is \$250,000 or more, and (iii) corporations. In any such tax imposed upon individuals (\$250,000 or more), the rate shall be the higher of (i) 6% or (ii) twice the rate imposed upon individuals (under \$250,000). In any such tax imposed upon corporations, the rate shall not exceed the rate imposed on individuals (under \$250,000) by more than a ratio of 8 to 5. The basic amount of each standard exemption for individuals (under \$250,000) shall be \$4,500 or such greater amount as provided by law. The amounts of \$250,000 and \$4,500 shall be adjusted each year to reflect changes in the annual Consumer Price Index For All Urban Consumers as determined by the United States Department of Labor or, should that Index no longer be published, by a similar index determined by law.

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(c) Income taxes collected from individuals (under \$250,000) and from corporations shall be deposited as provided by law for the deposit of income tax collections. That portion of income taxes collected from individuals (\$250,000 or more) that is attributable to a rate equal to the rate for individuals (under \$250,000) shall be deposited as provided by law for the deposit of income tax collections. Of all other amounts collected from individuals (\$250,000 or more), one-third of such amounts shall be deposited into each of the following funds, which are hereby created in the State treasury: the Revitalize Illinois Schools Fund, the Rebuild Illinois Infrastructure Fund, and the Reward Illinois Working Families Fund. Expenditures from the Revitalize Illinois Schools Fund and the Rebuild Illinois Infrastructure Fund shall be made only for educational and capital purposes, respectively, and only as specifically appropriated by law. All amounts held in the Reward Illinois Working Families Fund shall be transferred and deposited as provided by law for the deposit of income tax collections.

(d) Laws imposing taxes on or measured by income may adopt by reference provisions of the laws and regulations of the United States, as they then exist or thereafter may be changed, for the purpose of arriving at the amount of income upon which the tax is imposed.

(e) The terms used in this Section have the meanings of those terms as provided by law under relevant statutes.

(f) The provisions of this Section are self-executing and judicially enforceable. The Supreme Court shall have

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original and exclusive jurisdiction over actions under this Section.

SCHEDULE

The State Board of Elections shall proceed, as soon as all the returns are received but no later than 31 days after the election, to canvass the votes given for and against this Constitutional Amendment, as shown by the abstracts of votes cast. If this Constitutional Amendment is approved by either three-fifths of those voting on the question or a majority of those voting in the election, then the State Board of Elections shall declare the adoption of this Constitutional Amendment and it shall, upon declaration of its adoption, take effect and become a part of the Constitution of this State. This Schedule supersedes and applies notwithstanding any statute to the contrary, and no other requirements, including without limitation proclamation of the results of the vote or notice by publication, are necessary for its effectiveness. This Constitutional Amendment applies to taxable years 2008 and thereafter. The forgoing House Joint Constitu... Joint Resolution Constitution Amendment 42 was taken up and read in full at first time in order to reproduce and placed in the Committee of Rules. Second Reading of House Joint Resolution Constitutional Amendment 28 as amended.

RESOLVED, BY THE HOUSE OF REPRESENTATIVES OF THE NINETY-FIFTH GENERAL ASSEMBLY OF THE STATE OF ILLINOIS, THE SENATE CONCURRING HEREIN, that there shall be submitted to the electors of the State for adoption or rejection at the general election next occurring at least 6 months after the

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adoption of this resolution a proposition to add Section 7 to Article III of the Illinois Constitution as follows:

ARTICLE III

SUFFRAGE AND ELECTIONS

SECTION 7. RECALL OF EXECUTIVE OFFICERS AND MEMBERS OF THE GENERAL ASSEMBLY

- (a) Electors may petition for the recall of an executive branch officer as identified in Section 1 of Article V or a member of the General Assembly. If the recall petition is valid, on a separate ballot the question "Shall (officer) be recalled from the office of (office)" must be submitted to the electors, along with the names of any candidates certified for the successor election, at a special election called by the State Board of Elections or at a regularly scheduled election to occur not more than 100 days after the date of certification of the recall petition. The officer or member subject to recall may be a candidate in the successor election.
- (b) An executive branch officer or member of the General Assembly is immediately removed upon certification of the recall election results if a majority of the electors voting on the question vote to recall the officer or member. If an officer or member is recalled, the candidate who receives the highest number of votes in the successor election is elected successor for the balance of the term. Once a recall election petition is certified, the petition may not be withdrawn and another recall petition may not be initiated against that officer or member during the remainder of his or her current term of office.

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- (c) Any elector of the State, or the applicable Legislative or Representative District, may file an affidavit with the State Board of Elections providing notice of intent to circulate a petition to recall an officer or member no sooner than 6 months after the beginning of the officer's or member's current term of office. The affidavit must identify the name of the officer or member and the office to be recalled, the name and address of the proponents of the recall petition, and the date of filing with the State Board of Elections. A recall petition shall not be circulated prior to filing the affidavit, and a recall petition must be filed with the State Board of Elections no later than 160 days after filing the affidavit.
- (d) A petition to recall an executive branch officer must include signatures of electors of the State equal to at least 12% of the total votes cast for the office in the election at which the officer was elected, with signatures equal to at least 1% of the vote for the office from at least 5 separate counties. A petition to recall a member of the General Assembly must be signed by electors of the respective Legislative District or Representative District equal to at least 20% of the total votes cast for the office in the election at which the member was elected. The form, circulation, and manner of filing a recall petition shall comply with the requirements provided by law for a statewide advisory public question, except the deadlines set forth in this Section.
- (e) A recall petition is valid unless an objection is made within 45 days after the date the petition is filed, and an

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objection to the recall petition may be made in the same manner as to a candidate for the office subject to recall. The State Board of Elections shall certify the recall petition not more than 105 days after the date the recall petition is filed. Any recall petition or election pending on the date of the next general election at which a candidate for the office subject to recall is elected is moot.

- (f) a recall election is initiated, the name of no successor candidate may appear on the ballot unless a nominating petition has been filed with the State Board of Elections no more than 40 days after filing of the recall petition. The nominating petition of an established party candidate must contain the same number of signatures and be circulated in the same manner as an established party candidate for nomination to the office subject to recall, except the petition must be circulated no more than 40 days prior to the last day for filing nomination petitions. The nominating petition of an independent or new party candidate must contain the same number of signatures and be circulated in the same manner as an independent or new party candidate, respectively, for election to the office subject to recall, except the petition must be circulated no more than 40 days prior to the last day for filing nomination petitions. A nominating petition may be objected to in the same manner as a candidate for the office subject to recall, unless otherwise provided by law. The State Board of Elections shall certify a valid nominating

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petition not more than 105 days after the date the recall petition is filed.

- (g) An election to determine whether to recall an executive officer or member of the General Assembly and to elect a successor shall be proclaimed by the State Board of Elections and held not less than 60 days and no more than 100 days after the date of certification of the recall petition.
- (h) The provisions of this Section are self-executing and judicially enforceable.

SCHEDULE

The State Board of Elections shall proceed, as soon as all the returns are received but no later than 31 days after the election, to canvass the votes given for and against this Constitutional Amendment, as shown by the abstracts of votes cast. If this Constitutional Amendment is approved by either three-fifths of those voting on the question or a majority of those voting in the election, then the State Board of Elections shall declare the adoption of this Constitutional Amendment and it shall, upon declaration of its adoption, take effect and become a part of the Constitution of this State. This Schedule supersedes and applies notwithstanding any statute to the contrary, and no other requirements, including without limitation proclamation of the results of the vote or notice by publication, are necessary for its effectiveness. This has been a Second Reading of House Joint Constitution.. Resolution Constitution Amendment 28 as amended. There

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being no further business, the House Perfunctory Session
will stand adjourned."