

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

253rd Legislative Day

4/16/2008

Speaker Lyons: "Ladies and Gentlemen, the House will come to order. Members and guests are... Members are asked to please be at their desks. Members and guests are asked to refrain from starting their laptops and please turn off all cell phones and pagers and guests that are also in the gallery are asked to rise for the invocation and Pledge of Allegiance. We'll be led today in prayer by Reverend Jeff Kimberly who is the pastor of the First Christian Church in Zeigler, Illinois. Reverend Kimberly is the guest of Representative... Representative John Bradley. Reverend Kimberly."

Reverend Kimberly: "Will you bow with me? God, we are thankful this day for the men and women who gather here to make decisions on behalf of all the Illinoisans. We ask this day that You give them sound mind, soun... a clear head and guide them in all the decisions that they will make for the benefit of all the people of this state. We ask it all in Jesus' name, Amen."

Speaker Lyons: "We'll be led in the Pledge of Allegiance by Representative Don Moffitt."

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

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

Currie: "Thank you, Speaker. Please let the record show that Representative Washington is excused today."

Speaker Lyons: "Thank you, Leader. Representative Bost."

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Bost: "Thank you, Mr. Speaker. Let the record reflect that Representative Watson is excused."

Speaker Lyons: "Thank you, Leader. There are 115 Members responding to the Roll Call, there is a quorum present. Mr. Clerk."

Clerk Mahoney: "Committee Reports. Representative Mautino, Chairperson from the Committee on Insurance, to which the following measure/s was/were referred, action taken on April 16, 2008, reported the same back with the following recommendation/s: 'recommends be adopted' is Floor Amendment #2 to House Bill 5595. Representative Franks, Chairperson from the Committee on State Government Administration, to which the following measure/s was/were referred, action taken on April 15, 2008, reported the same back with the following recommendation/s: 'recommends be adopted' is House Resolution 1190. Representative Feigenholtz, Chairperson from the Committee on Appropriations-Human Services, to which the following measure/s was/were referred, action taken on April 16, 2008, reported the same back with the following recommendation/s: 'do pass Short Debate' is House Bill 6313; 'recommends be adopted' is Floor Amendment #1 to House Bill 6310. Representative Moffitt, Chairperson from the Committee on Fire Protection, to which the following measure/s was/were referred, action taken on April 16, 2008, reported the same back with the following recommendation/s: 'recommends be adopted' is House Resolution 1053. Representative Will Davis, Chairperson from the Committee on Health & Healthcare Disparities, to

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which the following measure/s was/were referred, action taken on April 16, 2008, reported the same back with the following recommendation/s: 'recommends be adopted' is House Resolution 1057."

Speaker Lyons: "The Chair recognizes the Lady from Cook, Representative Nekritz, for what reason do you seek recognition?"

Nekritz: "Point of personal privilege."

Speaker Lyons: "Please proceed, Representative."

Nekritz: "I'd like the House to give a warm Springfield welcome to the Mobile Home Owners Association of Illinois. They have several hundred members. Last year they had over six hundred (600) members here; I don't know how many are here this year, but they're quite a presence here today and I'm proud to say that the woman who has built this organization from the ground up is my constituent, Terry Nelson. So, please give them a warm welcome. Thank you."

Speaker Lyons: "Welcome to Springfield, enjoy your day. The Gentleman from Cook, Representative Riley, so what reason do you seek recognition?"

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

Speaker Lyons: "Please proceed, Representative."

Riley: "Ladies and Gentlemen of the House, I'd like for you to give a rousing welcome to two (2) representatives, local elected officials, from the historic Village of Park Forest: Trustee Mae Brandon and Trustee Bonita Dillard."

Speaker Lyons: "Welcome to Springfield, enjoy your day. Representative Pihos, we have House Resolution 1160. Read the Resolution, Mr. Clerk."

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Clerk Bolin: "House Resolution 1160, offered by Representative Pihos.

WHEREAS, The Lincoln Foundation for Performance Excellence was founded in 1994 and is a publicly and privately-supported not-for-profit organization; it was created to significantly raise Illinois' worldwide competitiveness by improving the performance of its institutions and businesses; and

WHEREAS, The Lincoln Foundation for Performance Excellence has created an award patterned after the Malcolm Baldrige National Quality Award; the award is an annual recognition of Illinois organizations that have demonstrated exemplary approach, deployment, and results in their overall quality systems and processes; it is presented to organizations that serve as role models for quality, customer satisfaction, and performance excellence; and

WHEREAS, The Lincoln Foundation for Performance Excellence has awarded the 2007 Lincoln Silver Award for Progress Towards Excellence to the following organizations: Advocate Good Samaritan Hospital, Downers Grove; Delta Dental of Illinois, Lisle; Community Consolidated School District #93, Bloomingdale, Carol Stream, and Hanover Park; Memorial Health System, Springfield; and OSF St. Mary Medical Center, Galesburg; and

WHEREAS, In addition, two other Illinois organizations were recognized with the 2007 Lincoln Bronze Award for Commitment to Excellence for their earnest efforts to adopt and apply continuous improvement principles; these

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recipients are Passavant Area Hospital, Jacksonville; and Provena Health, Mokena; therefore, be it

RESOLVED, BY THE HOUSE OF REPRESENTATIVES OF THE NINETY-FIFTH GENERAL ASSEMBLY OF THE STATE OF ILLINOIS, that we recognize The Lincoln Foundation for Performance Excellence and its efforts to assist Illinois organizations to strive for performance excellence, and we thank each of the organizations the Foundation has recognized for the devotion to excellence they have demonstrated; and be it further

RESOLVED, That a suitable copy of this resolution be presented to The Lincoln Foundation for Performance Excellence and to each 2007 Performance Excellence Award recipient as an expression of our respect and esteem."

Speaker Lyons: "The Chair recognizes the Lady from DuPage, Representative Sandy Pihos."

Pihos: "Thank you, Mr. Speaker and Ladies and Gentlemen of the House. Today we are fortunate to have with us the recipients of the Lincoln Foundation for Performance Excellence Award winners. And if they would stand while I make my comments, they're up here to my right. The Lincoln Foundation is a not-for-profit organization that assists Illinois organizations to continuously improve their performance by encouraging, developing and highlighting excellence among all five (5) sectors of the economy: industry, service, health care, education and government. To earn these awards means that these organizations have gone through a rigorous process to bring this kind of recognition to themselves. The State of Illinois has

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always been a strong supporter of the Lincoln Foundation which enables organizations to share their best practices. We all know that investing in quality principles and performance excellence pays off. I personally am so fortunate to have two (2) award winners from my district: Advocate Good Samaritan Hospital in Downers Grove, who is a leading provider of health care services in DuPage County and the largest, fully-integrated health care delivery system in Illinois. Advocate Good Samaritan provides community outreach programs and they are headed by David Fox and his phenomenal team of people. Also, I have Dental... Delta Dental Health Care of Lisle. It's a not-for-profit dental service corporation that administers and underwrites comprehensive, easy to use and cost-effective benefit dental health care plans for employers and groups based in Illinois. And now, I hope you'll all join me in applauding all of the accomplishments of these wonderful organizations. Thank you."

Speaker Lyons: "Thank you, Lincoln Foundation, enjoy your day. The Chair recognizes the Lady from Will, Representative Kosel."

Kosel: "Thank you, Mr. Speaker. I would like to add my congratulations to the Lincoln Fel... to the Lincoln Foundation winners. It is quite an honor and we are very proud to have you contributing to the State of Illinois. The Provena Health Care main offices are in my district and so, I want to add my congratulations to them. Thank you."

Speaker Lyons: "The Chair recognizes the Gentleman from Knox, Representative Don Moffitt."

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Moffitt: "Thank you, Mr. Speaker. Ladies and Gentlemen, I, too, want to congratulate all the winners of the Lincoln Foundation for Performance Excellence. One of them is in my district, OSF in Galesburg. I can tell you from firsthand experience it's an outstanding medical facility. Easter Sunday my mother became ill during the family dinner. We took her to the hospital, OSF, by ambulance. This is an award for excellence. She got excellent care and even follow-up calls from staff following it. So, I just join in congratulating all the winners. We're fortunate to have these groups in our state. They deserve this recognition and congratulations."

Speaker Lyons: "The Chair recognizes the Gentleman from Sangamon, Representative Raymond Poe."

Poe: "Mr. Speaker and Ladies and Gentlemen of the House, I, too, would like to add my congratulations to the award winners this year and Memorial Medical staff here in Springfield. They have four (4) facilities here in central Illinois. They do a great job and I think they are a mark of excellence and we want to congratulate them also. Thank you."

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

Chapa LaVia: "Thank you, Speaker and Members of the House. I, too, have Provena in my district in Aurora and I want to congratulate you also. I used to sit on the Board of Directors for Provena Mercy Health Care there in Aurora and they're a fine facility. They are up-to-date, 22nd century. You mean, you guys are doing all the right things

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and I want to say what an honor it is that you guys are given this award in December and how... it's very important that people understand the hospitals in their area and what they do for the constituents because when they do a phenomenal job, they really do spread the word and Provena Mercy does a phenomenal job. Thank you."

Speaker Lyons: "Rec... The Chair recognizes the Lady from DuPage, Representative Patti Bellock."

Bellock: "Thank you very much, Mr. Speaker. I, too, wanted to congratulate the Lincoln Foundation for its performance awards and especially Good Samaritan Hospital which is in my district and two (2) years ago and within 5 minutes, saved the life of one of my best friends. So, thank you very much and congratulations."

Speaker Lyons: "The Chair recognizes the Lady from Champaign, Representative Jakobsson."

Jakobsson: "Thank you, Mr. Speaker. I'd like to add my congratulations to Provena Health System for being a recipient of the 2007 Lincoln Bronze Award for commitment to excellence. Provena has a hospital in my area in Urbana, in particular, so once again congratulations and thank you for all the good work you do for the people of Illinois."

Speaker Lyons: "The Chair recognizes the Gentleman from Champaign, Representative Chapin Rose."

Rose: "Again, to echo Representative Jakobsson's remarks, congratulations Provena. Both of my children were born at the Urbana facility and we really appreciate them and the service they give to our community. Thank you."

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

Ramey: "Thank you, Mr. Speaker. I'd like to continue the congratulations to the Lincoln Foundation and District 93 to which I split with Representative Coladipietro. They do a fine job. I look forward to them continuing the education of our children including my own and helping them work toward the future. Thank you."

Speaker Lyons: "Thank you, Representatives and thank you, Lincoln Foundation. Enjoy your day and thank you very much for all the good work you do for the people of Illinois. Representative Dugan, you have House Resolution 1129. Oh, I'm..."

Dugan: "Thank you, Speaker. Members of the House, I would like..."

Speaker Lyons: "Representative... Representative, can you hold after the adoption..."

Dugan: "Yes."

Speaker Lyons: "...for the previous Resolution. So, Mr. Speaker... Mr. Clerk, put the Resolution back on the board. All those in favor of the adoption of House Resolution 1160 signify by saying 'yes'; all those opposed say 'no'. In the opinion of the Chair, the 'ayes' have it. And House Resolution 1160 is adopted. ...you, Representative Dugan. Now we have House Resolution 1129. Read the Resolution, Rep... Mr. Clerk."

Clerk Mahoney: "House Resolution 1129, offered by Representative Dugan."

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WHEREAS, The members of the Illinois House of Representatives are pleased to congratulate the members of the St. Anne Boys Basketball Team on the occasion of winning the IHSA Class 1A 2008 Boys Basketball State Championship; and

WHEREAS, The St. Anne Boys Basketball Team captured the Boys 1A championship with a 67-61 victory over Nokomis at Carver Arena on March 8, 2008; the team finished the 2007-2008 season with an impressive 25-8 record; and

WHEREAS, The St. Anne Boys Basketball Team was led during the championship game by all-state guard, Cliff Fleming, who scored an impressive 28 points; and

WHEREAS, The members of the St. Anne Boys Basketball Team are Kenneth Thomas, Chris Williams, Dimitri Morgan, Cortez Peden, Brandon Brewer, Clayton Mason, Arnell Powell, Cliff Fleming, Javonta Davis, Colin Statler, Jherion Broadnax, Jack Nicholson, Bryant DeWitt, Kendric Springer, and Varron Burdunice; the team's Head Coach is Rick Schoon and the Assistant Coaches are Todd Sirois, Kurt Vanhorn, Jeremy Heck, and Tom Montemayer; therefore, be it

RESOLVED, BY THE HOUSE OF REPRESENTATIVES OF THE NINETY-FIFTH GENERAL ASSEMBLY OF THE STATE OF ILLINOIS, that we congratulate the members of the St. Anne Boys Basketball Team on the occasion of winning the IHSA Class 1A 2008 Boys Basketball State Championship and wish them continued success in the future; and be it further

RESOLVED, That a suitable copy of this resolution be presented to St. Anne Boys Basketball Head Coach Rick Schoon as a symbol of our esteem and respect."

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Speaker Lyons: "The Chair recognizes the Lady from Kankakee, Representative Lisa Dugan."

Dugan: "Thank you very much. And Members of the House, you see the team, of course, up here behind... in the Speaker's box. I wanted to just, if I could, highlight something. Of course, this is a very important day and certainly for the community of St. Anne for these young men that won the state championship. But also I'd like to mention sometimes when you plant a field of dreams you grow champions. Coaches Rick Schoon and Todd Sirois have been planting the field of dreams since they began volunteering their time in 1999. I want you to understand that these gentlemen stepped up during the district's financial crisis when there were no dollars for any athletic program and volunteered their time for two (2) years to make sure that these young students had a chance. A few people came together and decided to plant the fields, maintain the fields and support our kids who so desperately needed this program. Doyle Owens, the athletic director and now principal at Peotone High School personally paid the fees for the referees. Cardinal Bus owner Terry Sirois transported the students. Russell Cotton and the Cotton Medler (sic-Medler Cotton) family provided equipment to maintain the fields. Along the years, Mr. Schoon and Mr. Sirois have not only coached the basketball and other sports programs but have generously provided meals, uniforms and transportation. They have worked and tilled the high school fields with these young men teaching them about leadership and the responsibility we all have to give

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back to our communities. Over the years, Coach Schoon and Coach Sirois have been outstanding role models to these young men. They taught generations of young men that if you work hard you can achieve. St. Anne Community High School District 302 is a small, rural high school, but we have coaches with grand dreams. Rick Schoon and Todd Sirois planted this field of dreams and have grown the champions. Again, if we could give another round of applause for the 2008 IHSA champions."

Speaker Lyons: "Congratulations, St. Anne, enjoy your day. Thanks for being here. The Motion is for the adoption of House Resolution 1129. All those in favor signify by saying 'yes'; those opposed say 'no'. In the opinion of the Chair, the 'ayes' have it. And House Resolution 1129 is hereby adopted. Mr. Clerk, on page 23 Calendar, Representative Mike Boland has House Bill 5684. Read the Bill, Mr. Clerk."

Clerk Mahoney: "House Bill 5684, a Bill for an Act concerning civil law. Third Reading of this House Bill."

Speaker Lyons: "The Chair recognizes the Gentleman from Rock Island, Representative Boland."

Boland: "Thank you, Mr. Speaker. What House Bill 5684 does is make sure that state building structures and facilities that display the U.S. Flags only display those that have been manufactured in the United States of America."

Speaker Lyons: "Is there any discussion? The Chair recognizes the Gentleman from Knox, Representative Don Moffitt."

Moffitt: "Will the Sponsor yield?"

Speaker Lyons: "Indicates he will."

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Moffitt: "Representative, I think we probably all agree with the intent. Just a question. How difficult is it to get... always get a U.S. Flag and how do they com... is there a difference in cost? But I mean, I... I think we are... I certainly want products manufactured in the U.S., but what kind of difficulty would we be creating if we adopt this?"

Boland: "I don't think any difficulties at all. There is a firm in Rock Island, for example, Regalia Manufacturing, that makes flags and I think they're a reasonable cost. People buy them all the time. The firm has been in existence for a long time, so I think that this is a pretty easy thing to fulfill."

Moffitt: "And if... if a U.S. Flag that's not manufactured in the U.S. is flown, is there any penalty?"

Boland: "There is no penalty. I'm looking at it."

Moffitt: "We're just stating our intent, our hope, our desire that it'd be a..."

Boland: "Right, right."

Moffitt: "...U.S. made flag, support U.S. workers."

Boland: "Yes."

Moffitt: "Yeah. Thank you."

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

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

Speaker Lyons: "Indicates he will."

Fritchey: "Representative, obviously, I appreciate what you're trying to do. A couple of questions, I guess, for you. From a philosophical standpoint... this will apply to U.S. Flags but not Illinois flags, correct?"

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Boland: "Yes, right."

Fritchey: "Would the same rationale of wanting agencies to buy domestically made U.S. Flags apply to buying U.S. made Illinois flags as well?"

Boland: "Well, I wouldn't have anything against that myself, but I'm just doing..."

Fritchey: "All right. I'm just curious as to why you drew the distinction between the two (2). All right. Since we... since it's pretty much... Every state building that'll fly a U.S. Flag is simultaneously flying a state flag as well."

Boland: "Yes, they usually do."

Fritchey: "So, why... why have it apply to one and not the other?"

Boland: "Well, this Bill is actually copied after a Wisconsin legislation that was passed and it only designated the U.S. Flag. I have no problem with... if we, you know, somebody wanted to do a Bill later on to do the Illinois flag or perhaps even the POW/MIA flag."

Fritchey: "Okay. The analysis says that a violation of the Act will be a Class C misdemeanor, but I don't see that in the legislation itself. Is there a penalty for failure to abide by this?"

Boland: "There is no penalty on this. The Amendment... the Amendment changed that."

Fritchey: "So, there's no... so, there is no penalty. Would this be more appropriately a Resolution rather than a piece of legislation? You know, it's always odd when we have Bills that come in here no matter how well-intentioned, but they have no penalty provisions put in them."

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Boland: "Well, it could have been. You know, I decided, as I said, to basically take the Wisconsin legislation and do it here."

Fritchey: "All right. To the Bill. Ladies and Gentlemen, the Gentleman's a patriot and I respect what his intention here. You know, at a time that our statutes continue to grow and grow I think we really need to step back sometime no matter how laudable the goal to ask ourselves why we're going to put a law on the books that has no penalty provisions, that may very well be suited as a advisory or even a mandatory Resolution to try to bind the agencies. People may or may not think it's important, but at the times when we find ourselves having gone from, you know, the Ten Commandments to about thirty (30) volumes of statutes, it's statutes such as this that I think we have to ask ourselves if we really want to be passing. Thank you."

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

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

Speaker Lyons: "Sponsor yields."

Black: "Representative, I think I understand what you're trying to do. Let me just ask you a couple of questions that I know will come up. I have a museum in my district that flies all of the flags of countries that one time had a claim over east central Illinois and there's France, Great Britain, Spain, it seems like there's one other."

Boland: "Six flags over Vermilion County, right?"

Black: "Well..."

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Boland: "You ought to get a park."

Black: "I never thought of that, but maybe we could put a roller coaster out there. But the law is silent, so if they want to fly the flag of France or Spain or England, there's nothing that says those flags would have to be made in France, or England or... those flags, I assume, then could be made anywhere, right?"

Boland: "Right, right."

Black: "Okay. Now, what about the City of Chicago? They... When I'm in the city, more so than any city I have visited, they... they're very proud of their flag and they fly it in a number of places. Does the City of Chicago flag have to be made in the City of Chicago?"

Boland: "No, this doesn't apply to..."

Black: "Well, I think we ought to do that."

Boland: "...any other flags."

Black: "Okay. Well, why... why..."

Boland: "That'd be a... may be a good idea."

Black: "No, I think it would be a great idea. If the late Andy McGann was here, Andy'd be right on that. What... For example, I'm not sure other than... other than pride in one's country and perhaps this is what Representative Fritchey was alluding to and I couldn't hear, if you fly the American flag at your district office and you make sure that it's made in the United States, what sense would it make then to fly the State of Illinois flag that may be made in Bangladesh? Now, why wouldn't we combine the two (2)?"

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Boland: "Well, we could. As I had told the other Representative that, you know, this is copied after what Wisconsin has done and..."

Black: "Okay. And Wisconsin was..."

Boland: "...and it just applied to... just applies to the United States Flag."

Black: "All right. So, Wisconsin's law only applies to the United States of America Flag."

Boland: "Yes, yes."

Black: "Could you amend the Bill on its face to say you could not fly a State of Illinois flag that was made in the State of Wisconsin?"

Boland: "Well, I wouldn't have any problem with that."

Black: "Or especially Missouri. You know, I..."

Boland: "Or Indiana."

Black: "Oh, tell me about Indiana."

Boland: "We've got to watch some Indianans now."

Black: "All right. I know I understand what you're trying to do. There are days I wish we could expand this to other things."

Boland: "Right."

Black: "Years ago I had a Bill... Representative Lang would remember... that said you shouldn't wear foreign-manufactured suits on the House Floor. You shouldn't wear Italian shoes on the House Floor. As I recall, that Amendment was adopted, but then the Bill never got called. I wouldn't mind do... adopt... amending the Bill in the Senate that said, I think we ought to park American nameplate cars on state property. You go through the... go through the park... the

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legislative parking lot here someday, it's a real eye-opener."

Boland: "Yes, it is."

Black: "But I share your concern. I know when our National Guard unit left for active duty, well over a year ago and I wanted to go down to a store and buy little flags for the people who were going to be in the parade, I couldn't find one that was made anywhere except China. So, I see what you're trying to do..."

Boland: "Yes."

Black: "...and I'm sure it will be reflected in the vote. Thank you."

Boland: "Thank you."

Speaker Lyons: "Representative Stephens."

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

Speaker Lyons: "He yields. Gentleman yields."

Stephens: "Representative, have you established the price difference for flags made..."

Boland: "No, I haven't."

Stephens: "...here and versus other places?"

Boland: "No, I haven't."

Stephens: "The... Is there any language in your Bill that calls for Americans or American companies to make these flags or do they just have to be made in America?"

Boland: "Well, there are American companies that make flags, period."

Stephens: "But that's not what your Bill... but that's not what your Bill says. It says they need to be made in America,

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but they can be made by a company from anywhere. A foreign-owned company, right?"

Boland: "Well, thi... No, this says the United States."

Stephens: "A foreign-owned company operating in the United States could be making these flags and they would qualify under your Bill? Is that right?"

Boland: "Yes. If there was a foreign company that had a manufacturing facility in the United States that made these flags, yes, they would qualify."

Stephens: "And... and there are."

Boland: "There probably are..."

Stephens: "There are."

Boland: "...I don't know."

Stephens: "I would like to see the Bill taken out of the record, amended and it said that only American veterans working in American-owned, exclusively American-owned, corporations or partnerships could make these flags. Would you agree to that?"

Boland: "Well, I wouldn't agree to taking it out of the record. I... I like that idea. If you... if there is such firms, you know, that's great. I think that's fabulous."

Stephens: "Well, I... I guess my point is it seems like we're just trying to... I appreciate the meaning behind the Bill and I rise in support."

Boland: "Thank you."

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

Mautino: "Thank you, Speaker. Just a brief question. On the Bill and the synopsis of the Bill, it... it had a structure

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for a Class C misdemeanor. That's been removed, so there'll be no way a retailer that had a flag from inventory would be facing any penalty on something that he didn't know or have any way of knowing at that time, so there'd be no unintended consequences. And basically, it's just urging people to buy American flags made in America."

Boland: "Yes, that's right. In fact, the Retail Merchants are the ones who proposed this to me."

Mautino: "Okay. All right. And with that, thank you for answering that question and I appreciate that and so does my group of Pages here today from Mendota and they say 'hello' and vote for your Bill, too."

Speaker Lyons: "The Gentleman from Champaign, Representative Chapin Rose, final speaker."

Rose: "I just had a quick question. Is there..."

Speaker Lyons: "Sponsor yields."

Rose: "...is there a... any sort of a... does this apply only to the sale of flags or is it the flying of flags?"

Boland: "This is actually the... the displaying or flying of the flags."

Rose: "The display?"

Boland: "Yes."

Rose: "The flying of flag?"

Boland: "Right."

Rose: "Here's my question. What happens if a flag that was purchased ten (10) years ago, fifteen (15) years ago, you don't know where it came from. How does somebody supposed to know?"

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Boland: "Well, as I said, there isn't any penalty. Hopefully, when that one that's ten (10) years old, if it wears out, they'll replace it with one that was made in the United States."

Rose: "Well, I do not objurgate what you're trying to do and I support what you're trying to do, okay, but my question is, for the flags that are already in existence.. and I agree.."

Boland: "There is.."

Rose: "...let's replace them with flags made here in America, but how do we know.. how does a homeowner know when they do their civic duty and go put that flag up on the Fourth of July that they're not going to be in violation of this law? That's.. that's my concern."

Boland: "And there probably is.. you know, I have one at my house and we put it out every Fourth of July and Memorial Day and so forth and to tell you the truth, I don't know where it came from. I think it came from a local manufacturer we have in Rock Island, but I can't remember 'cause my wife bought it and I don't.. I don't know."

Rose: "Right. But you would.. but potentially, you could be and you could end up being in violation of this Act were it to pass. I mean, could we.."

Boland: "Well, this is.. this is only public buildings."

Rose: "Only pub.. Okay. That was my question. All right."

Boland: "Right, right."

Rose: "So, it's flying the flags at public buildings."

Boland: "Right."

Rose: "Okay. Very well, Representative, thank you."

Boland: "Right."

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Speaker Lyons: "Representative Boland to close."

Boland: "Thank you very much, Ladies and Gentlemen. You know, I think that this is a Bill that we can pass that would symbolize our commitment to really American... America itself and the idea of manufacturing more things in the United States of America and particularly, the display of our flag. I mean, that that should be something that we should retain as a great symbol of our... our love for our country and a display of our patriotism. I would appreciate an 'aye' vote."

Speaker Lyons: "The question is, 'Should House Bill 5684 pass?' All those in favor signify by voting 'yes'; those opposed vote 'no'. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Representative McCarthy, Representative Saviano, Representative Joe Dunn. Mr. Clerk, take the record. On this Bill, there are 103 Members voting 'yes', 3 Members voting 'no' and 9 Members voting 'present'. This Bill, having received the Constitutional Majority, is hereby declared passed. Representative Roger Eddy, for what purpose do you seek recognition, Representative?"

Eddy: "A point of personal privilege."

Speaker Lyons: "Please proceed."

Eddy: "Thank you very much. Ladies and Gentlemen of the House, in the gallery to my right there are students from Neoga High School's Honor Society visiting the Capitol today, if they would stand. And the Sponsor, Terri Biggs is here and after twenty (20) years of bringing students to the Capitol from the Honor Society, this will be her last trip to

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Springfield in that capacity because after thirty-four (34) years in teaching she's retiring this year. Please give them a hand and welcome them to Springfield."

Speaker Lyons: "Welcome to Springfield, enjoy your day. Representative Crespo, on page 18 of the Calendar, you have House Bill 2757. Read the Bill, Mr. Clerk."

Clerk Mahoney: "House Bill 2757, a Bill for an Act concerning criminal law. Third Reading of this House Bill."

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

Crespo: "Thank you, Speaker. House Bill 2757 was brought to me by the Illinois State Police and I did talk to some of my police chiefs and this seems to be a big problem in the area. And it basically changes the Criminal Code by providing a person that commits the offense of unlawful use of weapons when he or she normally sells, manufactures, purchases, possesses or carries metal knuckles or other knuckle weapon regardless of their composition. Be glad to answer any questions."

Speaker Lyons: "Is there any discussion? Seeing none, the question is, 'Should House Bill 27... The Chair recognizes the Lady from Kane, Representative Pat Lindner."

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

Speaker Lyons: "Indicates he will."

Lindner: "Now, could you describe what a metal knuckle is or other knuckle?"

Crespo: "Metal knuckles are basically, Representative, are the... the devices that you put over... typically your four (4) fingers and your thumb made of either brass or metal."

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These particular devices that we're referring to now is the similar... it's made the similar way, but they're not made of metal. It's usually some hard plastic or some other composition, but it serves the same purpose."

Lindner: "Right. And that was the Floor Amendment, said other materials that use... using other materials in knuckle weapons. What would be the other materials or what would be the similar that your Amendment concerned?"

Crespo: "It's a plastic composite, Representative. It just... it does the same harm; it's used the same way. And these things are currently being sold online and they brag about the fact that they're not illegal. So, we've had some cases in my district where our police department have actually gotten some of these at the high schools. And... but one of the biggest problems is that they go undetected through metal detectors, as well."

Lindner: "They're undetected by a metal detector?"

Crespo: "Correct."

Lindner: "And why is that, if they are metal knuckles?"

Crespo: "'Cause they're not made of metal."

Lindner: "Oh. They're made of other... Okay. Thank you very much."

Crespo: "Thank you."

Speaker Lyons: "The Chair recognizes the Gentleman from Bond, Representative Ron Stephens."

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

Speaker Lyons: "Sponsor yields."

Stephens: "Is there a military exemption?"

Crespo: "Beg your pardon?"

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Stephens: "Is there a military exemption for these products?"

Crespo: "No, Representative, there're pretty much the same law that applies to the metal or brass knuckles, the same thing. So, there's no exemption for currently for those particular devices, there wouldn't be for this one either."

Stephens: "Well, I apologize that I'm not familiar with this Section of the statute, but I'm an old paratrooper and standard issue for a paratrooper for years has been what we've referred to in my day at least is brass knuckles."

Crespo: "Right."

Stephens: "Now, when a... when paratroopers from my old unit jumped into Iraq in 2003 and those men and women that... well, the men that parachuted in to Iraq that day were..."

Crespo: "Well..."

Stephens: "...had those devices with them. Does your Bill allow for the production of those products in Illinois?"

Crespo: "This Bill, what it does, Representative, whatever the law is currently, it doesn't change. So, the situation you're describing right now is allowed. This has not change that at all. All it does is just makes sure that it... describes it or defines this device and includes ones that are not made of metal, but it... it's allowed now, that law doesn't change."

Stephens: "Well, I..."

Crespo: "I guess it..."

Stephens: "...as I said, I'm not familiar with that Section of the statute, but..."

Crespo: "Yeah."

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Stephens: "...your Bill does affect that Section. I thought that you would..."

Crespo: "It... it's only specifically deals with unlawful use of weapons. So, the scenario you described, if that's lawful, obviously, that wouldn't apply. So, it's very clear. It's the unlawful use of these devices."

Stephens: "So, it's just the unlawful use, not the production? I'm... maybe my analysis is in error."

Crespo: "I mean, people can still produce them, Representative. I mean, if they sell it to some other state that allows it, I guess that's okay. But they're produced in here in the state and then for unlawful purposes, what we're saying is, they should be treated like any other either brass or metal knuckles."

Stephens: "Well, I just think... I think we would... the unlawful use, I would... I can... I can go along with that. I'm worried about the production and the... What if you have them for self-defense? Are you allowed to possess them and use them in self-defense?"

Crespo: "I guess, my question would be, you know, does the law allows brass knuckles or metal knuckles today for self-defense? And they are currently illegal in the State of Illinois, so the same law would apply."

Stephens: "So, somebody's about to beat me up and I reach into my backpack and grab my brass knuckles and..."

Crespo: "Well, Representative, you know, I would imagine, you know, in some places here in the state, some of you folks use guns. I don't... You know, you could run. There's so many other things that you could do. If you want... if

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someone wants to take the risk and carry brass knuckles,
metal knuckles or these knuckles..."

Stephens: "Did you say I should run?"

Crespo: "Hey, that's an option, Sir."

Stephens: "No, no."

Crespo: "I don't think you would, though. I don't think you
would too."

Stephens: "Then the bad guys win."

Crespo: "You're not going to run."

Stephens: "Whose side are you on here? I'm on the good guys
side. Stand and fight. We don't want to send a message
from the Illinois General Assembly..."

Crespo: "Mmm mmm."

Stephens: "...that the crooks are taking over the streets and
it's okay because we'll run. We're going to run. I don't
want to run, I want to fight back."

Crespo: "Good."

Stephens: "I want to own the night."

Crespo: "Well, you know, Representative, I suggest use your
fists. I think a big guy can do that. Currently, the law
does not, again for the record, does not allow the selling,
manufacturing or purchases or possession of metal knuckles
or..."

Stephens: "Am I allowed to use my fist in self-defense?"

Crespo: "I should... I'm pretty sure you can, like we all can."

Stephens: "Well, that's a good thing. I think your Bill says
is we can't... you're not going to allow the manufacture.
For that reason alone, I stand in opposition."

Crespo: "Thank you."

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Speaker Lyons: "Representative Crespo to close."

Crespo: "Thank you, Representative. And thank you for the questions. Again, all this does, it doesn't change any current law, it just makes sure that we define these weapons and make sure they're not... they're not only made of metal or brass but any other composite. So, I ask for an 'aye' vote."

Speaker Lyons: "The question is, 'Should House Bill 2757 pass?' All those in favor signify by saying 'yes'... voting 'yes'; those opposed vote 'no'. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Mr. Clerk, take the record. On this Bill, there are 111 Members voting 'yes', 4 voting 'no'. This Bill, having received the Constitutional Majority, is hereby declared passed. The Chair recognizes the Gentleman from Macon for the point of personal privilege, Representative Bill Mitchell."

Mitchell, B.: "Thank you, Mr. Speaker, Ladies and Gentlemen of the House. I would like to introduce a group of Macon County Farm Bureau. They're on the Republican side of the aisle from my home county. Let's give them a big Illinois House welcome."

Speaker Lyons: "Welcome, enjoy your day. Mr. Clerk, on page 20 of the Calendar, Representative Roger Eddy has House Bill 4505. Read the Bill, Mr. Clerk."

Clerk Mahoney: "House Bill 4505, a Bill for an Act concerning local government. Third Reading of this House Bill."

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

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Eddy: "Thank you, Mr. Speaker. House Bill 4505 as amended would allow a municipalities with populations of less than fifteen thousand (15,000) to use funds in the 9-1-1 Fund for providing warning systems for tornados. I would appreciate the House support of this initiative."

Speaker Lyons: "Is there any discussion? Seeing none, the question is, 'Should House Bill 4505 pass?' All those in favor signify by voting 'yes'; those opposed vote 'no'. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Representative Winters. Mr. Clerk, take the record. On this Bill, there are 115 Members voting 'yes', 0 voting 'no'. This Bill, having received the Constitutional Majority, is hereby declared passed. Mr. Clerk, on page 20 of the Calendar, Representative Brady has House Bill 4567. Read the Bill, Mr. Clerk."

Clerk Mahoney: "House Bill 4567, a Bill for an Act concerning education. Third Reading of this House Bill."

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

Brady: "Thank you very much, Mr. Speaker, Ladies and Gentlemen of the House. House Bill 4567 simply would require the Illinois Student Assistant (sic-Assistance) Commission to conduct a study throughout the year 2008 and 2009 pertaining to the State Scholar Program in the State of Illinois regarding higher education. And I'd be happy to answer any questions."

Speaker Lyons: "Is there any discussion? Seeing none, the question is, 'Should House Bill 4567 pass?' All those in

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favor signify by voting 'yes'; those opposed vote 'no'. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Representative Flider. Mr. Clerk, take the record. On this Bill, there's 115 Members voting 'yes', 0 voting 'no'. This Bill, having received the Constitutional Majority, is hereby declared passed. The Chair recognizes the Gentleman from Williamson, Representative John Bradley, for what reason do you seek recognition?"

Bradley, J.: "Point of personal privilege."

Speaker Lyons: "Please proceed, Representative."

Bradley, J.: "Mr. Speaker, Members of the House, I'm sure that everyone is aware that yesterday there was a ruling on a constitutional issue involving this chamber and the legislative process in Illinois. The courts ruled in our favor on this very important constitutional issue and at this time I want to compliment and thank the Illinois Manufacturers' Association as well as their leader, Greg Baise for having the courage and the ability to go forward and try to respect and protect the constitutional integrity of this Body and the legislative process."

Speaker Lyons: "Thank you, Representative. The Chair will recognize the Lady from Cook, Representative Jefferies. For what reason do you seek recognition?"

Jefferies: "Thank you, Speaker and Members of the House. And I would like you to join me today in honoring State Representative Esther Golar in celebrating her birthday."

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Speaker Lyons: "Happy birthday, Esther, and many more. The Chair recognizes the Gentleman from Crawford, Representative Roger Eddy."

Eddy: "Thank you, Mr. Speaker. I just want to take a moment to echo the words of Representative Bradley. I think that this Body because of the fact that the Illinois Manufacturers' Association and Mr. Baise and Mr. Gidwitz took it upon themselves to defend the process and defend what we do here by using their own resources to go to court to put a stop sign up and recognize the fact that there is a constitutional process. We owe them, in this Body, a debt of gratitude for... for that. In fact, I'm not sure we shouldn't be doing more here ourselves to make sure that we stand up to abuse of the process here. Thank you, Mr. Speaker."

Speaker Lyons: "Thank you, Representative. On page 19 of the Calendar, Representative Lisa Dugan, you have House Bill 4471. Read the Bill, Mr. Clerk."

Clerk Mahoney: "House Bill 4471, a Bill for an Act concerning children. Third Reading of this House Bill."

Speaker Lyons: "The Lady from Kankakee, Representative Lisa Dugan."

Dugan: "Thank you, Mr. Chairman. House Bill 4471 addresses an issue that was brought to my attention on a law that we passed last year that took effect January 1. And it... what it has to do with is making sure that when a child is registered into a daycare center or school that proof is provided in order to make sure that that child is... is certainly the child of those that are bringing them in."

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And so, it was brought to our attention, it called for a certified copy and what was being asked is for parents to leave a certified copy of their child's birth certificate at the daycare center which was not our intent. So, all this Bill does is kind of clean up the language to let people know and daycare centers know that they just need to get a copy of that certified copy. And so, we wanted to make sure that we got that corrected, brought to us from a constituent in my district. So, I'll answer any questions."

Speaker Lyons: "Is there any discussion on House Bill 4471? Seeing none, the question is, 'Should House Bill 4471 pass?' All those in favor signify by voting 'yes'; those opposed vote 'no'. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Representative Bost, Representative Crespo. Mr. Clerk, take the record. On this issue, there's 115 Members voting 'yes', 0 voting 'no'. This Bill, having received the Constitutional Majority, is hereby declared passed. The Chair recognizes the Gentleman from Cook, Representative Bob Molaro, for what reason do you seek recognition?"

Molaro: "Thank... thank you, for a question inquiry of the Chair."

Speaker Lyons: "State your inquiry, Representative."

Molaro: "Well, here... here's the deal. I really don't know if you, Mr. Speaker, could do this or it would have to be by House rules, but I think it was 1996 I was instrumental in passing a rule in the Senate that when we're on Third Readings we wouldn't be bothered by lobbyists at the door.

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I mean, it becomes very, very difficult to on Third Readings to keep our minds right and listen to every... when every other day, every other minute we're getting cards. Now, I asked that about last year just when you became a Leader and I think your answer was I'll take that under advisement or look into it. And I'm thinking, could you take it under advisement again and look into it again?"

Speaker Lyons: "Thank you, Representative, like all your ideas, we'll take under very serious consideration and thank you for that recommendation. Thank you, Representative Molaro. Mr. Clerk, on page 24 of the Calendar, Representative Mary Flowers has House Bill 5865. Read the Bill, Mr. Clerk."

Clerk Mahoney: "House Bill 5865, a Bill for an Act concerning regulation. Third Reading of this House Bill."

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

Flowers: "Thank you, Mr. Speaker and Ladies and Gentlemen of the House. House Bill 5865 would require insurance companies to report how much of each dollar consumers spend in premium goes toward the actual health care and how much goes toward the profit and the administrative cost. In Illinois we cannot tell whether the premium rise because of actual cost increase or because of the insurance companies are deliberately charging more and paying out less. This Act would require a simple one-page report putting that data that the insurance companies already have at their disposal into a user... a usable format for the Division of Insurance. And I will be more than happy to answer any questions. Thank you."

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

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

Speaker Lyons: "Sponsor yields."

Osmond: "Representative, does this type of... who sees this type of information?"

Flowers: "The Division of Insurance."

Osmond: "Okay. And what is the policy today?"

Flowers: "The policy today..."

Osmond: "I'm sorry, for reporting. There is... there is a requirement right now to report and is it not on a yearly basis?"

Flowers: "Oh, well, I don't know if it is on a yearly basis, Representative. Do... Is that true?"

Osmond: "It's our understanding it's on a yearly basis. You're asking it for a quarterly basis."

Flowers: "In regards to what the insurance industry report to the division or what the insurance industry report already, because it is my understanding that they do report... the insurance industry do report to their shareholders on a quarterly basis."

Osmond: "But it's my understanding also that they do report on a yearly basis to the Department of Insurance. Is that not correct?"

Flowers: "A quarterly report of health benefits plans currently in force in this state to be filed on the final day of each quarter."

Osmond: "Does this..."

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Flowers: "And an annual report of health benefit plans currently in force in this state to be filed on April 1, for the preceding year."

Osmond: "Okay. Does this cover cancer policies?"

Flowers: "It covers major medical, hospital, surgical, in-state group, out-state group, administrative services, accidental... only accidental death, dismemberment, blanket accident, sickness, dental, disability, confined short-term and long-term, excess of stop-loss and the limit benefits to... it limit benefits to include disease, critical illnesses, dreaded disease..."

Osmond: "On a cancer policy you are on... the benefit only goes to the individual; it doesn't pay a doctor. On a disability policy, the benefit goes to the insured; it doesn't pay a doctor. So, why would this type of requirement cover that type of policy?"

Flowers: "I'm sorry, Representative, would you..."

Osmond: "The benefits go directly to the insured. Okay. You're not paying a hospital; you're not paying a doctor. It's for the insured to pay for their medical bills. In other words, it goes straight to the insured."

Flowers: "Well, Representative, we are trying to collect as much information as possible from the insurance company so the people of the State of Illinois can be as informed as possible as to where those actual dollars go and the only way we can get that information is by way of the reporting."

Osmond: "Wouldn't you think that you should maybe hold this Bill and amend it to take those type of policies out

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because that information isn't necessary when you're assessing the way that you are attempting to do?"

Flowers: "You know, Representative, I understand what your point is, but the more information that we have the better informed the people of the State of Illinois would be."

Osmond: "But when you're getting this information and it doesn't pertain to the issue you're seeking, doesn't that make the information less accreditable?"

Flowers: "Well, not necessarily. You know, I'm sure in lots of reports that you and I read, you know, we get to the point of what's applicable to us and what it is that we want to know. So, if the information is out there and it is submitted in the report already that the insurance industry already put together, it won't hurt to also report it quarterly."

Osmond: "Is there the rules Amendment on this Bill?"

Flowers: "There is Amendment #1, limit the ability of any agency to..."

Speaker Lyons: "Representative Osmond, your time is... we'll give you one more minute to please conclude your questions."

Osmond: "Thank you, Mr. Speaker. To the Bill. I really do not believe that this Bill is going to do the... what the intention of the Sponsor is. I think that you have to really look at what type of policies you wish to be... have reported on. And I would say a 'no' vote at this time. Thank you."

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

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

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Speaker Lyons: "Sponsor yields."

Mulligan: "Representative, this Bill has the rules Amendment on it. Is that correct?"

Flowers: "That is correct, Representative."

Mulligan: "Do you understand why the genesis of this Bill that it came out of the Insurance Department through the Rules Committee and that they then said that they'd no longer needed the Bill. They thought they could do this on their own. Do you understand that?"

Flowers: "Do I understand what the Insurance Department said?"

Mulligan: "Yes."

Flowers: "That they can do it on their own without this legislation?"

Mulligan: "They said that they thought and we asked in committee..."

Flowers: "They didn't tell it to me, Representative."

Mulligan: "Well, Representative, since the Bill..."

Flowers: "Did they tell it to you?"

Mulligan: "Yes. And since the Bill you have is the Bill that my staff drafted for someone else and then that person not only did not redraft the Bill but took the Bill that we had drafted and changed it over to you..."

Flowers: "Oh, Representative, I don't know anything about that."

Mulligan: "It's very interesting about that. Oh, I'm sure you know something about it."

Flowers: "Oh, Representative, I don't know anything about that."

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Mulligan: "Aside from that, if you have a Bill that is governed by Rules and you put the Speaker's rules Amendment on it, how does it then work when this is supposed to come to..."

Flowers: "Representative, may I ask you a question? Does your Bills have the same... do you have to apply the Rules Committee to your Bills?"

Mulligan: "No. That was added after we did that."

Flowers: "So, you do have to do it now?"

Mulligan: "I don't try to do that..."

Flowers: "That's not the point."

Mulligan: "...because I think the..."

Flowers: "Do you have to have that Amendment on to your..."

Mulligan: "Representative, what I'm asking you the question is, how do you do a Bill that has to be adjusted by Rules, when it can't be?"

Flowers: "Representative, none of the Amendments that we add on to our Bills stop an agency from making the rules. It put limitations on what it is that they can and cannot do, but it does not stop them, Representative."

Mulligan: "Absolutely, it does stop them. They have to come back to the General Assembly and since that Bill was originally drafted and given to us... and given to us and that the people that we're working with us on it turned around and redrafted it without asking to be drafted, they copied it, and then gave it to you and then it was amended..."

Flowers: "Representative, I really must say that I..."

Mulligan: "...and it doesn't fit what we were doing."

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Flowers: "...I'm really not aware of the genesis of what you're talking about, so please forgive me for not being able to answer you on that."

Mulligan: "Oh, Mary, that's really good. I really think that's very nice of you to say that you're not aware of the genesis. If you are that inept at how you present a Bill or where it comes from..."

Flowers: "Well, Representative, you know what I think..."

Mulligan: "...that's very interesting."

Flowers: "...I suggest, Mr. Speaker, you can turn off her mike..."

Mulligan: "To the Bill."

Flowers: "...'cause I think she's gone a little too far."

Speaker Lyons: "Ladies, please. Representative..."

Mulligan: "To the Bill."

Speaker Lyons: "To the Bill, Representative Mulligan."

Mulligan: "The genesis of this Bill had to do with what the Governor had wanted to come through to get information in order to do his health care plan. It then went to JCAR through the Department of Insurance who said that part of what they had asked for came from the report from the Adequate Health Care Task Force. They felt they did not need this. They were certainly willing to negotiate with the insurance companies and other people about the information who said they were willing to do this. The only question that came down to whether it should be done four (4) times a year, two (2) times a year or one (1) time a year and that was supposed to be open for negotiation. What happened was the people that were interested in this report came to us and asked that we draft a Bill, which we

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did, and then they turned around and gave the Bill to Representative Flowers, which is fine, I'm on the Bill. I think we need the information. It came, you know, it was a request from the Adequate Health Care Task Force. The problem I have is if you're going to do a Bill that requires rules or to be adjusted periodically, it's pretty hard to then put the rules Amendment on it. And also, I find it very difficult to discuss a Bill with someone who's main goal is to overshadow any question, anything you want, to discuss about the Bill and so, quite frankly, it's very interesting. You can go ahead and do this. I'm sure what will happen is it's going to change. Representative Crotty had the si... or Senator Crotty had the similar Bill in the Senate. My understanding is it stalled over there probably because she's the cochair of JCAR and we were each doing it for the same reason that we're addressing now. I would recommend that everybody votes for it because it came out of the Adequate Health Care Task Force that we do something like this, but quite frankly, the process leaves a lot to be desired."

Speaker Lyons: "Representative Flowers to close."

Flowers: "Thank you, Mr. Speaker and Ladies and Gentlemen of the House. And I really appreciate the Lady's last comments. And I'm really surprised that her focus is more on the rulemaking and my focus is more on the people that this rule is going to apply to and this Bill will apply to. And I want to say that the Illinois Hospital Association was the only opposition and when I put their Amendment on, they removed their opposition. This Bill is for the people

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of the State of Illinois. It would help insurance companies... I'm sorry. Insurance companies deliberately pay less in a claim and charge more in premiums. I think the people of Illinois need to know where their dollars are going from because their life, their liberty is at issue. And I would appreciate an 'aye' vote. Thank you."

Speaker Lyons: "The question is, 'Should House Bill 5865 pass?' All those in favor signify by voting 'yes'; those opposed vote 'no'. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Have all voted who wish? Mr. Clerk... Mr. Clerk, take the record. On this Bill, there are 71 Members voting 'yes', 39 Members voting 'no'. This Bill, having received the Constitutional Majority, is hereby declared passed. Mr. Clerk, Rules Report."

Clerk Mahoney: "Rules Report. Representative Barbara Flynn Currie, Chairperson from the Committee on Rules, to which the following legislative measures and/or Joint Action Motion were referred, action taken on April 16, 2008, reported the same back with the following recommendation/s: 'approved for floor consideration' Amendment #3 to House Bill 2673, Amendment #2 to House Bill 3038, Amendment #2 to House Bill 4683, Amendment #2 to House Bill 4777, Amendment #2 to House Bill 4836, Amendment #2 to House Bill 4903, Amendment #3 to House Bill 4913, Amendment #2 to House Bill 5200, Amendment #2 to House Bill 5338, Amendment #3 to House Bill 5908."

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Speaker Lyons: "Mr. Clerk, on page 22 of the Calendar, Representative Kosel has House Bill 4936. Read the Bill, Mr. Clerk."

Clerk Mahoney: "House Bill 4936, a Bill for an Act concerning local government. Third Reading of this House Bill."

Speaker Lyons: "The Chair recognizes the Lady from Will, Representative Renée Kosel."

Kosel: "Thank you very much, Mr. Speaker. This Bill would provide notification to people who are in the immediate vicinity of a cell tower or AM broadcasting tower when that tower is going to be erected. Right now, the counties are able to make different regulations about erecting these towers but the notification was not consistent throughout the state and now they will have to notify two (2) weeks... or fifteen (15) days ahead of time by certified mail all adjacent property owners. I would ask for your consideration, please."

Speaker Lyons: "Is there any discussion? Seeing none, the question is, 'Should House Bill 4936 pass?' All those in favor signify by voting 'yes'; those opposed vote 'no'. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Have all voted who wish? Representative Patterson, Scully. Mr. Clerk, take the record. On this Bill, there's 115 Members voting 'yes', 0 voting 'no'. This Bill, having received the Constitutional Majority, is hereby declared passed. Mr. Clerk, on page 20 of the Calendar, Representative Monique Davis has House Bill 4668. Read the Bill, Mr. Clerk."

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Clerk Mahoney: "House Bill 4668, a Bill for an Act concerning safety. Third Reading of this House Bill."

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

Davis, M.: "Thank you, Mr. Chairman. This is the Bill that we put Amendment 2 on yesterday. And this is the Bill that requires that when scrap processors accept recyclable metal they have to make a copy of the driver's license or the state ID and they have to keep that information for three (3) years for those who have brought this to their company. And this is for the purpose of... Well, let's see. This Bill is to help those who are having some of the copper or recyclable metals taken from their businesses or their homes and sold to these processing centers. This will require that we keep a record of who's bringing it in and hopefully, that will help to deter some of the criminal acts."

Speaker Lyons: "Is there any discussion? The Chair recognizes the Gentleman from Winnebago, Representative Jim Sacia."

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

Speaker Lyons: "Sponsor yields."

Sacia: "Ladies and Gentlemen of the House, I stand in strong support of the Lady's Bill. I'm a little shocked that the Sheriffs' Association is in opposition. This really appears to be a very good Bill for business in general. Businesses throughout Illinois are coming to all of us daily where their individual businesses are being ripped off be it for copper, whatever it happens to be for, valuable metals. The most recent one that I understand

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there's a movement now where con artists... well, I guess they wouldn't be con artists... thieves are literally crawling under your car and cutting off your catalytic converter 'cause they're worth two hundred bucks (\$200). And I really think this is a Bill whose time has come and more often than not, I'm in opposition to the Lady's Bills and I just love being able to stand on this floor and saying that's an outstanding piece of legislation and I'd love to be added as a cosponsor. Thank you."

Davis, M.: "We'll do that. We'll certainly do that, Representative Sacia. Thank you very much."

Speaker Lyons: "The Chair recognizes the Gentleman from Champaign, Representative Chapin Rose."

Rose: "Thank you, Mr. Speaker. I want to thank the Lady. In committee there was some opposition. As I understand it, she's worked with them successfully and this Amendment is the fruit of that effort. So, thank you very much for working with them and look forward to voting for your Bill."

Speaker Lyons: "Representative Davis to close."

Davis, M.: "Thank you very much. I will add those two (2) Gentlemen to the Bill and I do believe it will help to stem some of the losses that citizens are suffering. And I thank you for an 'aye' vote."

Speaker Lyons: "The question is, 'Should House Bill 4668 pass?' All those in favor signify by voting 'yes'; those opposed vote 'no'. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Mr. Clerk, take the record. On this Bill, there are 113

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Members voting 'yes', 2 Members voting 'no'. This Bill, having received the Constitutional Majority, is hereby declared passed. Mr. Clerk, on page 22 of the Calendar, Representative Bill Black has House Bill 5152. Representative Black. Read the Bill, Mr. Clerk."

Clerk Mahoney: "House Bill 5152, a Bill for an Act concerning State Government. Third Reading of this House Bill."

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

Black: "Thank you very much, Mr. Speaker and Ladies and Gentlemen of the House. This Bill establishes a method for allocating funding in the Illinois Department of Transportation's multiyear plan. It provides as has always been the case that 45 percent of the money shall be allocated to District 1, that is basically Cook County, and 55 percent for all the projects in Districts 2 through 9. It provides that going forward two-thirds of the funds for Districts 2-9 shall be allocated proportionately based on total lane miles, square footage of bridges and total miles traveled, gives IDOT discretion in allocating the remaining one-third of the funds. It goes on to say what the goal of the highway improvement program is. Committee Amendment #1 added the rulemaking Amendment. Committee Amendment #2 changed the fiscal year from 2007 to 2008. Floor Amendment #3 says that the Illinois Department of Transportation will have the authority to reallocate funds from District 2 through 9 or even 1, if necessary, in case of a catastrophic event such as a bridge collapse that may cost two hundred and fifty million dollars (\$250,000,000) to

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repair and they did not have that money set aside in whatever IDOT region that event happened to occur. I think this makes eminent good sense. It got out of the State Government Administration Committee unanimously. Floor Amendment #3 was added at the request of the committee. It simply tries to set up a reasonable, transparent funding mechanism for the IDOT districts that are throughout the state. As some of you might recall, three (3) or four (4) years ago when we were given this allocation, there were some districts that were receiving six, seven, eight, nine, ten times as much money as the district that would be their neighbor. I'll be glad to answer any questions that you have."

Speaker Lyons: "The Chair recognizes the Gentleman from Winnebago, Representative Dave Winters."

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

Speaker Lyons: "Sponsor yields."

Winters: "Bill, I have a question on the one-third of the downstate allocation that is not allocated by the formula that you have. Have you had any discussion with IDOT as to what they intend or you know, what... what their thoughts are on that allocation process?"

Black: "No, I have not. In all fairness to IDOT, they did want to meet with me Monday afternoon and I did not come over Monday. They may have wanted to discuss that. They have not discussed this with me personally. My perception is, they do not favor the Bill, but they have not told me that directly."

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Winters: "Well, I guess my concern is that the... and I want to explore a little bit... the idea of the road condition. I think that's the formula that you're trying to get every district to be at least 95 percent of the statewide average and I assume that IDOT would then allocate, say, a specific road district. Under the formula, you're sending out two-thirds of it, the other third though, probably would flow to the districts with the poorest condition roads. Is that the point of this, trying to get everybody to within five (5) points of the statewide average?"

Black: "I would assume that the point is trying to make this as fair as possible. That figure within five (5) percentage points below the statewide average could certainly be used to allocate additional money to a district that maybe had a worse spring, although I think the state suffered from Cairo to Chicago on that. But it gives a measurable amount that any Legislator can look at and say, if we follow this concept of transparency, then my district, District 5, should therefore not receive an allocation a hundred and twenty-five million dollars (\$125,000,000) less than District 7, which has happened in the past and without any explanation I might add."

Winters: "Are we receiving reports currently... does IDOT send us reports on how the funding is broken down, a single sheet that shows us the eight (8) downstate districts, the road miles and the dollars that are being allocated there or is it buried in the five-year plan and the voluminous reports that are received that are somewhat difficult to understand in summary fashion?"

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Black: "I could not begin to tell you how IDOT will interpret this law, should it become law, and it's a long way from that, but I think the language and the intent is relatively clear, shall be allocated proportionately based on total lane miles, square footage of bridges and total miles traveled. It would give IDOT some discretion in allocating the remaining one-third of funding and does allow for a catastrophic transfer. I... we've tried to make this as clear and simple as possible so that all of us could look at the one- and five-year plan and see whether or not the highway district or districts in which our legislative districts happen to be in whether or not we think that this law was, in fact, followed and that we're being treated as fairly and as transparently as this Bill is attempting to... to provide."

Winters: "Is there a sunset clause in this, Bill?"

Black: "Not to my knowledge and I don't know why we would want a sunset clause. I've worked on this for a number of years to just try and come up with a formula and this was... quite frankly, a great deal of help was from Kirk Brown the former chair... the former director of the Illinois Department of Transportation and Linda Wheeler who was the first deputy director for the Illinois Department of Transportation, on what they thought would be a fair and easily transparent method of funding each of the districts."

Winters: "And I applaud the idea of the formula. I think that having something that is more scientific is an absolutely fantastic step forward, Bill, my only concern is with the

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95 percent that we may end up always seeing the road districts that face the worst geographic conditions as being at the 95 percent level and we may find ones that have easier conditions to maintain at the 105 at all times. That was the question. I'd like to revisit this in a few years and see how it's doing it and if we can get a quick summary from IDOT that would really help us year to year to compare. And I appreci..."

Speaker Lyons: "Representative Winters, do you want another minute to finish your remark? Okay. The Chair recognizes the Gentleman from Madison, Representative Hoffman."

Hoffman: "Yes. To the Bill, Mr. Speaker. I just wanted to make individuals on the floor kind of aware of what... what this would do. The concern, I think, with this Bill is that it isn't really based on the need. It's going to be based on some other, I believe, an arbitrary formula as to where the road and bridge money were to go. So, areas that are more populated, areas like the Chicagoland area, areas like the Peoria, areas like the Metro East, who may have a greater need because of whatever reason, growth or other reasons, will not be able to access the money based on need. I just think that IDOT should have the authority to determine where they need maintenance dollars, whether there's bridge problems throughout the state. They're the engineers; they're the experts and if you were to have a large project in your area for whatever reason because of need, this could severely damage the ability of IDOT to deliver that project. And I understand the intent of the Representative, I'm just saying I don't think this is a

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good Bill because you're taking the deciding or the decision away from the engineers who need to be making the decision based on need of growth or need of maintenance. So, I urge an 'aye' vote... or a 'no' vote. I apologize. A 'no' vote."

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

Hamos: "Thank you. Ladies and Gentlemen, to the Bill. I also rise in opposition to the Bill because this Bill, right now, is premature. I would say that this Bill is a perfect thing to consider as part of an overall capital plan, but right now without knowing what the overall numbers will look like in the distribution of dollars between the road and bridge program, transit program, some of the state buildings and other kinds of needs, school construction, that the state has, it's really impossible to know how this will fall out. It's an example of that, it divides, it puts into statute a historic division between upstate and downstate formula funds, 45 percent for the six (6) counties for roads... for the six (6) counties in the northeastern Illinois region and 55 percent for the other... for the rest of the state, well, two-thirds of the people live in those six (6) counties but are getting 45 percent of the Road Funds. I'm told that in the past that they spent because it was combined and factored in with how much we were giving to transit and most of the transit dollars were going to those six (6) counties. Well, without knowing how much we're going to ultimately allocate in a capital plan for transit and for roads, I would say it's

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not fair at this moment to institutionalize.. those.. that formula in a statute. Second of all, we've been told that right now we have had two (2) very tough winters in the northern part of the state, but downstate is flooding. The roads are in bad condition throughout the state, we know that. However, what we don't know right this minute is whether District 4 roads are in equally bad shape, as an example, than District 9 roads or District 1 roads and yet, this Bill puts a kind of an arbitrary, an historic number into the statute without.. into the statutes without really being able to gauge the condition of those roads that we need to improve in any given year. So, again, premature, it doesn't make sense for where we need to be right now. I would hope that we would revisit this as part of a capital plan. Thank you."

Speaker Lyons: "Representative Black to close."

Black: "Thank you very much, Mr. Speaker and Ladies and Gentlemen of the House. This Bill doesn't do anything that hasn't been in practice for twenty-five (25) years. It does not shortchange Cook County. That's the percentage that Cook County has had for as long as I can remember, as long as anybody in IDOT can remember. It does allow a transparent process; it does not, in all due respect to my good friend, it does not prohibit a very expensive project such as may be in his district, the bridge over another bridge over to St. Louis. IDOT would have that discretion. It doesn't shortchange anybody in the state. It gives IDOT the clear authority to transfer up to one-third of the money where they think the need may be the greatest. But

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if you stand up and say that this doesn't allow roads to be done by need, that's simply not true. What has happened in the past is that we didn't have a definition of need, so people in your district would argue that fixing Route 1 in my district was not a high as need as fixing Route 59 in DuPage County. This Bill allows for all of that; it has nothing to do with mass transit. And I would beg to differ that it's premature. I'm optimistic. I think we will see a capital Bill sometime in late fiscal '08 or hopefully in early '09 and that's why I decided to try and move this Bill, because if the Bill does become law, it does give all of you, regardless of where you live, the ability to look very simply and quickly and see that your particular IDOT district is being funded in a clear and transparent and fair manner. I would urge an 'aye' vote."

Speaker Lyons: "The question is, 'Should House Bill 5152 pass?' All those in favor signify by voting 'yes'; those opposed vote 'no'. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Have all voted who wish? Representative Osterman. Have all voted who wish? Representative Osterman. Mr. Clerk, take the record. Mr. Black. On this Bill, there are 55 'yeas', 59 'nays'. This Bill, having failed to receive the Constitutional Majority, is hereby declared lost. Mr. Clerk, on page 22 of the Calendar, Representative John Fritchey has House Bill 5141. Out of the record. On page 21 of the Calendar, Representative Lisa Dugan has House Bill 4921. Read the Bill, Mr. Clerk."

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Clerk Mahoney: "House Bill 4921, a Bill for an Act making appropriations. Third Reading of this House Bill."

Speaker Lyons: "The Lady from Kankakee, Representative Lisa Dugan."

Dugan: "Thank you, Speaker. House Bill 4921 appropriates the hundred and fifty million (150,000,000) that, of course, we've been doing for the last five (5) years to the Capital Development Board in the FY09 budget to address the issue with the twenty-three (23) schools... twenty-four (24) schools that have not received funding from six (6) years ago. I'll answer any questions."

Speaker Lyons: "Is there any discussion on House Bill 59... 4921? Seeing none, the question is, 'Should House Bill 4921 pass?' All those in favor signify by voting 'yes'; those opposed vote 'no'. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Representative Younge. Mr. Clerk, take the record. On this issue, there's 115 Members voting 'yes', 0 voting 'no'. This Bill, having received the Constitutional Majority, is hereby declared passed. Mr. Clerk, on page 23 of the Calendar, Representative Kevin Joyce has House Bill 5318. Read the Bill, Mr. Clerk."

Clerk Mahoney: "House Bill 5318, a Bill for an Act concerning regulation. Third Reading of this House Bill."

Speaker Lyons: "The Chair recognizes the Gentleman from Cook, Representative Kevin Joyce."

Joyce: "Thank you, Mr. Speaker, Ladies and Gentlemen of the House. House Bill 5318 is a bit of a trailer Bill from the Health Care Worker Background Check Act. It just allows a

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few changes to be made in the administrative rules and then also provides that the nine (9) members appointed to the task force constitute a quorum instead of a majority of the members appointed and in good standing. I'd be happy to answer any questions."

Speaker Lyons: "Is there any discussion on House Bill 5318? Seeing none, the question is, 'Should House Bill 5318 pass?' All those in favor signify by voting 'yes'; those opposed vote 'no'. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Mr. Clerk, take the record. On this issue, there's 115 Members voting 'yes', 0 voting 'no'. This Bill, having received the Constitutional Majority, is hereby declared passed. Mr. Clerk, on page 20 of the Calendar, Representative Sara Feigenholtz has House Bill 4571. Representative Feigenholtz, 4571. Out of the record. Mr. Clerk, on page 24 of the Calendar, Representative Lou Lang has House Bill 5882. Read the Bill, Mr. Clerk."

Clerk Mahoney: "House Bill 5882, a Bill for an Act making appropriations. Third Reading of this House Bill."

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

Lang: "Thank you, Mr. Speaker. Ladies and Gentlemen of the House, this Bill would create \$1.9 million (\$1,900,000) grant from DCEO for an organization called Vital Bridges. Vital Bridges provides nutrition and grocery services to people all over the City of Chicago and the county of Cook that have HIV/AIDS and then cannot get out of their homes to go pick up food. This is a wonderful service. It

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provides help to thousands of people who need it. I know of no opposition to the Bill."

Speaker Lyons: "Is there any discussion? Seeing none, the question is, 'Should House Bill 5882 pass?' All those in favor signify by voting 'yes'; those opposed vote 'no'. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Representative Fortner, Representative Patterson. Mr. Clerk, take the record. On this Bill, there are 103 Members voting 'yes', 12 voting 'no'. This Bill, having received the Constitutional Majority, is hereby declared passed. Mr. Clerk, on page 19 of the Calendar, Representative Pat Lindner has House Bill 4426. Representative Lindner. Read the Bill, Mr. Clerk."

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

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

Lindner: "Thank you, Mr. Speaker. This Bill adds the definition that is in the administrative code of the Pollution Control Board of 'plasma arc incineration' to the Environmental Protection Act."

Speaker Lyons: "Is there any discussion on House Bill 4426? Seeing none, the question is, 'Should House Bill 4426 pass?' All those in favor signify by voting 'yes'; those opposed vote 'no'. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Representative Meyer, Jim Meyer. Mr. Clerk, take the record. On this Bill, there are 113 Members voting 'yes',

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1 Member voting 'no', 1 Member voting 'present'. This Bill, having received the Constitutional Majority, is hereby declared passed. Mr. Clerk, on page 21 of the Calendar, Representative Jack McGuire has House Bill 4814. Representative McGuire, 4814. Read the Bill, Mr. Clerk."

Clerk Mahoney: "House Bill 4814, a Bill for an Act making appropriations. Third Reading of this House Bill."

Speaker Lyons: "The Chair recognizes the Gentleman from Will, Representative Jack McGuire."

McGuire: "Thank you, Mr. Speaker. House Bill 4814 is an appropriation Bill out of the Human Services Committee and the good news is it's subject to appropriation. What this Bill does is it appropriates a total of two hundred thousand dollars (\$200,000) from the GRF to the Department of Human Services for grants for family counseling services. And the Bill breaks the appropriation down into two (2) separate one hundred thousand dollar (\$100,000) grants each to Trinity Services and Catholic Charities of Joliet. I would answer any questions you may have, but I would certainly appreciate your support. Thank you."

Speaker Lyons: "Is there any discussion? Seeing none, the question is, 'Should House Bill 4814 pass?' All those in favor signify by voting 'yes'; those opposed vote 'no'. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Representative Schock and Fortner. Mr. Clerk... Mr. Clerk, take the record. On this issue, there's 96 Members voting 'yes', 19 Members voting 'no'. This Bill, having received the Constitutional Majority, is hereby declared passed. Mr. Clerk, on page 24

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of the Calendar, Representative Karen May has House Bill 5773. Read the Bill, Mr. Clerk."

Clerk Mahoney: "House Bill 5773, a Bill for an Act concerning environmental safety. Third Reading of this House Bill."

Speaker Lyons: "The Chair recognizes the Lady from Lake, Representative Karen May."

May: "Yes. Thank you, Speaker and Ladies and Gentlemen of the House. House Bill 5773 amends the Environmental Protection Act. And this has come a long way this year. I'd like to remind everyone that with Amendment 3 which becomes the Bill there are no new charges, no fees, no penalties or anything like that because I know some of you know the original Bill. It came out of committee unanimously. And what it does is clarifies how we recycle white goods in this state. Since July of 1992 there was legislation saying we must remove the components that have PCBs and fluorocarbons and all. This clarifies that they should not go in landfills and it actually takes the recommendations of a white goods task force from the 88th General Assembly. And it says we take out the bad parts. The recyclers actually have a number from the Illinois EPA; they do not have any charge for that. And the recycling industry has asked for one minor Amendment which we will do in the Senate and then they will be neutral on the Bill. So, it clarifies it, makes sure that the fluorocarbons and PCBs and mercury get taken out of these white goods before they are melted down."

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

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

Speaker Lyons: "Sponsor yields."

Eddy: "Representative, does this have the rulemaking Amendment on it?"

May: "Yes, I believe it does."

Eddy: "Okay. 'Cause I see you've taken the fee off, but without the rulemaking Amendment, isn't that something that could be instituted by rule?"

May: "Oh, no, no. The Bill was completely changed."

Eddy: "Okay."

May: "The committee Members know it was completely changed."

Eddy: "Okay."

May: "There is no fee and the EPA will not charge the recyclers for getting this number."

Eddy: "Okay. Thank you."

Speaker Lyons: "No one seeking further discussion? Representative May to close."

May: "Yes. Thank you, Ladies and Gentlemen. This is good for business, our steel industry in the state will get... be assured that the steel they have will not have detrimental things like mercury, fluorocarbons in it and it's also good for the health of the state. And I ask for your 'aye' vote. Thank you."

Speaker Lyons: "The question is, 'Should House Bill 5773 pass?' All those in favor signify by voting 'yes'; those opposed vote 'no'. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Representative Crespo and Currie. Representative Flowers. Mr. Clerk, take the record. On this issue, there's 115

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Members voting 'yes', 0 voting 'no'. This Bill, having received the Constitutional Majority, is hereby declared passed. The Chair recognizes Representative Jakobsson. For what reason do you seek recognition, Representative?"

Jakobsson: "Thank you, Mr. Speaker. Please let the record reflect that on House Bill 5152 my intended vote was to be a 'yes'."

Speaker Lyons: "The Journal will so reflect. Mr. Clerk, on page 22 of the Calendar, Representative Susana Mendoza has House Bill 4943. Read the Bill, Mr. Clerk."

Clerk Mahoney: "House Bill 4943, a Bill for an Act concerning insurance. Third Reading of this House Bill."

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

Mendoza: "Thank you, Mr. Speaker. Ladies and Gentlemen of the House, House Bill 4943 creates an opportunity for day and temporary labor service agencies, as defined by the Temporary Labor Services Act and doing business in Illinois, to enroll as unpaid application agents for the Covering ALL KIDS Health Insurance Act. They will be doing this, obviously, unpaid, no fee. We have worked out an agreed upon piece of legislation here with the Department of Family Services. And I would respectfully ask for your support."

Speaker Lyons: "Is there any discussion? The Chair recognizes the Gentleman from Champaign, Representative Chapin Rose."

Rose: "Representative, what does this do exactly again?"

Mendoza: "Yes, thank you. What this Bill does is right now if you want to be an application agent for the ALL KIDS

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program, we currently provide a fifty dollar (\$50) fee to application agents, most of whom are either medical providers or insurance comp... insurance agencies or non-for-profit community groups who go ahead and go through the application process, get approved, become application agents. One of the issues that has come up over the last few years have been with access to this health care through groups like the day and temporary labor agencies. I have a whole bunch of them in my district; they're all over the State of Illinois. But they typically cater to, you know, people who many times are not enrolled in the program right now, have a difficult time making it out either to a community group who is an application agent..."

Rose: "So, how..."

Mendoza: "...and would like to have access. So, this would allow the day and temporary labor agencies to go ahead and fill out this."

Rose: "So... so, I... give you an example."

Mendoza: "Yes."

Rose: "See, I pull up to work at a day labor shop. I... I want to work."

Mendoza: "Okay."

Rose: "And they hand me an ALL KIDS application?"

Mendoza: "No, but they would be allowed to fill one out for you, if you so choose to do that."

Rose: "So, the person who's supposed to be finding me a job would be filling out an application for health care instead of finding me a job to pay for health care?"

Mendoza: "Excuse me?"

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Rose: "Well, what I'm saying is, they're supposed to be finding me a job..."

Mendoza: "Right and they will be."

Rose: "...and they'll be... instead they'll be filling out applications for health care rather than finding me a job."

Mendoza: "No, they won't instead, it would be in addition to. They... what they do, they get their money off of getting you the job. So, what their primary purpose is is to actually find you employment for that day. That's how this day and labor agency gets paid. You don't get a job, they obviously don't collect any money..."

Rose: "What happens if I don't get a job? Are they still filling out the application?"

Mendoza: "They could still fill one out, I guess, if you could, but here's the key, they're not getting paid to do this, so it's not like we're creating, you know, an incentive program for them to sign people up. They want to offer this as an additional benefit to the people who come and are employed by their..."

Rose: "Rep..."

Mendoza: "...you know, by their third party or whatever that may be."

Rose: "Representative, is there anything that would require them to check the citizenship status of those whose applications they're filling out?"

Mendoza: "They do now because they have to ensure that the people that they're hiring provide proof of residency, otherwise it would be against Federal Law to provide them a job."

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Rose: "Right."

Mendoza: "These are legitimate, you know, companies..."

Rose: "And I guess my..."

Mendoza: "...that provide day labor and you know, they're not allowed under law today to knowingly hire someone who is not legal to work."

Rose: "But didn't we just pass a number of Bills last year because there were illegitimate companies in this field?"

Mendoza: "Excuse me? Didn't we just..."

Rose: "There were a number... there were a number of issues with this entire industry employing people who weren't supposed to be working lawfully in this country."

Mendoza: "I do not recall debating a Bill on this floor about day labor agencies knowingly hiring..."

Rose: "There were a number of Bills from last year on the day labor industry. It was a big issue. We had a huge... huge issue about day labor. But let me ask you one last question. Is ALL KIDS and maybe something's changed, but my understanding of ALL KIDS was there was no citizenship requirement and there's only a one-day residency requirement. Is that still accurate in ALL KIDS?"

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

Rose: "That's what it was when it passed. So, if somebody's a day laborer from Gary, Indiana, and their kid... lives in Gary, Indiana, but their day labor shop is just inside the state border and... would they now fill out an application for ALL KIDS so that a child living in Gary, Indiana, is on our ALL KIDS system?"

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Mendoza: "Well, since I... I don't have the answer to the previous question, I wouldn't know how to answer this appropriately. What I do know is that right now that Gary, Indiana, person, if they're eligible to participate in the program, could go to any other non-for-profit. All we're doing here is allowing a group of private businesses, who are very narrowly regulated under this Act, to also be able to work as unpaid application agents. And I think that's the key here. We're... They're not gaining financially by being able to offer this as in, you know, an added access to people who right now may not have access to health care."

Rose: "Representative, as you... I just checked with staff. Since ALL KIDS went into effect, there has... been no change. It is still open to anyone regardless of citizenship status, there's a one-day residency requirement. In fact, I was just told that 60 percent of the applicants can't show any documentation status at all. You know, at the same time, this morning at 8 a.m. a number of Members of this Body from all over the state were having hearings about the Governor cutting extension, about the Governor cutting soil and water, about the Governor cutting universities one-twelfth. We haven't paid our nursing home bills in six (6) months, yet we're opening up an entitlement package to a whole class of individuals who aren't citizens. Representative, I have a lot of respect for you as an individual. You..."

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Speaker Lyons: "Representative Rose, your 5 minutes is up. If you could conclude your remarks in the next minute, we'd appreciate it."

Rose: "All I'm saying is I have a lot of respect for the Sponsor. I think she knows that, but I can't at this time join her and vote for this. Thank you."

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

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

Speaker Lyons: "Sponsor yields."

Black: "Representative, what is the genesis of letting... let me get this right... day and temporary labor services personnel register them?"

Mendoza: "Okay. The genesis is that a few years ago the day and labor services folks, some of their leadership, had spoken with the Department of Family Services to see if they could, as an additional service to the people that they hire, help them gain access to ALL KIDS because many of them, through conversations or talking to their employees, they found out did not have access to any kind of health insurance for their kids in particular. They had asked the department if they could become application agents, the department believed that they could, so they'd have to go through the training and you know, all the same things that a non-for-profit would have to do or a medical provider or an insurance agent, but then once they looked into it they found out that under the law they're not eligible to do that because they were a private business

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group. So, only certain categories are eligible to become actual application agents. That was then when they thought, well, in order for us to become application agents we would have to change the law to allow them to do that. Originally, the Bill was much broader; it applied to all private businesses, but we thought that was actually, you know, too far of a scope to go for and we wanted to make it very narrow to a particular private group of businesses that deal with a daily, you know, very moderate to low-income group of people who for, whatever reason, they might not have the ability to drive out to a non-for-profit group or end up in a medical facility or with an insurance agent who can fill out the application for them. And on top of that, they said, we're not interested in the money because originally they would have been getting the same fifty dollar (\$50) fee that a non-for-profit gets. They said it's not about the money for us, we'd just like to help people gain access to the, you know, the actual application and be able to properly fill it out. In order to do that, we need the proper training and we're willing to forego any fee that's attached to this. So, it's really a win-win not just for, you know, the kids, but certainly for the business to feel that they're being able to provide a service that we have available, but that many people haven't been able to access at no cost for us in terms of having to pay them for that service."

Black: "I notice with interest that you removed a provision where these people working to sign up families for ALL KIDS would not be paid..."

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Mendoza: "Right."

Black: "...and yet under existing law certain people will continue to be paid..."

Mendoza: "Right."

Black: "...fifty dollars (\$50) an application."

Mendoza: "Yes."

Black: "Is that..."

Mendoza: "Well, we thought... yeah, and that..."

Black: "It doesn't sound like it's treating everybody the same."

Mendoza: "Well, the only group it does not treat the same is the day and labor service agency folks and they agree that this is not an issue of money for them. They just want to be able to fill out the applications to help the people that are looking for this day labor opportunity to get access to health care. And in order to prove that this is not about the money, they said we'll forego the fee. We don't need the fee. We just like that whatever businesses are in our association who are interested in providing this opportunity, they're not mandated to provide it; it's completely voluntary. That... if these private employers would like to, you know, go ahead and assist in filling out these applications, they could do so under proper training and you know, be able to submit this application on behalf of their employee."

Black: "I guess what begs the question, Representative, there was a newspaper very close to my district, in fact, has a number of subscribers in my district, The Champaign News-Gazette had a very telling article four (4) or five (5)

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months ago where people had signed up for ALL KIDS and found out that it didn't work. I mean, there were no doctors, no dentists, in the immediate area that would take their child, as much as you and I may not like that, but the doctors and dentists responded, we aren't getting paid."

Mendoza: "Yeah."

Black: "So, we are not going to accept any new ALL KIDS enrollment. So, I guess that begs the question, why do we continue to enroll people when the press has clearly reported that it isn't working?"

Mendoza: "Well, that's a great question and I think those are two (2) separate issues that work together."

Black: "Okay. All right."

Mendoza: "As a matter of fact, I just spoke with the reporter from The Gazette in your area today about a different Bill that I'm working on and hopefully, you can cosponsor it. It deals with providing a higher reimbursement rate to pediatric specialty care physicians. So, those issues go together. We need to, you know... we need to be able to provide access and when we provide that access to be able to pay the physicians for that gives them an incentive to treat these kids, but I don't think we stop, you know, providing access to people who..."

Speaker Lyons: "Representative Black, your 5 minutes is up. We'll give you another minute to finish your question."

Black: "Yes. Mr. Speaker, let the record reflect that I did get in three (3) questions and two and a half answers. That's not bad. Thank you."

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Speaker Lyons: "The Chair recognizes the Gentleman from Jasper, Representative David Reis. Does not seek recognition. No further rec... Rep... No one seeking further recognition, Representative Mendoza to close."

Mendoza: "I would just simply ask you all for an 'aye' vote and thank you for the questions and for your support."

Speaker Lyons: "The question is, 'Should House Bill 4943 pass?' All those in favor signify by voting 'yes'; those opposed vote 'no'. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Have all voted who wish? Mr. Clerk, take the record. Mr. Clerk, on the request of the Sponsor we'll put that Bill on Postponed Consideration. Mr. Clerk, on page 24 of the Calendar, Representative Chuck Jefferson has House Bill 5739. Read the Bill, Mr. Clerk."

Clerk Mahoney: "House Bill 5739, a Bill for an Act concerning transportation. Third Reading of this House Bill."

Speaker Lyons: "The Gentleman from Winnebago, Representative Chuck Jefferson."

Jefferson: "Mr. Speaker, we're still getting that out of committee. There was an Amendment to be added to this Bill. We've since decided that the Amendment's not going to be added, but we're going to hold this off for a while. We'll bring it back to the floor later."

Speaker Lyons: "On the request of the Sponsor, hold this Bill on Third Reading. Mr. Clerk, on page 20 of the Calendar, Representative Don Moffitt has House Bill 4674. Read the Bill, Mr. Clerk."

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Clerk Mahoney: "House Bill 4674, a Bill for an Act concerning local government. Third Reading of this House Bill."

Speaker Lyons: "The Chair recognizes the Gentleman from Knox, Representative Don Moffitt."

Moffitt: "Thank you, Mr. Speaker, Ladies and Gentlemen of the House. House Bill 4674 is an initiative of the Illinois Association of Fire Protection Districts. This Bill is permissive. And then what it would do would provide that in a permissive manner that if trust... if a fire district's decides that their trustees should attend training sessions, courses offered by the office of the State Fire Marshal and that would be their decision, they may also increase the salary for the trustees. Their salary's set and it's in statute now. This is our way to help the fire districts have a more highly trained trustee members. Proponents are the Fire Protection Districts, the Fire Chiefs and the Northern Alliance of Fire Protection Districts and there are no opponents. Appreciate your vote. Be happy to answer any questions."

Speaker Lyons: "Is there any discussion? Seeing none, the question is, 'Should House Bill 4674 pass?' All those in favor signify by voting 'yes'; those opposed vote 'no'. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Have all voted who wish? Representative Patterson. Keith Sommer. Mr. Clerk, take the record. On this issue, there are 89 Members voting 'yes', 26 voting 'no'. This Bill, having received the Constitutional Majority, is hereby declared passed. Mr. Clerk, on page 21 of the Calendar,

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Representative Gary Hannig has House Bill 4724. Read the Bill, Mr. Clerk."

Clerk Mahoney: "House Bill 4724, a Bill for an Act concerning State Government. Third Reading of this House Bill."

Speaker Lyons: "The Chair recognizes the Gentleman from Montgomery, Representative Gary Hannig."

Hannig: "Yes. Thank you, Mr. Speaker and Members of the House. Last year we passed a public accountability Act that applied to our school districts and it's become a model for Bills that others in government have now asked to be adopted. And so, this is a proposal that's come to me primarily from AFSCME, but certainly it's supported by organized labor across the board which would provide for the same kind of safeguards to state employees and would put the same kind of tests and requirements on the State Government for the purposes of determining when the state is actually saving money in a privatization. So, that's what the Bill is about. I'd be happy to answer any questions and I'd ask for your 'yes' vote."

Speaker Lyons: "Is there anyone seeking... To be recognized on House Bill 4724, the Chair recognizes the Gentleman from Crawford, Representative Roger Eddy."

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

Speaker Lyons: "Sponsor yields."

Eddy: "Representative Hannig, the same issues that were discussed last year related to school districts and definition of benefits regarding private contractors who, for example, can't provide a defined benefit program for a pension as long as they have a pension program that is

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equivalent or has some pension program. That same type of reasoning would apply on these contracts as we used last year with the school?"

Hannig: "That's correct, Representative."

Eddy: "Okay. Thank you very much. I just wanted to get that on the record that that was the intent. Thank you."

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

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

Speaker Lyons: "Sponsor yields."

Black: "Representative, I'm having a little difficulty understanding this. If anybody... if a private business wants to bid on a state contract, whatever that contract may be, lawn care, for example, anything that the state would bid on. Now, does that mean... and we know the state doesn't... but let's say they would bid out lawn care for the Capitol grounds. So, a young entrepreneur that has one employee and two or three riding mowers would bid on this contract and get the bid. Does it mean this contract would then have to pay the same wage that we would... that we currently pay a state employee to mow the grass?"

Hannig: "So, Representative, first of all, there's a threshold I think of fifty thousand (50,000). So, a contract's under that..."

Black: "Fifty thousand dollars (\$50,000)?"

Hannig: "Fifty thousand dollars (\$50,000)."

Black: "Okay."

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Hannig: "So, if he's just cutting a small lawn at a rest stop or something, it's probably not going to apply..."

Black: "Okay."

Hannig: "...but if it's a big enough contract, then what we do is we try to spell out what would be the rules under which you could privatize. And first we would say that if you've got a contract that's in existence with some group, that you can't just tear up that contract and say, well, we're going to privatize. You've got to let that contract run. Then we further say, okay, you need to notify these people in this bargaining unit that, at the expiration date of the contract, we're going to put this out for bids and we're going to see what comes in. Then what we're also going to do is put some safeguards on the process and say, okay, we're going to make the people who bid make sure that the people who they employ meet certain minimum standards as we would for state employees that, for example, they can pass background checks and they've been certified by their group that, you know, they meet requirements as far as... if they're driving, for example, they'd have to say that they have a driver's license. Things that are appropriate for the job. And then we would say that we want the state to take a look at, you know, the benefits that this employer, this private employer, pays and we would say that he shouldn't be taking advantage of state employees by... and we shouldn't be taking advantage of state employees by simply saying we're going to let someone else get that privatization contract because they're offering no benefits or no pension plan or things like that. We would try to

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say that we want to compare this across the board to make sure that there's some... some kind of sense to the proposal."

Black: "All right. And let me focus on that, if I could, Gary. The comparative... I don't have any problem with comparative levels. If the salary is closed, if there is a 401(k), if there is a basic health benefit package, could the bid then be awarded or is the language very specific that you must pay this amount, that you must have this kind of pension plan, that you must have this kind of health plan?"

Hannig: "No, Representative, you're correct. If they offer these kind of benefits, they could... they could go that route and we would concede that there could be situations..."

Black: "Okay."

Hannig: "...where because of technological advantages that a private enterprise might have or perhaps some kind of other advantage that they might have other than that they're going to pay a whole bunch..."

Black: "All right."

Hannig: "...of lower wage people, no benefits, no pension plan and low wages. Those are the primary things we're trying to say we want to put on an equal footing, but we do recognize that in some cases..."

Black: "All right."

Hannig: "...a private entrepreneur could be the lowest bid for other reasons."

Black: "So, your intent is that they be similar in nature not exact in nature."

Hannig: "Yes."

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Black: "All right. Because I, living only eighty (80) miles from Indianapolis, I've noticed with some interest Marion County and the City of Indianapolis put a lot of things out for bid, among them street repair and maintenance. It just so happened that the City of Indianapolis street repair or street department won that bid, but they do have competitive bids a number of time for services and they think they get the best value for the dollar, but not always does the private individual win. It... on many occasions, the public department has been able to win that bid. So, it would be something similar to that, in your case?"

Hannig: "Yes, I think that's a good example."

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

Speaker Lyons: "No one seeking further recognition, Representative Hannig to close."

Hannig: "Well, Representative, I think, Eddy, said it best in committee. We passed this Bill last year. It applies to our school districts. We haven't seen a catastrophic meltdown or anything in our school districts because of this and like I said, Representative Eddy said what's good for the goose is good for the gander and that's exactly what we're doing now. We're asking that that same standard apply at the state level for the contracts that we let. So, I'd ask for your 'yes' vote."

Speaker Lyons: "The question is, 'Should House Bill 4724 pass?' All those in favor signify by voting 'yes'; those opposed vote 'no'. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish?"

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Representative Sommer. Representative Durkin. Mr. Clerk, take the record. On this issue, there's 109 Members voting 'yes', 6 voting 'no'. This Bill, having received the Constitutional Majority, is hereby declared passed. Mr. Clerk, on page 24 of the Calendar, Representative Rosemary Mulligan has House Bill 5928. Representative Mulligan. Read the Bill, Mr. Clerk."

Clerk Mahoney: "House Bill 5928, a Bill for an Act concerning health. Third Reading of this House Bill."

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

Mulligan: "Thank you, Mr. Speaker. This Bill requires that any expansion of Medicaid funded programs be authorized by law. It's... would cover ALL KIDS, the children's health insurance, Illinois Public Aid Code, generally it means you would have to come back to the General Assembly in order to expand any of these programs."

Speaker Lyons: "Is there any discussion? Seeing none, the question is, 'Should House Bill 5928 pass?' All those in favor signify by voting 'yes'; those opposed vote 'no'. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Mr. Clerk, take the record. On this Bill, there are 115 Members voting 'yes', 0 voting 'no'. This Bill, having received the Constitutional Majority, is hereby declared passed. Clerk, on page 19 of the Calendar, Representative Ruth Munson has House Bill 4221. Read the Bill, Mr. Clerk."

Clerk Mahoney: "House Bill 4221, a Bill for an Act concerning transportation. Third Reading of this House Bill."

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

Munson: "Thank you, Mr. Speaker, Ladies and Gentlemen of the House. House Bill 4221 requires rental car agencies to provide a phone number for roadside assistance and if there is no owner's manual in a rental car, the personnel answering the roadside assistance phone must have access to that vehicle's owner manual to provide direction in the operation of the vehicle. I'll answer any questions."

Speaker Lyons: "Is there any discussion? Seeing none, the question is, 'Should House Bill 42...' The Chair recognizes the Gentleman from Vermilion, Representative Bill Black."

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

Speaker Lyons: "Sponsor yields."

Black: "Representative, I just turned in a rental car about a week ago that I had for a week and on my rental contract was the number... it was an Enterprise Rent-A-Car... and I would assume it's this way on every rental contract, gave me a telephone number to call in Phoenix, Arizona, if I had any trouble with the car. Is this not the case and isn't this a standard practice?"

Munson: "It is not standard practice. Although sometimes those numbers are available, it doesn't always assist with the operations of a vehicle. What we're trying to get to with this Bill was to ensure that people knew how to turn on their headlights, operate their windshield wipers, open their gas tank. We had heard from constituents about all of these issues and when they called the phone number that

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was provided, the individual who answered was unable to help."

Black: "So, there is... there is not in the industry, there is, you're telling me, there's no standard rental contract that gives a telephone number for you to call?"

Munson: "There is a standard contract and I believe it contains a number, but the personnel answering the phone didn't necessarily have to provide this information."

Black: "And where... what in your Bill... the person answering the call may be in New Dehli or Bangladesh. And I don't understand what this is going to solve. The last time I called one of those numbers on an airline ticket I was talking to somebody in Thailand, I think, who said, and I quote, 'I don't know nothing about the airline.' Very helpful. So, what does the number do to ensure me that I'm going to talk to somebody that knows what the heck I need to know about this car?"

Munson: "The Bill requires that the personnel answering the phone have an owner's manual available to help with any of the operational issues that a renter may have with the vehicle."

Black: "And if there's no owner manual in the rental car, this person is supposed to have access to a rental... a manual?"

Munson: "Yes."

Black: "How many owner's manual would that person on the other end of the phone have to have available to them?"

Munson: "Well, in a digitized world they can be put on a computer screen and easily searchable."

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Black: "All right. Thank you. Thank you very much, Representative. Mr. Speaker, to the Bill. To the Bill."

Speaker Lyons: "To the Bill."

Black: "To the Bill. Thank you. I guess I'm at a loss to understand this. If you don't know how to turn on the headlights, you don't know how to open the gas can or gas cap, you don't know how to turn the car on, you don't know how to adjust the seat, you don't know how to put it in park, you don't know how to turn on the radio, you don't know how to turn on the air conditioner, I guess that would beg the question, why the heck are you renting the car? Well, whatever. I'm just an old dumb downstater and we don't rent things that we don't know how to work, but whatever."

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

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

Speaker Lyons: "Sponsor yields."

Molaro: "There she is. I'm sort of for this Bill so don't get me... Do we require that there be a manual in the car?"

Munson: "We worked with the rental car industry and the problem they have with requiring a manual in the car is they often disappeared. And so, to have the car ready for the next renter on a very short notice, they wouldn't be able to replace the manual."

Molaro: "Well, you know, I got to tell you, I think the previous speaker may be right about the general operation of a car. You should know how to do that. Now, we're not talking about how to put it into park or how to... I'm not

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talking about turning on the headlights, but it does happen to me, you know, with all these new gadgets in there I have a hard time figuring out, you know, how to do a few things and it would be nice to look at the manual. That's all we're asking. If they won't give us a manual, then they should give us someone to call. Let me tell you what else I wish you would put in your Bill. I don't know if we're going to have time for an Amendment. If it gets defeated we will and put it on Postponed; if it gets out, I'm going to talk in the Senate. I don't know how they could rent a car... so most people who rent a car aren't from that city, right? The last five (5) cars I rented did not have a compass or a navigation system, not a simple twelve dollar (\$12) compass. So, I'm getting into foreign city I don't even know what direction I'm going. Now, you would think that if we're ever going to have a compass in a car, it would be a rental vehicle. Now, I don't know how much they cost, but they got to be... Frank, how much do they cost? It can't cost much, right? About two bucks (\$2). I mean, I would wish that we would put in some Amendment that says, if you're going to rent a car, just put a compass in there which even makes more sense than what you're asking for even though what you are asking for makes a lot of sense to me. Good Bill. Let's vote 'yes'."

Speaker Lyons: "The Chair recognizes the Lady from Grundy, Representative Careen Gordon."

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

Speaker Lyons: "Sponsor yields."

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Gordon: "Representative, did this happen to someone in your district? I mean, where did this Bill come from?"

Munson: "Thank you for asking, Representative. Yes, I had a constituent who came to me, he had rented a vehicle, was given brief instructions by the rental company and was told the headlights in his automobile would turn on automatically when it got dark. Unfortunately, he was in an unlit road in the middle of nowhere and the lights did not come on and when he tried to find the light switch in the dark car it was near impossible. So, he felt he was put in a dangerous situation. Since then, other folks have talked to me about cases of opening... being able to open their locked gas tank because of... you had to take the keys out of the ignition or some other process. So, this is simply to aid people in the safe operation of their vehicles when there's an odd sequence of events that must occur to operate it."

Gordon: "Okay. So... so, like for example, on the car that I have, it says I can turn my lights on manually or I can leave it on auto which means if it's light enough outside they won't come on and if it's dark enough, then they'll come on. So, he... he couldn't even see in the car. So, when he opened the door to the car, the lights didn't come on in the car either?"

Munson: "I did not ask him that. I... I believe he was operating the vehicle and was unable to figure it out."

Gordon: "Okay, Representative. I understand, I mean, this is... this is nice and but what I envision, I guess, is someone... so, you call the phone number and the person there is

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supposed to have access to the owner's manual. And so, what I either envision is someone sitting in a room with ten thousand (10,000) owner's manuals and all these books all around them, but we all know it's going to be on a computer, so they're going to have to go through however many owner's manuals and access it by computer to get to the information and you know, to get through this. Is this... I guess, how necessary is it that we have to feed this information to someone who is renting a vehicle who, like a previous speaker said, can't turn on the lights, can't open the gas tank, anything else, maybe they should not be renting the vehicle in the first place. How... It's just... it's a little too... too much maybe some times."

Munson: "Well, I did work with the rental car agencies on this issue and I think they put together a good solution that would make sure that consumers have the information. Each vehicle, each model of car, has a, you know, a little bit of... a different process. This just makes sure you get into a new vehicle you're able to operate just the basics safely. It's... it wasn't a hardship on the rental agencies, you know, they... they came up with this... with this language."

Gordon: "Okay. And just, I guess, one final question. The previous speaker thought... brought up something about reading instructions. Do you think it would be really likely that that previous speaker would actually read instructions if they were available to him?"

Munson: "I will leave that up to your judgment, Representative."

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Gordon: "Okay. Thank you. Let's just say, Representative, it's an interesting Bill that you've presented to us today. Thank you."

Speaker Lyons: "Ladies and Gentlemen, this Bill is on Short Debate. We've had four (4) speakers on the issue. We have three (3) seeking recognition. The Chair recognizes the Gentleman from Bureau, Representative Frank Mautino."

Mautino: "Hi."

Speaker Lyons: "Hi, Frank."

Mautino: "Speaker, just a question of the Sponsor."

Speaker Lyons: "Sponsor yields."

Mautino: "Okay. On... and I'm just trying to figure out in here, what was the law prior to this? I mean, is there a section of law that says there has to be an owner's manual in a car that we're changing? I'm trying to figure out where this came from."

Munson: "There is no existing law that requires an owner's manual in a rental vehicle."

Mautino: "So, we're going to make a law that actually doesn't require that the manual be in the car? Is that..."

Munson: "The... What occurred when we worked with the rental agencies is the car begins with an owner's manual in the car, but through the course of renting it, those manuals sometimes disappear. So, they're not always in the car and because it takes an amount of time to get a new manual, to procure a new manual to put in the car, they would be unable to lease that vehicle until the manual arrived. So, this... they will make an attempt to have the manuals in the

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car, but if they're not there, there will be a phone number that will be answered by personnel who would have access."

Mautino: "So, in the... under our current statutes, they can't rent a car that doesn't have a manual in it?"

Munson: "No, that is not the case. There is no law now that prohibits that."

Mautino: "So, it's silent. So, are they then just going to say, well, we're trying to get it; it's not in yet. So, we don't have one, call the 800 number. We're creating a fix for a problem that's not in law now? And you know, if I... if I rent a car and I'm driving down the road and the... and a fuse blows in there and so some system in the car goes out, the first thing I'll do is open the manual to where it says fuse panel so I can put the spare fuse in and the car runs again. That's, you know, if I don't have a cell phone and there's an 800 number there it really doesn't help me. So, I'm trying to get a handle on whether the fact that we're now putting into law that they don't have to have one means maybe they won't go get one. So, that's... that's my only concern. I'd like to have them have them in there and the law doesn't... is silent on it anyway now. So, it's kind of a reverse that I just don't get. Appreciate you answering the questions."

Speaker Lyons: "The last speaker's the Representative from Cook, Representative Will Davis."

Davis, W.: "Thank you, Mr. Speaker. I just really need a point of clarification, Representative, 'cause according to our analysis it says that a person who rents a vehicle from another person. So, does this apply to regular people in

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any way that if someone wanted to borrow my car for a period of time and I said, okay, give me a few dollars for doing that, which kind of means they're renting it from me that it would... that that would have to be the case? Does that imply that or are we talking specifically about rental companies that, you know, do this as a business?"

Munson: "I believe that it only applies to rental companies and not individuals renting their..."

Davis, W.: "I mean... I mean, I under..."

Munson: "...or loaning their car for a fee."

Davis, W.: "Right. I mean, I'm not trying to imply whether or not the individual, you know, I'm not trying to get into some of the other things that were done, but for me as an individual, I just want to make sure that this doesn't apply to me, because if I have an older vehicle and maybe at some point I had an owner's manual but I don't anymore, that... I'm just trying to be certain of that."

Munson: "The intent was that... was that it would apply to automobile rental..."

Davis, W.: "Companies. I mean, I..."

Munson: "...companies and not individuals."

Davis, W.: "I mean, I'm clear on the intent, but I'm just trying to make sure it doesn't apply to me as an individual."

Munson: "Representative, I'll check the definitions under the statute, I don't have it here, and if... if the case that it would apply to Represe... or to individual people, I will make sure that change is made in the Senate."

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

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Speaker Lyons: "The Bill was on Short Debate; we've had six (6) speakers on it. Representative Black, for the purpose of clarification of a misstatement. Representative Black."

Black: "Yes. Thank you very much, Mr. Speaker. The marvel of... the marvel of technology. I just got a call from a constituent of mine that said I was absolutely wrong, which wouldn't be the first time. He had rented a car in Ireland and it had the steering wheel on the right side of the car and that is not what he had reserved, he wasn't familiar with that and when he went to get it changed, they said, no, we don't change that and he said if it could happen in Ireland, it could happen anywhere. You need to back up, apologize to the Sponsor and vote for the Bill. I've been there without any number to call and without any recourse. I apologize to the Sponsor. I intend to vote 'aye'."

Speaker Lyons: "Representative Munson to close."

Munson: "Appreciate an 'aye' vote. Thank you."

Speaker Lyons: "The question is, 'Should House Bill 4221 pass?' All those in favor signify by voting 'yes'; those opposed vote 'no'. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Representative Fritchey. Mr. Clerk, take the record. On this Bill, there's 115 Members voting 'yes', 0 voting 'no'. This Bill, having received the Constitutional Majority, is hereby declared passed. Mr. Clerk, on page 22 of the Calendar, Representative Elaine Nekritz has House Bill 4956. Read the Bill, Mr. Clerk."

Clerk Bolin: "House Bill 4956, a Bill for an Act concerning courts. Third Reading of this House Bill."

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

Nekritz: "Thank you, Mr. Speaker. This... House Bill 4956 includes a fee increase on those filing lawsuits in order to provide additional funding for waiting areas for litigants and others in... witnesses and others involved in court cases and provides them a safe place to leave their children and that would include witnesses as well. So, I'd appreciate your support for this."

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

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

Speaker Lyons: "Sponsor yields."

Eddy: "Representative, I want to just clarify. This legislation allows the county to increase the fee. We're not increasing the fee."

Nekritz: "That is correct, Representative."

Eddy: "Okay. So, this is... this is something that has now a cap, a maximum of five dollars (\$5)?"

Nekritz: "And we would allow the counties to raise that to ten (10)."

Eddy: "Do you know how long the five dollar (\$5) fee has been in effect, roughly? Is that... was that the fee it was established at? Has it ever been changed?"

Nekritz: "I have to say, Representative, I don't know how long that fee structure has been in place."

Eddy: "Okay. Well, obviously, if it's five dollars (\$5), it's probably not been increased since its inception. I mean, in just guessing, but I just want to..."

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Nekritz: "That... it would be hard to imagine that it was less than that at some point."

Eddy: "Okay. Well, thank you. And I think it's important that this is not a direct increase by the General Assembly. This is simply allowing..."

Nekritz: "Correct. And I appreciate your clarification on that."

Eddy: "Thank you."

Speaker Lyons: "Representative Nekritz to close."

Nekritz: "Ask for your support."

Speaker Lyons: "The question is, 'Should House Bill 4956 pass?' All those in favor signify by voting 'yes'; those opposed vote 'no'. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Mr. Clerk, take the record. On this Bill, there are 61 Members voting 'yes', 53 Members voting 'no'. This Bill, having received the Constitutional Majority, is hereby declared passed. The Chair recognizes the Lady from Cook, Representative Golar. For what purpose do you seek recognition?"

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

Speaker Lyons: "Please proceed, Representative."

Golar: "Yes. Today, Ladies and Gentlemen, here from Chicago, Illinois, is a special group by the name of Common Sense Saves Lives. They are chaperoned by Miguel, Glen Brooks and John Reynolds. Would you stand? And give them a hearty welcome from Springfield. Thank you."

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Speaker Lyons: "Welcome to Springfield. Enjoy your day. Mr. Clerk, on page 19 of the Calendar, Representative JoAnn Osmond has House Bill 4207. Read the Bill, Mr. Clerk."

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

Speaker Lyons: "The Chair recognizes the Lady from Lake, Representative JoAnn Osmond."

Osmond: "Thank you, Mr. Speaker. House Bill 4207 is a Bill to have restrictions on renting property owned by a registered child sex offender where he or she resides to rent to a couple with children. This is a Bill that we amended with the good information that Representative Fritchey helped us with. And I would appreciate an 'aye' vote."

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

Fritchey: "I apologize, Speaker. To the Bill. You know, oftentimes, it's probably happened more so in the months ahead, you know, things tend to get contentious oftentimes necessarily so across the aisle. I really want to sincerely thank the Sponsor of this Bill for taking it out of the record a couple weeks ago when I asked her to. And I want to thank her and her staff. They really did an excellent job in making sure that the Bill does what she wanted it to do, that it meets the very legitimate need that she was trying to meet. You know, a lot of times people down here, you know, they pass their Bill because they know what they want their Bill to do, even though the Bill may not actually say that. She was gracious enough and smart enough to recognize that there were problems in

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the Bill. She took the time to meet with me and work with me and with her staff. Ladies and Gentlemen, this is a very good and reasonable Bill and more importantly, it's an example of what can happen when the process works the way the process should and when Members cooperate the way that Members can and should. So, JoAnn, thank you. You've got a very good initiative; you have a very good Bill. Thank you for taking the time to clean it up and making it the right thing. I respect you for doing it."

Speaker Lyons: "Representative Osmond to close."

Osmond: "I appreciate an 'aye' vote."

Speaker Lyons: "The question is, 'Should House Bill 4207 pass?' All those in favor signify by voting 'yes'; those opposed vote 'no'. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Representative Harris. Mr. Clerk, take the record. On this Bill, there's 115 Members voting 'yes', 0 voting 'no'. This Bill, having received the Constitutional Majority, is hereby declared passed. The Chair recognizes the Gentleman from Cook, Representative Kevin Joyce. For what purpose do you seek recognition, Kevin?"

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

Speaker Lyons: "Please proceed."

Joyce: "Ladies and Gentlemen of the House, today we have some special guests with us from Chicago. We have thirteen (13) aldermen in the gallery behind the Democratic side. I'd like to introduce and ask them to stand. Alderman Carrie Austin from the 34th Ward, Alderman Anthony Beale from the

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9th Ward, Alderman Walter Burnett from the 27th Ward, Alderman George Cardenas from the 12th Ward, Alderman Ike Carothers from the 29th Ward, Alderman Ray Colon from the 35th Ward, Alderman Pat Dowell from the 3rd Ward, Alderman Michelle Harris from the 8th Ward, Alderman Ed Smith from the 28th Ward, Alderman Ray Suarez from the 31st Ward, Alderman Latasha Thomas from the 17th Ward, Alderman Michael Zalewski from the 23rd Ward and my own Alderman Virginia Rugai from the 19th Ward. In addition to that, members of the mayor's cabinet are here. Carl Byrd, the First Deputy Commissioner of the Chicago Department of Housing, Commissioner Tom Byrne from the Chicago Department of Transportation, Deputy Commissioner of the Chicago Department of Transportation, Luann Hamilton. First Deputy Superintendent of the Chicago Police Department, James Jackson. The director of the Home Ownership Center, the Chicago Department of Housing, Irma Morales. And the distinguished Superintendent for the Chicago Park District, Tim Mitchell. Please welcome them to Springfield."

Speaker Lyons: "Welcome, aldermen and city officials, glad to have you down here. Good to see you. Mr. Clerk, on page 25 of the Calendar, Representative Brandon Phelps has Senate Bill 782. Read the Bill, Mr. Clerk."

Clerk Bolin: "Senate Bill 782, a Bill for an Act concerning State Government. Third Reading of this Senate Bill."

Speaker Lyons: "The Chair recognizes the Gentleman from White, Representative Brandon Phelps."

Phelps: "Thank you, Mr. Speaker, Ladies and Gentleman of the House. Senate Bill 782 is a reauthorization of the

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veteran's care program that sunset January 1 of this year. Like I said, this is a reauthorization. There's a lot of veterans that need this. This passed unanimously out of the Veterans Affairs Committee chaired by Representative McAuliffe. And I just ask for an 'aye' vote."

Speaker Lyons: "Is there any discussion? The Chair recognizes the Lady from Kane, Representative Linda Chapa LaVia."

Chapa LaVia: "I'd just like to speak to the Bill being the vice chair of the Veterans Affairs Committee. We have about ninety-nine (99) veterans on the rolls on this program and this program has been... it's been ceased of 1st of January of '08. I think we... this is the least we can do for the veterans out there that are not able to afford health coverage to make sure and it is the least of these that we help, because they don't qualify for any other programs because of where they fall in the system or because they're not close enough to a veteran's affairs or Hines Hospital or something in the quality of that. So, I would hope that the Body would support this Bill so we can take it forward and make sure that the gentlemen and the women that we do have on there that are veterans, that have sacrificed for our country, we are making sure that they're comfortable especially with health care. Thank you."

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

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

Speaker Lyons: "Indicate... indicates he will."

Mulligan: "Representative, did you work with the department on this?"

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Phelps: "Actually, Representative Mulligan, this was a Bill that I had on another issue and this was an Amendment that put this on my Bill, so I became the Sponsor. But yes, we worked with all kinds of people on this."

Mulligan: "Well, because their budget this year called for sixteen million dollars (\$16,000,000) that was in this line item which is a considerable amount of money because my understanding is there aren't that many people enrolled and part of the money was supposed to also go, I think, into the posttraumatic stress syndrome and some other things. So, I'm just wondering how your Bill coincides with that and that's why I asked if you're working with the department 'cause I was... I had... and I'm just trying to think if this is the same thing. But in the Human Service Approp Committee we were talking about how much money was in this and that where all the Director Duckworth was putting the money. And I thought it was in multiple areas, but I thought this was part of that line item."

Phelps: "Yeah. That was for other programs, Representative Mulligan, but there's going to be enough money for this because as you know, there's a lot of veterans that fall through the cracks on insurance and I think this is the least we can do."

Mulligan: "But do you know the total number of veterans that are actually being serviced under this program?"

Phelps: "I was told one seventy-eight (178) and Representative Chapa LaVia said about ninety-five, ninety-nine (95-99). So, it's around there."

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Mulligan: "That's what I think too. I think it's under a hundred (100), so the sixteen million dollar (\$16,000,000) line item was a lot and some of that money was supposed to go to the other new programs..."

Phelps: "Yeah."

Mulligan: "...that they put in. So, does this only go for a veteran who is falling through the cracks totally or would it help veterans that have a mixed way of... say you have the VA won't cover... will only cover medications that they can directly attribute to your service, but if you have other medications they don't necessarily cover those and so then, depending on your age, whether you can collect under Medicare or Veterans RX, some kind of an RX, you know, Illinois Cares RX or something like that. Because in some instances, if you have a disability which the VA recognizes as a disability and then that disability causes you to deteriorate another way, the VA doesn't necessarily give you the prescription for that. So, if you have arthritis and you know, initially you had some kind of a disability where you'd get one kind of medication, but that disability makes the arthritis worse but the VA won't cover that. Would they... would they cover part of that or is this strictly just for veterans who are not covered any other way?"

Phelps: "Yeah. Not covered any other way. So, this is just a reauthorization of what it was in the past."

Mulligan: "All right. Thank you."

Speaker Lyons: "Representative Phelps to close."

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Phelps: "Just ask for an 'aye' vote. Thank you, Mr. Chairman... or Mr. Speaker."

Speaker Lyons: "The question is, 'Should Senate Bill 782 pass?' All those in favor signify by voting 'yes'; those opposed vote 'no'. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Have all voted who wish? Representative Dugan, Gordon. Mr. Clerk, take the record. On this Bill, there's 115 Members voting 'yes', 0 voting 'no'. This Bill, having received the Constitutional Majority, is hereby declared passed. Mr. Clerk, on page 22 of the Calendar, Representative Sandy Pihos has House Bill 5188. Read the Bill, Mr. Clerk."

Clerk Bolin: "House Bill 5188, a Bill for an Act concerning education. Third Reading of this House Bill."

Speaker Lyons: "The Chair recognizes the Lady from DuPage, Representative Sandy Pihos."

Pihos: "Thank you, Mr. Speaker and Ladies and Gentlemen of the House. This Bill is similar to the Bill that we passed out of here unanimously last year. It's written a little bit differently, but what it does is it redefines 'psycho therapist to include school social workers, school psychologists, school counselors or interns working under said professionals' in the School Code to give them the ability to have confidential communications with their students and parents. I'd be happy to answer any questions."

Speaker Lyons: "Is there any discussion? Seeing none, the question is, 'Should House Bill 5188 pass?' All those in favor signify by voting 'yes'; those opposed vote 'no'."

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The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Representative Howard, Connie. Mr. Clerk, take the record. On this Bill, there are 115 Members voting 'yes', 0 voting 'no'. This Bill, having received the Constitutional Majority, is hereby declared passed. Mr. Clerk, on page 20 of the Calendar, Representative Bob Pritchard has House Bill 4646. Read the Bill, Mr. Clerk."

Clerk Bolin: "House Bill 4646, a Bill for an Act concerning local government. Third Reading of this House Bill."

Speaker Lyons: "Chair recognizes the Gentleman from DeKalb, Representative Bob Pritchard."

Pritchard: "Ladies and Gentlemen of the House, this is a Bill that Representative Moffitt has been working hard and graciously let me carry because we both share some of the same interests. We have school districts and units of local government that are trying to economize with the higher cost for electricity and natural gas. They're trying to be innovative and use some of the renewable technology that is now more and more available but yet there's some prohibitions or at least perceptions of prohibition in our State Law. So, what this Bill would do is allow municipalities or counties to own and operate a wind-generation turbine farm either individually or jointly. And it allows the municipality or county to seek assistance from state agencies in obtaining financing for these wind farms. As I said, our school districts and our communities across the state are looking at all forms of

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technology and I think we ought to encourage that effort.
I'd be happy to answer your questions."

Speaker Lyons: "The Chair recognizes the Gentleman from Knox,
Representative Don Moffitt."

Moffitt: "Thank you, Mr. Speaker. To the Bill. Last year we
passed legislation, I believe it was Senate Bill 843, and
that allowed school districts and community colleges to
form wind consortiums. We've had a legal interpretation
that... to allow counties and cities to do this we need this
additional language. So, here's an opportunity to help
school districts save money, local governments save money,
better for the environment. I have a school district that
has their electrical needs provided by a wind turbine, but
this allows it to expand. It might not be practical for
every school to put up a turbine, but they're... forming
these consortiums, they can do this. Also, it just has to
be between units of local government not combined with...
with a utility company. So, it's a good Bill for the
environment; it's good for taxpayers. Urge an 'aye' vote."

Speaker Lyons: "Representative Pritchard to close."

Pritchard: "I would ask for your support. Thank you."

Speaker Lyons: "The question is, 'Should House Bill 4646 pass?'
All those in favor signify by voting 'yes'; those opposed
vote 'no'. The voting is open. Have all voted who wish?
Have all voted who wish? Have all voted who wish? Mr.
Clerk, take the record. On this issue, there's 115 Members
voting 'yes', 0 voting 'no'. This Bill, having received
the Constitutional Majority, is hereby declared passed.
Mr. Clerk, on page 22 of the Calendar, Representative

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Chapin Rose has House Bill 5121. Read the Bill, Mr. Clerk."

Clerk Bolin: "House Bill 5121, a Bill for an Act concerning civil law. Third Reading of this House Bill."

Speaker Lyons: "The Gentleman from Champaign, Representative Chapin Rose."

Rose: "Thank you, Mr. Speaker. This Bill comes out of Coles County. It came to me from the domestic violence shelter there. It's a sad situation where a victim of domestic battery had basically... that's okay... where a victim of domestic battery had hidden herself and her children away from the batterer and the batterer, who is the father of the children, went to the local hospital, accessed the children's medical records to get the address of where they were living. It's a pretty serious issue. What this Bill does is it would extend the protections of a order of protection and allow that be followed with the hospital, the physician, et cetera and prevent the... the nonprotected party from accessing the records of any of the protected parties. It's common sense. It makes sense that, you know, if there's an order of protection against you, outstanding order of protection against you, you should not be in any way, shape or form trying to find the address of where the protected party is. But this is really... what it does though, is it provides for a system, a process by which the protected party could file the order of protection, the hospital, medical provider and receive that protection. I will add that this Amendment that we attached yesterday has the support of the Trial Lawyers,

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the hospitals, the Medical Society as well as the circuit clerks. And so, I think at this point it's fair to say this is an agreed Bill and I'd ask for its favorable consideration."

Speaker Lyons: "Is there any discussion? Seeing none, the question is, 'Should House Bill 5121 pass?' All those in favor signify by voting 'yes'; those opposed vote 'no'. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Representative Durkin. Mr. Clerk, take the record. On this Bill, there's 115 Members voting 'yes', 0 voting 'no'. This Bill, having received the Constitutional Majority, is hereby declared passed. Representative Rose, you have another Bill on Third Reading if you'd like to... like to run House Bill 5909, Mr. Clerk. Read the Bill. House Bill 5909."

Clerk Bolin: "House Bill 5909, a Bill for an Act concerning criminal law. Third Reading of this House Bill."

Speaker Lyons: "Representative Chapin Rose. Nice tie, Representative."

Rose: "Thank you, Mr. Speaker. It's the coveted double Bill here. I appreciate that. The... this Bill comes to me all... from the Coles County State's Attorney Office. We called this two (2) weeks ago when Representative Fritchey had an outstanding thought when we were debating it on the floor. We've attached Floor Amendment 2 which adds an affirmative defense if you are rushing back into a burning structure to save... in defense of a person. That would be affirmative defense to this, but if you were rushing back into a burning structure to get your, you know, your property out,

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your... you know, your favorite blankie, whatever it is, if the firefighter says don't go back in, then you would not be able to go back in and that could be enforced. That's what the Bill does. It's a good Bill. The firefighters' union was in support of this in committee... excuse me... they came after committee ended, but they are in support of it. And at this point, I don't believe there's any... any objection. I appreciate Representative Fritchey's suggestion from last week and we do have that on there now."

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

Fritchey: "Thank you, Speaker. To the Bill and Ladies and Gentlemen, at the risk of sounding redundant or if some would echo the comments that I made about Representative Osmond. Representative Rose had a very well-intentioned Bill. In the interest of trying to assist and not impede, I suggested that there were things that could be done to improve that. He did the honorable and respectable thing and the prudent thing in the name of the legislation of people he's trying to help. And that was, okay, let me pull this out and let's figure out how we can make it better. We sat and talked and he took a very good intention and turned it into a very good Bill. Ladies and Gentlemen, we all talk and very sincerely about the importance and respect and admiration that we have for firefighters and safety personnel. When firefighters are on a scene and they are trying to safeguard the scene and protect the people there and protect themselves, the last

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thing that we need is somebody that's trying to run into a burning structure to get their laptop out of the house, jeopardizing their life jeopardizing the lives of firefighters and we need to have an ability to say that firefighters are right in stopping people from doing that. But at the same time, we recognize that... that laws be damned if a loved one or somebody that you care about is inside a building, passion and the heat of the moment is going to get to you and you're the one... going to want to go in and get that... try to get that person and we don't want to penalize them for doing that. He has figured out a way to purport legislation that meets both of those goals. It happened because we are able to work together and talk together. So, I want to again commend the Sponsor for his willingness and I want to urge everybody to vote 'aye' for a Bill that will protect lives in the long run. Thank you."

Speaker Lyons: "Representative Rose to close."

Rose: "Thank you, Mr. Speaker. Again, I really appreciate Representative Fritchey's comments and you know, this is a... we try to be a thoughtful, methodical process. It doesn't always work that way, but when you let it, you do get better legislation and this Bill's better today with Representative Fritchey's suggestion from two (2) weeks ago. So, with that, I ask for favorable consideration."

Speaker Lyons: "The question is, 'Should House Bill 5909 pass?' All those in favor signify by voting 'yes'; those opposed vote 'no'. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Mr.

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Clerk, take the record. On this Bill, there's 115 Members voting 'yes', 0 voting 'no'. This Bill, having received the Constitutional Majority, is hereby declared passed."

Speaker Turner: "Representative Turner in the Chair. On the Order of Third Readings, we have House Bill 5953, Representative Tracy. Read the Bill, Mr. Clerk."

Clerk Bolin: "House Bill 5953, a Bill for an Act concerning State Government. Third Reading of this House Bill."

Speaker Turner: "The Lady from Brown, Representative Tracy."

Tracy: "Thank you, Mr. Speaker. House Bill 5953 will amend the... well, what it will do is allow the Department of Public Health to develop, publish and disseminate information about telemedicine by developing it in an educational brochure. This was an initiative that came from... from the joint task force studying rural health and it was found that this would be a very good means of providing people in the rural districts with information of how to access psychiatric services and the like within the State of Illinois. So, I would ask that... I will entertain any questions."

Speaker Turner: "The Gentleman from Cook, Representative Fritchey, for what reason do you rise?"

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

Speaker Turner: "...cates... She indicates she will."

Fritchey: "All right. Nobody wants to ask, I will. Telemedicine is what?"

Tracy: "I'm sorry. I couldn't hear."

Fritchey: "I'm over here."

Tracy: "Did you say what is it?"

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Fritchey: "Uh huh."

Tracy: "Well, I had the same initial reaction when I looked into this and what it is it allows someone to visit with a mental health provider or a psychiatrist and... via the telephone lines. The problem is is these rural areas, downstate Illinois, are very underserved with these kind of providers and the whole purpose of this Bill is to provide the information to people who would need these services, how to access the phone numbers and the contact information for these providers. So, the... the terminology telemedicine encompasses all of that and so, as you can see, this is supported by the Medical Society and the like, because I went to them and said, you know, this terminology is kind of foreign to me, but they explained to me that that's what it is."

Fritchey: "Right. Representative, I'm not... I'm over here. Well, it's okay. That'll..."

Tracy: "I thought you were eating lunch."

Fritchey: "I'm really not being facetious when I ask you this, but I mean, are you basically talking about people being able to call their doctors and have a consultation?"

Tracy: "Yes. I mean, you know, it... as I said, what this Bill does is ask Public Health to put together a brochure to tell them what is available via this type of communication. So..."

Fritchey: "I mean, I..."

Tracy: "...it doesn't allow the access. It provides that..."

Fritchey: "I'm not even... I'm in a much more fundamental level than that. I'm not trying to give you a hard time. I

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mean, are we talking... and maybe there's just something very basic here that I'm missing, but I don't think I'm the only one... are we talking about somebody calling their... being able to call their doctor up to say, doctor, here's what's wrong with me? I mean, are we talking about giving you a listing, here's the doctors in your area. And I truly... and it sounds like I'm getting cute, I'm really not. I truly have zero clue what this is trying to do."

Tracy: "No. And I understand. As I said, I was not versed in the language or the terminology myself and what it does... Okay. First of all, we had a task force that examined rural health and what might or... what needed to be improved or what might be lacking in the rural areas. What was found is that there are very many people who don't know where to start when they have mental health issues or where to go and seek help, whatsoever. So, first of all, this brochure would disseminate that type of information. They don't know where to go for these services within the state and our state does have access to that type of thing. So, it's just basic information and then..."

Fritchey: "But if for the... I apologize to interrupt, but maybe I... maybe I can focus it in more. I... So, are you talking about giving people basically, I mean, they're saying right now, you know, we can put out too. We do have, you know, pamphlets with toll-free numbers, et cetera. I mean, the term telemedicine here seems to be almost ancillary to this. Are you talking about providing people with a list of health providers in their area and just here's their phone numbers?"

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Tracy: "And mental... and especially, mental health providers, psychiatrists."

Fritchey: "Well, might... look... well, I, you know, personally when I think we talk about health issues, you know, I'd like to think it already encompasses these days mental health within that framework. But I guess... but if this is the..."

Tracy: "Right. And the very basic ones, they may need them, they don't know where to go, who to find. They... they don't... because they're not located in close driving proximity of them."

Fritchey: "So, this... so, this... I mean, telemedicine per se has nothing to do with this. This is simply about saying that the Department of Public Health, I'm presuming, would put out a brochure saying, here are phone numbers of health providers in your area."

Tracy: "Yes. Especially in the mental health field."

Fritchey: "They do that already, I believe."

Tracy: "Right. Not in the mental health field. Like I say, this was a need identified by this task force and the telemedicine is... they've... mainly for the mental health services. So, no, I am not aware of that Public Health puts out this type of brochure that would show them that these needs are able to be met within our state. Oftentimes, they feel like they have to travel out of our state. They can't afford to do so and so their need is not treated."

Fritchey: "All right. I... you know, I don't want to belabor this. I mean, the language of the Bill is only seven (7)

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lines long and basically says that the Department of Public Health will put out a brochure to educate the general public on the use and availability in Illinois of telemedicine and the advantages of telemedicine in providing access to medical care. I guess, one of the concerns I would have here and it's probably not going to get addressed is it doesn't say here what telemedicine is. We still haven't come out of this debate, through nobody's fault, with an understanding of what telemedicine is. I had thought for a second I understood this..."

Speaker Turner: "Bring your remarks to a close."

Fritchey: "Is that a hint?"

Speaker Turner: "Better than a hint."

Fritchey: "Or is that a directive?"

Tracy: "If I might. The Journal of American Medical Association does define telemedicine as a telecommunications to provide medical information and services and then it goes into explain two (2) main applications of telemedicine. So, I would be happy to provide these with Representative Fritchey. It's actually in our analysis."

Speaker Turner: "The Lady from DuPage, Representative Bellock, for what reason do you rise?"

Bellock: "Thank you very much, Mr. Speaker. And to the Bill. Just to qualify telemedicine. We spent over a year and a half, and I served on the Illinois Rural Health Care Task Force. Telemedicine is actually medicine through the telephone or video and that was one of the main recommendations of the Rural Health Care Task Force is that

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to provide, especially psychiatric services, to rural and central Illinois. That we would provide telemedicine which is actually on a video. A patient can have an interview or an actual like visit with a psychiatrist on the video. Last year we did pass a major Bill from the Rural Health Care Task Force recommendation with Medicaid reimbursement for telemedicine. So, it's actually a very new thing of the future which actually started back in the days of World War II in using telemedicine between the islands in the South Pacific. So, telemedicine is here. It's used in hospitals, major hospitals, all over the country right now. Some offsite central headquarters will have video cameras in a hospital's patient's room so if a doctor is not available they have telemedicine that can tell the nurses what to do over the telemedicine. So, this is something of the future that started back in the past, but it's extremely important to rural health care now. Representative Fritchey, I don't know if you heard that, but it was an explanation. Telemedicine is very much a matter of actual medicine of office visits with psychiatrists over video cameras and it's being used right now. So, this brochure is to give more information about where those sites would be available for people, especially in rural areas, to take advantage of that."

Speaker Turner: "The Gentleman from Vermilion, Representative Black, for what reason do you rise?"

Black: "Thank you very much, Mr. Speaker and Ladies and Gentlemen of the House. I stand here as the recipient of telemedicine some time ago. This is definitely the cutting

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edge of the future. It has already happened. There are about thirty (30) counties in the state that don't even have a hospital. With telemedicine and the advances in telecommunication, you can go into a doctor's office or even a physician's assistant office, if you live in a small enough town, you can get hooked up to a electrocardiogram, all kinds of medical devices that can send your medical tests in real time to a heart specialist who may be in St. Louis, who may be in Houston. The doctor that examined a problem that I had was in Cleveland, Ohio. They could read these results through telephony and through computers and help the community, the rural health doctor or advance practice nurse, diagnose and give you a treatment regimen that you might not otherwise have access to or that you might have to travel... in my case, it would have been nine (9) or ten (10) hours to get to the Cleveland Clinic. There isn't anything strange about this. There isn't anything underhanded about it. It's been around for quite awhile. It's beginning to grow, but there is a lack of information on what telemedicine is and what it can do. And I can tell you it can save your life and it deserves an 'aye' vote. I stand here as proof positive that it can be a very, very beneficial medical exercise. It isn't hocus-pocus; it isn't witchcraft; it's been around awhile, but because of advances in wireless technology, it is now cutting edge medicine and it deserves an 'aye' vote."

Speaker Turner: "The Gentleman from DuPage, Representative Fortner, for what reason do you rise?"

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Fortner: "To the Bill. I think the last two (2) speakers have each addressed important aspects of this Bill and I also wanted to chime in. Telemedicine represents, actually, a broad range of different medical services. The key of which is that it is communicated not necessarily face-to-face but over the telephone, video or Internet means. And in the particular case, as it was pointed out, this would be primarily in the case pri... I would expect between patient and the medical provider and just provides another mechanism other than the direct face-to-face, where getting to the actual provider may not be convenient for the patient. The importance of this Bill is that those patients may not be aware of the way those delivery mechanisms, through video through the Internet, now are available based on the technology of today. And so, I strongly support the Representative's Bill. I think it's an important way to get that information on to people who may not be aware of how the technology's advanced to really be able to deliver these services in a way that would have been much more clumsy twenty (20) or thirty (30) years ago."

Speaker Turner: "The Gentleman from Bond, Representative Stephens, for what reason do you rise?"

Stephens: "Well, just to rise in support of the Bill. The... this is the 21st century and we're using technology to bring medical services to those who would otherwise go unserved. I applaud the Lady for bringing this issue before us."

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Speaker Turner: "Seeing no further questions, the question is, 'Shall the House pass House Bill 5953?' All those in favor should vote 'aye'; all those opposed vote 'no'. The voting is now open. Have all voted who wish? Have all voted who wish? Representative Gordon. The Clerk shall take the record. On this question, there are 115 voting 'aye', 0 'noes', 0 'presents'. And this Bill, having received the Constitutional Majority, is hereby declared passed. Representative Tryon. Representative McCarthy on House Bill 4694. Out of the record. Mr. Clerk, read House Bill 4694, Representative McCarthy. Read the Bill."

Clerk Bolin: "House Bill 4694, a Bill for an Act concerning transportation. Third Reading of this House Bill."

McCarthy: "Thank you, Mr. Speaker and Ladies and Gentlemen of the House. House Bill 4694, after the two (2) Amendments, is kind of a compilation of some improvements to the Illinois Commercial Safety Towing Law that we passed last year to try to harness in some of these tow truck drivers mostly in Cook County but also a couple of the surrounding counties that have been charging exorbitant rates to consumers. We did amend the original law just to be a little bit fairer. Some of the provisions that were put in by the Commerce Commission such as one price for everybody whether you owned one truck or a hundred (100) trucks, we thought was unfair, so we set up a five-level system so that those who only owned one or two trucks don't have to pay as much. The... we also corrected a thing that said you had to be a tower and a storage facility in order to be applicable to the law. I think the Commerce Commission

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pointed that out that the... they also wanted to regulate the people that just tow and don't store, so that was a correction. We removed new car dealers from this since they're already covered under their own licensing agreement. We also cleaned up the language for solicitation at the scene. We copied some language with the help of the Attorney General's Office that did pass a court challenge down in New Orleans. And we also... on the exemptions there was a... an exemption that in the first Amendment said tows that are covered by an existing contract like if you had an existing contract with Enterprise Rent-A-Car that it's always sixty dollars (\$60), well, you don't have to give them all the information because they already have the contract there. In the second Amendment we did say preexisting contracts, so a person can't come up and all of a sudden form a contract right then... in the second Amendment, right... form a second, you know, write a contract right then and say that it's not covered under it. So, I think it is some great corrections, but I will say that I'm working with Senator Maloney in the Senate and we may still have some further corrections as the Bill goes over there for final passage. And I'd appreciate an 'aye' vote."

Speaker Turner: "The Gentleman from Vermilion, Representative Black, for what reason do you rise?"

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

Speaker Turner: "Indicates he will."

Black: "Representative, let me focus... and this is not intended to be a red herring. I really don't understand the fee

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structure in the Bill. So, I have two (2) questions that relate to the fee structure. One, can you give me a clear definition of a 'safety relocater'?"

McCarthy: "A safety relocater is basically a tow truck."

Black: "Okay. So, anyone who tows vehicles abandoned from the interstate or at a wreck or anything.. basically, it's a tow truck."

McCarthy: "A disabled or at the cause of an accident or something like that."

Black: "Okay. Some towing companies also get in the business of recycling and rebuilding cars, so they may have two (2) or three (3) tow trucks, then they may have three (3) or four (4) flatbeds which they will winch the car up on the back and transport to their facility where they will rebuild the vehicle and then get a rebuilt title or salvage title and sell the car. Now, what I'm interested in, I know a couple of those people in the business and I think they have six (6) or seven (7) trucks. What would they pay now per truck?"

McCarthy: "I would say that if two (2) or three (3) of them were being used in what we consider existing towing, if it's... if the other four (4) were used basically for contract tows, like moving vehicles from one place to like a repair place and then maybe back, they wouldn't be included under this. That's... that's why I wrote this up with the... with the new fee."

Black: "Okay."

McCarthy: "So, I would say depending if they use two (2) or three (3) that were on the street making these, you know,

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picking up cars, bringing them to other repair places, or to their own repair places depending on what the arrangement was, they would only pay for the ones that were used in what we consider everyday towing."

Black: "All right. And my apologies to you, I should have called the largest tow truck operator in my district, I believe is Carnegie Towing and I really don't know how many trucks he has. If I call him later and he tells me he has four (4) trucks, towing trucks, would the fee that he would now pay, if your Bill becomes law, would it be greater than he currently pays by a significant amount?"

McCarthy: "Oh... It would be a lot less than what it would have been under the rules proposed by the Illinois Commerce Commission which was sixteen hundred dollars (\$1600) per... Oh, no, no, no. He'll pay... he'll pay two hundred dollars (\$200) more. I'm sorry."

Black: "Okay."

McCarthy: "He'll pay... he'll pay eighteen hundred dollars (\$1800), but that was a kind of a incentive from the tow truck operators 'cause they said, we have guys who only have one (1) truck. And the way the Commerce Commission wrote it, which I disagreed with, was everybody pays sixteen hundred (1600). I mean, there's some people who have twenty (20) and thirty (30) trucks, so they were going to get a great bargain. I thought it was better to put it up in steps. And truthfully, like the nine (9) or more, that's only going to involve like twelve (12) different companies that have nine (9) or more. That's the highest you can pay which is thirty-two hundred dollars (\$3200).

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Everything works out to be, other than a one-person which is eight hundred (800) which is half of what the Commerce Commission asked for, it works out to be between four and five hundred dollars (\$400 and \$500) per truck and even the towers, after they saw what the original rules were, they were agreeable to this."

Black: "Did anyone representing the professional towing operators testify that you're aware of, in the Bill?"

McCarthy: "They did at first and they... during the testimony last year, they did. They... and that was one of the things they... they found with great fault with, the one price for everybody."

Black: "Okay."

McCarthy: "And... but at the end of the Bill, they... I mean, they'd rather pay nothing, you know, but and they'd rather have no regulation. But they understand that there are some bad apples out there, so I think I can say that they were very happy. Now, the ICC was still a little bit upset with some of the exemptions..."

Black: "All right."

McCarthy: "...like at the new car dealers, but I think new car dealers have enough at stake that we don't have to put them under this as well. I think some of the ICC's exceptions to the law was that they want to get everybody involved in order to create more money and that's not what we started this out for. We want to go after the bad guys not the good guys."

Black: "All right. Thank you very much, Representative."

McCarthy: "Thank you, Representative."

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Speaker Turner: "Seeing no further questions, the question is, 'Shall the House pass House Bill 4694?' All those in favor should vote 'aye'; all those opposed vote 'no'. The voting is now open. Have all voted who wish? Have all voted who wish? The Clerk shall take the record. On this question, there are 113 voting 'aye', 2 voting 'no', 0 'presents'. And this Bill, having received the Constitutional Majority, is hereby declared passed. On the Order of Third Readings, we have House Bill 4367, Representative Tryon. Read the Bill, Mr. Clerk."

Clerk Bolin: "House Bill 4367, a Bill for an Act concerning regulation. Third Reading of this House Bill."

Speaker Turner: "The Gentleman from McHenry, Representative Tryon."

Tryon: "Thank you, Mr. Speaker, Ladies and Gentlemen of the House. House Bill 4367 is identical to a Bill that we passed last year that established rules and regulations for closed loop geothermal wells. In Illinois, we have, especially with the higher priced utility costs, we have more demand for closed loop well installations that people can heat their home from the groundwater, but we have no rules or regulations for the installations of these wells. Each time we bore into the aquifer, we create a conduit, a conduit for pollution and there are Federal Laws that say that any one of these well borings has to be two hundred (200) feet from certain types of underground disposal fields such as storm water disposal devices, septic systems and so it's critical that these be placed properly and that the people that are installing... I mean, that have the

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installers install them right, so they're not creating a future risk to their own drinking water or to the area's groundwater. We have the support of the Illinois Groundwater Professionals as well as the Illinois Public Health Association and we have no opposition to this Bill. We thought it would pass last year; it got stuck in the Senate. This year there's a Senate Bill coming over as long as... and a House Bill going over there, so we think we're going to get it resolved. If there's any questions, I'd be more than glad to answer them."

Speaker Turner: "The Gentleman from Knox, Representative Moffitt, for what reason do you rise?"

Moffitt: "Mr. Speaker, to the Bill. I just want to commend the Sponsor for his leadership on this issue. This is oftentimes referred to as geothermal heating and cooling. My wife and I installed this in our home just a year ago. This is the kind of thing that where we're off... by guaranteeing that it's a quality installation, that it meets certain standards, we're helping guarantee the integrity of the system. This is the type of system we need to encourage in Illinois. Get rid of the... reduce the carbon footprint. We no longer use any gas to heat our home. It's just geothermal; it's this closed loop circuit leading around. It's an excellent way to heat and an excellent way to cool, so we're saving... reducing a cost. It's better for the environment. I just commend Representative Tryon for his leadership on this. This is the kind of thing we need to be encouraging and that's what this does. Urge an 'aye' vote."

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Turner: "Seeing no questions, the question is, 'Shall the House pass House Bill 4367?' All those in favor should vote 'aye'; all those opposed vote 'no'. The voting is now open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Beaubien. The Clerk shall take the record. On this question, there are 91 voting 'aye', 24 voting 'no', 0 'presents'. And this Bill, having received the Constitutional Majority, is hereby declared passed. Representative Ron Wait on House Bill 5946. Out of the record. Representative Black, we have House Bill 4119. Read the Bill, Mr. Clerk."

Clerk Bolin: "House Bill 4119, a Bill for an Act concerning civil law. Third Reading of this House Bill."

Black: "Thank you very much, Mr. Speaker. This Bill is... brought to me by an attorney in my district. And I'll answer any questions you have."

Speaker Turner: "Seeing no questions, the question is, 'Shall House Bill 4119 pass?' The Gentleman from Vermilion, Representative Black. There are no questions. So, the question is, 'Shall House Bill 4119 pass?' All those in favor should say 'aye'... should vote 'aye'; all those opposed vote 'no'. The voting is now open. Have all voted who wish? Have all voted who wish? Have all voted who wish? The Clerk shall take the record. On this question, there are 115 voting 'aye', 0 'noes', 0 'presents. And this Bill, having received the Constitutional Majority, is hereby declared passed. Representative Schock, how about House Bill 4545? Read the Bill, Mr. Clerk."

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Clerk Bolin: "House Bill 4545, a Bill for an Act concerning local government. Third Reading of this House Bill."

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

Schock: "Thank you, Mr. Speaker. House Bill 4545 is a Bill similar to one I ran last year. It's legislation that was brought to me by my county in Peoria asking for the same permission that nine (9) collar counties currently enjoy the ability to establish a storm water management system. The Bill has been negotiated and the homebuilders are now okay with the language. And there are further Amendments that will probably offered in the Senate to address concerns brought to me by the City of Peoria and my Senator there, Senator Koehler has agreed to offer up those Amendments in the Senate. Be happy to answer any questions, would urge a 'yes' vote."

Speaker Turner: "Seeing no questions, the question is, 'Shall the House pass House Bill 4545?' All those in favor should vote 'aye'; all those opposed vote 'no'. The voting is now open. Have all voted who wish? Have all voted who wish? Have all voted who wish? The Clerk shall take the record. On this question, there are 72 voting 'aye', 43 voting 'no', 0 'presents'. And this Bill, having received the Constitutional Majority, is hereby declared passed. Representative Saviano on House Bill 5503. The Gentleman asks permission to bring that Bill back to Second Reading, from Third to Second. Representative Munson on House Bill 4879. Out of the record. Representative Tryon, how about House Bill 5195. Read the Bill, Mr. Clerk."

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Clerk Bolin: "House Bill 5195, a Bill for an Act concerning local government. Third Reading of this House Bill."

Tryon: "Mr. Speaker and Ladies and Gentlemen of the House. House Bill 5195 allows two (2) municipalities who are within three (3) miles of one another to have an intergovernmental planning agreement for their mile and a half that may extend greater than a mile and a half to one (1) community and another community may take another part of that mile and a half. It allows for them to do things like plan around school district boundaries rather than just a straight mile and a half. It gives them the flexibility of one (1) city that doesn't have sewer may be able to offer sewer to a development in that mile and a half and in turn receive part of another city's mile and a half. It's just a planning tool so that municipalities who want to plan consistently with other boundaries, other political boundaries, within the needs of their own planning... their own community, they could do so. It gives them that flexibility. I'd be glad to answer any questions."

Speaker Turner: "The Gentleman from Lake, Representative Mathias, for what reason do you rise?"

Mathias: "Will the Sponsor yield?"

Speaker Turner: "...cates he will."

Mathias: "Representative, in committee there was a request for you to amend the Bill to limit it to three (3) miles and I just, for the record, want to make sure that that commitment was honored."

Tryon: "That's correct."

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Mathias: "Okay. And so the Bill, even though... I think this was a Floor Amendment but it went along with what the committee had requested. Is that correct?"

Tryon: "That's correct."

Mathias: "Well, I thank you very much. It's a good Bill and I'll be voting 'yes' on it."

Speaker Turner: "The Gentleman from Cook, Representative Fritchey, for what reason do you rise?"

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

Speaker Turner: "...cates he will."

Fritchey: "Just real quickly. Representative, who's this envisioned for?"

Tryon: "Actually, it's... there's a... there were a couple municipalities that wanted to do this. A similar thing happened in Peoria County between the City of Peoria and the county where they could... where they could take the sewer outside of the city and service another area in another community's planning district. So, this was something that the Municipal League wanted to be able to do for some smaller communities that are close in proximity."

Fritchey: "I'm going to assume this came out of some communities in your district, no?"

Tryon: "Actually, it did not."

Fritchey: "How'd you wind up with the Bill?"

Tryon: "It's a Municipal League initiative and that's who I'm carrying it for."

Fritchey: "Okay. Thank you."

Tryon: "Mmm mmm."

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Speaker Turner: "Seeing no further questions, the question is, 'Shall the House pass House Bill 5195?' All those in favor should vote 'aye'; all those opposed vote 'no'. The voting is now open. Have all voted who wish? Have all voted who wish? Representative Krause. The Clerk shall take the record. On this question, there are 67 voting 'aye', 48 voting 'no', 0 'presents'. And this Bill, having received the Constitutional Majority, is hereby declared passed. The Gentleman from Cook, Representative Molaro on House Bill 4342. Out of the record. The Gentleman from Peoria, Representative Schock on House Bill 5905. Read the Bill, Mr. Clerk."

Clerk Bolin: "House Bill 5905, a Bill for an Act concerning education. Third Reading of this House Bill."

Schock: "Thank you, Mr. Speaker. House Bill 5905 works to resolve, I believe, an injustice in our higher education right now and was brought to me by one of my distinguished colleagues, Representative Coulson and it addresses those who are in the Armed Services who may be stationed in a base outside of the State of Illinois and has dependents who are attending public universities and qualifying for in-state tuition. Currently, there are those who would be transferred out of state and then their dependents no longer qualify for in-state tuition. And this Bill would just allow for those veterans', who are serving, dependents to continue to receive in-state tuition so long as they maintain continuous enrollment and their parents are, in fact, serving in the Armed Services. Be happy to answer

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any questions that Members might have and I'd urge a 'yes' vote."

Speaker Turner: "Seeing no questions, the question is, 'Shall the House pass House Bill 5905?' All those in favor should vote 'aye'; all those opposed vote 'no'. The voting is now open. Have all voted who wish? Have all voted who wish? Flider. The Clerk shall take the record. On this question, there are 115 voting 'aye', 0 'noes', 0 'presents'. And this Bill, having received the Constitutional Majority, is hereby declared passed. Representative Munson on House Bill 4879. Out of the record. The Gentleman from DuPage, Representative Reboletti, for what reason do you rise?"

Reboletti: "Mr. Speaker, I believe 4879 was changed to me as the Chief Sponsor on the Bill. I would ask that it be called."

Speaker Turner: "I think we can accommodate you. Mr. Speaker (sic-Clerk), read that Bill 4879. Change the sponsorship name to Reboletti. Read the Bill, Mr. Clerk."

Clerk Bolin: "House Bill 4879, a Bill for an Act concerning criminal law. Third Reading of this House Bill."

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

Reboletti: "Thank you, Mr. Speaker, Ladies and Gentlemen of the House. This Bill is an opportunity for us to continue to deal with the issue of child pornography. In this particular case, videos that are being derived by people making them and then placing them on the Internet. And what this is going to do is there is no crime of filming

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child pornography. What we would have done is, as myself as a former prosecutor would have done, is charge this as simple possession of child pornography as a Class I felony. What this would do is move that into what we would call a Super X felony and the person would serve from nine (9) to forty (40) years in the Illinois Department of Corrections. And I would be willing to answer any questions."

Speaker Turner: "The Lady from Cook, Representative Graham, for what reason do you rise?"

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

Speaker Turner: "...cates he will."

Graham: "Representative, can you explain the intent of this legislation again?"

Reboletti: "Well, the intent of this is that at this particular time if somebody is filming child pornography there is no particular charge for that. So, what they would only be charged with is possession of child pornography and what this would do is enhance that penalty because these.. these folks are actually filming it in video form, they're placing it on the Internet and they should be punished at a higher level than the person who's just merely possessing it."

Graham: "Okay. So... so, in effect, you're saying that the person filming this act will now be charged for filming it. Is that what you're saying?"

Reboletti: "That's correct. And under the Illinois Criminal Code, we do not have such an offense at this time."

Graham: "Thank you, Representative. Can you add me on to this piece of legislation?"

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Reboletti: "Absolutely."

Graham: "Thank you."

Speaker Turner: "Seeing no further questions, the question is, 'Shall the House pass House Bill 4879?' All those in favor should vote 'aye'; all those opposed vote 'no'. The voting is now open. Have all voted who wish? Have all voted who wish? The Clerk shall take the record. On this question, there are 115 voting 'aye', 0 'noes', 0 'presents'. And this Bill, having received the Constitutional Majority, is hereby declared passed. Ladies and Gentlemen, we're going to move to the Order of Second Readings, so you should be prepared to move your Bill to Third. We will come back to Third Readings again, shortly, but for the next few minutes we're going to be moving Bills to Second (sic-Third) Reading. Representative Arroyo, we have House Bill 4861. Out of the record. Representative Collins. Representative Bassi, House Bill 3038. Read the Bill, Mr. Clerk."

Clerk Bolin: "House Bill 3038, a Bill for an Act concerning civil law. Second Reading of this House Bill. No Committee Amendments. Floor Amendments 1 and 2 have been approved for consideration. Floor Amendment #1 is offered by Representative Bassi."

Speaker Turner: "The Lady from Cook, Representative Bassi on Amendment #1."

Bassi: "Thank you, Mr. Speaker. We need to add Amendment #1 which was discussed yesterday and recommended for adoption from committee. This particular Bill creates the Cindy Bischof domestic violence law. And it adds a new piece of partner intervention if in the case of a breach... of an

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order of protection. The Amendment... the Amendment would then look at creating a new category for the violation of a protective order. It would provide for electronic surveillance, establish a domestic violence surveillance program and develop protocol for the surveillance program itself as well as increasing fees for the Domestic Violence Fund. Amendment 2, we need to add Amendment 2 which I believe... Okay. Ask it... would request its adoption."

Speaker Turner: "Seeing no questions, the question is, 'Shall the House adopt Amendment... Floor Amendment #1 to House Bill 3038?' All those in favor say 'aye'; all those opposed say 'no'. In the opinion of the Chair, the 'ayes' have it. And the Amendment is adopted. Further Amendments?"

Clerk Bolin: "Floor Amendment #2, offered by Representative Bassi."

Speaker Turner: "The La..."

Bassi: "This was a... Thank you, Mr. Speaker. This was also discussed in committee and clarifies the risk assessment evaluation to determine if a respondent requires substance abuse treatment and would also provide that a respondent's failure to go through that assessment would trigger the... the GPS requirement and then we also are putting the surveillance program under the administrative office of the Illinois courts. Would ask for its adoption as well."

Speaker Turner: "Seeing no further questions, the question is, 'Shall the House adopt Floor Amendment #2 to House Bill 3038?' All those in favor should say 'aye'; all those opposed say 'no'. In the opinion of the Chair, the 'ayes'

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have it. And the Amendment's adopted. Further Amendments?"

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

Speaker Turner: "Third Reading. Representative Collins on House Bill 1518. Read the Bill, Mr. Clerk. Out of the record. How about 5343? Read the Bill, Mr. Clerk. House Bill 5343."

Clerk Bolin: "House Bill 5343, a Bill for an Act in relation to minors. Second Reading of this House Bill. Amendment #1 was adopted in committee. Floor Amendments 2, 3 and 4 have been approved for consideration. Floor Amendment #2 is offered by Representative Collins."

Speaker Turner: "The Lady from Cook, Representative Collins."

Collins: "Yes. Amendment #2 becomes the Bill and what it does is it increases redeploy to Cook County. And we ask for an 'aye' vote."

Speaker Turner: "Seeing no questions, the question is, 'Shall the House adopt Floor Amendment #2 to House Bill 5343?' All those in favor should say 'aye'; all those opposed say 'no'. In the opinion of the Chair, the 'ayes' have it. And the Amendment's adopted. Further Amendments?"

Clerk Bolin: "Floor Amendment #3, offered by Representative Collins, has been approved for consideration."

Speaker Turner: "The Lady from Cook, Representative Collins."

Collins: "We ask for the adoption of House Amendment #3."

Speaker Turner: "Seeing no questions, the question is, 'Shall the Hou... The Gentleman from Cook (sic-Bond), Representative Stephens, for what reason do you rise?"

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Stephens: "With all due respect, we can't hear a word she's saying."

Speaker Turner: "Representative Collins."

Collins: "What is it you want to hear? We asked for the adoption of Amendment #3."

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

Stephens: "All right. I'll bite. What does your Amendment do, Representative? Representative, I'm sorry to bother you. Thank you."

Collins: "House Amendment #3 inserts the no rulemaking language to prohibit the Governor or any agency under the Governor's jurisdiction from issuing rules to implementation or enforce this Bill. So, we ask for the adoption of Amendment #3."

Stephens: "What's the genesis of your Amendment?"

Speaker Turner: "Representative, it appears that she's used all her time."

Stephens: "I give. I give."

Speaker Turner: "Seeing no further questions, the question is, 'Shall the House adopt Floor Amendment #3 to House Bill 5343?' All those in favor say 'aye'; all those opposed say 'no'. In the opinion of the Chair, is the 'ayes' have it. And the Amendment's adopted. Further Amendments?"

Clerk Bolin: "Floor Amendment #4, offered by Representative Collins."

Speaker Turner: "The Lady from Cook, Representative Collins."

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Collins: "Thank you, Mr. Speaker. House Amendment #4 makes this Bill subject to appropriation. We ask for the adoption of House Amendment #4."

Speaker Turner: "The Gentleman from Bond, Representative Stephens, for what reason do you rise?"

Stephens: "Is that all that the Amendment 4 does?"

Collins: "Yes. The Amendment clarifies that the resources must be allocated for counties or groups of counties that need resources occasionally for services that help children... that help youth avoid commitment to the Department of Juvenile Justice rather than services that help avoid incarceration. Juveniles aren't incarcerated; they're committed. It also clarifies that the secretary of Human Services can appropriate up to nine (9) additional members to the Redeploy Illinois Oversight Board."

Stephens: "Did you say that it provides that the Redeploy Illinois program should offer alternatives to avoid commitment to the DOJJ to direct child welfare services to the minors charged with criminal drug offenses that are adjudicated delinquent and makes the Bill subject to appropriation?"

Collins: "No, that is not what I said. Now, I said the Amendment clarifies that the resources must be allocated for counties or groups of counties that need resources occasionally for services. These kids are incar... for... that are committed to the Department of Juvenile Justice rather than services that can help avoid incarceration. So, what's going to happen is instead of the kids coming to the Department of Juvenile Justice, these resources will be

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allocated in the communities of whatever counties that Redeploy Illinois is going to be in."

Stephens: "It is my assessment that with Amendment 3 and Amendment 4 and all the implications provided therein that this makes the Bill much better. Thank you, Representative."

Collins: "I'm so hap..."

Speaker Turner: "Seeing no further... The Gentleman from Peoria, Representatives Leitch, for what reason do you rise?"

Leitch: "I just was going to rise in support of the Lady's Amendment and the Bill. This program works exceptionally well in Peoria County and I'd commend the Sponsor."

Collins: "Thank you."

Speaker Turner: "Seeing no further questions, the question is, 'Shall the House adopt Floor Amendment #4 to House Bill 5343?' All those in favor should say 'aye'; all those opposed say 'no'. In the opinion of the Chair, the 'ayes' have it. And the Amendment's adopted. Further Amendments?"

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

Speaker Turner: "Third Reading. The Gentleman from Macon, Representative Mitchell, for what reason do you rise?"

Mitchell, B.: "Thank you, Mr. Speaker. Point of personal privilege."

Speaker Turner: "State your point."

Mitchell, B.: "Over here on the Republican side of the aisle I'd like to introduce the Macon County Homebuilders. And so, if they'd stand up and give... the Illinois House give them a welcome. Thanks for coming."

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Speaker Turner: "...coming to Springfield. The Gentleman from Cook, Representative Molaro, for what reason do you rise?"

Molaro: "Well, I was just asking. I couldn't hear. Did Representative Collins say she's so happy? I want to speak to her. I haven't been happy here in months, so I want to see what made her so happy. Maybe it can get contagious and we all could get happy."

Speaker Turner: "All right. Mr. Clerk, read House Bill 758."

Clerk Bolin: "House Bill 758, a Bill for an Act concerning public safety. This Bill's been read a second time, previously. Amendment #1 was adopted in committee. Floor Amendment #2, offered by Representative Osterman, has been approved for consideration."

Speaker Turner: "The Gentleman from Cook, Representative Osterman on Amendment #2."

Osterman: "Thank you, Mr. Speaker and Ladies and Gentlemen of the House. I would ask for the adoption of House Amendment #2 to House Bill 758. Amendment #2 becomes the Bill and reverts the Bill back to its original form. It amends the FOID Act to require all private person-to-person handgun sales to be conducted through a federally licensed firearm dealer and the background check conducted by State Police prior to the completion of the sale. It expands the definition of 'family' which is a point that was brought up in previous debate last year. It adds no rulemaking language similar to all the other legislation this year. This legislation seeks to ensure that before any handgun in our state is sold it goes through a background check. Currently, these background checks conducted by State

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Police take a matter of minutes. On an annual basis over nine hundred and twenty-five (925) criminals, domestic abusers, gangbangers are stopped from buying a handgun or a firearm because of background checks. They work. Ladies and Gentlemen of the House, last year on this day marks the... it's the one-year anniversary of Virginia Tech and I only bring that up in that in the time that has expired since that year in the City of Chicago we've lost as many school children in Chicago Public Schools that have died at Virginia Tech. In the wake of Virginia Tech last year, we came together in a bipartisan way to strengthen our Acts in relation to firearms. Today, we have an opportunity to work in a bipartisan way. I would ask for the adoption of the Amendment and be happy to answer any questions now or on Third Reading."

Speaker Turner: "The Gentleman from Bond, Representative Stephens, for what reason do you rise?"

Stephens: "Could you explain to me the effect of the Amendment on the original Bill?"

Osterman: "The effect of the Amendment on the original Bill would be similar with the exception to the definition of 'family' which I expanded. Last year, you could probably recall, there was a lot of discussion about family so we broadened the definition of 'family' and we asked it be put in rulemaking, no rulemaking authority as the underlying Bill."

Stephens: "So, basically, the purpose and effect of the Bill remains essentially the same, is that right?"

Osterman: "Can you repeat the question?"

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Stephens: "Does the effect of the original Bill remains essentially the same, is that correct?"

Osterman: "Besides those..."

Stephens: "Yeah."

Osterman: "...changes that I just mentioned."

Stephens: "Thank you."

Speaker Turner: "Seeing no further questions, the question is, 'Shall the House adopt Floor Amendment #2 to House Bill 758?' All those in favor should say 'aye'; all those opposed say 'no'. In the opinion of the Chair, the 'ayes' have it. And the Amendment's adopted. Further Amendments?"

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

Speaker Turner: "Third Reading. Read the Bill, Mr. Clerk."

Clerk Bolin: "House Bill 758, a Bill for an Act concerning public safety. Third Reading of this House Bill."

Speaker Turner: "The Gentleman from Cook, Representative Osterman."

Osterman: "Again, Ladies and Gentlemen of the House, this legislation requires that all handgun sales in the State of Illinois go through a federally licensed dealer similar to closing the gun show loophole or when someone goes to a licensed dealer, they go through an instant criminal background check. Those checks take a matter of minutes. ATF has shown that handguns through straw purchasers and through private sales are a significant source of crime guns in our country and in our state. This is a reasoned measure, a measure that will ensure that all background checks are done. Close to a thousand (1,000) people a year

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are stopped because of background checks; they work. Handguns are used throughout our state in violence, along with semiautomatic weapons. This legislation does not affect long guns and shotguns; it affects handguns. It's supported by law enforcement. It's a reasonable measure. Again, I say, and Ladies and Gentlemen, this will pass or fail on a bipartisan Roll Call. The people of the state are looking to us to try to stop the gun violence that affects our state. As I said last week, it's not your problem, in one particular part, it's our problem. And I would simply ask for an 'aye' vote."

Speaker Turner: "There are seven (7) people right now with their switches on to ask questions about this Bill. So, we will move to the order where we will, one, put the timer on and we will try to do equal sides in terms of pro and against the Bill. The first person speaking will be Representative Sacia, the Gentleman from Winnebago."

Sacia: "Thank you, Mr. Speaker. To the Bill. I'm going to ask a rhetorical question. How far is Chicago from the City of Gary, Indiana? I believe it's probably twenty (20), thirty (30) miles. How far is the City of Chicago from Kenosha, Wisconsin? Probably fifty (50) miles. How far is the City of Chicago from southern Illinois? Maybe three hundred and fifty (350) miles. How far is the City of Chicago to East Dubuque, which I represent? Two hundred-plus miles. Representative Osterman, I think it's fair to say that and to your great credit, I mean this sincerely, you are a sincere advocate for your city, you are a sincere advocate to stop guns in your city. And last week I couldn't help

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but notice that the mayor... maybe it was two (2) weeks ago... called together many people and actually held a rally to stop the gun violence in the City of Chicago and surrounding areas. And to his credit and I believe that very night a young man was beat to death with a baseball bat; it wasn't a gun that did it. If we look at the worst travesty this country has ever seen, thirty-five hundred (3500) people in one (1) day, it was committed by four (4) airliners. Last year a crazed young man drove an automobile out East into a college campus of a gathering of young people critically wounding... injuring ten (10) people. What we have, Ladies and Gentlemen, is not an issue about guns. It is in Chicago, but it isn't in East Dubuque and it isn't in Cairo. It is in Chicago; it perhaps is in Cook County, but I have only one (1) request. The request is simply this: if you have these issues in Chicago in Cook County and surrounding areas, you have very strong legislation there to deal with them, but leave the rest of us out of it. We have, you know... I have been throughout my entire life buying and selling things. I've bought an occasional gun; I've sold an occasional gun. I hate to think that all of a sudden I'm going to be limited in doing that simply because of problems in the City of Chicago and the immediate surrounding area. I really think it's unfair to bring legislation and certainly, certainly, Representative Osterman, I go back to what is... to your great credit for what you try to do for the City of Chicago in preventing crime in the City of Chicago, but this does not affect East Dubuque, Illinois, this does not affect

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Cairo. This is an issue for your city, your county, leave the rest of us alone on these gun Bills. Thank you."

Speaker Turner: "The Lady from Cook, Representative Graham, for what reason do you rise?"

Graham: "Thank you, Mr. Speaker. To the Bill. I... I'm just... I stand in full support of my colleague's legislation, House Bill 758 and I would ask again that my colleagues wouldn't take the idea of that's our problem and what's other parts of the state's problem. This is the place that we come to seek solutions. Other parts of the state, my downstate colleagues, have brought here legislation that have affected one (1) person in their district and we have made decisions on it here in the General Assembly because we know that this is the place to solve the problems. I'm asking that you guys take a good, hard look at this legislation and give us an opportunity to work out some of the issues that we have. We've come here today to seek some solutions on gun violence in the City of Chicago and again, I think that... I know that we live in different parts of the state and I know that it's part of your culture maybe to buy your children their first handgun or shotgun... shotgun at the age of seven (7). I've heard you guys passionately describe to me how important this is to you, but we're asking you to see how important this is to us just by taking... letting your guard down and helping us solve a solution. This is not us against you; this is not you against us. We're asking you to take a look at some legislation or propose some solution or Amendment to the legislation that will help make it digestible for you.

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Instead of always sending us home to say, go find your solution elsewhere. Again, I make reference to when methamphetamine was a problem down here and things were being stolen off of the properties down here, when people were trying to get a solution, get a handle on the epidemic that was growing. You came to this Body to find a solution. We heard what you had to say; we agreed with that. We don't want any family to be affected by any sort of violence, whether it be domestic violence, gun violence, school violence; we don't want any of that. I'm an open ear. I want to hear what bothers you and if I can affect... help you affect some change, I want to be that person to help you. Don't continue to send us away making us feel like it's you against us and us against you. It's not that way. It shouldn't be that way. I urge an 'aye' vote."

Speaker Turner: "The Gentleman from Jackson, Representative Bost, for what reason do you rise?"

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

Speaker Turner: "...cates he will."

Bost: "Representative, I have one (1) question. Are you bitter?"

Osterman: "Am I... am I better? Am I better?"

Bost: "Bitter, bitter."

Osterman: "Better, better."

Bost: "You know like... like the Senator who's running for President said that, you know, I don't... I think you're only partially bitter because, you know, one (1) of the things he said was that we cling to our religion and I know your... your faith is important to you and I'm sure you're bitter

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because you cling to that, but I guess I'm doubly bitter because I cling to that and the Second Amendment. That being said, Representative, if this law, and I want to talk specifically about this law. I think a lot of people are just talking back and forth on all the gun laws that we... we discuss... if this law takes effect, how will gun owners be notified?"

Osterman: "That's a very good question. And I think that as someone who wants to make sure that legal gun owners in our states understand the full complexity of the law, I would want to make sure that State Police, who's in charge with enforcing the FOID Act and a lot of other law enforcement laws, along with sportsmen, would advertise this. You and I both know that there is a great deal of publication that goes out advertising what the laws are on the books. So, as someone who wants to make sure that people do not get tripped up the wrong way, I would be a full advocate to make sure that State Police and other agencies inform people."

Bost: "Yeah. Thank you. Mr. Speaker, to the Bill."

Speaker Turner: "To the Bill."

Bost: "Let... let's explain what this Bill actually does. Two (2) people who have valid FOID cards, law-abiding citizens, haven't done anything to violate the law, they're going to sell an item. This item is a... is a gun. They do exactly what they're supposed to do under the existing law, but now, because they made this sale back and forth between themselves, we're going to say, oh, no, no, if you do that and you don't go to a gun dealer and then probably have to

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pay that gun dealer to keep track of the records and all of those type things, now all of a sudden you're a felon. Now, think about that, folks. You're a felon because you simply sold a gun... Well, but the nice thing is, you sold a gun to somebody who maybe wasn't your immediate family member. So, one of the speak... previous speakers said that, you know, this ends up being a fight between you and us and back and forth and come up with some ideas. Well, it sounds to me that this isn't the problem. The real problem is that those people who have had revoked FOID cards, the police are not going out and picking those people FOID cards up. Now, if you want to work on a problem, let's work on getting that done. Let's start implementing and make sure that we're taking care of that problem, not creating a new law that makes people who are trying to abide by the law, who are not criminals, felons when they simply are trading or selling their guns which they use... and I've said it before, as tools in our communities. I've tried to address some changes... I'm willing to work with people on both sides of the aisle to come up with some answers to truly deal with criminals, but if you're asking me to support law that makes criminals out of peo... law-abiding citizens, I can't do that. I don't think you... we should do that. Folks, this is just another attempt to... and a poor attempt at that, because it's not going to cure your problem that you have with criminals in the city with handguns. It does not cure it. We must enforce the laws we have. We must make sure that we have strong penalties for criminals not create new criminals like this, that are

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people who are law-abiding citizens. I'd say vote 'no'.
And Mr. Speaker, if this gets the required number of votes,
I'm... asking for a verification."

Speaker Turner: "The Gentleman from Cook, Representative Ford,
for what reason do you rise? The request will be honored."

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

Speaker Turner: "He indicates he will."

Ford: "Sponsor, do you support legislation to improve
education?"

Osterman: "Absolutely."

Ford: "Do you support legislation to increase the funding in
all communities?"

Osterman: "Absolutely."

Ford: "Do you support legislation to help people that's
unemployed get jobs?"

Osterman: "And those people that are released from prison that
need jobs and jobs training so that they're not
reincarcerated and committing crimes. Yes, I do."

Ford: "Thank you. That's what I wanted to know. And do you
believe that all communities should be subjected to
economic development, all of those poverty-stricken
communities that's lagging behind other communities?"

Osterman: "Wherever they are in the State of Illinois,
absolutely."

Ford: "Will this Bill put an end to gun violence?"

Osterman: "I'm going to expand... and that won't be a 'yes' or
'no' answer on that, Representative Ford and kind of where
I would... what I would say is this, and if I could have the
Body's attention. There is not one (1) piece of

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legislation that will solely end gun violence and I acknowledge that, but I also acknowledge that we cannot throw up our hands and say we can do nothing. We can't hide behind the Second Amendment and say we can do nothing. There's incremental things that we can do to protect ourselves, the children of our state, whether it's education, after school programs or requiring background checks on handguns sales, that's something that we can do and this Body is the entity to do that."

Ford: "And I think that this legislation... I think everyone should enjoy what the Constitution says, but I think we all should join in if, right now, we have people voting against opportunities for ex-offenders to have an opportunity to go to work and we know that gun violence is... is prevalent in communities that's been subject to people not being able to go to work. So, as much as I would like to share the views of the other side, at this point I have no choice but to vote 'yes' for your legislation because right now we're voting against opportunities for people to go to work. We're voting against legislation to improve schools in my district. We're voting against funding going back to the non-for-profit agencies and people are being killed every day. Unfortunately, I cannot support the fact that people think that they should have their Second Amendment right respected at this time, but I look forward to the day when I can say that people should enjoy their Second Amendment right. But until then, I ask that everyone vote 'yes' so that we can enjoy what the Constitution says: life, liberty and the pursuit of happiness. Thank you."

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Speaker Turner: "There are two (2) proponents and two (2) opponents. We will now hear from a opponent. Representative Stephens, the Gentleman from Bond, for what reason do you rise?"

Stephens: "I have a question of the Sponsor."

Speaker Turner: "And the Sponsor says he'll yield."

Stephens: "Is this a... is this restrict... by listening to some of the other remarks of the, especially of the Lady from Cook, I got the impression that this only affects the City of Chicago."

Osterman: "Were you listening to Representative Sacia? No, this is a statewide law, Representative."

Stephens: "I must have misinterpreted her remarks. I... I'm also curious as to the penalty if I don't abide by this law."

Osterman: "The penalty?"

Stephens: "Yes."

Osterman: "A Class A misdemeanor."

Stephens: "All right. To the Bill. And thank you, Representative. I don't believe that having a Fire Owners Identification Card (sic-Firearm Owners Identification Card) is against the law. As a matter of fact, I'm sure that it's not. And I don't believe that owning a handgun is against the law unless it's the City of Chicago where, the city that seems to be getting all the attention and being used for the rationale for passage of this Bill, ownership of a handgun is already against local ordinance. I'm also confused by the fact that I should be for this Bill because Cook County Representatives came and bailed out my district because we were ravaged by methamphetamine."

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I happen to know that methamphetamine was ravaging the City of Chicago. I happen to know that methamphetamine sales are down in the City of Chicago and that methamphetamine addiction is on the retreat in the City of Chicago and throughout the state. I'm kind of... quite candidly, I'm tired of hearing that every time I'm opposed to a Bill that affects the entire state that I need to be for the Bill because it really helps the City of Chicago and they were so helpful when my district had the same problem that they had, but I'm forever reminded that it started downstate. This Bill does affect everyone in the State of Illinois and if you're a law-abiding gun owner and you happen to want to sell a handgun to one (1) of your neighbors and you don't do it according to the tenets of this Bill, you are now a criminal. Two (2) honest American citizens caring only about defending their home or target practicing or whatever reason they wish to transact a deal about a handgun, they're now going to be criminals if they're in violation of this Bill, should it pass. Mr. Speaker, I would ask that this be put on unlimited debate."

Speaker Turner: "See... I don't see any other hands joining you in that re..."

Stephens: "Oh, I'm joined by hundreds... hundreds, even people from Cook County want to debate this Bill."

Speaker Turner: "Now, that I look on this side, you're right. Your request will be honored."

Stephens: "Thank you. Mr. Speaker, Ladies and Gentlemen, this... there is no need for this legislation. There's no need to make criminals out of honest, hardworking American

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citizens. That's all this Bill does. It makes criminals... potentially makes criminals... out of a very honest transaction, makes criminals of those people that decide to partake in that transaction. I just don't think you get it, Representative, and I say that with respect. I just don't think you understand our culture, our history and our way of life. And I rise in strong opposition."

Speaker Turner: "The Lady from Cook, Representative Currie, for what reason do you rise?"

Currie: "Thank you, Speaker and Members of the House. I start from the premise that while it's true that you can use a baseball bat to kill somebody, if you really want to kill somebody, you do it a lot more surely and a lot more quickly if you use a gun. And if you look at the statistics of violence and death in this state and across the nation, you will find exactly that. The gangbangers prefer a gun, that's what they use, that's what they use surely, that's what they use effectively. I start from the premise that gun violence is not only a problem in the City of Chicago. I start from the premise that gun violence is an issue right here in Springfield, in Peoria, in Danville, in communities across the state. I start not from the premise, but from the knowledge that background checks work. A thousand (1,000) people are prevented from buying guns in an... because... because there are background checks. We found, when we required background checks at gun shops, a lot of people turned to gun shows to buy their firearms and to do so without the background check and recently we closed the gun show loophole. The police told us that

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about 20 percent of the guns used on the streets to kill and to maim came from gun shows. Now, we want to close the private sale loophole because people are turning to that routine in order to be able to buy guns that they would not legally be able to get at a gun shop or at a gun show and where are those guns going? They're going to our city streets; they're going out in illegal sales. You tell us you want us to use the laws we already have to stop the violence that's happening, but until you close these loopholes, we don't have a chance because the streets are flooded with new fire power. Help us stem violence, not just in my city, but in your city. Help us stem violence, gun violence, by using this carefully crafted measure to say even if you're buying privately, the person who's buying needs to show that he or she is entitled to buy that gun, does not have problems in his or her past that would make them ineligible. This is sensible gun control. It is not off the mark. Our children need this help, so do all of our communities. Please vote 'yes'."

Speaker Turner: "The Gentleman from White, Representative Phelps, for what reason do you rise?"

Phelps: "Thank you, Mr. Speaker. Will the Sponsor yield? Representative Osterman, just a few questions. Is it true that the Cook County Board right now is attempting to ban gun dealers all throughout Cook County?"

Osterman: "Legislation has been introduced in Cook County that would prevent a gun dealer from being within, I believe, a thousand (1,000) feet from a park. That legislation has

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not been passed and my conversations with the Sponsor of that legislation are ongoing."

Phelps: "And I've got the ordinance right here and I've been reading it. And so, my other question is, if this Bill passes, how is a person supposed to comply with this requirement if there's no gun dealers in Cook County? Are you going to have to travel an hour, fifty (50) miles, sixty (60) miles, come down to my district. I mean, what are we... how you going... how are they going to comply?"

Osterman: "Well, let me say this. I'm not sure that Cook County government's going to pass that ordinance. Between now and when this Bill would become law, the Bill has to go to the Senate; they're going to watch what Cook County does. Cook County's going to watch what we do. I think the intent of what the Sponsor of that legislation is trying to do is get it to some of the places that... like Chuck's Gun Shop that have been producing weapons of destruction that have killed thousands of Illinois residents. So, that's the intention of that legislation."

Phelps: "Well, I believe, in all due respect, I believe all of this... if this does pass and Cook County does pass their ordinance, you're making more people, more law-abiding gun owners, more criminal than anywhere 'cause they don't have anywhere to comply with this."

Osterman: "You are aware that the City of Chicago currently has a handgun ban that prevents people from owning a handgun within. A large part of Cook County is the City of Chicago. Other municipalities have their own legislation. Those counties te... try to do that because they want to

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protect their citizens. This is a statewide policy, Representative, that deals with background checks. It's a reasonable measure. If you buy a long gun out-of-state, you go online and buy a long gun out-of-state, that's not sent to your home. It's sent to a federally licensed dealer. You pick it up and they do a background check. So, what we're doing here is very similar to what's done a thousand times a year within the State of Illinois."

Phelps: "Well, thank you, Representative. Mr. Speaker, to the Bill. There's no way with the financial crisis that this state is in currently that the State Police are going to be able to police this anyway. They just don't have the money in the budget to be able to do this and you're going to make more law-abiding gun owners more criminal. This is just another attempt to hurt law-abiding gun owners, folks, plain and simple. We have enough laws in this state. We just to quit... need to quit making new ones and let's just enforce the ones we have now. So, I ask a... for a 'no' vote."

Speaker Turner: "The Gentleman from Williamson, Representative Bradley, for what reason do you rise?"

Bradley, J.: "Will the Sponsor yield? Did you fix this for my cousins?"

Osterman: "You know, Representative, I expanded it greatly for your family. I left out cousins. I was going to dangle that in front of you to see if you'd be interested in supporting the Bill, but I didn't want to go..."

Bradley, J.: "You don't have cousins in there; you've eliminated a lot of people in southern Illinois."

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Osterman: "Well, you have a lot of cousins and I've only met a few here, but in all honesty, there's a great definition of 'family' that's the largest one I know in state statute."

Bradley, J.: "So, if I'm to understand this, whenever somebody transfers a gun currently they have to keep a record of it, right?"

Osterman: "Yes."

Bradley, J.: "Okay."

Osterman: "This does not change the definition of 'transfer' and that issue came up last year and I'd be happy to work with any Member of this Body that wants to define what that is, if they want to."

Bradley, J.: "So, how does a lawful law-abiding citizen that transfers a firearm, given that you're now interjecting a gun dealer into the equation, comply with the law? Do they keep a record of the gun dealer? Do they keep a record of the buyer? Do they keep a record of the seller? Do they keep a record of..."

Osterman: "Two (2) points: first is, it's not just firearms; it's handguns and that's a specific point I want to make to all my downstate colleagues that care about the rights of hunters, it's handguns and the last time I checked you can't go turkey hunting with a handgun. What this would require currently they're supposed to keep record of the transaction for up to ten (10) years. I think you have legislation looking at that issue. What this would require would be to go to a gun dealer, an FFL, and there are three thousand (3,000) of those in the State of Illinois and have the transaction done through the FFL, the federally

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licensed dealer. And the seller of the firearm would have to keep a record as would the federally licensed dealer. The background check would be on the new purchaser of the firearm."

Bradley, J.: "So, there's going to have to be rulemaking done in order to implement this Bill, right?"

Osterman: "No."

Bradley, J.: "'Cause it's not spelled out in the Bill what exactly someone who's attempting to comply with the law is going to have to do."

Osterman: "To comply with the law, you would have to go to a licensed dealer with the person that you want to sell the firearm to and they will have to have the federally licensed dealer do the background check. So, the issue of rulemaking I will point to a fact sheet from last year's Bill when this came up where the NRA said that they did not want rulemaking, that they did not want any rulemaking because they were fearful that the Governor was going to try to do an end run. So, the language in this right now dealing with rulemaking is a moot point..."

Bradley, J.: "So..."

Osterman: "...and one that I listened to the NRA on."

Bradley, J.: "So, this doesn't... this doesn't include the rulemaking language that we've been putting in Bills all year to prevent the administration..."

Osterman: "This is similar... similar..."

Bradley, J.: "...from trying apples into oatmeal."

Osterman: "...similar rulemaking language has been put on every Bill this year."

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Bradley, J.: "It's in here?"

Osterman: "Yes, it is."

Bradley, J.: "And so, according to your Bill, there's not a set definition of 'transfer'? There's..."

Osterman: "The definition would stay as is."

Bradley, J.: "So, what about loan of a firearm?"

Osterman: "The definition of 'transfer' is the definition of 'transfer' and it's not spelled out clearly nor is loan anywhere in the FOID Act or in the... the... the other part of the criminal Act."

Bradley, J.: "To the Bill. I... I just... I don't see 1) how this is going to be able to comply... be complied with and 2) I... we're always going to have philosophical differences about the issues involving gun ownership in this state, but this doesn't demonstrate anyway to me that you're taking the firearms out of anyone other than law-abiding citizens' hands. The people that are committing illegal acts, that you're trying to prevent, are still going to commit illegal acts and if they're willing to commit an illegal act with a firearm, having to transfer a firearm through a gun dealer is not going to keep them from doing that. Law-abiding people that want to comply with the law are going to try to comply with the law whatever it is, but somebody that's going to commit a felony with a gun that gets it from somebody else is now all of a sudden going to go register it with a gun dealer in the anticipation of committing a felony? So, again, the only people that are being punished by this are law-abiding citizens that want to comply with the law. The gangbangers and the people that commit

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felonies with firearms are going to continue to do that, because in the big scheme of things the transfer of a firearm illegally is the least of their worries. They're going to commit felonies with it. So, the law-abiding citizen that wants to own a gun legally and ought to have that right pursuant to the Constitution, again, is the one being harmed. And so, this continues to be a discussion and an argument in this House and I hope that other Members will join me in opposition to..."

Speaker Turner: "Bring your remarks to a close."

Bradley, J.: "I hope that the rest of the General Assembly will join me in opposition to this Bill because all we're really doing is hurting law-abiding citizens who want to exercise their Second Amendment rights lawfully."

Speaker Turner: "The Gentleman from Vermilion, Representative Black, for what reason do you rise?"

Black: "Thank you very much, Mr. Speaker. First of all, before the timer goes on, I have an inquiry of the Chair."

Speaker Turner: "State your inquiry."

Black: "Mr. Speaker, it was my understanding that every Bill that we would vote on this year must have an Amendment from the Speaker's Office regarding the ability of a... a department or a gubernatorial department being able to make rules and I don't believe this Bill has that rulemaking Amendment. Could the Chair enlighten me on that issue?"

Speaker Turner: "Representative, I think the understanding is it's only on those Bills that have to deal with agencies; that an agency has to make the rules. That rulemaking

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Amendment was put on only on those Bills that an agency, in some way, have an effect."

Black: "I appreciate your response, but Mr. Speaker, this Bill..."

Speaker Turner: "Right. Representative Osterman."

Osterman: "Mr. Speaker, if I may answer Representative Black's question and inquiry. This does have the standard rulemaking legis... language that's been on every piece of legislation this year. So, this Bill has the rulemaking similar to every Bill. Amendment #2 added that language. And I would only point out again, to my colleague from Vermilion, that a year ago the NRA had a nice little fact sheet with a duck hunter on there saying they didn't want that language on there because they were fearful of what the Governor might do, but this is similar to every other Bill this Session, Representative."

Black: "Mr. Speaker?"

Speaker Turner: "Yes, Sir."

Black: "Could you tell me when that Amendment was adopted? It is not on my laptop and it is not in our staff analysis. Was that Amendment adopted today?"

Speaker Turner: "Mr. Clerk, can you tell us the status of the Bill and when the Amendment was adopted?"

Clerk Bolin: "Floor Amendment #2 was adopted today."

Speaker Turner: "Representative Black?"

Black: "Yes."

Speaker Turner: "Floor Amendment 2 was adopted today."

Black: "Oh, all right. Then I stand corrected and I appreciate your indulgence because our analysis obviously doesn't

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reflect what was amended today. All right. I appreciate your time. Thank you very much."

Speaker Turner: "And let me say this, the Democratic analysis is pretty much identical to yours."

Black: "Why am I not surprised. Thank you, Mr. Speaker. Will the Sponsor yield? Representative, there's one thing I don't understand in your Bill. I don't own a semiautomatic handgun with a clip. I do own a revolver, a rather ancient revolver; it is locked up in a gun safe when my grandkids are visiting and so forth and so on. I try very hard to be a very responsible gun owner. But I want to take a class this spring, late this spring or early this summer assuming we're not here, at the Danville Rifle and Pistol Club. It is a safety course as well as an orientation and I would need a semiautomatic handgun. Now, a very good friend of mine, who lives about eighty (80) miles from where I do, has one of these and said, you could use it. I'll let you use my gun to qualify for the... or participate in the safety course. If I understand your Bill, even though he did not sell the gun to me he technically could be in violation if he didn't ask for a dial-up background check before he would loan this semiautomatic handgun to me. Am I correct or am I not reading it correctly?"

Osterman: "This legislation, Representative Black, and I appreciate the question, does not change the definition of 'transfer', so under current statute that transaction would be that transaction. There is language elsewhere in the Criminal Act that provides exemptions for certain sporting goods... not sporting goods, but certain exemptions where a

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firearm is used at a shooting complex or facility. So, I would think that this legislation does not change that in one way or the other. This does not define 'transfer' as a loan or not a loan. That language stays the same."

Black: "Would... would the lan... current language and forgive me, because I've never asked for a loan or a transfer, would the current language require that this friend do a background check and keep the records if he were transferring that firearm to me on a temporary basis?"

Osterman: "The answer that I'll give, Representative, not being a lawyer, is that the statute requires documentation be kept of a transfer. The practicality of that... the practicality of that, Representative, is that I would question over the last ten (10) years how many individuals in the situation you described have been either arrested, convicted or prosecuted for the description you're talking about."

Black: "Yeah."

Osterman: "This, for intent purposes, this is trying to get at the more permanent transfers where you and I are selling a firearm to each other or someone who you don't know on the Internet, something like that. But it is silent to those loan situations."

Black: "All right. And I wouldn't know because I've never borrowed or transferred a firearm to anyone in my life, so I didn't know what the current rule was. I would assume then if as I get older and if I want to transfer, sell, whatever the name is, a revolver that belonged to my father, to my son, I would have to complete a background...

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an instant background check in order to be in full compliance if I were to transfer the ownership of this revolver to my son. Is that... is that correct?"

Osterman: "Your son would be exempt."

Black: "He would be exempt?"

Osterman: "Yes."

Black: "All right. Thank you very much, Representative. I really do appreciate your answers 'cause I'm trying to get a handle on just what this does. Mr. Speaker, to the Bill. And Ladies and Gentlemen of the House, as a father and a grandfather I'm not immune nor do I tune out the stories I see on the WGN-TV news at night at 9:00. It's the only Chicago television station that we receive downstate or at least in my area. I'm not immune to the stories that I read in the Tribune and the Sun-Times. They bother me. As a father as a grandfather as a former teacher, they bother me a great deal. I don't understand why students at a high school shoot another student at a high school. It didn't go on when I taught, but it's been forty (40) years ago. If I honestly thought that this or any other Bill would stop that, I would sit down and reconsider my position, but I've asked myself that question a dozen times and I have not yet been able to convince myself that such a Bill would stop the senseless violence that we see so often and so frequently today. I would also submit to you that while we can tend to dismiss a violent act with a baseball bat or a knife, I would further submit to you that one of the worst cases of a tragic death in the City of Chicago was committed by someone at an after-hours club who sprayed

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pepper spray on the second floor of the after-hours club, a panic ensued, and the people running out of the club got trampled to death and I think it killed twelve (12), thirteen (13), fourteen (14) people. A very tragic, but yet similar incident in New York City a few years ago, someone was thrown out of an after-hours club, did not like the fact that he was asked to leave, went to a filling station, got a two and a half gallon can of gasoline, went back to the after-hours club, opened the door, threw the can of gasoline in and killed... I don't know... twenty (20), twenty-five (25) people. If you're... you're determined to commit violence, there are unfortunately a number of ways to do it. I'm not sure this Bill would... would prevent what we have seen. I wish I could convince myself that it would. I wish I had the answer. I suggested something years ago that was never picked up on by any of my colleagues from anywhere in the state. I'm familiar with the Richmond Project. And that was a project where gun laws were in full..."

Speaker Turner: "Bring your remarks to a close, Representative."

Black: "Yes, I will, Mr. Speaker. The Richmond Project, I believe, was in Richmond, Virginia, where the Federal Government and the state authorities decided, and they flooded the area with the necessary federal officers and state officers. Any violation of an existing gun law was not swept under the rug. It was prosecuted to the fullest extent of the law. If you were caught with a firearm and you were on probation, you were going to go back for

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whatever the time was you owed plus any additional charges they might file. If you were a felon and in possession of a firearm, you would go back to prison for the maximum time they could give you. No excuses, no probation, no oversight and I think if you'll look into the Richmond Project, firearm violence fell significantly once people got the idea that, hey, they aren't kidding. Any violation of a gun law would be and was met with the full force of Federal and State Law. Maybe we need to try that rather than this. Thank you, Mr. Speaker."

Speaker Turner: "The Gentleman from Cham... Representative Bost... The Gentleman from Champaign, Representative Rose, for what reason do you rise?"

Rose: "A question of the Sponsor, if I may."

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

Rose: "Representative, I notice here that it's not just trans... not just sales between individuals but also transfers. So, my question is, the father to the son on an inheritance, that's a transfer. Does the inheritance of the family heirloom now have to go and be transferred by a federally licensed firearm dealer?"

Osterman: "It is a transfer, Representative, and I'm glad you brought that up, but it is exempt under two (2) points in this legislation. First being, exemptions to family and the second being, the potential that if you, through a court order or probate court, gave your firearms to someone else, the court action would... court order would allow for an exemption."

Rose: "Would transfer outside, okay."

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Osterman: "That would not be."

Rose: "Thank you, Representative. Is... Harry, I... and we've gone around and around on this for years now, but... but you're... and I make this point every time... but you're from Chicago. Handguns, as I understand it, are already banned in Chicago. So, you bring this Bill because you still have plenty of handguns in Chicago, never mind the point that they're already illegal and that ought to be dealt with, but you bring this Bill to come after downstate so-called straw purchasers who, in your mind, would then bring handguns back to Chicago. Again, they're already illegal in Chicago and a lot of good it's done you. It's neither here nor there. Just as a practical matter, Harry, let's assume your Bill passes this time into law. What stops Gary, Indiana, which isn't subject to this law, from having the same thing happen?"

Osterman: "Absolutely nothing. Nothing would prevent someone from violating the law, and it was pointed out earlier about criminals that have that intent, Representative, but it absolutely has to be acknowledged by every Member of this Body that we set up the FOID Act, the national... Congress set up the instant criminal background check in the Brady Act and in Illinois, every year a thousand (1,000) people that would be deemed law-abiding are stopped from buying a firearm because of a FOID card."

Rose: "But you just hit on the key point, nothing would stop the criminals. That's the problem, the criminals. Now, let me... I have one last question and I say this sincerely because as you know there's a Supreme Court case, the U.S.

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Supreme Court, going on right now. We heard Representative Ford expound upon, an astounding constitutional analysis, that somehow we should enjoy life, liberty and the pursuit of happiness by simply ignoring an Amendment to the United States Constitution until there's a time it is more convenient for us to go ahead and say, oh yes, we will now enjoy the Second Amendment. Constitutional... suspect constitutional analysis aside, what constitutionally... what constitutional principle will this law be upheld on in a court challenge? What constitutional principle would be applied? And I ask this only because it's the same thing Justice Kennedy asked in the U.S. Supreme Court case."

Osterman: "We have a few constitutional lawyers on our side. I'm not one of them, Representative."

Rose: "Well, and I appreciate..."

Osterman: "I would say in all sincerity this is... this is what I would say. You and I and the Members here set forth policy and we vote on it and I would say that throughout the Constitution of the state, including the FOID Act, it gives the ability of the General Assembly to come up with public policy. So, it's in this realm that we're doing this. This is not inconsistent; it does not ban the sale of handguns. It simply says to sell a handgun you need a background check, similar to things that we do right now."

Rose: "Harry... and I say this... I say this sincerely as well. The point I asked, which is what principles applied, has never really been decided by the Supreme Court. In fact, it's going to be decided here shortly. Why don't we wait to see what happens with the Supreme Court case before we

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do something that might violate by this time next week or maybe not?"

Osterman: "You have a long career ahead of you that might end up on the Supreme Court someday, Representative Rose, but..."

Rose: "I doubt... I doubt that."

Osterman: "...I fundamentally believe that each of us has a responsibility to craft legislation that will protect citizens in Illinois and I'm not going to wait for the Federal Government, I'm not going to wait for the Supreme Court to act on protecting children in my community or in any community in this state. So, that's our responsibility. Those that want to shirk from it, they'll have that opportunity, but people are here to vote and they should be. That's what you and I are doing today and that's what I think the people of the State of Illinois want."

Rose: "Well, Representative, I'm about to run out of time. And Mr. Speaker... Mr. Speaker, may I just close briefly? I'm out of time here. May I close briefly?"

Speaker Turner: "You lost the time while you were asking, but go ahead. I'll give you another minute."

Rose: "Thank... thank you, Re... Mr. Speaker. You know, Representative, I sincerely... we've been doing this several years, as I said, and I appreciate your arguments, but honestly, if I thought that this would solve the problems you just cited... but it's a different story. It's not really targeting the criminals, in fact, Representative Reboletti had a Bill last week... two (2) weeks ago that would have targeted criminals and many from the city voted

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'present' on the Bill. It was a pro law enforcement, tough on crime, antigun criminal Bill and many from the city voted against it. All I'll say is this. There's a court case pending. I just... at the end of the day, the guns can still come in through the so-called straw purchasers from other states. So, with that I'll close. Thank you, Mr. Speaker, for your indulgence."

Speaker Turner: "The Lady from Cook, Representative Monique Davis, for what reason do you rise?"

Davis, M.: "Thank you so much... thank you, Mr. Speaker. Representative Osterman... Osterman... Representative Osterman, your Bill is merely attempting to keep a record of who one sells a gun to. Is that correct?"

Osterman: "It... What we're really trying to get at, Representative, is to ensure that all handguns sales in our state have a criminal instant background check that takes a matter of moments. Currently on statute, there's a three-day waiting period and handgun dealers, licensed dealers, are tracked by Alcohol, Tobacco and Firearms. But simply, what we want to do is to make sure that we track and stop those people from buying the handguns illegally."

Davis, M.: "Why would... or why do people object... why do you think people object to a record being kept of who they sell their weapons to?"

Osterman: "Under current statute today, those people selling handguns back and forth have to keep a record for ten (10) years. This does not change that. All this requires though, is that someone go to a federally licensed dealer which triggers the instant criminal background check, which

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again I will say, stops a thousand (1,000) people a year from buying a gun illegally."

Davis, M.: "So, why do you think people object to that? It doesn't say they can't keep a gun; it doesn't say they can't buy as many as they like. It merely says that we want a record of who you're selling the weapon to and make sure that person doesn't have a criminal or mental background. Is that correct?"

Osterman: "That's correct."

Davis, M.: "So, I just don't understand why people would object to that. Don't we require the seller and purchaser of cars be registered?"

Osterman: "I believe we do."

Davis, M.: "And are they as dangerous as guns?"

Osterman: "The total fatalities, I would say no."

Davis, M.: "Because a gun's wound usually is so fatal... it is so fatal when a person is injured. Let me ask this. Of the four... the twenty-three (23) children who've been killed in Illinois with guns, do you know if Superintendent Wise has found out from any of those children who have been arrested where they purchased or got those weapons from?"

Osterman: "This year alone, since school's started, there's been twenty-three (23) students killed in Chicago Public Schools."

Davis, M.: "With handguns?"

Osterman: "Twenty (20) of those have been by handguns."

Davis, M.: "Twenty (20), okay."

Osterman: "And the City of Chicago, department of police, vigorously go after trying to find out where that gun came

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from. Annually, eight thousand (8,000) guns are taken off the streets of Chicago, eight thousand (8,000) handguns. So, we want to stop the flow into the city. We also want to stop the... the permanency... the permanency and the fatality of a firearm. People brought up baseball bats and knives, but the gang members throughout our state in Elgin, Aurora, Chicago they seek the permanency of a firearm, handgun or semiautomatic weapon and that's where we see the violence and the casualties."

Davis, M.: "Thank you for that response. To the Bill, Mr. Speaker. I believe that this legislation will simply help, not only Chicago, but any other area who's having difficulty with juvenile delinquency. I am really baffled when I know that a fourteen-year-old knows exactly where to get a weapon in Chicago in 10 or 15 minutes and I don't. I don't know where I could get a weapon for... in 10 or 15 minutes, but I know that the children in Chicago do know. And as long as we allow the... the immediate flow of weapons from the hands of people we don't know, we're going to, I believe, continue to have these casualties. This Bill does not prevent a relative from giving a gun to a relative. It does not prevent a hunt..."

Speaker Turner: "Bring your remarks to a close, please?"

Davis, M.: "Thank you. I was going to say, it just doesn't prevent relatives from exchanging guns or you giving a relative a gun. It just says we need to know where these weapons are flowing from. And I really urge an 'aye' vote. I commend you for this legislation, Representative, and I'd like to be a cosponsor."

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Speaker Turner: "The Gentleman from Cook, Representative Molaro, for what reason do you rise? There's time. Cook, Representative... the Lady from Lake, Representative Ryg, for what reason do you rise?"

Ryg: "Thank you, Mr. Speaker. To the Bill."

Speaker Turner: "Go..."

Ryg: "When we have these discussions about proposed gun laws, we know positions that the various parties are going to take and the arguments are often repetitive and the issues could be stated by any one of us on either side. But my sense is that when we look at this issue on a statewide basis we have to tune into those people who are not entrenched in their position on sensible gun laws. I know in my own district I have a microcosm of the state and I have people who feel strongly on both sides of this. I know people who very much want to protect their rights as gun owners and I know people who are very concerned about the violence that we often hear about in the news. So, I think there's some information that it's very important for us to consider when we look at this particular piece of legislation. In a poll that was taken in 2007, over six hundred (600)... of over six hundred (600) Illinois voters, 80 percent strongly supported background checks of all handgun sales, 80 percent. And I think the question that we need to ask is, what do those people think is happening when we passed legislation that required background checks on gun shows and from licensed dealers? My sense is that these people who are not familiar with the details of this issue are assuming that the laws we passed are requiring

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those background checks on sales of handguns. This is a gap in the law that we need to fill and address. Forty percent of all gun transactions occur through private sales. I think the general public who is looking for us to pass sensible gun laws will see this as a sensible measure. Why should there be a gap in background checks for 40 percent of those sales, especially when that 40 percent of sales are probably the major contributors to guns getting in the hands of the wrong people and not only criminals but people who may be experiencing a mental illness or some personal crisis that drives them to want to purchase a gun when they're in a mental state that they shouldn't own a gun. So, I would ask my colleagues to think about the message that we're sending the majority of Illinoisans who want to know that the laws we pass are protecting them. The background checks have been the law for most sales and we need to make it the law for all sales. I urge an 'aye' vote."

Speaker Turner: "The Lady from Cook, Representative Coulson, for what reason do you rise?"

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

Speaker Turner: "...cates he will."

Coulson: "Representative, this Bill is supported by law enforcement. Isn't that correct?"

Osterman: "Absolutely, law enforcement and a lot of organizations throughout our state."

Coulson: "Okay. And as I understand it, it's a misdemeanor for..."

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Osterman: "A Class A misdemeanor to violate the not having this background check with person-to-person sales."

Coulson: "I think there was some confusion that I heard about whether or not that was accurate, so I looked it up and it was a misdemeanor. To the Bill. I'm going to tell a little bit of a story about a patient that I had to treat because I think this brings home why we're not just looking at keeping guns out of criminals' hands; we're looking at making sure young people don't make really bad mistakes. As a physical therapist at a university, I had a young man come in with a spinal cord injury. He was twenty-six years old and I asked him his history. He had shot himself in the abdomen with a gun that he bought from a friend. He was under mental condition counseling and if he'd had a background check, he might not have gotten that gun. Now, he, of course, told me he had intended to kill himself with that gun and we thanked God that he didn't kill himself, but for the rest of his life, because of that one mistake he made, he was in a wheelchair and would never walk again. That's why I think this Bill is important. A commonsense, very basically easy way for us to stop someone who might be in that crisis from going to their friend and getting a gun and if I could have saved that one gentleman, young man's, life of disability, I would have. And that's why I think this Bill is so important. Forty percent of guns are transferred privately, as what the previous speaker said and why don't we just try to make sure that those young people that we care so much about, whether they be at any university or just in their own homes, that we can protect

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them a little bit more from a crisis. And I would urge a 'yes' vote."

Speaker Turner: "The Gentleman from Jasper, Representative Reis, for what reason do you rise?"

Reis: "Thank you, Mr. Speaker. Will the Sponsor yield for a couple of quick questions?"

Speaker Turner: "He... he will."

Reis: "Representative, a question that's come up in our... in listening to this debate. What if there's not a dealer who's willing to approve these transactions? You know, we always talk about the unintended consequences of legislation that gets passed here. What about the liability? What if the dealers just say, you know, I'm not getting in the middle of this? I'm not making a sale. I just don't want to do this."

Osterman: "You know, that's a good question. But what I would say to you is simply this, today, in Illinois, we have over... almost three thousand (3,000) federally licensed dealers and Representative, if you go online tonight and want to buy a gun from Texas, that firearm, handgun or shotgun, cannot be sold to you at your house."

Reis: "I understand that and that's... that's what..."

Osterman: "That has... that has to go to... I'm trying to answer your question, Representative. I'll give you plenty of time to... we'll go through this. That license... that firearm goes to a federally licensed dealer and they do a background check. So, what I would say to you is that every day this is going on. We're not changing really anything. We're just requiring two (2) individuals to take

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that firearm there. I would suggest to you that FFLs who would jump at the opportunity to do this and when I talked to one, the State Police and I talked to one from Bloomington, they thought this was a great idea."

Reis: "But you really didn't answer my question. I realize that has to go on with gun sales from a dealer, but what if two (2) people that want to exchange a gun or sell a gun to... one to the other, they go into a dealer and the dealer says, you know, I'm not going to do this. From a liability standpoint, for whatever the reason, I'm not going to do this. Has this law... if it were to become law, more and more dealers started doing that, what would we do about it? What if there was no intermediary available to approve these transactions and do these background checks?"

Osterman: "I would say two (2) answers. One is there's also an exemption for gun shows and there are many gun shows in our state. Two (2) people could go to a gun show and have the transaction done through State Police there, but I have to believe, Representative, that as is current practice with these almost three thousand (3,000) federally licensed dealers that you will find.. those two (2) individuals will find someone who will do that legal background check for them. So, I don't... I think that the market will affect... allow people to do that and I think that federally licensed dealers will jump at that opportunity."

Reis: "Okay. To the Bill. The Representative and many on his side of this issue and many on our side of this issue will continue to disagree on this. I'll come down to what other people have said. We understand what's going on in

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Chicago. The Representative said out of twenty-three (23) school children that were killed this last... or during this school year, that twenty (20) were done with handguns in the City of Chicago Public Schools. I go back to the law that is already law that you can't have a handgun, but yet these killings were done with handguns. I will submit that this Bill probably won't save any lives. The laws we have in existence aren't saving these lives. We're the only state that has a FOID card. We're one of only two states that doesn't have concealed carry. What is the other forty-eight (48) states doing so wrong that makes us stand out and have to pass this legislation? This is one more step to where they chip away at the gun owner rights.. the legal gun owner rights of this state. And I would continue to urge a 'no' vote on this legislation. Thank you."

Speaker Turner: "The Gentleman from DuPage, Representative Reboletti, for what reason do you rise?"

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

Speaker Turner: "...cates he will."

Reboletti: "Representative, for the firearms that make their way to the streets of your neighborhoods in the City of Chicago, what percentage come from the State of Illinois that are used in illegal activity?"

Osterman: "Handguns?"

Reboletti: "Handguns, shotguns, any type of firearm."

Osterman: "Representative, you know being a former prosecutor that trying to establish the point of origin on sales is oftentimes difficult and State Police and ATF do their best. So, I would say it's probably a mixed bag. There

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are... You and I are both aware that some states like Mississippi are known for running drug... or guns into our state, but I would say that of the eight thousand (8,000) handguns taken off the streets of Chicago that a significant amount are purchased here within Illinois."

Reboletti: "Representative, from my understanding and having done some research on the issue and having dealt with this as a former prosecutor, is that a majority of the firearms that make their way to the City of Chicago illegally are from the State of Mississippi and the State of Indiana. And one of my concerns, and I know you and I have talked about this at great length, is that I'm not sure this is going to do anything to stop that. And so, I don't know if that it's going to intim... going to try to do what it is you really want this Bill to do. And the other issues David Reis brought up was, I have a gun shop that just moved from Bensenville to Wood Dale and if they don't want to do these checks, well, there's nothing in here that would mandate that. Is that correct?"

Osterman: "That is correct, Representative, but if... depending on how long our debate goes, if you have staff call that gun shop and ask them right now, if you wanted to buy a gun from Texas would they do the transaction? I would guarantee... I won't guarantee, I would suggest that they would probably say yes and they would probably charge twenty-five or thirty dollars (\$25 or \$30) for that transaction which this legislation does not do."

Reboletti: "Thank you. Mr. Speaker, to the Bill. Ladies and Gentlemen, what the City of Chicago has is a gang problem.

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It has problems with the drug trade and I would suggest to this Body that many of those children died at the hands of gang members that were protecting turf over the proceeds of narcotics. I have heard time and time again on this floor about juvenile delinquency and issues with firearms and what I have seen from my colleagues on the other side is on House Bill 5524 was a 'present' vote, 'present', from people in the City of Chicago on a Bill that I sponsored which had 90 votes, 1 'no' vote from the City of Chicago and 17 'present' that would lock up what we would call the straw man, the person who's purchasing guns legally and selling them illegally on the streets of Chicago and on... in this entire state. And I... I appreciate what the Sponsor is trying to do, I understand your concerns for the children of this state and that the children of Chicago should not have to walk with police escorts to their schools. They should not have to walk with... and when you watch these undercover drug stings and you see drug dealers during... right there in the morning at 8:30 selling drugs which only brings in violence. And again, I will tell the Body that drug dealing is a violent crime. It's violent from the time it makes its way from the source nation all the way to the streets of our communities. And with all due respect to the Sponsor, I don't believe this is going to address those problems and I cannot support this Bill. Thank you, Mr. Speaker."

Speaker Turner: "The Gentleman from Crawford, Representative Eddy, for what reason do you rise?"

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

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Speaker Turner: "Indicates he will."

Eddy: "Thank you. Representative, at this time it's necessary, in order to get a FOID card, to have a background check. Isn't that true?"

Osterman: "That is true."

Eddy: "Okay. And if a FOID holder becomes a felon, that card is then declared invalid and the holder's required to surrender that card to the State Police. Private transfers of guns between two (2) FOID holders now require that they have to exchange FOID copies and ID copies and those records have to be kept for ten (10) years. Is that all correct?"

Osterman: "All correct."

Eddy: "How many gangbangers do you think follow that rule?"

Osterman: "Representative Eddy, let me make one point in what you brought up and I'll answer your question. I don't know how many gangbangers. I don't know how many gangbangers get a..."

Eddy: "Do you think they have FOID cards?"

Osterman: "I think that, in talking to Chicago police, that people can be enticed to get a FOID card with a clean record and going back to your point specifically... and I'd like to bring this up for the Body's attention... if you and I have our FOID cards and one of us is a felon and we transact a firearm and the other one doesn't know it 'cause there's been no background check, we've enabled the felon to get a firearm. What we're trying to do here, Representative, is that you and I would go to a federally licensed dealer and in a short amount of time have a

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background check done which, again I will say, stops over a thousand (1,000) people that have a FOID card every year from buying a firearm. So, I hope my explanation is clear in that regards."

Eddy: "Well, here's my confusion. Right now, two (2) law-abiding citizens who have a FOID card and would like to exchange a gun and they've gone through all of the legal processes that are necessary, they're law-abiding citizens, they have a... they have a requirement now. And my point is, those individuals who likely are responsible for the tragedy of the deaths of twenty-three (23) young people aren't going to follow that law anyway. I mean, what we're doing may..."

Osterman: "Who are the thousand (1,000) people a year the State Police stops? Are those law-abiding citizens, Representative Eddy, or are those criminals?"

Eddy: "The point..."

Osterman: "And at which point if we had no background check, Representative Eddy, if at what point there was a... no background check, how would those thousand (1,000) people be stopped from buying a firearm? Can you answer me that?"

Eddy: "Representative Osterman, the point is simple and that is that people who are bent on committing crimes aren't necessarily interested in whether or not they follow laws that we pass. Law-abiding citizens are interested and they're the ones that are upset with this because they feel like that as law-abiding citizens something is in place for them. Now, let me ask you one other question, because I want to make sure I understand the intent and how it might

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be carried out. Let's say I have a handgun that I'd like to sell to a neighbor in my area and I contact that neighbor and that neighbor purchases that gun from me. At this time, we're both FOID card owners and we're legal. Under your legislation, unless we go to a third party, a registered gun dealer, we are now committing a crime, if this passes. I just want..."

Osterman: "Yeah. Yes."

Eddy: "Okay. All right. And it's your contention that by implementing this that the gun violence that you've seen in the City of Chicago will diminish because those individuals who are responsible for that gun violence will all of a sudden become law-abiding citizens when it comes to following a law that requires those guns to be purchased legally?"

Osterman: "Representative, I stated earlier when Representative Ford asked some questions about what we can do to reduce violence, specifically gun violence, in our state and I think I was clear in saying that one measure is not going to prevent every incident. But the history of our state in enacting the FOID Act has shown that we want to regulate what law-abiding citizens are able to do and what checks and balances we have. So, there's a thousand (1,000) people a year that are stopped from buying guns. What's the price of one life, Representative, one stop, if it's a thousand and one (1,001)? And if we have you and your friend go to licensing..."

Speaker Turner: "One minute to finish."

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Eddy: "Thank you. And Representative, I get your point. And let me... let me state that I understand your passion for this. I would like to join you someday in some type of legislation that would actually control the gun violence. I think what we really need to do is to continue to find ways to control crime, not guns and we just have that difference because maybe the background, the culture, what we believe. I think this is nothing more than causing law-abiding citizens to have to jump through hoops and that the gangbangers and those people who are interested in committing crimes... if you're going to go knock off a bank on the way there, I don't think you're checking to find out whether or not you have a registered gun that was legally purchased at a gun dealer. I just don't believe that is going to help. Hopefully, we'll come up with some thing someday that will help with that violence. I don't think this does it. It hurts law-abiding citizens. I would request the Body to protect those rights and vote 'no'."

Speaker Turner: "The Gentleman from Cook, Representative Molaro, for what reason do you rise?"

Molaro: "Thank you. You know, I want to probably ask if there's someone on, you know, either a downstater or the other... right side of the aisle to maybe they can answer this question. First of all, there's no doubt we have enough gun laws. I don't see any but how... anybody could argue that, even the proponents of the Bill know that there's gun laws. I look at this as, you know, sort of a tweaking of the gun law. This really isn't a brand new law that came out of nowhere that has all kinds of

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restrictions. So, here's the question I want to ask and maybe someone could answer it because I really don't get it. Okay. We certainly have enough laws... one of the Representatives over there we should enforce what we got. The judges should, you know, give them the maximum. We all agree with that. Why not, that's the way it should be. So, here's the question, though. We're up here and our think tanks up in the Chicago say, we feel that when it's person-to-person maybe they're not following the law. So, here's what we're asking the NRA and the people who are... feel exactly like I do that we have enough laws and everything else. Here's what we ask them. Right now, if me and Michael here are going to exchange a gun or sell a gun, we have to fill out paperwork and we have to wait the three (3) days. Okay. All we're asking is we think it might help us up in Chicago and in Cook County, okay, it may be helpful if instead of me and him just waiting the three (3) days, we take a ride to the local gun shop and we get that guy involved. Okay? We don't stop the... from exchanging it, we could always do that. All we're saying is can you do us a favor, get in your car, go to a local gun shop, include him, and in three (3) days I get my gun. Now, we're not taking anything away, we're saying we're trying everything we can to save these kids. We understand that guns don't kill people, the people who shoot it do. We understand that even if we pass this Bill we still may have kids killing kids. We understand that. We're just hoping that this may help, this may save some lives. Now, maybe we're wrong. Maybe it won't save one single life,

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but you know what, we impose on me and Mike that we have to go to the local gun shop and blow a half hour of our time, including the guy at the local gun shop. That's all it does. It doesn't take a single gun away; it doesn't stop you from buying a thousand (1,000) guns a month; it doesn't stop hunters; it doesn't stop handgun enthusiasts; it doesn't stop anything. The law remains the same: three-day waiting period, got to fill out the form. All we're saying is go to the local gun shop. If you're saying, hey, you guys up in Chicago have your problem in Cook County, we don't want you to impose that extra half hour of our time to have to go to a local gun shop. Well then, tell us no. But don't get up and say this has to do with the enforcing of gun laws, we know that. We know that we got to ask for more... more judges putting people away. We got all of that. We're in total agreement with you... I scratch that... at least I'm in total agreement with you. All I'm asking is I think this Bill makes sense and we're asking you to spend a half hour of your time and go to a local gun shop, fill it out and maybe it would help us. And by the way... by the way, if you went along with this and this became the law of the State of Illinois and a year from now or two (2) years from now it's the same amount of kids that were being killed, you can say, hey listen, we tried to help you out, you were wrong, we were right. Let's see if it's going to work out. That the..."

Speaker Turner: "The Gentleman from Cook, Representative Joyce, for what reason do you rise?"

Joyce: "Thank you, Mr. Speaker. I move the previous question."

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Speaker Turner: "Has asked to move the previous question. All those in favor say 'aye'. And the previous question is put. Representative Osterman to close."

Osterman: "Thank you, Mr. Speaker. So, Ladies and Gentlemen of the House, I appreciate the debate and the questions. All of us have a chance now to act on behalf of the people of the State of Illinois. There's been a great deal of talk about law-abiding citizens. I want to reiterate that this does not prevent the sale of a handgun, simply requires background checks. Only handguns, not shotguns and rifles that the hunters hold so dear. We talked about law-abiding citizens and this was brought up as a Chicago issue. Gun violence affects the suburbs, Aurora, Elgin, cities throughout our state, but in the City of Chicago last year, eight thousand (8,000) guns taken off the street, three hundred and thirty-nine (339) people killed by handguns, law-abiding citizens. Who else is law-abiding citizens? The twenty-three (23) children in Chicago Public Schools killed this year, law-abiding citizens, their friends, their family, thirty-four (34) last year. Who else is law-abiding citizens? Their parents. Law enforcement who supports this measure, law-abiding citizens and the people of the state who have shown they want reasonable, commonsense gun laws, law-abiding citizens. Each of us has to stand and act today. I ask you to stand with the law-abiding citizens who want gun control; they want to protect people in the state. I ask you to vote 'aye'."

Speaker Turner: "I'd like to remind the Members that a request for verification has been requested, so that every person

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should his... hit his or her own button. The question is, 'Shall House Bill 758 pass?' All those in favor should vote 'aye'; all those opposed vote 'no'. The voting is now open. Have all voted who wish? Have all voted who wish? Have all voted who wish? The Clerk shall take... The Clerk shall take the roll. Representative? On this question, there are 58 voting 'aye', 58 voting 'no', 0 'presents'. And this Bill fails. On the Order of Third Readings, we have House Bill 5141. Representative Fritchey. Read the Bill, Mr. Clerk."

Clerk Mahoney: "House Bill 5141, a Bill for an Act concerning employment. Third Reading of this House Bill."

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

Fritchey: "Thank you, Speaker, Members of the Body. I come with a hopefully less controversial proposal. Ladies and Gentlemen, this is another piece of legislation that I think the debate around the Bill has been a lot more heated and a lot more disruptive than the Bill itself. What this Bill does is simply recognize that we are a country and we are a state based on lack of discrimination and based on the concept that two (2) individuals standing by... side by side doing the same job deserve to make the same amount of money. Presently, in Illinois, we have a two-tiered minimum wage system whereby an individual would make the state minimum wage, but if that person is under eighteen (18), they're paid fifty cents less an hour. It doesn't matter if they are working harder, faster, better, they're paid less. There's no commonsense rationale for it,

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there's no moral reason for it, there's no economic reason for it other than if a business can get by with paying their workers less more often than not they are going to try to do that. Was this an initiative.. is this an initiative of labor? Yes, it is. Labor's the same people that brought us the minimum wage. Labor are the same people that brought us to.. the safe work places. Labor's the same people that brought us safe working conditions. We are trying to do something that is very straightforward and that is to say, pay two (2) people the same amount of money for doing the same job. Some people would say, well, John, you know this is going to make it tougher for teenagers to get a job during the summer. Ladies and Gentlemen, Illinois is a state that has a training wage. It allows there to be a lower wage paid for the first ninety (90) days of employment. Summer jobs are falling into that training wage, if they so chose, and that's not going to be impacted by this. Well, John, it's going to make it harder for teenagers to get a job. Well, I would submit to you that it's in the interest of employers to hire capable employees. They're not going to try to save fifty cents an hour to have an employee that isn't capable of doing the job that that employer needs done. So, if we have a teenager that is capable and willing and able and is doing the same job as somebody that is older than he or she, they deserve to make a minimum wage. Rather than go on right now, I have a hunch there's going to be some questions. Let me try to answer those questions and go from there. Speaker."

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Speaker Turner: "The Gentleman from Bond, Representative Stephens, for what reason do you rise?"

Stephens: "First of all, to request a verification should this vote get the requisite number and to ask the Gentleman a question."

Speaker Turner: "Request will be honored."

Stephens: "Thank you. Representative, is the... are the unemployment numbers up in Illinois right now or are they down?"

Fritchey: "Since when?"

Stephens: "Since last month."

Fritchey: "I haven't seen last... I haven't seen last month's unemployment numbers."

Stephens: "Last year."

Fritchey: "Unemployment is probably slightly up in Illinois as it is throughout the country. That is not unemployment among adult workers or teen workers. That is a function of not only local and national but global economy."

Stephens: "So, it's up? The... It's up in my county; it's up in your county; it's up on most counties. And I'm not sure that anything that I see in your legislation is going to help with that situation, as a matter of fact, common sense tells me that it's going to have just the opposite effect. I believe common sense says that if you're going to artificially weigh... raise wages in the thought that, oh, we're going to help a lot of people, what you're really doing is causing more people that are already troubled with loss of jobs to lose their jobs. I understand that you want people to be better off; I want people to better off..."

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be better off. My mother taught me a long time ago that to be better off the best thing that you can do is stay in school, learn as much as you can, work as hard as you can, realize that you're going to get a couple of bad breaks in the process, but just keep working, getting a better education, learning more skills and using the process to get ahead. Artificially raising wages does nothing but raise hopes without raising... and raises expectations without changing reality except possibly and probably in a negative effect. So, I would ask you, Representative, with all due respect, to reconsider what it is you're trying to do. I think what we all want is to bring jobs to Illinois. When you bring jobs to Illinois and bring competition to the marketplace, you're going to increase wages. Illinois workers are very talented. Illinois workers who are trying to get ahead don't work for the minimum wage. Nobody raises a family on a minimum wage and they don't try. They try to get a better education, learn more skills and move up the ladder and it works, it works. If you're willing to work, you can and will get ahead in America and indeed, even in Illinois, even under this administration, although it's getting harder and harder because of ideas like this. Ideas that artificially mess with the marketplace with the hopes that, oh, you know what, I'm here to help you. I'm here to help you, trust me, I'm from the government. I'm here to help. When, indeed, all we're doing is raising the hopes and expectations, especially of the youth, when we should be telling them what my mother told me so many years ago. Stay in school, work hard, learn a skill, grab ahold

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of the lowest rung of the ladder and start climbing. Mr. Speaker, you recognized my request for a verification? I would ask for unlimited debate."

Speaker Turner: "The Gentleman from Winnebago, Representative Sacia, for what reason do you rise?"

Sacia: "Thank you, Mr. Speaker. Sponsor yield?"

Speaker Turner: "He indicates he will."

Sacia: "Representative Fritchey, if I might ask a question. You, obviously, are aware that there are many agencies opposed to this legislation. Would that be a fair statement? Sir?"

Fritchey: "I apologize, Sir."

Sacia: "I asked the question, you are aware that the Illinois Chamber, IRMA and others are opposed to this legislation?"

Fritchey: "Yes, Sir."

Sacia: "Would you care to share with me why do you feel that is?"

Fritchey: "I think that they realize that it's beneficial for business to pay less than they can. I think they would probably support a removal of the minimum wage. The previous speaker talked about this being an artificial wage construct. Well, from that standpoint, the very concept of minimum wage is an artificial wage construct. However, we've determined it to be good policy in this state and across this country to say that we are going to establish an artificial wage construct based on concepts of decency. What I'm submitting here, though, is that we should have the same wage construct regardless of age. Now, we've talked... the previous speaker spoke about jobs leaving

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Illinois, well, if they want to go to Iowa, they are going to find themselves in a state that pays minors the same wage as adults. If they are going to leave to go to Indiana, they are going to find a state that pays minors the same wages as adults."

Sacia: "And... and..."

Fritchey: "They're going to go to Missouri, to Kentucky, they are going to find the same thing. If anything, maybe what we are doing is encouraging businesses right now to come to Illinois because you can underpay a teen worker for doing the same job."

Sacia: "Whoa. Representative, what is... what is the national minimum wage as opposed to Illinois minimum wage? I believe there's a significant difference, Sir, and in Iowa it would be considerably cheaper, in Indiana it'd be considerably cheaper, Wisconsin would be considerably cheaper, Missouri and on and on and on. So, why would they move to Illinois?"

Fritchey: "Well, I would submit again, every one of those states has a minimum wage above the federal minimum wage. The question is not what our minimum wage is right now relative to that. We were talking about an internal state policy of do we believe in discriminating against two (2) workers doing the same job."

Sacia: "Representative, I truly appreciate what you're trying to do. Again, knowing you as I do, you carry laudable legislation and I'm sure in your mind you feel this is. As a business owner, now I'm... the business I own has fourteen (14) employees and we're fortunate enough that the

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employees we have we do not pay anyone a minimum wage, it's significantly above that. But because I'm a business owner I talk and deal with business owners every day and I have received numerous e-mails and letters and requests telephonically asking that we do all we can to oppose this legislation because once again it's a hit on the business community. I... I wouldn't put you in... in a situation to answer this, but I think it's quite apparent that this administration is not considered business friendly and I wouldn't ask you to answer that, Sir, I really would not. But I do recognize that young people starting out and I recognize that we still have a ninety-day training wage that's going to be acceptable, but I have always believed that there was no such thing as a forty-hour week. I grew up on a dairy farm where never knew what that concept meant, probably had forty (40) hours in by Tuesday noon and I think when young people are learning a job, learning a skill... and again, recognize that I understand that there is a ninety-day training period still allowed, but you have an opportunity here for businesses... I'm a huge fast food fanatic. I go through McDonald's all the time. I can get a senior coffee and two apple pies for \$1.51. That's a bargain, Representative, and I take advantage of it. My point is all of these businesses that do employ minimum wage workers do so to try to improve their business to try to take those young people and I also submit to you that those young people that are starting at fifty cents below the minimum wage, if they prove themselves in thirty (30)

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days or sixty (60) days or ninety (90) days or whatever, they are absolutely going to get a raise."

Fritchey: "But Representative, at the risk of turning the tables here, and you and I do hold each other in high mutual respect, would you submit that any worker that is doing the job and proving themselves should have the opportunity to move themselves up the wage ladder and employment ladder and as the previous speaker said, to work hard and prove your worth, but what we're saying is if you have two (2) people doing the same job, proving themselves, proving their worth and side by side, they should be on the same point on that scale, be it starting at a training wage, be it starting at a minimum wage, there is an inherent inequity in saying you work just as hard as the guy next to you, you're going to make less, but our expectations are just as high."

Sacia: "Representative, I truly respect what you're trying to do. I just, as a business owner and trying to be a representative here of business that are caught in the lower paying jobs, stocking shelves, working at fast food, places like that, these businesses are truly struggling. What I see here, Representative, is a... a situation that isn't broken but yet we're trying to fix it. And I just feel that it's the wrong concept, the wrong message to send."

Fritchey: "And I appreciate that. At the end of the day and we can debate this thing for 10 minutes or 2 hours, the vote's going to be the same."

Sacia: "You're right."

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Fritchey: "It's a policy issue. We can get up here and we can all grandstand for and against the Bill and I don't mean that demeaning toward you."

Sacia: "I understand."

Fritchey: "You know me better than that, Jim."

Sacia: "I understand."

Fritchey: "But I'm just... people feel passionately about this one way or the other."

Sacia: "Right."

Fritchey: "We're going to have a difference of opinions, both sides are going to believe that they're right. I've tried to make my case why I believe that this is a fair and equitable policy. I do not believe any more than having to increase minimum wage and watching our economy soar over the last decade..."

Speaker Turner: "Bring your remarks to a close, Representative Sacia."

Sacia: "I will. Thank you, Representative, and I will be very brief. All I can say, Representative, is we have a situation here that is not broken. Being an advocate for business, recognizing how businesses that must start individuals at a smaller wage must take advantage of every possible break they can. This is one of their few opportunities and I really believe that we're going too far on this issue and we really ought to leave it where it is. Thank you for your indulgence."

Speaker Turner: "There are seven (7) people requesting to speak and I believe they're all opponents. And so, I would just ask the Body to think about that of the seven (7) people

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that are left, although it is on Extended Debate. There are seven (7) people left to speak, all opponents. The next speaker will be Representative Reis, the Gentleman from Jasper."

Reis: "Thank you, Mr. Speaker. An inquiry of the Chair. How did you know I was an opponent?"

Speaker Turner: "And we'll find out in a minute. It's kind of like picking the lottery. I don't do a good job at it either, but go ahead. Prove me wrong."

Reis: "Thank you... thank you, Mr. Speaker. Will the Sponsor yield? Representative, how long has this been... Representative, how long has it been in effect that we can... employers can pay fifty cents less an hour?"

Fritchey: "That's a fine question, Representative. I don't know the answer."

Reis: "You got someone looking at that or..."

Fritchey: "Nope."

Reis: "Nope, okay. Well, my question is... is, you've passed an increase in minimum wage a couple times in the last five (5) to six (6) years. There's been legislation coming back tweaking it, fixing some unintended consequences for home care workers and things like that, yet not once was this issue ever repealed where you brought this up to where everyone made the same wage. Why wasn't it important then and it's important now?"

Fritchey: "Well, Representative, I submit that it's always the right time to do what is right. I believe this is what is right."

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Reis: "Well, I'll go back to when we were in Veto Session in the Old State Capitol, when you were negotiating the last round or the Speaker was, part of the business deal and part of the business groups... part of the reason why the business groups didn't oppose it anymore than they did was that this... part of the language was left in there. This kind of appeased the business groups. And this is why we're so uncomfortable when we start down this road is because what may be good for a negotiation tool at one time, suddenly a year and a half later is not good so you go in and erase it and say it's a reasonable change. I would submit that it's not a reasonable change. It was left in there for a reason and now, all of a sudden, we're coming to take it out. To the Bill. Small business has talked to us all the time about the continual increase in minimum wage. Nursing homes talk to us, no increase in reimbursement rate has happened, yet they have to pay their employees more and more. You know, and restaurant owners come to us and you know, we ask them how business goes when we're out and about. And they say they hire kids that can't even make change, they can't tell the difference between a quarter pound hamburger and a third pound hamburger. These are solid stories; they're not making this up. And they always tell us that, you know, please don't remove this restri... this exemption where we can... we can pay those kids a little bit less money to help make up for the cost for some mistakes that they make. And believe you me, as a business owner if that kid is doing a good job, they're going to move them up the ladder. They're

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going to want to keep them and keep somebody else from stealing them away from their business. So, they're going to move up this ladder as they go along, but they want that tool there, they take an extra little bit of time of training, they make some mistakes that they can recover those... those costs in lower wages. And I will submit that, you know, that's letting the marketplace work and it also provides some incentive for these children to work hard, to try to get up to that next wage level. You know, they start them out there, they come in and do a good job, there's no law that says they have to remain there for a certain period of time. It just gives them the opportunity to pay them a little bit less for a short period of time and it provides them the incentive that they're going to use and the education for the rest of their life that nothing's going to be given to them. I will submit that a lot of people that vote for this have never had a business of their own that they've managed. Listen to the business owners that talk to you. This is real. This is an important exemption for them. Let's not take it away. I urge a 'no' vote."

Speaker Turner: "The Lady from Cook, Representative Flowers, for what reason do you rise?"

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

Speaker Turner: "State your..."

Flowers: "I would like for everyone to recognize Ms. Merri Dee of WGN-TV; she's in the gallery. Would everyone please give her a hand, Ms. Merri Dee."

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Speaker Turner: "Merri. Is that the lottery lady?"

Flowers: "Absolu... the legendary, Merri Dee. Thank you."

Speaker Turner: "The Gentleman from DuPage, Representative Reboletti, for what reason do you rise?"

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

Speaker Turner: "Indicates he will."

Reboletti: "Representative, I don't think it's your intention to put people out of work, but I've had a hardware store in Wood Dale call me to tell me that there would really be no incentive to hire somebody who's sixteen (16) years old to come work in their hardware store because at that point in time they could hire somebody who was twenty-two (22) years old that was looking for work and pay the extra. They're going to be paying \$7.50 an hour. Do you agree that that may occur in some situations and really put the younger workforce at jeopardy of making it more difficult for them to find employment?"

Fritchey: "My expectations are that an employer is going to value a good employee regardless of age. If you're going to have a bad employee whether that employee is sixteen (16) or twenty-six (26), they are going to cost you far more than the fifty cents an hour that you're going to save as a minor. I understand what you're saying and it really does get to the crux of this debate, but again, I believe that we have a training wage that applies to all ages for that very period. Let's see if this worker can do the job. If they can do the job and we can incentivize them with making, you know, going off of that training wage after ninety (90) days, they're going to do that. You know, most

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businesses will tell you and I'm sure they told you most of our employees don't stay at minimum wage. We start them there and then as they prove themselves they move up the ladder. So, what I'm saying is during that proving period, regardless of age, they... the employees want their best... the employers want the best employees that they can get and having an artificially deflated wage for minors doesn't make sense, especially in light of a training wage. If I could just ask you to step back and look at this differently, take the constative minors out, substitute it with a lower wage for women, a lower wage for minorities, a lower wage for seniors. Having that differential would be abhorrent to our philosophy, regardless if it saved the employer money..."

Reboletti: "Well..."

Fritchey: "...at the end of the day. The employ..."

Reboletti: "Well, with all due respect, Representative..."

Fritchey: "...the employer wants the best employee regardless of race, gender, age, creed, whatever it may be. So, all we're saying is, again, two (2) similar workers, similarly situated, doing a similar job deserve a similar salary."

Reboletti: "Well, I wish then the City of Chicago would have taken that same tack instead of chasing out the big box employers because they didn't want to pay people the 7.50 an hour or \$7.00 an hour, they wanted to pay people \$10.00 an hour which chased employment out of the City of Chicago and the Wal-Mart located just outside the city boundary and people went to work there anyway. But to the Bill, Mr. Speaker. One of my... the larger employers in my district

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and one of the anchors of my community of Elmhurst is the York Movie Theater which employs many... many young individuals who are beginning their employment careers and working their way up to other jobs and into college and they would be forced to lay off many of these individuals and it will be a disservice to that business that may have to shut down or close or scale back their... their operations and to put young people out of work. I know that Representative Fritchey is not trying to do that. I think this may be one of the latent functions of the Bill and I would urge a 'no' vote."

Speaker Turner: "The Gentleman from Macon, Representative Bill Mitchell, for what reason do you rise?"

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

Speaker Turner: "...cates he will."

Mitchell, B.: "And Representative Fritchey, I supported the minimum wage increase, was it last year or the year before, but this I have a question in terms of for the... do you have... for the statistics in Illinois, the people... how... what is the percentage of people who make the minimum wage that are under eighteen (18) that this Bill would affect?"

Fritchey: "Well, this Bill would affect the people that are under eighteen (18) that don't make minimum wage, so the percentage of them..."

Mitchell, B.: "Well... well, that would make minimum wage under... under your proposal? How... what's the percentage of folks?"

Fritchey: "I couldn't tell you the percentage. I would submit that, you know, and again... Bill, listen. I've been down

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here too long to demagogue. It's a policy issue. I can tell you here, I would submit, that if it's 1 percent, it's 1 percent too many. I'm standing here... you're not seeing me ranting and raving. I'm standing here telling you that in my head, in my heart, I believe that the right policy is that we should have equal pay for equal work. So, whether the percentage is 10 percent or 90 percent, I think the fact is that 100 percent of teen workers that are doing the similar job deserve to make a similar minimum wage."

Mitchell, B.: "And I certainly respect your point of view and I've supported minimum wage increase since I've been in the General Assembly, however, with the stipulation that for young people they could make what we call a subminimum wage. Now, I don't make a payroll every month. I've heard from people in my district, and my district's a little bit different than your district is, that for instance the Decatur Park District, they... I was talking to them and they voluntarily a couple months ago they said, you know this is going to kill us. We're going to hire less people, less young people. So, this won't... who you're trying to help, I think you're very noble, it's going to hurt them in the long run. We're going to have less people. The unemployment rate, and I've seen some statistics, for young people are higher than the statewide average. Is that correct?"

Fritchey: "Restate that last part, please."

Mitchell, B.: "The perce... the unemployment rate for younger people are higher than the statewide average. Am I correct?"

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Fritchey: "It's my understanding that the Department of Labor does not have unemployment statistics for people under eighteen (18) that are actively seeking to be in the workforce. So, you really can't compare those two (2) dynamics."

Mitchell, B.: "Yeah. I heard it was, so I don't know."

Fritchey: "Listen, Representative, and I mean this sincerely."

Mitchell, B.: "You know, I..."

Fritchey: "On this Bill and a lot of other Bills it's very easy for people... and I don't mean yourself I mean people that have an interest in this... it's very easy for a lot of people to throw them out a lot of concepts and theoretical..."

Mitchell, B.: "Oh... oh..."

Fritchey: "...theoretical numbers. I... I have not..."

Mitchell, B.: "No, and I don't want to."

Fritchey: "...I have not seen those numbers and I don't believe they exist."

Mitchell, B.: "You know, that's the point. I'm not talking about a theoretical concept. I want to talk about the pragmatic effect of your legislation."

Fritchey: "Correct. But... but what I'm saying is I don't believe..."

Mitchell, B.: "How many young people..."

Fritchey: "...pragmatically, I don't believe the num..."

Mitchell, B.: "...are going to have work? And... now, I... from employers in my area, and it is a different area than yours, so I have a small grocery store in Mackinaw, Illinois. Now, they're not the Wal-Mart. The employer is

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having a hard time making it. He's got some tough competition. And he calls my office and he says, 'Representative', he says, 'if this Bill passes, I might be out of business.' Because that... his margin, his profit margins are so small..."

Fritchey: "Is that all he does is hire minor workers?"

Mitchell, B.: "I beg your pardon?"

Fritchey: "His profit margins are so small that all he does is rely on hiring underage workers?"

Mitchell, B.: "His profit margins are small, okay, period. I mean, I don't know. I'll be delighted to give you the gentleman's name and you can talk about it. We're not going to... we don't pay these peoples' salaries, he does. He's a job creator. We, here in the General Assembly, aren't very good at it. But what I'm saying was from what the people who call me is they say their margins are pretty small as a small town grocery store. This is going to... I've had grocery stores in my district Polkdale, Illinois, go out of business. This guy calls me up and says, 'This will put me out of business.' I've supported a minimum wage increase for people over eighteen (18), a floor for folks to make a fair and decent wage. Your Bill, I contend, will hurt young people because less people will be able to go to work. I mean, I don't say that, the people who call my office do. The park district says, 'We're going to hire less people if this Bill becomes law.' I didn't say it, employers say it."

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Fritchey: "Well, Representative, I can respond to that. And you may not have been up to my district, but in that way it's not that dissimilar from yours. I have small mom..."

Speaker Turner: "Bring your remarks to a close."

Mitchell, B.: "All right. I appreciate, John, what you're doing. I just differ... I disagree with you. Young people are going to be hurt by this Bill not helped by it and I think it does a disservice to the young people of the State of Illinois."

Speaker Turner: "The Gentleman from Cook, Representative Lang, for what reason do you rise?"

Lang: "Thank you very much, Mr. Speaker. I rise in support of the Bill. I understand the comments of those who say that the business climate in Illinois is not a good climate and that we, as a State Government, have not paid attention to the importance of improving the lives of business people in Illinois so they can add to our economy so they can hire more people and I have said so on the floor of this House many times. But in the creation of public policy in this state, we must try to be fair. We must try to create laws that reflect what is right and Representative Fritchey's Bill is not about what's good for business. We understand why business people have called your offices and said we're opposed to the Bill, what a shock. You raise the specter of local businessmen calling your office and saying they're opposed to the Bill. Well, gee, of course they're opposed to the Bill. What's the big surprise, Ladies and Gentlemen? But we stand here as a Body that is respose... supposed to be responsible for fairness. This Bill is

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about fairness. It says that people that do the same work ought to be paid the same salary. We fought for many years the notion that men should be paid more than women. We passed a law that requires women to be paid what men are paid. And we have fought for years the notion that white people ought to be paid more than black people for doing the same job or Latino people for doing the same job. And we all know that is unfair. And we've also fought for years the notion that somehow disabled people ought to be paid less than people who are not disabled because well, we can get them cheaper so let's pay less. This is about fairness. This isn't about what your local businessman thinks. This is about our responsibilities to human beings, to citizens. Would anyone here say publicly that the sixteen-year-old kid that lives in their district is a less important citizen than the thirty-year-old adult that lives in your district? These are citizens, too. They're entitled to rights; they're entitled to do the work that they're hired to do and if they're hired to do the same work that the thirty-year-old standing next to them is doing, how is it fair to pay them less? It wouldn't be fair to pay them less if they were a different race; it wouldn't be fair to pay them less if they were a different religion; it wouldn't be fair to pay them less if they were gay as opposed to straight; it wouldn't be fair to pay them less if they were left-handed as opposed to right-handed and it wouldn't be fair to pay them less for any reason you choose if they're doing the same work as their coworker standing beside him or her. Now, those of you who still

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have an open mind on this question must understand that this is a basic truth. Those of you who are still thinking and not just doing whatever the people at the rail are asking you to do must understand that you wouldn't want to be paid less than the person working next to you. You wouldn't want your child, when they have their summer job, being paid less than the person working next to them. You would say that's outrageous. You're doing the same work as that person standing next to you who may be twenty (20) years older than you, why should you be paid less. In fact, you might even call that employer and say, why are you mistreating my child? Is my child not a first class citizen of our state, of our county, of our city? That's all this Bill is about. Now, you can vote 'no' and say, yeah, we protected business. We're all for making... finding responsible ways to help business survive and business grow, but this is not the way to do it. Fundamental unfairness is not the way to help grow business in the State of Illinois. So, we have a responsibility to have the same fair public policy whether the person is fourteen (14) or whether the person is forty (40) and if you believe that, you should be voting for this legislation."

Speaker Turner: "The Gentleman from Vermilion, Representative Black, for what reason do you rise?"

Black: "Thank you very much, Mr. Speaker and Ladies and Gentlemen of the House. In all due respect to the previous speaker, I've been here twenty-two (22) years, I don't make the same money that Tom Cross does. I don't make the same money Speaker Madigan does. I mean, let's get serious

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here. Let's get serious. I'm in House Republican Leadership, I make more than a freshman Legislator and yet, I think we all do basically the same work, don't we? Now, you know, for heaven sakes, this isn't about gender-based pay; this isn't about racially-based pay; this isn't about what you pay a disabled person vis-á-vis somebody who isn't disabled. That's a red herring and we all know it. Now, let's look at what it's about. And the previous speaker wanted to be fair to everybody, but we can't be fair to business. Well, I... I must have missed something. I thought it was business that paid the salary. Let's... I just want to use my own family as an example. My daughter, who's a delightful young woman now, went to work, her first job, at the age of fifteen (15) in an ice cream shop. She came home the first night in tears, says, I don't want to go back to work, Dad. I don't know how to make a chocolate sundae. I can't keep it straight between a Tin Roof and a soda and it was really hard to use the cash register. I said, Debbie, they'll teach you how to do this and they did. And by the end of the summer, she loved that job as no other she's ever had. Was she worth fifty cents as somebody who had worked there two (2) years? Was she worth fifty cents less? Yes, she was. They had to put on a training program for her. It was good training; she learned how to do it. The next summer she was paid the same as everyone else. The training wage, the learning wage, has been part of Illinois for decades. This isn't anything revolutionary. I made a training wage. When I came down here as a freshman I didn't make anywhere near

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the money I make now. And I look back on it and I'm not sure that I was worth what they paid me then. I've learned a little bit. This doesn't apply to anybody who's eighteen (18) years old or older. These are people starting out in their very first job. When my son took his first job, it was with JC Penney. He came home, and he's a brilliant young man, and he said, this computer cash register is extremely difficult to figure out and I made a mistake and I didn't know how to correct the mistake on the computerized cash register. I said, Doug, that is why JC Penney will train you and they did and he worked there for two (2) years off and on as a teenager under the age of eighteen (18). Once he turned eighteen (18), he made the same wage as anybody else in the store, but he learned how to do the job. A learner's wage has been part of Illinois law for as long as I can remember. It makes eminent sense. I don't know how anybody in good faith, in good conscience, can say that a fifteen-year-old whose first day on the job is worth the same amount of money as an administrative assistant with twenty (20) years experience. It just doesn't make any sense. It makes no sense whatsoever. I daresay most of us have been there. When we started out we generally received a little less than the minimum wage until we could learn to do the job and the employer would find out that we would show up on time and very quickly you're moved to the same wage, once you have shown the employer you have the skills and the discipline to do the work. This doesn't include anybody eighteen (18), nineteen (19), twenty (20) or older. It's fifteen- , sixteen- and

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seventeen-year-old young men and women looking for that first job to get a little experience so they can move on up the employment ladder. If you deny the learner's wage, you're just going..."

Speaker Turner: "Bring your remarks to a close, Representative."

Black: "So... Yes, I will, Mr. Speaker, thank you. To deny a learner's wage is simply to deny that fourteen-, fifteen-, sixteen-, seventeen-year-old the opportunity to get that first job, that opportunity to be oriented to the cash register, to how that company does business and once they learn that they'll get the same wage as they do currently in almost every business in the State of Illinois whether it's McDonald's whether it's retail whether it's working as I did for my father. I have not had any outpouring, any calls, e-mails telling me that the learner's wage is an inherent unfairness. I haven't had anybody call me and tell me that, haven't had anybody call me and tell me that. On the contrary, I have heard from small business men and women in small towns and if you haven't learned about this recession yet, I guess you never will. We're just trying to keep what business we have in rural Illinois and I'm not about to take this step today. A learner's wage has been around for years; it makes eminent good sense; it's not discriminatory and it doesn't equate to some of the things that I've heard said today about gender, race, disability or anything else. A learner's wage is exactly what it is. It has served us well for years. It can serve us well in the future. Vote 'no'."

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Speaker Hannig: "Representative Hannig is in the Chair. And just to advise everyone, I've been told that there's been a request for a verification from Representative Stephens which will be acknowledged at the appropriate time and I've also been advised we're on unlimited debate, but we are running the clock. So, we'll continue with those practices. Representative McCarthy."

McCarthy: "Thank you, Mr. Speaker. I move the previous question."

Speaker Hannig: "The Gentleman moves the previous question. The question is, 'Shall the main question be put?' All in favor say 'aye'; opposed 'nay'. The 'ayes' have it. The main question is put. And Representative Fritchey, you're recognized... Excuse me. Representative Stephens, for what reason do you rise?"

Stephens: "An inquiry of the Chair."

Speaker Hannig: "Yes. State your inquiry."

Stephens: "How many folks were left to speak? There were just..."

Speaker Hannig: "There were a few, Representative."

Stephens: "There were just a few, right?"

Speaker Hannig: "Right. The Gentleman made a Motion."

Stephens: "I understand, but just a common courtesy on Extended Debate, which we don't often go to, it just seems to me that it's more appropriate that we let the few people who wanted to speak, speak on this important issue and move on."

Speaker Hannig: "Did you wish to withdraw your Motion, Representative? Representative, did you wish to withdraw

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your Motion? Okay. So, why don't we just do it this way, he doesn't wish to withdraw his Motion; we'll just have a Roll Call. So, all in favor of moving the previous question vote 'aye'; opposed 'nay'. The voting is open. Have all voted who wish? Have all voted who wish? Mr. Clerk... Have all voted who wish? Mr. Clerk, take the record. There are 69 voting 'yes' and 41 voting 'no'. The Motion prevails, the previous question is put and Representative Fritchey, you're recognized for 5 minutes to close."

Fritchey: "Thank... thank you, Speaker. And you know, with respect to Representative Stephens, you know, I'm never one to shy away from debate. I think the reality is everyone knows how they're going to vote on this. I will clarify that, with respect to Mr. Black's comments, I agree wholeheartedly. There is a very, very legitimate reason for having a training wage in Illinois and that is precisely why I did not and will not seek to eliminate the training wage. I appreciate that the tone of this debate was civil, probably more civil than I anticipated. Ladies and Gentlemen, we can have a very differing philosophy on this. At the end of the day, business said that economy is going to come to a standstill when we raised the minimum wage, it didn't happen. Businesses always try to find issues that are most favorable to them, I don't blame them for doing that; labor's done the same thing, I don't blame them for doing that. This is truly about our policy of paying individuals the same wage for the same job. I

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respect the differing viewpoints. I request an 'aye' vote.
Thank you."

Speaker Hannig: "So, 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 Nekritz, Will
Davis, do you wish to be recorded? Mr. Clerk, take the
record. On this question, there are 62 voting 'yes' and 51
voting 'no'. And Representative Stephens requests a
verification. So, let's ask the... let's ask the staff to
retire to the rear of the chamber. Members, will you
please be in your seats and Mr. Clerk, read the list of
those voting in the affirmative."

Clerk Mahoney: "The following Members voted in the affirmative:
Acevedo; Arroyo; Beiser; Berrios; Boland; Bradley, J.;
Brosnahan; Burke; Collins; Colvin; Coulson; Currie;
D'Amico; Davis, M.; Davis, W.; Dunkin; Feigenholtz; Flider;
Flowers; Ford; Fritchey; Froehlich; Golar; Gordon; Graham;
Hamos; Hannig; Harris; Hernandez; Hoffman; Holbrook;
Howard; Jakobsson; Jefferies; Jefferson; Joyce; Lang;
Lindner; Joe Lyons; McAuliffe; McCarthy; McGuire; Mendoza;
Miller; Moffitt; Molaro; Mulligan; Osterman; Phelps; Poe;
Reitz; Riley; Rita; Saviano; Scully; Smith; Soto; Turner;
Verschoore; Yarbrough; Younge, and Mr. Speaker."

Speaker Hannig: "Representative Stephens, do you have any
questions of those voting in the affirmative?"

Stephens: "First of all, for the record, Representative Hoffman
was released earlier."

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Speaker Hannig: "Has leave? Okay. Representative Hoffman has leave to be verified."

Stephens: "Just give me one moment. Representative Collins."

Speaker Hannig: "The Lady is in the center aisle."

Stephens: "Looking on the Republican side, Representative Froehlich. Oh, excuse me... excuse me, Speaker, I... you know I'm sixty (60) now, let's... Representative Froehlich is in his chair, I see."

Speaker Hannig: "That's correct. Representative Froehlich is in his chair."

Stephens: "Temporary as it may be. Let's see. Representative Molaro."

Speaker Hannig: "The Gentleman is in his seat."

Stephens: "Oh. Mr. Speaker, as usual, when you're in the Chair, people pay attention."

Speaker Hannig: "So, on this question, there are 62 voting 'yes' and 51 voting 'no'. And this Bill, having received a Constitutional Majority, is hereby declared passed. Representative Hamos, you have House Bill... Okay. Representative Hamos, you have House Bill 5701. Do you wish us to read that Bill on Second Reading? Read the Bill, Mr. Clerk."

Clerk Mahoney: "House Bill 5701, a Bill for an Act concerning appropriations. Second Reading of this House Bill. No Committee Amendments. Floor Amendments 1 and 2 have both been approved for consideration."

Speaker Hannig: "Representative Hamos, you're recognized on the Amendments. Amendments #1 and 2 have been approved. So, which... what is your desire on Amendment #1? One and 2 have

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been approved and the question is what would you like to do with 1? I'm sorry. Did you wish to take it out of the record? We will just take it out of the record. Mr. Clerk, out of the record. Representative Harris, you have House Bill 5191. Read the Bill, Mr. Clerk."

Clerk Mahoney: "House Bill 5191, a Bill for an Act concerning firearms. Second Reading of this House Bill. Amendment #1 was adopted in committee. No Floor Amendments. No Motions filed."

Speaker Hannig: "Third Reading. Representative Hernandez, you have House Bill 5231. Shall we read this Bill? Read the Bill, Mr. Clerk."

Clerk Mahoney: "House Bill 5231's been read a second time, previously, a Bill for an Act concerning public aid. Amendment #1 was adopted in committee. No Floor Amendments. All notes have been filed."

Speaker Hannig: "Third Reading. Representative Hoffman on House Bill 4550. Out of the record. Representative Howard on House Bill 5516. Do you wish us to read it? Read the Bill, Mr. Clerk."

Clerk Mahoney: "House Bill 5516, a Bill for an Act concerning criminal law. Second Reading of this House Bill. Amendment #1 was adopted in committee. Floor Amendment #2, offered by Representative Howard, has been approved for consideration."

Speaker Hannig: "Representative Howard, you're recognized on Floor Amendment #2."

Howard: "House Bill 5516 is a Bill that expands the use of certificates of good conduct. And this particular

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Amendment just talks about some exemptions from that... from the Amendment that we are attempting to get approved."

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 Tracy, were you seeking recognition?"

Tracy: "Yes, Mr. Speaker. Thank you very much. On House Bill 5195, that was voted on previously today, I inadvertently hit the wrong button and I wish to be recorded as a 'no' vote."

Speaker Hannig: "The record will reflect your intentions."

Tracy: "Thank you very much."

Speaker Hannig: "House... House Bill 4147, Representative Jakobsson. Read the Bill, Mr. Clerk."

Clerk Mahoney: "House Bill 4147, a Bill for an Act concerning local government. Second Reading of this House Bill. Amendment #1 was adopted in committee. No Floor Amendments. No Motions filed."

Speaker Hannig: "Third Reading. Representative Joyce on House Bill 4651, from Second to Third. Out of the record. How about House Bill 5319? Read the Bill, Mr. Clerk."

Clerk Mahoney: "House Bill 5319, a Bill for an Act concerning safety. Second Reading of this House Bill. Amendment #1 was adopted in committee. Floor Amendment #2 was filed today."

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Speaker Hannig: "So, it sounds like there's an Amendment that's pending. Did you wish to keep the Bill on Second or do you want to move it to Third? I'm sorry."

Joyce: "I'd like to adopt the Amendment."

Speaker Hannig: "Okay. I'm advised the Amendment... Is it still in Rules, Mr. Clerk? So, why don't we wait until it comes out. So, let's take this out of the record for the moment. Representative Graham, you have House Bill 796. Read the Bill, Mr. Clerk."

Clerk Mahoney: "House Bill 796, a Bill for an Act concerning regulation, has been read a second time, previously. No Committee Amendments. Floor Amendment #1, offered by Representative Graham, has been approved for consideration."

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

Graham: "Thank you, Mr. Speaker. This Amendment is just adding the Speaker's rulemaking Amendment."

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. Mr. Clerk, read House Bill 5701."

Clerk Mahoney: "House Bill 5701, a Bill for an Act concerning appropriations. Second Reading of this House Bill. No Committee Amendments. Floor Amendment 1 and 2, offered by

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Representative Hamos, have been approved for consideration."

Speaker Hannig: "So, on the first Amendment, Representative Hamos."

Hamos: "Thank you. Please withdraw Amendment #1."

Speaker Hannig: "So, the first Amendment is withdrawn. And now, on Amendment #2, Representative Hamos."

Hamos: "Amendment #2 is a purely technical Amendment to clarify that the moneys we're talking about for rental housing support are in addition to other amounts and to make sure that this... recognize that this would be a supplemental in the FY08 budget."

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

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

Speaker Hannig: "Third Reading. Representative Mathias, you have House Bill 4266. Do you wish us to read this Bill? Okay. We'll read it and hold it. Mr. Clerk, read the Bill."

Clerk Mahoney: "House Bill 4266, a Bill for an Act concerning education. Second Reading of this House Bill. Amendment #1 was adopted in committee. Floor Amendment #2 was filed today. No Motions filed."

Speaker Hannig: "Okay. So, we'll hold that on Second. How about House Bill 4755, Representative Mathias? Out of the record. Representative Meyer, you have House Bill 4629. Out of the record. Representative Miller, you have House

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Bill 5213. Out of the record. Representative Molaro, you have House Bill 4857. Read the Bill."

Clerk Mahoney: "House Bill 4857, a Bill for an Act concerning animal laws. Second Reading of this House Bill. Amendment #1 was adopted in committee. No Floor Amendments. No Motions filed."

Speaker Hannig: "Third Reading. Representative Patterson, are you seeking recognition?"

Patterson: "Yes, Mr. Speaker. I would like the record to reflect that for House Bill 5141 my intention was to vote 'yes'. It was recorded as a 'no' vote. I would like to..."

Speaker Hannig: "The record will reflect your intentions."

Patterson: "Thank you."

Speaker Hannig: "Representative Osmond on House Bill 5932. Read the Bill, Mr. Clerk."

Clerk Mahoney: "House Bill 5932, a Bill for an Act concerning local government. Second Reading of this House Bill. Amendment #1 was adopted in committee. Floor Amendments 2, 3 and 4, offered by Representative Osmond, have all been approved for consideration."

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

Osmond: "Just one moment, please. Mr. Speaker, could we withdraw 2 and adopt #4?"

Speaker Hannig: "Okay. So, 2... 2 is withdrawn."

Osmond: "I'm sorry. And 3. Two and 3 withdraw and could we have #4?"

Speaker Hannig: "Okay. So, Mr. Clerk, withdraw Amendments 2 and withdraw Amendments #3. And now, Representative Osmond is recognized on Amendment #4. Representative Osmond."

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Osmond: "Thank you, Mr. Speaker. Amendment #4 actually becomes the Bill and moves provisions of the Bill to the Illinois Power Agency Act instead of renewable energy and energy efficiency in coal resources. So, it puts it all into the Illinois Power Agency Act."

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 Pihos, you have House Bill 5189. Okay. So, we'll take that out of the record. I think there's a Floor Amendment pending. Representative Saviano on House Bill 4762. Out of the record. Representative Krause, you have House Bill 5276. Do you wish us to read that Bill on Second? Representative... What..."

Clerk Mahoney: "House Bill 5276, a Bill for an Act making appropriations. Second Reading of this House Bill. No Committee Amendments. No Floor Amendments. However, a fiscal note has been requested..."

Speaker Hannig: "Okay."

Clerk Mahoney: "...and not yet received?"

Speaker Hannig: "So, we'll hold this at the request of the Sponsor. Representative Coulson on House Bill 5595. Do you wish us to read this on Second? Mr. Clerk, what's the status of the Floor Amendments on this Bill?"

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

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Speaker Hannig: "So, did you wish us to proceed? Okay. So, Mr. Clerk, read the Bill."

Clerk Mahoney: "House Bill 5595, a Bill for an Act concerning regulation, has been read a second time, previously. Amendment #1 was adopted in committee. Floor Amendment #2, offered by Representative Coulson, has been approved for consideration."

Speaker Hannig: "Representative Coulson."

Coulson: "Thank you, Mr. Speaker. I move to accept Floor Amendment #2. Amendment #2 becomes the Bill. It limits habilitative services to OT, PT, speech therapy and additional services as prescribed by a treating physician as part of a treatment plan to enhance the child's ability to function with a disorder. There are other requirements in the Bill and we have been able to draft this with agreement of most of the parties. And I urge an 'aye' vote or accept it."

Speaker Hannig: "On the Amendment, is there any discussion? The Gentleman from Bureau, Representative Mautino."

Mautino: "I just simply rise in support of the Amendment and I wanted to commend Beth and the groups that worked together to come up with some of the definitions needed under habilitative care. They did a great job and I just wanted to say congratulations. I do support your Amendment."

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."

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Speaker Hannig: "Third Reading. Mr. Clerk, read House Bill 4683."

Clerk Mahoney: "House Bill 4683, a Bill for an Act concerning fire safety. Second Reading of this House Bill. No Committee Amendments. Floor Amendments 1 and 2, offered by Representative Nekritz, have been approved for consideration."

Speaker Hannig: "Representative Nekritz on Amendment #1."

Nekritz: "Thank you, Speaker. I'd like to withdraw Amendment #1."

Speaker Hannig: "So, Amendment #1 is withdrawn. And Mr. Clerk, are there other Amendments?"

Clerk Mahoney: "Floor Amendment #2 has been approved for consideration."

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

Nekritz: "Thank you, Speaker. Amendment #2, this is a... the underlying Bill establishes and makes it illegal to install a fake fire sys... sprinkler system and/or fire detection system. And this Amendment exempts out single family or exempts out homes... residences."

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

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

Speaker Hannig: "Third Reading. Representative Brauer, you have House Bill 5849. Read the Bill, Mr. Clerk."

Clerk Mahoney: "House Bill 5849, a Bill for an Act concerning local government. Second Reading of this House Bill."

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

Speaker Hannig: "Third Reading. Representative Holbrook, you have House Bill 4461. Read the Bill, Mr. Clerk."

Clerk Mahoney: "House Bill 4461, a Bill for an Act concerning regulation. Second Reading of this House Bill. Amendment #1 was adopted in committee. No Floor Amendments. No Motions filed."

Speaker Hannig: "Third Reading. Representative Lindner, you have House Bill 5338. Do you wish us to read that? Read the Bill, Mr. Clerk."

Clerk Mahoney: "House Bill 5338, 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 Lindner, has been approved for consideration."

Speaker Hannig: "Representative Lindner."

Lindner: "Thank you, Mr. Speaker. Floor Amendment #2 merely changes the word 'policy' to 'plan' in the Bill."

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

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

Speaker Hannig: "Third Reading. Representative Fortner, you have House Bill 5186. Okay. Out of the record. Representative Bradley, John Bradley on House Bill 5469. Read... read the Bill, Mr. Clerk."

Clerk Mahoney: "House Bill 5469, a Bill for an Act concerning criminal law. Second Reading of this House Bill.

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Amendment #1 was adopted in committee. Floor Amendment #2 was filed earlier today."

Speaker Hannig: "Okay. So, let's hold that on Second, Mr. Clerk. Representative Bost, you have House Bill 4854. Read the Bill, Mr. Clerk."

Clerk Mahoney: "House Bill 4854, a Bill for an Act concerning local government. Second Reading of this House Bill. No Committee Amendments. Floor Amendment #1 was filed earlier today. No Motions filed."

Speaker Hannig: "Okay. Same question, Representative Bost. Do you wish to wait for your Amendment or do you wish to move the Bill?"

Bost: "Yeah. There should be Floor Amendment #2."

Speaker Hannig: "Wait. Okay. So, let's just take the Bill out of the record. It's been read a second time and we'll get to it when the Amendment comes out. Representative Feigenholtz, you have House Bill 4623. Do you wish us to read this Bill? Representative Feigenholtz. Should we read the Bill? Read the Bill, Mr. Clerk."

Clerk Mahoney: "House Bill 4623, a Bill for an Act concerning civil law. 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 Meyer on House Bill 5669. Do you wish us to read this Bill? Representative Meyer. Out of the record. Representative Hernandez on House Bill 5229. Representative Hernandez. Representative Hernandez. Okay. Out of the record."

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Representative Ramey, you have House Bill 5506. Read the Bill, Mr. Clerk."

Clerk Mahoney: "House Bill 5506, a Bill for an Act concerning firearms, has been read a second time, previously. No Committee Amendments. No Floor Amendments. No Motions filed."

Speaker Hannig: "Third Reading. Representative Graham on House Bill 796. Out of the record. Representative Golar on House Bill 4913. Representative Golar. Do you wish us to read this Bill? Do you wish us to read this on Second? Read the Bill, Mr. Clerk."

Clerk Mahoney: "House Bill 4913, a Bill for an Act concerning education, has been read a second time, previously. Amendment #1 was adopted in committee. Floor Amendment #2 was adopted by the House. Floor Amendment #3, offered by Representative Golar, has been approved for consideration."

Speaker Hannig: "So, Representative Golar on Amendment #3."

Golar: "Yes, Mr. Speaker and Ladies and Gentlemen of the House. The third Amendment just removes the rulemaking authority. I'm sorry, wait a minute. Mr. Speaker, I'm not ready yet."

Speaker Hannig: "Okay. Out of the record. Representative Reboletti, you've got four (4) Bills. House Bill 4868, you wish us to read that one? No. That one's out of the record. How about House Bill 2862? Out of the record. House Bill 2861? Do you wish us to read this one? Read this Bill, Mr. Clerk."

Clerk Mahoney: "House Bill 2861, a Bill for an Act concerning criminal law. Second Reading of this House Bill. No

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Committee Amendments. Floor Amendment #1 has been referred to committee. No Motions filed."

Speaker Hannig: "Okay. Are you waiting for the Amendment or did you wish to move it to Third? Okay. So, that'll be out of the record. And House Bill 2916? Out of the record. Representative Reis, you have House Bill 4665. You wish us to read this Bill? Out of the record. Representative Rose on House Bill 5912. Representative Rose. Out of the record. Representative Saviano on House Bill 4128. Out of the record. Representative Jefferson on House Bill 5611. Read the Bill, Mr. Clerk."

Clerk Mahoney: "House Bill 5611, a Bill for an Act concerning education, has been read a second time, previously. Amendment #1 was adopted in committee. No Floor Amendments. No Motions filed."

Speaker Hannig: "Third Reading. Mr. Clerk, read House Bill 2862."

Clerk Mahoney: "House Bill 2862, a Bill for an Act concerning criminal law. Second Reading of this House Bill. No Committee Amendments. Floor Amendment #1, offered by Representative Reboletti, has been approved for consideration."

Speaker Hannig: "Representative Reboletti on the Amendment."

Reboletti: "Thank you, Mr. Speaker. I would move for the adoption of the Amendment."

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."

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Speaker Hannig: "Third Reading. Representative Howard, you have House Bill 5516. Excuse me. I guess we've... Okay. Representative Golar. Let's see, House Bill 4913. Mr. Clerk, read the Bill."

Clerk Mahoney: "House Bill 4913, a Bill for an Act concerning education. Second.. Has been read a second time, previously. Amendment #1 was adopted in committee. Floor Amendment #2 was adopted by the Body. Floor Amendment #3, offered by Representative Golar, has been approved for consideration."

Speaker Hannig: "Representative Golar."

Golar: "Thank you, Mr. Speaker, Ladies and Gentlemen of the House. House Amendment 3 provides that a charter school must, within ninety (90) days, begin implementation of, not fully, implement the written plan submitted to the local school board or state board rectifying the problem which has led to possible revocation or nonrenewal of its charter. This language change is meant to reflect the intended expectation of charter schools responding to possible revocation or nonrenewal with a written plan."

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

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

Speaker Hannig: "Okay. So, Representative Golar, we'll hold this Bill pending the receipt of the notes by the Clerk. Representative Tracy, you have House Bill 4841. Did you

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wish us to read that Bill? Out of the record. Representative Watson has House Bill 5493. Can someone give us some direction on that? Did you want to move this Bill or hold it? Read the Bill, Mr. Clerk."

Clerk Mahoney: "House Bill 5493, 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 Black, has been approved for consideration."

Speaker Hannig: "Representative Stephens will handle the Amendment. Representative Stephens."

Stephens: "Thank you, Mr. Speaker. Amendment #2 adds to the Bill. It clarifies in the preamble of the Section that the School Code currently requires one (1) year of foreign language which may include ASL, sign language. Also, allows schools curriculum flexibility to implement the ASL courses afforded prior to the introduction of the legislation. Be glad to answer any questions and move its adoption."

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

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

Speaker Hannig: "Third Reading. Representative Winters on House Bill 4507. Representative Winters. Out of the... out of the record. Representative McCarthy on House Bill 5200. 5200 from Second to Third? No. Okay. Out of the record. Representative Rita on House Bill 5308. Representative Rita. Read the Bill, Mr. Clerk."

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Clerk Mahoney: "House Bill 5308, a Bill for an Act concerning State Government. Second Reading of this House Bill. Amendment #1 was adopted in committee. No Floor Amendments. No Motions filed."

Speaker Hannig: "Third Reading. Representative Ryg on House Bill 5120. Representative Ryg. Out of the record. Representative Soto on House Bill 5359. Read the Bill, Mr. Clerk."

Clerk Mahoney: "House Bill 5359, a Bill for an Act concerning regulation, has been read a second time, previously. Amendments 1 and 2 were adopted in committee. Floor Amendment #3, offered by Representative Soto, has been approved for consideration."

Speaker Hannig: "Representative Soto on the Amendment."

Soto: "Thank you."

Speaker Hannig: "You're recognized on the Amendment."

Soto: "Okay. Thank you. I'm ready. Yes. Thank you, Speaker. House Amendment #3 changes the distance standard between each hospital so that they can operate under a single license to half mile rather than one mile. I move, Speaker, to adopt..."

Speaker Hannig: "Is there any discussion?"

Soto: "...the Floor Amendment."

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

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

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Speaker Hannig: "Third Reading. Mr. Clerk, read House Bill 4577."

Clerk Mahoney: "House Bill 4577, a Bill for an Act concerning civil law. Second Reading of this House Bill. No Committee Amendments. Floor Amendment #1, offered by Representative Soto, has been approved for consideration."

Speaker Hannig: "Representative Soto."

Soto: "Yes. Thank you, Speaker. House Amendment #1 is a gut and replace that clarifies the original Bill under House Amendment #1. Thank you."

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

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

Speaker Hannig: "Third Reading. Mr. Clerk, read House Bill 5200."

Clerk Mahoney: "House Bill 5200, a Bill for an Act concerning regulation. Second Reading of this House Bill. Amendment #1 was adopted in committee. Floor Amendment #2, offered by Representative McCarthy, has been approved for consideration."

Speaker Hannig: "Representative McCarthy."

McCarthy: "Thank you, Mr. Speaker. And I apologize, I didn't know this came out of Rules. But House Bill 5200 is... it amends the Child Care Act of 1969. And basically, we had talked about a mandate of a flu shot for very young children. The proponents that I've worked with have come up with more of an educational program and I would like to adopt the Amendment today, but at least hold the Bill 'til

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tomorrow so that I can let the other people look at the Amendment."

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

Black: "Thank you. Mr. Speaker, I have an inquiry of the Chair."

Speaker Hannig: "Okay. State your inquiry."

Black: "Yes. The computer system on our side of the aisle doesn't seem to be working, so I've been informed. That's my inquiry. If our computer system isn't working, according to House Rules, we're not supposed to be conducting business. Right?"

Speaker Hannig: "So, we'll just be at ease for a couple moments while the computer gurus take a look at this, Representative Black. Representative Bost, for what reason do you rise?"

Bost: "Inquiry of the Chair."

Speaker Hannig: "State your inquiry."

Bost: "We received both a bulletin and the schedule, one says there's no Session Friday, one says there is Session Friday. Which do we follow?"

Speaker Hannig: "There's no Session Friday, Representative."

Bost: "Thank you very much."

Speaker Hannig: "So, Representative Black, we have a few housekeeping items, noncontroversial, like Agreed Resolutions. Would you object if we just went and did those while we're waiting?"

Black: "As long as we're not voting, if he'll just want to read it..."

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Speaker Hannig: "Right."

Black: "...and explain it, that's fine."

Speaker Hannig: "Right."

Black: "I don't know why the... is the system down on your side as well?"

Speaker Hannig: "I'm advised it's not, but..."

Black: "It's down on our side. I would ask for a full investigation as to why this happened. It always happens on our side of the aisle. I know what it is. We have somebody getting a training wage over here working on our system and you don't. They're... See, ours isn't working. I knew it."

Speaker Hannig: "So, what I'm advised, Representative Black, is that you can actually access the Bill, but you have to simply type it in, that the automatic pop-up portion of the... Okay. We'll continue to look at that. Representative McCarthy wishes to table House Bill 5707. Is that correct? Okay."

McCarthy: "Please, Mr. Speaker."

Speaker Hannig: "The Gentleman wishes to table House Bill 5707. Is there leave to use the Attendance Roll Call? Okay. There's leave to use the Attendance Roll Call and the Motion to Table prevails. And House Bill 5707 is tabled. Representative Colvin wishes to table House Bill 5311. Is that correct, Representative?"

Colvin: "That's correct, Mr. Speaker."

Speaker Hannig: "Okay. So, the Gentleman moves to table House Bill 5311. Is there leave? Leave is granted and the

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Attendance Roll Call will be used. And this Bill is tabled. Mr. Clerk, what's the status of House Bill 5739?"

Clerk Mahoney: "House Bill 5739 is on the Order of House Bills-Third Reading."

Speaker Hannig: "Let's return that to the Order of Second Reading at the request of the Sponsor. Representative Franks, you're recognized for a Motion to suspend posting."

Franks: "Thank you, Mr. Speaker. I move to suspend the posting requirements for Executive Order 2008-1 and House Resolution 1188, so they may both be considered in the State Government Administration Committee tomorrow at 8 a.m."

Speaker Hannig: "Is there any objections? Okay. So, the Gentleman has asked leave to suspend the posting requirements. Leave is granted and the posting requirements are suspended. Mr. Clerk, read the Agreed Resolutions."

Clerk Mahoney: "Agreed Resolutions. House Resolution 1128, offered by Representative Dugan. House Resolution 1194, offered by Representative Scully. House Resolution 1195, offered by Representative Gordon. House Resolution 1196, offered by Representative Graham. House Resolution 1197, offered by Representative Mautino. House Resolution 1198, offered by Representative Osterman. House Resolution 1200, offered by Representative Nekritz. House Resolution 1201, offered by Representative Reboletti. House Resolution 1202, offered by Representative Tryon. House Joint Resolution 126, offered by Representative Jerry Mitchell."

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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. Representative Collins, are you seeking recognition?"

Collins: "Thank you, Mr. Speaker. We'll like to announce that Juvenile Justice Reform has been canceled. Thank you."

Speaker Hannig: "Thank you. Okay. On page 35 of the Calendar, Representative Schmitz has Motions in writing to table the following Bills: House Bill 43, House Bill 44, House Bill 4794, House Bill 5161 and House Bill 5267. So, you've heard the Gentleman's Motion. Is there any discussion? Then all in favor say 'aye'; opposed 'nay'. The 'ayes' have it. And these Bills are tabled. On page 36 of the Calendar, under the Order of Motions in writing, Representative Osmond requests to table House Bill 5670. All in favor say 'aye'; opposed 'nay'. The 'ayes' have it. And House Bill 5670 is tabled. Representative Chapa LaVia moves to table House Joint Resolution 85. All in favor say 'aye'; opposed 'nay'. The 'ayes' have it. And the Resolution is tabled. Representative Eddy moves to table House Joint Resolution 95. All in favor of the Resolution say 'aye'; opposed 'nay'. The 'ayes' have it. And the Resolution is tabled. Representative McCarthy, were you seeking recognition?"

McCarthy: "For a purpose of an announcement."

Speaker Hannig: "State your announcement."

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McCarthy: "Thank you, Mr. Speaker. After further review, the House Committee on Higher Education will be canceled for today. House Committee on Higher Education canceled."

Speaker Hannig: "Yes, Representative McCarthy, on your suggestion to cancel the committee, have all the Sponsors of the Bills posted are they... are they..."

McCarthy: "Don't think that sounded like a suggestion, Mr. Speaker, that was a cancellation. So, all Sponsors have withdrawn their Motions."

Speaker Hannig: "If all of the Sponsor have indicated they don't wish to come before the committee, then..."

McCarthy: "I appreciate you checking up on me, but all of them have, yes."

Speaker Hannig: "Okay. All right. We're get... Mr. Clerk, read House Bill 5200. We think we have the glitches fixed, so let's see."

Clerk Mahoney: "House Bill 5200, a Bill for an Act concerning regulation. Second Reading of this House Bill. Amendment #1 was adopted in committee. Floor Amendment #2, offered by Representative McCarthy, has been approved for consideration."

Speaker Hannig: "And Representative McCarthy on Amendment #2."

McCarthy: "Thank you, Mr. Speaker and we'll try not to break the machine this time. But the... after working with the Department of Public Health and the Department of Human Services we've agreed to just work to make a pamphlet and also put on their Web site information about the necessity for an influenza shot for children six (6) months to age of five (5) years. And it says the department shall work with

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daycare centers and daycare homes licensed under this Act. So, this takes away any mandate of an actual shot and it's just going to be an information pamphlet. I'd appreciate adoption of the Amendment today, but no further action."

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 Yarbrough, you have House Bill 5671. Out of the record. Representative Bradley, you have House Bill 5580. Read the Bill, Mr. Clerk."

Clerk Mahoney: "House Bill 5580, a Bill for an Act concerning regulation. Second Reading of this House Bill. Amendment #1 was adopted in committee. No Floor Amendments. No Motions filed."

Speaker Hannig: "Third Reading. Representative Crespo, you have House Bill 5731. Mr. Clerk, read the Bill."

Clerk Mahoney: "House Bill 5731, a Bill for an Act concerning regulation, has been read a second time, previously. No Committee Amendments. Floor Amendments 1, 2, 3 and 4 have all been approved for consideration."

Speaker Hannig: "Representative Crespo. All right. Out of the record. Representative Durkin, you have House Bill 5513. Okay. Out of the record. Representative Mathias, you have House Bill 4266. You wish to read this Bill? Okay. All right. So, out of the record. Representative Sullivan, you have House Bill 4548. Do you wish us to read this Bill? Read the Bill, Mr. Clerk."

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Clerk Mahoney: "House Bill 4548, a Bill for an Act concerning local government. Second Reading of this House Bill. No Committee Amendments. No Floor Amendments. No Motions filed."

Speaker Hannig: "Third Reading. Representative Rose on House Bill 5908 on Second to Third. Read the Bill, Mr. Clerk."

Clerk Mahoney: "House Bill 5908, a Bill for an Act concerning criminal law, has been read a second time, previously. Amendments 1 and 2 were adopted in committee. Floor Amendment #3, offered by Representative Rose, has been approved for consideration."

Speaker Hannig: "Representative Rose."

Rose: "Thank you, Mr. Speaker. First of all, I believe that the sponsorship of the Bill is now Representative Wait. However, I did file Floor Amendment #3. We would like to attach that and at this point that represents the further negotiations and it should be an agreed Bill."

Speaker Hannig: "Is there any discussion? Then all in favor 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 Durkin, you have House Bill 4578. Read the Bill, Mr. Clerk."

Clerk Mahoney: "House Bill 4578, a Bill for an Act concerning children, has been read a second time, previously. Amendment #1 was adopted in committee. Floor Amendment #2 has been referred to committee. No Motions filed."

Speaker Hannig: "What's your pleasure, Representative?"

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Durkin: "An Amendment was passed out of committee yesterday. It needs... I believe... have to be adopted on the floor. I think there's a... Could the Clerk check to see the status?"

Speaker Hannig: "Yeah. Mr. Clerk. So, the Clerk says Amendment #1 was adopted and Amendment #2 is still in committee."

Durkin: "Amendment #2 was passed out of the Judiciary II Committee yesterday. I presented it. So, there is a... I think there's an error in the computer."

Speaker Hannig: "We'll verify that, Representative. So, Representative Durkin, why don't we... we're going to try to move along and do some other work and if we can get this clarified, we'll come back to it as soon as we can. We're going to go... return to the Order of Third Reading. Representative Golar, you have House Bill 4553. Mr. Clerk, read the Bill."

Clerk Mahoney: "House Bill 4553, a Bill for an Act concerning employment. Third Reading of this House Bill."

Speaker Hannig: "Representative Golar."

Golar: "Thank you, Mr. Speaker, Ladies and Gentlemen of the House. House Amendment removes any administrative rulemaking authority for the department in relation to this Bill. This is the youth employment investment Act Bill. And this particular organization that I received this Bill from have worked on this Bill for the past year. These are youth in the Kenwood Oakland Organization. It's a campaign basically that started about six (6) months ago when the youth realized that the unemployment was a major issue in the City of Chicago. In 1984, there were forty thousand

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(40,000) summer jobs for youth. This number was declined to twelve thousand seven hundred and fifty (12,750) summer jobs for youth in 2004. What are the issues in regards to this? Negative influences, teens pregnancy, missing job skills, financial instability for low-income families and less opportunity for these young people. So, they organized a meeting with elected officials, they networked with various community organizations, they wrote letters, created fact sheets, organized a youth rally, secured donations from various businesses, contacted the media speakers from around the city and then they did a rally day. The leaders then put together this plan and the plan is that this Bill 4553 establishes a grant program under the Department of Commerce and provides two... provides funding for this program. This competitive program will result in grants to provide six (6) weeks summer work experiences with stipends and supervision to twenty-five hundred (2500) youth, a pilot project for ages fourteen (14) to seventeen (17) for low-income communities in Illinois. It also consists of sixty-two (62) different agencies. These young people will have thirty (30) sites throughout the city from sixty-two (62) organizations. I'll be happy to take any questions."

Speaker Hannig: "We're going to put this on Standard Debate. And Representative Black, you're recognized first for 5 minutes. Representative Black."

Black: "I'm sorry, Mr. Speaker. Will the Sponsor yield?"

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

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Black: "Representative, it's my understanding that this only impacts the City of Chicago. Is that correct?"

Golar: "That is correct."

Black: "So, it's a summer jobs program..."

Golar: "For six (6) weeks."

Black: "...but only for the City of Chicago."

Golar: "Correct."

Black: "And I... I'm sorry, I was trying to get information, how did you say it was funded? The Bill says it's subject to appropriation."

Golar: "It is subject to appropriation."

Black: "Does it need a state appropriation to function or are there funds private or public from the City of Chicago that would enable it to work?"

Golar: "Right now there's no funds there."

Black: "Okay. Thank you. I'm sorry, Representative, I was trying to check with staff. So, if the program is adequately funded, it would serve two thousand five hundred (2,500) youth in programs of no greater than thirty (30). In other words, there would be all of these subgroups, no group would have more than thirty (30) young people in it, correct?"

Golar: "That's correct. That's correct."

Black: "And who administers the program?"

Golar: "That's correct."

Black: "The City of Chicago, a department of the city or..."

Golar: "Now, what was that again?"

Black: "Who runs the program?"

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Golar: "Actually, the person that would be running it would be the Kenwood Oakland Organization."

Black: "Okay. Who..."

Golar: "And under the organization that would be all of the sixty-one (61) other organizations that are under that organization."

Black: "Okay. Has this program been in effect for sometime? I guess what I'm asking..."

Golar: "The Kenwood Oakland Orga..."

Black: "Does it have a track record?"

Golar: "Yes, it does."

Black: "Has it been going on for sometime?"

Golar: "Kenwood Oakland Organization has been in existence probably for thirty (30) or forty (40) years."

Black: "Okay. Now, I'm not familiar... Excuse me, I'm not familiar with where various neighborhoods are in Chicago, but would this be a citywide program or only those young people that would be residents of the Kenwood area, for lack of a better term?"

Golar: "No, it's citywide."

Black: "Citywide."

Golar: "It's north side, west side, south side."

Black: "Okay. All right. Representative, thank you very much for your patience and your answers and I wasn't trying to be obstreperous or anything. I just don't understand..."

Golar: "No, I appreciate the questions, Representative."

Black: "...the city that well, so I appreciate your answers. Thank you."

Golar: "You're welcome."

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Speaker Hannig: "Representative Stephens, you have 5 minutes."

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

Speaker Hannig: "Indicates she'll yield."

Stephens: "I don't know if my analysis is out-of-date, but does this call for a stipend of \$7.50?"

Golar: "That's correct, Representative."

Stephens: "And we just passed a minimum wage of \$7.75."

Golar: "You passed a minimum wage for teenagers for \$7.50, for youth. This is a pilot project, Representative Stephens. It is for six (6) weeks for seven dollars (\$7)... a stipend of 7.50 only for six (6) weeks."

Stephens: "I... I... My memory may fail me, but I thought just hours ago we had a debate about the minimum wage in Illinois and it was all about treating everybody the same. And now this says instead of 7.75 it's going to be 7.50?"

Golar: "That's what the Bill was, Representative."

Stephens: "Okay. So, we're talking about class warfare here. And we... and all spring I've been listening to the debate about, you know, we just got to treat everybody equally. What do I tell the kids in Bond County when they see the children in Chicago going to work and they just lost their job because the park district has already called and told me they're going to have to cut back, they're going to have to eliminate five (5) summer youth positions because of the increase in the minimum wage. What do I tell them?"

Golar: "Well, based on your experience, Representative, I'm sure you would have a good answer for them."

Stephens: "No. I want to know what you want them to know, Representative."

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Golar: "You didn't ask what I wanted them to know. You said, what do you..."

Stephens: "What do I tell them, Representative?"

Golar: "You said, what do you tell them?"

Stephens: "Yes, I can lean on my own abilities. What do you want me to tell them when they don't get a job?"

Golar: "I want you to tell them that in the City of Chicago these children have been left out year after year after year."

Stephens: "Oh, come on, Representative. You think we all don't have problems?"

Golar: "You asked for... you asked for an answer, I gave it to you."

Stephens: "All right. And I'll tell these children, I'll say, okay, kids, now it's okay. You can be all... you can be discriminated against. We won't have a program in the Kingsbury Park District. We'll take those five (5) jobs away because somewhere in America someone has suffered more than you have. Is that what I'm going to tell them? I don't know. I guess that's what I'll say. And then, you know what they'll say to me, because they're good kids they'll say, well, know what, we'll find a way. We'll find a way. We'll grab ahold of that ladder somehow. But they will always remember that somebody somewhere in Illinois got a special break, a special privilege, only for one city, only for one city."

Golar: "Representative, you don't want me to get into a special break."

Stephens: "To the Bill, Mr. Speaker. Only for one city."

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Golar: "You don't want me to get into a special break."

Stephens: "To the Bill, Mr. Speaker. Control the chamber. I will not be interrupted if I'm speaking to the Bill. You never allow that. Come on, you're a downstater, stick with me."

Speaker Hannig: "Did you wish to speak to the Bill? To the Bill, Representative Stephens. Now, no more questions. To the Bill."

Stephens: "Thank you. Of course not. I... I rise in reluctant opposition to the Bill and I would urge my colleagues to do the same."

Speaker Hannig: "Representative Winters, you have 5 minutes."

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

Speaker Hannig: "Indicates she'll yield."

Winters: "I'm going to take a line of attack here that I was shut off from the previous Bill about the youth... the lower wages for youth, but I wanted to quote from Governor Blagojevich who sent out a press release with the Department of Employment Security saying to college or to high school students, start now, if you haven't already begun looking already. Summer employment is a way for high school students to explore different work settings and help them decide on their future careers. And what we've done is, right now, this Bill is trying to address the mistake that this chamber just made an hour ago when we raised the minimum wage for teenagers. Representative Black was very eloquent in describing the learning process that teenagers go through as they have their first job. The Sponsor of that Bill said that we didn't have any statistics about

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teenage wages or teenage employment, that it was held down because they're paid a lower wage, but in fact, the Northeastern University Center for Market Labor Studies reports that due to the slowing national economy, falling retail sales, increasing fuel costs and older workers seeking traditionally teen jobs, teens looking to work may not be able to find many opportunities. In fact, for the first time since World War II this is going to be the lowest employment of teens since World War II. Less than 35 percent of teens are going to be able to find a job this summer. This is going to impact the park districts. The Rockford Park District hires hundreds of kids for those entry level jobs and what's going to happen, because they have to pay 10 percent more about 8 percent more for their labor costs, they've got a fixed budget, they will offer fewer programs in the park districts in the parks of our communities across the state, the park districts will not be offer... offering opportunities to young children to enjoy the parks with teenage supervision. Representative Golar has a Bill here that is trying to make up for the mistake that we made with a program specifically targeted for Chicago, she recognizes that the votes you probably just took was a mistake. They're having trouble finding jobs for youth. Well, when you raise the cost of hiring a youth, you're going to have fewer people that will offer those jobs. This is a make work... excuse me... a make-up attempt to correct the mistake that we just made. She sees the result in her community, it hurts her, it hurts us, it hurts all of us when we don't let teenagers get that first

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job where they don't know how to work, they don't know the rigmarole, the routine of a job and learning from older workers. Mr. Speaker, in case this Bill does get a Constitutional Majority, I would request a verification."

Speaker Hannig: "So, your request for a verification is acknowledged and will be granted at the appropriate time. We've had three (3) speak in response and the rules would provide for two (2) additional speakers in favor. So, Representative Lang, would you like to say a few words in favor?"

Lang: "Well, thank you, Mr. Speaker. And I will try to make it a few words. Is that an admonishment? I will..."

Speaker Hannig: "No, no. It was... you have 5 minutes, Representative."

Lang: "Well, I probably won't use that much unless you and I schmooze for that long. So, Ladies and Gentlemen, I rise in support of the Lady's Bill. I understand some of the comments on the other side, but the fact is that the Lady's trying something creative, something different. I haven't seen anything like it on the floor of this House before and we should actually thank Representative Golar for presenting us with a piece of legislation that tries to deal with a problem that we have in a different and creative way. I don't understand why anyone would be opposed to a piece of legislation that puts kids to work. We had a long debate about a piece of legislation where Representative Fritchey was attempting to raise the wages of low-income minors and many were talking about training programs and training wages and let's get them started

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someplace and why don't we... why don't we work harder to help business in Illinois and bring people in and find jobs for these kids and make sure they have something to do, et cetera, et cetera. Well, here's a Bill that does that. It doesn't do it for all kids, it doesn't do it for everybody, it doesn't do it for millions, but it does it for a small group of people and perhaps if Representative Golar's on the right track here, perhaps we can expand this program at another time to include more areas, more students, more children, more opportunities and find more dollars to help employ young people. This is an important piece of legislation, seems like a small piece of legislation, but it's important because it tells a story. It's good public policy and it leads us in a direction that we might go for the future should this program live up to the promise that Representative Golar gives to us. So, I support the Lady's Bill and I recommend that all of you do as well."

Speaker Hannig: "So, the rules provide for one additional speaker in favor. Representative Fritchey, would you like to speak in favor? You have 5 minutes."

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

Speaker Hannig: "Indicates she'll yield."

Fritchey: "Representative, I apologize. I was pulled away doing something else before. Can you briefly explain to me how the legislation would work in practice?"

Golar: "Representative?"

Fritchey: "If you could just run over again for me how this legislation would work in practice?"

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Golar: "Basically, this particular Bill, in terms of practice, first of all is a pilot project with sixty-two (62) organizations that actually represent very diverse communities, sixty-two (62) organizations. It is a six-week pilot program and thirty (30) of those young people coming out of those diverse organizations will be the recipients to work. Some of these individuals have never had jobs before. It will give them an opportunity to work for the summer. Basically, the Kenwood Oakland Organization, what they have been doing for years, is to develop leadership with young people. And so, when they put together this plan, this plan came from young people because they saw year after year trying to get jobs, did not have the jobs and they put together from 1990 up until the present time a plan which is this plan which is a good plan and will allow them to work for the six weeks and also they will be evaluated from these different organizations."

Fritchey: "So, what you're trying to do, though, is to find an innovative way to find a way to get youth from your community into the workforce by giving them opportunities. Is that correct?"

Golar: "That's correct."

Fritchey: "So, when the Gentleman across the aisle, a couple of them, tried to assail you for trying to help out needs in your district, you were doing nothing different than what probably every other Legislator on this floor has done at some time where they see a need in their district and they're trying to service that need. Isn't that right?"

Golar: "Correct."

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Fritchey: "Where do you envision these youths coming from?"

Golar: "Basic..."

Fritchey: "These are kids at present probably do not have the opportunities that you're trying to give them."

Golar: "They will come from... many of them are coming from Logan Square, Humboldt Park, Englewood, Bronzeville."

Fritchey: "And these are the types of opportunities that we need to give. Now, unfortunately, you and I have had this discussion too. That was, you know, oftentimes you have the youth violence issue isn't just a function of the guns on the streets, but it's oftentimes because these kids don't see an opportunity. They don't see another way out other than the violence in the neighborhood. Is that correct?"

Golar: "That is correct."

Fritchey: "So, and oftentimes, too, a lot of these... a lot of times these crimes happen in the afternoon after school because there may not be afterschool programs, there may not be jobs available to them, there may not be the type of social network that we like to see. Is that correct, as well?"

Golar: "That's correct."

Fritchey: "So, this could have the opportunity not only giving these kids an opportunity for a job, but it may well have a impact on having a more stable community as we go forward, correct?"

Golar: "That is correct."

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Fritchey: "And were another Legislator to come to you with a similar type of program when they saw a need in their district, you would try to help them with that, right?"

Golar: "And I have done that."

Fritchey: "And you've done that numerous times since you've been here."

Golar: "Correct."

Fritchey: "It's not really fair for them to gang up on you for trying to help the people in your backyard, is it?"

Golar: "I don't think it's so much ganging, Representative, I think that here..."

Fritchey: "No, I'm talking about the... I'm talking about the people here ganging up on you for trying to help your community."

Golar: "I wouldn't think that they would. I don't see that. Right now, I did see some frustration with my... with the Representatives that were speaking to me."

Fritchey: "Well, I see my time is winding down. Now, I'll say... you know, Representative, you are not somebody that gets up and speaks a lot and when you do you tend to have some good things to say. You know, I respect you for taking an initiative brought upon yourself to try to come and help the kids in your community. I think it's a very good way... good idea and a good way that you're going about it. Thank..."

Speaker Hannig: "Okay. We've had three (3) speak in favor, three (3) speak in response. I think we understand the Bill. Representative Golar, you're recognized to close. Representative Golar."

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Golar: "Thank you, Mr. Speaker and Ladies and Gentlemen of the House. I would like to thank my colleagues that spoke in regards to this Bill. I would like for you also, as the colleagues here, to look at the big picture and the big picture is... is the economy. As we look at what has happened because of the war in Iraq that it has a devastating effect on urban communities all over the nation. And because of that, many of the businesses and... there's been a fallout and so as we look at different issues especially in today's climate with our young people that need to be employed, these are the young people that put together this program. This program will be a pilot program that will be the state of the arts for this particular Body. It will be something that we can be proud of so that in the future we can have other pilot programs statewide. So, I say to you today, Ladies and Gentlemen, I urge an 'aye' vote. This is a vote right now for the young people in this community, but in future communities, it will be a pilot program that we can look at and say, this is what we need, this is what we want, and it is an investment in young people. Thank you."

Speaker Hannig: "The Lady has moved for the passage of House Bill 4553. The question is, 'Shall this Bill pass?' All in favor vote 'aye'; opposed 'nay'. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Representative Tryon, Scully, Patterson, Hoffman, Bradley, do you wish to be recorded? Mr. Clerk, take the record. Representative Winters, you've got a request for a Roll Call. Do you withdraw it? The

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Gentleman withdraws his request. And on this question, there are 76 voting 'yes' and 36 voting 'no'. And this Bill, having received a Constitutional Majority, is hereby declared passed. Representative Mautino, you have House Bill 5666. Representative Mautino. Out of the record. Representative Ryg, you have House Bill 4862. Representative Ryg. Out of the record. Representative Flowers, you have House Bill 4374. Read the Bill, Mr. Clerk."

Clerk Mahoney: "House Bill 4374, a Bill for an Act concerning education. Third Reading of this House Bill."

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

Flowers: "Thank you, Mr. Speaker. There is an Amendment that has been addressed in committee in regards to five-year-olds starting... I'm sorry, Mr. Speaker. This is in regards to recess. I would appreciate an 'aye' vote on House Bill 4374 in regards to children being able to go outside to play. The Bill is merely asking for 10 minutes of play for children specifically in the Chicago school area. And I'll be more than happy to answer any questions you may have in regards to House Bill 4374."

Speaker Hannig: "The Lady moves for the passage of House Bill 4374. And on that question, the Gentleman from Crawford, Representative Eddy."

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

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

Eddy: "Representative, I want to make sure that the Body understands. Is this only for, Article 34, for the City of Chicago?"

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Flowers: "Yes. It amends the Chicago Code for the public schools in Chicago."

Eddy: "Okay. And it requires that every school provide students in, I believe it's K-8, right, K-8 grade 10 minutes of recess at least once a day?"

Flowers: "Yes. Ten minutes of recess for all students kindergarten through eighth grade, yes."

Eddy: "And there is... this is in addition to physical education class?"

Flowers: "Yes. Because the two (2) are different. There's a difference in having actual physical education as opposed to children being outside just having recess or wherever having recess."

Eddy: "Have you had any folks contact you regarding indoor facilities that might be a problem for recess if the gymnasium's being used for physical education, for example, at the time there's scheduled recess and it's raining outside is there... is there going to possibly be some issues for... because of lack of space?"

Flowers: "No. I've not had anyone to contact me in regards to any problems regarding this legislation. As a matter of fact, it's... quite frankly, it's been the reverse. I've had lots of teachers and parents calling me congratulating me on having this type of legislation because oftentimes the children... some schools don't even provide gym for the children, so having 10 minutes of recess is... when you take into consideration the problems that we're having in the schools and what the Center for Disease Control has

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recognized as a child obesity problem, it is a great asset to the schools as well as to the children."

Eddy: "I guess my question would be that if a school has no facility for indoor recess because maybe it's raining or it's inclement outside, if there's ice, would they have any opportunity to be exempted from this mandate or how would they do... I'm just wondering..."

Flowers: "Well..."

Eddy: "...how would... they would handle that."

Flowers: "...remember... Well, I remember Barney, you know, I used to watch the... the purple dinosaur and he would tell the children to use their imagination and I would imagine that the children... the teachers would use their imagination on how to be creative and have recess. And I remember when I was in school the teacher would have us to run in place or just roll our arms forward and backwards and just, you know..."

Eddy: "So, in other words, if they wanted to, in that case, have some type of physical activity in the classroom, that as far as you're concerned that physical activity of 10 minutes, if it's inclement, they could go ahead and count that 10 minutes..."

Flowers: "Yes."

Eddy: "...as 'recess'?"

Flowers: "Yes."

Eddy: "And they would be able to decide what that is and if it's..."

Flowers: "Absolutely."

Eddy: "...physical activity that they did in the classroom..."

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Flowers: "Absolutely."

Eddy: "...that can count as recess."

Flowers: "Yes."

Eddy: "Okay. I just think there's a possibility that... of an intended consequence there if there isn't a facility available and there's ice or snow outside, recess outside may not be a possibility."

Flowers: "It doesn't have to be outside. It..."

Eddy: "Okay. All right. Thank you very much."

Speaker Hannig: "Representative Mitchell, Jerry Mitchell."

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

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

Mitchell, J.: "Representative Flowers, Representative Eddy answered quite a few of the questions that I had. Let's say, for instance, we do have inclement weather and that was also my concern because I have been in several of the elementary schools in Chicago. They don't have adequate physical education facilities, areas for..."

Flowers: "Isn't that sad?"

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

Flowers: "Right."

Mitchell, J.: "I agree with you a hundred percent."

Flowers: "Okay."

Mitchell, J.: "But you're more interested in the kids having at least 10 minutes of downtime from directed study not... not without teacher direction but without directed study..."

Flowers: "Right."

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Mitchell, J.: "...so that... that in some cases may be a few in-house jumping jacks and led exercise might relieve some of the tension and energy and do something different in the classrooms, stationery exercises or even, like you said, a movie if they happen to have a TV and a VCR where they can slip a movie in or something different than the structured teaching situation and it's more of a stress reducer than anything else and again, fully teacher directed once it gets to that level."

Flowers: "Yes, Representative, and not so much as, you know, I'm not going to try to carve out specifics as to what the teacher would be doing, not necessarily the movie or watching TV, I think that's part of the problem, but the children being engaged maybe even having the opportunity to do something to each other like have a conversation. You know, being able to talk to one another, if only for about 10 little minutes. Maybe to convey a concern or ask a student how you feel or..."

Mitchell, J.: "So, the teacher might throw out a general topic and allow free discussion or even student led discussion and that could count as not... not forced, but interaction mainly with the kids directed by the teacher simply to keep order in the classroom."

Flowers: "Absolutely, Representative. Just allow the children to... able to communicate or just engaged in some type of activity."

Mitchell, J.: "But if, in fact, the weather is nice and there is opportunity, it would be much better for them to be outside on the playground equipment or... or just playing a

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couple of the games of tag or something that kids... let kids be kids."

Flowers: "Tag, hopscotch, jumping rope, it."

Mitchell, J.: "Okay."

Flowers: "Something like that."

Mitchell, J.: "Okay. Thank you, Representative "

Flowers: "You remember. Thank you."

Speaker Hannig: "Representative Kosel, you have 5 minutes."

Kosel: "Thank you, Mr. Speaker. I will not need 5 minutes. In committee, the Chicago Public School system, the Chicago Board of Education, the School Management Alliance were all opposed to this Bill. Has that changed?"

Flowers: "It is my understanding that the Management Alliance was never opposed to the Bill and the only reason why the Chicago Public Schools was opposed was due to some facilities did not have the actual place to have recess."

Kosel: "It was my understanding the School Alliance was opposed to it and that the State Board of... I mean, the Chicago school system is still opposed as is the Board of Education. I just want to point that out to the many people over on your side who are such strong advocates for the City of Chicago and its government. Thank you."

Flowers: "And the children."

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

Flowers: "Thank you, Mr. Speaker and Ladies and Gentlemen of the House. Once again, House Bill 4374 is merely about the children. The Center for Disease Control estimate that 16 percent of the children who are obese and an additional 15

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percent are at risk of being overweight. Childhood obesity has tripled in the last two (2) decades. These children are 60 percent more likely to have heart disease and other types of diseases that could impend their health. And I want you to know that Dr. John Ratley is the renowned psychiatrist and he's the bestseller of the Harvard professor. He is a proponent of children having recess. And Sidney Hest, he's a pioneer in kinetics. He's a proponent of children having a recess and there's lots of people out there and even some of the cartoons on the Looney Tunes station encourage the children to turn off the television and go outside to play for a few minutes and then come back in and turn the television on. So, for the children, please allow them to go outside or have some play time to themselves if not outside. And I would appreciate an 'aye' vote in regards to House Bill 4374. 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 Saviano, Rose, Patterson, Kosel, Bradley, do you wish to be recorded? Have all voted who wish? Mr. Clerk, take the record. On this question, there are 75 voting 'yes' and 36 voting 'no'. And this Bill, having received a Constitutional Majority, is hereby declared passed. Mr. Clerk, what's the status of House Bill 4822?"

Clerk Mahoney: "House Bill 4822 is on the Order of House Bills-Third Reading."

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Speaker Hannig: "Return this to the Order of Second Reading at the request of the Sponsor. Mr. Clerk, read the Committee Reports."

Clerk Mahoney: "Representative Molaro, Chairperson from the Committee on Judiciary II-Criminal Law, to which the following measure/s was/were referred, action taken on April 15, 2008, reported the same back with the following recommendation/s: 'recommends be adopted' is Floor Amendment #2 to House Bill 4578."

Speaker Hannig: "So, Mr. Clerk, read House Bill 4578."

Clerk Mahoney: "House Bill 4578 has been read a second time, previously. Amendment #1 was adopted in committee. Floor Amendment #2, offered by Representative Durkin, has been approved for consideration."

Speaker Hannig: "Representative Durkin."

Durkin: "Mr. Speaker, Floor Amendment 2 to House Bill 4578 adds a... an offense... a business offense for an individual who is to be required to report child pornography while they're... in their employ as a information technology expert. So, I would ask for a favorable vote on the Amendment."

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

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

Speaker Hannig: "Third Reading. Clerk, read the committee announcements."

Clerk Mahoney: "Immediately following Session the following committees will meet: Railroad Safety in Room 115, Disability Services in Room D-1, Executive in Room 118,

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Housing & Urban Development in Room 122-B and Transportation & Motor Vehicles in Room 114. The Juvenile Justice Reform Committee was canceled. The Higher Education Committee was also canceled. A half hour after Session Jud-II will meet in Room C-1, Computer Technology will meet in Room 115, the Labor Committee will meet in Room 118, Local Government will meet in Room 114 and Tollway Oversight will meet in Room 122-B. Tomorrow morning at 8:30 the Health Care Availability & Access Committee that was to meet at 8:30 in Room 122-B has been canceled as well."

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

Joyce: "Mr. Speaker, for the purpose of an announcement."

Speaker Hannig: "Proceed."

Joyce: "The House Aging Committee will meet tomorrow morning at 9:30, at 9:30 not 9 a.m."

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

Molaro: "Yes. For all the Jud-II Members, we're trying to accommodate a couple of people that have something at 7:00. I'd like to see you in C-1 by 6:25 and we'll get started as soon as we possibly can, 6:25. Representative Dunkin, I said 6:25, Sir."

Speaker Hannig: "Representative Flowers."

Flowers: "Mr. Speaker, I would like to cancel the Health Care Committee for tomorrow morning at 8:30."

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Speaker Hannig: "Representative Flowers, before we allow you to cancel, have you spoken with all the Members who have items posted in your committee and are you sure..."

Flowers: "Yes."

Speaker Hannig: "...that no one wishes to call a Bill?"

Flowers: "No one wishes to call their Bill."

Speaker Hannig: "Okay."

Flowers: "Thank you."

Speaker Hannig: "Well, then we'll... we'll advise the Members that that committee is canceled. Representative Reitz, for what reason do you rise?"

Reitz: "For an announcement, Speaker. I would like to just invite everyone. We have a meeting of the Legislative Sportsmen's Caucus tomorrow at 7:30 in the Rathskeller. So, come down. We have to elect the new Member from the Senate to take Senator Sieben's place. So, you're all invited."

Speaker Hannig: "And the Chair would remind the Members that Friday is canceled, Friday is canceled. So, make appropriate plans for your travel and arrangements here in Springfield. And now, allowing perfunctory time for the Clerk, Representative Currie moves that the House stand adjourned until Thursday, April 17 at the hour of 10 a.m. 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. Referred to the House Committee on Rules is House Resolution 1192, offered by Representative May. House Resolution 1193, offered by Representative Bellock. House

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Resolution 1199, offered by Representative Jefferies. Committee Reports. Representative Howard, Chairperson from the Committee on Computer Technology, to which the following measure/s was/were referred, action taken on April 16, 2008, reported the same back with the following recommendation/s: 'recommends be adopted' House Resolution 974. Representative Burke, Chairperson from the Committee on Executive, to which the following measure/s was/were referred, action taken on April 16, 2008, reported the same back with the following recommendation/s: 'do pass Short Debate' is House Bill 5135; 'recommends be adopted' is Floor Amendment #2 to House Bill 2747. Representative Yarbrough, Chairperson from the Committee on Housing & Urban Development, to which the following measure/s was/were referred, action taken on April 16, 2008, reported the same back with the following recommendation/s: 'recommends be adopted' is House Joint Resolution 104. Representative Molaro, Chairperson from the Committee on Judiciary II-Criminal Law, to which the following measure/s was/were referred, action taken on April 16, 2008, reported the same back with the following recommendation/s: 'do pass Short Debate' is House Bill 4305; 'recommends be adopted' is Floor Amendment #1 to House Bill 2748, Floor Amendment #3 to House Bill 2769, Floor Amendment #1 to House Bill 2861, Floor Amendment #3 to House Bill 4844, Floor Amendment #4 to House Bill 5739 and Floor Amendment #1 to House Bill 5901. Representative Osterman, Chairperson from the Committee on Labor, to which the following measure/s was/were referred, action taken on April 16, 2008, reported

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the same back with the following recommendation/s: 'recommends be adopted' Floor Amendment #4 to House Bill 4470. Representative Chapa LaVia, Chairperson from the Committee on Local Government, to which the following measure/s was/were referred, action taken on April 16, 2008, reported the same back with the following recommendation/s: 'recommends be adopted' is Floor Amendment #1 to House Bill 4417. Representative Nekritz, Chairperson from the Committee on Railroad Safety, to which the following measure/s was/were referred, action taken on April 16, 2008, reported the same back with the following recommendation/s: 'recommends be adopted' is Floor Amendment #3 to House Bill 5159. Representative Rita, Chairperson from the Committee on Tollway Oversight, to which the following measure/s was/were referred, action taken on April 16, 2008, reported the same back with the following recommendation/s: 'do pass as amended Short Debate' is House Bill 4354. Representative Miller, Chairperson from the Committee on Transportation & Motor Vehicles, to which the following measure/s was/were referred, action taken on April 16, 2008, reported the same back with the following recommendation/s: 'recommends be adopted' is House Joint Resolution 119. Introduction and reading of Senate Bills-First Reading. Senate Bill 1878, offered by Representative Ramey, a Bill for an Act concerning employment. Senate Bill 1975, offered by Representative McGuire, a Bill for an Act concerning criminal law. Senate Bill 2165, offered by Representative Rita, a Bill for an Act concerning public aid. Senate Bill

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2182, offered by Representative Mathias, a Bill for an Act concerning transportation. Senate Bill 2379, offered by Representative Fortner, a Bill for an Act concerning education. Senate Bill 2435, offered by Representative Fortner, a Bill for an Act concerning civil law. Senate Bill 2473, offered by Representative Fortner, a Bill for an Act concerning health care. Senate Bill 2486, offered by Representative Mathias, a Bill for an Act concerning regulation. Senate Bill 2487, offered by Representative Eddy, a Bill for an Act concerning education. Senate Bill 2581, offered by Representative Leitch, a Bill for an Act concerning local government. Senate Bill 2594, offered by Representative Ramey, a Bill for an Act concerning civil law. Senate Bill 2685, offered by Representative Cross, a Bill for an Act concerning education. Senate Bill 2748, offered by Representative Moffitt, a Bill for an Act concerning local government. Senate Bill 2754, offered by Representative Lang, a Bill for an Act concerning business. Senate Bill 2755, offered by Representative Lang, a Bill for an Act concerning liquor. House Bill (sic-Senate Bill) 2757, offered by Representative Yarbrough, a Bill for an Act concerning health. Senate Bill 2785, offered by Representative Mathias, a Bill for an Act concerning criminal law. Senate Bill 2907, offered by Representative Pihos, a Bill for an Act concerning education. There being no further business, the House Perfunctory Session will stand adjourned."