

STATE OF ILLINOIS  
97th GENERAL ASSEMBLY  
HOUSE OF REPRESENTATIVES  
TRANSCRIPTION DEBATE

53rd Legislative Day

5/11/2011

Speaker Lang: "The House will be in Order. Members will be in their chairs. We shall be lucky enough to have two prayers today, Members. We'll be led in prayer today first by Rabbi Daniel Moscowitz, who's with the Lubavitch Chabad of Illinois Regional Headquarter in Chicago. Rabbi Moscowitz is my guest. Second, we'll be led in prayer by Pastor Jeffrey Hammer who is with the First Baptist Church of Marengo, in Marengo, Illinois. Pastor Hammer is the guest of Representative Franks. Members and guests are asked to refrain from starting their laptops, turn off all cell phones and pagers and rise for the invocation and the Pledge of Allegiance. Rabbi Moscowitz."

Rabbi Moscowitz: "God of Heaven, Master of the World, look favorably upon the House of Representatives of the State of Illinois. Bless these distinguished individuals who have been chosen to make laws and decisions for all the citizens of our great state with the compassion and conviction of this most sacred desk. Let us recognize that this privileged position is actually the performance of one of the seven universal laws given to us by God at the dawn of civilization in order to ensure a peaceful and moral society. Grant this oh mighty God that those assembled here to enact laws which will govern the State of Illinois shall always be conscious of Your presence and conduct their work accordingly. For in the words of Rabbi Menachem Mendel Schneerson of righteous memory, who's 20th anniversary of passing will be commemorated on July 5th, it is through each of us increasing in acts of goodness and kindness that we will be... bring peace and harmony to the world. We

STATE OF ILLINOIS  
97th GENERAL ASSEMBLY  
HOUSE OF REPRESENTATIVES  
TRANSCRIPTION DEBATE

53rd Legislative Day

5/11/2011

therefore beseech You all and merciful God. Bless each and every member of this august Body with the joy of life, good health, profound wisdom, and never ending compassion and concern for all of mankind as we strive for an era of peace and justice as we say, Amen."

Pastor Hammer: "Let us pray. Lord God Almighty, creator and sustainer of life, we ask today that you watch over each one of these Representatives. Give them wisdom as they make laws and as they lead this state. Lord we also pause for a moment to think of all the citizens in Southern Illinois who are suffering devastation because of floods. Be with their local leaders. Keep them as safe as possible as they begin to rebuild their lives. Lord, watch over each man and woman here and their families at their home where they live and where they reside. Help them to remember and understand the sacrifice that is made for each person as they come to serve you in this House of Representatives and Lord may their peace be upon them as they lead this state. Give them the courage of their convictions and the wisdom beyond their years to help us out of a tight situation. It's in your son's name we pray, Amen."

Speaker Lang: "We'll be led in the Pledge today by Representative Cunningham."

Cunningham - 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 Lang: "Roll Call for attendance. Representative Currie."

STATE OF ILLINOIS  
97th GENERAL ASSEMBLY  
HOUSE OF REPRESENTATIVES  
TRANSCRIPTION DEBATE

53rd Legislative Day

5/11/2011

Currie: "Thank please... Speaker please let the record show that Representative Flowers is excused today."

Speaker Lang: "Is there a report on the grandchild, Representative Currie? Is there a report?"

Currie: "Mother, baby, father, and grandmother are all doing very well. And we already know that this little girl, Madison, is a Democrat."

Speaker Lang: "Perfect. Representative Bost."

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

Speaker Lang: "Do you have any births to report?"

Bost: "Any... any which to report?"

Speaker Lang: "Births. Births. Ne..."

Bost: "Births."

Speaker Lang: "Never mind, Sir."

Bost: "Many, many. There... you know because they're going to have to pay for the bills."

Speaker Lang: "Mr. Clerk, please take the record. There are 114 Members present. The House does have a quorum. Chair recognizes Mr. Moffitt."

Moffitt: "Thank you, Mr. Speaker. Would just like to remind the Body of a very significant memorial tomorrow. At 9 a.m. is the memorial for the fallen firefighters of Illinois. It's at that fallen... fallen firefighter memorial just here West of the Capitol, between the Capitol and the Stratton, 9 a.m. tomorrow. Memorial for the fallen firefighters will be followed by a service over at the Prairie Capitol Convention Center when they introduce all the family

STATE OF ILLINOIS  
97th GENERAL ASSEMBLY  
HOUSE OF REPRESENTATIVES  
TRANSCRIPTION DEBATE

53rd Legislative Day

5/11/2011

members too. Hope you can attend, 9 a.m. tomorrow. Thank you."

Speaker Lang: "Mr. Rosenthal."

Rosenthal: "Pers... Point of personal privilege."

Speaker Lang: "State your point, Sir."

Rosenthal: "Today I have with us from Christian County, my home county, Student Against Destructive Decisions from Taylorville High School, up in the gallery. Thank you."

Speaker Lang: "Thank you very much. Mr. Reis."

Reis: "Point of personal privilege."

Speaker Lang: "State your point, Sir."

Reis: "I would also like the Members of the Chamber to help me welcoming from East Richland High School in Olney, Illinois from the pilots program. Today is dome shift 2011. We have the advisor Bea Gardner and the peer leaders Kayla Collins, Autumn Bogard, and Rachel Pampe. They're here to my right. Welcome to Springfield."

Speaker Lang: "Welcome to Springfield, one and all. Mr. Clerk, Committee Reports."

Clerk Bolin: "Committee Reports. Representative Chapa LaVia, Chairperson for the Committee on Elementary and Secondary Education reports the following committee action taken on May 11, 2011: recommends be adopted House Joint Resolution 16; do pass Short Debate for Senate Bill 7, Senate Bill 621, Senate Bill 1799, and Senate Bill 2149. Representative Greg Harris, Chairperson for the Committee on Human Services reports the following committee action taken on May 11, 2011: recommends be adopted House Joint Resolution 19; do pass Short Debate for Senate Bill 1236, Senate Bill

STATE OF ILLINOIS  
97th GENERAL ASSEMBLY  
HOUSE OF REPRESENTATIVES  
TRANSCRIPTION DEBATE

53rd Legislative Day

5/11/2011

1761, Senate Bill 1784, Senate Bill 1996, and Senate Bill 2046. Representative Nekritz, Chairperson for the Committee on Judiciary I-Civil Law reports the following committee action taken on May 11, 2011: do pass Short Debate for Senate Bill 106, Senate Bill 1074, Senate Bill 1691, Senate Bill 1701, Senate Bill 1971, Senate Bill 1972, and Senate Bill 2015; do pass as amended Short Debate for Senate Bill 1234, and Senate Bill 2082. Representative D'Amico, Chairperson for the Committee on Transportation Vehicles and Safety reports the following committee action taken on May 11, 2011: do pass Short Debate for Senate Bill 1641; do pass as amended Standard Debate for Senate Bill 1907. Representative Dan Burke, Chairperson for the Committee on Executive reports the following committee actions taken on May 11, 2011: do pass Short Debate for Senate Bill 79; do pass as amended Short Debate for Senate Bill 769, and Senate Bill 1352. Representative Zalewski, Chairperson for the Committee on Health Care Licenses reports the following committee actions taken on May 11, 2011: do pass as amended Short Debate for Senate Bill 153. Introduction of Resolutions. House Resolution 352, offered by Representative Flowers."

Speaker Lang: "Mr. Cavaletto."

Cavaletto: "Point of personal privilege."

Speaker Lang: "State your point, Sir."

Cavaletto: "Thank you, Mr. Speaker. I'd like to welcome a group of Illinois real... Retail Dealers Association members here today from my area in Southern Illinois. Will you please stand up guys."

STATE OF ILLINOIS  
97th GENERAL ASSEMBLY  
HOUSE OF REPRESENTATIVES  
TRANSCRIPTION DEBATE

53rd Legislative Day

5/11/2011

Speaker Lang: "Welcome to Springfield, Gentleman.  
Representative May."

May: "Thank you, Speaker. Ladies and Gentleman of the House, tonight is a really big night in Springfield. The Conference of Women Legislators has been practicing and Dorothy, the Wizard.. is going to see the Wizard to see how to become a great legislator. We have the cowardly lion, the scarecrow, and the tin man off to see the Wizard. The Wizard of Oz is the theme of Capitol Cappers tonight at the Hilton. We open the doors at 5:30. 6:30 the show starts if our approp. committees are finished. I would like to recognize my co-producer Representative Sara Feigenholtz, our director Representative Pattie Bellock, our fabulous props person Representative Sandy Pihos, head of our fundraising committee Representative Elaine Nekritz, and the wonderful people who have signed up to skewer to spoof everything that goes on under the Capitol dome. We hope to see you there to help raise money for our scholarship fund. Thank you, thank you everyone."

Speaker Lang: "Mr. Leitch."

Leitch: "Thank you very much, Mr. Speaker. I'm just wondering whether perhaps the Chair or anyone else in this House has heard a response yet from the Governor's Office or the Office of Procurement over the circumstances that cause only 38 counties in the state to have an HMO alternative. In the hearings that we've had, including those in my district attended in a bi-partisan way, we've heard great testimony from especially elderly people, especially people suffering from cancer who are scared to death that they

STATE OF ILLINOIS  
97th GENERAL ASSEMBLY  
HOUSE OF REPRESENTATIVES  
TRANSCRIPTION DEBATE

53rd Legislative Day

5/11/2011

won't have an alternative to keep their own doctors. They're afraid to have to go to look for more doctors and I'm just very concerned, as I know you each are about the failure to hear a responsible reply from the authorities who could change this situation. So I would be most eager to learn from any other member whether anybody has heard that this importantly critical matter has been addressed. Thank you, Mr. Chairman (sic-Speaker)."

Speaker Lang: "Mr. Stephens."

Stephens: "Point of personal privilege. In re... Mr. Speaker."

Speaker Lang: "State your point."

Stephens: "In response to the Gentleman's inquiry as you know, Representative, I meet I have breakfast with the Governor everyday as many of us do. And he assures me that your concerns are unwarranted. He says that in the same manor that he has taken care of the budget, the same manor that he has taken care of the pensions, in the same manor that he negotiated the ASFME contract that all is going to be well for Illinois."

Speaker Lang: "Mr. Rose."

Rose: "Point of personal privilege."

Speaker Lang: "State your point, Sir."

Rose: "To the last Gentleman's point, I find that very interesting that the Governor can make such assurances because last week we have an article from the Champaign News Gazette where you have no less than 24,000 individuals lives in Champaign... East Central Illinois surrounding Champaign County would be affected by this. And in the article it clearly states that Blue Cross Blue Shield, the

STATE OF ILLINOIS  
97th GENERAL ASSEMBLY  
HOUSE OF REPRESENTATIVES  
TRANSCRIPTION DEBATE

53rd Legislative Day

5/11/2011

selected provider for the HMO contract, has not reached out to any of the providers in the area. Christie Clinic... Alan Gleghorn, CEO states Christie Clinic has not been contacted by Blue Cross about becoming a provider. Where are those people supposed to go? Where are they supposed to go? He also says by the way, because Christie Clinic is an open access provider for Personal Care. He says in a quote 'the numbers they've been speaking of; we would not be able to handle that'. In terms of absorbing these 24,000 people's lives. My constituents have contacted me and contacted me and contacted me. My former eighth grade teacher, her husband's going through some terrible things that you wouldn't wish on your worst enemy and he's got to keep his doctor. It is a matter of life and death to that family. How many more families out there are there? All the Gentleman asked, Representative Leitch asked is, where is the answer? And by the way that 24 thousand is just in East Central Illinois, it's over 100 thousand lives. When the Governor announced... the Governor came out and said, oh, there's going to be all this savings. Then we find out in the State Journal Register just last week... State Journal Register 'projected cost savings were not a part of the process,' according to the Illinois Department of Health Care and Family Services. Well what is it? What is it? And what is it, Governor, we're supposed to tell these people? The clock is ticking. The open enrollment period is supposed to be over at the end of this month. Your suddenly supposed to have 100,000 plus patients go somewhere with no network in place. By the way it takes six to seven



STATE OF ILLINOIS  
97th GENERAL ASSEMBLY  
HOUSE OF REPRESENTATIVES  
TRANSCRIPTION DEBATE

53rd Legislative Day

5/11/2011

physicians... primary care physicians per 10 thousand, per 10 thousand. Doesn't include nurses, medical assistance, office technologists, office space for that matter, medical equipment nor does it... nor does it anywhere account for medical specialists; Nero, pediatric, OB/GYN. How on earth in less than 60 days are we supposed to have 100 thousand people with some place to go when there's no medical network in place? It's time for the Governor to explain this and start over."

Speaker Lang: "Members we're going to page 4 on the Calendar on the Order of Senate Bills-Third Reading. The Chair notices a lot of empty chairs. If you want your Bills called, Members, please return to the Floor. The first Bill is Senate Bill 64, Mr. Mathias. Please read the Bill."

Clerk Bolin: "Senate Bill 64, a Bill for an Act concerning criminal law. Third Reading of this Senate Bill."

Speaker Lang: "Mr. Mathias."

Mathias: "Thank you, Mr. Speaker. Senate Bill 64 which has the support of the Illinois State Police and the Illinois Association of Chiefs of Police adds to prohibited conduct under the crime of false impersonation. It prohibits knowingly and falsely representing yourself to be another actual person in order to intimidate, threaten, injure, defraud, or obtain a benefit from another or a representative of an actual person or organization in order to obtain or benefit another and this can be done either in person or through an Internet website or e-mail. It expands basically prohibited conta... conduct today of the false

STATE OF ILLINOIS  
97th GENERAL ASSEMBLY  
HOUSE OF REPRESENTATIVES  
TRANSCRIPTION DEBATE

53rd Legislative Day

5/11/2011

impersonation statute and I ask for your 'aye' vote. There was no opposition and it passed unanimously in the Senate." Speaker Lang: "Gentleman moves for the passage of the Bill. The Chair recognizes Mr. Franks."

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

Speaker Lang: "Sponsor yields."

Franks: "Representative, I'm reading our analysis and one of the issues that this Bill seeks to expand is the... a new crime of false impersonation of attorney, judicial, or government official. Is that correct?"

Mathias: "Yes."

Franks: "Isn't there already a law against practicing law without a license?"

Mathias: "Well, in this case I guess there's a fine line between, you know, practicing law and maybe going to court for someone whereas..."

Franks: "No..."

Mathias: "...false impersonation maybe holding yourself out to be an attorney and yet, you know, doing other things and using that in order to, you know, just getting people to give you, you know, a retainer or something when you're not..."

Franks: "Well, what would be the cri... I've seen people practice law without a license. Sometimes when folks are doing, you know, bankruptcies or filling out simple wills and those type of things, but what kind of penalty would this new proposal have for someone who's pretending to be a lawyer and is not?"

STATE OF ILLINOIS  
97th GENERAL ASSEMBLY  
HOUSE OF REPRESENTATIVES  
TRANSCRIPTION DEBATE

53rd Legislative Day

5/11/2011

Mathias: "Actually I... let me take that back. I think if you're looking... I think false impersonation of an attorney is already in the law."

Franks: "That's..."

Mathias: "...under this I don't think..."

Franks: "That's what I thought and that's why I was wondering..."

Mathias: "Yeah. I don't think this is a new... wait, let me... If you give me a second to look, I didn't think that was included in here."

Franks: "Cause our analysis indicates it is and that's why I was wondering cause it would seem that we already have that law and that's why I was trying to see what the difference would be."

Mathias: "Yeah. It does not say that specifically in the Act. There is already a section in the code that maybe you're looking at that deals with attorneys but I don't see any language that I'm adding that specifically mentions attorneys."

Franks: "So this is more geared for those people who falsely represent themselves on the Internet."

Mathias: "It could be on the Internet. It could be through e-mail. Yes."

Franks: "I'm reading the language of the Bill and it says falsely expresses to be a public officer, a public employee or official or employee of the federal government, but there is nothing that I can see dealing with the lawyer..."

Mathias: "No. There's a separate section already that maybe they're looking at that says false impersonation of an attorney. We're not changing that section."

STATE OF ILLINOIS  
97th GENERAL ASSEMBLY  
HOUSE OF REPRESENTATIVES  
TRANSCRIPTION DEBATE

53rd Legislative Day

5/11/2011

Franks: "Okay. Thank you for clarifying that."

Speaker Lang: "Those in favor of the Bill should vote 'yes'; opposed 'no'. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Mr. Biss, Mr. Rita. Please take the record. On this question, 114 voting 'yes'; 0 voting 'no'. And this Bill, having received the Constitutional Majority, is hereby declared passed. Senate Bill 91, Representative Osmond. Please read the Bill."

Clerk Bolin: "Senate Bill 91, a Bill for an Act concerning transportation. Third Reading of this Senate Bill."

Speaker Lang: "Representative Osmond."

Osmond: "Thank you, Mr. Speaker. Senate Bill 91 deals with amending the Fox Waterway Agency Act to clarify the intent of the waters that are within the Fox River Recreational area. And it is simply to clarify them as fishing and navigable waters. And I'd be happy to answer any questions."

Speaker Lang: "Lady moves for the passage of the Bill. There being no debate those in favor vote 'yes'; opposed vote 'no'. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Mr. Biss. Mr. Rita. Please take the record. On this question, 114 voting 'yes'; 0 voting 'no'. And this Bill, having received the Constitutional Majority, is hereby declared passed. Senate Bill 98, Mr. Nybo. Please read the Bill."

Clerk Bolin: "Senate Bill 98 a Bill for an Act concerning elections. Third Reading of this Senate Bill."

Speaker Lang: "Mr. Nybo."

STATE OF ILLINOIS  
97th GENERAL ASSEMBLY  
HOUSE OF REPRESENTATIVES  
TRANSCRIPTION DEBATE

53rd Legislative Day

5/11/2011

Nybo: "Thank you, Mr. Speaker. Senate Bill 98 amends the Illinois Election Code. And what it does is it adds federally operated veterans' homes, hospitals, or facilities in Illinois to the list of facilities where in person absentee voting can occur. Basically, under current law, the only people who have the ability to do in person absentee voting are those people who are incapacitated and who reside at state operated nursing homes and state operated veterans' facilities. So what Senate Bill 98 is attempting to do is, it's attempting to expand access to the ballot for veterans in federally operated facilities. I think it's a good Bill. I appreciate the co-sponsor who have joined on this one and I'd ask for an 'aye' vote on this."

Speaker Lang: "Gentleman moves for the passage of the Bill. There being no debate, those in favor vote 'yes'; opposed 'no'. The voting is open. Have all voted who wish? Have all voted who wish? Mr. Colvin, Representative Monique Davis. Mr. Colvin. Please take the record. On this question, there are 114 voting 'yes'; 0 voting 'no'. And this Bill, having received the Constitutional Majority, is hereby declared passed. Senate Bill 152, Mr. Saviano. Please read the Bill."

Clerk Bolin: "Senate Bill 152 a Bill for an Act concerning insurance. Third Reading of this Senate Bill."

Speaker Lang: "Mr. Saviano."

Saviano: "Thank you, Mr. Speaker Members of the House. Senate Bill 152, as amended is an agreed Bill. This was a Bill that was brought by our... the major insurance companies like

STATE OF ILLINOIS  
97th GENERAL ASSEMBLY  
HOUSE OF REPRESENTATIVES  
TRANSCRIPTION DEBATE

53rd Legislative Day

5/11/2011

State Farm, Allstate, Farmers to... to clarify some of the... some of the interaction between your big, big car insurance companies and your substandard companies. We came to an agreement. We put a \$2,500 limit on mandatory arbitration which should reduce litigation costs in the subrogation process. It's good for the consumer and I would ask for its passage."

Speaker Lang: "Gentleman has moved for the passage of the Bill. There being no debate, those in favor of the Bill should vote 'yes'; opposed 'no'. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Representative Gordon, Pritchard, Verschoore. Please take the record. On this question, 114 voting 'yes', 0 voting 'no'. And this Bill, having received the Constitutional Majority, is hereby declared passed. Senate Bill 262, Mr. Bradley. Out of the record. Senate Bill 265, Mr. Mathias. Please read the Bill."

Clerk Bolin: "Senate Bill 265, a Bill for an Act concerning State Government. Third Reading of this Senate Bill."

Speaker Lang: "Mr. Mathias."

Mathias: "Thank you, Mr. Speaker. Senate Bill 265 basically confirms that the Illinois Probation and Court Services Association can make a recommendation to the Governor for representation of probation services on the sex offender management board and also reduces the size of the board from 24 to 20 members to make it more efficient. They're taking off people such as the President of the Illinois Polygraph Society which really isn't necessary for this

STATE OF ILLINOIS  
97th GENERAL ASSEMBLY  
HOUSE OF REPRESENTATIVES  
TRANSCRIPTION DEBATE

53rd Legislative Day

5/11/2011

board. This Bill passed unanimously in the Senate and I ask for your 'aye' vote."

Speaker Lang: "Gentleman moves for the passage of the Bill. There being no debate, those in favor of the Bill shall vote 'yes'; opposed 'no'. The voting is open. Have all voted who wish? Have all voted who wish? Record yourselves please, Members. Mr. Durkin, Representative Senger. Please take the record. On this question, there are 114 voting 'yes', 0 voting 'no'. And this Bill, having received the Constitutional Majority, is hereby declared passed. Senate Bill 956, again Mr. Mathias. Please read the Bill."

Clerk Bolin: "Senate Bill 956, a Bill for an Act concerning transportation. Third Reading of this Senate Bill."

Speaker Lang: "Mr. Tryon I mean Mr. Mathias."

Mathias: "Thank you. And I'm more than happy to make sure that someone else gets a chance to call a Bill."

Speaker Lang: "Just proceed, Sir. Just proceed."

Mathias: "This legislation seeks to make sure that volunteer firefighters and other emergency responders are not penalized for having blue lights on when responding to a fire rescue call, ambulance call, or motor vehicle call. It expands current law to make sure they can keep their lights on while they're at the scene of an emergency. I guess some issue came up. This is a... the Illinois Firefighters Association is a proponent of the Bill. And I ask for your 'aye' vote."

Speaker Lang: "Gentleman moves for the passage of the Bill. And on that question the Chair recognizes Representative Eddy."

Eddy: "Mr. Speaker, I have an inquiry of the Chair."

STATE OF ILLINOIS  
97th GENERAL ASSEMBLY  
HOUSE OF REPRESENTATIVES  
TRANSCRIPTION DEBATE

53rd Legislative Day

5/11/2011

Speaker Lang: "State your inquiry."

Eddy: "Is it the Chair's intention that Representative Mathias have every Bill that was low hanging fruit in the Senate that had no opposition."

Speaker Lang: "Apparently Mr. Tryon was busy that day, Sir."

Eddy: "Well... We're going to wait for that to settle in, Representative Tryon. You know, Mr. Chairman (sic-Speaker) I'd like to yield the rest of my time to Representative Tryon to defend his turf."

Speaker Lang: "Mr. Tryon, do you care to speak? We don't need to hear from you but... Mr. Bost."

Bost: "Actually Representative... or Mr. Speaker I do have an inquiry of the... or ask..."

Speaker Lang: "Whatever."

Bost: "Will the Gentleman yield?"

Speaker Lang: "Yes, he certainly will do that, Sir."

Bost: "Easy to say, isn't it? Representative, can you once again explain, what is the proposal to do with these particular oscillating lights?"

Mathias: "The proposal is, right now the law states that you can have them on there and you can have them lit while you're going to an emergency. I know it may sound trivial but this was an initiative that was brought over from the Senate. It allows while you're at the scene of an emergency to continue to have these lights lit."

Bost: "I... I didn't realize we had to have a law but, you know, I mean I think it's a practice that they're doing anyway, correct?"



STATE OF ILLINOIS  
97th GENERAL ASSEMBLY  
HOUSE OF REPRESENTATIVES  
TRANSCRIPTION DEBATE

53rd Legislative Day

5/11/2011

Mathias: "It... it may be, but obviously somewhere somebody got in trouble for doing it and so they wanted to clear it up in legislation."

Bost: "Okay. Thank you very much."

Speaker Lang: "Those in favor of the Bill shall vote 'yes'; opposed 'no'. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Mr. Riley. Please take the record. On this question, there are 114 voting 'yes', 0 voting 'no'. And this Bill, having received the Constitutional Majority, is hereby declared passed. Senate Bill 1037, Representative Yarbrough. Please read the Bill."

Clerk Bolin: "Senate Bill 1037, a Bill for an Act concerning criminal law. Third Reading of this Senate Bill."

Speaker Lang: "Representative Yarbrough."

Yarbrough: "Thank you, Mr. Speaker. Senate Bill 1037 allows defendants with criminal prostitution convictions to file a motion to vacate the conviction if the defendant's participation and the offense was the result of being a trafficking victim. The court has the discretion to grant the motion if they find the conviction was a result of the defendant's status as a trafficking victim and evidence could include certified records of proceedings and approval notices and law enforcement certification. I'd be happy to answer any questions."

Speaker Lang: "The Lady moves for the passage of the Bill. There being no debate. Those in favor vote 'yes'; opposed 'no'. The voting is open. Have all voted who wish? Have all voted who wish? Representatives Golar, Saviano. Please take

STATE OF ILLINOIS  
97th GENERAL ASSEMBLY  
HOUSE OF REPRESENTATIVES  
TRANSCRIPTION DEBATE

53rd Legislative Day

5/11/2011

the record. On this question, there are 114 voting 'yes', 0 voting 'no'. And this Bill, having received the Constitutional Majority, is hereby declared passed. Senate Bill 1147, Representative Kay. Please read the Bill."

Clerk Bolin: "Senate Bill 1147, a Bill for an Act concerning employment. Third Reading of this Senate Bill."

Speaker Lang: "Representative Kay."

Kay: "Thank you, Mr. Speaker. Senate Bill 1157 (sic-1147) is in conjunction with House Bill 2607 which passed out of the House unanimously and the Senate likewise. It amends the Workers Compensation Act. It provides the term employee does not include a person or his dependents with a cause of action by reason of injury, disablement, or death arising out of or in the course of his employment when that injury or disablement or death occurs during the commission of a forcible felony, aggravated driving under the influence of alcohol or other drug or drugs, or intoxicating compound or compounds or any combination thereof or reckless homicide if that forcible felony aggravated driving under the influence or reckless homicide caused in an accident results in the death or severe injury of another. This was debated in the House. Passed out unanimously about five to six weeks ago and I ask for an 'aye' vote."

Speaker Lang: "Gentleman moves for the passage of the Bill and the Chair recognizes Mr. Franks. Mr. Franks declines to speak. There being no further people wishing to debate. Those in favor vote 'yes'; opposed 'no'. The voting is open. Have all voted who wish? Have all voted who wish. Representatives Golar and Jackson. Mr. Jackson. Please take

STATE OF ILLINOIS  
97th GENERAL ASSEMBLY  
HOUSE OF REPRESENTATIVES  
TRANSCRIPTION DEBATE

53rd Legislative Day

5/11/2011

the record. On this question, there are 113 voting 'yes', and 1 voting 'present'. And this Bill, having received the Constitutional Majority, is hereby declared passed. Senate Bill 1240, Representative Tracy. Please read the Bill."

Clerk Bolin: "Senate Bill 1240, a Bill for an Act concerning local government. Third Reading of this Senate Bill."

Speaker Lang: "Representative Tracy."

Tracy: "Thank you, Mr. Speaker. Everybody awake?"

Speaker Lang: "Go for it."

Tracy: "Well, thank you. I... I had to arm wrestle Representative Mathis and Representative Tryon for Senate Bill 1240 because it likewise passed unanimously by the Senate. And what it does is it... it is an initiative of the Lee County 911 board and it allows a 911 telephone board to purchase property if the property is purchased before March 6... March 16, 2006. And I would be glad to answer any questions and I respectfully request an 'aye' vote for this great Bill that passed unanimously in the Senate."

Speaker Lang: "Lady moves for the passage of this Bill. The Chair recognizes Mr. Franks."

Franks: "Parliamentary question. Is Amendment #1 been adopted? Is it part of the Bill?"

Speaker Lang: "Mr. Clerk."

Clerk Bolin: "One Amendment has been adopted. It was Committee Amendment #1."

Franks: "Thank you. Will the... will the Sponsor yield?"

Speaker Lang: "Lady yields."

Franks: "The Amendment, as I'm reading it, indicates that the relevant date of purchase would be... you could not have

STATE OF ILLINOIS  
97th GENERAL ASSEMBLY  
HOUSE OF REPRESENTATIVES  
TRANSCRIPTION DEBATE

53rd Legislative Day

5/11/2011

purchased anything unless it was purchased over five years ago. Is that correct, March 16, 2006?"

Tracy: "Yes. That's correct."

Franks: "What are we doing here?"

Tracy: "Well, it... as I said it's an initiative of the Lee County 911 board and it was a unique circumstance where the prior statute was ambiguous as to whether they could hold property. And this addresses a specific circumstance for Lee County board that they... that this piece of property they own."

Franks: "So whe... when did they buy it?"

Tracy: "Sometime after that."

Franks: "I just don't understand why we're passing legislation limiting purchases for five years ago. I mean obviously something happened here."

Tracy: "Right. And I..."

Franks: "And I'd like to know what that is."

Tracy: "...bet you if this was in McHenry County you would be very much in favor of this so I'm asking that you would support this for Lee County and then we will move forward to whether... other 911 boards can likewise own property."

Franks: "Well... well, I'm just concerned and whether something illegal may have occurred here. And that's what I'm trying to figure out what the time frame was and why we're basically backdating a check. And saying we're going to go back five years. And I... when I see this as an attorney I'm seeing, you know, red flags. So why are we doing this?"

STATE OF ILLINOIS  
97th GENERAL ASSEMBLY  
HOUSE OF REPRESENTATIVES  
TRANSCRIPTION DEBATE

53rd Legislative Day

5/11/2011

Tracy: "To address a specific situation. And I... I don't think it was anything in legal... illegal, but I think that it will be positively addressed with this addition."

Franks: "How? I mean, what's the property being used for now?"

Tracy: "It's a... It's being used by this Lee County 911 board."

Franks: "Did they buy it from... was it an insider transaction? Were they buying it from the head of the 911 board? I don't know. And I'm concerned that if we ratify something that we don't have enough information about we're going to be accomplices here. And I'm not trying to be rude to you, but I'd really like to know why we're changing a law for a land purchase. I mean, being from McHenry County I'm very suspect."

Tracy: "Okay. Well and this goes back to in '06 there was an unofficial..."

Franks: "Right."

Tracy: "...Attorney General's opinion addressing this type of thing. And so like I say it's something that we can address moving forward as to whether we want all 911 boards to... to actually own real property. Would you... would you like me to pull this out for a moment and show you all the information that I have? Would that..."

Franks: "I would, but I'm concerned also the way the Bill is written. Let's assume for the sake of argument that it's... that we actually want these boards to be able to buy property and I don't... I'm not sure that we do. The way this Bill is written no other 911 board would be able to buy anything. So, I would... if you wouldn't mind..."

STATE OF ILLINOIS  
97th GENERAL ASSEMBLY  
HOUSE OF REPRESENTATIVES  
TRANSCRIPTION DEBATE

53rd Legislative Day

5/11/2011

Tracy: "Well, and I have met with the 911 boards and the Sheriffs Association because they think that perhaps they... it would be something that we very much want to look at in the future as to whether it would be a good thing for them to own. But... like I say in this specific instance it will address a specific concern to..."

Franks: "Well, it just seems to me if we have to address a specific concern for something that happened five years ago you're asking us to cover somebody's tracks. That's all and I'm not saying it's you. I'm saying the fact is there's no reason for this Bill unless somebody did something wrong and they're asking us to ratify their bad behavior."

Tracy: "Well, I appreciate your concern, but it is a clarification it is not a cover-up. And so that's why this... this particular piece I would... I'm asking to move forward."

Franks: "Could you give us more information?"

Tracy: "Sure. I mean... I mean, yes. Like I say, I'd be glad to pull it out for a moment..."

Franks: "Okay. Thank you."

Tracy: "...and visit with you about it."

Franks: "Thank you."

Tracy: "If that... I would do that if that would be alright..."

Speaker Lang: "The Lady pulls the Bill from the record at this time. The next Bill is Senate Bill 1263, Mr. Poe. Please read the Bill."

Clerk Bolin: "Senate Bill 1263, a Bill for an Act concerning State Government. Third Reading of this Senate Bill."

Speaker Lang: "Mr. Poe."

STATE OF ILLINOIS  
97th GENERAL ASSEMBLY  
HOUSE OF REPRESENTATIVES  
TRANSCRIPTION DEBATE

53rd Legislative Day

5/11/2011

Poe: "Mr. Speaker and Ladies and Gentlemen of the House, this is a Bill for the treasurer and it codifies something that the Treasurer's Office has been doing since the early 1990's and it's a technical where they can invest money in limited liability corporations. So, I'd ask for a 'yes' vote."

Speaker Lang: "Gentleman moves for the passage of the Bill. There being no debate, those in favor of the Bill should vote 'yes'; opposed 'no'. The voting is open. Have all voted who wish? Have all voted who wish? Mr. Brady. Mr. Brady. Please take the record. On this question, there are 114 voting 'yes', 0 voting 'no'. And this Bill, having received the Constitutional Majority, is hereby declared passed. Senate Bill 1278, Mr. Phelps. Mr. Phelps on 1278. Please read the Bill."

Clerk Bolin: "Senate Bill 1278, a Bill for an Act concerning public employee benefits. Third Reading of this Senate Bill."

Speaker Lang: "Mr. Phelps."

Phelps: "Speaker, Ladies and Gentlemen of the House, Senate Bill 1278 allows for a dependant trust to receive pension benefits if there's not a surviving spouse. It's an initiative of the Associated Firefighters and there is no opposition."

Speaker Lang: "Gentleman moves for the passage of the Bill. There being no debate, those in favor vote 'yes'; opposed 'no'. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Mr. Brady. Mr. Brady. Please take the record. On this question, there are

STATE OF ILLINOIS  
97th GENERAL ASSEMBLY  
HOUSE OF REPRESENTATIVES  
TRANSCRIPTION DEBATE

53rd Legislative Day

5/11/2011

114 voting 'yes', 0 voting 'no'. And this Bill, having received a Constitutional Majority, is hereby declared passed. Senate Bill 1321, Representative Will Davis. Please read the Bill."

Clerk Bolin: "Senate Bill 1321, a Bill for an Act concerning safety. Third Reading of this Senate Bill."

Speaker Lang: "Mr. Davis."

Davis, W.: "Thank you very much, Mr. Speaker. Senate Bill 30... excuse me Senate Bill 1321, which is identical to Senate Bill 3940 from the previous General Assembly, simply amends the Illinois Premise Alert Program Act and expen... expands the Premise Alert Program to define individuals who use pressurized oxygen containers for medical purposes as disabled persons eligible to enroll in the Premise Alert Program and requires the suppliers of pressurized oxygen tanks to advertise existing Premise Alert Program through their website or via pamphlet. Be more than happy to answer any questions."

Speaker Lang: "The Gentleman's moved for the passage of the Bill. There being no debate, those in favor shall vote 'yes'; opposed 'no'. The voting is open. Have all voted who wish? Have all voted who wish? Representative Currie. Please take the record. On this question, there are 114 voting 'yes', 0 voting 'no'. And this Bill, having received the Constitutional Majority, is hereby declared passed. Senate Bill 1361, Representative Golar. Please read the Bill."

Clerk Bolin: "Senate Bill 1361, a Bill for an Act concerning State Government. Third Reading of this Senate Bill."



STATE OF ILLINOIS  
97th GENERAL ASSEMBLY  
HOUSE OF REPRESENTATIVES  
TRANSCRIPTION DEBATE

53rd Legislative Day

5/11/2011

Speaker Lang: "The Lady wishes the Bill to be removed from the record. Senate Bill 1396, Mr. Morthland. Please read the Bill."

Clerk Bolin: "Senate Bill 1396, a Bill for an Act concerning regulation. Third Reading of this Senate Bill."

Speaker Lang: "Mr. Morthland."

Morthland: "Thank you, Mr. Speaker. Members of the House. This would amend the Public Utilities Act and provide that the Illinois Commerce Commission shall maintain consumer education information, to help residential and small commercial retail customers understand their service options in a competitive electric services market. It did pass the Senate unanimously, but more importantly, it passed the Public Utilities Committee in the House unanimously. I ask for its adoption."

Speaker Lang: "Gentleman moves for the passage of the Bill. There being no debate, those in favor shall vote 'yes'; opposed 'no'. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Please take the record. On this question, there are 114 voting 'yes', 0 voting 'no'. And this Bill, having received the Constitutional Majority, is hereby declared passed. Returning to Senate Bill 1350, Mr. Saviano. Please read the Bill."

Clerk Bolin: "Senate Bill 1350, a Bill for an Act concerning regulation. Third Reading of this Senate Bill."

Speaker Lang: "Mr. Saviano."

Saviano: "Thank you, Mr. Speaker, Members of the House. Senate Bill 1350 is an initiative of the Illinois Dental Society."

STATE OF ILLINOIS  
97th GENERAL ASSEMBLY  
HOUSE OF REPRESENTATIVES  
TRANSCRIPTION DEBATE

53rd Legislative Day

5/11/2011

It clarifies some language which takes out dentist. It was inadvertently put in there. And I would ask for a favorable vote. Thank you."

Speaker Lang: "Gentleman moves for the passage of the Bill. There being no debate, those in favor vote 'yes'; opposed 'no'. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Mr. Arroyo. Please take the record. On this question, there are 114 voting 'yes', 0 voting 'no'. And this Bill, having received the Constitutional Majority, is hereby declared passed. Senate Bill 1553, Representative Osmond. Please read the Bill."

Clerk Bolin: "Senate Bill 1553, a Bill for an Act concerning insurance. Third Reading of this Senate Bill."

Speaker Lang: "Representative Osmond."

Osmond: "Thank you, Mr. Speaker. Senate Bill 1553, as amended, amends the Illinois Insurance Code in the provisions concerning accident and health expense reporting. It provides that the report will be given on October 1 instead of July 31 and on or before April 1 instead of February 1. And I would be happy to answer any questions. I know of no opposition."

Speaker Lang: "The Lady moves for the passage of the Bill. There being no debate, those in favor of the Bill shall vote 'yes'; opposed 'no'. The voting is open. Have all voted who wish? Have all voted who wish? Representatives Poe and Turner. Representative Poe. Please take the record. On this question, there are 114 voting 'yes', 0 voting 'no'. And this Bill, having received the Constitutional Majority, is hereby declared passed. Senate Bill 1554. Oh,

STATE OF ILLINOIS  
97th GENERAL ASSEMBLY  
HOUSE OF REPRESENTATIVES  
TRANSCRIPTION DEBATE

53rd Legislative Day

5/11/2011

Representative Mathias has a Bill. Mr. Mathias. Please read the Bill."

Clerk Bolin: "Senate Bill 1554, a Bill for an Act concerning criminal law. Third Reading of this Senate Bill."

Speaker Lang: "Get the trophy. Mr. Mathias."

Mathias: "Thank you, Mr. Speaker, and for the editorial comment. Senate Bill 1554 basically states that someone who's authorized to serve process cannot be charged with criminal trespass to real property if they... in order to serve that process, whether court appointed or authorized to serve it under the Code of Civil Procedure, steps on the land of someone to serve that process so they can't be charged a criminal pro... trespass and I ask for your 'aye' vote."

Speaker Lang: "Mr. Mathias moves for the passage of his Bill. There's no debate but a lot of whistling, Sir. Those in favor of the Gentleman's Bill shall vote 'yes'; opposed 'no'. The voting is open. Have all voted who wish? Keep decorum in the chamber, Ladies and Gentlemen. Have all voted who wish? Have all voted who wish? Mr. Beiser, Representative Berrios, Mr. Dunkin, Mr. Holbrook. Please take the record. On this question, there are 114 voting 'yes', 0 voting 'no'. And this Bill, having received the Constitutional Majority, is hereby declared passed. The Chair recognizes Representative Kosel."

Kosel: "Thank you, Mr. Speaker. I would like the record to reflect that on Senate Bill 1350 it was my intention to vote 'present'."

STATE OF ILLINOIS  
97th GENERAL ASSEMBLY  
HOUSE OF REPRESENTATIVES  
TRANSCRIPTION DEBATE

53rd Legislative Day

5/11/2011

Speaker Lang: "The record will reflect your intentions. The next Bill is Senate Bill 1584, Mr. Riley. Representative Al Riley, are you in the chamber. Out of the record. Senate Bill 1654, Mr. Winters. Please read the Bill."

Clerk Bolin: "Senate Bill 1654, a Bill for an Act concerning public utilities. Third Reading of this Senate Bill."

Speaker Lang: "Mr. Winters."

Winters: "Thank you, Mr. Speaker. Senate Bill 1654 would amend the Public Utilities Act to require the Commerce Commission to prepare an annual report regarding the development of competitive retail natural gas markets in Illinois. There is no opposition to the Bill. I'd be happy to answer any questions."

Speaker Lang: "Gentleman's moved for the passage of the Bill. And on that question, the Chair recognizes Mr. Franks."

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

Speaker Lang: "Gentleman yields."

Franks: "Representative, you indicated that there was no opposition, but our analysis indicates that the Citizens Utility Board is opposed. Have they contacted you?"

Winters: "No, I don't believe so. They... they weren't in support of it, but I believe they were neutral as wa... was the conversation I had. They don't have any problem that I'm aware of, Jack."

Franks: "Because our analysis indicates they are an opponent and the Illinois Commerce Commission has no position."

Winters: "Right. Right."

Franks: "Could we possible call..."

STATE OF ILLINOIS  
97th GENERAL ASSEMBLY  
HOUSE OF REPRESENTATIVES  
TRANSCRIPTION DEBATE

53rd Legislative Day

5/11/2011

Winters: "The Commerce Commission already does this on electricity and they... they are set up to do this type of study so I don't believe that they... there is no opposition by them."

Franks: "Which... This isn't public utilities?"

Winters: "Pardon."

Franks: "Maybe Mr. Holbrook remembers. Okay. Cause I... our analysis indicates that and that's all I was trying to... Okay."

Winters: "I... I don't believe that they are."

Franks: "Okay."

Winters: "I don't believe there was a witness slip in opposition."

Franks: "Okay. Thank you."

Speaker Lang: "Those in favor of this Bill shall vote 'yes'; opposed 'no'. The voting is open. Have all voted who wish? Have all voted who wish? Representative Zalewski. Please take the record. On this question, there are 114 voting 'yes', 0 voting 'no'. And this Bill, having received the Constitutional Majority, is hereby declared passed. Returning to Senate Bill 1240, Representative Tracy has already explained the Bill. Representative Tracy."

Tracy: "Thank you, Mr. Speaker. I did talk with Representative Franks and I don't know that I... I would like to move forward with the Bill. There is a specific instance where the Lee County 911 board has purchased property under the impression of an interpretation of the statute and this Bill addresses that specific interpretation so that they can move forward and own real-estate."

STATE OF ILLINOIS  
97th GENERAL ASSEMBLY  
HOUSE OF REPRESENTATIVES  
TRANSCRIPTION DEBATE

53rd Legislative Day

5/11/2011

Speaker Lang: "Lady again moves for passage of the Bill. The  
Chair recognizes Mr. Sacia."

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

Speaker Lang: "Lady yields."

Sacia: "Representative Tracy, this Bill is Senator Bivins and  
my Senator... senatorial district partner is Representative  
Mitchell... Jerry Mitchell who represents Lee County, who  
really wanted this Bill. And now I recognize that Mr.  
Franks asked some very pertinent questions and mine is  
totally irrelevant, but I just wondered if you would answer  
that?"

Tracy: "Yes."

Speaker Lang: "An excellent answer indeed. Mr. Franks."

Franks: "Thank you. To the Bill. And I appreciate  
Representative Tracy coming over and we talked and we also  
met with Mr. Mitchell and Mr. Fortner. Unfortunately, I  
have to still rise in opposition now to the Bill. I believe  
that the Bill the way it's drafted will not do what the  
Sponsor wishes for it to do. If the intent is to allow 911  
boards to purchase property, this Bill will not allow that.  
What this Bill does is it prohibits any purchases after  
March 16, 2006. So if it in fact is a good idea for 911  
boards to purchase, which I'm not saying it is or isn't  
they would be prohibited. What this Bill does however  
though is to verify and validate a previous purchase that  
was questioned by the Attorney General because the Attorney  
General indicated that they did not believe that this could  
occur. I would encourage a 'no' vote because I think it's...  
it's against public policy to do this and also to cut off

STATE OF ILLINOIS  
97th GENERAL ASSEMBLY  
HOUSE OF REPRESENTATIVES  
TRANSCRIPTION DEBATE

53rd Legislative Day

5/11/2011

in the future if we wanted to see 911 boards purchase, this would prohibit it. So I believe in the essence... for our best public policy, regrettably, I stand in opposition to my friend the Sponsor and ask for a 'no' vote."

Speaker Lang: "Mr. Jerry Mitchell."

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

Speaker Lang: "Lady yields."

Mitchell, J.: "Representative Tracy, I've looked at this Bill myself. I'm not an attorney, you are an attorney. In your opinion does... do you feel that this does the things that Representative Franks says?"

Tracy: "Well, now, I think what it does is it drafts a specific instance and clarify in the statute that this property... that the Lee County 911 board does own real-estate. And as far as future property ownership by 911 boards, I've... I've been asked to cooperate and work with a Bill that will address that very thing over the summer for new legislation next year and, again, clarify a situation that all 911 boards, if that's the... that can own real-estate. It would be actually a money saver to many counties because then they would be allowed to own real-estate which is exactly the situation here in Lee County. I think this Bill does and it's narrowly tailored and I think it will address a situation specifically in Lee County."

Mitchell, J.: "And... and that was the intent of the legislation. So you're going to have a trailer Bill that will clear up this question once and for all."

Tracy: "Yes. I think that would..."

STATE OF ILLINOIS  
97th GENERAL ASSEMBLY  
HOUSE OF REPRESENTATIVES  
TRANSCRIPTION DEBATE

53rd Legislative Day

5/11/2011

Mitchell, J.: "So we basically have a Senate staff and the lawyers in the Senate. This has been through the Senate passed out of there quite well. Now it's in the House and with all due respect to the Representative, his personal opinion flies in the face of those... of all the attorneys and all the staff on both sides of the chamber have looked at. Okay, Ladies and Gentlemen I... I don't know why certain things affect the Gentlemen and I have great respect for him, but things just all of a sudden hit him in a certain way and that's the way it is. I had a Bill like that myself one time. He's a great guy, but he is not the ultimate decision maker on every issue. So to help... to help Lee County there's nothing, absolutely nothing, that their trying to do sneaky. They're just a 911 board trying to clear up a situation. This was a suggestion to them from the State's Attorney to get this clarified. They're trying to do that, then they will be on the right side of this issue and we'll clear it up over the summer for everybody else. Thank you Mr. Chairman. Oh, vote 'yes'. Thank you."

Speaker Lang: "Mr. Fortner."

Fortner: "Thank you, Mr. Speaker. I believe my name was used in debate. To the Bill. When we had this discussion committee we had someone from the Sheriffs' Association speak. They did indicate the very concern that the Gentleman from McHenry had indicated that there was... that it really ought to be expanded and I would support the idea that it that it should be expanded. But that goes well, well beyond the scope of the Bill here. I appreciate the fact that the Sponsor has offered that this should come forward as a



STATE OF ILLINOIS  
97th GENERAL ASSEMBLY  
HOUSE OF REPRESENTATIVES  
TRANSCRIPTION DEBATE

53rd Legislative Day

5/11/2011

trailer. I think that's the right way to handle that rather than try and make this Bill go way beyond its original intent and let's have a trailer and bring up the idea that we should be allowing this type of purchase because it really could be a cost savings measure to the taxpayer. Thank you. And I would urge..."

Speaker Lang: "Representative Tracy to close."

Tracy: "Thank you. I think we've had a good debate on this and I would just ask for an 'aye' vote."

Speaker Lang: "Those in favor of the Bill shall vote 'yes'; opposed 'no'. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Representatives Davis and Rita, record yourselves. Please take the record. On this question, there are 101 voting 'yes', 10 voting 'no', and 3 voting 'present'. And this Bill, having received the Constitutional Majority, is hereby declared passed. Returning to Senate Bill 1584, Mr. Riley. Please read the Bill."

Clerk Bolin: "Senate Bill 1584, a Bill for an Act concerning health. Third Reading of this Senate Bill."

Speaker Lang: "Mr. Riley."

Riley: "Thank you, Mr. Speaker. Members of the House, Senate Bill 1584 requires county board chairmen or township supervisors to appoint a seven person volunteer advisory mental health committee. And this is where those jurisdictions don't presently have a mental health program under the county code, under the Community Mental Health Act. This is a very good Bill. Of course those units of local government that already have this board would be

STATE OF ILLINOIS  
97th GENERAL ASSEMBLY  
HOUSE OF REPRESENTATIVES  
TRANSCRIPTION DEBATE

53rd Legislative Day

5/11/2011

exempt from these provisions. Thank you and I'll answer any questions and I'd like 'aye' votes on this Bill."

Speaker Lang: "Gentleman has moved for the passage of the Bill. There being no debate, those in favor shall vote 'yes'; opposed 'no'. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Please take the record. On this question, there are 114 voting 'yes', 0 voting 'no'. And this Bill, having received the Constitutional Majority, is hereby declared passed. On supplemental calendar #1 under the Order of Senate Bills-Second Reading appears Senate Bill 7. Please read the Bill."

Clerk Bolin: "Senate Bill 7, a Bill for an Act concerning education. Second Reading of this Senate Bill. No Committee Amendments. No Floor Amendments. No Motions are filed."

Speaker Lang: "Third Reading. On page 2 of the Calendar under the Order of House Bills-Second Reading appears House Bill 327. Please read the Bill."

Clerk Bolin: "House Bill 327, a Bill for an Act making appropriations. Second Reading of this House Bill. Amendment #1 was adopted in committee. No Floor Amendments. No Motions are filed."

Speaker Lang: "Third Reading. On page 3 of the Calendar appears House Bill 2165. Please read the Bill."

Clerk Bolin: "House Bill 2165 a Bill for an Act concerning appropriations. Second Reading of this House Bill. Amendment #1 was adopted in committee. No Floor Amendments. No Motions are filed."

STATE OF ILLINOIS  
97th GENERAL ASSEMBLY  
HOUSE OF REPRESENTATIVES  
TRANSCRIPTION DEBATE

53rd Legislative Day

5/11/2011

Speaker Lang: "Third Reading. Mr. Clerk, committee announcements."

Clerk Bolin: "There are two cancelations for committees. The Appropriations General Services Committee has been canceled and the Labor Committee has been canceled."

Speaker Lang: "Chair recognizes Mr. Mathias."

Mathias: "And not with a Bill. Also tomorrow Mass Transit is canceled."

Speaker Lang: "Mr. Clerk, Agreed Resolutions."

Clerk Bolin: "Agreed Resolutions. House Resolution 350, offered by Representative Moffitt. House Resolution 351, offered by Representative Mautino. House Resolution 353, offered by Representative Turner. House Resolution 354, offered by Representative Chapa LaVia. House Resolution 355, offered by Representative Zalewski. House Resolution 356, offered by Representative Jakobsson. And House Resolution 357, offered by Representative Jakobsson."

Speaker Lang: "Mr. Dunkin, are you rising to speak on the Agreed Resolutions?"

Dunkin: "No, Mr. Speaker. I'm speaking... rising for a point of clarification."

Speaker Lang: "Let me... Let's finish this up first. Just stay right at your desk, Sir. Mr. McGuire moves for the adoption of the Agreed Resolutions. Those in favor say 'yes'; opposed 'no'. In the opinion of the Chair the 'ayes' have it. And the Agreed Resolutions are adopted. Now, Mr. Dunkin."

Dunkin: "Thank you, Mr. Speaker. Members, just to announce that tomorrow's 8 a.m Higher Ed Appropriations Committee is

STATE OF ILLINOIS  
97th GENERAL ASSEMBLY  
HOUSE OF REPRESENTATIVES  
TRANSCRIPTION DEBATE

53rd Legislative Day

5/11/2011

canceled tomorrow. So no 8 a.m. I know it's a little late in the morning 8 a.m. Aper... Appropriation Higher Ed Committee is canceled."

Speaker Lang: "Mr. Franks."

Franks: "Just want to make sure that people know that State Government Administration we're actually going to be working, so please show up on time. We have a lot of Bills in C-1. Thank you."

Speaker Lang: "Mr. Clerk, on the... on page 10 of the Calendar under the Order of Constitutional Amendments-Second Reading appears HJRCA 5. Please tell us the status, Sir."

Clerk Bolin: "House Joint Resolution Constitutional Amendment #5 has been read in full two times. Amendment #1 was adopted in committee. No floor Amendments. No Motions are filed."

Speaker Lang: "Third Reading. And tell us the status on page 11 of HJRCA 29?"

Clerk Bolin: "House Joint Resolution Constitutional Amendment #29, has been read in full two times. No Committee Amendments. No floor Amendments. No Motions are filed."

Speaker Lang: "Third Reading. And now Representative Currie moves that allowing perfunctory time for the Clerk the House stand adjourned until Thursday, May 12, at the hour of 2 p.m. All in favor say 'yes'; opposed 'no'. In the opinion of the Chair the 'ayes' have it. The Motion carries and the House does stand adjourned until Thursday, May 12, at 2 p.m."

STATE OF ILLINOIS  
97th GENERAL ASSEMBLY  
HOUSE OF REPRESENTATIVES  
TRANSCRIPTION DEBATE

53rd Legislative Day

5/11/2011

Clerk Bolin: "The House Perfunctory Session will come to order.  
Third Reading of House Joint Resolution Constitutional  
Amendment #5, as amended.

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

ARTICLE XIII

GENERAL PROVISIONS

SECTION 5.1. PENSION BENEFIT INCREASES

(a) A bill shall not become a law without the concurrence  
of three-fifths of the members elected to each house of the  
General Assembly if that bill increases a benefit under any  
pension or retirement system of the State, any unit of  
local government or school district, or any agency or  
instrumentality thereof. However, if the Governor vetoes a  
bill so passed by returning it with his objections to the  
house in which it originated, then that bill shall not  
become law unless, upon its return, it is passed by a  
record vote of two-thirds of the members elected to each  
house of the General Assembly. Likewise, if the Governor  
returns a bill so passed with specific recommendations for  
change to the house in which it originated, then those  
recommendations may be accepted only by a record vote of  
two-thirds of the members elected to each house of the

STATE OF ILLINOIS  
97th GENERAL ASSEMBLY  
HOUSE OF REPRESENTATIVES  
TRANSCRIPTION DEBATE

53rd Legislative Day

5/11/2011

General Assembly. The provisions of this subsection (a) apply notwithstanding Article IV.

(b) An ordinance, resolution, or other action of the governing body of any unit of local government or school district shall not be valid without the concurrence of three-fifths of the members of that governing body if that ordinance, resolution, or other action increases a benefit under any pension or retirement system for officials or employees of that unit of local government or school district, or any agency or instrumentality thereof.

(c) For the purposes of this Section, a bill, ordinance, resolution, or other action increases a benefit if it increases the amount of an existing benefit, adds a new benefit, or expands the class of persons eligible for a benefit, regardless of whether it includes an increase in contributions or a reduction in any other benefit.

SCHEDULE

This Constitutional Amendment takes effect upon being declared adopted in accordance with Section 7 of the Illinois Constitutional Amendment Act. This has been the Third Reading in full of House Joint Resolution Constitutional Amendment #5, as amended. Third Reading of House Joint Resolution Constitutional Amendment #29.

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

STATE OF ILLINOIS  
97th GENERAL ASSEMBLY  
HOUSE OF REPRESENTATIVES  
TRANSCRIPTION DEBATE

53rd Legislative Day

5/11/2011

Section 8.1 of Article I of the Illinois Constitution as follows:

ARTICLE I

BILL OF RIGHTS

SECTION 8.1. CRIME VICTIM'S RIGHTS.

(a) To preserve and protect a victim's right to justice and due process, a crime victim shall have the following rights:

(1) The right to be treated with fairness and respect for the victim's dignity and privacy and to be free from harassment, intimidation, and abuse throughout the criminal justice process.

(2) The right to refuse to disclose information that is privileged or confidential by law.

(3) The right to timely notification of all court proceedings, including related post-trial proceedings.

(4) The right to confer with the prosecution.

(5) The right to be heard in person or in any other reasonable manner the victim chooses at any proceeding involving a post-arraignment release decision, plea, sentencing, post-conviction or post-adjudication release decision, or any proceeding in which a right of the victim is at issue.

(6) The right to receive a report prepared for sentencing, reduction in sentence, parole, early release, or clemency, when available to the accused.

(7) The right to be notified of the conviction, the sentence, any proposal that would reduce the sentence or

STATE OF ILLINOIS  
97th GENERAL ASSEMBLY  
HOUSE OF REPRESENTATIVES  
TRANSCRIPTION DEBATE

53rd Legislative Day

5/11/2011

result in release, the imprisonment, and the release of the accused.

(8) The right to timely disposition of the case following the arrest of the accused, including related post-trial proceedings.

(9) The right to be reasonably protected from the accused throughout the criminal justice process.

(10) The right to have the safety of the victim and the victim's family considered in denying or fixing the amount of bail, determining whether to release the defendant, and setting conditions of release after arrest and conviction.

(11) The right to be present at the trial and all other court proceedings, including related post-trial proceedings.

(12) The right to have present at all court proceedings, subject to the rules of evidence, an advocate or other support person of the victim's choice.

(13) The right to full and prompt restitution.

(b) Definition. For the purposes of this Section, the term "crime victim" means a person directly and proximately harmed as a result of the commission of a criminal offense. In the case of a crime victim who is under 18 years of age, incompetent, incapacitated, or deceased, the legal guardians of the crime victim or the representatives of the crime victim's estate, family members, or any other persons appointed as suitable by the court may assume the crime victim's rights under this Section, but in no event shall the accused be named as such guardian or representative.



STATE OF ILLINOIS  
97th GENERAL ASSEMBLY  
HOUSE OF REPRESENTATIVES  
TRANSCRIPTION DEBATE

53rd Legislative Day

5/11/2011

- (c) A victim, the victim's lawyer, or the prosecuting attorney upon request of the victim may assert the rights enumerated in subsection (a) in any circuit or appellate court with jurisdiction over the case as a matter of right. The court shall act promptly on such a request.
- (d) The General Assembly may provide for an assessment against convicted defendants to pay for crime victims' rights.
- (e) Nothing in this Section or in any law enacted under this Section shall be construed as creating a basis for vacating a conviction.
- (f) Nothing in this Section creates any cause of action for compensation or damages against the State, any political subdivision of the State, any officer, employee, or agent of the State or of any of its political subdivisions, or any officer or employee of the court.

SCHEDULE

This Constitutional Amendment takes effect upon being declared adopted in accordance with Section 7 of the Illinois Constitutional Amendment Act. This has been the Third Reading of House Joint Resolution Constitutional Amendment #29. Introduction and First Reading of House Bills. House Bill 3774, offered by Representative Kay, a Bill for an Act concerning civil law. First Reading of this House Bill. First Reading of Senate Bills. Senate Bill 1253, offered by Representative Moffitt, a Bill for an Act concerning local government. First Reading of this Senate Bill. There being no further business, the House Perfunctory Session will stand adjourned."