

STATE OF ILLINOIS
93rd GENERAL ASSEMBLY
HOUSE OF REPRESENTATIVES
TRANSCRIPTION DEBATE

126th Legislative Day

5/12/2004

Clerk Mahoney: "House Perfunctory Session will now come to order. Introduction of House Bills-First Reading. House Bill 7300, introduced by Representative May, a Bill for an Act concerning environmental safety. House Bill 7301, introduced by Representative Cross, a Bill for an Act concerning education. Referred to House Committee on Rules. House Resolution 894, offered by Representative Brosnahan. House Resolution 895, offered by Representative Younge. House Resolution 898, offered by Representative Burke. House Resolution 906, offered by Representative Mendoza. House Resolution 907, offered by Representative Leitch. House Resolution 908, offered by Representative Moffitt. House Resolution 911, offered by Representative Leitch. House Resolution 917, offered by Representative Younge. House Joint Resolution 82, offered by Representative Ryg. House Joint Resolution 83, offered by Representative May and House Joint Resolution 84, offered by Representative Meyer."

Clerk Mahoney: "Committee Reports. Representative Monique Davis, Chairperson from the Committee on Appropriations-General Services, to which the following measure/s was/were referred, action taken on May 11, 2004, reported the same back with the following recommendation/s: 'do pass as amended Short Debate' House Bill 7236 and House Bill 7251; 'do pass Short Debate' House Bill 7238, House Bill 7240, House Bill 7241, House Bill 7243, House Bill 7248, House Bill 7249, House Bill 7254, House Bill 7265 and House Bill 7267. Representative Morrow, Chairperson from the

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Committee on Appropriations-Public Safety, to which the following measure/s was/were referred, action taken on May 11, 2004, reported the same back with the following recommendation/s: 'do pass Short Debate' House Bill 7215, House Bill 7217, House Bill 7218, House Bill 7221, House Bill 7222, House Bill 7223, House Bill 7224, House Bill 7225, House Bill 7227, House Bill 7229 and House Bill 7230; 'do pass Standard Debate' House Bill 7219. Representative Burke, Chairperson from the Committee on Executive, to which the following measure/s was/were referred, action taken on May 11, 2004, reported the same back with the following recommendation/s: 'do pass as amended Short Debate' House Bill 3064; 'recommends be adopted' Floor Amendment #1 to Senate Bill 2257. Representative Schmitz, Chairperson from the Committee on Appropriations-Elementary & Secondary Education, to which the following measure/s was/were referred, action taken on May 11, 2004, reported the same back with the following recommendation/s: 'do pass Short Debate' House Bill 7187."

Speaker Hannig: "The hour of 12:00... 12:45 having arrived, the House will be in order. Will the Members please be in their seats? Members and guests are asked to refrain from starting their laptops, turn off all cell phones and pagers and rise for the invocation and the Pledge of Allegiance. We'll be led in prayer today by Reverend Bill Clark with the Church of the Nazarene in Marseilles, Illinois. Reverend Clark is the guest of Representative Gordon."

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Reverend Clark: "Okay. Let's pray together. Almighty God, our help in ages past and our hope for years to come, to You of whom is all rule and authority in the world, I come to You with a prayer at the opening of another day of Session. Would You take into Your gracious care all Members of the House of Representatives in Illinois, the presiding officers and all other officials? May You grant them a high sense of responsibility of the office to which they've been elected. I ask that You make them immune to the temptations of selfish interests. May You fill them with knowledge and wisdom that the Resolutions adopted and the laws enacted may meet Your standards and be for the good of the people of Illinois. Keep me and our fellow citizens from unfair criticism and faultfinding and help us rather, Oh God, on this day to render to the Members of this Session the honor and respect that is proper and to support them with our prayers and our goodwill. Bless Illinois and our country. Bless our government, our people. We think of our soldiers today in Iraq and around the world and make the State of Illinois and our great nation a blessing to both the people of this state and of the world. In the name of and for the sake of Christ, our Lord, amen."

Speaker Hannig: "And we'll be led today in the pledge by Representative Brauer."

Brauer - 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."

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

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

Speaker Hannig: "And Representative Bost."

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

Speaker Hannig: "The record will show... the record will reflect that absence. Representative Verschoore, for what reason do you rise?"

Verschoore: "Personal privilege. I'd like to make everyone in the chamber aware, tomorrow the Medal of Honor ceremonies for... that's gonna take place at 11 a.m. at the Firefighters' Memorial. So, I just wanna make everybody aware of that. Thank you very much."

Speaker Hannig: "Thank you. And Mr. Clerk, take the record. There are 116 Members answering the Roll Call, a quorum is present. Representative Franks, for what reason do you rise?"

Franks: "I rise on a point of personal privilege."

Speaker Hannig: "State your point."

Franks: "I'd like to introduce, in the north gallery, the Alden-Hebron High School junior and senior class who came down today to Springfield, 12 students and their teacher and chaperone. Welcome to Springfield."

Speaker Hannig: "Okay. So, resuming on the Order of Senate Bills-Third Reading, where we left off yesterday, on page 12 of the Calendar, the Senate Bill 3166. Representative

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Delgado. We're picking up where we left off yesterday on Senate Bills-Third Reading. So, Mr. Clerk, read the Bill."

Clerk Mahoney: "Senate Bill 3166, a Bill for an Act concerning sexual violent persons. Third Reading of this Senate Bill."

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

Delgado: "Thank... thank you, Mr. Chair... thank you, Mr. Speaker and Members of the House. Senate Bill 3166 is an initiative of the Department of Human Services. It's intended to make clear when a report is due to the court regarding the status of persons committed under the Sexually Violent Persons Commitment Act. It also is intended to provide further protections for victims when a offender's status has changed. Basically, this... 36... 3166 does three things. Under the current law, the... what it will do will make sure that the Department of Human Service will be required to submit an evaluation of all persons committed under the Act to the court within six months of the initial commitment order and also within six months and every 12 month thereafter. Second, there's no time requirement for when reports must be prepared and third, under the current law, victim notification of an offender's change in status is only required upon conditional release or discharge. This Bill would incorporate other scenarios in which it's essential that a victim is notified. And I would ask for your 'aye' vote."

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Speaker Hannig: "The Gentleman from Cook, Representative Delgado has moved for passage of Senate Bill 3166. And on that question, the Gentleman from DuPage, Representative Meyer is recognized."

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

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

Meyer: "Representative, according to my analysis, DHS will make a reasonable attempt to notify. What is the definition of 'reasonable attempt'?"

Delgado: "'Reasonable attempt to notify' would be working directly through and actually, let me get some more information for you on that, Representative, 'cause I'm not gonna take a stab at that other than the reasonable motions would be that a requirement in (a) in working with the victim in sending notification out, sending notification also, getting... and staying in touch with the cust... the custodian being the Department of Corrections. But the primary reason would be to notify the victim and send a notice to the victim that this has occurred."

Meyer: "Can the..."

Delgado: "So, 'reasonable' would have to be in writing and within a time frame of when that person is released."

Meyer: "Well, please don't misunderstand my line of questioning. I agree with what you're attempting to do. I... I just wanna make sure that a 'reasonable attempt' isn't something that's taken lightly by the department. That there... there is an effort, an ongoing effort, to notify the victim or the victim's family of any change in status and I

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know I... have con... constituents in my district that are very concerned about some... some of those issues and... and the fact that currently they are not notified of a change in status and this really needs to be tightened up and make sure that we do ma... we do notify these people. I think they have a right to know."

Delgado: "Absolutely, Representative, and I can assure you... I've worked with you on many Bills on criminal law. I'm the chair of Human Services and I work very close with a wonderful crack staff they have with the legislative director who used to be on staff with us, Amy Brennan with Director Adams. And as you know, I have a great passion for violence prevention. I work very close with the Attorney General's Office on this type of legislation. This one being an initiative of the Human Services that we will make sure that their reasonable efforts are maximum standards and not minimum."

Meyer: "Thank you for your comments and be happy to support your measure."

Speaker Hannig: "Is there any further discussion? Representative Delgado... Delgado to close, please."

Delgado: "Thank you. As we continue to address the areas of... of sexual offenders and violence, it is very clear that this is a very... a strong move in makin' sure that we update where we need to go. The Department of Human Services should be commended for bringin' this initiative forward and I'm very proud to carry it. And I would ask for your 'aye' vote."

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Speaker Hannig: "The question is, 'Shall Senate Bill 3166 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 Poe, would you like to be recorded? Very good. Mr. Clerk, take the record. On this question, there are 116 voting 'yes' and 0 voting 'no'. And this Bill, having received a Constitutional Majority, is hereby declared passed. Representative Boland, for what reason do you rise?"

Boland: "A point of personal privilege..."

Speaker Hannig: "Yes."

Boland: "...Mr. Speaker. Ladies and Gentlemen of the House, if I can have your attention for a moment. We have the birthday of a... one of our most famous Members. You'll always recognize him by his green ties and green face and other... other green parts. And that is... today is the birthday of Representative Jack McGuire of Joliet. Let's all give him a good hand. He's only 39 years old today. Well, plus a few days."

Speaker Hannig: "Happy birthday, Representative. And Mr. Clerk, would you read Senate Bill 3174?"

Clerk Mahoney: "Senate Bill 3174, a Bill for an Act concerning civil liabilities. Third Reading of this Senate Bill."

Speaker Hannig: "Representative Lang."

Lang: "Thank you. This is a Bill that is the... that came from the Department of Human Services. A simple Bill that had no opposition either in the Senate or in committee. Currently, the disclosure of mental health records can be

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authorized during the course and reevaluation mandated by the Abuse of Adults With Disabilities Act and that applies to nursing home settings. This would add language to include persons in residential settings as well. I would ask for your support."

Speaker Hannig: "The Gentleman has moved for passage of Senate Bill 3174. Is there any discussion? There being none, 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? Mr. Clerk, take the record. On this question, there are 115... 6... Mr. Clerk, take the record. On this question, there are 115 voting 'yes', 0 voting 'no' and 0 voting 'present'. And this Bill, having received a Constitutional Majority, is hereby declared passed. Mr. Clerk, would you read House... Senate Bill 3184? Representative Fritchey, you're up."

Clerk Mahoney: "Senate Bill 3184, a Bill for an Act concerning vehicles. Third Reading of this Senate Bill."

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

Fritchey: "Thank you... thank you, Speaker and Members of the Body. Senate Bill 3184 really clarifies some language with respect to allowing senior citizens who are participants or who are approved for benefits under the Circuit Breaker Act to receive a discounted registration fee of \$24 for their standard license plates as well as the Purple Heart and Korean War Veteran plates. It's a commonsense piece of legislation, it really is. It expands circuit breaker

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benefits to a number of our seniors who have all of our senior benefits... senior veterans to whom we owe so much. I'd be happy to answer any questions. Otherwise, I'd ask an 'aye' vote. Thank you."

Speaker Hannig: "The Gentleman has moved for passage of Senate Bill 3184. Is there any discussion? There being none, the question is, 'Shall this Bill pass?' All in favor vote 'aye'; opposed 'nay'. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Mr. Clerk, take the record. On this question, there are 116 voting 'yes' and 0 voting 'no'. And this Bill, having received a Constitutional Majority, is hereby declared passed. Mr. Clerk, would you read Senate Bill 3208."

Clerk Mahoney: "Senate Bill 3208, a Bill for an Act concerning commissions. Third Reading of this Senate Bill."

Speaker Hannig: "Representative Turner. Representative Turner on Senate Bill 3208. Out of the record. The Gentleman from Lake, Representative Sullivan, for what reason do you rise?"

Sullivan: "Mr. Speaker, a point of personal privilege, please."

Speaker Hannig: "State your point."

Sullivan: "Thank you. Members of the House, with us today we have, from my district and Kathy Ryg's district kind of, we share a school that is very special to us, my alma mater. Kathy is a board member there. Carmel High School 6A Class Championship, first school football championship in the history of Carmel was won this year. This is a team that's

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gone 27 and 1 over the last two years. The senior class, over four years, only lost two games, a wonderful program. If you would join me in recognizing them for their fine accomplishments, they're up above me right now. Let's rise and say 'thank you' for all their hard efforts. Thank you very much."

Speaker Hannig: "The Lady from Lake, Representative Ryg."

Ryg: "Thank you, Mr. Speaker and Ladies and Gentlemen of the House. Not only is Carmel High School an award-winning football team, but they also have a lot of experience and a lot of accomplishments in several other areas. These kids on the team, so far in their high school experience, have contributed approximately 10 thousand hours of community service. Thirty-three of the players were on the honor roll at the semester, four Illinois State Scholars and over 39 players with grade points of 3.0 or plus. The motto of Carmel High School is 'the values are for life' and we think this group especially exemplifies that motto. And we're glad to welcome them to Springfield and offer our congratulations. Thank you."

Speaker Hannig: "The Chair will now go to page 13 of the Calendar, Senate Bills-Second Reading. We will try to go to those Bills where the Amendments have been sent to the floor or where the Bills are prepared to go to Third Reading. The Chair will try to omit those Bills where there's an Amendment pending and we're aware of it. So, the first Bill on that Order of Second Reading is Senate

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Bill 827. Representative Grunloh. Would you like us to move that Bill? Senate Bill 827. Representative Grunloh." Grunloh: "Mr. Speaker, I believes there's an Amendment that has to be filed for that, yet."

Speaker Hannig: "Right. So, we can adop... we can..."

Grunloh: "Yes."

Speaker Hannig: "Okay. Mr. Clerk, would you read the Bill."

Clerk Mahoney: "Senate Bill 827 has been read a second time, previously. No Committee Amendments. No Floor Amendments. No Motions filed."

Speaker Hannig: "Okay. Representative Grunloh, is it your intention to move the Bill to Third at this time or do you want us to hold the Bill for an Amendment? Do you have an Amendment pending?"

Grunloh: "Is it... If the Amendment's been filed, I would like to go to Third Reading."

Clerk Mahoney: "The Clerk does not indicate that any Amendment has been filed at this time."

Grunloh: "Okay. Then I... I would... we'd have to hold it then, I think."

Speaker Hannig: "Okay. So, Mr. Clerk, let's hold that on the Order of Second Reading. Senate Bill 948, Representative Turner's Bill. Mr... Representative Turner, would you like us to move Senate Bill 948? Mr. Clerk, read the Bill."

Clerk Mahoney: "Senate Bill 948, a Bill for an Act in relation to criminal law. Second Reading of this Senate Bill. No Committee Amendments. No Floor Amendments. No Motions filed."

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Speaker Hannig: "Third Reading. Senate Bill 984, Representative Capparelli. Mr. Clerk, would you read that Bill?"

Clerk Mahoney: "Senate Bill 984, a Bill for an Act in relation to labor relations. Second Reading of this Senate Bill. No Committee Amendments. No Floor Amendments. No Motions filed."

Speaker Hannig: "Third Reading. Mr. Clerk, would you read Senate Bill 1006?"

Clerk Mahoney: "Senate Bill 1006, a Bill for an Act in relation to environmental safety. Second Reading of this Senate Bill. No Committee Amendments. No Floor Amendments. No Motions filed."

Speaker Hannig: "Okay. Excuse me, Mr. Clerk. Let's take that out of the record at the request of the House Sponsor. Mr. Clerk, would you read Senate Bill 1553?"

Clerk Mahoney: "Senate Bill 1553 has been read a second time, previously. No Committee Amendments. No Floor Amendments. No Motions filed."

Speaker Hannig: "Third Reading. Mr. Clerk, would you read Senate Bill 1604?"

Clerk Mahoney: "Senate Bill 1604 has been read a second time, previously. No Committee Amendments. No Floor Amendments. No Motions filed."

Speaker Hannig: "Third Reading. Mr. Clerk, would you read Senate Bill 1684?"

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Clerk Mahoney: "Senate Bill 1684 has been read a second time, previously. No Committee Amendments. No Floor Amendments. No Motions filed."

Speaker Hannig: "Third Reading. Mr. Clerk, would you read Senate Bill 1691?"

Clerk Mahoney: "Senate Bill 1691 has been read a second time, previously. No Committee Amendments. Floor Amendment #1, offered by Representative McGuire, has been approved for consideration."

Speaker Hannig: "Representative McGuire on the Amendment. Representative McGuire on Floor Amendment #1 to Senate Bill 1691."

McGuire: "Hold on a second, Mr. Speaker. Mr. Speaker, excuse me. Would you take this out of the record for the moment? Thank you."

Speaker Hannig: "Okay. That Bill is out of the record for the moment. Okay. So, let's move to Senate Bill 1906."

Clerk Mahoney: "Senate Bill 1906 has been read a second time, previously. No Committee Amendments. No Floor Amendments. No Motions filed."

Speaker Hannig: "Third Reading. Mr. Clerk, would you read Senate Bill 2148?"

Clerk Mahoney: "Senate Bill 2148, a Bill for an Act concerning tobacco. Second Reading of this Senate Bill. No Committee Amendments. Floor Amendment #1, offered by Representative Nekritz, has been approved for consideration."

Speaker Hannig: "Representative Nekritz."

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Nekritz: "Thank you, Mr. Speaker, Ladies and Gentlemen of the House. The underlying legislation of Senate Bill 2148 is to restrict cigarette sales to minors over the Internet. This particular Amendment allows an individual to transport cigarettes to another resident of the state. Originally, we limited that to one carton; we're now changing that to five cartons. And I'd ask for your support."

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

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

Speaker Hannig: "Third Reading. Mr. Clerk, would you read Senate Bill 2165?"

Clerk Mahoney: "Senate Bill 2165, a Bill for an Act concerning criminal law. Second Reading of this Senate Bill."

Speaker Hannig: "Okay."

Clerk Mahoney: "No Committee Amendments."

Speaker Hannig: "Mr. Clerk."

Clerk Mahoney: "Amendment #1..."

Speaker Hannig: "Mr. Clerk, let's take that Bill out of the record. Mr. Clerk, read Senate Bill 2236."

Clerk Mahoney: "Senate Bill 2236, a Bill for an Act in relation to gaming. Second Reading of this Senate Bill. No Committee Amendments. No Floor Amendments. No Motions filed."

Speaker Hannig: "Okay. Let's hold that at the Order of Second Reading. So, out of the record. Mr. Clerk, would you read Senate Bill 2252?"

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Clerk Mahoney: "Senate Bill 2252, a Bill for an Act in relation to regulation of professions. Second Reading of this Senate Bill. Amendment #1 was adopted in committee. No Floor Amendments. No Motions filed."

Speaker Hannig: "Representative Saviano, would you like us to move this to Third? Third Reading. Mr. Clerk, would you read Senate Bill 2254 for Representative Saviano?"

Clerk Mahoney: "Senate Bill 2254, a Bill for an Act concerning professional regulation. Second Reading of this Senate Bill. No... Amendment #1 was adopted in committee. No Floor Amendments. No Motions filed."

Speaker Hannig: "Third Reading. Mr. Clerk, could you read Senate Bill 2367 for Representative Coulson from Second to Third?"

Clerk Mahoney: "Senate Bill 2367 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, would you read Senate Bill 2375 for Representative Osterman?"

Clerk Mahoney: "Senate Bill 2375, a Bill for an Act concerning procurement. Second Reading of this Senate Bill. No Committee Amendments. No Floor Amendments. No Motions filed."

Speaker Hannig: "Third Reading. Mr. Clerk, read Senate Bill 2377 for Representative Coulson."

Clerk Mahoney: "Senate Bill 2377, a Bill for an Act concerning health care. Second Reading of this Senate Bill. No Committee Amendments. Floor Amendment #1, offered by

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Representative Coulson, has been approved for consideration."

Speaker Hannig: "Representative Coulson."

Coulson: "Floor Amendment #1 is an agreed Amendment from the APRNs in the Medical Society. And I urge your adoption."

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

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

Speaker Hannig: "Third Reading. Mr. Clerk, would you read Senate Bill 2395?"

Clerk Mahoney: "Senate Bill 2395 has been read a second time, previously. No Committee Amendments. No Floor Amendments. No Motions filed."

Speaker Hannig: "Third Reading. Mr. Clerk, would you read Senate Bill 2401?"

Clerk Mahoney: "Senate Bill 2401, a Bill for an Act concerning vehicles. Second Reading of this Senate Bill. No Committee Amendments. No Floor Amendments. No Motions filed."

Speaker Hannig: "Third Reading. Mr. Clerk, would you read Senate Bill 2424?"

Clerk Mahoney: "Senate Bill 2424 has been read a second time, previously. No Committee Amendments. Floor Amendment #1, offered by Representative Feigenholtz, has been approved for consideration."

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

Feigenholtz: "Thank you, Mr. Speaker. This is a cleanup Amendment that was requested by the Department of Public Health to reconfigure the members of the task force so that they correspond with members on the breast and cervical cancer committee."

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

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

Speaker Hannig: "Third Reading. Mr. Clerk, read Senate Bill 2432."

Clerk Mahoney: "Senate Bill 2432, a Bill for an Act concerning the printing fees. Second Reading of this Senate Bill. No Committee Amendments. No Floor Amendments have been approved for consideration. No Motions filed."

Speaker Hannig: "Third Reading. Mr. Clerk, would you read Senate Bill 2447?"

Clerk Mahoney: "Senate Bill 2447, a Bill for an Act concerning minors. Second Reading of this Senate Bill. No Committee Amendments. No Floor Amendments. No Motions filed."

Speaker Hannig: "Third Reading. Mr. Clerk, would you read Senate Bill 2499?"

Clerk Mahoney: "Senate Bill 2499, a Bill for an Act in relation to criminal law. Second Reading of this Senate Bill. No Committee Amendments. No Floor Amendments. No Motions filed."

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Speaker Hannig: "Okay. Mr. Clerk, let's hold that on the Order of Second Reading. Mr. Clerk, would you read Senate Bill 2517?"

Clerk Mahoney: "Senate Bill 2517, a Bill for an Act concerning accessible electronic information. Second Reading of this Senate Bill. No Committee Amendments. No Floor Amendments. No Motions filed."

Speaker Hannig: "Mr... Third Reading. Mr. Clerk, would you read Senate Bill... Mr. Clerk, read Senate Bill 2547."

Clerk Mahoney: "Senate Bill 2547, a Bill for an Act concerning employment. Second Reading of this Senate Bill. Amendment #1 was adopted in committee. No Floor Amendments. No Motions filed."

Speaker Hannig: "Okay. Mr. Clerk, let's take that out of the record. Okay. Mr. Clerk, would you read Senate Bill 2525?"

Clerk Mahoney: "Senate Bill 2525, a Bill for an Act concerning public utilities. Second Reading of this Senate Bill. No Committee Amendments. No Floor Amendments. All notes have been filed."

Speaker Hannig: "Have... have all the notes been filed? Mr. Clerk, did you indicate... Okay. So, Third Reading. Mr. Clerk, read Senate Bill 2548. Excuse me. Mr. Eddy, for what reason do you rise?"

Eddy: "A point of personal privilege."

Speaker Hannig: "Yeah, state your point."

Eddy: "Mr. Speaker, we have today with us in the gallery students from Neoga High School, the National Honor Society

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students. Welcome to Springfield. Please recognize them and give 'em a round of applause. These are honor students from Neoga."

Speaker Hannig: "Welcome to Springfield. Mr. Clerk, have you read... would you read Senate Bill 2548?"

Clerk Mahoney: "Senate Bill 2548 has been read a second time, previously. No Committee Amendments. Floor Amendment #1, offered by Representative Aguilar, has been approved for consideration."

Speaker Hannig: "Representative Aguilar."

Aguilar: "I ask for Amendment #1 to be adopted."

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

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

Speaker Hannig: "Third Reading. Mr. Clerk, would you read Senate Bill 2559?"

Clerk Mahoney: "Senate Bill 2559, a Bill for an Act concerning business transactions. Second Reading of this Senate Bill. No Committee Amendments. No Floor Amendments. No Motions filed."

Speaker Hannig: "Third Reading. Mr. Clerk, would you read Senate Bill 2578?"

Clerk Mahoney: "Senate Bill 2578..."

Speaker Hannig: "Okay. Mr. Clerk... Mr. Clerk, let's take that out of the record. Mr. Clerk, could you read Senate Bill 2607?"

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Clerk Mahoney: "Senate Bill 2607 has been read a second time, previously. Amendment #1 was adopted in committee. No Floor Amendments. No Motions filed."

Speaker Hannig: "Third Reading. Okay. Excuse me. Mr. Clerk, let's... let's return that to the Order of... Okay. So, Mr. Clerk, let's hold that on the Order of Second Reading. So, return Senate Bill 2607 to Second Reading. Mr. Clerk, would you read Senate Bill 2617 for Representative Saviano?"

Clerk Mahoney: "Senate Bill 2617 has been read a second time, previously. No Committee Amendments. Floor... No Floor Amendments approved for consideration. No Motions filed."

Speaker Hannig: "Third Reading. Okay. Mr. Clerk, let's return Senate Bill 2617 to the Order of Second Reading at the request of the Sponsor. Mr. Clerk, let's read Senate Bill 2635 for Representative McCarthy."

Clerk Mahoney: "Senate Bill 2635 has been read a second time, previously. Amendments #1 and 2 were adopted in committee. No Floor Amendments have been approved for consideration. No Motions filed."

Speaker Hannig: "Okay. Let's... let's take that out of the record at the request of the Sponsor. Mr. Clerk, would you read Senate Bill 2653 for Representative Turner? Representative..."

Clerk Mahoney: "Senate Bill 2653, a Bill for an Act concerning Corrections. Second Reading of this Senate Bill. No Committee Amendments. No Floor Amendments. No Motions filed."

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Speaker Hannig: "Third Reading. And Mr. Clerk, read Senate Bill 2665 for Representative Howard."

Clerk Mahoney: "Senate Bill 2665, a Bill for an Act concerning employment. Second Reading of this Senate Bill. No Committee Amendments. No Floor Amendments. No Motions filed."

Speaker Hannig: "Let's... let's take that out of the record for the moment. Mr. Clerk, let's read Senate Bill 2724 for Representative Slone."

Clerk Mahoney: "Senate Bill 2724, a Bill for an Act concerning housing. Second Reading of this Senate Bill. Amendment #1 was adopted in committee. No Floor Amendments. No Motions filed."

Speaker Hannig: "Third Reading. Mr. Clerk, would you read Senate Bill 26... excuse me. 2768. Yeah. Let's... let's hold 2768. We're waiting for an Amendment. Mr. Clerk, would you read Senate Bill 2844."

Clerk Mahoney: "Senate Bill 2844, a Bill for an Act concerning veterans' home advisory councils. Second Reading of this Senate Bill. Amendment #1 was adopted in committee. No Floor Amendments. No Motions filed."

Speaker Hannig: "Third Reading. Mr. Clerk, would you read Senate Bill 2878 for Representative Turner?"

Clerk Mahoney: "Senate Bill 2878 has been read a second time, previously. Amendment #1 was adopted in committee. No Floor Amendments. No Motions filed."

Speaker Hannig: "Third Reading. And Mr. Clerk, could you read Senate Bill 2880? Okay. Out of the record, Mr. Clerk."

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And let's look at Se... Senate Bill 2887 for Representative Saviano."

Clerk Mahoney: "Senate Bill 2887, a Bill for an Act concerning professional regulation. Second Reading of this Senate Bill. Amendment #1 was adopted in committee. No Floor Amendments. No Motions filed."

Speaker Hannig: "Third Reading. Mr. Clerk, would you read Senate Bill 2926 for Representative Davis?"

Clerk Mahoney: "Senate Bill 2926, a Bill for an Act concerning child care. Second Reading of this Senate Bill. No Committee Amendments. No Floor Amendments. No Motions filed."

Speaker Hannig: "Third Reading. Mr. Clerk, would you read Senate Bill 2944? Representative Sommer."

Clerk Mahoney: "Senate Bill 2944..."

Speaker Hannig: "Okay. Out of... Mr. Clerk, out of the record. Let's look at Senate Bill 3007 for Representative Howard. Is the Lady in the chamber? 3007. Okay. Let's take that out of the record. Senate Bill 3013 for Representative Ryg. Mr. Clerk, would you read the Bill?"

Clerk Mahoney: "Senate Bill 3013, a Bill for an Act concerning water safety. Second Reading of this Senate Bill. Amendment #1 was adopted in committee. Floor Amendment #2, offered by Representative Ryg, has been approved for consideration."

Speaker Hannig: "The Lady from Lake, Representative Ryg."

Ryg: "Thank you, Mr. Speaker. Amendment #2 is simply a technical Amendment. In the drafting of the Bill, we

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overlooked at the amending of the Township Code. By adding this Amendment, we've addressed all water suppliers in the State of Illinois. The underlying Bill is regarding notification requirements."

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

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

Speaker Hannig: "Third Reading. Mr. Clerk, read Senate Bill 3021. Representative Joe Lyons."

Clerk Mahoney: "Senate Bill 3021, a Bill for an Act concerning financial regulation. Second Reading of this Senate Bill. No Committee Amendments. No Floor Amendments. No Motions filed."

Speaker Hannig: "Third Reading. And Representative Joyce on Senate Bill 3069. Okay. Out of the... out of the record, Mr. Clerk. And let's look at Representative Moffitt. Are you prepared... prepared on Senate Bill 3189? Okay. Mr. Clerk, read the Bill."

Clerk Mahoney: "Senate Bill 3189, a Bill for an Act concerning license plates. Second Reading of this Senate Bill. No Committee Amendments. No Floor Amendments. No Motions filed."

Speaker Hannig: "Third Reading. Mr. Clerk, would you read Senate Bill 3207 for Representative McKeon?"

Clerk Mahoney: "Senate Bill 3207, a Bill for an Act concerning the Attorney General. Second Reading of this Senate Bill."

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

Speaker Hannig: "Third Reading. Mr. Clerk, what is the status of House Bill 5385? That's on page 10 of the Calendar."

Clerk Mahoney: "House Bill 5385 is on the Order of Third Reading."

Speaker Hannig: "Okay. Return that to the Order of Second Reading at the request of the Sponsor. And Mr. Clerk, what is the status of Senate Bill 2499?"

Clerk Mahoney: "Senate Bill 2499 is on the Order of Third... Second Reading."

Speaker Hannig: "So, let's... let's hold that on the Order of Second Reading. And Mr. Clerk, what is the status of Senate Bill 984?"

Clerk Mahoney: "Senate Bill 984 is on the Order of Third Reading."

Speaker Hannig: "Okay. Let's... let's return that to the Order of Second Reading at the request of the Sponsor. Okay. We will now go to the Order of Senate Bills-Third Reading and begin on page 11 of the Calendar and then just go down the Calendar. So, we'll start with Senate Bill 2106. Representative Dugan. Mr. Clerk, read the Bill."

Clerk Mahoney: "Senate Bill 2106, a Bill for an Act in relation to transfer of real property. Third Reading of this Senate Bill."

Speaker Hannig: "Representative Dugan."

Dugan: "Thank you, Speaker. Ladies and Gentlemen of the House, Senate Bill 2106 authorizes the director of National (sic-

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Natural) Resources to convey to the Village of Aroma Park three separate land parcels for a dollar. This agreement... there was a intergovernmental agreement between DNR and the Village of Aroma Park back in 2002 when the DNR was instructed to purchase the land and enter into an agreement with Aroma Park with the intent that Aroma Park would always in the end govern that property. So, this is just to kind of finalize the agreement that was made back in 2002. And so, I'm... I would ask... answer any questions and would like a 'yes' vote."

Speaker Hannig: "The Lady has moved for passage of Senate Bill 2106. And on that question, the Gentleman from Vermilion, Representative Black."

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

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

Black: "Representative, has a appraisal been filed with this conveyance?"

Dugan: "The appraisal, Representative, back in 2002 when then Governor George Ryan instructed, there was an appraisal done at that time when DNR purchased the property."

Black: "And what... what... I'm sorry. It's hard to hear in here. What... what was the amount of the appraisal?"

Dugan: "And there... and there is... there is no appraisal that needs to be filed with the clerk as state land is being transferred to another unit of government."

Black: "You're telling me that the state is transferring land to Aroma Park?"

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Dugan: "Correct. They're... they're transferring it over to be used for public recreational purposes. The Village of Aroma Park, for the last couple of years, has invested money into that property due to the intergovernmental agreement that was reached between them and DNR and so, they have upgraded the land. There is a reversal clause in the agreement that if it turns out that it doesn't stay as public property, it reverts back to DNR."

Black: "Is there any language in the conveyance that for consideration of one dollar or whatever amount the state conveys their interest in the land to the municipality?"

Dugan: "Yes. In consid... There is language in there in consideration of... for the one dollar."

Black: "All right. And... and no appraisal was ever done at the fair market value?"

Dugan: "I believe that there was one done back in 2002. I would assume before DNR purchased the land to begin with, Representative."

Black: "What... what was that appraisal? Do you have it in your records?"

Dugan: "Five hundred thousand."

Black: "Ohhh. We're conveying land appraised at a half a million dollars to a municipality for one dollar?"

Dugan: "No. I believe what we're doing is... is living up to the agreement that was made by the state back in 2002 when they wanted this property used as public recreational purposes and the Village of Aroma Park said that they would govern

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that property and fix the property up since DNR was not able to do that themselves."

Black: "Representative, I... I'm familiar with this area. What... what financial resources does the Village of Aroma Park have to operate and maintain this land?"

Dugan: "I'm sorry, Representative, I didn't understand the question."

Black: "What... what financial resources has the Village of Aroma Park identified as being able to operate and maintain this land they are being conveyed?"

Dugan: "According to the mayor of the Village of Aroma Park, I understand that has already been discussed. They've already invested over \$50 thousand into the property and have the funds available in order to help maintain it and to upgrade it."

Black: "All right. The reason I'm asking these questions, I'm trying to defend the current Governor. This goes back to a previous administration and I... I... When... when you're giving away land owned by the taxpayers of the State of Illinois that had a fair market value of \$500 thousand and you are conveying that land to a municipality for one dollar, that seems to me the old way of doing business. Wouldn't you agree?"

Dugan: "I agree with you that the taxpayer's money for land for tax... for the land, but it is given back to the taxpayers by givin' it to the local unit of government to use for public recreation."

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Black: "Well, wouldn't it be a simpler and cleaner deal to have given the Village of Aroma Park a grant through OSLAD to purchase the land?"

Dugan: "It may have been, but that wasn't done. All I'm trying to do now is to just finalize the intergovernmental agreement that was made with Aroma Park in 2002."

Black: "All right. Thank you very much, Representative. Mr. Speaker, I rise in opposition to the Amendment or to... excuse me, to the Bill. I... I don't understand all of the background and the history of it, but this is the very kind of transaction that I think the current Governor has asked us to be very wary of and to take a different approach. There are ways for municipalities to purchase land for outdoor space and recreation even though that budget is being cut considerably in the Governor's proposal for FY 205 (sic-2005). This is conveying land that had an appraisal... an appraised value of \$500 thousand in 2002 being conveyed, in other words, a quit claim deed being conveyed to a municipality for one dollar. It wouldn't take very many transactions like that and the state digs even a deeper hole up... I assume the state had paid for the land through tax dollars and now they're conveying their... the statewide tax interest in the land that's valued at more... at half a million. They're conveying the statewide tax interest in the land for one dollar to a municipality and not a very large municipality in that. I don't intend to support that idea."

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Speaker Hannig: "Is there any further discussion? Then Representative Dugan to close."

Dugan: "Yeah. I just want to again just clarify as far as the Village of Aroma Park. They have already invested \$50 thousand into this property and as the analysis shows, the Village of Aroma Park intends to continue to upgrade that property and will invest at least the \$500 thousand into that particular piece of property. And also, after talking to DNR, this is done on a regular, you know, on a basis. This is not the first time this has been asked to be done. The property was purchased through the OSLAD program and this is done this way. And so I would ask for... for the people to live up to the agreement made in 2002 and ask for a 'yes' vote."

Speaker Hannig: "The question is, 'Shall Senate Bill 2106 pass?' All in favor vote 'aye'; opposed 'nay'. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Mr. Clerk, take the record. On this question, there are 69 voting 'yes' and 47 voting 'no'. And this Bill, having received a Constitutional Majority, is hereby declared passed. Representative Slone, for what reason do you rise?"

Slone: "Thank you, Mr. Speaker. Ladies and Gentlemen of the House, I would like you to please give a warm, Springfield welcome to the Central Illinois Centers for Independent Living. They're up in the gallery wearing blue T-shirts just like this one. Please welcome them to Springfield."

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Speaker Hannig: "Welcome to Springfield. Representative McCarthy, for what reason do you rise?"

McCarthy: "I rise on a point of personal privilege, please."

Speaker Hannig: "Yes, state your point."

McCarthy: "Thank you, Mr. Speaker. I'd also like to welcome the young people from St. Bede the Venerable Catholic School on the south side of Chicago who are visiting with us today. So, please give 'em a warm, Springfield welcome."

Speaker Hannig: "Welcome to Springfield. Representative Acevedo, are you prepared on Senate Bill 2122? Okay. Out of the record. Representative May on Senate Bill 2140. Mr. Clerk, would you read the Bill."

Clerk Mahoney: "Senate Bill 2140, a Bill for an Act concerning property taxes. Third Reading of this Senate Bill."

Speaker Hannig: "The Lady from Lake, Representative May."

May: "Thank you, Mr. Speaker, Ladies and Gentlemen of the House. Senate Bill 2140 amends the Property Tax Code. It allows the township assessors in Lake County to return their assessment books on October 15, 30 days earlier than they've done it in the past. This is good for consumers. It allows taxpayers more time to appeal if they wish. It passed unanimously out of the Senate and out of the House committee. There is no known opposition."

Speaker Hannig: "The Lady has moved for passage of Senate Bill 2140. And on that question, the Gentleman from Cook, Representative Parke."

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

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

Parke: "Representative, I'm... Why do we need this enabling legislation? Why don't we just go to them and ask them to do that?"

May: "It's... it's in the statute now, the dates."

Parke: "It's in the statute which would require us changing the statute to accommodate this."

May: "I believe so, yes."

Parke: "Are they in support of this or do they... will they... I mean, why wouldn't they do this anyway?"

May: "They have traditionally done it on November 15. I... I, you know, I don't know all the history."

Parke: "Will they have enough personnel? I mean, if you're requiring to do this... It shortens their..."

May: "It's the township assessors."

Parke: "Doesn't it shorten their timeline? And do they have enough personnel to do this?"

May: "I believe so, yes. In fact, one assessor from Lake County, your colleague and Representative, is supportive of this Bill."

Parke: "All right. So, they... they... you've talked to the assessor there, he said this is..."

May: "Yes."

Parke: "...he can do this?"

May: "Yes, yes, yes. He's standing right behind you, Sir."

Parke: "The assessor's standing behind me?"

May: "There is an assessor, yes. A township assessor."

Parke: "Oh, he's in front of me."

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May: "And no... behind you."

Parke: "Okay. Very good."

May: "Smiling, waving."

Parke: "Oh, okay."

May: "Okay. No, I don't think they consider this a problem."

Parke: "All right. Thank you, Representative."

May: "Thank you."

Parke: "All right."

Speaker Hannig: "The Gentleman from Lake, Representative Sullivan."

Sullivan: "Yes. Thank you, Mr. Speaker. To the Bill. This Bill came before us last year in a different version that has been worked out amongst all parties in Lake County. The Assessors Association and the county are in full support of this. This is a... a Bill that was worked out amongst all parties. So, I.. I rise in strong support of this and I would appreciate an 'aye' vote. Thank you."

Speaker Hannig: "Any further discussion? Then the question is, 'Shall this Bill pass?' All in favor vote 'aye'; opposed 'nay'. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Mr. Clerk, take the record. On this question, there are 115 voting 'yes' and 1 voting 'no'. And this Bill, having received a Constitutional Majority, is hereby declared passed. Mr. Clerk, would you read Senate Bill 2122."

Clerk Mahoney: "Senate Bill 2122, a Bill for an Act concerning vehicles. Third Reading of this Senate Bill."

Speaker Hannig: "Representative Acevedo."

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Acevedo: "Thank you, Mr. Speaker, Ladies and Gentlemen of the House. Senate Bill 2122 amends the Insurance Code 5 and provides that an application for vehicle registration and an application for renewal of vehicle registration must include the policy number and expiration date of the policy liability insurance coverage for the vehicle. I'll be happy to answer any questions."

Speaker Hannig: "The Gentleman has moved for passage of Senate Bill 2122. Is there any discussion? Then the question is, 'Shall this Bill pass?' All in favor vote 'aye'; opposed 'nay'. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Mr. Clerk, take the record. On this question, there are 116 voting 'yes' and 0 voting 'no'. And this Bill, having received a Constitutional Majority, is hereby declared passed. Mr. Clerk, read Senate Bill 2145."

Clerk Mahoney: "Senate Bill 2145, a Bill for an Act concerning environmental protection. Third Reading of this Senate Bill."

Speaker Hannig: "The Gentleman from Adams, Representative Tenhouse."

Tenhouse: "Thank you, Mr. Speaker, Ladies and Gentlemen of the House. Senate Bill 2145 would just simply allow for downstate recycling facilities to take advantage of the same streamline permitting process as far as concrete recycling is... takes place right now in Cook and DuPage County. It's been agreed to by the Illinois EPA along with all the groups. I think everyone's onboard at this point."

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Speaker Hannig: "The Gentleman has moved for passage of 2145. Is there any discussion? Then the question is, 'Shall this Bill pass?' All in favor vote 'aye'; opposed 'nay'. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Mr. Clerk, take the record. On this question, there are 115 voting 'yes' and 0 voting 'no'. And this Bill, having received a Constitutional Majority, is hereby declared passed. Mr. Clerk, read Senate Bill 2158."

Clerk Mahoney: "Senate Bill 2158, a Bill for an Act concerning taxes. Third Reading of this Senate Bill."

Speaker Hannig: "The Gentleman from Lake, Representative Mathias."

Mathias: "Thank you, Mr. Speaker. This legislation concerns tax increment financing or TIF districts and support for public libraries. The idea came from the library in my district and was adopted as an initiative of the Illinois Library Association and I'm very pleased to tell you that after two years of work that this is now an agreed Bill. There is no known opposition. Historically, TIF districts were composed of commercial and industrial redevelopment projects, but increasingly TIFs include residential property where there are new ref... residences, there are new people that come into use the schools and the libraries. The General Assembly recognized this problem back in 1999 and provided for a reasonable formula to reimburse schools for the cost of education... educating children brought into a residential TIF project. Senate Bill 2158 provides the

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same type of reimbursement for the local library district. Schools and libraries are unique among local governmental bodies because unlike park districts, community colleges, fire protection districts, they don't have the authority to charge fees for the use of their services. In a TIF area, the property taxes are diverted from the library district to the municipality but the library still has to serve the library patrons. Therefore, this Bill provides for a formula for reimbursing the district library for the cost of providing services to new patrons. And I urge you to vote 'yes' on Senate Bill 2158 which is a great example of local government sitting down and agreeing to a compromise that protects the interests of all local entities including the library districts. Thank you."

Speaker Hannig: "The Gentleman has moved for passage of Senate Bill 2158. And on that question, the Gentleman from McHenry, Representative Franks."

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

Speaker Hannig: "Indicates he'll yield."

Franks: "Representative, is there any increase here in the tax rate or will there be more taxes... taxes levied or will there be any holds put in a tax cap on this Bill?"

Mathias: "Absolutely not. This is just a way to reimburse from the existing levy."

Franks: "Okay. I just wanted to make that perfectly clear."

Mathias: "Thank you."

Franks: "Thank you."

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Speaker Hannig: "Is there any further discussion? Then the question is, 'Shall this Bill pass?' All in favor vote 'aye'; opposed 'nay'. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Mr. Clerk, take the record. On this question, there are 116 voting 'yes' and 0 voting 'no'. And this Bill, having received a Constitutional Majority, is hereby declared passed. Mr. Clerk, would you read Senate Bill 2166?"

Clerk Mahoney: "Senate Bill 2166, a Bill for an Act concerning the Metropolitan Water Reclamation District. Third Reading of this Senate Bill."

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

Colvin: "Thank you, Mr. Speaker. Good afternoon, Ladies and Gentlemen of the House. I have for your presentation and your approval Senate Bill 2166 which would amend the district's Act to remove special revisions for sale of property along the north branch of the Chicago River between Belmont and Lawrence Avenues. This is a very specific piece of legislation dealing with the repeal of part of the Water Reclamation District's Act that will simply not allow them to transfer real property for sale in Cook County. This is... in specific in relation to a strip of land along the north branch of the Chicago River at which point the Water Reclamation District came to Springfield in '94 and asked for permission and received it through legislation to transfer that piece of real property

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reflecting the change in the strategy of the Water Reclamation District. They no longer are interested in selling or transferring any of that real property and they simply wanna repeal that section of the law that would allow them to do so. I'll be happy to answer any questions."

Speaker Hannig: "And on that question, the Gentleman from Cook, Representative Fritchey."

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

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

Fritchey: "Representative, do you know where the land in question is located?"

Colvin: "Yes, I do. It is on... along the north branch of the Chicago River between Belmont and Lawrence Avenues."

Fritchey: "Do you know whose district that happens to be in?"

Colvin: "I suggest... I would believe it's probably yours, in reference to the questions you're asking."

Fritchey: "You're correct. Do you know the history of this issue?"

Colvin: "Some of it."

Fritchey: "To the Bill, Speaker."

Speaker Hannig: "To the Bill."

Fritchey: "Ladies and Gentlemen, it's with great caution that we should tread to carry legislation that affects another Representative's district. The issue here involves a series in a number of homeowners located specifically in my district. These are homeowners that have had docks and other riverside improvements, that have put a lot of money

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into these riverside improvements over the years with the knowledge and tacit acquiescence of the Water Reclamation District. They have tried in good faith; they've worked with the city; they've worked with their local aldermen; they've worked with their community groups to do whatever it is they could do to simply enjoy the rights that they've had on their property for years. They have taken advantage of the ability to live on the river in the city. They have docks. They have recreation. They have worked in good faith to maintain all of this. I think the world of this Sponsor. I get along well with the commissioners of the MWRD. This legislation is being sought to give them a legal out so they would no longer have to negotiate with my homeowners in my district to preserve their homes and their property rights. If it'll... district thinks that they have a legal way to get out of this, let them fight this battle in court. Let them negotiate. They are coming to us to solve a situation which they cannot fight on the local district. They didn't come to me to carry this Bill. They never discussed this Bill with me. I happened to sit in the Executive Committee when this Bill came up. You may not care about this Bill and you probably shouldn't and won't care about this Bill 'cause it does not affect any of your districts other than mine. But I'm gonna ask you to be very cautious here, because one day and I... and I... and I sincerely do not fault Representative Colvin for doing this. I really don't. But Ladies and Gentlemen, please think about what you're doing because one day a Legislator

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may carry a Bill that affects nobody else other than your district and they're gonna try to put that Bill through because nobody else is gonna care about it. But you're gonna care about it and your constituents are gonna care about it and you're not gonna appreciate the way that this... that's something's being done to your constituents. This Bill may... may fly out, I don't know. I can just try to listen... to speak and have you listen to a little bit of reason here. Please look at the big picture here. I gotta piece of legislation coming through, targeted at my district, they tried to circumvent me. This may happen to you one day. I'm gonna ask you to stand with me here, I'll stand with you at that time. Thank you."

Speaker Hannig: "Any further discussion? The Lady from Cook, Representative Mulligan."

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

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

Mulligan: "Representative, since I'm from the area that's served by MWRD, I try to usually vote with it, but when we were looking for some property along the right of way with where they had trees and they're having all this bought for a flood project, they wanted to charge us an astronomical amount for trees. We certainly weren't... there was no discussion of 'giving them to us' even though they were along a road and it's kinda ridiculous. I mean, I'd really like to go along with you, but I'd like the Metropolitan Water Reclamation District to be aware of the fact that in certain sections when you're doing a flood project or a...

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something like that that they oughta be a little more accommodating to everybody and not try to hold you up for a whole lot of money, not to move a flood project or some other project locally to go along with it. So, it's not really a question. I just wanna go on record as saying, when you have trees along the side of the road that you need for a right of way, don't hold us up for a whole lot of money."

Colvin: "Point taken."

Speaker Hannig: "Is there any further discussion? Then the Gentleman from Cook, Representative Colvin to close."

Colvin: "To the... to the issue that this previous speaker brought up. I would like Representative Fritchey to know that and I think, of course, he does know that we've always had a great relationship and we're able to work together and not knowing this was specifically within your district when the Water Reclamation District brought this Bill to me and pointed out there's a problem, I thought that they had joined the right... all of the right... yes, they had docks there, they had made improvements there. They had every right except the right of ownership. And I think the change that they make here is not specific just to this one area because it reflects how they would be able to transfer real estate in... within the entire Water Rec... Water Reclamation District. I know, in the argument in the Senate that this did not come up. I didn't know if it was an issue in which it was a point of contention or not. I think what the Water Reclamation District is trying to do

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is, their point of contention here is it reflects their strategy with... it relates to real estate transfer and not wantin' to transfer real property in the district. And I don't know what the impact or if and there would be any impact because I know a number of instances in Cook County in which people use Water Reclamation District and have gotten along with them very well. And in light of that, I would simply urge an 'aye' vote."

Speaker Hannig: "The Gentleman has moved for passage of Senate Bill 2166. All in favor vote 'aye'; opposed 'nay'. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Have all voted who wish? Representative Franks and Krause, would you like to be recorded? Mr. Clerk, take the record. On this question, there are 35 voting 'yes' and 66 voting 'no'. And the Bill fails. Mr. Clerk, would you read Senate Bill 2196?"

Clerk Mahoney: "Senate Bill 2196, a Bill for an Act concerning stormwater management. Third Reading of this Senate Bill."

Speaker Hannig: "Representative Nekritz."

Nekritz: "Thank you, Mr. Speaker. Ladies and Gentlemen of the House, Senate Bill 2196 is legislation that has passed through the House several times before, most recently several weeks ago in the form of House Bill 5884. This is also legislation dealing with the Metropolitan Water Reclamation District. This gives them the right to be the sole stormwater management authority for Cook County. And I'd ask for your favorable support."

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Speaker Hannig: "The Lady has moved for passage of Senate Bill 2196. And on that question, the Lady from Kane, Representative Lindner."

Lindner: "Thank you, Mr. Speaker. I'd like the record to show that I meant to vote 'no' on the last Bill."

Speaker Hannig: "Okay. The record will so... so reflect. The Gentleman from DuPage, Representative Meyer."

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

Speaker Hannig: "Sponsor will yield."

Meyer: "Well, Representative, it was very hard to hear in the room when you were explaining what this Bill does. Could you go through a short explanation again?"

Nekritz: "Yes... yes, Representative. Currently, the stormwater management authority in... for the county of Cook is under the purview of the Cook County Board, but they have not seen to engage in any stormwater management activity. So, we are attempting to make the Metropolitan Water Reclamation District, who has expertise in this area, into the stormwater management authority for the entire county."

Meyer: "Is this identical to another Bill that passed the House earlier this year?"

Nekritz: "Yes, it is."

Meyer: "And wha... what's the status on that Bill?"

Nekritz: "We elected to move forward with this piece of legislation in the House."

Meyer: "Tell me what this does in relation to the tax caps in Cook County."

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Nekritz: "There is a... there is a tax cap exception in this. When the... when the stormwater management authority legislation was initially enacted in 1991, I believe it was, the surrounding counties: Lake, Ken... Lake, DuPage, Kane were given taxing authority to start up a stormwater management authority. Cook County was not because Cook County is Home Rule and therefore didn't need the taxing authority. If we are to establish the MWRD as the taxing author... as the... as the stormwater management authority, they need to have taxing authority in order to provide that new service."

Meyer: "Well, in effect, this legislation actually breaks the tax cap, does it not?"

Nekritz: "It did under the pre... it did under the legislation that we passed earlier this year and it does this time, yes."

Meyer: "Well, to the Bill. Ladies and Gentlemen of the House, I do not believe that we oughta take act... positive action, affirmative action, on any Bill that breaks the tax cap. This one clearly does. The Sponsor's admitted to it. It's a very contentious piece of legislation. I think it needs to be looked at quite strongly. And those that wanna have it in their record that they do wanna break the tax cap certainly should support it; those of us that choose not to should vote against it. I would ask people to vote 'no'."

Speaker Hannig: "Is there any further discussion? Representative Nekritz to close."

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Nekritz: "Thank you, Mr. Speaker. Ladies and Gentlemen of the House, this is a new service to be provided in Cook County. It is a much needed service. Stormwater does not respect municipal boundaries and I have the Des Plaines River running right through the center of my district and I know the impact that flooding can have, not only on homes and businesses, but also on the ability for people to get from point A to point B. This is an important new service. And I would ask for your support."

Speaker Hannig: "The Lady has moved for passage of Senate Bill 2196. All in favor vote 'aye'; opposed 'nay'. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Have all voted who wish? Mr. Clerk... Representative Fritchey and Black, would you like to be recorded? Mr. Clerk, take the record. On this question, there are 61 voting 'yes' and 54 voting 'no'. And this Bill, having received a Constitutional Majority, is hereby declared passed. Mr. Clerk, would you read Senate Bill 2201?"

Clerk Mahoney: "Senate Bill 2201, a Bill for an Act concerning forensic laboratory oversight. Second Reading... Third Reading of this Senate Bill."

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

Delgado: "Thank you, Mr. Speaker and Members of the chamber. I gotta personal privilege. I just wanted to recognize a wonderful group here from Heartland Human Care Services of Central... the Center for Education and Culture, one of 'em

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in our district on Fullerton Avenue with their administrator Abdullah Vasquez and some wonderful folks from the Humboldt Park, Belmont-Cragin community. Let's give 'em a nice, General Assembly welcome."

Speaker Hannig: "Welcome to Springfield. And Representative Colvin on Senate Bill 2201."

Colvin: "Tha..."

Speaker Hannig: "The Gentleman from Cook."

Colvin: "Thank you, Mr. Speaker. Senate Bill 2201 would establish the laboratory advis... a laboratory advisory committee whose task is to oversee all state, county, and federal and private forensic laboratories in the State of Illinois in order to bring more unity and structure to the handling of scientific evidence. This Bill is a labor of two and a half years of negotiation with Illinois State Police forensic laboratories across the state, state prosecutors and public defenders. We've negotiated to the point where we gotta, I believe, a committee where we had nothing in it before, in place of it before, that would deal with the evaluation of how the state handles forensic evidence that would make specific recommendations and advisements to forensic facilities in terms of improving their quality of service in dealing with the huge backlog of forensic evidence that's currently in the State of Illinois. I'd answer any questions."

Speaker Hannig: "The Gentleman's moved for passage of Senate Bill 2201. And on that question, the Gentleman from Cook, Representative Fritchey."

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

Colvin: "Yes."

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

Fritchey: "Representative, does this have anything to do with my district?"

Colvin: "No, not at all, unless..."

Fritchey: "I think it's a great Bill then. Thank you."

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

Lindner: "Thank you, Mr. Speaker. To the Bill."

Speaker Hannig: "To the Bill."

Lindner: "We had a good debate about this in the Criminal Law Committee. I wanna commend Representative Colvin for bringing this Bill. The Cook County public defender had some questions about this, but they were really directed towards the policy that this committee is going to decide. And I think this... everyone should give an 'aye' vote to this Bill."

Speaker Hannig: "Is there any further discussion? Representative Colvin to close."

Colvin: "Simply urge an 'aye' vote. Thank you."

Speaker Hannig: "The question is, 'Shall Senate Bill 2201 pass?' All in favor vote 'aye'; opposed 'nay'. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Mr. Clerk... Representative Granberg, would you like to be recorded? Mr. Clerk, take the record. On this question, there are 116 voting 'yes' and 0 voting 'no'. And this Bill, having received a

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Constitutional Majority, is hereby declared passed. Mr. Clerk, would you read Senate Bill 2272."

Clerk Mahoney: "Senate Bill 2272, a Bill for an Act concerning recreational trails. Third Reading of this Senate Bill."

Speaker Hannig: "The Gentleman from Vermilion, Representative Black."

Black: "Thank you very much, Mr. Speaker and Ladies and Gentlemen of the House. This Bill would allow the Department of Natural Resources to use off-highway vehicle fees that are paid by the owners of those vehicles to construct a motorized recreational trail on DNR-owned or managed lands. It cannot be constructed on any land that is designated as a nature preserve or any land that is contained in a report submitted under the Illinois Natural Areas Preservation Act. I'd be glad to answer any questions you have."

Speaker Hannig: "The Gentleman's moved for passage of Senate Bill 2272. And on that question, the Lady from Peoria, Representative Slone."

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

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

Slone: "Mr. Black, can you tell me whether this legislation would permit the construction of trails for off-highway vehicles in state parks?"

Black: "Absolutely, if the director of the Department of Natural Resources indicated that that would not be in any

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way detrimental to the land that was going to be so developed."

Slone: "What is... what does the current law permit with respect to these type of trail construction in... on state property?"

Black: "Hang on just a second. I... I really... it doesn't say. It just says the proposed FY appropriation from the fund is \$2,155,000."

Slone: "I beg your pardon?"

Black: "It doesn't say."

Slone: "It doesn't say. All right. According to the analysis that we have, it says that the Department of Natural Resources is disallowed from using money from the off-highway vehicle trails fund to construct motorized recreational trails on department-owned or managed land."

Black: "That's not my understanding."

Slone: "Okay. Could we... would it be possible to get a definitive answer as to which of these is correct?"

Black: "There... there is and has been for a number of years a motorized vehicle trail in my state park in Vermilion County, Kickapoo State Park. So, I know that there is no prohibition currently in effect."

Slone: "Do you know whether the funding for that trail came from the off-highway vehicle trails fund?"

Black: "I have no idea where the funding for that trail came from."

Slone: "Because this, again..."

Black: "It probably came from General Revenue Funds since the off-vehicle fund didn't exist until a few years ago."

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Slone: "And if I understand correctly, under current law, those funds can't be used to put motorized recreational trails on department-owned or managed land."

Black: "The answer to your question is 'yes'. Under current law, those funds could not be used to build a trail in any current state park."

Slone: "Thank you, Mr. Black. To the Bill. Ladies and Gentlemen, there is plenty of other land where off-highway vehicle trails can be constructed. I would urge a 'no' vote for the construction of vehicle... off-highway vehicle trails in our Department of Natural Resources lands. Illinois has a very... relatively small number of such lands in terms of acreage compared to other states. And I think, to the greatest extent possible that land should be reserved for the peaceful enjoyment of... of our state parks and not for off-highway vehicle use."

Speaker Hannig: "Is there any further..."

Slone: "I would urge a 'no' vote."

Speaker Hannig: "Any further discussion? The Gentleman from DuPage, Representative Meyer."

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

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

Meyer: "Representative, does this language grant any new authority for the placement of trails?"

Black: "I'm sorry, Representative, I didn't hear you."

Meyer: "I said, does this language grant any new authority for the placement of trails?"

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Black: "No, it does not. The director already has the authority to build an off-road trail. If the director feels that it's an appropriate use in... in such of public land and at the appropriate location, the director can already do that. The previous speaker wants it to be very technical and say can the off-road fund be used. That's what we're trying to change. General Revenue dollars can be used already. The off-vehicle trail fund cannot be used. Now, that doesn't make a whole lot of sense to me. The off-vehicle trail fund is a user fee and that is what it should be used for. But the director currently could use General Revenue funds to build an off-road vehicle trail on the state park or state-owned property if that director would deem it appropriate to do so."

Meyer: "It... it seems to me if I remember back when that off-trail fund Bill was passed at the... it was really expressed... one of the expressed uses for it is the fact it could be used for additional trails. Is that not correct?"

Black: "Absolutely."

Meyer: "Well, I... I stand in support of your Bill. I don't understand what those opposing it are really opposing. You can already do this under our current law. It just allows the funds that were really put in place in order to support this... the development of new trails to be used for that and it seems to make perfectly good sense."

Speaker Hannig: "Is there any further discussion? Representative Black to close."

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Black: "Thank you very much, Mr. Speaker and Ladies and Gentlemen of the House. This Bill has passed one or both chambers three separate times by overwhelming majorities. It's been sponsored in the House by Representative Holbrook, by Representative Phelps, by Rep... Senator Woolard in the Senate. Last year, under the sponsorship of Senator Denny Jacobs, the Bill passed the Senate 47 to 7. It passed the House 99 to 18. I think the previous speaker, Representative Meyer, hit the nail on the head. General Revenue dollars can already be used to build off-road vehicle trails in state parks. Now, that doesn't make a lot of sense to me because General Revenue dollars are very difficult and hard to come by right now. What this Bill simply does is to say that the dedicated off-road vehicle fund could be used to build those trails. Then you're getting into a... a user fee. And let me remind you, I don't own an all-terrain vehicle or an off-road vehicle, never have, never had a desire to own one. But let me point out to you that everybody in the State of Illinois who purchases an ATV pays \$30 for that title. The Secretary of State gets \$13 of that title money, \$17 of that title fee goes into the off-road vehicle trails fund. Now, I don't know what land one of the previous speakers was talking about. I suppose you could go out and ask a private owner if they wanted to sell land, but there is no authority to use this user fee to buy private land. Ya know, plus, there's an access fee if they wanna use the off-road vehicle on public land. It would cost them anyway...

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anywhere from a 10 to a 15 dollar daily use permit. I have had a off-road vehicle trail at Kickapoo State Park for any number of years. The Sierra Club was contacted last year about their objections to the Bill and they were asked give specific criteria that you wanna see in the Bill. The only thing that they ever came back with in one year was, we don't want only of these trails built on public land. Well, that I think is unreasonable, particularly when some of these trails are already built on public land. The world's... the world's shooting complex is under construction in Sparta, Illinois, a \$35 million project of DNR. The director would like to use the off-road vehicle fund to develop off-road vehicle trails at the world shooting complex that would... that is in the process of being development in Sparta, Illinois. I think that makes eminent good use of the... of the fund. And last but not least, I'd ask you to keep in mind, the director is quoted, I think, in Monday's Chicago Tribune that he favors this Bill, that's Director Brunsvold who most of us served with, and that the Bill is very clear. No such trail can now or in the future ever be constructed on any nature preserve or any land pending that preservation dedication. The director goes on to say, in this article, that reports that these vehicles will be granted unlimited access in state parks is a red herring at best and a fabrication at worst. There is no way that Director Brunsvold or any past or future director would let these things have unfettered access in state parks. Obviously, they're not going to run

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through sensitive meadow areas. They're not going to be allowed to run through campgrounds. They aren't going to be allowed to run anywhere where it would do irreparable damage to the state park. But when all is said and done, Ladies and Gentlemen, state parks are multi-use facilities. All people, who pay taxes and in this case a user fee, have a right to enjoy those state parks: hunters, horseback riders, campers, bikers, nature lovers, leaf, hike enthusiasts, whatever. I trust the Department of Natural Resources to manage these off-road vehicle trails in the best interest of everyone. I think that's why it has passed both chambers in the past. I ask for your 'yes' vote today."

Speaker Hannig: "The question is, 'Shall Senate Bill 2272 pass?' All in favor vote 'aye'; opposed 'nay'. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Mr. Clerk, take the record. On this question, there are 91 voting 'yes', 22 voting 'no' and 2 voting 'present'. And this Bill, having received a Constitutional Majority, is hereby declared passed. Mr. Clerk, read Senate Bill 2290."

Clerk Mahoney: "Senate Bill 2290, a Bill for an Act in relation to alcohol. Third Reading of this Senate Bill."

Speaker Hannig: "Representative Lyons."

Lyons, J.: "Speaker, I believe that we were gonna table an Amendment on this. I don't what the status of the... that procedure is."

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Speaker Hannig: "Okay. I'm advised your Motion to Table is in the Rules Committee. So, we'll come back to that after the Rules Committee meets. Okay?"

Lyons, J.: "Thank you, Mr. Speaker."

Speaker Hannig: "So, that'll be out of the record at this time. Mr. Clerk, would you read Senate Bill 2337?"

Clerk Mahoney: "Senate Bill 2337, a Bill for an Act concerning cable television."

Speaker Hannig: "The Gentleman from Clinton, Representative Granberg."

Granberg: "Thank you, Mr. Speaker, Ladies and Gentlemen of the House. House Bill... Senate Bill 2337 creates a penalty of a Class IV felony for anyone who... for anyone who would substantially disrupt or impair a communications provider's ability to provide that to their customer base. It's model legislation that's been adopted in other states in anticipation or to deal with potential terrorist threat. It passed the Senate unanimously and came out of the House Judiciary Committee unanimously, as well. I'd be happy to answer any questions."

Speaker Hannig: "The Gentleman has moved for passage of Senate Bill 2337. And on that question, the Gentleman from Vermilion, Representative Black."

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

Speaker Hannig: "Indicates he'll yield."

Black: "Representative, I believe you said in your opening remarks and correct me if I'm wrong. This Bill does not

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deal and does not make a felon out of somebody who simply tries to steal the signal by tapping into his or her neighbor's cable. What this Bill is aimed at is somebody who deliberately sabotages or destroys the entire cable network by getting into a junction box or an antenna or a distribution system. A much more serious offense than simply trying to steal a signal by tapping into someone else's cable. Correct?"

Granberg: "Mr. Black, you raise a very, very good point and you are absolutely correct. This is no way intended to harm that one individual who might take that course of action. As you indicated, this is for massive disruption of service. There is no intention whatsoever to affect one customer."

Black: "Yeah. Thank you very much, Representative. Mr. Speaker and Ladies and Gentlemen of the House, to the Bill. Ladies and Gentlemen, we have very short memories in this country and to some 9/11 is already a distant memory. It isn't to me, but it is to some people. We rely on our cable system in my house back home to break in with announcements of severe weather, explosions, biohazards. It's... it's how we get instant communication in rural areas because they can tap into this signal from most counties' emergency operation center. So, while you're at home watching television and not looking out the window or not able to hear the explosion or hear the sirens, you are able to get instant communication on something that could be potentially very dangerous to your family, your home or

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your neighborhood. Now, to somebody who goes out and destroys that system, intentionally, so that you not only don't get the entertainment signal, but now you can't even get the hazardous alert warning that many of us have come to rely on, that is a serious offense. And after 9/11 I think the ability to gain... to get up-to-date, immediate information through your cable provider under the emergency alert system is something that everybody should be concerned about and someone who intentionally damages or sabotages the ability of that system to deliver that message and/or its signal should not be treated with a slap on the wrist. I think this is reasonable legislation recognizing the way... the different ways in which society has changed and I think will change forever since 9/11. I stand in strong support of the Gentleman's Bill."

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

Davis, M.: "Will the Sponsor yield?"

Speaker Hannig: "Indicates he'll yield."

Davis, M.: "Thank you. Representative Granberg, I heard Black respond, but I would like to hear from you. Have we had any cases like he was speaking of? Have there been cases that you're trying to find the remedy for?"

Granberg: "Representative, this is preemptive. So, you're taking this... this strategy with this legislation to hopefully avoid something like that occurring. So, they're doing it in advance of that happening. So, this is not in re..."

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Davis, M.: "So, at this point, you don't have anyone who has attempted to disrupt an entire cable system?"

Granberg: "Not that I'm aware of in this state."

Davis, M.: "Do you think somebody might try to do that?"

Granberg: "I mean, that's the... and that's why they're trying to take this action now so in hopes that this will not happen or at least we will have this option available to us in case someone attempts to do that, to disrupt that service."

Davis, M.: "So, if... if your service is completely off or some major disruption occurs, is that for Direct TV, as well as cable?"

Granberg: "Just cable."

Davis, M.: "What about Direct T.V.?"

Granberg: "Well, you're here looking at massive disruption not just one home or two homes, or something of that nature."

Davis, M.: "Something that would disrupt a lot."

Granberg: "It's substan... It's substantial."

Davis, M.: "What about Direct TV? Suppose you're a Direct TV owner."

Granberg: "If this only... it affects the cable."

Davis, M.: "This only affects cable."

Granberg: "Yes."

Davis, M.: "Okay. Thank you, Representative."

Granberg: "Thank you."

Speaker Hannig: "Is there any further discussion?
Representative Granberg to close."

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Granberg: "Thank you, Mr. Speaker, Ladies and Gentlemen of the House. I wanna thank my good friend, Representative Black, for explaining the Bill. Just move for its passage."

Speaker Hannig: "The question is, 'Shall Senate Bill 2337 pass?' All in favor vote 'aye'; opposed 'nay'. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Mr. Clerk, take the record. On this question, there are 116 voting 'yes' and 0 voting 'no'. And this Bill, having received a Constitutional Majority, is hereby declared passed. Mr. Clerk, would you read Senate Bill 2360?"

Clerk Mahoney: "Senate Bill 2360, a Bill for an Act concerning schools. Third Reading of this Senate Bill."

Speaker Hannig: "Representative Froehlich."

Froehlich: "Thank you, Mr. Speaker. Senate Bill 2360 directs the board of edu... State Board of Ed to create a new program to provide two-year grants to school districts on the academic watch list. Currently, there is no grant program to help schools fulfill the requirements if they're placed on the academic watch list. Now, last year two Bills almost identical to this one both passed the House and I hope we will try it again with Senate Bill 2360. I'll be happy to answer any questions."

Speaker Hannig: "The Gentleman has moved for passage of Senate Bill 2360. And on that question, the Gentleman from Crawford, Representative Eddy."

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

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Speaker Hannig: "Indicates he'll yield."

Eddy: "Representative, is there an estimated cost based on past performance of school districts as to, if this were funded, the impact on appropriations to the education budget?"

Froehlich: "The... the Bill does not specify any particular amount for the grants. So, it seems to me it'd be difficult to assign a reliable dollar amount because we don't specify any... any amount in the Bill."

Eddy: "So, the student achievement improvement grant would be for school districts who are on the academic watch list or district with lowest achieving students?"

Froehlich: "That's correct."

Eddy: "And... and there's... there's not been an estimation of what the cost of each grant would be or the number of schools that make up that group that would be targeted by this grant? I mean, if we're gonna ask for an appropriation for this grant, which is subject to appropriations. Is that correct?"

Froehlich: "The... the language is subject to any monies that the board might have available for this purpose."

Eddy: "Okay. So, if the State Board of Education has available for the purpose of achievement, improvement grants for school districts that are on the watch list or have low achieving students, they would then use that money to fund this perhaps in lieu of another fund or is this... is this supposed to be additional funds?"

Froehlich: "Well, it's... it's not my intent to... to divert funds from existing programs."

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Eddy: "Okay. But there's no real estimate... we don't know how much we're talking about as an appropriation item for this. It's whatever there is available for this, subject to appropriations by the budget Bill or by the State Board of Education's discretion as to how to use money available for this purpose."

Froehlich: "Yes. We're leaving the discretion to the state board."

Eddy: "Thank you. Thank you, Mr. Speaker."

Speaker Hannig: "Is there any further discussion? Representative Froehlich to close."

Froehlich: "I just simply ask the House to once again support this proposal."

Speaker Hannig: "The question is, 'Shall Senate Bill 2360 pass?' All in favor vote 'aye'; opposed 'nay'. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Mr. Clerk, take the record. On this question, there are 110 voting 'yes', 0 voting 'no' and 6 voting 'present'. And this Bill, having received a Constitutional Majority, is hereby declared passed. Mr. Clerk, would you read Senate Bill 2362?"

Clerk Mahoney: "Senate Bill 2362, a Bill for an Act concerning education. Third Reading of this Senate Bill."

Speaker Hannig: "The Lady from Kankakee, Representative Dugan."

Dugan: "Thank you, Speaker. Senate Bill 2362 amends the School Code to provide that in the state aid formula provisions calculation of available local resources shall exclude the tax and the state funds received as a result of the Public

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Act 93-26. I'll answer any questions or I would ask for a 'yes' vote."

Speaker Hannig: "The Lady has moved for passage of Senate Bill 2362. Is there any discussion? Then the question is, 'Shall this Bill pass?' All in favor vote 'aye'; opposed 'nay'. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Representative Granberg. Mr. Clerk, take the record. On this question, there are 116 voting 'yes' and 0 voting 'no'. And this Bill, having received a Constitutional Majority, is hereby declared passed. Mr. Clerk, would you read Senate Bill 2370?"

Clerk Mahoney: "Senate Bill 2370, a Bill for an Act concerning taxation. Third Reading of this Senate Bill."

Speaker Hannig: "Representative Reitz."

Reitz: "Thank you, Mr. Speaker. Senate Bill 2370 is a clarification of House Bill 46, last year. Just some cleanup language to clarify the definition of 'gasohol' and the definition of 'majority blend ethanol fuel'. And I'd be happy to answer any questions."

Speaker Hannig: "The Gentleman has moved for passage of Senate Bill 2370. Is there any discussion? Then the question is, 'Shall this Bill pass?' All in favor vote 'aye'; opposed 'nay'. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Mr. Clerk, take the record. On this question, there are 116 voting 'yes' and 0 voting 'no'. And this Bill, having received a

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Constitutional Majority, is hereby declared passed. Mr. Clerk, could you read Senate Bill 2374?"

Clerk Mahoney: "Senate Bill 2374, a Bill for an Act concerning vehicles. Third Reading of this Senate Bill."

Speaker Hannig: "Okay. Let's take this out of the record for the moment. Mr. Clerk, would you read Senate Bill 2386?"

Clerk Mahoney: "Senate Bill 2386, a Bill for an Act concerning criminal law. Third Reading of this Senate Bill."

Speaker Hannig: "The Gentleman from Lake, Representative Mathias."

Mathias: "Thank you, Mr. Speaker. Senate Bill 2386 basically states, that if you defend yourself or your property or house from... using justified force, that the aggressor, who may, for example break into your house, cannot then come and sue you for damages. This is just dealing with civil liability and the trial lawyers also asked us to add language stating that unless it's willful or wanton. So, unless those are the circumstances and the force was justified, you cannot be civilly sued under this Bill. I ask for your 'aye' vote."

Speaker Hannig: "The Gentleman has moved for passage of Senate Bill 2386. Is there any discussion? Then the question is, 'Shall this Bill pass?' All in favor vote 'aye'; opposed 'nay'. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Mr. Clerk, take the record. On this question, there are 114 voting 'yes' and 2 voting 'no'. And this Bill, having received a

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Constitutional Majority, is hereby declared passed. Mr. Clerk, read Senate Bill 2448."

Clerk Mahoney: "Senate Bill 2448, a Bill for an Act concerning children and families. Third Reading of this Senate Bill."

Speaker Hannig: "Representative Bellock."

Bellock: "Thank you very much, Mr. Speaker and the Members of the House. Senate Bill 2448 amends the Children and Family Services Act and it requires that child abuse investigators be trained in the rights of those accused of child abuse and it also makes them inform the accused of the allegations against them. This Bill codifies into State Law what has been passed federally in Keeping the Children and Families Safe Act which was signed into Federal Law last year."

Speaker Hannig: "The Lady has moved for passage of Senate Bill 2448. And on that question, the Lady from Cook, Representative Flowers."

Flowers: "Thank you, Mr. Speaker. Will the Lady yield?"

Speaker Hannig: "The Lady will yield."

Flowers: "I'm sorry, Representative, what does this Bill do again, please?"

Bellock: "What this Bill does is to require that investigators be informed of the rights of the individuals who are being accused of child abuse and it also mandates that they inform the people that are being accused of what they are being accused of. So, it's actually a protection for those that are being accused of abuse."

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Flowers: "Okay. So, the investigator for DCFS inform the parents as to what they're being investigated for."

Bellock: "For. And it also... It's better training for those that are investigating that they know the rights of those that are being accused of this abuse. So, it's to protect those that are being accused of abuse."

Flowers: "Okay. Now, they know their rights that they've been accused of, they've been informed. Will they have a day in court? I mean, what's the point in them being informed of their rights and what they've been accused of if they're not going to have their say in court?"

Bellock: "This Bill doesn't address that part of it. This Bill only addresses what now is already in rule in Illinois, but it's not actually in law. So, next..."

Flowers: "How will the family contest what they're being accused of?"

Bellock: "Well, that goes into the whole system, I think, of the DCFS in challenging. This law was put into Federal Law last year and it's just to codify it in Illinois right now. It's already being done in Illinois by rule, but this is just to put it in law."

Flowers: "Thank you."

Speaker Hannig: "Is there any further discussion? Representative Bellock to close. Oh, excuse me. Representative Black was asking for recognition."

Black: "Yes."

Speaker Hannig: "The Gentleman from Vermilion."

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Black: "Thank you very much, Mr. Speaker. Your elbow was covering up my speak light."

Speaker Hannig: "My apologies, Representative Black."

Black: "I... I... I accept your apology. Will the Sponsor yield?"

Bellock: "Yes."

Speaker Hannig: "She indicates she will."

Black: "Representative, what kind of training is involved other than the Miranda warning? Does the investigator have to Mirandize the... the accused?"

Bellock: "No."

Black: "Why wouldn't that be the ultimate safeguard, so that they would know right upfront that anything they say could be used against them in a court of law?"

Bellock: "I think that would be only if they were arrested. This is just in notifying them of what the charges are."

Black: "And so, what are we... what are we expecting the caseworker to do? I mean, well obviously, we're not expecting them to be lawyers. What... what... what specific training are we asking these, if I may use an old, tired phrase, but it's more true now than ever, most of these people are grossly overworked, some are significantly underpaid and many of these DCFS caseworkers have caseloads of three, four, five hundred kids. So, what are we going to burden with... burden them with now?"

Bellock: "I don't... There is no extra burden. What they're doing they are already doing right now, but it's by rule. It is now..."

Black: "So, you're just gonna codify..."

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Bellock: "Right."

Black: "...the rule?"

Bellock: "Right. It's a Federal Law that was put into effect by President Bush last year. It's called the Keeping Children and Families Safe Act."

Black: "All right. So, you're just gonna codify practice to make sure that the caseworker makes the parent aware of what basic due process rights they may have in this process, right?"

Bellock: "Right."

Black: "Ah, good idea. Thank you."

Bellock: "And I was just told that this would help in accessing federal funding, also."

Black: "Well, then we could call this a reform Bill, right? I'm all for that. Thank you."

Bellock: "Thank you."

Speaker Hannig: "Is there any further discussion? Representative Bellock to close."

Bellock: "Thank you very much. This was Representative Hultgren's Bill. He's a... with his new baby and so, I'd appreciate your support. Thank you."

Speaker Hannig: "The question is, 'Shall Senate Bill 2448 pass?' All in favor vote 'aye'; opposed 'nay'. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Mr. Clerk, take the record. On this question, there are 116 voting 'yes' and 0 voting 'no'. And this Bill, having received a

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Constitutional Majority, is hereby declared passed. Mr. Clerk, would you read Senate Bill 2495?"

Clerk Mahoney: "Senate Bill 2495, a Bill for an Act concerning orders of protection. Third Reading of this Senate Bill."

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

Osterman: "Thank you, Mr. Speaker and Ladies and Gentlemen of the House. Senate Bill 2495 is an initiative of the Illinois Coalition Against Domestic Violence. It deals with orders of protection. It helps bring Illinois into compliance with the Violence Against Women Act and requires that orders of protection will state that the order is enforceable in all 50 states. Also, requires that the order of protection must state that violating the order subject to federal charges and punishment pursuant to the Violence Against Women Act and adds language that the subject of the order of protection may be in violation of federal gun control penalties if he is caught transporting firearms across state lines. Again, this is an initiative that's come out of a task force to try to have uniform language in orders of protection. There are no opponents to this legislation. I ask for your support."

Speaker Hannig: "The Gentleman has moved for passage of Senate Bill 2495. Is there any discussion? Then the question is, 'Shall this Bill pass?' All in favor vote 'aye'; opposed 'nay'. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Representative Feigenholtz. Mr. Clerk, take the record.

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On this question, there are 115 voting 'yes' and 0 voting 'no'. And this Bill, having received a Constitutional Majority, is hereby declared passed. Mr. Clerk, read Senate Bill 2654."

Clerk Mahoney: "Senate Bill 2654, a Bill for an Act concerning criminal law. Third Reading of this Senate Bill."

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

Lindner: "Thank you, Mr. Speaker. This is an initiative of the Illinois Association of Drug Court Professionals and just makes the availability of drug court as a disposition or sentencing option as a discretion of the judge."

Speaker Hannig: "The Lady has moved for passage of Senate Bill 2654. Is there any discussion? The Lady from Cook, Representative Monique Davis."

Davis, M.: "Representative, there must be a problem with my computer because your Bill didn't pop up. So, would you explain what it does?"

Lindner: "It's an... it's an initiative of the Illinois Association of Drug Court Professionals and it would allow a judge, at his discretion, to have more availability to order drug court."

Davis, M.: "Okay. Thank you. Is that all?"

Lindner: "Yes."

Davis, M.: "Okay. Thanks."

Speaker Hannig: "Is there any further discussion? Then the question is, 'Shall this Bill pass?' All in favor vote 'aye'; opposed 'nay'. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who

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wish? Mr. Clerk, take the record. On this question, there are 115 voting 'yes' and 0 voting 'no'. And this Bill, having received a Constitutional Majority, is hereby declared passed. Mr. Clerk, would you read Senate Bill 2732?"

Clerk Mahoney: "Senate Bill 2732, a Bill for an Act relating to schools. Third Reading of this Senate Bill."

Speaker Hannig: "Okay. Mr. Clerk, let's take that out of the record. Would... Mr. Clerk, would you read Senate Bill 2988?"

Clerk Mahoney: "Senate Bill 2988, a Bill for an Act in relation to property. Third Reading of this Senate Bill."

Speaker Hannig: "The Lady from Cook, Representative Lou Jones."

Jones: "Thank you, Mr. Speaker and Members of the House. Senate Bill 2988, let me get my notes here, creates the resident... Residential Tenants' Rights Repair Act. The Bill simply states that if a tenant... if a tenants' residency has a... has... there's something that's in the residency that has to be repaired and they have notified the owner and within 14 days it has not been done, then that tenant's with a valid repair notice can submit that to the owner and then they can deduct that from the rent. It can only be done... it cannot be done in public housing, condominiums, not-for-profit residential property, nonresidential tenancies. They... and they have to wait the 14 days to give the owner time to make the repair."

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Speaker Hannig: "The Lady has moved for passage of Senate Bill 2988. And on that question, the Lady from Champaign, Representative Jakobsson."

Jakobsson: "Thank you, Mr. Speaker. I just have a question about the computers. The current Bills are not popping up. Can somebody check that out, please?"

Speaker Hannig: "Yeah. I'm advised that you can type in the Bill number manually and you can still get the... you can still get the Bill and the analysis. Is that correct? That's not correct. Representative Jakobsson."

Jakobsson: "That's correct, but sometimes the vote is being taken by the time we get it run."

Speaker Hannig: "Why don't we just stand at ease then for just a few moments while we try to get the LIS system back up and running? So, while we're at ease with the LIS, we have two Resolutions that we could go to. So, Mr. Clerk, let's look at House Resolution 906. Okay. So, Representative Mendoza, would you like to say a few words on behalf of House Resolution 906 and then we'll adopt it?"

Mendoza: "Sure. Thank you, Mr. Speaker. House Resolution 906 is very important to me in the sense that it honors the death of a person that was very close to me and to a lot of students in the State of Illinois, specifically in the town of Bolingbrook, Village of Bolingbrook. Jim Paskiewicz was my soccer coach, a very, very important person in my life and I know had a direct impact on the lives of not tens or hundreds but thousands of children and young adults, now young professionals, over the course of his lifetime. He

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served almost 20 years as a teacher with the Valley View School District and made his way up the ranks and ended his career at Bolingbrook as the assistant athletic director. Coaching, not just soccer, but Little League on his off time, but in the high school specifically was the varsity men's and women's soccer coach. Mr. P., as we lovingly referred to him, was just a great guy. Anyone in this chamber who would have had the pleasure of knowing him would, I'm sure, agree and I really can't even begin to tell ya the impact that this man had on my life. When I think about being a public servant and what it means, I think of a person like Mr. P. who always had time to share with everyone, who gave of himself, who gave of his heart, his love to everyone without ever asking for anything in return. As a student athlete, for me, Mr. P. instilled what it was to have respect for my team, respect for myself, for my teammates and respect for just the program in general. Always making us dress up on game days, always making us comport ourselves as professionals on and off the field. He was a neighbor to myself, was a neighbor to many, a friend to many, a loving father, grandfather for too short of a time and most importantly I just think a huge inspiration for me as an elected official today to hopefully be able to someday walk in public service shoes the way Mr. P. did without ever getting the credit that I think he so aptly deserved. But part of this Resolution which I'm teaming up with Representative Hassert and also Representative Meyer, if we could add their names to the

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board I'd really appreciate it. We are urging the Valley View School District which is now turning the current Bolingbrook High School where I went to school and I graduated, where he coached for so many years, that school is going to be converted to a middle school and there's a brand new, beautiful, state of the art, high school that is being built that will be open in August, I believe. And we're looking to and urging the Valley View School District Board as well as Mayor Roger Claar to name the new soccer athletic complex, the football-soccer athletic complex on behalf of Mr. Paskiewicz. So, I would hopefully be able to count on everyone's support on that. It would mean a lot to me. I'm sure his family and all of the students who have been impacted, student athletes as well, by Mr. P. Thank you."

Speaker Hannig: "The Lady has moved for the adoption of House Resolution 906. And on that question, the Gentleman from DuPage, Representative Meyer."

Meyer: "Yes. I... I would just like to say a couple words in honor of Jim Paskiewicz. I've known him since, oh gosh, the late '70s, early '80s. He was a teacher in the Bolingbrook High School as Representative Mendoza's indicated and I realize that others on the House Floor may not ever have heard of him and never will be close to Bolingbrook or anything, but he certainly was very well respected teacher in our community and he exemplified the closeness that the teachers can develop between students and instructors. And when I attended his wake, they had

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the police department just directing traffic, there were so many people that wanted to go to it. It was a standing in line for an hour or so to get up to talk to his widow and the impact that teachers have on a community, I think, was very well represented by that turnout. And I just wanted to stand and remark on his life and how much it meant to.. to those in our community."

Speaker Hannig: "Representative Mendoza moves for the adoption of House Resolution 906. All in favor say 'aye'; opposed 'nay'. The 'ayes' have it. And the Resolution is adopted. Yeah. Mr. Clerk, let's do House Resolution 908."

Clerk Mahoney: "House Resolution 908.

WHEREAS, Firefighters are part of an unselfish organization of men and women who hold devotion to duty above personal risk and count dedication to service above personal comfort and convenience; and

WHEREAS, Firefighters carry on the tradition of service to their community and strive unceasingly to find better ways of protecting their fellow human beings from the ravages of fire and disaster; and

WHEREAS, Dedicated firefighters from across Illinois respond to the urgent call for assistance and put their lives and personal safety at risk to save the lives and property of Illinois citizens; and

WHEREAS, The Illinois Firefighter Memorial recognizes the firefighters who have given their lives in the line of duty and to those who heroically serve with courage, pride, and honor; therefore, be it

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RESOLVED, BY THE HOUSE OF REPRESENTATIVES OF THE NINETY-THIRD GENERAL ASSEMBLY OF THE STATE OF ILLINOIS,) that the second Thursday of May of each year hereafter shall be known as the "Illinois Medal of Honor and Firefighter Memorial Day" throughout the State of Illinois."

Speaker Hannig: "Representative Mathias. I'm sorry, Mof... I'm sorry, Representative Moffitt."

Moffitt: "Well, Mr. Speaker, I can yield to my seatmate here if you want, be happy to. He'd do an excellent job. Thank you, Mr. Speaker, Ladies and Gentlemen of the House. This Resolution is at the request of the Fire Service. Representative Pat Verschoore invite... mentioned to ya that tomorrow morning at 11:00 will be the ceremony, the Medal of Honor, at the Fallen Firefighter Memorial. And the ceremony, I hope you will be able to attend. It's a very... it's a very solemn ceremony and one that's very important. And this, at the request of the Fire Service, would designate the second Thursday of May annually as a day of recognition. And they've requested this and we'd like to present it to them tomorrow at the ceremony and I wanna thank Speaker Madigan and his staff for expediting this Resolution so that we could present it to them. An identical Resolution will be considered in the Senate. Thank you."

Speaker Hannig: "The Gentleman has moved for the adoption of House Resolution 908. Is there any discussion? Then all those in favor of the Resolution say 'aye'; opposed 'nay'."

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The 'ayes' have it. And the Resolution is adopted. Mr. Clerk, what is the status on page 14 of Senate Bill 1906?"
Clerk Mahoney: "Senate Bill 1906 is on the Order of Third Reading."

Speaker Hannig: "Okay. Return that to the Order of Second Reading at the request of the Sponsor. And Mr. Clerk, would you read House Bill 5417? That's on the Supplemental Calendar #1."

Clerk Mahoney: "House Bill 5417, a Bill for an Act in relation to criminal law. Second Reading of this House Bill. Amendment #1, offered by Representative Franks, has been approved for consideration."

Speaker Hannig: "Representative Franks."

Franks: "Thank you. The Amendment becomes the Bill and we passed it unanimously in committee and this was in conjunction working with Representative Rose. We talked about this Bill and it strengthens the DUI penalties for those driving under the influence with minors under the age of 16. I'd be glad to answer any questions."

Speaker Hannig: "The Gentleman has moved for the adoption of Floor Amendment #1. Is there any discussion? Then all in favor of the Amendment say 'aye'; opposed 'nay'. The 'ayes' have it. And the Amendment is adopted. Are there any further Amendments?"

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

Speaker Hannig: "Third Reading. Mr. Clerk, would you read Senate... on page 14 of the Calendar, Senate Bill 2165."

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Clerk Mahoney: "Senate Bill 2165, a Bill for an Act concerning criminal law. Second Reading of this Senate Bill. No Committee Amendments. Floor Amendment #1, offered by Representative John Bradley, has been approved for consideration."

Speaker Hannig: "Representative Bradley."

Bradley, J.: "Thank you, Mr. Speaker. This Amendment is the result of discussions and suggestions from the Judiciary Committee and the subcommittee on Public Safety that was part of the Judiciary Committee. What the Amendment does is it places a restriction on the affirmative defense. This is the affirmative defense Bill. It places a restriction on the home property and a business. So, that's what the substance of the Amendment is. It's in conformity with other state statutes in terms of the language. And I would ask for adoption of the Amendment."

Speaker Hannig: "The Gentleman has moved for the adoption of Floor Amendment #1. Is there any discussion? Then all in favor of the Amendment say 'aye'; opposed 'nay'. The 'ayes' have it. And the Amendment is adopted. Any further Amendments?"

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

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

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

Speaker Hannig: "Yes. State your point, Representative."

Dunkin: "Yes. As the Members of the Body, I would like to, if they could help me recognize members from the Pui Tak

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Center in my district in Chinatown, over here on the left here. Standing here to the left, from Chinatown, Pui Tak Center. (Representative Dunkin welcomes them in Chinese)."

Speaker Hannig: "Welcome to Springfield. And Representative Black, for what reason do you rise?"

Black: "Thank you very much, Mr. Speaker. A point of information, if I might."

Speaker Hannig: "Yes. What's..."

Black: "Yes. Ladies and Gentlemen of the House, if you're like me, over the years you've had the number of constituent inquiries particularly downstate Legislators regarding City of Chicago parking tickets. About 12 years ago, the it... then director of the department of the... City of Chicago, Department of Revenue, Hugh Murphy came down and talked to many of us, created a system of due process where we were able to get most of those resolved. As a result, many of the complaints that my office has had over the years about what I call, 'phantom Chicago parking tickets' have gone from a average of about 12 a month down to about 12 a year, but they've popped up again. And we've had a number of difficulties in my district office regarding Chicago parking tickets. If you have any questions or wanna know what procedures we can access now under the new director, a gentleman by the name of Matthew Darst will be available tomorrow in Statehouse Room 605-C from 9 to 11. So, if you have any constituent issues with Chicago parking tickets, he will be available to help resolve those. He asks that if you do have any outstanding cases, you could bring in

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the paperwork, he'll try and help us get those resolved. I wanted to call that to your attention and I thank the City of Chicago for making him available tomorrow from 9 to 11."

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

Leitch: "Thank you, Mr. Speaker. I, too, would like to say that Mr. Darst has been extremely cooperative and very helpful in my district office in resolving the Chicago parking tickets and so I'm very pleased that he is personally coming down here and would like to thank the city for having this gentleman in charge of that area in Chi... in that division and to enable other Members to meet this gentleman. Thank you."

Speaker Hannig: "The Lady from Cook, Representative Monique Davis, for what reason do you rise?"

Davis, M.: "Thank you, Mr. Chairman... Mr. Speaker. I am speaking on behalf of Elementary-Secondary Education Chairperson to advise the Members of Elementary-Secondary Education that our meeting at 3 p.m. will require votes. It will not be subject matter and we will again be voting on Bills and if we complete those Bills today, we won't have to meet tomorrow. Thank you."

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

Turner: "Thank you, Mr. Speaker and Ladies and Gentlemen of the Assembly. I'm speaking on behalf of the energy association and the energy industry, an association here locally that is honoring one of our colleagues tonight. And I may be

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speaking out of turn, but I wanted to invite all of the Members to come for a reception that's being held tonight at Maldaner's for one of the Members of that committee and our colleague here, Representative Charles Morrow. This is a... an event that they wanted to host for Charles Morrow tonight recognizing his 18 years of service here in the Assembly and I'd like to extend an invitation to all the Members to come by Maldaner's tonight between the hours of 6:00 and 8:00 and tell Chuck Morrow what you really think of him."

Speaker Hannig: "Representative Lang for a Motion."

Lang: "Thank you, Mr. Speaker. I move to suspend the posting requirements on the following Resolutions so they can be heard in committee today and tomorrow. I'll read the list as fast as I can, there's a lot of numbers. House Resolution 79, 387, 411, 412, 413, 418, 534, 578, 581, 595, 628, 649, 656, 670, 674, 680, 681, 701, 704, 721, 739, 763, 775, 826, 830, 838, 845, 863. House Joint Resolutions 23, 54, 60, 70, 73 and 79. I so move, Mr. Speaker."

Speaker Hannig: "So, the Gentleman has moved to suspend the posting requirements on the... the Resolutions that he read. They're on this list for the Members who would like to have a written copy. They're on the yellow list that was passed out. So, is there any discussion on the Gentleman's Motion? Representative Boland."

Boland: "No, Mr. Speaker. This was... I'd like to also suspend the posting requirements on House Resolution 79 which will

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be assigned to our committee today, Elections & Campaign Reform Committee."

Speaker Hannig: "Representative, that's not part of Representative Lang's Motion, so let's not discuss that at the moment. Representative Black, for what reason do your rise?"

Black: "A point of inquiry, Mr. Speaker."

Speaker Hannig: "State your point."

Black: "The secondary Motion that was made to add House Resolution 79, did you take that out of the record?"

Speaker Hannig: "I asked the Gentleman not to make..."

Black: "All right."

Speaker Hannig: "...that a part. So, we're..."

Black: "So, the Motion before us is to waive the posting requirements on the printed copy?"

Speaker Hannig: "And that's all."

Black: "Thank you."

Speaker Hannig: "All in favor of the Gentleman's Motion to waive the posting requirements say 'aye'; opposed 'nay'. The 'ayes' have it. And the posting requirements are waived. So... Representative Boland, if... I think if you look at page 1..."

Boland: "Oh, okay."

Speaker Hannig: "...on the list, you'll see that House Resolution 79 is on the list."

Boland: "Oh, okay. Thank you very much. Thank you very much."

Speaker Hannig: "So... so, you're included. And... and I hope that the Members would also recognize, if you'd look at the

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yellow list, the good news here, that Friday has been canceled. But I would advise the Members that we're still planning on being back here on Monday, so... Representative Churchill, for what reason do you rise?"

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

Speaker Hannig: "State your point."

Churchill: "Just like the Body to welcome the young folks from Palombi School in Lake Villa including one special student, my daughter Christine, whom many of you know who has been... on down here paging for a number of years. Welcome, Palombi."

Speaker Hannig: "Welcome to Springfield. Representative Parke, for what reason do you rise?"

Parke: "Thank you, Mr. Speaker. I have clarification. Yes, you will be requiring us to return on Monday, but it is my understanding that we're supposed to work through the weekend of the following weekend. Is that still the intent of the Chair or are you aware of that, so that we can be prepared to bring enough clothing for that period of time though, seriously though?"

Speaker Hannig: "No, I don't... It's a very serious and legitimate question, Representative. I don't know the answer today, but I hope that tomorrow we will be able to clarify that that kind of question."

Parke: "Thank you very much."

Speaker Hannig: "So, I'm advised that the LIS system is back up and running. So, we were doing Senate Bill 2988. We've

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read the Bill. Why don't we just begin by giving Representative Jones a chance to briefly, again, discuss the Bill and then we'll pick up from there."

Jones: "Thank you, Mr. Speaker. Senate Bill 2988 creates the Residential Tenants' Right to Repair Act. It simply says that when a tenant has a repair in the home, the apartment or whatever and they give the owner 14 days to make the repair and with valid information and a valid receipt they are allowed to deduct the money... if the repair has not been done within the 14 days, they can deduct the money from their rent."

Speaker Hannig: "And on that question, the Gent... The Lady moves for passage of Senate Bill 2988. And on that question, the Gentleman from DuPage, Representative Meyer."

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

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

Meyer: "Representative, what's the genesis of this legislation and why do we need it?"

Jones: "Beg your pardon?"

Meyer: "Why do we need this legislation?"

Jones: "Because when tenants rent an apartment or house or whatever from the owner a lot of times the minor repairs and this is only up to \$500, the amount of minor repairs on that done, time after time, they've requested that the owner make the repairs, sometimes it's in the winter time and it could be something does not cost that much, but it could be a door, a lock, window, whatever where air is coming through or anything up to \$500 and the owner does

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not do it. They don't have any recourse and then they have... didn't have a signed lease that he would take care of the repairs. All this says is that they notify him, if it hasn't been done in 14 days, they get a valid receipt and they can make the repairs and then they can deduct it from their rent."

Meyer: "Is this done anywhere in the state, currently?"

Jones: "I can't hear you."

Meyer: "Is this... is this permitted anywhere in the state under current law?"

Jones: "Excuse me. I did not hear."

Meyer: "Okay. Mr. Speaker, if we could have some quiet, I'd appreciate it. Oh..."

Speaker Hannig: "This'll be our... Could we have some quiet, so we can finish this last Bill."

Jones: "What was your question?"

Meyer: "Yes. Representative, is what you're providing in this Bill, is it already permitted in any part of the state?"

Jones: "There's a few local, small communities that do have it, but majority of 'em don't."

Meyer: "Does this preempt Home Rule?"

Jones: "Yes, it does."

Meyer: "Well, what if a Home Rule... House Rule a community would allow for a provision up to a thousand dollars versus five hundred. Would this five hundred take precedent?"

Jones: "No, it would not."

Meyer: "Is this already on in Chicago?"

Jones: "Yes. Yes, they do. Evanston, Urbana..."

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Meyer: "I guess, I'm somewhat perplexed in just reading through your legislation in that I haven't heard it from any of my constituents that this is a... an issue. And what is causing you to want to do this at a... on a statewide level versus letting those areas of the state that might have a problem react locally to it?"

Jones: "Well, I know of these situations do happen. They happen... they happen, I've witnessed some of 'em in Chicago and I know this does happen. And it's like I said, up to \$500. Now, there are certain... It does not apply to mobile homes, public housing, condominiums, not-for-profit residency and they have a 14-day notice. They cannot do anything until after the 14-day notice and then they have a valid repair slip."

Meyer: "Well, what if they do damage to the property as a part of their... of making this repair?"

Jones: "What if what?"

Meyer: "Well, I... I guess, I'm thinking about how I repair my property and it seems like every time I go out to replace a lock on the door or something that I manage to goof it up a little bit and I probably spend twice as much money as I would normally have to spend only because of my ineptness of repairing a lock. What happens if someone has a broken lock and they attempt to repair it and they break it further and have to replace it as opposed to repair it? Is the landlord subject to that total replacement cost or just what he should have paid... what they should have paid to start with?"

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Jones: "Are you saying someone would deliberately break the lock?"

Meyer: "No, I'm not, not at all. But things happen when you're trying to make repairs and it seems like every time I try to it becomes a two-hour project instead of a twenty-minute fix. And but my question is if... if by trying to make that repair you cause further damage to the tenant or to the premises, if there's any liability for that damage that you caused as... as trying to make the repair?"

Jones: "It also says it has to be a licensed repairman. I mean, you cannot... I don't think that that would be the case because it does state in there it has to be a licensed repairman for whatever there... whatever there is to be repaired."

Meyer: "Okay. Well, thank you very much for your comments on this. I appreciate your responses."

Jones: "Thank you."

Speaker Hannig: "The Gentleman from Vermilion, Representative Black."

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

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

Black: "Representative, yeah, to follow up on Representative Meyer's line of questioning. I used to own some rental property. I'm just curious and I don't know the answer, maybe your staff can enlighten all of us. If the tenant makes a repair and in making the repair, as Representative Meyer said, makes a mistake, puts the positive wire to the negative, the ground to the positive, it shorts out,

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creates heat, burns the house down. Who is liable for any lawsuit that may result from that action?"

Jones: "Well..."

Black: "Is the tenant going to be liable? Or is the landlord who wasn't there at the time, did not make the repair, will the landlord be held liable?"

Jones: "Representative, the contractor doin' the repair would be bonded, I would think and he would be liable."

Black: "I... I was just checking with my staff. In other words, it's... it's your intent that if the tenant makes a repair, makes an honest mistake on the repair..."

Jones: "The tenant is not doin' the repair, Representative."

Black: "Oh, I know... I know that only too well. I was a landlord for many years and I've had this happen to me. I had a tenant that was going to fix a window air conditioner by plugging it into another outlet. But you see, you just can't plug a 220 volt air conditioner into a 110 volt outlet. So, he not only burned up the air conditioner, he zapped most of the wiring on the first floor. Do..."

Jones: "Would that be under \$500?"

Black: "No, that came out to be about \$1900."

Jones: "Well, this is only up to \$500."

Black: "So, the tenant will only be held liable for a mistake that the tenant makes up to \$500, right? Representative, I..."

Jones: "Yes, yes."

Black: "...and I notice... Go ahead, I'm sorry."

Jones: "The... the tenant would be liable."

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Black: "Okay. That... that's... I think that's the key issue. I... I... I'm not trying to kill your Bill. I intend to vote for the Bill, but I think the key issue is the... and I see that Representative Scully is there, I assume, on pro bono legal work. The key issue is, who now assumes the liability if... if...if..."

Jones: "Well, I think the tenant would have to go after the... would have to go on... would have to go after the... the repair person."

Black: "What... what if the tenant made the repair? The tenant just decided..."

Jones: "Well, it does..."

Black: "...I can do this and as a result causes thousands of dollars worth of damage or my fear is, does something that creates a hazardous condition that endangers or harms another tenant or a neighbor. Is the landlord who may not even be aware of this attempt to repair the property still going to be held liable for potential damages to another tenant or a neighbor caused by the actions of the tenant?"

Jones: "Well, if... if the tenant did the... if the tenant did the repairs, Representative, he'd have to be a licensed repair person because that's in the Bill."

Black: "Well, yes and no. I... Sometimes very modest repairs can be done by... by do-it-yourselfers. You can repair a light switch. You can fix a duplex outlet on the wall. You can put a new washer in... in a faucet so it doesn't leak. I'll tell ya one of the things that happened to me, Representative, and why I'm concerned about this. I have a

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very good tenant and the bathtub/shower combination was leaking, not badly, just dripping and the tenant was... was right to call it to my attention. I said it's gonna take me a couple of days to get over there and I'll have to wait 'til the weekend, but I'll get over there and either bring a plumber or the tools and we'll get that fixed. He said, no, I think I can fix that. Well, he did. He... he fixed it, but then when he was tightening the connection, he snapped the water line off in the wall and by... by the time we got the water turned off, there had been considerable damage, not only to the bathroom, but it ran out in the house, ruined carpet, ruined some of the wallboard, required some pretty extensive repairs. My memory is faulty, but I think about \$2 thousand. Now, he was a good tenant and it was an honest mistake so I just fixed it. But that was a long time ago and society has changed a lot since then. I guess, my... my only concern on behalf of the landlord, if a well-meaning tenant does something, makes a mistake and creates damage far in excess of the 500, can the landlord come back and say, hey, you... ya know, golly, I'm not gonna pay for this, you are."

Jones: "The tenant would... I would think that... Well, number one, I would think the tenant would be liable. He'd have to... he'd have to get, whatever it is, he'd have to get it from the licensed repairman. But Representative, he has 14... he cannot do anything within 14 days. He cannot tell you that... it's in the Bill. He cannot tell you, well, I

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can go and take care of that myself. He has to wait 14 days for you to respond to... for the request of the repair."

Black: "All right. Representative, I think that answers my concerns. He has to give constructive notice to the landlord. If the landlord knows anything about current tenant rights today, he or she is gonna be very careful on how that is handled, and I appreciate you dealing with my concerns. Having been a landlord many years ago, I know some of the pitfalls you can get into. I think the Bill's reasonable. I think you've covered most of my concerns and I appreciate your... your response."

Jones: "Thank you, Representative."

Speaker Hannig: "Representative Hamos."

Hamos: "Thank you, Speaker, Ladies and Gentlemen. I commend the Sponsor for this very reasonable and important Bill. You know the realtors took no position on this. They're neutral because they too recognize, as we should, that one of the goals of this Bill is to keep buildings out of housing court and to keep down the dissent between landlords and tenants. Sometimes there really is a small repair that is important to take care of, but the landlord has many other things to do. It doesn't get... it doesn't get done and then there's a build... a strife that is built over that one problem. This allows them to take care of it in a very reasonable way. And the Bill, if you stop and read it, is very tightly written. So, as we just pointed out, there has to be notice, the notice... the tenant has to wait 14 days, so at that time, of course, the landlord can

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do it as the landlord wants to. Then there is a section on tenants' liabilities and responsibilities and that says that the tenant has to make sure that the repairs are performed in a workman-like manner; that the supplier has the appropriate valid license; that the... that the tradesman or supplier is adequately insured and the tenant is ultimately responsible and liable for any problems that... that do occur and finally, the tenant has to supply the name of the tradesman or supplier with the bill. So, this is tightly written. It's for those instances where... where things really can be taken care of in a self-help kind of way with the kind of restrictions that we put into this Bill. And I urge an 'aye' vote."

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

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

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

Davis, M.: "Representative Jones or Hamos, either, does the owner of the property have to be present when the repairman is there?"

Jones: "No."

Davis, M.: "Pardon?"

Jones: "No."

Davis, M.: "Does the owner of the property have any say-so about who will be doing the work?"

Jones: "No."

Davis, M.: "And you say the owner of the property will only have a two-week notice?"

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Jones: "Fourteen days."

Davis, M.: "That's two weeks."

Jones: "All day long."

Davis, M.: "Well, I think even most bill collectors give people a 30-day notice. Usually people do have a 30-day notice."

Jones: "This is not a bill collector."

Davis, M.: "Is this the same Bill that is... is it exactly similar to Chicago's Tenants Residence ordinance?"

Jones: "Yes."

Davis, M.: "And if a repair person does something that does not stand up, for example, whatever they repair comes back loose or falls down, who's liable?"

Jones: "I answered that once. I..."

Davis, M.: "I'm sorry, I didn't hear you, Representative."

Jones: "The tenant is liable. He'll have to get whatever's necessary from..."

Davis, M.: "Does the tenant... does the tenant have insurance for that purpose or is the tenant insured in any way to..."

Jones: "Contractors have insurance and this has to be a licensed repair person."

Davis, M.: "The person has to be licensed?"

Jones: "Most of 'em are insured and bonded."

Davis, M.: "Where do they get the repair people? Is there a list that's provided?"

Jones: "I don't have... No. I don't have the slightest idea where they would get their repair person from 'cause I don't have a slightest idea what the repair is. The repair is only up to \$500."

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Davis, M.: "Well, \$500, Representative, means a lot to some building owners. Some building owners, Representative, are paying thousands of dollars in utility bills and their..."

Jones: "Yeah, this one has to be..."

Davis, M.: "...escrow..."

Jones: "...it has to be \$500 or less."

Davis, M.: "...and their escrow for repairs may not be up to 500 for each month or within that 14-day period."

Jones: "You're absolutely correct."

Davis, M.: "To the Bill, Mr. Speaker."

Speaker Hannig: "To the Bill."

Davis, M.: "I believe that the shrinking number of affordable houses, especially in Chicago, is based, many times, upon a disregard for landlords and building owners. Many landlords and building owners today are turning their property into condominiums because they do not want the constant abuse of their property or lack of rent payment and then to have the tenant go into court and it be sanctioned by a judge. There are some tenants, not all, but there are some tenants who learn all the ways not to pay rent. They know that by claiming something is not repaired that they can keep from paying rent. So, now, we're saying not only do you not have to pay rent, but you can bring in a shoddy repair person to perhaps do damage to a building that someone owns and is trying to maintain. I believe that the Representative has the best of intentions. I believe the Representative actually believes that every building owner is fair, is honest, is attempting to provide

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affordable housing in Chicago and maybe in our state. But I believe movement in this direction is going to continue to create a lack of affordable housing because more landowners are going to turn their property into condominiums. If a landowner is paying property taxes, utility bills, landscapers, snow removal, I believe they should be given an opportunity... Who would wanna keep that building up better than the person who owns it? Who would want to make those repairs on a timely basis better than the person who owns it? But a tenant who is up to absolutely no good, a tenant who has learned the rules of the road would know how every few months to find a major problem so that they could deduct 50 percent of their rent or \$500. With all due respect to all the Sponsors of this legislation, I really think it's a bad Bill. And I urge a 'no' vote."

Speaker Hannig: "Representative Dunkin."

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

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

Dunkin: "To the Bi..."

Jones: "I don't... I don't that I am or not."

Dunkin: "To the Bill. Ladies and Gentlemen, this Bill is a pretty straightforward Bill that deals with very minor repairs, again, less than \$500. I mean, sometimes, broken doors cost more than that, when they fall off the hinges, depending on what building you have. You have a number of housing experts and associations that support this legislation because it's so simplified. You have the

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National Center on Poverty Law, the Lawyers Committee for Better Housing, the Coalition for the Homeless. You have the Citizens Action Coal... excuse me, the Statewide Housing Action Coalition. You have the business professionals, People for Public Housing. You have the realtors who have no position on this legislation. Again, as one of the other Members pointed out, this helps to avoid unnecessary litigation in the court system when you're trying to deal with simple or minor repairs. And so, when we have an opportunity for residents who are renting who simply want to make a slight adjustment for under \$500 and they know someone who is licensed or insured to do the repair, I think it's a good measure. I think it's a measure that does not offend the property owner and it takes care of a simple matter in a housing situation that can benefit both the landlord as well as that tenant who simply needs a minor repair for their respective unit. And I would encourage an 'aye' vote."

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

Delgado: "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. And the main question is put. Representative Jones to close."

Jones: "Thank you, Mr. Speaker. I just ask for 'aye' vote."

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Speaker Hannig: "The question is, 'Shall Senate Bill 2988 pass?' All in favor vote 'aye'; opposed 'nay'. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Have all voted who wish? Mr. Clerk, take the record. On this question, there are 113 voting 'yes' and 3 voting 'no'. And this Bill, having received a Constitutional Majority, is hereby declared passed. Representative Moffitt, for what reason do you rise?"

Moffitt: "I rise to a point of personal privilege."

Speaker Hannig: "State your point."

Moffitt: "Just wanna inform the Members of the House that the ceremony tomorrow for fallen firefighters and the Medal of Honor because of weather the entire ceremony has been moved inside over at the Armory, just across the street. At 11:00, they're inviting all who are in the fire caucus, all Members of the General Assembly to come over and be recognized as a group. So, at 11:00 tomorrow, but it's in the Armory, not out at the statue. Thank you."

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

Scully: "Thank you, Mr. Speaker. On a matter of personal privilege."

Speaker Hannig: "State your point."

Scully: "The Commerce & Business Development Committee scheduled for 9:00 Thursday morning is hereby canceled. Thank you."

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Speaker Hannig: "Are there any other announcements on committees? Representative Flowers, did you have an announcement? Okay. No announcements. Okay. So, then allowing perfunctory time for the Clerk, Representative Currie moves that the House stands adjourned until tomorrow, Thursday, May 13 at the hour of 10 a.m. All in favor of the Motion say 'aye'; opposed 'nay'. The 'ayes' have it. And the House stands adjourned."

Clerk Mahoney: "House Perfunctory Session will now come to order. Introduction and reading of House Bills-First Reading. House Bill 7302, introduced by Representative Black, an Act concerning transportation. House Bill 7303, introduced by Representative Jones, an Act concerning taxes. There being no further business, the House Perfunctory Session will stand adjourned."