

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

130th Legislative Day

5/19/2004

Speaker Hannig: "So the hour of 12:00 having arrived, we hope that everyone has had an opportunity to get something to eat, but now it's time to begin our business. Would the Members please be in their seats. Would Members and guests refrain from starting their laptops. Turn off cell phones and pagers and rise for the invocation and the Pledge of Allegiance. We shall be led in prayer today by Reverend Cleveland Thomas Sr. with the New Morning Star Baptist Church in Peoria. Reverend Thomas is the guest of Representative Slone."

Reverend Thomas Sr.: "Will you bow with me. Our Father and great God, through whom all things come into existence, thank You for our very being. We're gathered at this high time and day and this high hour of demand for all of the people of the State of Illinois. For this cause, we are assembled in our... Your presence, with reverence, recognizing our need for Your guidance. We ask You for Your supply for this time of our need in focus, in wisdom, compassion and equity for this work at hand. Help us to accomplish the purpose for which we are assembled and for Your will and our good. Guide this Assembly with gravity and vision for all citizens and our posterity, for growth and good for this state, our nation and this world. All things prove Your truth and authority as You're pleased with our work in Your anointed. Guide this Assembly in this work, in all things for good. We pray. Amen."

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

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

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

Currie: "Thank you, Speaker. Please let the record reflect that we have no excused absences to report among House Democrats."

Speaker Hannig: "Representative Bost."

Bost: "Thank you, Mr. Speaker. Let the record reflect that there are no excused absences on the Republican side of the aisle."

Speaker Hannig: "Mr. Clerk, take... Mr. Clerk, take the record. On this question there are 118 Members answering the Roll Call, a quorum is present. Mr. Clerk, read the Committee Reports."

Clerk Mahoney: "Representative Delgado, Chairperson from the Committee on Human Services, which the following measure/s was/were referred, action taken on, May 18, 2004, reported the same back with the following recommendation/s: 'recommends be adopted' House Resolution 635, House Resolution 659 and House Resolution 881. A Motion to Concur with Senate Amendment #2 to House Bill 1082. Representative Delgado, Chairperson from the Committee on Judiciary - Criminal Law, which the following measure/s was/were referred, action taken on May 18, 2004, reported the same back with the following recommendation/s:

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'recommends be adopted' Floor Amendment #2 to Senate Bill 132. Motion to Concur with Senate Amendment #1 to House Bill 4027. Motion to Concur with Senate Amendment #2 to House Bill 4135. Motion to Concur with Senate Bill... Senate Amendment #1 to House Bill 4949. Representative Joe Lyons, Chairperson from the Committee on Financial Institutions, which the following measure/s was/were referred, action taken on May 18, 2004, reported the same back with the following recommendation/s: 'do pass as amended Short Debate' Senate Bill 2908. Representative Mautino, Chairperson from the Committee on Insurance, to which the following measure/s was/were referred, action taken on May 18, 2004, reported the same back with the following recommendation/s: 'recommends be adopted' Floor Amendment #1 to Senate Bill 827. Floor Amendment #2 to Senate Bill 2238. Floor Amendment #1 to Senate Bill 2339. Representative Fritchey, Chairperson from the Committee on Judiciary-Criminal... Civil Law, which the following measure/s was/were referred, action taken on May 18, 2004, reported the same back with the following recommendation/s: 'do pass as amended Short Debate' Senate Bill 2496. 'Recommends be adopted' Floor Amendment #1 to Senate Bill 2499. A Motion to Concur with Senate Amendment #1 and 2 to House Bill 4318. Representative Burke, Chairperson from the Committee on Executive, which the following measure/s was/were referred, action taken on May 18, 2004, reported the same back with the following recommendation/s: 'recommends be adopted' Floor Amendment #1 to Senate Bill

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1631. Representative Saviano, Chairperson from the Committee on Registration and Regulation, which the following measure/s was/were referred, action taken on May 18, 2004, reported the same back with the following recommendation/s: 'do pass as amended Short Debate' Senate Bill 2251, Senate Bill 2253, and Senate Bill 2299. 'Recommends be adopted' Floor Amendment #1 to Senate Bill 2617 and Floor Amendment #3 to Senate Bill 3069. Representative McAuliffe, Chairperson from the Committee on Veterans' Affairs, which the following measure/s was/were referred, action taken on May 18, 2004, reported the same back with the following recommendation/s: 'recommends be adopted' and 'Motion to Concur' with Senate Amendment #3 to House Bill 4371. Representative Giles, Chairperson from the Committee on Elementary and Secondary Education, which the following measure/s was/were referred, action taken on May 18, 2004, reported the same back with the following recommendation/s: 'recommends be adopted' a Motion to Concur with Senate Amendment #1 to House Bill 758. Representative Franks, Chairperson from the Committee on State Government Administration, which the following measure/s was/were referred, action taken on May 18, 2004, reported the same back with the following recommendation/s: 'recommends be adopted' a Motion to Concur with Senate Amendment #1 to House Bill 4489. House Resolution 68.. 668 and House Resolution 671. Representative Holbrook, Chairperson from the Committee on Environment and Energy, which the following measure/s was/were referred, action

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taken on May 18, 2004, reported the same back with the following recommendation/s: 'recommends be adopted' House Resolution 616, House Resolution 821 and House Joint Resolution 76. 'Recommends be adopted as amended' House Resolution 797. Representative Bradley, Chairperson from the Committee on Personnel and Pensions, which the following measure/s was/were referred, action taken on May 18, 2004, reported the same back with the following recommendation/s: 'recommends be adopted' a Motion to Concur with Senate Amendment #1 House Bill 587. Representative Hoffman, Chairperson from the Committee on Transportation and Motor Vehicles, which the following measure/s was/were referred, action taken on May 18, 2004, reported the same back with the following recommendation/s: 'recommends be adopted' House Joint Resolution 55 and a Motion to Concur with Senate Amendment #1 to House Bill 4403. Representative Steve Davis, Chairperson from the Committee on Public Utilities, which the following measure/s was/were referred, action taken on May 18, 2004, reported the same back with the following recommendation/s: 'recommends be adopted' House Resolution 626 and House Resolution 689. Representative Osterman, Chairperson from the Committee on Local Government, which the following measure/s was/were referred, action taken on May 18, 2004, reported the same back with the following recommendation/s: 'recommends be adopted' Floor Amendments #1 and 2 to Senate Bill 2175, Floor Amendment #1 to Senate Bill 2222, and

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House Resolution 862. 'Recommends be adopted as amended'  
House Joint Resolution 39."

Speaker Hannig: "Mr. Clerk, what is the status of Senate Bill  
2844? 2844."

Clerk Mahoney: "Senate Bill 2844 is on the Order of Third  
Reading."

Speaker Hannig: "Return that Bill to the Order of Second  
Reading at the request of the Sponsor. And now, beginning  
on page 13 of the Calendar, Senate Bills-Third Reading, is  
Senate Bill 1914. Representative Holbrook. Mr. Clerk,  
would you read the Bill."

Clerk Mahoney: "Senate Bill 1914, a Bill for an Act concerning  
finance. Third Reading of this Senate Bill."

Speaker Hannig: "The Gentleman..."

Holbrook: "Thank you, Speaker. Senate Bill 1914 is a Bill we  
discussed yesterday here on the floor and I had to pull out  
of the record right before the vote. It's the economic  
development package for Western Illinois and the Tri-City  
Port Authority, where we're doing a few changes down there.  
It's the deactivated military base. I know of no  
opposition to the Bill, and I'd move for its approval or  
take questions."

Speaker Hannig: "The Gentleman has moved for adoption of Senate  
Bill 1914. Is there any discussion? Then the question is,  
'Shall this... excuse me, the Gentleman from Vermilion,  
Representative Black."

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

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

Black: "Representative, I just have one question, it deals with the language that says, if the Western Illinois Development Authority cannot pay its bonds it reports that information to the Governor and from there it's kind of a... an open book."

Holbrook: "Yeah."

Black: "Does that mean that those bonds might become the responsibility of the State of Illinois, i.e. taxpayers or do you just issue the report and default?"

Holbrook: "It's my understanding, unless we take special action to go in and give moral ob of the state, then the state has no obligation on that."

Black: "All right."

Holbrook: "But if we do come in and do moral ob behind that, then we would. And that's how it works with the other authorities."

Black: "All right."

Holbrook: "Thank you."

Black: "So, you... you would have to specifically ask for the state to pick up that responsibility?"

Holbrook: "Right. And we have done that in some cases, like down in my area, but... it a... with our SWIDA. But it's very, very rare. I only know of one other case we did down there recently."

Black: "And therefore, that would have to be approved by both Houses of the Legislature to accept that responsibility?"

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Holbrook: "I think that's a decision by either DECO or DCCA or whatever its name is now, or the Governor's Office when they make that decision. That's what happened there."

Black: "Okay. All right. Thank you."

Speaker Hannig: "Is there any further discussion? Representative Holbrook, would you like to close?"

Holbrook: "I just ask for an 'aye' vote."

Speaker Hannig: "The question is, 'Shall Senate Bill 1914 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 Currie. Mr. Clerk. Representative Bost, would you like to be recorded? Mr. Clerk, take the record. On this question, there are 80 voting 'yes', 38 voting 'no' and 0 voting 'present'. And this Bill, having received a Constitutional Majority, is hereby declared passed. Representative Gordon, would you like us to call Senate Bill 2215? Okay. Out of the record. Representative Rita. Would Representative Rita like us to move Senate Bill 2236? Okay. Let's... let's take that out of the record. Representative Rich Bradley, on Senate Bill 2248. Okay, Mr. Clerk, read the Bill."

Clerk Mahoney: "Senate Bill 2248, a Bill for an Act in relation to property. Third Reading of this Senate Bill."

Speaker Hannig: "The Gentleman from Cook, Representative Bradley, R."

Bradley, R.: "Thank you, Mr. Speaker, Members of the House. 2248 is the Illinois Department of Transfer's annual land



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transfer legislation. It encompasses 23 different property transactions. Also, in the Bill, DNR also transfers three different parcels for use for a bike trail or recreational purposes. There's no opposition to the Bill."

Speaker Hannig: "The Gentleman from Cook has moved for passage of Senate Bill 2248. And on that question, the Gentleman from Cook, Representative Parke."

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

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

Parke: "I'm sorry, where's the Sponsor? Oh... thank you. Representative, is this still a quick-take Bill?"

Bradley, R.: "No, it is not."

Parke: "Then how do they acquire the property?"

Bradley, R.: "This is property that was part of IDOT and for use of highways, which they're not in need of anymore. And they're giving back to different communities for their purposes. All the properties have been appraised and will be transferred for fair market value. And again, DNR's transfer of three parcels is through local communities for bike trails."

Parke: "Now, dis... does the communities receiving this property have to pay it back? Pay for it?"

Bradley, R.: "Yes. They... at market value."

Parke: "Do they want to buy it back?"

Bradley, R.: "Yes, they do."

Parke: "Every parcel?"

Bradley, R.: "Yes, they do."

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Parke: "And the purpose of buying it back is for economic development, for farms, what do you..."

Bradley, R.: "It runs... it runs that whole gamut, everything from road access for a private homeowner to community purposes."

Parke: "And there's no..."

Bradley, R.: "And they're all... they're all detailed in the Bill, so it's... nothing's hidden."

Parke: "This is state owned property being sold back to municipal governments?"

Bradley, R.: "Correct."

Parke: "Thank you."

Speaker Hannig: "Is there any further discussion? The Gentleman from Vermilion, Representative Black."

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

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

Black: "Representative, in... in Floor Amendment #1 there is a parcel that contains approximately one half acre. They were acquired by the Illinois Department of Transportation for a highway purpose way back in 1945... excuse me, 1955. The City of Chicago has now requested that the state release its interest in that parcel or those parcels and the transfer is subject to the City of Chicago paying the fair market value, as will be determined by appraisal. Can you give me some idea of where exactly this parcel is located?"

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Bradley, R.: "It's on the northeast side of Chicago, I believe, Sir. And again, it's gonna be used for just public green space purposes. Nothing is proposed to be built on that parcel, and again it will be transferred after an appraisal at market value."

Black: "When you say the northeast part of Chicago, does it have lakefront... lakefront frontage?"

Bradley, R.: "I was just corrected, it's... staff had told me that it's in Representative Berrios' district along the highway corridor."

Black: "Along... along what highway would it be? Do you know?"

Bradley, R.: "I believe that's Kennedy Expressway."

Black: "Do you have any idea of what the property is currently valued, a thousand dollars, a million dollars, some idea of its approximate value?"

Bradley, R.: "It's probably pretty valuable, property throughout Chicago, appraised value, is... is quite high."

Black: "Do you have any idea what the City of Chicago intends to use... use this parcel for?"

Bradley, R.: "They have stated green space."

Black: "I'm sorry, what?"

Bradley, R.: "Just basic green space."

Black: "Oh, green space. I thought you said racetrack, it's gonna be a pretty small racetrack."

Bradley, R.: "Maybe a racetrack for rodents, I don't know."

Black: "Has an appraisal been done on the property?"

Bradley, R.: "Not as of yet."

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Black: "Before it's put in here, why... why don't we wait until we get an appraisal?"

Bradley, R.: "Well, I think it's the normal process that we're going through."

Black: "Staff indicates that the City of Chicago filed language in the same Amendment that this land will be transferred for one dollar. And... and I... I'm quoting you, 'this land maybe very valuable'."

Bradley, R.: "Right."

Black: "Why is there language saying that it will be transferred to the City of Chicago for one dollar?"

Bradley, R.: "That Amendment was never called by me in committee, and I don't intend to call that."

Black: "All right. So, that language is an... in an Amendment that has not been adopted to the Bill, correct?"

Bradley, R.: "Has not, and will not."

Black: "All right. It would appear to me that if the land.. the parcel in question, is to be used for green space, I assume that is public green space, correct?"

Bradley, R.: "Correct."

Black: "Not... not to enhance a developer's condominium site or something of that order?"

Bradley, R.: "Correct."

Black: "All right. Once this... once this parcel is acquired by the City of Chicago, are there any specific guarantees that the city may decide to sell it at a later date to a developer who might be interested in the parcel?"

Bradley, R.: "I'm not aware of any covenants to that nature."

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Black: "But, there is no covenant that says they can't."

Bradley, R.: "I will agree with you on that."

Black: "All right. I..."

Bradley, R.: "But again the intended use is for... for green space, and it's a parcel that will definitely help the community in having much needed green space in the community."

Black: "Representative, I... I'm going to take you at your word. I know that you are a man of your word. The only concern that I have, and I know that many of the people on your side of the aisle as well as mine, will not take lightly if we read in the paper... will not take it lightly if we read in the media or listen to the media in the next few months that this in fact was transferred to the city for a dollar and other consideration, and then the city turns around and sells it to a developer for a fair market value or a good piece of change. I don't think that's your intent. I don't think that's the intent of these conveyance laws, and I... I'm going to rely on your goodwill to make certain that the city, it's a big city... things get lost, people always aren't in the loop. I would hope that we not have to come back in the next six or seven months and say this parcel conveyed for a dollar was later sold for 700 thousand. That wouldn't be right. I don't think that's your intent. I'm not going to vote against the Bill on that, but I'm not as comfortable with this as I'd like to be. But I do appreciate your forthright and honest answers."

Bradley, R.: "I understand your concerns, Representative."

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Speaker Hannig: "Any further discussion? Then Representative Bradley, R. to close."

Bradley, R.: "Appreciate your support."

Speaker Hannig: "The question is, 'Shall Senate Bill 2248 pass?' All in favor vote 'aye'; opposed vote 'no'. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Mr. Clerk. Mr. Clerk. Representative Osterman, would you like to be recorded? Mr. Clerk, take the record. On this question, there are 99 voting 'yes', 18 voting 'no' and 1 voting 'present'. And this Bill, having received a Constitutional Majority, is hereby declared passed. Representative Howard, for what reason do you rise?"

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

Speaker Hannig: "State your point."

Howard: "Today we have with us, a delegation from my district, the Do The Right Thing Community Service Options Program. They're here to talk about DD issues. They're being led by Renee Lumpkin. I'd like my colleagues to please help me to welcome them to Springfield."

Speaker Hannig: "Welcome to Springfield. Representative Rita, would you want us to call Senate Bill 2236? Okay. Out of the record. Representative Delgado on Senate Bill 2731. Mr. Clerk, would you read the Bill."

Clerk Mahoney: "Senate Bill 2731, a Bill for an Act concerning utilities. Third Reading of this Senate Bill."

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

Delgado: "Thank you, Mr. Speaker and Members of the House. Senate Bill 2731 establishes a certification process for providers of prepaid calling cards to protect consumers from fraud. The ICC has authorized to create a certification program and to adopt rules to implement the program. The Bill sets forth minimum disclosure, this criteria for prepaid calling card sellers and provide fines and penalties for prepaid calling card sellers that market their cards in the state without obtaining certification by the ICC. And I'm very glad to point out that I worked extremely hard with the Office of Lieutenant Governor, particularly Suzanne Hack, who did a magnificent job in making sure all of the different entities in the telecommunications area: Sprint, AT&T and all of the other folks on board. I want to thank them, and especially Doug Daugherty, who also brought together Amendments to make sure that we could have a Bill that is one that will protect the consumer and not overkill on our telecommunications industry. And I'm open for questions."

Speaker Hannig: "Okay, the Gentleman has moved for passage of Senate Bill 2731 and on that question, the Gentleman from Cook, Representative Parke."

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

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

Parke: "Representative, there were a lot of questions in committee when this was brought up. You had made a good

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faith agreement that you would work until the objections from the concerns were addressed. Have you addressed all those?"

Delgado: "Yes, I do believe we have, and for legislative intent, we will be going over some question and answer period in a moment, but yes, sitting down with the President of Telecommunications, Mr. Doug Daugherty, who represented the overall group. It was actually part of the architect of the Amendments, and the fact that we met with Mr. Bob Berry of AT&T, my good friends from Sprint that were up from Missouri, so we did address all those concerns."

Parke: "How about the Illinois Retail Merchants Association?"

Delgado: "Retail Merchants Association are good friends of mine are onboard. They were concerned, we took that language out. They were fine."

Parke: "To the Bill. Ladies and Gentlemen of the... I presume the Sponsor, from what he has said, has worked out all the problems. This was a very complex issue. To his credit, he has alluded to us that he has worked out an agreement, therefore, I think this is a good consumer Bill and I will rise to support his legislation."

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

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

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



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Black: "Representative, I join with my seatmate in thanking you for working out the Amendment that eliminated most of the concerns by those who make these cards available. I have just one question and it's because I find no reference to it in the Bill or the analysis, for my own curiosity more than anything else. Most of these cards, I suspect, are sold by large retail chains. Every time I go into CVS or Walgreens, they have them for sale, K-Mart, Target, you name it, they all have these cards for sale. Now, what is the market... markup, is the retailer, well, the retailer's gotta be makin' a prophet or they wouldn't sell it."

Delgado: "That's correct."

Black: "Well, what's... did you ever get in any of your work on this Bill, what the average markup is on a phone card?"

Delgado: "Right, we weren't so betting into the markup of the cards, but we were more concerned the genesis of this Bill was the fact that when they do sell a card, and by the way, not only in the big Walgreens and Jewel's but we're talking florist shops. I was in a florist buying flowers..."

Black: "Yeah."

Delgado: "...for a cousin who had just had an operation, and the first five people in front of me were not buying flowers, they were buying calling cards. And in my district I have a large population of Columbians and Mexicans and they buy the card and what the big issue is, so when they purchase the card and it says you have 50 minutes, they dial the phone, they call Mexico or they call Columbia or they get the wrong number and when they hang up and they recall

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again they might be on the phone for four minutes and then it cuts off and they say that all of your minutes have been used up. So really, the essence of it wasn't so much at the retailer level, that's why we worked with IRMA, as to their markup, it is profitable. Let me... let me leave that in a capsule for you, Mr. Black. It is profitable and that's why so many small business are now just jumping at it to shore up their smaller... their... their product as a side order. But in terms of what their markup is, I don't know their margin line on that."

Black: "I... so... the thrust of this Bill is to get at what is often, and we've all had these complaints where they think they have purchased a 30-minute calling card and they may only get about 10, rather than the 30..."

Delgado: "That's correct. And these are folks who don't... most of the times they don't have a phone at home, they're gonna use a public phone in a laundramat."

Black: "Okay. All right."

Delgado: "So this is to curb consumer fraud, and in addition, to identify those fly-by-nights, because I respect AT&T, I respect all of our big guys, we know where they're at, but in my district you have, for example, hypothetically U.S.A. Com and we can't find the owner of that phone, or we can find out how those cards keep coming in and those minutes keep disappearing. And so we feel that with the help of the big guys, we'll be able to sa... cipher a little bit, decipher or weed out those smaller guys and curb abuse."

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

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Delgado: "Thank you."

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

Tenhouse: "Thank you, Mr. Speaker, Ladies and Gentlemen of the House. Would the Sponsor yield.."

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

Tenhouse: "...for some questions related to legislative intent?"

Speaker Hannig: "He'll yield."

Tenhouse: "First of all, Representative, this Bill's silent on the level or maximum amount of a penalty or fine for violation. What is the intent of what the ICC will do in rule making?"

Delgado: "Right. My intent is that the ICC establish penalty in fining limits which are commensurate with the violation."

Tenhouse: "Representative, the Bill is silent on the number of service quality standards to be established by the ICC. What is the intent regarding the ICC establishing service quality standards?"

Delgado: "My intent is that the ICC establish service quality standards that address a consumer's ability to place a call using the prepaid card, and assessing a live attendant through a toll-free number for customer assistance."

Tenhouse: "Representative, this Bill doesn't establish the frequency for certified carriers to report to the ICC. What is your intent?"

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Delgado: "My intent and make it very clear, is that the ICC will establish reasonable reporting requirements in terms of the frequency and level of detail."

Tenhouse: "To the Bill. Mr. Speaker and Ladies and Gentlemen of the House, wanna salute to Representative Delgado for working very hard to reach a resolution to this issue and I think we have a Bill here that we should be supporting on both sides of the aisle and certainly regardless of where you reside, this is a problem that seems to affect all of us. I'd ask for a favorable Roll Call."

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

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

Speaker Hannig: "Yes, he indicates he'll yield."

Washington: "Mr. Speaker, I just wanna say that I'm glad that he brought this legislation on, because I know this here is a real big problem in my area. People all the time are getting seriously ripped off with the prepaid card because they don't really... the face value of what they have on the card is not the actual value of the services that you're getting. So you're not getting a dollar for a dollar. You maybe getting twenty-five cent for a dollar. And it's unacceptable and I'm hoping that my colleague would support this legislation. This is not something a grandstand in legislation, this is not one that's not needed but this is one that is very much needed. And I think we need to send a message to all of those players out here who have that service, but they know that they are actually cheating the

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general public in terms of not giving them a dollar for a dollar. And I urge consideration in support for this legislation. Thank you."

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

Delgado: "Thank you, Mr. Speaker. Members I was a vehicle for a piece of legislation that's important for all of us. The accolades go to the industry members who sat in my office day after day. The real point person on this legislation was someone we know and respect, was part of our staff on the House, Ms. Suzanne Hack, who put all the details together, kept that folder in order with all the other issues we have. And I want to commend the Lieutenant Governor's Office. But the Bill genesis on this legislation came from Senator Sand... Marty Sandoval from the Senate side. And I commend him and I thank him for bringing such great legislation to the House Floor and I would ask for your 'aye' vote."

Speaker Hannig: "The question is, 'Shall Senate Bill 2731 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 118 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 3200. Representative Bradley."

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Clerk Mahoney: "Senate Bill 3200, a Bill for an Act in relation to executive agencies. Third Reading of this Senate Bill."

Speaker Hannig: "The Gentleman from Cook, Representative Bradley, R.."

Bradley, R.: "Thank you, Mr. Speaker, Members of the House. Senate Bill 3200, this is an agreement between the Attorney General and the Treasurer which allows them to appoint someone to the Ethics Commission without having the appointment negatively affect their pension. This Bill only affects the State Employees Retirement System and has no economic affect on the system. Currently, Ethics Commissioner receiving a SERS annuity would have to give up this annuity in order to receive this appointment."

Speaker Hannig: "The Gentleman has moved for passage of Senate Bill 3200. And on that question, the Gentleman from Vermilion, Representative Black."

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

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

Black: "Representative, let me make it very clear. This Bill probably needs to pass, because we need an ethics officer who can do the job, and I don't know where we're going to find one if the person would have to give up his or her pension to take the job. However, having said that, this also creates a... a problem for some of us who've been working on a similar Bill for IMRF retirees. In fact, a Motion to Discharge my IMRF Bill appears on the Calendar, it's House Bill 45. The uncomfortable position this Bill

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puts me in is that it exempts someone from having to forfeit a pension whose pension may be eighty, ninety, a hundred thousand dollars, depending on whether they're a retired judge or... or... or whatever their pension might be. So we exempt that person, but under current law, those people who participated in the IMRF early retirement initiative of about four years ago, the current law says, and I quote, 'You can never work for any employer who participates in IMRF.' If you do, you will have to pay back the ERI benefits, the early retirement incentive benefits, that you receive. Now, that has created a problem in my district in that I have a... a... a municipal employee who worked more than 30 years, took the ERI, retired, wants to run for mayor of that community. He's being told that he cannot run for mayor, because that city participates in IMRF. It's a part-time salary. He says, 'I'll waive the salary.' No, it doesn't make any difference. If you go to work for an employer that participates in the Illinois Municipal Retirement Fund you have to pay back the incentive money you were given under early retirement. Now, this creates an issue for more than just myself on this floor. How do you tell somebody who has a very modest pension, that they can never again work for an entity that participates in IMRF without paying back the benefits? But somebody who may be a retired judge, a retired Legislator, a retired long time state employee that their pension may remain intact and that they can also draw salary. I don't want to do anything to disrupt the ability

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to hire a good, competent, credible ethics officer, but we're... we're at odds here and I... I don't... Again, I... I don't know how to respond to my constituent. There's a constituent in David Leitch's district that calls me almost everyday on this issue. I think there's a constituent in Mike Bost's district, for example, who says, 'this isn't fair', you... you exempt some people, but you absolutely refuse to even debate a Bill that I filed well over a year ago, that would let us seek employment with IMRF, paid employee. Even if we agree not to participate in the pension, not trying to enhance our pension, I... it's... it's a real... quite frankly it's a trick bag, I... I don't have an answer and I'm sure you don't either."

Bradley, R.: "I mean these... these are situations that were unforeseen, but I think you're correct in... in addressing them in legislation that could correct that and it remains to be seen if that legislation could be heard. But again these are unforeseen situations that again, we're addressing one by one to... to get by these hurdles."

Black: "Yeah, I... And I can appreciate what you're doing and again, I... I'm... I'm going to have to vote on behalf of my constituent, who just simply doesn't think it's fair. My plea, Mr. Speaker, my plea is to you. This... this Bill needs to pass, but I have filed a Discharge Motion on House Bill 45 that would help people who do not have a huge pension, be able to work for another IMRF employer, not participate in the pension plan. They don't want to enhance their pension. And in the case of my constituent,



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he wants to run for mayor and he won't take his salary, but he can't because the minute he goes to work for an IMRF employer he or she must pay back all of the early retirement incentive money. I don't think that's fair when we're going to waive the very same thing to create an ethics officer who will be able to draw his or her pension and take a salary at the same time. While I again say this Bill needs to pass, I hope you'll understand that some of us think there is an inherent unfairness about this that we could address, if you'd just let House Bill 45 out of the Rules Committee where it has languished for 18 months. It's not an issue of my sponsorship, I'll give it to you, but it is an issue of fairness."

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

Bradley, R.: "Appreciate your support."

Speaker Hannig: "The question is, 'Shall Senate Bill 3200 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 95 voting 'yes' and 23 voting 'no'. And this Bill, having received a Constitutional Majority, is hereby declared passed. On page 14 of the Calendar, is Senate Bills-Second Reading, Senate Bill 35. Representative Currie, would you like us to move that Bill? Senate Bill 35? Mr. Clerk, would you read that Bill, please?"

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Clerk Mahoney: "Senate Bill 35 has been read a second time, previously. Amendment #1 was approved in committee. No Floor Amendments have been approved for consideration. No Motions filed."

Speaker Hannig: "While the Clerk is checking the status of the Amendment, the Chair would like to announce that Session for Friday has been canceled. So Mr. Clerk, let's take this Bill out of the record as we clarify the status of the rule... I'm sorry, the status of the Amendment. Representative Black, for what reason do you rise?"

Black: "Thank you, Mr. Speaker. An inquiry of the Chair."

Speaker Hannig: "Yes, state your inquiry."

Black: "Well, first of all, thank you for the information on Friday, however, I think next week is equally as important if not more so. Many of us on the week after Session, and it was scheduled to end on Friday as you know, have meetings with editorial boards, community groups, who like us to visit with them that week after Session. It's... it's obvious we're going to be here next week. If you could make arrangements to let us know what next week's schedule is, as soon as possible, I know I can speak for practically all of us here, there are a number of appointments that many of us are gonna have to cancel and we would like to do that as quickly as we... as we can."

Speaker Hannig: "So I'm advised, Representative Black, that there'll be an actual Calendar or an update that will be handed out tomorrow, but Members really need to be prepared

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to be here Monday and be here for the rest of the month.

Representative Franks, for what reason do you rise?"

Franks: "A point of personal privilege."

Speaker Hannig: "State your point."

Franks: "I just wanted to thank Mr. Poe for providing a wonderful lunch today, and his lovely wife, who also cooked the desserts, thank you it's... we really appreciate it. Thank you."

Speaker Hannig: "Thank you very much, Representative Poe. Another job well done. Representative Black, for what reason do you rise?"

Black: "Yes, thank you very much, Mr. Speaker. On a point of personal privilege, I, too, would like to thank Representative Poe and also my compliments to him for a delicious horse radish."

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

Dunkin: "Point of personal privilege, Mr. Speaker."

Speaker Hannig: "Yes, state your point."

Dunkin: "Just here to remind the Members that this evening at 7:00, over at Parkway Pointe, the Department of Commerce and Economic Opportunity, the film department, they're sponsoring the movie called Notebook. It's another free screening for Members and staff and any those of you who are interested in attending tonight's free screening of Notebook. It's starring James Garner and a number of other stars. It's over at the same place, right across from the

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Indigo, the original Indigo, out at Parkway Pointe.  
Tonight at 7:00. Free screening. Thank you."

Speaker Hannig: "And our great cook and chef, the man of the  
hour, Mr. Poe."

Poe: "Mr. Speaker, Ladies and Gentlemen of the House. Just...  
just quickly, I want everybody, if you see anybody from the  
IMA, my staff and Representative Brauer come out and help  
me cook this this morning, but the IMA footed the bill for  
buying the supplies and so when you see them thank them for  
the meal also. Thank you."

Speaker Hannig: "Okay. Mr. Clerk, would you read Senate Bill  
132?"

Clerk Mahoney: "Senate Bill 132, a Bill for an Act in relation  
to county government. Second Reading of this Senate Bill.  
Amendment #1 was approved in committee. Floor Amendment  
#2, offered by Representative Brady, has been approved for  
consideration."

Speaker Hannig: "Representative Brady."

Brady: "Thank you, Mr. Speaker. Senate Bill 132 in the  
Amendment which becomes the Bill, simply is intended to  
clean up some outdated language in the statute dealing with  
three areas. One is a time fashion which blood draws are  
made from deceased individuals from coroners'  
investigations. Number two, the Bill simply would clear up  
also wording dealing with physician's coroners and deputy  
coroners being able to make that blood draw. And thirdly,  
it deals with the State Police labs which now provide  
forensic services to the coroners throughout the State of

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Illinois, as well as other private labs that are certified.  
I'd be happy to answer any questions."

Speaker Hannig: "On the Amendment, 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. Mr. Clerk, could you read  
Senate Bill 827."

Clerk Mahoney: "Senate Bill 827 has been read a second time,  
previously. No Committee Amendments. Floor Amendment #1,  
offered by Representative Grunloh, has been approved for  
consideration."

Speaker Hannig: "Mr. Clerk, let's take this out of the record  
for the moment. Mr. Clerk, would you read Senate Bill  
1006?"

Clerk Mahoney: "Senate Bill 1006 has been read a second time,  
previously. No Committee Amendments. No Floor Amendments.  
No Motions filed."

Speaker Hannig: "Third Reading. And I see Representative  
Grunloh has returned to the chamber, so let us return to  
Senate Bill 827."

Clerk Mahoney: "Senate Bill 827 has been read a second time,  
previously. No Committee Amendments. Floor Amendment #1,  
offered by Representative Grunloh, has been approved for  
consideration."

Speaker Hannig: "The Gentleman from Effingham, Representative  
Grunloh."

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Grunloh: "Thank you, Mr. Speaker, Ladies and Gentlemen of the House. Bear with me one second. Senate Bill 827, the Amendment com... becomes the Bill. It is a... it deals with House Bill 211. Last year it was a... 211 was a contraceptive mandate that was passed last year, so that religious organizations can continue... contin... can... ca... can continue contracting with HMOs for insurance coverage, without being forced to violate their moral conscience. This Bill does not seek to eliminate or gut, the intention of House Bill 211. We simply wish to correct a problem that was never intended. During last year's debate on House Bill 211 Members of the General Assembly stated their... their belief and intention that the Health Care Right of Conscience Act excepted... exempted religious institutions with conscience objections such as Catholic entities from a leg... a legislation's contraceptive mandate. In fact, the Sponsor of the legislation when asked last year if the Bill would mandate that contraceptive services, he provided organizations that find them morally objectionable, stated that the Right of Conscience Act, which the State of Illinois is a very broad and comprehensive statute that it would... that they would allow any entity who wanted to opt out, it would give them the ability to do so under the right of conscience. I also believe that one of the purposes of the Health Care Right of Conscience is to protect religious organizations from this type of mandate, however, the Department of Insurance interpretation of House Bill 211 ignores the Health Care

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Right of Conscience Act and requires that any organization contracting with a health maintenance organization, including the mandated contraceptive coverage. The Department of Insurance testified in committee that if the General Assembly wants religious organizations with conscience objections to contraceptives to be able to contract with third party insurance providers, then the Bill must be passed. Many large religious organizations across the state, including the Arch Diocese of Chicago, offer HMO coverage to their employees. Under House Bill 211, under... unless House Bill 211 mandate is adjusted to match what we have... what we believe last year, this organization will not be able to continue to provide employees with health insurance through an HMO. Many thousands of employees and their families across Illinois will be forced out of the insurance coverage they currently enjoy and moved in to a lesser plan. This is the case of protecting religious liberties in our broad coalition support in the religious community speaks to that end. Supporters of this Bill include the Catholic Conference, the Jewish Federation, the Illinois Conference on Churches, the Lutheran Network for Justice Advocacy, Franciscan Sisters of Chicago, Misericordia of Mercy Homes, OSF Health Care Systems, Provena Health, Resurrection Health, Hospital Systems and Blue Cross-Blue Shield. This Bill is... was out of the... passed out of the Insurance Committee with a 13-1 vote. It is a reasonable fix to an unintended problem and I would appreciate your 'yes' vote."

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Speaker Hannig: "The Gentleman has moved for the adoption of Floor Amendment #1. And on that question, the Lady from Cook, Representative Feigenholtz."

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

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

Feigenholtz: "Representative Grunloh, I was the Sponsor of House Bill 211, and I believe that you and I are reading or at least interpreting two separate transcripts of the floor debate. Did you think that's possible?"

Grunloh: "I don't know. I've got a transcrip... transcript from the testimony that was given under House Bill 211."

Feigenholtz: "So it is your interpretation that opting out was not a sufficient explanation? Is that what you're saying?"

Grunloh: "I'm saying that during the debate last year the question was asked whether religious organizations would be able to opt out and I think that you answered that they would be able to."

Feigenholtz: "Representative, how many entities in the State of Illinois sell insurance to religious organizations that have moral be... or religious beliefs?"

Grunloh: "I believe... I believe there are four of them."

Feigenholtz: "Okay. And so, essentially, and I would like people in this chamber to pay attention, because this Amendment that Representative Grunloh is talking about essentially is going to gut the Bill that we passed last year that asked insurance companies to cover contraception in the State of Illinois, all FDA-improved contraception. There were 70 people in this chamber who supported that



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Bill. FDA-approved contraception and contraception has been avail... available for 40 years in the state... in this country, but until last year we were not covering this and asking insurance companies to cover it. In the Amendment that Representative Grunloh has, which I believe you can drive a truck through at 65 miles an hour, anybody who wants to invoke a religious or moral objection can decide that they do not want to cover contraception in their employment policies. That is essentially what this Amendment does. This Amendment will set women back again, after all of our years of struggling, that is what this Amendment is gonna do. And I recommend a 'no' vote on this Amendment."

Speaker Hannig: "On the Amendment, the... the Lady from Cook, Representative Eileen Lyons."

Lyons, E.: "Thank you, Mr. Speaker, Ladies and Gentlemen of the House. I beg to differ with the previous speaker. I rise in strong support of this Amendment. This Amendment provides a specific and limited exemption from the contraceptive mandate passed last year in this... in this House. This... this does not gut the contraceptive mandate passed in House Bill 211, in fact, it simply adds an exemption that many of us believed already existed. Many thousands of employees and their families across Illinois will be forced out of the insurance coverage they currently enjoy and moved into lesser plans. Senate Bill 827 passed out of the Insurance Committee 13-1. It is a reasonable fix to an unintended problem and I would appreciate your

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support. And I would commend the Sponsor for his sponsorship of this legislation."

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

Graham: "Mr. Speaker, if this Bill should receive the required votes, I ask... I request a verification."

Speaker Hannig: "The first order would be to get a Roll Call. So you're requesting a Roll Call? So you're requesting a Roll Call and a verification?"

Graham: "A verification. Yes."

Speaker Hannig: "Okay. So we'll have a Roll Call vote and then we'll proceed from there. Representative Grunloh to close."

Grunloh: "Mr. Speaker, I would just ask the House to give a favorable vote to this Bill. I think the legislative intent was clear last year, that it was suppose to opt out these organizations and this Bill does that. I would appreciate an 'aye' vote."

Speaker Hannig: "So there's been for a Roll Call vote on this Amendment. So the question is, 'Shall Amendment #1 be adopted?' All in favor vote 'aye'; opposed vote 'nay'. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Mr. Clerk. Representative Wait, would you like to be recorded? Mr. Clerk, take the record. On this question, there are 74 voting 'yes' and 43 voting 'no'. Representative Graham, do you... do you persist in your request for a verification?"

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Okay, the Lady withdraws her request for a verification.  
And the Amendment is adopted. Any further Amendments?"

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

Speaker Hannig: "Third Reading. Representative Joyce, for what reason do you rise? Okay, the Gentleman does not wish to speak. Mr. Clerk, would you read 1631."

Clerk Mahoney: "Senate Bill 1631 has been read a second time, previously. No Committee Amendments. Floor Amendment #1, offered by Representative Smith, has been approved for consideration."

Speaker Hannig: "Rep... Excuse me. Representative Hassert, for what reason do you rise?"

Hassert: "Mr. Speaker, I am on this Amendment if you would like me to try and explain it."

Speaker Hannig: "Yes, please do so."

Hassert: "Thank you, Mr. Speaker. Amendment #1 basically becomes the Bill. And what it allows it to do is the Water Reclamation District has property outside of Cook County, that a Bill that was inadvertently introduced a few years ago exempted those counties. This allows these counties to be put back on the tax rolls. I'll be happy to try to answer any questions."

Speaker Hannig: "Okay. The Gentleman has moved for the adoption of 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."

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Speaker Hannig: "Third Reading. Mr. Clerk, would you read Senate Bill 2175."

Clerk Mahoney: "Senate Bill 2175, a Bill for an Act concerning municipalities. Second Reading of this Senate Bill. No Committee Amendments. Floor Amendment #1 has been approved for consideration, offered by Representative Ryg."

Speaker Hannig: "Okay. Let's take this out... Excuse me. Representative Pritchard then will handle the Amendment. You want to explain the Amendment briefly, Representative?"

Pritchard: "I... I will speak to Amendment 2, but I know with Representative Ryg now at her seat, she perhaps should speak to it... Amendment 1."

Speaker Hannig: "Representative Ryg, on House Amendment #1."

Ryg: "Thank you, Mr. Speaker. House Amendment #1 is an agreed Bill that addresses an issue of split lots and it provides a property owner of less than 20 acres an opportunity to petition the court to disconnect so that his property is under one jurisdiction. We've worked this with cooperation from my colleagues on the other side of the aisle, with the staff. It has the support of the realtors and the Illinois Municipal League."

Speaker Hannig: "Representative, are... do you want to have both Amendments adopted, 1 and 2, 'cause we're on Amendment #1."

Ryg: "Yes, please."

Speaker Hannig: "Okay. So on Floor Amendment #1, 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?"

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Clerk Mahoney: "Floor Amendment #2, offered by Representative Ryg, has been approved for consideration."

Speaker Hannig: "We need a little quiet in the chamber while the Lady presents the Amendment, please. Representative Ryg, on Amendment #2."

Ryg: "Thank you. Amendment #2 offers authorization to municipalities who have a city council of four members to expand the size of their city council to comply... to more easily comply with open meetings legislation. Again this is an agreed Bill that was worked out with Representative Pritchard who is the original Sponsor with the IML, and there's no known opposition to this Amendment."

Speaker Hannig: "The Lady has moved for the adoption of Floor Amendment #2. 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, could you read Senate Bill 2222."

Clerk Mahoney: "Senate Bill 2222, a Bill for an Act in relation to economic development. Second Reading of this Senate Bill. Floor Amendment #1, offered by Representative Younge, has been approved for consideration."

Younge: "Leave it... leave it on Second Reading."

Speaker Hannig: "Okay, the Amendment is... the Amendment is here, Representative Younge. Are there further Amendments to come?"

Younge: "I didn't hear you."

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Speaker Hannig: "The... Floor Amendment #1 is on the floor."

Younge: "Amendment #1 take..."

Speaker Hannig: "Do you want us to adopt the Amendment and move  
the Bill? Or do you want us to..."

Younge: "Hold it."

Speaker Hannig: "Okay. So you want us to take it out of the  
record?"

Younge: "Yes."

Speaker Hannig: "Okay. So this Bill will be taken out of the  
record at the request of the Sponsor. Mr. Clerk, would you  
read Senate Bill 2238."

Clerk Mahoney: "Senate Bill 2238, a Bill for an Act in relation  
to insurance. Second Reading of this Senate Bill. Am...  
Amendment #1 lost in Committee. Floor Amendment #2,  
offered by Representative Molaro, has been approved for  
consideration."

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

Molaro: "Thank you. It's an agreement between the insurance  
agencies and brokers and the Illinois State Bar  
Association. Basically, what it does is, currently it's  
15/40... 20/40 and 15 for minimum coverage, this raises that.  
Also, has John Deere language about uninsured motorists.  
And the third thing, it does is puts us in line with our  
recent Supreme Court case. There are three parts all  
contained in this one Floor Amendment and I move for its  
adoption."

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Speaker Hannig: "Okay the Gentleman has moved for the adoption of Floor Amendment #1. And on that question, the Lady from Cook, Representative Yarbrough."

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

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

Yarbrough: "Representative, this language raises the limit to liability for people in the State of Illinois. Is that correct? Representative?"

Molaro: "Yeah, where are you? Oh, there you are. Yes."

Yarbrough: "It does? These limits, the states that are around us, are these limits comparable to the states that are around us?"

Molaro: "The limits I wanna raise to, no, are a little higher than the states around us."

Yarbrough: "I don't think that's correct, Representative. These limits that you're recommending are 30 thousand per person, 60 thousand per accident and 25 thousand on property damage, is that correct?"

Molaro: "That's correct."

Yarbrough: "What are the minimum limits in the State of Illinois, currently?"

Molaro: "I'm sorry you're gonna have to repeat that."

Yarbrough: "What are the current limits in the State of Illinois?"

Molaro: "20, 40, 15."

Yarbrough: "So why do we need to go up so high with these limits? Why are we takin' a jump like this?"

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Molaro: "Yeah, we don't... I don't know if the word 'need' is the right word. We obviously don't need to, as a matter of fact, this is what Illinois State Bar Association... most of the insurance carriers have come up with and this is where we think the jump should be after 16 years. What the Senate's gonna do, maybe they might write a lower amount, and what ultimately may pass and be signed by the Governor is still a work in progress. These are just numbers that were picked by the industry and the State Bar Association, and I thought they were fair enough. But I'm sure Senator Jones and the Senators, and maybe some of the people in this room, think it should be a little lesser number, but we'll see how it all turns out at the end of the Session."

Yarbrough: "Representative, do you understand that this measure that you're proposing today is going to raise the limits and the premiums for low-income families all across the Sate of Illinois?"

Molaro: "Yes."

Yarbrough: "Do you also understand that purchasing more insurance that is required to protect the person's assets will access a regressive tax that unfairly penalizes low income families?"

Molaro: "No."

Yarbrough: "You don't understand that?"

Molaro: "No, I... I understand it. I don't... I understand what you said, but I don't necessarily agree with your conclusion. I... I understand what you said, Representative, I don't necessarily agree with the conclusion."



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

Speaker Hannig: "To the Bill."

Yarbrough: "First of all, I need to acknowledge that I have a conflict of interest. If this language passes this will help me to make more money, but I am not down here as an insurance agent. I'm down here as a Legislator and I'm concerned that we're passing on these fees and now we're talking about, we got a law in the state that demands that people have insurance in the State of Illinois and we're gonna raise the limits and these limits are going to impact people's insurance premiums from \$45 up to, some of the numbers I've seen, up to \$200 a year. I think this is unfair. I do not think that this should be... should've been coupled either with this Amendment. I'm really upset about the fact that we coupled this with the Amendment that I know that we need. So I urge a 'no' vote on this Amendment."

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

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

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

Dunkin: "Representative, who wants this Bill?"

Molaro: "This is a Bill that apparently was worked out by the major insurance carriers, independent insurance agents and the Illinois State Bar Association, Illinois Trial Lawyers Association."

Dunkin: "Okay. So... so insurance companies want this Bill, major insurance companies, the Illinois Trial Lawyers

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Association wants this Bill. And why do they want this Bill?"

Molaro: "They... they want it for the same reason I'm sponsoring it and that is 16 years ago we had mandatory insurance and we set minimum standards. It was 16 years ago. Everything in this world has gone up and nothing's been changed to the minimums for 16 years. If you get in a car accident and you injure somebody or kill somebody, the limit's \$20 thousand. That seems ridiculously low to me. Now, whether it should be 25 or 30, is an open question that I'm sure we're gonna work through as we go through the process. But I do think there should be some type of an increase. Representative Yarbrough, is absolutely correct. Maybe 30's too high, I don't know that. We're gonna work through this as we move forward, but I think 20 is too low, she may think 30 is too high, but I do think an increase after 16 years seems to make some economic sense."

Dunkin: "Okay. Okay. Mr. Speaker can I request a Roll Call vote?"

Speaker Hannig: "Yes, you may request it and that's the proper way to get a Roll Call vote, Representative."

Dunkin: "Thank you."

Speaker Hannig: "Yes, Representative Dunkin, do you have further questions?"

Dunkin: "Yes, Sir. Yes, Sir. Yes. So, okay, major insurance companies want this legislation, the Illinois Trial Lawyers want this legislation, so we can increase... so we can increase the insurance rates here, in the State of

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Illinois. And what you're saying is that because insurance rates have not been raised in the last 16 years that somehow we should raise the rates, because we haven't did it in 16 years. Am I understanding you right, Representative? Well, is that the rationale?"

Molaro: "Well, no... no, the answer... you formed a question in my opinion, incorrectly. You're right that rates will go up. There's no question about that. We're not raising rates, we're raising the minimum coverage. That's what we're doing. Obviously, the rates will go up. You are correct. But we're raising the minimum coverage because in the State of Illinois, that this Legislature, 16 years ago decided that you should have mandatory insurance coverage and there should be a dollar amount. That dollar amount of coverage, minimum coverage, has not been raised in 16 years and all we're doing here is saying that if someone comes in and totals your car, that if they have minimum coverage, \$15 thousand doesn't cut it. It cut it 16 years ago, it doesn't now. We think it should go from 15 to 25. That's what we're doing. Will it raise the premium? The answer's absolutely yes. I wish it didn't raise the premium. I just wanna raise the coverage but the premiums will go... go up, that's true."

Dunkin: "Representative, do you have an idea of individuals who actually go above and beyond the minimal level of insurance that is, what percentage of individuals in this State of Illinois, from these major companies who you say want to raise the insurance up, purchase underinsured motorist

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insurance? Do you have an idea of what that percentage is?"

Molaro: "Yeah, I think most, I don't know if it's 80 or 90 percent, most go way above the minimum coverage."

Dunkin: "So, most folk, you say 80-90 percent, 80-90 percent of individuals who purchase car insurance across the State of Illinois for these major insurance companies, purchase four times... well, 80-90 percent above the minimal cost of insurance. That's a high percentage. That's an extremely high percentage. So, what's the rationale for us raising the minimal insurances, since most folk, like myself, and most folk in here, tend to buy three to four times higher than the minimal 20/40, 15/30. If we do that already, why should we simply raise the minimum if we're already exceeding the minimum by a high amount already, Representative?"

Molaro: "Well, because 10 or 20 percent of drivers, that would be in the millions of drivers, who actually have coverage, that if you get in an accident with one of these people that have this type of coverage, it's not gonna cover the cost of your car. It's mandatory insurance. If we're arguing about the policy of whether or not there should be mandatory insurance, I guess we can argue that on another Bill. That answer... that answer has been given. We're a mandatory insurance state and the question is, should the minimum coverage be \$15 thousand for an accident or 25 thousand for an accident? I think it should be 25, you

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think it should remain at 15 and we have a difference of opinion, but that's where we're at."

Dunkin: "So, Representative, why should we raise the minimum insurance rates in the State of Illinois, at this time, by 20 percent, roughly?"

Molaro: "Well, because there are millions... there are millions of drivers. So even 10 or 20 percent would mean 2 or 3 million drivers have minimum coverage. And the only thing I care about is when I get in an accident and it's not my fault and it's somebody else caused the accident I would hope that they would have the coverage to be able to pay for the damage they did to my car. That's all. I don't want it to be 50 thousand. I wanna go from 15 to 25. Again, I'll say for the third time, that if you agree it should be at 15, or Senator Jones thinks it should go to 20, or Representative Yarbrough thinks it should be 18, we're gonna entertain those as we move in the process. So... but I guess if you want to say, I'd rather keep it 15, that's also understandable. This is an open process. I just think it should be at 25. We differ as to that opinion."

Dunkin: "Okay. You... you know, again Representative, I'm listening to... to your argument and I'm trying to understand the rationale as of why it is we want to raise the minimums and the average person or you say there's 80-90 percent of individuals who purchase under... underinsured motorist coverage and I would imagine that's about a hundred, three hundred on the average. That's about... what about, three to

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four times above the minimal standards already. I'm trying to get a sense of the real rationale and the sense of urgency for this today, given where we are in the economy. I mean, was that explained to you or is it just if someone hits my car I need to be able to sue them and obtain a tremendous amount of money, above and beyond the minimum, or something near that, so I can get my car fixed? When, in fact, you have 80-90 percent of the folk who are already above the minimal average by 3 and 400 percent. To the Bill. This Bill is not a good Bill. Solely, not in it's time. This is... this is... this mirrors a regressive tax on individuals merely because 16 years ago we raised the minimal standards of insurance to be covered by cars and automobiles. That's no justification for us to raise the minimum standards just because it was 16 years ago. In today's economy, where folk are losing their jobs, folk are not working, gas prices for one gallon of gas is two hun... two dollars and twenty-five cents, two fourteen if you're lucky. Cars... you know cars are made far less sturdier probably, than they were back then. It just makes no sense to raise the minimum coverage for automobiles, if folk are purchasing 3 hundred to 4 hundred and above the minimum, anyway. And if you're saying that they're doing this at 80-90 percent, the insurance industry is saying that, again... again it makes no sense to raise the minimum insurance in today's economy. Given... especially given the fact that five of the states around the State of Illinois have a far less amount, about 15 percent. They didn't

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raise it up 20 percent per hit in one year. And that rationale wasn't that, hey look, I wanna go sue these, you know, get as much money as I possibly can if someone bumps my car, just for the sake of doing it. Again, if you have 80-90 percent of the individuals already purchasing 300 and 400 percent plus more insurance. This is a bad Bill. This is a bad time. This is a bad economy. Bad gas prices, and this would be in affront to hardworking citizens, especially low-income individuals who are struggling to purchase... to make their car notes. People are struggling to purchase gas, people who already have above and beyond the minimum requirement for uninsured motorists already. This is not the right time to be raising the minimum on insurance. This would impact everyone who depends on their cars, the trucking industry, anyone who's on our... on our expressways. The time it is... cannot be further from being worse. I strongly urge a 'no' vote on this measure here and raising the insurance rates to the individuals in this state, at this time, 16 years, I don't care if it's 26 years. We should not go back to our districts saying that I raised your insurance rates just because it was 16 years ago we hadn't raised it. Good luck for all of you who make that mistake. Vote 'no'."

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

Osmond: "Thank you, Mr. Speaker. Due to a conflict, I will be voting 'present' on this Bill."

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

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

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Speaker Hannig: "To the Bill."

Graham: "I stand in strong opposition to this Bill. Sixteen years ago... 16 years ago, we made it mandatory for people to pick up insurance to protect the person driving in the other car, so we had to make sure we had some insurance for everyone that was driving on the street. That was a high uninsured pool, and if we raise the rates now, that pool will get even larger, it will not get smaller. You can't get blood from a turnip. If the money is not there, it's just simply not there. The Secretary of State Jesse White, has a task force that is studying the uninsured. If we raise the rates now, it would... it... exacerbate the study... the task force that's going on now. It will not be effective to raise the rates right now. People are struggling. We're fighting for low-income housing. We're fighting for so many issues. And if we raise the rates by \$45 for a person who's already barely being able to insure their vehicles now, this will just raise the pool of uninsured people even higher. This is not fixing a problem, it is creating a bigger problem. It is taking the task of the people who cannot pay for insurance now, but are struggling to abide by the law. And there's simply some people who drive vehicles that don't have a job that don't have any insurance on their car period, because they don't... they can't find a job in this economy right now and it's hard to... to work in this economy. So if we raise the rates, we're affecting the people who are trying to do right by it. And the people who are trying to get out



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there, you're making this harder... a bigger burden on their backs. So I ask this Body to... to put a 'no' vote on this Bill. It's very important that we just not only take in account all this other stuff, but take in account that the uninsured pool is gonna get larger. This is not gonna get smaller. You can't get blood from a turnip. There's just not enough out there to get. So I urge a 'no' vote."

Speaker Hannig: "The Lady from DuPage, Representative Pankau."

Pankau: "Thank you, Mr. Speaker. To the Bill. I also urge you to vote 'no' on this Bill. The first part of this Bill, which raises the mandatory minimums for auto insurance, was first brought as a singular Bill and was defeated and held in committee. Then the powers that be decided, oh, well let's put it together with two other parts, that virtually everybody agreed on, so that we can get this through. The majority of us do not... this would not affect. It was testified to in committee that a good 80-85 percent of the automobile people that are insured have rates that are much higher than this, hundred, three hundred thousand, et cetera, et cetera. But what this will do is those that are on the edge, those that can barely afford a car, can barely afford the insurance, you're gonna push them over, across the edge into the uninsured motorist pool. That pool then will become bigger and the rest of our uninsured motorist coverage will also have to increase over time. I know it sounds simple, but this is going to increase everybody's rates. It's been 16 years, there's no reason why it can't

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be 17 or 18 before this goes into effect. I also urge a 'no' vote."

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

Franks: "Thank you, Mr. Speaker. To the Bill. I've been listening to the debate, and I respect the... our Sponsor immensely. I think this would have a much better chance if he had Bo Derek for this one, because after looking at this, there's easy ways to fix the so-called problem. I don't think socking it to our consumers is the way to do it. A big problem is with these substandard insurance companies that frankly just don't pay out. And they increase the litigiousness in our society, because people have to go and then sue them to have them do what they should of done in the first place. Number two, if you're worried about someone not having enough insurance because you want to protect your assets, you have an easy solution. It's called you purchasing as much uninsured or underinsured insurance as you wish and not requiring others to raise the rates for everyone else. So this is a misguided attempt and this Bill should not get any votes."

Speaker Hannig: "Representative Molaro to close, on the Amendment."

Molaro: "Well, thank you. You know, what everybody said... what everybody said is obviously true, it's just a differen... a difference in policy. Unfortunately it was 16 years ago. I think it's time to raise it. There's the other part of the public that has the right to know that if they get in

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an accident, there's insurance to cover the costs. When we put dollar amounts 16 years ago, the idea was that you couldn't move it up. Whether the time is now, a year from now, two years from now, it's always a difficult time to raise something, but I think the time has come and I'd ask for an 'aye' vote on the Amendment."

Speaker Hannig: "The Gentleman has moved for the adoption of Floor Amendment #2. All those in favor of the Amendment 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. Mr. Clerk, take the record. On this question there are 5 voting 'yes' and 113 voting 'no'. And the Amendment fails. Representative Molaro, I think that one was a five."

Molaro: "Yeah, well... I could not have done this alone, Mr. Speaker. I want everybody to know that. Thank you for all your help."

Speaker Hannig: "Representative Molaro, would you like to leave the Bill on Second? Move it to Third? Take it out of the record. Representative Steve Davis, for what reason do you rise?"

Davis, S.: "Yes, thank you, Mr. Speaker. I just wanna welcome Representative Molaro to the Century Club."

Speaker Hannig: "Mr. Clerk, would you return to Senate Bill 2222."

Clerk Mahoney: "Senate Bill 2222, a Bill for an Act in relation to economic development. Second Reading of this Senate Bill. No Committee Amendments. Floor Amendment #1,

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offered by Representative Younge, has been approved for consideration."

Speaker Hannig: "The Lady from St. Clair, Representative Younge."

Younge: "Thank you, Mr. Speaker. Amendment #1 would become the Bill and it would be the same as 4635, the Mid-America Medical District. I move for the adoption of the Amendment and I want it left on Second Reading."

Speaker Hannig: "Okay. The Lady has moved for the adoption of Floor Amendment #1. And on that question, the Gentleman from DuPage, Representative Meyer."

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

Speaker Hannig: "She in..."

Meyer: "Representative, is this Bill, as amended, identical to House Bill 4635 which you ran earlier?"

Younge: "Yes."

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

Younge: "Yes. Amendment #1 becomes the Bill and it is the same as 4635, the Mid-America Medical District."

Meyer: "Okay. Representative, does this legislation authorize the authority that you're creating to enter into debt by borrowing money?"

Younge: "The... yes, but the Bill states..."

Meyer: "Represe... excuse me. Mr. Speaker, could we have quiet. I can't... I just can't hear and this is important."

Speaker Hannig: "Yes. The Gentleman has requested that there be some quiet in the chamber, please. Representative Meyer

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would like some quiet and the Chair would ask that you grant him that, please. Representative Meyer."

Meyer: "Thank you, Mr. Speaker. Representative, I had asked the question, does this legislation authorize the authority to borrow money in order to operate?"

Younge: "It authorizes the... the commission to borrow money, yes."

Meyer: "Does this legislation authorize the authority to issue bonds?"

Younge: "No, that was taken out of the legislation. Quick-take, eminent domain and the authority to issue bonds was taken out."

Meyer: "Representative, does this Amendment state that the debt of the authority is not the debt of the state?"

Younge: "Yes, it does. It states that the debts of the commission are not and will not be the debt of the state."

Meyer: "Representative, if in fact, this authority does incur debt and for whatever reason cannot pay that debt back, is it your intention to come back to this Body and ask for that debt to be compensated by the state, in other words, be paid off by the state?"

Younge: "No, that is not my intention."

Meyer: "Thank you very much for your responses."

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

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

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Speaker Hannig: "Representative Younge, would you wish to hold this or move it?"

Younge: "Yes, leave it on Second Reading."

Speaker Hannig: "Okay. So, this will remain on the Order of Second Reading. Mr. Clerk, could you read Senate Bill 2339."

Clerk Mahoney: "Senate Bill 2339 has been read a second time, previously. No Committee Amendments. Floor Amendment #1, offered by Representative Holbrook, has been approved for consideration."

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

Holbrook: "Thank you, Speaker. Floor Amendment #1 clarifies some issues under this underlying Bill. This is the American Cancer Society Bill that's been worked out with the insurance industry and with the doctors. It allows for... if you're under a clinical test to maintain your insurance and it sets some provisions, with this Floor Amendment specifically, that allows for a... places like Northwestern to be able to participate in the study and be covered by it. I know of no opposition to it. And I commend all the parties that worked on this."

Speaker Hannig: "The Gentleman has moved for the adoption of Floor Amendment #1. Is there any discussion? Then the question is, 'Shall the adop... should the Amendment be adopted?' All in favor say 'aye'; opposed 'nay'. The 'ayes' have it, and the Amendment is adopted. Any further Amendments?"

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

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

Clerk Mahoney: "Senate Bill 2499 has been read a second time, previously. No Committee Amendments. Floor Amendment #1, offered by Representative Feigenholtz, has been approved for consideration."

Speaker Hannig: "Okay. Let's take that out of the record. Mr. Clerk, would you read Senate Bill 2617. Representative Saviano. While we're doing that, Representative Poe, for what reason do you rise?"

Poe: "Yeah. A point of personal privilege, Mr. Speaker."

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

Poe: "Yeah. Today, I want the Ladies and Gentlemen of the House to welcome the Trinity Lutheran Church. Their eighth-grade class here in Springfield is up here in the gallery. Stand up kids and give 'em a big hand."

Speaker Hannig: "Welcome to Springfield. And Mr. Clerk, would you now read the Bill."

Clerk Mahoney: "Senate Bill 2617 has been read a second time, previously. No Committee Amendments. Floor Amendment #1, offered by Representative Saviano, has been approved for consideration."

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

Saviano: "Thank you, Mr. Speaker, Members of the House. Floor Amendment #1 to Senate Bill 2617 is an initiative of the Illinois Optometric Association. What it simply does is

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amends the Illinois Insurance Code, the HMO Act and the Limited Health Services Organization by adding new Sections regarding purchase of optha... ophthalmic goods. States that insure may not require provider as a condition of participation by the provider to purchase those goods including but not limited to eyeglass frames in a quantity or dollar amount in excess of the quantity or dollar amount an enrollee is required to purchase on their terms of the policy. I know of no opposition to this Amendment. I'd ask it be adopted."

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

Colvin: "Point of personal privilege, Sir."

Speaker Hannig: "Yes, state your point."

Colvin: "Ladies and Gentlemen of the Assembly, exactly seven months ago I got married and became the luckiest man in the world. And I'm joined here, today, on the floor with my wife, Carmen. Will you welcome her to Springfield for me."

Speaker Hannig: "On page 20 of the Calendar is Senate Bill 3069. Mr. Clerk, would you read the Bill."

Clerk Mahoney: "Senate Bill 3069, a Bill for an Act concerning carnival ride operators. Second Reading of this Senate Bill. Amendments #1 and 2 were adopted in committee."



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Floor Amendment #3, offered by Representative Joyce, has been approved for consideration."

Speaker Hannig: "Okay. Out of the record at the request of the Sponsor. Mr. Clerk, could you read the Rules Committee Report. I believe there's a few more Amendments that we could deal with."

Clerk Mahoney: "Representative Barbara Flynn Currie, Chairperson from the Committee on Rules, to which the following legislative measure/s and/or joint action Motions was/were referred, action taken on May 19, 2004, reported the same back with the following recommendation/s: 'approved for floor consideration' Amendment #2 to Senate Bill 35, Amendment #3 to Senate Bill 2635. On the Order of Concurrences, a Motion to Concur with Senate Amendment #1 to House Bill 1086."

Speaker Hannig: "And now, Mr. Clerk, would you read Senate Bill 2635."

Clerk Mahoney: "Senate Bill 2635 has been read a second time, previously. Amendments #1 and Amendment #2 were adopted in committee. Floor Amendment #3, offered by Representative McCarthy, has been approved for consideration."

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

McCarthy: "Thank you, Mr. Speaker and Ladies and Gentlemen of the House. Floor Amendment #3 basically takes the changes that were approved in committee, under Floor Amendment #1 and Floor Amendment #2, and puts them together correctly. After we added Floor Amendment #2 to this legislation, we

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realized that it referenced articles in the engrossed version instead of in Amendment #1 and therefore, it was drafted incorrectly. Floor Amendment #3 does not change the Bill in any way, but makes it drafted correctly. So, I'd appreciate your favorable approval."

Speaker Hannig: "So, on the Amendment, is there any discussion? Then all in favor 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 Currie, I think we have the Amendment now on Senate Bill 35. And Mr. Clerk, would you read that Bill."

Clerk Mahoney: "Senate Bill 35 has been read a second time, previously. Amendment #1 was adopted in committee. Floor Amendment #2, offered by Representative Currie, has been approved for consideration."

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

Currie: "Thank you, Speaker and Members of the House. This is the measure that'll require people who are buying boats from other than regular retailers to pay a use tax. The Amendment is technical. It merely defines how the sales tax... on what basis they... the use tax is collected. I'd be happy to answer your questions. And I'd appreciate your support for adoption of the Amendment."

Speaker Hannig: "The Gentle... the Lady has moved for the adoption of Senate... of Floor Amendment #2 to Senate Bill 35. Is there any discussion? Then all in favor of the

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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, could you read Senate Bill 984."

Clerk Mahoney: "Senate Bill 984 has been read a second time, previously. No Committee Amendments. Floor Amendment #1, offered by Representative Molaro, has been approved for consideration."

Speaker Hannig: "Okay. Let's take that out of the record for the moment. On page 21 of the Calendar, under the Order of Concurrences, there's House Bill 587. Representative Lang on the Motion to Concur."

Lang: "Thank you, Mr. Speaker and Ladies and Gentlemen of the House. House Bill 587 is exactly the same as House Bill 4109 that left here unanimously and went to the Senate and stayed in Senate Rules. This is a small change in the IMRF law that deals only with the Village of Morton Grove. It seems that some years ago when they had a chance to involve themselves in IMRF, they did not wanna do so for whatever reason. They've decided now that they do want to do so. The IMRF people are perfectly fine with this. It got outta the House and the Senate unanimously. And I would just like to concur and send it to the Governor."

Speaker Hannig: "So, the Gentleman moves that the House concur in Senate Amendment #1 to House Bill 587. Is there any discussion? Then the question is, 'Shall this Bill pass?' All in favor vote 'aye'; opposed 'nay'. The voting is

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open. And this is final action. 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 112 voting 'yes' and 6 voting 'no'. And the House does concur in Senate Amendment #1. And this Bill, having received a Constitutional Majority, is hereby declared passed. Mr. Clerk, we have on the Calendar, on page 22 we have House Bill 758. Representative Myers, on the Order of Concurrence."

Myers: "Thank you, Mr. Speaker. Senate Amendment #1 provides an opportunity for four schools in Hancock County in western Illinois to potentially consolidate their high schools into one high school district. The Bill provides for the definition of how the members of the board of trustees of the high school district are to be chosen."

Speaker Hannig: "The Gentleman has moved that the House concur in Senate Amendment #1 to House Bill 758. And on that question, the Gentleman from McHenry, Representative Franks."

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

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

Franks: "Representative, I'm not sure why we need this. Isn't there already a provision in order to allow this to occur?"

Myers: "Not exactly in this way, Representative Franks. The net purpose of this Amendment is to make sure that the high school district has representation from each one of four or three elementary school districts that are going to be part of this high school district. Right now, the proposal is

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for four school districts to combine into one high school district. The method by which the board of trustees would be selected would be one representative from each of the elementary districts and three members elected at-large for a total of seven members of the board of trustees. No more than three members could be elected from any one elementary district which would make sure that there was no majority from any one elementary district."

Franks: "I understand what you're trying to do, but what hap... are there gonna be three who are going to be at-large, school board members?"

Myers: "Yes, Sir."

Franks: "What would happen if they were all from one present school district? Is there any prohibition on that?"

Myers: "Yes, Sir. That's what this Bill says that no more than one elected from the school district and three at-lar... or two at-large from the same elementary district."

Franks: "Were there difference in sizes with these school districts or were they pretty much the same size? I'm wondering if there's one that's a really big district that consolidated with a couple of smaller ones maybe the bigger one should have more people on the board."

Myers: "Well, the bigger one can still have more people on the board it just wouldn't have the majority. The bigger school district could have up to three members of the board out of the seven members, but it would not be given the majority."

Franks: "Okay. Is there anyone against this Bill?"

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Myers: "To my knowledge, no."

Franks: "Okay. I just saw the Senate. I was looking at the votes and I saw there was some folks who voted against it and there was some 'present' votes. And I was just trying to ascertain if you knew why that might be."

Myers: "When I talked to the Senator that sponsored this Bill in the Senate and sponsored this Amendment, he did not give me any indication of... of why the opposition or why those individuals who voted 'present' did not support the Bill."

Franks: "Well, thank you."

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

Myers: "I just ask for your favorable vote."

Speaker Hannig: "The question is, 'Shall the House concur in Senate Amendment #1?' All in favor vote 'aye'; opposed 'nay'. The voting is open. Have all voted who wish? Have all voted who wish? This is final passage. Have all voted who wish? Mr. Clerk, take the record. On this question, there are 118 voting 'yes' and 0 voting 'no'. And the House does concur in Senate Amendment #1. And this Bill, having received a Constitutional Majority, is hereby declared passed. Mr. Clerk, would you re... Representative Flowers, are you ready on Senate... on House Bill 1082? Representative Flowers."

Flowers: "Thank you, Mr. Speaker. I move to concur with Senate Amendment #2. And what the Amendment does is require any physician, medical student, resident, advanced practice nurse, registered nurse or either physician assistant to

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inform patients of his or her profession before providing care. And I'll be more than happy to answer any questions you have in regards to Senate Amendment #2."

Speaker Hannig: "The Lady moves that the House concur in Senate Amendment #2 to House Bill 1082. 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? This is final passage. Have all voted who wish? Mr. Clerk, take the record. On this question, there are 118 voting 'yes' and 0 voting 'no'. And the House does concur in Senate Amendment #2. And this Bill, having received a Constitutional Majority, is hereby declared passed. Representative Graham, are you ready on concurrence on House Bill 1086? Representative Graham is recognized on 1086."

Graham: "Thank you, Mr. Speaker, Ladies and Gentlemen of the House. Senate Amendment #1, this is... we voted on the text in this Bill. What happened, it was House Bill 6769 and it went over to the Senate and there was a misunderstanding that people were... were thinking that I wanted some stuff changed. So, we amended House Bill 1086 to reflect House Bill 6769. It's an issue that occurred in my district where a hospital did a change of ownership and we had some problems with the hospital notifying the community of this change of ownership and the way that it was done. So, House Bill 6769 which is now House Bill 1086 simply just talks about a notification issue that it will run three times, three... three days in... in a big paper and three days

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in a community paper. It talks a little bit about charity care where there was no structured plan for charity care before where it has a two-year plan versus the hospital just can't drop it. So, we voted on this Bill once, before so I simply ask for acceptance of this... I simply want to concur with the Senate Amendment on this Bill."

Speaker Hannig: "The Lady moves that the House concur in Senate Amendment #1 to House Bill 1086. 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 118 voting 'yes' and 0 voting 'no'. And the House does concur in Senate Amendment #1. And this Bill, having received a Constitutional Majority, is hereby declared passed. Is Representative Delgado prepared on House Bill 4027? Okay. The Gentleman's not in the chamber. Representative Parke on House Bill 4135, on the Motion to Concur. Representative Parke."

Parke: "Thank you, Mr. Speaker, Ladies and Gentlemen of the House. I concur with Senate Amendment #2. It simply puts it in line with a concern that the Senate shared that if a pedophile was actually needing to have employment at a major retail store that may have picture frames of children that may have some form of pictures sitting where of children that they may not be able to get a job. I... I guess I could understand the concern. This is to tighten



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it up. And I would ask the Body to accept Senate Amendment #2."

Speaker Hannig: "The Gentleman moves that the House concur in Senate Amendment #2. And on that question, the Gentleman from McHenry, Representative Franks."

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

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

Franks: "Representative, what exactly does this Senate Amendment do?"

Parke: "It just simply says that a pedophile can work in a major retail store even though they may have some photographs of children and stuff. The original underlying Bill said that they could not work on any kind of a retail store or store that takes photog... photographs of children, that they can't come in contact with children. And the Senate Sponsor was concerned that it was way too restrictive and that if taken to the umpth degree that they could deny a pedophile the opportunity for employment at all in a retail store. And I guess they do have to... they have to live, they have to have a job. So, I guess the Amendment is not, in this big picture, I guess it's not unreasonable."

Franks: "Because I'm looking at the Amendment #2 and it seems to me that all it does, on line 18 on page 1, is it replaces a 'semicolon' with a 'period' and takes out the word 'or'."

Parke: "Well, I think it's more than that. I remember looking at the Amendment."

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Franks: "On page 1, line 18 and then it deletes line 19 through 21. That's what I'm reading."

Parke: "And all of the line... the whole line 3 has been removed, Section 3..."

Franks: "Okay."

Parke: "...19 through 21..."

Franks: "Okay."

Parke: "...is removed."

Franks: "All right. I understand now. It deletes the last paragraph now that I'm looking at it."

Parke: "Right."

Franks: "Okay. So, this makes this less restrictive..."

Parke: "Right."

Franks: "...and it allows, is it convicted sex offenders..."

Parke: "Yes."

Franks: "...to be able to be working in stores?"

Parke: "Yes."

Franks: "Okay."

Parke: "In any kind of retail store. And I guess, that's not unreasonable, but 'cause they do have to live, but ya know, they never could be cured. I just don't want 'em to have any direct contact with children and the Senate deemed it to be too restrictive and suggested that we amend it. And I will accept their Amendment."

Franks: "Well, I'm wond... would this allow them to work... Let's say in a... might... we tend to go to Kmart to get our film developed. Would it allow a sex offender to work in the

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photo department at Kmart and have access to those pictures of my children?"

Parke: "Seeing that you're an attorney and I'm not, our staff has told me that that is not the case."

Franks: "Okay. I'm just... I understand what you're trying to do. I understand the sentiment. I'm just worried here and I'm wondering if... if one, ya know... some of these stores have photo places set up where you bring in the kids. Would that individual be able to work there in the photo department or being a helper to a photographer?"

Parke: "Yeah, well, again, the stipulation by the court says they can't come in contact with children, but the person that's hiring this person should be aware that, in fact, they are a sex offender. I don't think that limits them from knowing that."

Franks: "Okay. I appreciate your answering the questions, Representative."

Parke: "Thank you."

Speaker Hannig: "The Lady from Grundy, Representative Gordon."

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

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

Gordon: "Thank you. Representative Parke, as... as written with the Senate Amendment on there, do you... does it still encompass the original intent of this legislation that you... does this still do what you want it to do?"

Parke: "Yes. My... my concern was that the underlying intent is still in... is still in there. I've asked our legal staff to review that. They've concurred that the underlying intent

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is still there, but it does allow 'em to work in a retail store, that's all."

Gordon: "So... And... and because it..."

Parke: "And that was a concern the Senate Sponsor had with..."

Gordon: "Right. And because it does allow the sex offender to work in a real... retail store, whereas your original legislation didn't, do you feel that that weakens your legislation, in any way?"

Parke: "I don't believe so."

Gordon: "Okay."

Parke: "I don't believe so."

Gordon: "And finally, this... this Bill, as written, sex... I mean, currently now, sex offenders can work as photographers with... with children and work for photographers and who do the different images and everything. Is that correct?"

Parke: "Well, it's my understanding that it is, that's why we put the legislation in. But we want it to be very clear, if there's any discrepancy, this Bill will clear it up and simply say as, they cannot have contact with the children of our state."

Gordon: "Thank you, Representative."

Parke: "Thank you."

Gordon: "Thank you."

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

Parke: "I think this Bill ultimately achieves what I wish to achieve. We will continue to work in this arena and try to make sure that with other legislation, that I hope the

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Sponsor, next year, that we will continue to tighten that up. Thank you."

Speaker Hannig: "So, the question is, 'Shall the House concur in Senate Amendment #2 to House Bill 4135?' 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? This is final passage. Have all voted who wish? Mr. Clerk, take the record. On this question, there are 111 voting 'yes', 6 voting 'no'. And this... and the Senate... And the House does concur with Senate Amendment #2 to House Bill 4135. And this Bill, having received a Constitutional Majority, is hereby declared passed. Representative Delgado, are you prepared on House Bill 4027? Okay. You're recognized on the Order of Concurrence."

Delgado: "Thank you, Mr. Speaker and Members of the House. I would like the General... Members to concur with Senate Amendment #1. Basically, the Senate Judiciary Law Committee realized that we had to remove language that would create... that would actually make... turn this Bill into a... have a constitutional challenge. And we wanted to make sure that this legislation as important as it is to hit and run victims and I would just ask for a concurrence. We wanted to make sure and I do concur with the Senate Amendment removing language that would prevent self-incrimination in Section 10 of the Illinois Bill of Rights provides that the right of... at self-incrimination stating that no person shall be compelled in a criminal case to

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give evidence against himself and therefore, I do concur and would ask the Members to concur along with Senate #1."

Speaker Hannig: "The Gentleman moves that the House concur in Senate Amendment #1 on House Bill 4027. Is there any discussion? The Gentleman from Vermilion, Representative Black."

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

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

Black: "Representative, those of us who live in rural areas still have some serious concerns about this Bill. And the scenario you and I talked about the last time, in a rural area where the driver stops, attempts to do some preliminary first aid, finds that obviously the person injured in the accident certainly needs advanced medical care. Many township roads will see two cars maybe from 11 p.m. to 6 a.m. the next morning. So, you leave the scene of the accident. Many rural communities do not have any police departments at all. They contract sometimes with a sheriff's department and a car tries to go through this rural community of 6-700 people, maybe once a night, maybe twice, so literally, by the time you get to a telephone..."

Delgado: "Okay."

Black: "...and it's not as easy to use a telephone in a rural area as it was 30 years ago. Today, if you knock on somebody's door at midnight, in a state of panic, the people in the house often react in a panic and call the police, but will not answer the door and will not pay

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attention to your request. So, if you have to drive to the nearest town of any size, your 30 minutes could be used up. In the time that the accident happened, you survey the scene, now you're really in a panic, you do your best to get to a phone, but by the time you get to one, 45 minutes has elapsed. You are now a Class IV felon and I... this Amendment still does not... does not address that..."

Delgado: "Right."

Black: "...situation that has happened..."

Delgado: "Right."

Black: "...in my area and will continue to happen."

Delgado: "Right. Representative Black, I will like... I'm gonna do my best to help you understand that first of all, the hypothetical of the person would be charged at a felony, that would be... first of all, wouldn't be charged automatically. The prosecutor would have to make that discretionary call. But there were folks... there were concerns expressed in committee about persons who make a reasonable effort to report through for circumstances beyond their control. Not only in the rural areas but how about in the forest preserve, no phones available. So, we had discussions on both sides; here in the House, here in... over in the Senate. And actually, I wanna give you an idea of why such language should not be included for the pur... for the following reasons: 1)including such language would go against the public policy of the underlying Bill which is that people are not supposed to leave the scene of an accident at all and if they do, they should be held

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accountable. He or she... for such an egregious behavior regardless of any efforts made to report; 2)there's no way to disprove a defendant's argument that he or she made reasonable efforts to report and #3) the standard for reporting should not be subjective because such a standard allows for slippery arguments to made in attempt to avoid responsibility for leaving the scene. So, rather the standard for... for criminal liability should be objective to enhance the public policy that one should never leave the scene of an accident, especially one causing personal injury or death to a fellow human being like in the case of the family Limberopoulos. And 4)... #4)if ever there were a case where a driver had the victim's best interest at heart by leaving the scene and attempting to report, there's very little possibility that a state attorney would go forward with that prosecution, Sir."

Black: "Now and I... I appreciate that, but the law is... is blind. And many state's attorneys and many judges see no gray area. You have either followed the law or you haven't followed the law. And... and this puts people in my district at a tremendous disadvantage and this is not much of a problem in my district in that there have been very few prosecutions for this over the years. But if you stay with the victim on a road that you have a reasonable assurance no one will come down that road in the next five hours and your cell phone, in many areas in my district, does not work, I don't know what... I don't know what you expect the person to do. If they make a good faith effort and they



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simply cannot comply with this law in a 30-minute period, they are at risk of being charged with a Class IV felony and could be sentenced to up to 3 years. Yes, I would like to think that no..."

Delgado: "Right."

Black: "...state's attorney would aggressively prosecute, in such a case, and that no judge..."

Delgado: "That's right."

Black: "...would yield the maximum sentence in such a case."

Delgado: "Check."

Black: "But... but the fact remains that this Bill the way it's written that could happen and..."

Delgado: "Representative, I would offer... I would like to submit that first of all, you point out the scales of justice are blind. The scales of justice now and then tend to peek too, but I would also indicate that reiterating point number four as a former probation parole officer I'll give ya a hypothetical. If I had a gentleman or woman on their way to come see me and they're on a bus and that bus has an accident and therefore that person doesn't make it to my office, should I violate that person? I have a right to violate that person and take 'em to court, but would a judge wanna see me. He'll probably ask me bring my toothbrush to court so he's gonna put me in jail for violating that individual knowing that he made a reasonable attempt to come see me, but the bus crashed. And in the case of this one hour window, bringing it down to a half hour within a rural or forest preserve area in your

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hypothetical of your community, a half hour more isn't gonna make much difference. But, again, it's reasonable to say and again, I've... I've had to prosecute as a probation... parole officer be as the witness for my prosecutor, there's no way as long as the person's making a reasonable attempt, Sir. And we have to have faith in that judicial level of our judges and our prosecutors to know that that prosecutor wants his job the next day. I doubt very highly, Sir, that that case will be brought forward."

Black: "Well, it's..."

Delgado: "And it seems to be a consensus within the legal community, Representative Black."

Black: "I... in all due respect, I have... I have seen and read about cases. The state's attorney is often in a very untenable position. If you don't enforce the law to the letter, the victim's family will be all over you in the media. If you do enforce the law to the letter, the person who said I did everything I could to make the report in 30 minutes, but I was not able to do so and I can trace on a map the reasons for that and if you throw... if you follow the letter of the law in that case, then that person's family is all over the state's attorney. So, the state's attorney has a difficult job and often can't win no matter what he or she does. Let me give you another scenario. I believe twice in the last 2 years, in the City of Chicago, an accident has happened and in these two cases that I... I have recollection on, I'm sorry, I can't give you the names or the location. A crowd gathered and beat to death some

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or all of the occupants of the car that... that were involved in the accident. Now, to me, that sends a message to a 70-year-old lady who hits somebody in an unfamiliar neighborhood that perhaps it would be best if they drove on. Now, what... what happens if they stop and then they're dragged out of the car and severely beaten?"

Delgado: "Right. I understand those isolated incidents occur and I took that into account, Representative. Once again, once that scene has been secured and that person makes a reasonable decision, hey, I'm outta here, I'm not gonna stay here, I'm afraid for my safety, that's their individual right. Once the... once the accident investigation has taken place and brought out, all of those facts will come about. And once again, I agree with you. The prosecutor has a tough job and we need to let them do their job, but the department should... any police department also has a 'at the scene' investigative team that comes out and puts all those pieces together. And even before anyone even goes into court, these items are discussed before they even go into court. At that point, the cases you point out, are one, two and three very high profile cases, but they are isolated and in a state of over 11 million residents or 12 million now and I feel that at this stage we would take that into account and any prosecutor would know just by the geography. So, when I was a probation parole officer, like it or not, it's justice by geography. If I saw an address and I saw what was going on, I knew the territory and I knew what... how I had to go in or I knew

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what was going on there and I took that into account and that's why, Sir, I kept getting promoted through the ranks."

Black: "Okay. Well, Representative, I appreciate the work you've put into this Bill and once again, and I'm not... I'm not arguing with you or trying to defeat the Bill, once again, even the best... the best..."

Delgado: "Very educational, Representative."

Black: "...the best of intentions and the best Bill we can draft and the best Bill we can have staff tweak and Legislative Reference Bureau do, even with our best efforts, this is a very diverse state, very difficult state, you come from a highly or a densely populated area and I come from a area where you can drive 15 minutes and not see anything but pigs and cattle and what have you. I had.. never will forget Wyvetter Younge, Representative Younge, came down to my district back in the '80s to Chair a Housing & Urban Development Committee and I picked her up at the Vermilion County Airport. The hearing was in the town of Paris, Illinois, about 45 miles south of... of Vermilion County Airport. And once we got out of Danville and we were driving I'll never forget this, I hope Wyvetter Younge remembers it, she looked around and she said, 'Representative Black, where is everybody?' All... all she could see was field, after field, after field, no houses, no people, what have you. So, I just... I just used that as an aside. I think you've done very good work here, but again, it just shows that when all is said and done we

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often have to vote our districts simply because of the great diversity and differences that exist in this state. But I do thank you for your answering the questions."

Delgado: "And I thank you, Representative Black. I wanna also indicate to the Chair that I have always said that as we look at the whole state and I've always worked to bring it from Harrisburg to Chicago to the middle that we would continue to work and see some of the results from this legislation and if we do see in the balance of this legislation's impact then you know my word is good. We will be coming back to bring trailer Bills to make sure we've adequately addressed those concerns of the rural area. But when writing this legislation, we based it on two other states and take into account their communities and this one seems to be the best opportunity and the toughest law in the land and Illinois is now in the lead of hit and run, protecting victims and making sure that our roads are safe and the moral turpitude of our citizens are upheld. And I would ask for a concurrence on the Senate Amendment."

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

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

Speaker Hannig: "Indicates he'll yield."

Davis, M.: "Representative Delgado, is this Bill still state that you have to make this report or something in 30 minutes or..."

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Delgado: "That is the genesis of the Bill, Representative. We had to drop it from one hour. One hour is too long. And in the case of the Limberopoulos family, the person came back in 57 minutes, 56 minutes and... and then of course the penalties for that person, even though there's a loss of life, the penalty was about \$500 fine, no revocation of license, no... nothing to do with anything, person moves on and that family's only recourse was civil liabilities. And so..."

Davis, M.: "So, even though this Bill unfortunately won't bring anyone back..."

Delgado: "That's true."

Davis, M.: "Let me continue with the questions. Will this Bill allow for an instance in which the driver is threatened and his or her life is in jeopardy? If you remember in Chicago, there were several, a couple at least, accidents in which the driver, I think, once was drunk, drove upon the porch and the relatives and friends, I don't know if that was the one who was killed, in one instance the driver was beaten to death."

Delgado: "That's correct. Now, we've taken that into account in that, once again, if... if that plays out, the prosecutorial discretion and any defense attorney out of first law high... law school is going to present a very, very strong defense and that is the safety of one's self. If you make the determination and it's truly that, that all I did was leave the area, well, I didn't go home fearing my life, I went to a police station. And I said, I couldn't

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stay there because I felt threatened? I still had this hit and run, but what should I do after that if I feel threatened. If I'm not gonna stay there, what should I do? I'm gonna drive to the nearest police station and... or wave down a police car. Other than that, if I drive home and I don't... and... and instead of calling the police, I pour myself a cold beer, then I'm derelict. And this would protect against that. But if I drove home and called the police, than that's reasonable because I was protecting myself."

Davis, M.: "I think the Senate attempted to address that by putting this Amendment on because what the Amendment states is the accident report cannot be used against that person."

Delgado: "That's correct."

Davis, M.: "So, I think that addresses it. Thank you. I will support your Bill. Thank you, Representative."

Delgado: "Tha..."

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

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

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

Lindner: "Yes. Representative, we had a very thorough discussion on this in the Criminal Law Committee. And we... we discussed the situation that Representative Black brought up. Someone would not be in violation if they knew that a farmhouse was a half a mile down the road, they didn't... their cell phone didn't work and they left the scene and went down to that farmhouse to report this to try and get the police there? Would they..."

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Delgado: "Right."

Lindner: "...be in violation?"

Delgado: "No, they would not. Because as long as they attempt to render aid and according to our own statutes, then they could not be prosecuted."

Lindner: "Okay. And what if they were still at the farmhouse when the police arrived on the scene and they weren't there, but they were going to come back?"

Delgado: "That's correct. Exactly. Within that window. And let's say that window expired, but they made that attempt and that call is recorded. Then, of course, as you know and you're an attorney, at that point, they wouldn't be prosecuted. The only time that would occur is if they leave that scene of the accident to go do something else other than within that window to find a way to aid or report."

Lindner: "All right. And I believe that it's my recall and the staff's recall that you said that you were going to do a trailer Bill either in the Veto Session or next year to address the situation that Representative Black brought up."

Delgado: "That is correct, Representative Lindner and I did point that out to Representative Black in my legislative floor speech here and it's down and it's recorded. I... you and I have talked about this privately and... and of course, being a Minority spokesperson of Judicial Law, I hope that you will help me and work with me on crafting that so that we can come back with a trailer Bill. Because there's



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still, obvious, legitimate concerns to fine-tune that and I am all ears for that. I wanna facilitate that... that discussion."

Lindner: "All right. Thank you, Representative. And I would urge an 'aye' vote on this. To the Bill. I would urge an 'aye' vote and everyone voted for this in the Criminal Law Committee. It was very emotional testimony. I'm sure this child would still be alive today if we had this law. Thank you."

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

Morrow: "Yes. Thank you, Mr. Speaker, Ladies and Gentlemen of the House. Will the Gentleman yield?"

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

Morrow: "Representative Delgado, are you aware that if I hit someone right now and I feel my life is in danger and I go directly to the police station, that I'm not in violation of the law?"

Delgado: "The way I've written this law as long as you do it within a half... a half-hour time, even if the... this station was longer than a half-hour, as long as your route was direct to that police station and they couldn't disprove that, then of course you will not be prosecuted. You've made an attempt to report it. If you feel your life's in danger and I've been... we've... a lot of us have been in those positions and I'm gonna leave that scene and go to the safest part and make sure that I'm okay. But having, Representative Morrow, if I'm have... if I crash with someone

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and my car is drivable and I see a mob comin' towards my car, you know me, I'm gonna be outta there and I'm gonna drive straight to a police station. Or what if I can... I'm gonna go over to my neighbor to get my own friends? Am I gonna go get drunk? Am I gonna go to the store and finish my routes?"

Morrow: "Well, I'm not... I'm not concerned about all those other options. If I am in fear of my life and I go directly to the police station, am I in violation of this..."

Delgado: "The answer to you is 'no'. You will not be prosecuted under this law."

Morrow: "Thank you."

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

Collins: "Thank... thank you, Mr. Speaker. I just wanna speak to the Bill. I have a problem with the Bill just because the nature of the Bill says it's an accident. An accident is just that, an accident. No one intentionally tries to hit a pedestrian in the street. So, I'm thinking about children, a 16-year-old, new drivers just beginning to drive or anybody. When you have an accident and you hit someone, you are very afraid. So, at that point, if you go and contact your parents or whatever, kids get afraid. They don't know what to do a lot of times. I just don't think we need to make criminals out of someone just because they had an accident, because by the very nature of the word accident, it means something that you didn't intend to do. And that's what I wanted to say. So, because of that I just don't think we should make criminals out of... out of

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someone else, out of the person who hit because already they are upset that they had an accident and they may not know what to do at that very moment. And a half an hour, I mean, what's the big deal between a half an hour and an hour? So, you die, but that's not gonna bring you back so that person has to live with that death itself. If you kill someone, you have to live with the fact that accidentally killed someone in a car accident. So, now, you're already punished the rest of your life because of your conscience. So, now, should you become a criminal because you accidentally hit someone and didn't respond within an half an hour in the right way? Because already, if you did something wrong, you're already out of your mind. Oh, I don't know what to do; what should I do? And you might spend a half an hour just tryin' to figure out what to do because you don't know. Everybody don't respond correctly when they have an accident and knowing what... what is the right thing to do. So, because of that I just don't think we should make more criminals... make a person a criminal because they accidentally hit someone. Thank you."

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

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

Speaker Hannig: "He indicates he will."

Parke: "Representative, the more restrictive that we're getting it... it starts to concern me on how restrictive we are in

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terms of telling the citizens what they can and cannot do. And I'm as much interested in law and order as any Legislator down here. But how does the average citizen know that there's a 30-minute cutoff? How would... how are he or she know that?"

Delgado: "That's a very good observation. First of all, I'm sure that... I would intelligently assume that the person that had the accident, in the case that brought this legislation here, didn't understand that she had an hour to report, period. To be very honest with you, I didn't know that. However, when you get your driver's license and this may address the previous speaker's concern too, but when you get a driver's license, you get Rules of the Road. And first of all, you should never leave the scene of an accident. When you have an accident, you're supposed to stop, exchange information, if there's injuries, you call 911 right away and the moral turpitude, any upstanding citizen should stay there."

Parke: "So, we're gonna..."

Delgado: "And... and that's the underlying..."

Parke: "So, we're gonna put it in the Rules of the Road, then? That'll be something..."

Delgado: "And... Well, you know what, that's a wonderful idea and the Rules of the Road is exactly where we should be sending a memo and I will be doing that to..."

Parke: "I... I would like that."

Delgado: "I think that's a wonderful suggestion."

Parke: "Thank you. I... I think..."

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Delgado: "And I will follow up with that."

Parke: "...it'll inform the citizens of Illinois that they have certain responsibilities, can't hurt."

Delgado: "Representative Parke, I would like to take that idea forward with you and meet with Rep... with Jesse, with Secretary of State, so that we can incorporate that. I think it's a wonderful suggestion."

Parke: "Thank you."

Delgado: "I had not thought of that."

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

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

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

Aguilar: "Representative Delgado, ya know, when you hit somebody accidentally when you... ya know, common sense tells you to call immediately for emergency. Wouldn't you agree?"

Delgado: "I'm sorry, Sir. Can you repeat your question?"

Aguilar: "When... when you... when you engage an... when you hit someone accidentally, okay, common sense will tell me call immediately for emergency services."

Delgado: "Oh, absolutely. If not, why do you have a driver's license? Weren't you taught the basic rules of the road?"

Aguilar: "Okay."

Delgado: "Don't... I mean, I... that should be the first thought in your mind is to help someone. I think, if you don't... if your first inclination is, oh, darn, let me get outta here. Well, you know, that's the person you can't leave a \$5 bill

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around. Maybe that's a person who's... you know, you gotta think about the moral turpitude of the individual other than their fear of safety that they're gonna be clobbered by someone."

Aguilar: "So, you believe a half hour is sufficient time to make that emergency call?"

Delgado: "Absolutely. And we, Sir, having our crack staff, we didn't... we just didn't do this on a whim. We looked at a couple other states and we find this to be very reasonable. Actually, we were looking for the half hour window and making sure there was a penalty if one of your loved ones... get lost in a hit and run accident that you have some recourse other than just burying'em and then having to sue that person in a civil court. That person should have their license looked at, that person should be able to... to justify why they should remain on the road."

Aguilar: "Now, very good... Now, other than the circumstances mentioned earlier, say you... a person hits somebody and accidentally and that person is stopped or they beat him up or whatever happens from calling the emergency. That person could be exempt 'cause that person tried to do something, but all of a sudden they stopped 'em."

Delgado: "Absolutely. It's gonna all depend on the mental state of the... of the... of that particular driver. And once again, I mean... let's... let's keep cognizant of the fact that our prosecutors of Illinois are very, very intelligent and that it... it's very clear, it's very clear that there are

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checks and balances in the system that are not gonna let this go to any kind of arraignment."

Aguilar: "Very good. It's a Bill on... based on responsibility. I commend Representative Delgado, and I... I urge an 'aye'... 'aye' vote. Thank you very much."

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

Acevedo: "Yeah. Mr. Speaker, will the Sponsor yield?"

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

Acevedo: "Representative, there was... there was a question that was put to you, Representative..."

Delgado: "I'm sorry."

Acevedo: "There was a question that was put to you, I was listening to the last two people... last three people who spoke on debate. One of 'em was, is this mentioned in the Rules of the Road book?"

Delgado: "No, it is not. It will be after the suggestion by the previous speaker."

Acevedo: "Well, Ladies and Gentlemen, to... to... to the Bill. Common sense tells you that if you run from the scene of a crime or you run from the scene of an accident, it's against the law. In the City of Chicago, myself being a Chicago police officer, in the City of Chicago logistically, wherever you are at in the city, you are not a half hour away from a police district. You are not a half hour away from a police station. Most people may make a joke that if you wanna look for a policeman go to Dunkin Donuts. Well, then go to a Dunkin Donuts 'cause they

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guarantee from the... from the scene of an accident to a Dunkin Donuts, if you're gonna see a policeman there, then go look for him. This is plain and simple. Think about of a seven-year-old boy who was hit by a vehicle, the driver took off and now he's a quadriplegic. Think about how the mother comes on TV and cries. How many times do we turn on the news and hear of a parent crying and asking somebody to give up, the person who took their child's life, the person who took their grandmother's life, the person who took their mother's or father's life? Think about those people. This is plain and simple. If you get into an accident, it's exactly what it is, it's an accident. Unless you've done something illegal and you're running from something. But if you're not a citizen and you wanna report the scene... and granted I understand, there's a crowd surrounding your vehicle now. You're worried because an accident occurred and if you need to go, he's permitting you a half hour. It takes a half hour to get to a police station or find the nearest box. We, as police officers, teach students in school the safest place to go to when you're lost is look for a police officer. We, as adults, should follow the same example, look for a police officer. If you're in trouble and it was an accident and that can prove it's an accident and you have done nothin' illegally, then you have nothing to worry about. I urge an 'aye' vote."

Speaker Hannig: "Representative Reitz."

Reitz: "Thank you, Mr. Speaker. I move the previous question."



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Speaker Hannig: "The Gentleman moves the previous question. The question is, 'Shall the main question be put?' All in favor say 'aye'; opposed 'nay'. The 'ayes' have it. The main question is put. Representative Delgado to close. To close, Representative."

Delgado: "Yes. Thank you, Ladies and Gentlemen of the General Assembly. Thank you for such a spirited debate. You've brought some things to my forefront that we will address, but just like the previous speaker, Representative Acevedo, pointed out, if it's an accident, you have nothing to worry about and you're gonna report it. But there folks on the road that think, oh, oh, I'm gonna get away with this and they are hiding something. And it's about that woman who... woman who's asking for justice for the child and we're gonna bring that justice concurring with Senate Amendment 1 and makin' sure that House Bill 4027 becomes law. I would ask for your support."

Speaker Hannig: "And the question is, 'Shall the House concur in Senate Amendment #1 to House Bill 4027?' And 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? This is final passage. Mr. Clerk, take the record. On this question, there are 107 voting 'yes', 7 voting 'no' and 4 voting 'present'. And the House does concur in Senate Amendment #1 to House Bill 4027. And this Bill, having received a Constitutional Majority, is hereby declared passed. Representative Hamos, is the Lady in the chamber? Okay. We'll... we'll move down the line then."

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Representative Lindner, are you prepared on House Bill 4318? Representative Scully, for what reason do you rise? Okay. Representative Lindner, recognized to concur on House Bill 4318."

Lindner: "Thank you, Mr. Speaker. I move to concur with Senate Amendments #1 and 2."

Speaker Hannig: "The Lady moves that the House concur in Senate Amendments #1 and 2 to House Bill 4318. 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 3 voting 'no'. And the House does concur in Senate Amendments #1 and 2 to House Bill 4318. And this Bill, having received a Constitutional Majority, is hereby declared passed. Representative Miller, for what reason do you rise?"

Miller: "Thank you, Mr. Speaker. Just a note here on Senate (sic-House) Bill 4027, there was a mix up in my switch, I'd like to be recorded as voting 'yes'."

Speaker Hannig: "Okay. And the record will so reflect. Representative Chapa LaVia on House Bill 4371."

Chapa LaVia: "Yes. I'd.. I'd like to concur with the adoption of Senate Amendment #3."

Speaker Hannig: "Okay. The Lady moves that the House concur in Senate Amendment #3 to House Bill 4371. Is there any discussion? Then the question is, 'Shall this Bill pass?' All in favor vote 'aye'; opposed 'nay'. The voting is

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open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Mr. Clerk, take the record. On this question, there are 117 voting 'yes' and 0 voting 'no'. And the House does concur in Senate Amendment #3 to House Bill 4371. And this Bill, having received a Constitutional Majority, is hereby declared passed. Representative Jefferson, are you prepared on House Bill 4403 on the Order of Concurrence? Representative Jefferson on the Motion to Concur."

Jefferson: "Thank you, Mr. Speaker, Members of the House. Senate(sic-House) Bill 4403, I do concur with Senate Amendment #1."

Speaker Hannig: "The Gentleman moves for the House to concur in Senate Amendment #1 to House Bill 4403. Is there any discussion? The Gentleman from Vermilion, Representative Black."

Black: "Thank you very much, Mr. Speaker. I'm just excited and thrilled that were gonna concur in Senate Amendment #1. But knowing the Senate as I do, would the Gentleman care to explain what Senate Amendment #1 does?"

Jefferson: "No. No. Just... just kidding, Mr. Black."

Black: "I knew you were."

Jefferson: "As soon as, they'll find it. Senate Amendment #1 provides that the Secretary of State should prohibit the renewal, reissuance or reinstatement of a resident's driving privileges whenever the Secretary has been notified by a court clerk that the resident has failed to pay the remainder of any outstanding fine, penalty or costs within

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the time limit set by the court provided by the Secretary of State's Office."

Black: "Was... was this not, in fact, the very same language that appeared on House Bill 4403... excuse me, on 4359 that failed in the House 30... I'm sorry. Let me give... give you the right number, 4539. The language appears to be the same in Senate Amendment #1 as the language in House Bill 4539 that failed in the House 37 to 73."

Jefferson: "I'm not sure if this is the same legislation that was carried in that Bill."

Black: "Well, it... it is either... it may not be an identical twin, but it is a certainly a fraternal twin. What... what did the Secretary of State estimate the fiscal cost would be on Senate Amendment #1?"

Jefferson: "It doesn't show a fiscal cost at this point."

Black: "Well, our staff asked the Secretary of State what this would cost. He said it would be \$230 thousand for the first year to implement the provision of Senate Amendment #1 and \$150 thousand annualized cost thereafter. Are you aware that Senate Amendment #1 is asking the Secretary of State to do something that they currently now do not do?"

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

Black: "Well, let me... Mr. Speaker, to the... to the Amendment. I wish the Gentleman would file a Motion to Nonconcur with Senate Amendment #1. Senate Amendment #1 is almost identical to House Bill 4539 that got 37 votes in this chamber when it was called for Third Reading. It... it is almost, for all practical purposes, it's identical. It

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amends the Illinois Vehicle Code and says that whenever any resident of this state who has only made a partial payment on a traffic fine penalty or any court costs imposed, pursuant to a conviction entered on or after the effective date of this new law, fails to pay the remainder of the outstanding fine within the time limit set by the court. The clerk of said court may notify the Secretary of State and the Secretary of State shall prohibit the renewal, reissue or reinstatement of the person's driving privileges until payment is made in full. And the clerk shall provide notice to that driver stating that the action will be effective on the 46th day following the date of notice. So, somebody who is poor, got a speeding ticket on the way to work, entered into a payment agreement with the court, that was accepted by the court, to pay the \$75 speeding ticket, gets laid off or somebody in the family gets sick, he misses a payment, he falls behind, ah hah, now the person will have his driver's license revoked. So, now he or she has no way to get to work, no way to support his or her family, not to mention, no way to pay the fine. The Secretary of State didn't ask for this. The Secretary of State does not favor this. This is an initiative of the circuit clerk of the City of Chicago. I would urge the Gentleman to nonconcur and if you wanna bring it back, fine, make it applicable only to the City of Chicago. You have mass transit up there. People don't have that luxury in my district. You take away my driver's license because I failed to pay a \$75 traffic fine, even though I made a

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good faith effort to do so, wasn't my fault that the spouse got sick, wasn't my fault that the... my... my child got sick, wasn't my fault that I had to buy groceries. This is a punitive measure that serves no purpose other than to give the clerk of the circuit court a heavy hammer to say, pay the fine. And I think most people attempt to pay the fine and work something out with the court, but this goes far beyond that and I don't think, as the Gentleman would... would not or could not answer the question. I don't think this is good public policy. I urge a 'no' vote."

Speaker Hannig: "Is there any further discussion? The Gentleman from Champaign, Representative Rose."

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

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

Rose: "Representative, I just have one question and... and it may be our analysis is not as accurate as it should be. There's a... our analysis indicates that there's a part of your Bill that for construction zones that the Secretary would be allowed to suspend licenses without a hearing. I assume that comes with a conviction, that you'd have to have a conviction first. Is that... I'm looking for it in the actual text and I can't seem to find it."

Jefferson: "I don't see that in the Bill."

Rose: "Committee..."

Jefferson: "This is, you know, referring back to the first speaker's comments. This Bill simply states that this is the Secretary of State's Bill. Secretary of State does support the Bill. IDOT, the State Police and it says low

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or no physical(sic-fiscal) impact to the State of Illinois."

Rose: "So, our analysis still indicates that there's some sort of suspension here for... for the construction zones without a hearing. What you're telling me that's not in it?"

Jefferson: "I'm sorry, Representative."

Rose: "The... the Republican analysis says that the Secretary of State is authorized to suspend or revoke without a preliminary hearing the driving privileges of a person who has failed to follow proper procedures while driving in construction or maintenance zone. Does that require a conviction for... for speeding in a construction zone before that suspension can take place? I mean, that's my question."

Jefferson: "I am... I'm not sure of that, Representative. At this point in time, I've been instructed by the... one of the Sponsors of the Bill from the Secretary of State's Office that we could take this Bill out of the record until we can do some further investigation."

Rose: "Okay. Thank you, Representative."

Speaker Hannig: "Okay. So, this is out of the record, this Motion, at the request of the Sponsor. Mr. Clerk, we're gonna go to now House Bill 4489. Representative Pankau. Are you ready on the Order of Concurrence, Representative?"

Pankau: "Thank you, Mr. Speaker. I move to concur with Senate Amendment 1 to House Bill 4489. The underlying Bill deals with people who have received a bronze or sil... who are Bronze or Silver Medal winners and who were asked to pay an

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additional \$15 on their specialty license plates. In the Senate, they... Senator Dillard added an Amendment which would be for ham radio operators. Basically, a constituent from his district, who is a ham radio operator who now is part of the Emergency Management System since 9/11, was upset that he could not receive his license plates at \$24. So, this would say that if you're a ham radio operator and if you also qualify for the circuit breaker income levels, meaning you have to be of low income, then you can get your license plate at the \$24 instead of the higher rate. So, I ask that this Amendment be... I move to concur with Senate Amendment 1."

Speaker Hannig: "So, the Lady moved that the House concur in Senate Amendment 1 to House Bill 4489. 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. Excuse me. On this question, there are 116 voting 'yes', 0 voting 'no' and 1 voting 'present'. And the House does concur in Senate Amendment #1 to House Bill 4489. And this Bill, having received a Constitutional Majority, is hereby declared passed. Representative Burke on House Bill 4232 on the Order of Concurrence."

Burke: "Thank you so much, Mr. Speaker and Ladies and Gentlemen of the House. This is very simply a concurrence Motion with Senate Amendment #1. And simply that measure would extend the required implementation date an additional year,



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giving these entities the opportunity to prepare for imposing the requirement that they have AEDs in all the facilities that are included. And I'd ask for the Body's favorable consideration."

Speaker Hannig: "The Gentleman moves that the House concur in Senate Amendment #1. Is there any discussion? The Gentleman from Cook, Representative Lang."

Lang: "Thank you, Mr. Speaker, Ladies and Gentlemen. I rise to support the Gentleman's Motion and to compliment Representative Burke. Perhaps, nobody's worked longer and harder on a piece of legislation for public health than Representative Burke has on this Bill for some years. Perhaps, we can now put this to rest for a while. I thank Representative Burke for his hard work."

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 113 voting 'yes', 3 voting 'no' and 1 voting 'present'. And the House does concur in Senate Amendment #1 to House Bill 4232. And this Bill, having received a Constitutional Majority, is hereby declared passed. Representative Dunkin, for what reason do you rise?"

Dunkin: "Point of personal privilege, Mr. Speaker."

Speaker Hannig: "Yes, state your point."

Dunkin: "Just an announcement. The... You know about the movie tonight at 7:00 over at Parkway... Parkway Pointe. It's a

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free screening sponsored by the Department of Commerce & Economic Opportunity, the film office. I'm trying to encourage you all to come out for that. It's a free screening for the Legislators and staff. The other point I'd like to make is, the massage therapists down in Room 115 asked me to make this announcement. They would love to come and give the Legislators a nice massage. I got my foot massaged, my head massaged and my body. They're there until 4:00, Room 115."

Speaker Hannig: "On page 26 of the Calendar, under the Order of Concurrence, is House Bill 4949. The Gentleman from Cook, Representative Acevedo. Representative Acevedo on the Order of Concurrence."

Acevedo: "Thank you, Mr. Speaker, Ladies and Gentlemen of the House. I'd move to concur with Senate Amendment #1 to House Bill 4949."

Speaker Hannig: "The Gentleman moves that the House concur in Senate Amendment #1 to House Bill 4949. 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 117 voting 'yes' and 0 voting 'no'. And the House does concur in Senate Amendment #1 to House Bill 4949. And this Bill, having received a Constitutional Majority, is hereby declared passed. Representative Cultra I believe has an announcement he'd like to share with us. Is it Cultra? I'm sorry.

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Representative Froehlich has an announcement he'd like to share with us."

Froehlich: "Thank you, Mr. Speaker. Yeah, I have an announcement about tomorrow's bipartisan lunch menu. On the menu for the colleagues tomorrow is Chicago's finest thin crust pizza. This will be provided compliments of Representative Danny Burke and yours truly."

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

Currie: "Thank you, Speaker. I have a Motion to suspend the posting requirements so that Senate Bill 728 and Senate Bill 2278 can be heard in Local Government and House Joint Resolution 86 in State Government Administration."

Speaker Hannig: "You've heard the Lady's Motion. All in favor say 'aye'; opposed 'nay'. The 'ayes' have it. And her Motion is adopted and the posting rules are suspended. Mr. Clerk, you have some announcements?"

Clerk Mahoney: "Committee announcements. The committees previously scheduled for 2 p.m. will meet tomorrow morning at 9 a.m. Committee... The Appropriations-Higher Education Committee scheduled for 2:30 today will meet tomorrow at 9:30."

Speaker Hannig: "Are there any other..."

Clerk Mahoney: "The following committees will meet at 3 p.m.: the Appropriations-Public Safety in C-1, Appropriation-General Services in D-1, Fee-For-Service Initiatives in 114. At 4 p.m. Judiciary-Civil Law will meet in 118, Labor will meet in C-1, State Govern... Government Administration

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will meet in D-1. At 4:30 p.m. Elementary & Secondary Education will meet in 118, Local Government will meet in C-1. At 5:30 p.m. Consumer Protection will meet in C-1, Human Services will meet in 114 and Judiciary-Criminal Law will meet in D-1."

Speaker Hannig: "Are there any other announcements? Then Representative Currie moved that, allowing for perfunctory time, that the House stand adjourned until tomorrow, Thursday, May 20 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. Referred to House Committee on Rules: House Resolution 943, offered by Representative Granberg. There being no further business, the House Perfunctory Session will stand adjourned."