

STATE OF ILLINOIS  
94th GENERAL ASSEMBLY  
HOUSE OF REPRESENTATIVES  
TRANSCRIPTION DEBATE

32nd Legislative Day

3/17/2005

Speaker Hannig: "The hour of 10:00 having arrived, the House will be in order. The Members will please be in their seats. The Members and guests are asked to refrain from starting their laptops, turn off all cell phones and pagers and rise for the invocation and the Pledge of Allegiance. We'll be led in prayer today by the Reverend Robert Jallas with St. Agnes Catholic Church here in Springfield. Reverend Jallas is the guest of Speaker Michael Madigan."

Reverend Jallas: "And let us pray. O God, father and creator of all, Lord of all times and seasons, Lord of all nations and peoples. As we begin this day and the Session, we acknowledge Your many blessings: blessings of life and faith, blessings of family and friends, blessings of work and rest, blessings of joy and laughter. May the work entrusted to us this day, whatever our position or capacity, contribute to the good of our brothers and sisters in communities large and small across our state. May our debates and deliberations, our votes and actions today help protect and improve the life and dignity of every person, especially the poor, the overlooked, those without a voice and those left on the margins of our communal life. May our conversation and actions this day show our esteem for one another here and help promote the good of all. Lord, of all times and seasons, of all nations and peoples, we take a bit of joy and delight on this day as we rejoice in a special servant of Yours, the blessed Patrick, a holy and saintly man of a very green and lively isle by the name of Ireland. Irish or not,

STATE OF ILLINOIS  
94th GENERAL ASSEMBLY  
HOUSE OF REPRESENTATIVES  
TRANSCRIPTION DEBATE

32nd Legislative Day

3/17/2005

Catholic or not, may we dance a bit on this day in his honor. Lord of bishops and bakers and bartenders, we thank You for sprinkling holy men and women among us, saintly characters like holy Patrick, bishop and shepherd of Ireland. As we gather this morning, we make our own, a prayer said to come from the lips of Patrick. May the strength of God guide us this day; may His power watch over us; may the wisdom of God instruct us, the eye of God watch over us, the ear of God hear us, the word of God give sweetness to our speech, the hand of God defend us; may we follow the ways of God. God be with us; God before us; God be after us; God within us; God beneath us; God above us; God at our right hand; God at our left; God within these halls; God in the heart of everyone who thinks of me; God in the mouth of everyone who speaks to me; God in the eye that sees me; God in the ear that hears me this day. Amen."

Speaker Hannig: "And on this St. Patrick's Day, we'll be led in the Pledge by Representative McGuire."

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

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

Currie: "Thank you, Speaker. Please let the record show that Representatives Joyce and McKeon are excused today."

Speaker Hannig: "Representative Bost."

STATE OF ILLINOIS  
94th GENERAL ASSEMBLY  
HOUSE OF REPRESENTATIVES  
TRANSCRIPTION DEBATE

32nd Legislative Day

3/17/2005

Bost: "Thank you, Mr. Speaker and happy St. Patrick's Day from the Republican side of the aisle. And Representatives Bullock... Bellock and Daniels are excused today."

Speaker Hannig: "Mr. Clerk, take the record. There are 113 Members answering the Roll Call, a quorum is present. Representative Lang, for what reason do you rise?"

Lang: "Thank you, Mr. Speaker. I would just like to point out the best hat I've seen today, Joe Lyons has it. Hold that hat up, Joe. It's a nice green White Sox cap. I think we should all have one of those. Thank you very much."

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

Chapa LaVia: "A point of personal privilege. I'd like the General Assembly to help me welcome a person who's the cochairman of the Midwest Shelter for Homeless Veterans, Dirk Enger. Dirk, welcome to Springfield."

Speaker Hannig: "And Mr. U of I, Chapin Rose, for what reason do you rise?"

Rose: "Thank you, Speaker. A point of personal privilege. This'll come to many as a shock, but I'm a bit conflicted. As a... as a citizen of Illinois of Irish descent, I proudly wear my green, but as a citizen of Illini Nation, I proudly wear my orange."

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

Parke: "Well, that... that is an easy solution. Representative, what is the color of the Irish flag? Orange and green and white. So, your problem is solved. I'm here to solve your

STATE OF ILLINOIS  
94th GENERAL ASSEMBLY  
HOUSE OF REPRESENTATIVES  
TRANSCRIPTION DEBATE

32nd Legislative Day

3/17/2005

problems. Thank you. And happy St. Patrick's Day everybody."

Speaker Hannig: "Very nice, Representative Parke. Representative Bost, for what reason do you rise?"

Bost: "Thank you, Mr. Speaker. Ya know and as a citizen of Illinois, as much as possible I support the Illini but remember, there's another part of this state that still has a dog in this hunt."

Speaker Hannig: "I think it's in the same bracket too, isn't it? Mr. Clerk, do we have Committee Reports?"

Clerk Mahoney: "Committee Reports. Representative Giles, Chairperson from the Committee on Elementary & Secondary Education, to which the following measure/s was/were referred, action taken on March 17, 2005, reported the same back with the following recommendation/s: 'do pass as amended Short Debate' House Bill 3822; 'recommends be adopted' Floor Amendment #1 to House Bill 676. Representative Franks, Chairperson from the Committee on State Government Administration, to which the following measure/s was/were referred, action taken on March 17, 2005, reported the same back with the following recommendation/s: 'do pass Short Debate' House Bill 3760 and House Bill 3761; 'do pass as amended Short Debate' House Bill 1920; 'recommends be adopted' House Resolution 195. Representative Saviano, Chairperson from the Committee on Registration & Regulation, to which the following measure/s was/were referred, action taken on March 17, 2005, reported the same back with the following

STATE OF ILLINOIS  
94th GENERAL ASSEMBLY  
HOUSE OF REPRESENTATIVES  
TRANSCRIPTION DEBATE

32nd Legislative Day

3/17/2005

recommendation/s: 'do pass as amended Short Debate' House Bill 930 and House Bill 3499."

Speaker Hannig: "Okay. Picking up where we left off yesterday, on page 11 of the Calendar... We're actually gonna start with Representative Pihos who was absent, I think, yesterday and advance one of her Bills, House Bill 1109. Mr. Clerk, would you read the Bill."

Clerk Mahoney: "House Bill 1109, a Bill for an Act concerning criminal law. Second Reading of this House Bill. Amendment #1 was adopted in committee. No Floor Amendments. No Motions filed."

Speaker Hannig: "Third Reading. On page 33 of the Calendar, on the Order of Third Reading, is House Bill 3801. Representative Kelly. Okay. Out of the record. Representative Lang, would you like us to read House Bill 759 on page 29 of the Calendar? Mr. Clerk, could you read the Bill, please."

Clerk Mahoney: "House Bill 759, a Bill for an Act concerning children. Third Reading of this House Bill."

Speaker Hannig: "Representative Lang."

Lang: "Thank you, Mr. Speaker, Ladies and Gentlemen. House Bill 759 addresses the issue of behavioral health services for the wards of DCFS. It's come to our attention over a series of years that there really is no integrated program to deal with their behavioral health needs, mental health needs, assessments and the like. This Bill would put that into place. DCFS is in full support and tell us that they

STATE OF ILLINOIS  
94th GENERAL ASSEMBLY  
HOUSE OF REPRESENTATIVES  
TRANSCRIPTION DEBATE

32nd Legislative Day

3/17/2005

can do it within the confines of their current budget. So, I would ask your support."

Speaker Hannig: "The Gentleman has moved for passage of House Bill 759. And on that question, Representative Mulligan."

Mulligan: "Representative Lang, is this the one where we required a fiscal note on this Bill?"

Lang: "The fiscal note has been filed and that the department has said there's no cost."

Mulligan: "There's no cost?"

Lang: "Well, let me put it to you this way. They say that they were planning to do most of this anyway and it's within the confines of their current budget. There will be no additional cost and no additional need for dollars for DCFs to pay for this program. I would be happy to show you the fiscal note."

Mulligan: "I wanna... I wanna copy of it so I can keep it in my file for the budget hearing and for the end of Session 'cause I doubt seriously whether that's the case. Also, I would think some of these would be rolled under the SASS program where there already... there's rules already established for children to be referred to some kind of a mental health counseling. I... I supported your Bill and I still support your Bill. I just don't see there being no cost and that's a problem when we go... come to the end of Session, that they're saying it's no cost."

Lang: "Well, I depend on you, Representative, in those budget hearings to make sure this gets funded. I can only rely on

STATE OF ILLINOIS  
94th GENERAL ASSEMBLY  
HOUSE OF REPRESENTATIVES  
TRANSCRIPTION DEBATE

32nd Legislative Day

3/17/2005

DCFS's fiscal note and they say very clearly that they can handle this within their current budget structure."

Mulligan: "Representative, their current budget is currently off due to the lack of taking into consideration the benefits under the AFSCME raise which means they're going into the coming year with a problem depending on how it's addressed and what happens. So, I doubt seriously whether no cost covers it. But we'll try and figure out how we can manage for them to afford your program."

Lang: "Thank you."

Speaker Hannig: "Is there any further discussion? Then the question is, 'Shall this Bill pass?' All in favor vote 'aye'; opposed 'nay'. The voting is open. Have all voted who wish? Have all voted who wish? Representative Flider, do you wish to be recorded? Mr. Clerk, take the record. On this question, there are 113 voting 'yes' and 0 voting 'no'. And this Bill, having received a Constitutional Majority, is hereby declared passed. Mr. Clerk, on page 33 of the Calendar is House Bill 3801 and Representative Kelly requests that we return that to the Order of Second Reading. So, return that Bill to the Order of Second Reading. And now, out of the record. Representative Joe Lyons has House Bill 804 which is on page 29 of the Calendar. Representative Lyons."

Clerk Bolin: "House Bill 804..."

Speaker Hannig: "Excuse me. Rep... Mr... Mr. Lyons, let's let the Clerk read the Bill."

STATE OF ILLINOIS  
94th GENERAL ASSEMBLY  
HOUSE OF REPRESENTATIVES  
TRANSCRIPTION DEBATE

32nd Legislative Day

3/17/2005

Clerk Bolin: "House Bill 804, a Bill for an Act concerning criminal law. Third Reading of this House Bill."

Speaker Hannig: "Representative Lyons. Nice hat."

Lyons, J.: "Thank you, Mr. Speaker, friends and colleagues in the General Assembly. House Bill 804 amends the Cannabis Control Act that allows law enforcement agencies to preserve, subject to a continuous chain of custody, not less than 6 thousand grams of a substance containing cannabis. This Bill was brought to me by the Illinois State Police with the problem they have across the street at the Armory on maintaining and keeping the large busts they have when they have to keep all this marijuana plants that they use for evidence. It's become a logistic problem for when they got rooms full of it, across the street over at the Armory and they just wanna have enough which allows for a 6 thousand... 6 thousand grams which is the quantity of about 13 or 14 pounds which is more than adequate for purposes of having evidence for the court cases. So, there's no known opposition for this Bill. I appreciate your 'aye' votes. I'd be happy to answer any questions."

Speaker Hannig: "The Gentleman has moved for passage of House Bill 804. 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 113 voting 'yes' and 0 voting 'no'. And this Bill, having received a Constitutional Majority, is hereby declared passed. On



STATE OF ILLINOIS  
94th GENERAL ASSEMBLY  
HOUSE OF REPRESENTATIVES  
TRANSCRIPTION DEBATE

32nd Legislative Day

3/17/2005

page 32 of the Calendar is House Bill 2582 for Representative Mautino. Mr. Clerk, would you read the Bill."

Clerk Bolin: "House Bill 2582, a Bill for an Act concerning criminal law. Third Reading of this House Bill."

Speaker Hannig: "Representative Mautino."

Mautino: "Thank you, Mr. Speaker, Ladies and Gentlemen of the House. House Bill 2582 addresses changes in the structure of our laws concerning heroin. We've heard a lot about methamphetamine and a great problem throughout downstate in the State of Illinois. In my area, it happens to be heroin. And heroin was there in the 1980s and then it disappeared. Well, about 4 to 5 years back it came back like a freight train. And in doing that, I've worked with our... our local law enforcement in looking at some of the penalties that are currently under statute. Not being an attorney, I went to the Judiciary II Committee in seeking some of their input, also, the Attorney General's Office and the attorney... the City of Chicago attorney in how to properly address the penalties for the amounts that we're finding these days. Currently, the law is structured that you have to find... in order for a Class X it would be 15 grams. Realistically, those are not the amounts that's... are being bought and sold, so this would take and change the structure from weights to the units of delivery or the tins that are sold, tins are objects, and on second and subsequent offenses would move that bar to five objects which is about what we're finding. Current law requires

STATE OF ILLINOIS  
94th GENERAL ASSEMBLY  
HOUSE OF REPRESENTATIVES  
TRANSCRIPTION DEBATE

32nd Legislative Day

3/17/2005

about 15 grams which is a hundred and fifty objects, so this would be a tool for our state's attorneys and law enforcement to address a growing problem. Be happy to answer any questions."

Speaker Hannig: "The Gentleman has moved for passage of House Bill 2582. This Bill's on the Order of Short Debate. Recognized in response is Representative Lindner."

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

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

Lindner: "Yes. Could you... could you just explain a little further how they measure, I guess, they measure the substance containing heroin and how you are changing that in this Bill and is this a new scientific technique or how did you come upon this?"

Mautino: "No. And that's a very good question. I worked with the Attorney General's Office. This is how we currently would charge for LSD. LSD is done by the units because you can't really get weights and they are sold in sheets. You may have 50 on a sheet that are less than... that are less than a gram. So, we've mirrored the heroin statute as to how you would charge for LSD."

Lindner: "Okay. And this passed committee overwhelmingly, didn't it? Criminal Law?"

Mautino: "Yes."

Lindner: "Okay. Thank you."

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

STATE OF ILLINOIS  
94th GENERAL ASSEMBLY  
HOUSE OF REPRESENTATIVES  
TRANSCRIPTION DEBATE

32nd Legislative Day

3/17/2005

who wish? Have all voted who wish? Have all voted who wish? Representative Biggins and Saviano and... Representative Wyvetter Younge, would you like to be recorded? Mr. Clerk... Mr. Clerk, take the record. On this question, there are 113 voting 'yes' and 0 voting 'no'. And this Bill, having received a Constitutional Majority, is hereby declared passed. On page 33 of the Calendar is House Bill 3641 for Representative Tryon. Mr. Clerk, would you read the Bill."

Clerk Mahoney: "House Bill 3641, a Bill for an Act concerning State Government. Third Reading of this House Bill."

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

Tryon: "Thank you, Mr. Speaker. House Bill 3601(sic-3641) essentially makes an Amendment to existing statutes for DCEO and it makes grants available to counties and municipalities for the purpose of fostering local or regional economic development. The grants can be used in relationship to start-up costs for small communities, existing programs that are already doing local and economic development planning to facilitate planning studies, needs assessment for economic development. And primarily in the State of Illinois we have many communities throughout the state that aren't afforded the opportunity to really engage in economic development. And this... this will be subject to appropriation and the dollars that are appropriated could be allowed for planning grants. I would urge... urge your support on this."

STATE OF ILLINOIS  
94th GENERAL ASSEMBLY  
HOUSE OF REPRESENTATIVES  
TRANSCRIPTION DEBATE

32nd Legislative Day

3/17/2005

Speaker Hannig: "The Gentleman moves for passage of House Bill 3641. 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 113 voting 'yes' and 0 voting 'no'. And this Bill, having received a Constitutional Majority, is hereby declared passed. On page 34 of the Calendar is House Bill 4067. Mr. Clerk, read the Bill."

Clerk Mahoney: "House Bill 4067, a Bill for an Act concerning safety. Third Reading of this House Bill."

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

May: "Yes. Thank you, Mr. Speaker, Ladies and Gentlemen of the House. House Bill 4067 as amended creates the Children's Environmental Health Officer in the... in the Department of Public Health. Creates a point person for children's health issues. Illinois may be losing out on federal funds because we don't have this post. Last year the IEPA and the Department of Public Health jointly applied for funds from the CDC and they didn't get it. These departments believe that with a point person they may be more successful in getting these grants. It gives a new focus on children's health. We have offices of minority health, women's health, rural health and environmental health and I think our children deserve this focus. There are 45 Sponsors in a bipartisan fashion. I'll be happy to answer any questions."

STATE OF ILLINOIS  
94th GENERAL ASSEMBLY  
HOUSE OF REPRESENTATIVES  
TRANSCRIPTION DEBATE

32nd Legislative Day

3/17/2005

Speaker Hannig: "The Lady moves for passage of House Bill 4067. Is there any discussion? Then the question is, 'Shall this Bill pass?' All in favor vote 'aye'; opposed 'nay'. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Representative Scully. Okay. Mr. Clerk, take the record. On this question, there are 111... 111 voting 'yes', 0 voting 'no' and 2 voting 'present'. And this Bill, having received a Constitutional Majority, is hereby declared passed. On page 33 of the Calendar is House Bill 3821. Mr. Clerk, read the Bill."

Clerk Mahoney: "House Bill 3821, a Bill for an Act concerning education. Third Reading of this House Bill."

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

McCarthy: "Thank you, Mr. Speaker and Ladies and Gentlemen of the House. House Bill 3821 amends the College Student Immunization Act. To put it plainly, it basically says that if a college does not have dormitories, does not have student housing, then they don't... will not be covered by the Act. Currently, our public universities have this exemption, so this would just extend it to the private universities, as well. So, those that would not have student housing would not have to be covered by this College Student Immunization Act. I'd ask for your favorable support."

Speaker Hannig: "The Gentleman moves for passage of House Bill 3821. Is there any discussion? Then the question is, 'Shall this Bill pass?' All in favor vote 'aye'; opposed

STATE OF ILLINOIS  
94th GENERAL ASSEMBLY  
HOUSE OF REPRESENTATIVES  
TRANSCRIPTION DEBATE

32nd Legislative Day

3/17/2005

'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' and 0 voting 'no'. And this Bill, having received a Constitutional Majority, is hereby declared passed. On page 29 on the Calendar is House Bill 781. Mr. Clerk, would you read the Bill."

Clerk Mahoney: "House Bill 781, a Bill for an Act in relation to aging. Third Reading of this House Bill."

Speaker Hannig: "The Gentleman from Will, Representative McGuire."

McGuire: "Thank you, Mr. Speaker. This morning I have House Bill 781 and this Bill amends the Illinois Act on Aging and the Disabled Persons Rehabilitation Act. And it provides that eligibility standards must include a provision that to be eligible for services under this section a person may not have assets other than specifically exempt assets totaling more than \$15 thousand in the state fiscal year beginning July 1 this year, 17,500 in the state fiscal year beginning in July of next year and 20 thousand in the state fiscal year beginning July 1, 2007 and thereafter, if the person is unmarried or the person is married and the department determines that the person's spouse resides in a skilled nursing or intermediate long-term care facility that is subject to licensure by the Department of Public Health under Nursing Home Care Act. Also, that the person's spouse does not reside on the permanent ba... on a permanent basis with the person and does not receive

STATE OF ILLINOIS  
94th GENERAL ASSEMBLY  
HOUSE OF REPRESENTATIVES  
TRANSCRIPTION DEBATE

32nd Legislative Day

3/17/2005

support from any... from or given su... or for, excuse me, receive support from or give support to the person. It's a little complicated here. The person has been abandoned by his or her spouse and the person has been the subject of a report of abuse. It sounds a little complicated, but it is a good Bill. And I would appreciate your 'aye' vote."

Speaker Hannig: "The Gentleman has moved for the passage of House Bill 781. This is on the Order of Short Debate. So, in response, Representative Parke is recognized."

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

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

Parke: "Thank you. Representative, another worthwhile idea, ya know, nobody's gonna fault the idea of the underlying idea of the Bill. But again, this is a increasing appropriation and ultimately by the year 2008, the range of 15 to 20 million dollars annually and we don't have money to pay for it. So, it's a 5 to 6 million dollars in '06, we don't have the money to pay for it. Do you have a funding source somewhere to pay for this, Representative?"

McGuire: "I plan to have that."

Parke: "And that is what?"

McGuire: "I'm working on that. I'm serious. I'm working on that in the next year or two."

Parke: "But you have nothing at this time?"

McGuire : "Well, it wouldn't be effective 'til 05... fiscal year '05 which, as you know..."

Parke: "We're working on '06 budget now..."

STATE OF ILLINOIS  
94th GENERAL ASSEMBLY  
HOUSE OF REPRESENTATIVES  
TRANSCRIPTION DEBATE

32nd Legislative Day

3/17/2005

McGuire: "Yeah."

Parke: "...Representative."

McGuire: "And as you know, we're... we're gonna be working on fiscal year `06 in the next month or two. I have plans to..."

Parke: "Right. We're working on it now, so we need the funding source now."

McGuire: "You'll have..."

Parke: "And so, I hope... I hope you're able to find something because again, as I said, the underlying idea... because if you don't, the Governor has indicated he'll have to veto this legislation, so..."

McGuire: I understand that."

Parke: "...we continue to keep putting... To the Bill. Ladies and Gentlemen, we continue to keep putting on the desk of the Governor all of these ideas, many of 'em worthwhile ideas, but when you don't have money, you can't do this. And just like everybody else, every other citizen in this state, when the budget says you don't have enough money to buy the new car or to my... buy the new kitchen set, you have to wait. And I'm afraid that some of these things are gonna... we're gonna have to wait on because the Governor, in his own commitment, probably will have to veto this legislation without the funding source. I wish the Sponsor good luck in finding it, but right now we cannot afford this legislation."

Speaker Hannig: "Representative Mulligan."

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



STATE OF ILLINOIS  
94th GENERAL ASSEMBLY  
HOUSE OF REPRESENTATIVES  
TRANSCRIPTION DEBATE

32nd Legislative Day

3/17/2005

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

Mulligan: "Representative, I wanna go along those same lines.

A number of us have fought to have the eligibility limits raised because it's such a low amount for people with that asset amount that they can't get services, but the cost is prohibitive. And if you take a look right now, the Department of Aging needs a supplemental for this current year which they don't have. Several reasons, one being that the Governor, after we left the General Assembly, gave a raise to the home care workers without it being in the budget and that the community care line was cut to an inadequate amount to provide the care that... so that actually they're only functioning on 9 months worth of care at the same level they did in previous years so they need the supplemental which has not been forthcoming. And then you have to annualize the raise that the Governor gave after we were out of here and the other employees under other unions that got raises that will kick in the next year. And the loss for the community care and then the increase for this amount. Doesn't it seem a little daunting to you on how we're gonna come up with this money and what we have here is competing interest on new money for education, new money for other areas of the budget. But you still feel confident and I'm willing to support your Bill because I think the asset level is very important, but in what capacity are you working to find other funds to cover this and don't you think there's quite

STATE OF ILLINOIS  
94th GENERAL ASSEMBLY  
HOUSE OF REPRESENTATIVES  
TRANSCRIPTION DEBATE

32nd Legislative Day

3/17/2005

a budget hole in the Department of Aging currently and that this will only increase it?"

McGuire: "The answer to your question is 'yes'. I think it is daunting, but that's what we're here for. I had a Bill a couple years ago that we had the same reaction and the Governor said that the same time, we don't have the money. And I said to the Governor, 'Governor, we're gonna spend 'x' dollars in the fiscal year, it's a matter of priority.' I'm not saying we don't have the money, I'm not saying we do have the money, but it is a matter of priority. And I think if we don't try to pass such Bills and suddenly we find maybe that we could have afforded such a Bill, then we say, 'why didn't we pass that Bill?' I'm not asking you to spend money we don't have, I'm asking you to pass a Bill that I'm gonna work to see that there is financing. If there's not financing..."

Mulligan: "So, is this subject to appropriation?"

McGuire: "Pardon me?"

Mulligan: "Is your Bill subject to appropriation?"

McGuire: "I'm sorry. I didn't hear ya."

Mulligan: "Is your Bill subject to appropriation or do we have to implement it no matter what?"

McGuire: "I would think most Bills that we're passing are subject to appropriation."

Mulligan: "I can't understand you. I think you're not talking into the microphone. But, for the record, is your Bill subject to appropriation?"

McGuire: "I said most Bills are subject to appropriation."

STATE OF ILLINOIS  
94th GENERAL ASSEMBLY  
HOUSE OF REPRESENTATIVES  
TRANSCRIPTION DEBATE

32nd Legislative Day

3/17/2005

Mulligan: "All right. But..."

McGuire: "Doesn't specify it, no."

Mulligan: "...there's a difference here. Our staff says..."

McGuire: "No, it doesn't specify."

Mulligan: "...they don't know whether it is. Normally, I don't rely on staff, but I haven't gone through the whole Bill 'cause it didn't come through a committee that I was on. But my area is, how do we put the money together for it? And my concern is, and just so the Body knows, the Gentleman has a worthy cause because particularly single people are really under a penalty when... cause the asset limit is so low that they cannot function or be qualified for services to allow them to stay in their home which ultimately saves the state money. But just so the Body knows, as we go towards the end of this, currently the Department of Aging needs a supplemental which has not been passed so they're out a good chunk of money right now. They have new programs coming up, we're adding to the budget, we're gonna have to annualize the raise that the Governor gave to home care workers that did not come through the Legislature. We still have the AFSCME raise, we have the level of community care which is predicated by a lawsuit that we have to provide services; there cannot be a waiting list. There is not enough money and as we come to the end of Session when we are setting priorities for dollars, casting your vote for this Bill and other Bills that are similar say that these are your priorities on how

STATE OF ILLINOIS  
94th GENERAL ASSEMBLY  
HOUSE OF REPRESENTATIVES  
TRANSCRIPTION DEBATE

32nd Legislative Day

3/17/2005

to spend money and how we're gonna come up with the money. Just so everyone knows that."

Speaker Hannig: "Is there any further discussion? Then the question is, 'Shall this Bill pass?' All in favor vote 'aye'; opposed 'nay'. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Representative Biggins and Saviano, would you like to be recorded? Mr. Clerk, take the record. On this question, there are 111 voting 'yes', 0 voting 'no' and 2 voting 'present'. And this Bill, having received a Constitutional Majority, is hereby declared passed. Representative Molaro, for what reason do you rise?"

Molaro: "Thank you. Just to point something out. I wanna thank the Speaker for making our names orange for the Illini and above it, green for St. Patrick's Day. That was just phenomenal that you did that and we wanna thank you on behalf of St. Patrick's Day and the Fighting Illini. Thank you."

Speaker Hannig: "On page 29 of the Calendar is House Bill 779. Mr. Clerk, read the Bill. Excuse me. Representative Cultra, for what reason do you rise?"

Cultra: "Yeah. I just wanna express my displeasure with Terry Farmer Photography. The choices that we have on the pictures this year. We can get 'em framed at a very high price. If we want 'em unframed, we have to pay the same price. I think if the Speaker's offering a monopoly product to us, that there ought to be a lot more choices available. And I'm very unhappy."

STATE OF ILLINOIS  
94th GENERAL ASSEMBLY  
HOUSE OF REPRESENTATIVES  
TRANSCRIPTION DEBATE

32nd Legislative Day

3/17/2005

Speaker Hannig: "Thank you, Representative. Mr. Clerk, would you read House Bill 779."

Clerk Mahoney: "House Bill 779, a Bill for an Act concerning criminal law. Third Reading of this House Bill."

Speaker Hannig: "Representative Mendoza."

Mendoza: "Thank you, Mr. Speaker and Ladies and Gentlemen of the House. I come before you today to ask for your support for House Bill 779, the DNA fingerprint analysis Bill. As we all know, fingerprinting is used as an extremely useful identification tool when someone is arrested for a crime. Law enforcement keeps a database with these fingerprints whether a person is convicted or not. I say to you, today, once more, that DNA is quite simply the fingerprint of the 21st century. We voted on this legislation last year. It passed overwhelmingly. I'm here to present it again with the hopes that we can move this out of the Senate, as well. But rather than go into all the wonderful aspects of the Bill, I'd... I think I've spoken to each and every Member of the House on this. I'd... I think I'd just move to answer any questions that might be out there."

Speaker Hannig: "The Lady moves for passage of House Bill 779. This is on the Order of Short Debate. And in opposition or in response is Representative Monique Davis."

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

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

Davis, M.: "Representative Mendoza, do you have any opponents to this legislation?"

STATE OF ILLINOIS  
94th GENERAL ASSEMBLY  
HOUSE OF REPRESENTATIVES  
TRANSCRIPTION DEBATE

32nd Legislative Day

3/17/2005

Mendoza: "Excuse me, Representative. I couldn't hear your question."

Davis, M.: "Do you have any opponents?"

Mendoza: "Do I have opponents? Yes, there are. Yes."

Davis, M.: "Do you have staff over there assisting you?"

Mendoza: "I can handle it on my own. I'd be happy to answer any of your questions."

Davis, M.: "I was gonna say, aren't you lucky?"

Mendoza: "Oh, why, that I have staff assisting me?"

Davis, M.: "Yes."

Mendoza: "Or that I can handle it on my own? I have wonderful staff, so hopefully..."

Davis, M.: "No, you're lucky to have staff assisting you."

Mendoza: "Oh, okay. Well, thank you. Thank you for that. So, to answer your question, yeah, there are a few opponents: the ACLU, the Public Defender's Office. They are listed on the computer there and there's quite a few proponents, as well."

Davis, M.: "Well, do... Are they opposing you on the merit of your Bill or are they opposing you based upon the additional cost to do the DNA test? I think it's like what... \$50 to analyze a DNA test?"

Mendoza: "D... The cost is not something that has really come up as a big point of opposition. During testimony in committee was minimal when we talked about that at all. The Bill doesn't even take effect until the Illinois State Police feels that they're ready to work."

Davis, M.: "Until when?"

STATE OF ILLINOIS  
94th GENERAL ASSEMBLY  
HOUSE OF REPRESENTATIVES  
TRANSCRIPTION DEBATE

32nd Legislative Day

3/17/2005

Mendoza: "Until the Illinois State Police believes that they're ready to handle the intake of DNA cases into our database and/or 2008 at a late date. And also, very importantly, say that none of the opponents to the Bill are bearing any of this cost."

Davis, M.: "I understand we have cleared up the backlog of analyzing DNA. There's a... there's still a backlog, but that large backlog we had about a year ago has been cleared up."

Mendoza: "Yes."

Davis, M.: "But as you know, Representative, there is fear that this is going to create an additional backlog and also create an additional large cost because it is \$50 per test to analyze them. And like some organizations, I think, suggested or asked that you only take the DNA test after a conviction."

Mendoza: "Well, I would argue that we should be... the cost is certainly not prohibitive. It's something that we're addressing now, the money that we're addressing towards the backlog which is almost wiped out. It's money that can be used to maintain the new... the new system and we'd rather pay a minimal cost on the front end than worry about multimillion dollar lawsuits on the backend after people have been exonerated based on DNA evidence."

Davis, M.: "So... so, your Bill is asking that if a person is arrested for any felony, that DNA will be taken?"

STATE OF ILLINOIS  
94th GENERAL ASSEMBLY  
HOUSE OF REPRESENTATIVES  
TRANSCRIPTION DEBATE

32nd Legislative Day

3/17/2005

Mendoza: "That's correct. If... They would be arrested for a felony and their DNA would be taken... through a saliva swab during the booking process. That's correct."

Davis, M.: "So, then will the DNA be analyzed before they are gone to... go to trial or will this analysis come back after the trial?"

Mendoza: "The analysis would be done as quickly as possible and it would..."

Davis, M.: "But will it be done... Does your Bill ask that it's done before trial or after trial?"

Mendoza: "That the analysis is done upon receiving it in the booking process. So, at some point, we'll be able to do analyses, I think, I perceive, in a day or two. We're not at that point yet. It may take months at some times, but by the time a defendant would make it to their trial and this is an important question and answer, the defendant would have access to whatever that analysis says. And so, right now, if you're, let's say, someone who claims to be innocent and you don't have good counsel, you don't have money to get your own DNA test done, unless a george... a judge orders a DNA test to be taken, that defendant may be sitting behind bars, innocent, for a long, long, long, long time. Under this Bill, the DNA analysis would be made available to the defendant, the defendant doesn't have to get the sympathy of a judge to order that DNA test..."

Davis, M.: "And then if the person is found innocent..."

Mendoza: "Then they would go home, yes, but..."



STATE OF ILLINOIS  
94th GENERAL ASSEMBLY  
HOUSE OF REPRESENTATIVES  
TRANSCRIPTION DEBATE

32nd Legislative Day

3/17/2005

Davis, M.: "But what happens to their DNA sample? It's still a matter of record?"

Mendoza: "Well, their D... If the person is innocent and has an expungeable effect, right? So, right now because we take fingerprints and we take the mug shots and we're... all we're doing is adding the electronic, what we're considering the fingerprint of the 21st century, to that identification tool..."

Davis, M.: "My final question..."

Mendoza: "...if that's expungeable, then so will the DNA."

Davis, M.: "My final question is, is there an automatic removal of the DNA or does the person have to request having it removed?"

Mendoza: "That... The person has to request, under the current procedure, to have their fingerprints or their... their record expunged; if their record is expungeable, then the DNA goes right along with it. It is not a separate step in the process. We're trying to make this as easy and as fair for the individual as possible and that's why by incorporating the sample into the booking process everything stays consistent. If it stays there, it all stays together. It's variable to expunge it. It's all expungeable together."

Davis, M.: "And do you have any idea what the cost of this will be?"

Mendoza: "The Illinois State Police says that they expect it to be about \$7 million for the first year and about 2 to 3 million dollars to maintain throughout a year."

STATE OF ILLINOIS  
94th GENERAL ASSEMBLY  
HOUSE OF REPRESENTATIVES  
TRANSCRIPTION DEBATE

32nd Legislative Day

3/17/2005

Davis, M.: "\$7 million..."

Mendoza: "So, it's 7 million... 7 million, initially."

Davis, M.: "\$7 million..."

Mendoza: "Which is a lot... a lot less expensive than 13 or 20 million dollar payouts per innocent person who is able to walk free years later. We'd rather pay this, hands down on the front end than on the backend."

Davis, M.: "I thank you very much for your candid answers."

Mendoza: "Thank you, Representative."

Davis, M.: "Thank you."

Speaker Hannig: "Okay. We've got a number of people of wishing to speak on this, so we're gonna remove this from Short Debate. We're gonna go through the process for Standard Debate and we're gonna run the clock, as well. So, next will be Representative Sacia. He's... Do you rise in favor or in response?"

Sacia: "In favor."

Speaker Hannig: "In favor, okay. Five minutes."

Sacia: "Thank you, Mr. Speaker. I will not need 5 minutes. I stand in strong support of the Lady's legislation. She's referred to it as the fingerprints of the 21st century and I truly applaud her on bringing this forward because as we go forward we truly do recognize that DNA is a positive. The previous speaker brought up the fact, what happens if the person is found innocent? My argument would be, whether the person is found innocent or guilty, we need this database to continue to grow as the years go on. And the cost over the years will, in fact, become less and less

STATE OF ILLINOIS  
94th GENERAL ASSEMBLY  
HOUSE OF REPRESENTATIVES  
TRANSCRIPTION DEBATE

32nd Legislative Day

3/17/2005

negligible as we find better ways to preserve this. As we all know, we've all been fingerprinted for one reason or another, it's not a clean process. A simple swab is all that's needed for DNA. In committee, there was some discussion about this being used for racial profiling. Nothing could be further from the truth. If a person is arrested and is swabbed for DNA, it actually would remove any chance of anything other than racial profiling or indications that it was used for such situations. And as opposed to a judge ordering this to happen, if it automatically happens at the time of the arrest, it is something that goes in a database much like a fingerprint and is there hereafter. And this is exceptional legislation. And I strongly encourage your 'aye' vote. Thank you."

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

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

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

Giles: "Representative, I think I know what you're trying to do here, but I want you to address the scenario that has just taken place about 2 weeks ago with a personal friend of mine and see how this legislation would be applicable to that particular situation. A very good, close friend of mine was comin' off the expressway in a vehicle and some local law enforcement agents, tactical units in the City of

STATE OF ILLINOIS  
94th GENERAL ASSEMBLY  
HOUSE OF REPRESENTATIVES  
TRANSCRIPTION DEBATE

32nd Legislative Day

3/17/2005

Chicago, stopped him, pulled him over and asked him could they search the vehicle. Naturally, he had not done anything and so he gave up his rights and he allowed them to search the vehicle. And they proceeded to do so and... and they stated, were you around in this particular area where there was some illegal activity and he claimed that he was not. He gave them permission to search the vehicle. His front seat of his vehicle was occupied with a lot of papers and books. The actual individuals that they were looking for, with the similar type of vehicle, had a... had two individuals in the... in the front... in the vehicle, so his vehicle did not match the description that they were looking for. Now, they proceeded to take him into handcuffs and wanted to take him to a lineup, an official lineup, but what they did, which they violated his rights, they did take him to an individual that supposedly was a victim and asked was this the gentleman. Now, of course, she was... no and in a disarray, she could have said 'yes' or 'no'. From that point, they could have taken him down and they wanted to take him down to the station to book him. Now, at that particular junction, here it is a innocent individual on his way to whatever and he could have been subject to this legislation, takin' a DNA test."

Mendoza: "Is that the question?"

Giles: "Yeah, that's the question."

Mendoza: "Well, thank you for the scenario. He would only be subject to this if he would have been charged with a felony and already put into the booking process. So, at this

STATE OF ILLINOIS  
94th GENERAL ASSEMBLY  
HOUSE OF REPRESENTATIVES  
TRANSCRIPTION DEBATE

32nd Legislative Day

3/17/2005

point your... your friend, if he wasn't fingerprinted or mugged shotted, than he... his DNA would not be taken and we'd only be taking DNA samples from people who are arrested for felony offenses. So..."

Giles: "Okay. And they want... and they want it..."

Mendoza: "...that all depends..."

Giles: "Right."

Mendoza: "Yeah."

Giles: "And they talked about bookin' him for a felony..."

Mendoza: "Okay."

Giles: "...at that particular time. Now, let's look at this... let's continue..."

Mendoza: "Okay."

Giles: "...with the example. If he would have been taken in and booked and at that time, he's still innocent..."

Mendoza: "Right."

Giles: "I'm just using this particular..."

Mendoza: "Sure."

Giles: "...situation. This individual's innocent. And now this individual had DNA testing taking on him, naturally, against his will, but... but he's following the law because he knows he's innocent. He's in the process, so to speak. In my opinion, his First Amendment rights have been violated."

Mendoza: "He's..."

Giles: "But nevertheless... I mean, the Fourth, I'm sorry, not First but Fourth. But nevertheless, what you're sayin' that this individual can go through this process, a grand

STATE OF ILLINOIS  
94th GENERAL ASSEMBLY  
HOUSE OF REPRESENTATIVES  
TRANSCRIPTION DEBATE

32nd Legislative Day

3/17/2005

jury has not been convened. There has not been an official charges... has not been an official's charges made to him by the State's Attorneys Office and so, therefore, you believe that this legislation is on point and is in... it's timely. See, I... I think that this individual... I think the DNA testing should come after a grand jury has been convened or the state's attorney have trumped up official charges against this individual. Now, you have enough evidence against this individual to... to begin the proceeding and the process of DNA testing."

Mendoza: "Okay. Well, that's a great point and I'm glad you bring that up because it allows me the opportunity to... to talk about why I don't think that that's necessarily in the best interest of both society and also the person that we're talking about. Now, you leave yourself open when you talk about, let's say, a hearing for probable cause, which in theory sounds like a good idea, I mean, even when I... they approach me about that, I thought, well, let's think about that. Why did... maybe that's..."

Speaker Hannig: "Rep... Rep... Representative, your time has expired. Representative Mendoza, could you finish your thought on... on that question?"

Mendoza: "Well, yeah. Let me just address this point. Thank you. And I appreciate your questions. But this... All right, I don't wanna interrupt him. Can I just continue?"

Speaker Hannig: "Representative Giles, your 5 minutes have expired."

STATE OF ILLINOIS  
94th GENERAL ASSEMBLY  
HOUSE OF REPRESENTATIVES  
TRANSCRIPTION DEBATE

32nd Legislative Day

3/17/2005

Giles: "It seems like my 5 minutes just flew by there. Are we sure?"

Mendoza: "..."

Speaker Hannig: "I been... I was running the clock, Representative."

Giles: "Okay. I hope we wasn't usin' maybe an Irish clock or somethin' like that for the day since the day is Irish day."

Speaker Hannig: "No, no. We wouldn't do that. Rep..."

Giles: "Okay. St. Patrick's Day. Thank you."

Mendoza: "Thank you, Representative. And just for the record, I... I didn't talk as much as I normally do on that, so you did good to ask your question. But let me finish up. I think it's important in terms when you talk about, let's say, a hearing for probable cause to find out if there is going to be probable cause to charge this person. What we're doing there and it's like an indirect way is basically leaving it subjective. We're leaving it in the opinion of... of the..."

Giles: "Mr. Speaker, I... I can't... I can't hear her explanation."

Speaker Hannig: "Okay."

Mendoza: "Okay. What we would be doing is allowing a person to decide, we'll take this person's DNA, but not this person's DNA. And I'm just gonna be very upfront and brutally honest about this. In certain parts of this state, depending what color you are and who you are and where you come from, that subjection is going to be different for the individual. So, if I'm, ya know, in some part of the

STATE OF ILLINOIS  
94th GENERAL ASSEMBLY  
HOUSE OF REPRESENTATIVES  
TRANSCRIPTION DEBATE

32nd Legislative Day

3/17/2005

count... or the state where I don't have good access to an attorney, there's someone who, let's say, who's nonminority who does and we both get picked up for the exact same crime, we go before the same people, under the same circumstances, the reality of life in Illinois and in the rest of most of the states is that I'm probably not going to get the benefit of the doubt, but the other person will. And so, now, the minority's DNA is on file, but not the other person's. I think it should be fair across the board and eliminate any..."

Giles: "Okay. Representative, you've taken up all of my 5 minutes. But let me just... I think one way would be fair if we could... if... I mean, because of today's technology, starting at birth everyone has their DNA taken. Right now that would make it... that would be clear across the board, fair, with everybody. But, lastly, could you tell me why the ACLU would be against this legislation?"

Mendoza: "I... Well, my experience is that the ACLU is against a lot of good legislation and..."

Giles: "Okay. Have they... have they conversed to you why they would be against this particular piece of legislation?"

Mendoza: "They have and we've had a very healthy debate, but I think we won."

Giles: "Could you just briefly share with me their... their statement?"

Mendoza: "They believe that it's... One of their arguments is that it's a violation of the Fourth Amendment which the court has upheld time and time again is not a violation.



STATE OF ILLINOIS  
94th GENERAL ASSEMBLY  
HOUSE OF REPRESENTATIVES  
TRANSCRIPTION DEBATE

32nd Legislative Day

3/17/2005

And they believed in the issue of probable cause hearing. I just gave you an explanation why I believe that it's not in the best interest of minorities to have probable cause hearings. We don't do them for fingerprints. This is nothing more than the fingerprint of the 21st century and we should hold it to that same degree. And those are basically their biggest issues. And also, they don't agree with me that innocent people behind bars should have access to this DNA evidence right off the bat."

Giles: "Thank you."

Mendoza: "I disagree with that."

Giles: "Thank you, Representative, and I know you're for the economy and trying to bring jobs to the economy. This is a good job Bill. Thank you."

Mendoza: "Thank you."

Speaker Hannig: "Representative Parke for 5 minutes."

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

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

Parke: "Representative, I'm probably one of the more conservative Legislatures down here... Legislators and I am... I'm starting to get a little concerned about the... the erosion of individual rights and liberties. And I think that's one of the primary things in the zeal to try to do what's right. Sometimes I think we're starting to go overboard on taking away individual rights. Let me ask you this. On fingerprints, if you're proven to be innocent, can you have those fingerprints expunged?"

STATE OF ILLINOIS  
94th GENERAL ASSEMBLY  
HOUSE OF REPRESENTATIVES  
TRANSCRIPTION DEBATE

32nd Legislative Day

3/17/2005

Mendoza: "In certain cases you can and if those fingerprints are expungeable, then your DNA would also be expungeable under this Bill. We're treating it exactly the same way we would fingerprints."

Parke: "So... so, if I am found not guilty, of whatever I'm picked up on. You said some, I wanna know are all. If I am... if I've been picked up, I don't want any of my personal DNA to be on some record if I choose not to have it done. And so, I wanna know, is it all expunged? And if I'm innocent, I'm innocent. Why would you wanna keep my... my DNA if I have done nothing and broken any laws?"

Mendoza: "It's a good question. And my answer would be, because we're treating it exactly like we treat current law. And nothing is changing other than we're including this additional identification tool within what our current tools are. So, again, if we were treating it differently than a fingerprint, I think you'd have... ya know, people would have a stronger case to this, but the DNA itself, the analysis tells you nothing about who, let's say, Terry Parke is. I have a lot more information about who Terry Parke is and could do a lot more damage to you with your fingerprints than I could with a series of numbers that pertain to DNA. I could do a lot more damage to you with your Social Security number than I ever could with your series of DNA digits. They mean absolutely nothing to anyone other than the lab that's analyzing that and running them through the database. Once these... once the DNA is analyzed and entered into the DNA database, your name is

STATE OF ILLINOIS  
94th GENERAL ASSEMBLY  
HOUSE OF REPRESENTATIVES  
TRANSCRIPTION DEBATE

32nd Legislative Day

3/17/2005

taken out of it. Only your digits are in there, so until there is a hit, that's when we will find out who this DNA pertains to. Other than that, the numbers are useless to absolutely everyone."

Parke: "So, are you saying that... that the average person who is picked up can and there's no breaking of the law, they can have both their fingerprints and this DNA expunged?"

Mendoza: "Well, the average person who didn't break the law wouldn't be part of it. This is only pertaining..."

Parke: "Oh no, no, no. Excuse me."

Mendoza: "...only pertaining to felony offenses."

Parke: "People get arrested all the time..."

Mendoza: "Right. Okay."

Parke: "...for not doing... being at the wrong place at the wrong time."

Mendoza: "I just wanna clarify that it's for felony offenses, though. Right now, you get fingerprinted and mugged shot for any offense whether it's a misdemeanor or murder. This Bill specifically pertains to felony offenses. You're absolutely right. The person who gets picked up for a felony might be innocent of it. At which time, if they're eligible to expunge their record under current law, they would also be able to expunge that DNA."

Parke: "Okay."

Mendoza: "That's the only thing we're changing."

Parke: "Well, I mean, I... if they're guilty, I think it's gonna be very important to keep this on file and I want..."

Mendoza: "Right."

STATE OF ILLINOIS  
94th GENERAL ASSEMBLY  
HOUSE OF REPRESENTATIVES  
TRANSCRIPTION DEBATE

32nd Legislative Day

3/17/2005

Parke: "...that database to be there to protect the citizen... the law-abiding citizens from the bad guys. But I do wanna make sure that we are very cognizant of rights of the average citizen and not have government further intrusion in those individual rights. So..."

Mendoza: "I agree. Thank you for your concern."

Parke: "I... I think with your answer, I think I'd probably can support this. Thank you."

Mendoza: "Thank you."

Speaker Hannig: "Representative Gordon, 5 minutes."

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

Speaker Hannig: "To the Bill."

Gordon: "Ladies and Gentlemen, I rise in strong support of this legislation. Representative Mendoza introduced it last year, as she said, I was a cosponsor then, I am a cosponsor now. The most important thing that I think about this Bill stands out is that because of the people who have been exonerated in this state we found out in some of those cases that the DNA testing was done badly or done wrong. With this legislation, we have the technology and the people who sat on death row or who sat in prison for years and years and years, that will no longer happen because of this legislation. We now have the technology to assure that innocent people are not locked up. Second of all, the test results that we do get from this DNA database are going to be much more reliable because our database is going to expand enormously. That's something to definitely take into consideration when you are arguing to a jury

STATE OF ILLINOIS  
94th GENERAL ASSEMBLY  
HOUSE OF REPRESENTATIVES  
TRANSCRIPTION DEBATE

32nd Legislative Day

3/17/2005

about how reliable your test results are. A previous speaker talked about the erosion of individual rights. If anything, individual rights are going to be more protected because of this legislation. And I will tell you that when it comes to fingerprint you can send fingerprints to a lab four, five, six, seven times and they will continuously come back because your technician will tell you that they're not good enough, that they need a better print. That, also, will no longer happen with this legislation. Ladies and Gentlemen, we have the technology to be sure that innocent people are no longer locked up. I encourage your 'aye' vote. This is an excellent piece of legislation."

Speaker Hannig: "And our last speaker before we close will be Representative Molaro."

Molaro: "Thank you, Mr. Speaker. I'll be real quick. I never liked this Bill. However, the Sponsor, as we kept going further and further, I... I don't get the objections anymore. I think she's right. If you're arrested for a felony... she's not talkin' about misdemeanors. Remember, misdemeanors we can take your fingerprints. Now, you're arrested for a felony, you give your DNA up. If you're found not guilty, you expunge it just like anybody else. You get your DNA and your fingerprints back. Matter of fact, in this day and age, I'd rather have them DNA than my Social Security number. So, I don't think this is a bad idea. I think it's now a good idea. She's worked on it

STATE OF ILLINOIS  
94th GENERAL ASSEMBLY  
HOUSE OF REPRESENTATIVES  
TRANSCRIPTION DEBATE

32nd Legislative Day

3/17/2005

for 3 years. She can... she should be congratulated and did a nice job and I think it's a very good Bill. Thank you."

Speaker Hannig: "Representative Mendoza to close."

Mendoza: "I just wanna thank everyone for working with me on this Bill over the last 2 to 3 years. And would ask for your 'yes' vote once again. Thank you."

Speaker Hannig: "The question is, 'Shall this Bill pass?' All in favor vote 'aye'; opposed 'nay'. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Representative Bradley. Mr. Clerk, take the record. On this question, there are 105 voting 'yes', 1 voting 'no' and 7 voting 'present'. And this Bill, having received a Constitutional Majority, is hereby declared passed. On page 28 of the Calendar is House Bill 310. Mr. Clerk, would you read the Bill."

Clerk Mahoney: "House Bill 310, a Bill for an Act concerning revenue. Third Reading of this House Bill."

Speaker Hannig: "Representative Molaro. Representative Molaro, you wish us to... You're recognized on this Bill."

Molaro: "Thank you, Mr. Speaker. This Bill used to be called the Sammy Sosa Bill, but they might wanna look for a new name. I don't know, A. J. Pierzynski. I don't know what we're gonna call it now. And when Mautino had it, it was... Representative Mautino had the Jordan Bill. Basically, what this does is, there was a problem when our athletes, any pro athletes, go to 36 different states they pay a state income tax whenever they play in that state. We, in Illinois, do not tax the out-of-state player that comes in.

STATE OF ILLINOIS  
94th GENERAL ASSEMBLY  
HOUSE OF REPRESENTATIVES  
TRANSCRIPTION DEBATE

32nd Legislative Day

3/17/2005

What we do is we tax our players at a full rate and what we don't allow now is for them to take an offset against the taxes they pay in other states. So, what major leagues did is they all got together and 36 states what they do is they give an offset in the Illinois taxes, but now what this Bill does is we're gonna collect, if there's 12 days that a Yankee player plays here, we're now gonna send that to the major leagues and they're gonna deduct it from his salary. So, at the end of the day, they're gonna deduct all the players that come in here and play basketball, any pro athlete, our players get deducted if they're an Illinois resident and they get to deduct it from our income tax. But at the end of the day, the Department of Revenue did studies and all the states this will be a plus for the State of Illinois 'cause right now Sammy Sosa and a White Sox pitcher, I think his name was Scott Radinsky filed a lawsuit. Right now, we're not collecting their... their 3 percent income tax. So, we're losing money. This rectifies that. And it's a gain for the State of Illinois. And I'll answer any questions."

Speaker Hannig: "The Gentleman moves for passage of House Bill 310. Is there any discussion? This is on the Order of Short Debate. And in response, Representative Parke is recognized."

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

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

Parke: "Representative, it's my understanding that you're hoping to make some money. That this is a Bill you're

STATE OF ILLINOIS  
94th GENERAL ASSEMBLY  
HOUSE OF REPRESENTATIVES  
TRANSCRIPTION DEBATE

32nd Legislative Day

3/17/2005

carrying for the Department of Revenue because they see this as an income generator. Is that... is that what you see?"

Molaro: "Well, they... they... It took 'em a year and a half. They were neutral because they couldn't figure out whether it's... it was a plus for them or not. This is the Taxpayer Federation that brought this to bring fairness. Now, the Department of Revenue, we have the data in from these other 36 states, and now they see that it will be a revenue plus for the State of Illinois if this becomes law."

Parke: "What happens if all of a sudden reciprocal. I mean, we're starting to do some things here that we've never done before and now this is just another example of doing something that affects the surrounding states. What happens if they start doing reciprocal and sayin', all right, fine, we're gonna tax Illinois athletes. Do you... do you view that as a concern?"

Molaro: "They... they... Well, that's the problem, they do that now. All of... all, save for Illinois, all the other states that have major league professional sports, they already tax our players. We're the only state that doesn't tax their players and that doesn't make any sense."

Parke: "In that case, I have no problem with your Bill."

Speaker Hannig: "Is there any further discussion? This is on Short Debate. Representative Rose, do you have a short question? Represen..."

Rose: "Thank you. ...yield."

Speaker Hannig: "Yes. He'll yield."



STATE OF ILLINOIS  
94th GENERAL ASSEMBLY  
HOUSE OF REPRESENTATIVES  
TRANSCRIPTION DEBATE

32nd Legislative Day

3/17/2005

Rose: "Representative, our row has some confusion over here and it may be generated by our staff analysis. I just got yelled at by my row for outing them. My... the question is, what you're trying to do is tax the portion of their income that's earned within the State of Illinois, correct? And this would be in keeping with the whole line of jurisprudence that a state can tax the portion, but only that portion, that's earned within the... the jurisdiction. Okay. Thank you, Mr. Speaker."

Speaker Hannig: "The question is, 'Shall this Bill pass?' All in favor vote 'aye'; opposed 'nay'. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Mr. Clerk, take the record. On this question, there are 113 voting 'yes' and 0 voting 'no'. And this Bill, having received a Constitutional Majority, is hereby declared passed. On page 7 of the Calendar, under the Order of Second Reading, is House Bill 747. Mr. Clerk, would you read the Bill. Representative Wait, your Bill's up."

Clerk Mahoney: "House Bill 747, a Bill for an Act concerning minors. Second Reading of this House Bill. No Committee Amendments. Floor Amendment #1, offered by Representative Wait, has been approved for consideration."

Speaker Hannig: "The Gentleman from Boone, Representative Wait."

Wait: "Thank you, Ladies and Gentlemen of the House. Yeah. Amendment #1 just allows for a sting operations for minors in this Bill. Appreciate your support."

STATE OF ILLINOIS  
94th GENERAL ASSEMBLY  
HOUSE OF REPRESENTATIVES  
TRANSCRIPTION DEBATE

32nd Legislative Day

3/17/2005

Speaker Hannig: "The Gentleman moves for the adoption of Floor Amendment #1. 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: "Floor Amendment #2, offered by Representative Wait, has been approved for consideration."

Speaker Hannig: "Representative Wait."

Wait: "Thank you. Amendment #2 is just a technical Amendment to clear it up."

Speaker Hannig: "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. On page 28 of the Calendar, under the Order of House Bills-Third Reading, is House Bill 504. Mr. Clerk, read the Bill."

Clerk Mahoney: "House Bill 504, a Bill for an Act concerning revenue. Third Reading of this House Bill."

Speaker Hannig: "Representative Nekritz."

Nekritz: "Thank you, Mr. Speaker. House Bill 504 changes the statutory interest rate that is paid by taxing bodies when they are forced to pay property tax refunds. Currently, the statutory rate is a straight 5 percent. This would reduce it to the lesser of 5 percent or the Consumer Price Index. This is to provide some relief for many of the jurisdictions who are paying property tax refunds many, many years after the... the year in question. And I would ask for your support."

STATE OF ILLINOIS  
94th GENERAL ASSEMBLY  
HOUSE OF REPRESENTATIVES  
TRANSCRIPTION DEBATE

32nd Legislative Day

3/17/2005

Speaker Hannig: "The Lady moves for passage of House Bill 504. This is on the Order of Short Debate. In response, Representative Parke is recognized."

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

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

Parke: "Representative, is this the Bill that you came over and talked to me about yesterday?"

Nekritz: "Yes, Sir, it is."

Parke: "Okay. So, all this is, is simply saying that the... the money that's being held in question... well, not held. The money that is refunded to businesses will be providing a tax, I mean, an interest on that money though you... no fault to the school district. Does this only affect school districts?"

Nekritz: "No. It affects all units of local government."

Parke: "Okay. All units of government. The amount of interest earned on that money that has to be returned, because they were ruled that they were to get this back, will only be the CPI or 5 percent whatever's the lesser."

Nekritz: "Tha... that's correct."

Parke: "And this is something that... Do you have any idea what we're talking about in terms of dollars?"

Nekritz: "Representative, I think that would really depend so much on how much the asset... the over assessment was and how long the... the contest has been going on. In my district, for example, we had one that... where the award... the refund was given this year for cases that started in 1992."

STATE OF ILLINOIS  
94th GENERAL ASSEMBLY  
HOUSE OF REPRESENTATIVES  
TRANSCRIPTION DEBATE

32nd Legislative Day

3/17/2005

Parke: "Okay. Well, ya know, on the face of it I think this is probably a good idea because they're still gonna make interest on it and it'll be the... what the average is at the time of it because of the CPI. So, I... I think probably this is a good piece of legislation and I will support it."

Nekritz: "Thank you."

Speaker Hannig: "Okay. This is on the Order of Short Debate, but we could entertain a few additional questions if they could be short. Representative Fritchey."

Fritchey: "The hint well-taken, Speaker. Representative, just two questions. This would apply not just to business taxpayers, but to individual taxpayers as well. Correct?"

Nekritz: "If they were awarded a... a refund that... yes."

Fritchey: "And the second question would be: that the... the amount that must be repaid is the interest rate... the lesser of 5 percent or the CPI at the time of repayment or during the duration? If somebody... if somebody's excess payment has been held for a couple of years, they've obviously lost the ability to take that money and use it, invest it, do whatever they want, but the interest rate may have dropped over that time. So, if they are getting a lower interest rate at the time of repayment, they may not be getting the full lost value of their money."

Nekritz: "It would be... Representative, it would be the lesser of 5 percent or the Consumer Price Index during the calendar year preceding the levy year for which the refund was made."

Fritchey: "Okay. No further questions. Thank you."

STATE OF ILLINOIS  
94th GENERAL ASSEMBLY  
HOUSE OF REPRESENTATIVES  
TRANSCRIPTION DEBATE

32nd Legislative Day

3/17/2005

Nekritz: "Thank you."

Speaker Hannig: "Representative Franks."

Franks: "Thank you. Representative Nekritz, how much would the property tax owner who is overpaid and getting a refund get now for interest, if... if they were to get a refund?"

Nekritz: "They would... they would receive the entire amount of their refund based on the... on the over assessment and the interest rate would then be the lesser of 5 per..."

Franks: "No, no. I mean now. I mean right now."

Nekritz: "Oh. The interest rate is... is statutorily set at 5 percent. Which over the last..."

Franks: "So, what you're trying to do..."

Nekritz: "...which over the last 8 to 10 years has been quite a good investment."

Franks: "Okay. So, right now if they were to get a refund, they'd get 5 percent interest on it."

Nekritz: "Annually."

Franks: "And what you're trying to do is to limit it to no more than 5 percent and something less than?"

Nekritz: "Correct."

Franks: "My question is, if one is late with their taxes, what is the rate of penalty for the interest rate they're charged, if they are late with their taxes?"

Nekritz: "I... I don't know the answer to that question, Representative. This has nothing to do with the..."

Franks: "Well, I.. The reason I'm asking that question is I think there oughta be some compatibility here and I'll go to the Bill. What I'm worried about here is that we're

STATE OF ILLINOIS  
94th GENERAL ASSEMBLY  
HOUSE OF REPRESENTATIVES  
TRANSCRIPTION DEBATE

32nd Legislative Day

3/17/2005

always looking to taxpayers to give basically interest-free loans to the State of Illinois. And what I've... I've seen constituents who have been late with their taxes, they get penalized and then also get charged an interest rate, I believe, it's 9 percent. So, I believe, if the state is able to charge a 9 percent interest rate that they should also pay a 9 percent interest rate. So, I don't think it's patently unfair that you limit the amount that the state would pay while requiring citizens to pay more. I'd be much more comfortable with the Bill saying whatever the state... whatever you have to pay the state if you're late is what they would also pay you."

Nekritz: "Representative, if I could, just for a minute. If... if it were, in fact, these are the results of over assessments and if it were, in fact, the... the assessor's office or the state that were paying that money back that would be one thing, but it's actually the local taxing body who has no input into the assessment, has no role in any of this, who is being penalized by the fact that... that they may be paying, you know, an interest rate that... that they can't even get on their money. So, I understand where you're coming from, but ya know, there are also... the taxing bodies that are paying this money back are also innocent players in this."

Franks: "Well, the... There was a mistake made somewhere. Someone was over assessed. Correct?"

Nekritz: "But it was not the taxing body that's paying the money back that's made the mistake."

STATE OF ILLINOIS  
94th GENERAL ASSEMBLY  
HOUSE OF REPRESENTATIVES  
TRANSCRIPTION DEBATE

32nd Legislative Day

3/17/2005

Franks: "Oh, I know. But they're all on the same team. But my point is they shouldn't get a freebie because somebody else made a mistake and then you're asking the citizens to pay for their mistake. And because it's not just the interest they're losing, it's also the opportunity cost. And.. and I think it's... I think it's patently unfair unless we also change the penalty provisions, we shouldn't be limiting what they get. And I appreciate what you're trying to do. I just respectfully disagree with it. And I'll be voting 'no'."

Speaker Hannig: "Representative Sullivan."

Sullivan: "Yes. Will the Speaker... the Sponsor yield?"

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

Sullivan: "Yes. Representative Nekritz, if you had a case that started many years back, let's say 3 years back, and PTAB cases can go fairly lengthy."

Nekritz: "I... I..."

Sullivan: "Is this gonna be a year-to-year CPI increase that they'll receive or... or how will that work?"

Nekritz: "No. I believe it will be the... the lesser of 5 percent or the CPI for the year preceding the levy year for which the refund was made. So, in my case, we had... I had a refund that was from 1992 that was paid in 2004. I believe it would be the CPI for the year prior for the... the year prior to that 1992."

Sullivan: "But would they receive the benefit of the increased... the CPI for the years 2002, 2003, 2004, 2005 or just the 2003 and 2004?"

STATE OF ILLINOIS  
94th GENERAL ASSEMBLY  
HOUSE OF REPRESENTATIVES  
TRANSCRIPTION DEBATE

32nd Legislative Day

3/17/2005

Nekritz: "I would be... it would just... just be the one. I...  
Yes."

Sullivan: "Okay. So, in essence, you're gonna take someone who  
was over assessed and they have the responsibility to pay  
the taxes in '92 and you're not gonna give them the benefit  
of the CPI in '92, '93, '94 and '95?"

Nekritz: "Well, they may also suffer a detriment from that as  
well if the CPI goes down, which is what's been happening.  
So, this... so... so, they will... they'll... they'll... Well, it's...  
it's..."

Sullivan: "Well... But I guess..."

Nekritz: "...somewhat arbitrary, Representative, in the same way  
that the 5 percent is somewhat arbitrary."

Sullivan: "There's no doubt about that the 5 percent might be  
arbitrary and the CPI might be arbitrary, but in your  
legislation, you're saying that you're gonna tie up a  
business owner or a homeowner's money because they have to  
pay the taxes or pay the penalty, but yet for so... in  
certain instances, there's gonna be some years where you're  
not gonna give them the benefit of the CPI. They're just...  
they're not gonna get it. Is that... is that correct in this  
legislation?"

Nekritz: "I believe that's the way the statute is currently  
written, as well."

Sullivan: "Okay. What... Why are you picking CPI, just because  
everything else is tied with CPI?"

Nekritz: "Well, in large measure it was because the tax cap is  
tied... is tied to the CPI."



STATE OF ILLINOIS  
94th GENERAL ASSEMBLY  
HOUSE OF REPRESENTATIVES  
TRANSCRIPTION DEBATE

32nd Legislative Day

3/17/2005

Sullivan: "Okay."

Nekritz: "And that's what these local... these local jurisdictions that are having to pay the money back through no fault of theirs are tied to that number, as well."

Sullivan: "Okay. Now, there's certain ideas out there to change from CPI to EGI or I'm sorry, ECI. Would your legislation automatically change to the next one or would it stay at CPI if..."

Nekritz: "No. But if... but if we ever did that, I'd be happy to consider that."

Sullivan: "Okay. Well... well, thank you for your questions. Mr. Speaker, to the Bill."

Speaker Hannig: "To the Bill."

Sullivan: "We... we are, in essence, asking homeowners and business people to pay these taxes upfront when a refund is due because an error was made. I'm... I'm an assessor. And... and we cannot always get everything a hundred percent correct. We try to. And... and I think most people do a very good job, but errors do happen and that's why we have the judicial process that we have. I think this... this legislation, while I understand the intent, really goes to the heart of hurting people when you're taking their money, putting it to the government's use and... and then not payin' 'em their fair share. So, I... I really think it's... it's misplaced and please vote 'a...'... vote 'no'."

Speaker Hannig: "Last speaker will be Representative Rose and then we'll go to a Roll Call. Representative Rose."

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

STATE OF ILLINOIS  
94th GENERAL ASSEMBLY  
HOUSE OF REPRESENTATIVES  
TRANSCRIPTION DEBATE

32nd Legislative Day

3/17/2005

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

Rose: "If I understand this correctly, it's limited the lesser of 5 percent or CPI, correct?"

Nekritz: "Correct."

Rose: "So, what happens if we go back to the inflationary periods of the late '70s early '80s and suddenly inflation's going up to 12 or 13 percent a year and they're limited to 5 percent?"

Nekritz: "We're no worse off than we are now. Like the tax... the taxpayer is no worse off."

Rose: "Well, but no. But this is limited to the lesser of 5 percent or the rate of inflation, so..."

Nekritz: "And the statutory rate right now is 5 percent, so the taxpayer could not take advantage of that currently."

Rose: "Okay. Very good. Thank you for..."

Speaker Hannig: "Okay. Rep... Representative Nekritz to close."

Nekritz: "Thank you, Mr. Speaker. What's happening in many instances is that the taxing body that is having to refund this money is having to pay it out of current year's taxes for a prior year's assessment through no fault of their own. And they are... they're being required to pay an interest rate that doesn't reflect what's been happening in the economy. This would just do a little... would do a little bit better job of that and provide some relief to many of our local taxing bodies who are... are suffering from... from a heavy burden under these tax refunds. And I would ask for your support."

STATE OF ILLINOIS  
94th GENERAL ASSEMBLY  
HOUSE OF REPRESENTATIVES  
TRANSCRIPTION DEBATE

32nd Legislative Day

3/17/2005

Speaker Hannig: "So, the question is, 'Shall House Bill 504 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 63 voting 'yes', 48 voting 'no' and 1 voting 'present'. And this Bill, having received a Constitutional Majority, is hereby declared passed. On page 7 of the Calendar, under the Order of Second Reading, is House Bill 793. Mr. Clerk, would you read that Bill."

Clerk Mahoney: "House Bill 793, a Bill for an Act concerning criminal law. Second Reading of this House Bill. No Committee Amendments. No Floor Amendments have been approved for consideration. No Motions filed."

Speaker Hannig: "It's my understanding you wish to hold this on Second. Is that correct? Okay."

Osterman: "Yes."

Speaker Hannig: "Let's hold this on the Order of Second Reading. On page 28 of the Calendar, under the Order of House Bills-Third Reading, is House Bill 279. Mr. Clerk, would you read the Bill."

Clerk Mahoney: "House Bill 279, a Bill for an Act concerning revenue. Third Reading of this House Bill."

Speaker Hannig: "Representative Winters."

Winters: "Thank you, Mr. Speaker, Ladies and Gentlemen of the House. House Bill 279 tries to bring some uniformity to our state taxing authority. It deals with property or excuse me, park districts, aquarium-museum tax. Currently,

STATE OF ILLINOIS  
94th GENERAL ASSEMBLY  
HOUSE OF REPRESENTATIVES  
TRANSCRIPTION DEBATE

32nd Legislative Day

3/17/2005

Chicago has a 15 cent limit on their tax rate; the rest of the state is at 8 cent. We're trying to make them uniform. Would have to be done by a front door referendum. I'd be happy to answer any questions."

Speaker Hannig: "The Gentleman's moved for passage of House Bill 279. 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 62 voting 'yes' and 50 voting 'no'. And this Bill, having received a Constitutional Majority, is hereby declared passed. On page 31 of the Calendar, under the Order of House Bills- Third Reading... Excuse me. Representative Jenisch, for what reason do you rise?"

Jenisch: "Mr. Speaker, on 279 I should have voted 'no'. I'm sorry."

Speaker Hannig: "Okay."

Jenisch: "If you can reflect that."

Speaker Hannig: "The... the record will reflect your desire. Representative Cultra."

Cultra: "I also wanted to be a 'no' on that."

Speaker Hannig: "Okay. And the record will so reflect. House Bill 1345 on page 31 of the Calendar. Mr. Clerk, would you read the Bill."

Clerk Mahoney: "House Bill 1345, a Bill for an Act in relation to health. Third Reading of this House Bill."

Speaker Hannig: "Representative Miller."

STATE OF ILLINOIS  
94th GENERAL ASSEMBLY  
HOUSE OF REPRESENTATIVES  
TRANSCRIPTION DEBATE

32nd Legislative Day

3/17/2005

Miller: "Thank you, Mr. Speaker, Ladies and Gentlemen of the House. House Bill 1345 requires that when appropriations for state op... state-operated facilities for the developmentally disabled or mentally ill due to closure of the facility, reduction of number of units or available beds or staff reduction, the savings realized must be directed towards that same community. This is a response to a issue in regards to Tinley Park. This Bill passed last year with 114 votes. I ask for a favorable vote."

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

Feigenholtz: "Thank you, Mr. Speaker. I would like to clarify the record. I meant to vote 'no' on House Bill 504."

Speaker Hannig: "Okay. Is there any further discussion on House Bill 1345? 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... Representative Wait. Mr. Clerk, take the record. On this question, there are 113 voting 'yes' and 0 voting 'no' and 0 voting 'present'. And this Bill, having received a Constitutional Majority, is hereby declared passed. On page 31 of the Calendar, under the Order of House Bills-Third Reading, is House Bill 1406. Representative Patterson. Mr. Clerk, read the Bill."

Clerk Mahoney: "House Bill 1406, a Bill for an Act concerning public aid. Third Reading of this House Bill."

Speaker Hannig: "Representative Patterson."

STATE OF ILLINOIS  
94th GENERAL ASSEMBLY  
HOUSE OF REPRESENTATIVES  
TRANSCRIPTION DEBATE

32nd Legislative Day

3/17/2005

Patterson: "Mr. Speaker, I present for consideration House Bill 1406. The Temporary Assistance for Needy Families, TANF, programs provide temporary financial assistance for pregnant women and families with one or more dependent children. TANF recipients are individuals who are below the poverty line. TANF provides financial assistance to help pay for food, shelter and utilities. The rules for the TANF program will lapse on July 1, 2006 and Illinois will have no legal authority to run a TANF program. This will not only place DHS in an awkward legal situation and also it would jeopardize federal TANF dollars to the tune of approximately \$200 million. Ultimately, the poorest of the poor who are served by TANF funds would be at great risk. Therefore, I ask for 'aye' vote for House Bill 1406. Thank you, Mr. Chairman."

Speaker Hannig: "The Gentleman has moved for the passage of House Bill 1406. Is there any discussion? Then the question is, 'Shall this Bill pass?' All in favor vote 'aye'; opposed 'nay'. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Representative Boland, would you like to be recorded? Mr. Clerk, take the record. On this question, there are 113 voting 'yes' and 0 voting 'no'. And this Bill, having received a Constitutional Majority, is hereby declared passed. On page 30 of the Calendar is House Bill 1074. Mr. Clerk, would you read the Bill."

Clerk Mahoney: "House Bill 1074, a Bill for an Act concerning natural resources. Third Reading of this House Bill."

STATE OF ILLINOIS  
94th GENERAL ASSEMBLY  
HOUSE OF REPRESENTATIVES  
TRANSCRIPTION DEBATE

32nd Legislative Day

3/17/2005

Speaker Hannig: "Representative Reitz."

Reitz: "Thank you, Mr. Speaker. House Bill 1074 is an initiative of the Department of Natural Resources. It has three components. What it... The first part is, it defines 'residency' in relationship to deer hunting permits. The second, it raises the fee for out-of-state deer hunters from currently, \$200 to 395 and from \$225 for a combination permit to 420. And it allows the department to collect a reasonable fee for processing these fees. And I'd be happy to answer any questions."

Speaker Hannig: "The Gentleman has moved for passage of House Bill 1074. And on that question, Representative Parke is recognized."

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

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

Parke: "Now, Representative, is this where we're going to charge out-of-state hunters more money?"

Reitz: "Correct."

Parke: "Ya know, I had some Illinois farmers in over there on the last couple days and they expressed some serious concerns about this legislation. And in terms of... that they have too many deer in Illinois right now and that they are eating crops and that they are creating nuisances on our roads, that... about 30 thousand car accidents have been had. There are people who have died in these car accidents and they don't think that this is a good idea to discourage out-of-state hunters to come to Illinois and hunt these deer when they're overpopulated and doing serious and

STATE OF ILLINOIS  
94th GENERAL ASSEMBLY  
HOUSE OF REPRESENTATIVES  
TRANSCRIPTION DEBATE

32nd Legislative Day

3/17/2005

financial damage to Illinois crops. What do you say to that argument?"

Reitz: "Well... I'm... I don't believe that they're... the real argument is the cost... the cost of the fees. In committee, the Farm Bureau expressed opposition to this, but it is... is mostly based on the caps. Currently, there are 15 thousand deer permits that the Department of Natural Resources administers yearly and they cap it at 15 thousand. The... the people that have... have peop... deer hunters from other states come in, I don't know that the fee is going to be prohibitive. Illinois is known and has been known and will be known as a trophy buck state and I think we'll keep it that way. I don't think the fee will... will be a problem. The... the reasoning for the department wanting a fee increase is they're going to implement a point of sale to bring Illinois into the 21st century and the cost of this is about \$1.6 million. This fee on nonresident hunters is going to pay for that instead of having to charge, I believe, the department said in committee 1.09 per fishing or hunting license that they would have to impose to implement this system. So, I think the... the concern that most of the people that are... that have been to your office and by my office is more on the cap issue and we're trying to work on that. We're trying... we have negotiations... I met with the Farm Bureau this morning. We have legislation coming over from the Senate and I'm meeting with the director over the break to try and see if we can get accommodations for... to raise that number above 15 thousand.



STATE OF ILLINOIS  
94th GENERAL ASSEMBLY  
HOUSE OF REPRESENTATIVES  
TRANSCRIPTION DEBATE

32nd Legislative Day

3/17/2005

At this time, they don't really want to take the cap off completely. But that's really what the genesis of the argument is on this Bill. This Bill is not related to the cap issue at all. And the other... In these negotiations, the other component of that is the Bill that Representative Rose has; I understand Representative Cultra has now. It's to also allow resident... residents... land... resident landowners to get additional permits, up to four additional permits, as long as it's direct lineage and that should also help the... the problem that they have with the amount of deer that we let people come in and shoot."

Parke: "To the Bill. Ladies and Gentlemen, the Illinois Farm Bureau has risen in opposition to the Gentleman's legislation. He says if... it's only gonna raise a little bit, but quite frankly, our note show it goes from 200 to 395. It's almost a hundred percent increase and it also, for the two harvest tags increases from 225 to 420. That's almost a hundred percent increase. I'm going to oppose this legislation and ask the Body to also oppose it. If this is a good idea, it needs a lot more work than what is being presented now. So, I'm going to vote 'no'."

Speaker Hannig: "This is on the Order of Standard Debate. So, on this question, Representative Tenhouse is recognized."

Tenhouse: "Thank you, Mr. Speaker, Ladies and Gentlemen of the House. I rise in opposition to House Bill 1074. I certainly appreciate the Sponsor and what he's trying to accomplish here, but I think the real issue is whether or not, when we talk about negotiating the issue of the caps,

STATE OF ILLINOIS  
94th GENERAL ASSEMBLY  
HOUSE OF REPRESENTATIVES  
TRANSCRIPTION DEBATE

32nd Legislative Day

3/17/2005

we're really not negotiating when you're talking about forcing this issue through the General Assembly by taking this action here today. Frankly, I'd feel much more comfortable if this Bill was being passed out in a much simpler form, but in effect, we're passing something over to the Senate that could, in effect, be final action. And we're... this is not negotiation, this is simply taking an action without really an opportunity to address the real underlying question and that is the issue of the caps. Certainly, this is a tremendous revenue producer for the State of Illinois. It certainly has a potential to be even more so as far as out-of-state hunters. But certainly, this should be done in conjunction with the idea of the caps certainly not done unilaterally and I, as a result, stand in opposition to this Bill."

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

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

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

Mulligan: "Representative, do other states such as Wisconsin charge a higher nonresident's fee for people deer hunting there?"

Reitz: "Yes. All states... As far as I'm aware of, almost all states charge a higher... a higher fee for nonresidents than they do for residents."

Mulligan: "So, are we the only ones that don't do that?"

Reitz: "No, we do that. We're just... we're changing the fee now."

Mulligan: "You're just making it higher..."

STATE OF ILLINOIS  
94th GENERAL ASSEMBLY  
HOUSE OF REPRESENTATIVES  
TRANSCRIPTION DEBATE

32nd Legislative Day

3/17/2005

Reitz: "We're making it higher and the... and the reasoning behind making the... the fee higher is to take care of the cost to update the system for the Department of Natural Resources. We're allowing people to come in and use our... our resources. In this... in this case is... is deer that... that are on our lands. And we're allowing them to do that and I don't believe we'll have any problem whatsoever with this cost. I don't think it will inhibit any other people that... that wanna come in. Their concern, more than anything else, is not how much we charge 'cause most of these people that come in, at least my... my experience with that, they don't really care how much it is. They're the people that go to Montana and pay 3 or 4 thousand dollars to shoot elk. They're going to come in and do this 'cause... so I don't think that's going to hhibit... inhibit it. Their concern is with the cap, but this Bill doesn't deal with the caps. It's, ya know, it's not related whatsoever."

Mulligan: "So, currently, are all licenses sold and there is a request for more permits than are actually available?"

Reitz: "Yes. Last year there was about 20 thousand permits and we allowed 15."

Mulligan: "Do you hold a lottery?"

Reitz: "Yes. Well, that's what they're..."

Mulligan: "Or is it..."

Reitz: "...that's what they're going to do here, is that with the new system, add a lottery. Unfortunately, the last time we had a few problems last time. They had a vendor that basically did it that... that took care of all the permit

STATE OF ILLINOIS  
94th GENERAL ASSEMBLY  
HOUSE OF REPRESENTATIVES  
TRANSCRIPTION DEBATE

32nd Legislative Day

3/17/2005

process. That's why the third component of this Bill allows the department to collect the fee so that they can do that themselves and they are going to hold the lottery. And they're also doing... trying to accommodate, I think, some of the people who were mentioned earlier, trying to accommodate them, some of the outfitters in here to make sure that they have an opportunity to get some additional permits."

Mulligan: "So, I'm presuming that aside from the normal, I can't read the fee because it'll be in a mail piece opposition, the people that are opposing this are people that normally would make some money on people coming in to hunt and they're worried about people not coming because you're raising the fees higher or what is the basis of..."

Reitz: "No. I... I..."

Mulligan: "...the opposition?"

Reitz: "The opposition is not... the... the underlying reason for the opposition is not the fee. It's about... they would like more access... they would like more permits to be available. So, it's an unrelated issue for my part and we're not addressing the... the 15 thousand deer cap, deer permit cap. That's... but that's where the early opposition comes from. They would like the cap removed. We're working on that issue. The bottom line on this one is, if we don't do this and the department has already started and already ordered everything and in the process of setting this... this new process up and if we don't have a way to fund it, this is the department's way of funding it with nonresident fees

STATE OF ILLINOIS  
94th GENERAL ASSEMBLY  
HOUSE OF REPRESENTATIVES  
TRANSCRIPTION DEBATE

32nd Legislative Day

3/17/2005

that they don't think will diminish in any way, if we don't do this, every resident and nonresident is gonna pay a dollar nine cents every time they wanna deer or a fishing permit."

Mulligan: "Does the number of permits each year go through JCAR or some place like that in order for it because it fluctuates..."

Reitz: "Yes."

Mulligan: "...depending on the number of deer that year or what they feel will be appropriate numbers that we should be able to do?"

Reitz: "Yes, it does."

Mulligan: "And in order for you to raise the fees does it, after we pass this, does that also have to go through JCAR or is it just straight legislation that raises the fee?"

Reitz: "No. I think this legislation it will probably will not... I don't... I don't know if there'll be any rulemaking on this, but the... the cap you were talking about, the 15 thousand, that is currently in JCAR and we're trying to get the department to agree to raise that. Their argument has been wildlife management to make sure that we do have, as was mentioned earlier, a lot of deer in the State of Illinois, but... but DNR feels it's their responsibility to make sure that we control the herd and... and have that available for future generations."

Mulligan: "So, if the fee... if DNR raises the fees, does fee money only go back into this program or can it go into the general budget of DNR whose budget has been cut and who is

STATE OF ILLINOIS  
94th GENERAL ASSEMBLY  
HOUSE OF REPRESENTATIVES  
TRANSCRIPTION DEBATE

32nd Legislative Day

3/17/2005

closing different things or does it just go to this program?"

Reitz: "It's my understanding, this... these... these fees will be used to run that... to run the program which is about \$1.6 million per year and anything above that will... will go back into the... the permit program to update the permits for all, not just deer hunting but for fishing and all the other permits."

Mulligan: "All right. So, from what you've said to me, the objection of most of the opponents is that..."

Speaker Hannig: "Representative Mulligan, your time has expired. Could you bring your remarks to a close, please."

Mulligan: "All right. That they'll be more permits, but the permits actually don't come through the House Floor, they go through JCAR each year as DNR determines what they should be. And that isn't there a way that if you determine that it goes down because the fees are raised, that this shouldn't be a problem and it certainly doesn't raise fees for Illinois hunters, it only raises fees for out-of-state hunters?"

Reitz: "We... Yeah, we really haven't had the... That's... that's exactly right. Your analogy is right. It's... we're trying to tie an unrelated item into this. This is about raising the fee to pay for a new system for DNR and allowing them to implement that and actually reduce fees on our residents and everyone that wants to get a permit in the State of Illinois, but the... the opposition is unrelated to this Bill."

STATE OF ILLINOIS  
94th GENERAL ASSEMBLY  
HOUSE OF REPRESENTATIVES  
TRANSCRIPTION DEBATE

32nd Legislative Day

3/17/2005

Mulligan: "All right. Thank you."

Reitz: "It's just the vehicle."

Speaker Hannig: "Okay. We now have had Representatives Parke, Tenhouse and Mulligan speak against the Bill. Do we have anyone who wishes to speak in favor? Representative Phelps, 5 minutes."

Phelps: "Thank you, Mr. Speaker and Ladies and Gentlemen of the House. I rise in strong support of this Bill. There should not be any opposition to this Bill. This is a Bill that's bringin' in more revenue to our state when everybody complains 'cause we've... the DNR cuts. This is gonna bring in more revenue to DNR. Also, this fee increase everybody's talkin' about, it's for out-of-state hunters. It... people that this fee is on can't even vote in Illinois and everybody should vote for this. And I recommend 'do pass'."

Speaker Hannig: "Okay. Un... under the rules of Standard Debate, we can have three speak in favor and three speak in opposition. We've had three speak in opposition. We've had one speak in favor. So, does anyone else wish to stand in favor? Representative Beaubien, would you like to rise in support?"

Beaubien: "Yes."

Speaker Hannig: "Okay."

Beaubien: "Thank you very much. Will the Sponsor yield?"

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

Beaubien: "Yes. I'll just go right to the Bill. For the Members of the General Assembly, Illinois has become one of

STATE OF ILLINOIS  
94th GENERAL ASSEMBLY  
HOUSE OF REPRESENTATIVES  
TRANSCRIPTION DEBATE

32nd Legislative Day

3/17/2005

the premier deer hunting states in the country. They come from all over the country to hunt here in Illinois for our... for the quality of the deer that we have here. This is a tax on out-of-state residents. It's, from my experience, pretty much consistent with out-of-state charges. I've hunted in other states. They have the same two-tiered system. This is not a tax on the people of the State of Illinois. It's gonna be a tremendous revenue gener... generator for the... for the natural resources. And I strongly urge the support of this Bill."

Speaker Hannig: "So, we now have had two speak in support and three in opposition. Does anyone else wish to speak in support? Representative Reis, would you like to speak in support of this Bill?"

Reis: "I just have a question. I just have a question."

Speaker Hannig: "You just have one question? We'll proceed then, Representative. Repre..."

Reis: "Thank you, Mr. Speaker. Representative, one of the top three initiatives of the Farm Bureau is to place ca... undo the caps on this. And I thought, that when this Bill came out of committee, we... it went forward with the assumption that that was gonna work... be worked into this. Is..."

Reitz: "No. No, that... that and I... I... I thought it was pretty clear in committee that that it's not related. The cap issue, the 15 thousand deer permit cap, is not related to this issue. I'm trying to help them and assist them on that one. They have a separate Bill that passed out of committee on that 11... 1161, but... but it was not related to



STATE OF ILLINOIS  
94th GENERAL ASSEMBLY  
HOUSE OF REPRESENTATIVES  
TRANSCRIPTION DEBATE

32nd Legislative Day

3/17/2005

that and we don't want to. I mean, there is no direct relation to the caps on... on this Bill. This is... this is simply an initiative to try and fund the point of sale service and system that the DNR is putting in and it's a way to make sure that... that we can protect and have people, as Representative Beaubien said, bring us kind of on par with some of the other states to make sure that when they're coming in to harvest our resource of the deer in this state that they're paying a reasonable fee and... and allow us to service them better when they call in and enter the lottery."

Reis: "Is... is that other Bill still alive? Can we do something about the caps on..."

Reitz: "It... it's... it's still alive and the department is opposed to taking off the cap completely. As I said, I met with the Farm Bureau this morning and we are trying to... and we'll meet with the director over the break and we're trying to come up with some kind of reasonable number in the out years that would allow the director to raise that number. But I think a combination, if we raise that, if we're able to pass the landowner permit that we... that we also passed out of committee, that in conjunction with that and raising the fee, I don't know that we'll have a problem with that... with the cap that's currently there. And I think if... that we should give the department the time to see if we have a problem and it's my... my intentions to try and further that to raise... to get an agreement to raise that cap and then see where we're at next year and if we

STATE OF ILLINOIS  
94th GENERAL ASSEMBLY  
HOUSE OF REPRESENTATIVES  
TRANSCRIPTION DEBATE

32nd Legislative Day

3/17/2005

still have a lot more people that want to do that, I'm all for bringin' 'em in. I mean, personally, I'm all for raising the cap. We're just trying to work within the parameters of the wishes of the Department of Natural Resources who feel it's their obligation to protect the herd, the deer herd, for future generations in... in Illinois. So, we're trying to work within the parameters of their constrictions. For my part, we raise the fee, we take off the caps, Lord knows, we need the money. So, I'm all... I'm all for getting all we can."

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

Speaker Hannig: "Okay. Representative Reitz to close."

Reitz: "Thank you. I appreciate the debate. I appreciate the support on this. As I said, the opposition is not related to this Bill. The... the opposition is on the cap. That's not a part of this... this. This Bill is simply a way to... to raise the revenue to implement the point of sale to bring the Department of Natural Resources permit department into the 21st century to make sure that we don't pass fees on to the residents in the State of Illinois and anyone else that wants a permit in Illinois. But I think it's a good piece of legislation. As I said, we're going to work on the collateral issue, that's not related to this Bill, as we move forward. But I'd appreciate an 'aye' vote."

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

STATE OF ILLINOIS  
94th GENERAL ASSEMBLY  
HOUSE OF REPRESENTATIVES  
TRANSCRIPTION DEBATE

32nd Legislative Day

3/17/2005

take the record. Representative Reitz, would you like this on Postponed Consideration?"

Reitz: "Yes, Sir."

Speaker Hannig: "Okay. We'll put this on the Order of Postponed Consideration. On page 28 of the Calendar is House Bill 324. Mr. Clerk, would you read the Bill."

Clerk Mahoney: "House Bill 324, a Bill for an Act concerning employment. Third Reading of this House Bill."

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

Rita: "Thank you, Mr. Speaker and Ladies and Gentlemen of the House. House Bill 324 would allow local government and employees of the private sector, who have 50 or more employees, an hour off work to donate blood with the employer's authorization. There was some confusion on the... on the analysis here. It doesn't show that it was amended. And this was amended to... to work with the Illinois Retail Merchants to take 'em off opposition. There's no known opposition of this since we amended it. I'll be happy to answer any questions."

Speaker Hannig: "Okay. The Gentleman has moved for passage of House Bill 324. 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... Representative Younge, would you like to be recorded? Mr. Clerk, take the record. On this question, there are 113 voting 'yes', 0 voting 'no' and 0 voting 'present'. And this Bill, having received a

STATE OF ILLINOIS  
94th GENERAL ASSEMBLY  
HOUSE OF REPRESENTATIVES  
TRANSCRIPTION DEBATE

32nd Legislative Day

3/17/2005

Constitutional Majority, is hereby declared passed. On page 33 of the Calendar is House Bill 3622. Mr. Clerk, read the Bill."

Clerk Mahoney: "House Bill 3622, a Bill for an Act to repeal the Personnel Relations(sic-Radiation) Monitoring Act. Third Reading of this House Bill."

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

Ryg: "Thank you, Mr. Speaker. House Bill 3622 would serve to repeal the Personnel Radiation Monitoring Act which became effective back in 1963. The Act is now obsolete and redundant. And the provisions of the Act have been included in the Radiation Protection Act of 1990 and the Radiation Protection Regulations of the Illinois Administrative Code."

Speaker Hannig: "The Lady has moved for passage of House Bill 3622. 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... Representative Davis, do you wish to be recorded? Mr. Clerk, take the record. On this question, there are 113 voting 'yes' and 0 voting 'no'. And this Bill, having received a Constitutional Majority, is hereby declared passed. On page 3 of the Calendar, under the Order of Second Reading, is House Bill 255. Could you read that Bill, Mr. Clerk."

Clerk Mahoney: "House Bill 255, a Bill for an Act concerning health. Second Reading of this House Bill. Amendment #1

STATE OF ILLINOIS  
94th GENERAL ASSEMBLY  
HOUSE OF REPRESENTATIVES  
TRANSCRIPTION DEBATE

32nd Legislative Day

3/17/2005

was adopted in committee. Floor Amendment #2, offered by Representative Flowers, has been approved for consideration."

Speaker Hannig: "Representative Flowers."

Flowers: "Mr. Speaker, I would like to withdraw Amendment #2, please."

Speaker Hannig: "Okay. Amendment #2 is withdrawn. Are there any further Amendments?"

Clerk Mahoney: "No further Amendments. All Motions have been filed."

Speaker Hannig: "Do you wish to move that to Third, Representative Flowers?"

Flowers: "Yes."

Speaker Hannig: "Okay. Third Reading. On page 31 of the Calendar, under the Order of Third Reading, is House Bill 2341. Mr. Clerk, would you read the Bill."

Clerk Mahoney: "House Bill 2341, a Bill for an Act concerning civil law. Third Reading of this House Bill."

Speaker Hannig: "Representative Scully."

Scully: "Thank you, Mr. Speaker. Ladies and Gentlemen of the House, I'd like to present to ya House Bill 2341 which is an Amendment to the Illinois Power of Attorney Act to specifically give the Department of Human Services the authority to do investigations into whether or not there was any financial exploitation of an adult. This.. this Bill was approved unanimously by the Civil Judiciary Committee. I'd be happy to answer any questions."

STATE OF ILLINOIS  
94th GENERAL ASSEMBLY  
HOUSE OF REPRESENTATIVES  
TRANSCRIPTION DEBATE

32nd Legislative Day

3/17/2005

Speaker Hannig: "The Gentleman has moved for passage of House Bill 2341. 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 112 voting 'yes', 0 voting 'no' and 1 voting 'present'. And this Bill, having received a Constitutional Majority, is hereby declared passed. On page 32 of the Calendar is House Bill 2693. Mr. Clerk, read the Bill."

Clerk Mahoney: "House Bill 2693, a Bill for an Act concerning education. Third Reading of this House Bill."

Speaker Hannig: "Representative Smith."

Smith: "Thank you, Mr. Speaker. Ladies and Gentlemen, this is an initiative of the Terrorism Task Force and the Governor's Office, the State Fire Marshal's Office and the State Board of Education. This Bill would create the School Safety Drill Act and would combine, in one section of the School Code, all the requirements for our public and private schools in conducting school safety drills. Currently, there are seven different statutes and related regulations that define how schools should do safety drills. They're often unclear and often conflicting. We found that some schools have excellent drill policies in place and others are quite lacking. This would, for the first time, clearly define the types of drills that schools should conduct and the situations those drills should account for. It would include evacuation drills, law

STATE OF ILLINOIS  
94th GENERAL ASSEMBLY  
HOUSE OF REPRESENTATIVES  
TRANSCRIPTION DEBATE

32nd Legislative Day

3/17/2005

enforcement drills, severe weather and shelter-in-place drills. This would require a minimum of three fire drills with one of those requiring the participation of the local fire department. Would require a minimum of one bus evacuation drill, a minimum of one tornado drill and one, strongly encouraged but not mandatory, law enforcement drill. So, that's a total defined of five drills which is anywhere from one to eight less drills than previously required. This will also require that once a year school officials and first responders meet to review emergency response and drill plans. Sounds like common sense, but too many times that does not take place. So, school officials will have to invite local first responders to take part in the annual review. At the end of the review, the school district will send a... a simple document to the state, to both the State Board of Education and the State Fire Marshal O... Office, that summarizes the review and goals for the coming year. Rules for this Act will be promulgated by the State Board of Education and the State Fire Marshal's Office. This is, I think, a very positive step forward in... in insuring the safety, the preparedness of our young children in the State of Illinois. We've all become much more aware of the need to be prepared as we've entered the whole realm of homeland security after 9/11 and certainly our public schools and our private schools need to be a part of that equation. I'd be happy to answer any questions."

STATE OF ILLINOIS  
94th GENERAL ASSEMBLY  
HOUSE OF REPRESENTATIVES  
TRANSCRIPTION DEBATE

32nd Legislative Day

3/17/2005

Speaker Hannig: "The Gentleman has moved for passage of House Bill 2693. This is on the Order of Short Debate. And in response, Representative Parke is recognized."

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

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

Parke: "I agree. This seems like common sense, but I... I can remember talking to a teacher, oh, about a year and a half ago and I asked her, what's the... what's the biggest problem she was faced with. And she said, having time to actually teach children in the classroom. I would hope that you would make sure that... that these are done in a reasonable manner, that we do not overburden the schools with this. Do you see this as an unfunded mandate on schools 'cause there'll be personnel costs? Do you see any money being allocated to fund this for local schools, Representative?"

Smith: "Representative Parke, I don't really see this as an unfunded mandate. Sure, it's a mandate, but we're... what we're really doing is consolidating and clearing up language that's already there, putting all the safety drills, all the fire drills in one particular statute in the School Code."

Parke: "Well, why is SCOPE, LEND, and the School Management Alliance in opposition to your legislation?"

Smith: "I think for the reason you stated, because they're... they're just philosophically opposed to any new mandate. The Terrorism Task Force, the fire... the State Fire Marshal's Office has worked very closely with the school management groups, incorporated many of their suggestions



STATE OF ILLINOIS  
94th GENERAL ASSEMBLY  
HOUSE OF REPRESENTATIVES  
TRANSCRIPTION DEBATE

32nd Legislative Day

3/17/2005

into this language and I think you'll find that... that they're quite pleased with the language as it exists. But philosophically they're opposed to anything that is a mandate on the school districts. But I would say that, ya know, requiring a... perhaps one additional fire drill and requiring a meeting with the local first responders is not a huge financial burden on our school districts and is something they oughta be doing anyway."

Parke: "Well, Representative, I understand and appreciate that, but ya know, in the bigger picture, we keep telling schools more and more how to run the schools and... and micromanage them. And you may see this as a minimal intrusion into the workday of a... of a school, but you do this and then you have some other good idea and another one and another one, I'm starting to get concerned about how much time do the children really have in the classroom. And this is worthwhile, I don't have a problem with the underlying Bill. I'm just telling the Body that we need to be careful on how much we are putting in the classroom or taking out of the cla... taking the students out of the classroom and not allowing teachers to teach. So, we need to be very concerned about how far we go with all this. I'm gonna vote for the Gentleman's legislation, but I have concerns that I need to voice. Obviously, some school groups are seeing the same problem I'm seeing and that we're gonna have to be careful. There is an... this is an unfunded mandate and it's just another one that's heaped on top of all the others."

STATE OF ILLINOIS  
94th GENERAL ASSEMBLY  
HOUSE OF REPRESENTATIVES  
TRANSCRIPTION DEBATE

32nd Legislative Day

3/17/2005

Speaker Hannig: "Okay. Representative Smith is recognized to close."

Smith: "Thank you, Mr. Speaker. I would ask for your strong support for this legislation. If this were something we were asking our schools to do to really burden the teachers or the school districts, the principals, the administrators, I would not be here asking you to do that. This is something that's already happening. Hopefully, our schools are doing it well. This is just cleaning up the language and is giving a little direction as to how it should be done and insuring that it's done with the first responders who, hopefully, will never be called upon to... to answer any type of emergency at our schools. I would ask for your 'aye' vote. And cast a vote for the safety of our public school children in the State of Illinois."

Speaker Hannig: "Okay. 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 109 voting 'yes' and 4 voting 'no'. And this Bill, having received a Constitutional Majority, is hereby declared passed. On page 29 of the Calendar is House Bill 728 for Representative Jerry Mitchell. Mr. Clerk, would you read the Bill."

Clerk Mahoney: "House Bill 728, a Bill for an Act concerning education. Third Reading of this House Bill."

Speaker Hannig: "Representative Mitchell."

STATE OF ILLINOIS  
94th GENERAL ASSEMBLY  
HOUSE OF REPRESENTATIVES  
TRANSCRIPTION DEBATE

32nd Legislative Day

3/17/2005

Mitchell, J.: "Thank you, Mr. Speaker and Ladies and Gentlemen of the House. We discussed this Bill earlier. This is cleanup language for the School Code. It basically restricts the local district from having to verify to the State Board of Education whether or not they have a school program for a special education child when that child is sent to a special education program out of state or out of district so that they can get their reimbursement. With the Amendment attached to the Bill, there is no opposition. State Board of Education approved the Amendment. I'd be happy to answer any questions."

Speaker Hannig: "The Gentleman moves for passage of House Bill 728. 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... Representative Dugan, do you wish to be recorded? Mr. Clerk, take the record. On this question, there are 113 voting 'yes' and 0 voting 'no'. And this Bill, having received a Constitutional Majority, is hereby declared passed. On page 29 of the Calendar is House Bill 783. Representative Soto. Mr. Clerk, read the Bill. 783."

Clerk Mahoney: "House Bill 783, a Bill for an Act concerning child support. Third Reading of this House Bill."

Speaker Hannig: "Representative Soto."

Soto: "Thank you, Speaker. House Bill 783 creates a Child Support Payment Act. Provides that an obligor, under the order of support of a child, may make a payment of child

STATE OF ILLINOIS  
94th GENERAL ASSEMBLY  
HOUSE OF REPRESENTATIVES  
TRANSCRIPTION DEBATE

32nd Legislative Day

3/17/2005

support required under the order at a currency exchange. It provides that when an obligor makes a payment of child support at a currency exchange the obligor must provide the currency exchange with information sufficient to enable the currency exchange to transmit the payment to the State Disbursement Unit. And I urge your support and also I'm available for questions."

Speaker Hannig: "Okay. The Lady moves for passage of House Bill 783. This is on the Order of Short Debate. In response, Representative Parke."

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

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

Parke: "Representative, it's my understanding that the Illinois Department of Public Aid is opposed to your legis... legislation because they're concerned that the Bill will conflict with current law and processes. Have they expressed that to you?"

Soto: "No, they haven't. They're a firm supporters of it and they also were... they also gave testimony..."

Parke: "So..."

Soto: "...in support of this Bill."

Parke: "Are you saying that our analysis is wrong, as far as you know?"

Soto: "Maybe they're not updated, but they are in support of this. If you wanna..."

Parke: "They're in support now?"

Soto: "Yes, they do."

STATE OF ILLINOIS  
94th GENERAL ASSEMBLY  
HOUSE OF REPRESENTATIVES  
TRANSCRIPTION DEBATE

32nd Legislative Day

3/17/2005

Parke: "Well... It is our understanding that you were gonna hold the Bill on Second Reading for an agreement to make sure that the legislation allows the money to go into the State Disbursement Fund. Have you achieved that?"

Soto: "Yes, I have. But the agreement was to hold it on Second to add the banks and credit unions. And after speaking with the Illinois Department of Public Aid, we decided that this is best for now. And we were working together on this Bill."

Parke: "Well, and the other problem... Well, let me just... let me follow up on that. Have they removed their opposition now?"

Soto: "Yes. They... They're not opposed to this Bill."

Parke: "And that they said that that concern has been addressed or are you gonna address it in the Senate?"

Soto: "Yes, it has been addressed."

Parke: "So, you're gonna take care of it in the Senate? Are you gonna take..."

Soto: "If you look at the... if you look at the proponents, the analysis, you can see that the Illinois Department of Public Aid is a proponent."

Parke: "Well..."

Soto: "Oh, I'm sorry. I'm sorry. Your... your facts are different than ours. On ours it's updated..."

Parke: "Yeah."

Soto: "...and it's reflected..."

Parke: "Well..."

Soto: "...that they are proponents."

STATE OF ILLINOIS  
94th GENERAL ASSEMBLY  
HOUSE OF REPRESENTATIVES  
TRANSCRIPTION DEBATE

32nd Legislative Day

3/17/2005

Parke: "So, they're not opponents any longer?"

Soto: "No, they're not."

Parke: "Now, are you saying that the... a parent who is in arrears of child support, now can go to a currency exchange and deposit the money there?"

Soto: "Yes. They can go there to a currency exchange and then wire their payment."

Parke: "And how much will they charge?"

Soto: "We're not sure what the charge is gonna be and that's a... you know, that's out of our hands. We... This is a voluntary... ya know, choice that they can make."

Parke: "Do you think..."

Soto: "So, if I choose to go and... I mean, if I was a noncustodial parent..."

Parke: "Well, we still have a concern that... we wanna know why the department removed their opposition because if... we wanna know why the department removed their opposition 'cause the money still is not going into the Disbursement Fund. So, why... why did they remove their opposition?"

Soto: "They removed it because we sat down and we talked about it. We had several meetings and we... They're... If you called up the Department of Public Aid, if we had someone outside, they will tell you they're a proponent of this Bill."

Parke: "Well, I have a concern about how much money a currency exchange can require on this. I'm against capping something, but there oughta be some kind of an agreement with currency exchanges to not to gouge that parent who's

STATE OF ILLINOIS  
94th GENERAL ASSEMBLY  
HOUSE OF REPRESENTATIVES  
TRANSCRIPTION DEBATE

32nd Legislative Day

3/17/2005

paying child support. I mean, if they have to pay \$200, I would hate to see a charge of \$50 being laid on top of that, even if it's more convenient. So, who brought you this Bill, Representative? Did you have some constituent come to you or is this a department Bill?"

Soto: "No. This idea came from my experience working at the Cook County State's Attorneys Office of child support enforcement. What we're trying to do is we're trying to make it easier for these noncustodial parents to pay their child support. We're trying to make it convenient so that maybe they... ya know, they can be encouraged to... to pay."

Parke: "Well, I'll be..."

Soto: "Sometimes they don't have... Excuse me. Can I... can I finish? Last year I passed a piece of legislation that was a voluntary debit form that is working wonderful. I mean, I'm hearing from the Department of Public Aid that now they're receiving additional monies now. I mean, this is a... that was a plus and this is another plus. Because what we're doing is we're trying to make it easier and more convenient to encourage these noncustodial parents to pay these child support payments."

Parke: "Well..."

Soto: "I think it's a very simple Bill. I think it's a... a very good Bill. And I think... I think you would agree with me that that we together represent people who need these payments."

Parke: "Well, I'm all for collecting child support. I have to tell ya. I'm sick and tired of... of the State of Illinois

STATE OF ILLINOIS  
94th GENERAL ASSEMBLY  
HOUSE OF REPRESENTATIVES  
TRANSCRIPTION DEBATE

32nd Legislative Day

3/17/2005

ending up paying... footing the bill for children that have deadbeat parents. Anything that we can do, but I... that's... the underlying concept is very valid. I just wanna make sure this achieves what you wanna achieve with it and that we are reasonable on how those charges are being made and what... the agreement made with the department. I mean, they..."

Speaker Hannig: "Representative Parke, your 5 minutes have expired. Would you bring your remarks to a close, please."

Parke: "I'm gonna wait for other people to make their discussions on this, but I still am not sure it's the form that the Sponsor wants it in."

Soto: "Well, I am willing to sit down with you..."

Speaker Hannig: "Okay. Representative Soto, that wasn't a question. So, there seems to be some interest in the Bill, so we're gonna move it to the Order of Standard Debate. Representative Black is recognized for 5 minutes."

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

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

Black: "Staff... Representative, our staff has just talked to the Department of Public Aid and the Department of Public Aid told our staff 2 minutes ago that they have not removed their opposition to your Bill."

Soto: "Okay. You know what, I don't understand it because I worked their... I see them, if not every day, every other day. So, I'm working very closely with them. I can't



STATE OF ILLINOIS  
94th GENERAL ASSEMBLY  
HOUSE OF REPRESENTATIVES  
TRANSCRIPTION DEBATE

32nd Legislative Day

3/17/2005

understand... Who did you speak to? Can your staff just let me know..."

Black: "Representative, may I make a suggestion? There's been a breakdown in communications somewhere. I certainly respect and trust you; I respect and trust those people who work at the Department of Public Aid, but somewhere communication has broken down. I'm not trying to trick you. You're in the Majority Party, you can get your Bill recalled. I would make the suggestion that you take the Bill out of the record. You have your chief of staff or you, in person, you tell somebody from the Department of Aid... Public Aid to get their hind end over here and get this straightened out with you and with us because this puts you and us in a very embarrassing situation."

Soto: "Okay. Yes, I'm gonna meet with them in a few minutes."

Black: "Thank you."

Soto: "I will pull it from the record, please."

Speaker Hannig: "Okay. So, Representative Soto'll take this Bill out of the record for the time being and we'll get a clarification. On page 17 of the Calendar is House Bill 2449. Mr. Clerk, would you read that Bill."

Clerk Mahoney: "House Bill 2449 has been read a second time, previously. No Committee Amendments. No Floor Amendments. No Motions filed."

Speaker Hannig: "Okay. We'll keep that on Second at the request of the Sponsor. On page 29 of the Calendar is House Bill 603 for Representative Turner. Mr. Clerk, would you read the Bill."

STATE OF ILLINOIS  
94th GENERAL ASSEMBLY  
HOUSE OF REPRESENTATIVES  
TRANSCRIPTION DEBATE

32nd Legislative Day

3/17/2005

Clerk Mahoney: "House Bill 603, a Bill for an Act concerning revenue. Third Reading of this House Bill."

Speaker Hannig: "Representative Turner."

Turner: "Thank you, Mr. Speaker and Ladies and Gentlemen of the House. House Bill 603 is merely an extension of the Illinois Income Tax housing donation credit that currently exists. That donation tax credit is set to expire in December of '05, no, I'm sorry, '06. And our rationale for pushing this legislation at this time is in order to plan housing throughout this state and to be effective, developers need a timetable in which they know that these credits will be available. And so to that end, I move for the adoption of House Bill 603 which is known as the Illinois Affordable Housing Donation Tax Credit Bill."

Speaker Hannig: "The Gentleman moves for passage of House Bill 603. That's on the Order of Short Debate. And in response, Representative Parke."

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

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

Parke: "Representative, I understand what you're trying to do, but the Department of Revenue opposes your Bill and says that they're opposing it due to lost revenue. Now, in a time when we don't have enough money to run the state as it is, every time we turn around we're passing some legislation that is costing our various departments more money. How do we answer this, because last year the state awarded a quarter of a million dollars in tax credits? How do we answer this question, Representative?"

STATE OF ILLINOIS  
94th GENERAL ASSEMBLY  
HOUSE OF REPRESENTATIVES  
TRANSCRIPTION DEBATE

32nd Legislative Day

3/17/2005

Speaker Hannig: "Representative Turner."

Turner: "Yeah. Let me start by saying that in fiscal year '03 the state lost \$5 thousand. And so, the fiscal impact, although there will be some loss to the state generally, if you think about the number of housing units that are created as a result of this legislation, I think that that money that comes into the local taxing body offsets any losses that we would make, that we lose at the state level. There were some 92 developments funded last... during the course of this credit period. There's been some 6,300 affordable housings developed and actually it's leveraged over a hundred and twelve million dollars in terms of resources for affordable housing. And so, where we're losing money on one end that comes in through the Department of Revenue through this tax credit, I think that the money that's made up for the housing that's created further offsets any loss to the state."

Parke: "Well, I have... I have no problem with the... actually with your legislation. But I guess it's my concern of what we keep doing to the... to the budget. This is another nickel-dime kinda thing to the people that are benefiting from it. This is an important thing. I don't think that we should probably vote against this. But what I'm trying to say is that we keep doing this and it keeps eroding the budget and the General Revenue Fund because we fund these agencies with it and every time we keep taking money away from these agencies, they have less and less money to function and do the things that we want them to do. So, I'm just pointing

STATE OF ILLINOIS  
94th GENERAL ASSEMBLY  
HOUSE OF REPRESENTATIVES  
TRANSCRIPTION DEBATE

32nd Legislative Day

3/17/2005

out to the Body. We need to be very careful with the kind of legislation going in because if, in fact, the agency is gonna really complain, then I'm afraid your Governor will have to veto this. So, I would, again, ask that perhaps you can find a funding source for this worthwhile legislation, that might be helpful too. I will probably vote for the Gentleman's legislation, but I think we need to all be aware of what it's doing to our overall budget. Thank you."

Speaker Hannig: "Okay. So, Representative Parke has spoken in response. But Representative Sullivan, a Member of the Revenue Committee, is seeking recognition. So, Representative Sullivan is recognized."

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

Speaker Hannig: "To the Bill."

Sullivan: "For the people on my side of the aisle, we have continuously fought certain initiatives to add fee increases to real estate transfer declarations 'cause we didn't wanna have a fee increase in the wrong spot to try and help affordable housing. This is a Republican Bill. This is a way for us to help with affordable housing through tax incentives. We talk about this every single day, tax incentives to help people out. Please vote for this Bill. Let's give it to the Governor with no opposition and move this forward. Thank you very much."

Speaker Hannig: "Representative Turner to close."

Turner: "I wanna thank the previous speaker for reminding me that this is a Republican Bill and I want my colleagues to

STATE OF ILLINOIS  
94th GENERAL ASSEMBLY  
HOUSE OF REPRESENTATIVES  
TRANSCRIPTION DEBATE

32nd Legislative Day

3/17/2005

know that this has been a Democratic-Republican week. And so, we just wanted to encourage the Members and to say this is a good Bill for all people, regardless of whether they're Democrat or Republican. This is a vehicle that will help create more affordable housing in this state when there's definitely a housing shortage. And I ask every... I encourage everybody to vote 'aye'."

Speaker Hannig: "The question is, 'Shall this Bill pass?' All in favor vote 'aye'; opposed 'nay'. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Representative Duncan, do you wish... Okay. Mr. Duncan is recorded. Mr. Clerk, take the record. On this question, there are 113 voting 'yes' and 0 voting 'no'. And this Bill, having received a Constitutional Majority, is hereby declared passed. On page 28 of the Calendar is House Bill 330. Mr. Clerk, read the Bill."

Clerk Mahoney: "House Bill 330, a Bill for an Act concerning local government. Third Reading of this House Bill."

Speaker Hannig: "Representative Verschoore."

Verschoore: "Thank you, Mr. Speaker and Ladies and Gentlemen of the House. What House Bill 330 does is it allows counties to set up building commissions and/or expand building commissions. But in order to do that... There was some debate about this when I brought it up the first time. They said that they didn't think it had language in it where it had to be taken to the electorate. Well, we added that Amendment. And I would ask for an 'aye' vote. And I'll answer any questions."

STATE OF ILLINOIS  
94th GENERAL ASSEMBLY  
HOUSE OF REPRESENTATIVES  
TRANSCRIPTION DEBATE

32nd Legislative Day

3/17/2005

Speaker Hannig: "The Gentleman moves for passage of House Bill 330. It's on the Order of Short Debate. And in response, Representative Parke."

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

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

Parke: "Representative, correct me if I'm wrong, but doesn't this allow county government to create a building commission? We've... we've dealt with this Bill before."

Verschoore: "Yes, earlier. Yeah."

Parke: "Yeah. And you wanna be able to set up a public housing commission without permission of the voters. Isn't that right?"

Verschoore: "No, no. No, that... originally, you said that. We thought we had the language in there where it had to go to them and you and Mr. Black said that you didn't think so. So, we added the Amendment where it has to go to the electorate, Amendment #2."

Parke: "So, we have a front door referendum, now, in this legislation?"

Verschoore: "Pardon me. I didn't hear you."

Parke: "It's a front door referendum. We're gonna go to the voter and ask permission now?"

Verschoore: "Yes, yes."

Parke: "Is... is anybody in opposition to this now?"

Verschoore: "Not that I'm aware of."

Parke: "Okay. Well, good luck on the vote."

Verschoore: "Thank you."

Speaker Hannig: "Representative Verschoore to close."

STATE OF ILLINOIS  
94th GENERAL ASSEMBLY  
HOUSE OF REPRESENTATIVES  
TRANSCRIPTION DEBATE

32nd Legislative Day

3/17/2005

Verschoore: "...Speaker. Ask for an 'aye' vote, Mr. Speaker. Thank you."

Speaker Hannig: "The question is, 'Shall this Bill pass?' All in favor vote 'aye'; opposed 'nay'. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Mr. Clerk, take the record. On this question, there are 83 voting 'yes' and 29 voting 'no'. And this Bill, having received a Constitutional Majority, is hereby declared passed. On page 32 of the Calendar is House Bill 2595. Representative Biggins, do you wish us to call that Bill? Mr. Clerk, read the Bill."

Clerk Mahoney: "House Bill 2595, a Bill for an Act concerning revenue. Third Reading of this House Bill."

Speaker Hannig: "Representative Biggins."

Biggins: "Thank... thank you, Mr. Speaker. Actually, Mr. Speaker, that Bill's being worked on. It might be ready in about 25 to 30 minutes. Is that be possible to..."

Speaker Hannig: "This Bill?"

Biggins: "Yes."

Speaker Hannig: "Yeah. We can come back to that, Representative."

Biggins: "We need some final details to answer some questions."

Speaker Hannig: "Okay. Very good."

Biggins: "We appreciate very mu..."

Speaker Hannig: "Very good."

Biggins: "I'll let you know, Sir. Thank you."

Speaker Hannig: "We'll take it out of the record at this time. We'll move to page 30 of the Calendar, House Bill 917."

STATE OF ILLINOIS  
94th GENERAL ASSEMBLY  
HOUSE OF REPRESENTATIVES  
TRANSCRIPTION DEBATE

32nd Legislative Day

3/17/2005

Representative Yarbrough. Mr. Clerk, would you read the Bill."

Clerk Mahoney: "House Bill 917, a Bill for an Act concerning human rights. Third Reading of this House Bill."

Speaker Hannig: "Representative Yarbrough."

Yarbrough: "Thank you, Mr. Speaker, Members of the General Assembly. House Bill 917 is an initiative of the Department of Human Rights. The department has a contract with the U.S. Department of Housing and Urban Development for investigation of housing charges of discrimination. To maintain this contract, the Illinois Human Rights Act must be substantially equivalent to the Federal Fair Housing Act. Section 818 of the Federal Housing Act makes it unlawful to coerce, intimidate, threaten or interfere with any person in the exercise or enjoyment of a person's right under provisions of the Fair Housing Act. House Bill 917 amends the Act by adding Section 3105-1 which mirrors Section 818 of the Fair Housing Act. Enactment of House Bill 917 is needed for the department to maintain its contract with HUD. I'll be happy to answer any questions."

Speaker Hannig: "Okay. This Bill is on the Order of Short Debate. The Lady moves for the passage of House Bill 917. And in response, Representative Mautino."

Mautino: "Thank you, Mr. Speaker. Just a simple question."

Speaker Hannig: "She'll yield. The Sponsor will yield."

Mautino: "What is the... I've been contacted about the Bill in its previous form by some realtors. Are they okay now with it as amended?"



STATE OF ILLINOIS  
94th GENERAL ASSEMBLY  
HOUSE OF REPRESENTATIVES  
TRANSCRIPTION DEBATE

32nd Legislative Day

3/17/2005

Yarbrough: "There... there's no opposition to this Bill."

Mautino: "Okay."

Yarbrough: "Yes."

Mautino: "Thanks."

Speaker Hannig: "Is there any further discussion? Then the question is, 'Shall this Bill pass?' All in favor vote 'aye'; opposed 'nay'. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Mr. Clerk... Mr. Clerk, take the record. On this question, there are 113 voting 'yes' and 0 voting 'no'. And this Bill, having received a Constitutional Majority, is hereby declared passed. On page 33 of the Calendar is House Bill 3469. Representative Younge. Mr. Clerk, would you read the Bill."

Clerk Mahoney: "House Bill... House Bill 3469, a Bill for an Act concerning veterans. Third Reading of this House Bill."

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

Younge: "Commit... Thank you, Mr. Speaker. Floor Amendment 1 should be adopted, I believe. This is a Bill to add O'Fallon's Veterans' Memorial Fund to the list of check... checkoffs in the income tax fund."

Speaker Hannig: "So, the..."

Younge: "I think there's Floor Amendment 1. Oh, I... I made... I'm mistaken about that. There is no Amendment. What this Bill will do will be to add the O'Fallon Veterans' Memorial Fund to the list of checkoffs on the income tax return and permit a person who is then going to pay income tax to

STATE OF ILLINOIS  
94th GENERAL ASSEMBLY  
HOUSE OF REPRESENTATIVES  
TRANSCRIPTION DEBATE

32nd Legislative Day

3/17/2005

contribute to the memorial fund for veterans in O'Fallon for a statue."

Speaker Hannig: "The Lady moved for the passage of House Bill 3469. This on the Order of Short Debate. And in response, Representative Parke."

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

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

Parke: "Representative, I understand what you're trying to do, but the Department of Revenue is in opposition to your Bill and they're well founded, why? Apparently there are 14 Bills on Second or Third Reading in the House and the Senate to provide checkoffs. If everyone of those checkoffs got passed, they would have to have a second page for the income tax forms at which they would require that much more effort and paperwork. And what I'd like to do is that we'll probably'll pass your legislation, but I would ask that there may be some way of coordinating this so that we don't go to that second page because it will be more difficult for the individual citizen to have to worry about an additional 14 checkoffs. And plus, there is, I believe, a hundred thousand dollar threshold that you have to have and the World War II Veterans' Memorial checkoff raised only \$63 thousand in the last... before it was deleted from the tax form. I'm not sure that you could meet that threshold with this and are you aware, Representative, that you have to come up with a hundred thousand dollars in donations to make it worthwhile?"

STATE OF ILLINOIS  
94th GENERAL ASSEMBLY  
HOUSE OF REPRESENTATIVES  
TRANSCRIPTION DEBATE

32nd Legislative Day

3/17/2005

Younge: "I... I believe that the citizens of O'Fallon will be able to come up with that threshold. And..."

Parke: "You do?"

Younge: "...and... and I think that the Department of Revenue should not oppose adding new projects to the list of checkoffs because it's a way for citizens to participate in public projects and particularly honoring veterans with the memorial with a statue. And I think that's very important to the people of O'Fallon and I think that we ought to facilitate and assist them in their endeavor to do that."

Parke: "Well, that... I mean, we all agree and we wanna honor our veterans. There's no doubt about it, but there's a practical point. Are you saying that the Department of Revenue is no longer opposed to your legislation?"

Younge: "I didn't hear you."

Parke: "Did you say that the Department of Revenue is no longer opposed to your..."

Younge: "No, I... I didn't say that. I said that I think... I thought that they should not be opposed in any way to a pro... project of honoring veterans and by the people of O'Fallon. If the people of O'Fallon wish to participate in the construction of a governmental or a public monument honoring veterans, I think that we all ought to facilitate that."

Parke: "Thank you, Representative."

Speaker Hannig: "Representative Stephens."

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

Speaker Hannig: "To the Bill."

STATE OF ILLINOIS  
94th GENERAL ASSEMBLY  
HOUSE OF REPRESENTATIVES  
TRANSCRIPTION DEBATE

32nd Legislative Day

3/17/2005

Stephens: "The... the Representative shouldn't even have to do this legislation, shouldn't have to bring it to us. If we would have kept our commitments that were made in the last administration, a Member initiative project, by the local Representative in this district was going to fund this memorial, but along came Governor Blagojevich and so now we're here asking for more money. The... the fact is that O'Fallon is a... the home of Scott Air Force Base. The military heritage of O'Fallon is long and very honored and I'm proud to stand in support of the Lady's Bill."

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' and 0 voting 'no'. And this Bill, having received a Constitutional Majority, is hereby declared passed. On page 32 of the Calendar is House Bill 2445. Representative Berrios. Mr. Clerk, read the Bill."

Clerk Mahoney: "House Bill... House Bill 2445, a Bill for an Act concerning missing children. Third Reading of this House Bill."

Speaker Hannig: "Representative Berrios."

Berrios: "Thank you, Mr. Speaker, Ladies and Gentlemen of the House. I bring you House Bill 2445. This Bill originated from a law that New York has that informs its residents of missing children throughout the state. After working with various agencies, we've come up with 2445 to make it

STATE OF ILLINOIS  
94th GENERAL ASSEMBLY  
HOUSE OF REPRESENTATIVES  
TRANSCRIPTION DEBATE

32nd Legislative Day

3/17/2005

adaptable to Illinois. Most state agencies have a website. The only one that mentions anything about missing children is the Illinois State Police site. It has a link for Amber Alerts and to the National Center for Missing and Exploited Children. So, what House Bill 2445 does is mandate that any state agency that currently has a website must include a link to the website maintained and operated by the National Center for Missing and Exploited Children. They also must include a link to any state agency that currently posts information concerning Amber Alerts or similar broadcasts concerning missing children. I'd like an 'aye' vote and I..."

Speaker Hannig: "The Lady moves..."

Berrios: "...will answer any questions."

Speaker Hannig: "The Lady moves for passage of House Bill 2445. 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 113 voting 'yes' and 0 voting 'no'. And this Bill, having received a Constitutional Majority, is hereby declared passed. On page 32 of the Calendar is House Bill 2527. Representative Bradley. Mr. Clerk, read the Bill."

Clerk Mahoney: "House Bill 2527, a Bill for an Act concerning State Government. Third Reading of this House Bill."

Speaker Hannig: "Representative Bradley."

STATE OF ILLINOIS  
94th GENERAL ASSEMBLY  
HOUSE OF REPRESENTATIVES  
TRANSCRIPTION DEBATE

32nd Legislative Day

3/17/2005

Bradley, J.: "Thank you, Mr. Speaker, Members of the House. This is not about gaming. This is a Bill that would extend privileges to senior citizens that give certification to adult day services which thereby allows private insurance companies, long-term care insurance companies, to pay benefits to people that use adult daycare services. I think it's a wonderful step for our seniors in the State of Illinois. It passed out of committee unanimously. And I would... I would ask for an 'aye' vote."

Speaker Hannig: "The Gentleman has moved for passage of House Bill 2527. Is there any discussion? Then the question is, 'Shall this Bill pass?' All in favor vote 'aye'; opposed 'nay'. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Representative McAuliffe, do you wish to be recorded? Representative Mitchell, do you wish to be recorded? Mr. Clerk, take the record. On this question, there are 113 voting 'yes' and 0 voting 'no'. And this Bill, having received a Constitutional Majority, is hereby declared passed. On page 32 of the Calendar is House Bill 2469. Mr. Clerk, read the Bill."

Clerk Mahoney: "House Bill 2469, a Bill for an Act concerning public employee benefits. Third Reading of this House Bill."

Speaker Hannig: "Representative Bradley."

Bradley, R.: "Thank you, Mr. Speaker, Members of the House. This Bill allows that two members of the Board of Trustees of the Chicago Teachers Pension Fund shall be appointed by

STATE OF ILLINOIS  
94th GENERAL ASSEMBLY  
HOUSE OF REPRESENTATIVES  
TRANSCRIPTION DEBATE

32nd Legislative Day

3/17/2005

the Board of Education. Currently, they must be members of the Board of Education. This Bill allows greater flexibility for appointments."

Speaker Hannig: "The Gentleman moves for passage of House Bill 2469. This Bill's on the Order of Short Debate. And in response, Representative Black is recognized."

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

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

Black: "I just have one question, Representative. This only affects the Chicago Teachers Pension System?"

Bradley, R.: "Correct."

Black: "Is... is that the pension system that is fully self-funded? We... we don't put any money in that system, as I recall, right?"

Bradley, R.: "Oh, yes, we do."

Black: "I was at a hearing last... oh gosh, last May or June that the Speaker called and... about the ERO extension and as I recall, there was a young, feisty young man who told me that the Chicago Teachers Pension System's fully funded and we don't give them any money."

Bradley, R.: "Well, I... Mr..."

Black: "Is that right?"

Bradley, R.: "Mr. Black, I think you've corrected him at that meeting. I..."

Black: "Oh."

Bradley, R.: "...I recall."

STATE OF ILLINOIS  
94th GENERAL ASSEMBLY  
HOUSE OF REPRESENTATIVES  
TRANSCRIPTION DEBATE

32nd Legislative Day

3/17/2005

Black: "Yeah. I think we do put a dollar or two in it, don't we?"

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

Black: "And we'll have some interesting debate on that later. But thi... this Bill's, ya know, wherever you guys wanna do it in Chicago. I'm here to help you, you know that."

Bradley, R.: "Thank you, Sir."

Black: "Okay. Thank you."

Speaker Hannig: "Is there any further discussion? Then the question is, 'Shall this Bill pass?' All in favor vote 'aye'; opposed 'nay'. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Mr. Clerk, take the record. On this question, there are 110 voting 'yes' and 3 voting 'no'. And this Bill, having received a Constitutional Majority, is hereby declared passed. On page 31 of the Calendar is House Bill 1597. Representative Black. Mr. Clerk, read the Bill."

Clerk Mahoney: "House Bill 1597, a Bill for an Act concerning transportation. Third Reading of this House Bill."

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

Black: "Thank you very much, Mr. Speaker and Ladies and Gentlemen of the House. House Bill 1597, believe this or not, was brought to me by the City of Chicago. True story. It... it's an attempt to clean up their parking ticket situation, something I've been very interested in for a number of years. Floor Amendment #1 becomes the Bill. What this enables the city to do is to use a post office



STATE OF ILLINOIS  
94th GENERAL ASSEMBLY  
HOUSE OF REPRESENTATIVES  
TRANSCRIPTION DEBATE

32nd Legislative Day

3/17/2005

address or the po... U.S. Post Office database to correspond with someone who has an outstanding parking ticket rather than only having to use the Secretary of State database that may be outdated. I think anything that gives people constructive notice and gets it to them in a timely fashion is a good idea. I compliment the City of Chicago on this Bill. I'll be glad to answer any questions that you have."

Speaker Hannig: "The Gentleman has moved for the passage of House Bill 1597. This is on the Order of Short Debate. Representative Osterman is recognized in response."

Osterman: "Thank you, Mr. Speaker. There was some noise on the floor, Representative Black. Did I hear you say this is an initiative of the City of Chicago?"

Black: "Representative, it is and I can't tell you how thrilled and excited I am that they brought this idea to me. It shows... It's a new spirit. We're reaching out."

Osterman: "Well, you... you... you've probably been..."

Black: "No, seriously, they did, Representative."

Osterman: "I think that... I'm glad they did and speaking for the Representatives from the City of Chicago who have heard you talk about the people from your community that have gotten these mysterious parking tickets, if this will reduce the debate on the floor on that issue, I'm glad you're carrying this Bill and would ask everyone to support it."

Speaker Hannig: "Representative McCarthy. This is on Short Debate, but do you have a short question for the Gentleman?"

STATE OF ILLINOIS  
94th GENERAL ASSEMBLY  
HOUSE OF REPRESENTATIVES  
TRANSCRIPTION DEBATE

32nd Legislative Day

3/17/2005

McCarthy: "Yes, Sir, Mr. Speaker. I have a very long question."

Speaker Hannig: "Yeah, proceed."

McCarthy: "Representative, in committee, we had some procedural questions about this and that was ironed out with the Floor Amendment, I believe?"

Black: "Yes. The City of Chicago brought the Amendment in response to some of the questions that... that were raised about whether you used one list or the other exclusivity, you can use either list. And the bottom line is and echoing what Representative Osterman said, anything that helps them get notices to people in a more timely fashion so that you can be advised that you do have a ticket or that you may want to fight the ticket, I think this is a good idea. I... I really do. I commend the City of Chicago for continuing to work on this problem and I... I... I thank the mayor and I know when I had this problem years ago he sent the... the then director of the Department of Revenue for the city, Hugh Murphy, down. And echoing Representative Osterman, I used to get ten of these complaints a month and it's probably down to less than ten a year now. So, I do appreciate the city... what they've done on this. I... I haven't had a ticket issued to a dead person in 5 years."

McCarthy: "Okay. It was actually a short question and a long answer there, but the way it was worked out is that they will use the Secretary of State address first and then they would go to use the United States Postal service thing?"

STATE OF ILLINOIS  
94th GENERAL ASSEMBLY  
HOUSE OF REPRESENTATIVES  
TRANSCRIPTION DEBATE

32nd Legislative Day

3/17/2005

Black: "Correct, correct."

McCarthy: "And we had one other question which I don't see in the Amendment. I'd ask the city people that if you get this back, that the Secretary of State address is correct, what would you do then? Would you at least notify the Secretary of State? Was that ever resolved?"

Black: "Representative, I remember that question and thank you for asking it and I'm gonna be very honest with you. As far as I know, the city said they would attempt to do this, but they did not make... and that's why you don't see it in the Amendment, they were not in the position to make me a promise that they would automatically send those corrections to the Secretary of State. They said they would try to do so..."

McCarthy: "Okay."

Black: "...but the volume that they handle, they couldn't guarantee that that would be done in every case."

McCarthy: "Okay. Well, I thank you for your candor."

Black: "Okay."

McCarthy: "And I hope that they do that because these agencies should work together in order to the clear up the records. And I have one final question, Representative. Representative Black."

Black: "I'm sorry, yes."

McCarthy: "Yeah. Just one final question. With Representative Bradley's Bill prior, you said you're always willing to help him, so I want to help you with this. So, when I help

STATE OF ILLINOIS  
94th GENERAL ASSEMBLY  
HOUSE OF REPRESENTATIVES  
TRANSCRIPTION DEBATE

32nd Legislative Day

3/17/2005

you should I vote 'yes' or should I vote 'no' in order to give you the greatest amount of assistance?"

Black: "Well, Representative, I noticed that... that my switch... somebody has reversed my plastic covers on my switch. He..."

McCarthy: "I... ya know, I figure that had to be the answer, so... so..."

Black: "You know, the level of practical jokes and frivolity on this floor have to come to a screeching halt. But I have changed those... I've changed those things back and I'll ask that the record reflect that I should have been recorded as either a courageous 'present' or a timid 'yes' on Representative Bradley's Bill."

McCarthy: "Thank you and a happy St. Patrick's Day."

Speaker Hannig: "Any further discussion? Then the question is, 'Shall this Bill pass?' All in favor vote 'aye'; opposed 'nay'. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Mr. Clerk, take the record. On this question, there are 113 voting 'yes' and 0 voting 'no'. And this Bill, having received a Constitutional Majority, is hereby declared passed. Representative Brady, would you like us to call House Bill 1517 on page 31 of the Calendar? Mr. Clerk, would you read the Bill."

Clerk Mahoney: "House Bill 1517, a Bill for an Act concerning remains. Third Reading of this House Bill."

Speaker Hannig: "Representative Brady."

Brady: "Thank you very much, Mr. Speaker, Ladies and Gentlemen of the House. House Bill 1517 is a particular piece of

STATE OF ILLINOIS  
94th GENERAL ASSEMBLY  
HOUSE OF REPRESENTATIVES  
TRANSCRIPTION DEBATE

32nd Legislative Day

3/17/2005

legislation that basically cleans up current law in which stipulations the order of priority for the persons responsible for a deceased individual's remains. I'd also includes a liability waiver form. And I would be happy to answer any questions from my colleagues here in the House. Thank you."

Speaker Hannig: "The Gentleman moves for passage of House Bill 1517. 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 113 voting 'yes', 0 voting 'no' and 0 voting 'present'. And this Bill, having received a Constitutional Majority, is hereby declared passed. On page 29 of the Calendar is House Bill 715. Mr. Clerk, would you read that Bill, please."

Clerk Mahoney: "House Bill 715, a Bill for an Act concerning elections. Third Reading of this House Bill."

Speaker Hannig: "Representative Chapa LaVia."

Chapa LaVia: "Thank... thank you, Speaker of the House and Members of the Assembly. What the Bill does, it requires each public institute of higher learning in Illinois to provide a downloadable, a printable, voter registration form that complies with the State Board of Election requirements on its website for the students that attend these colleges."

Speaker Hannig: "The Lady has moved for the adoption... for the passage of House Bill 715. Is there any discussion? Then

STATE OF ILLINOIS  
94th GENERAL ASSEMBLY  
HOUSE OF REPRESENTATIVES  
TRANSCRIPTION DEBATE

32nd Legislative Day

3/17/2005

the question... Excuse me. The Lady from Mull...  
Representative Mulligan is recognized. The Lady from  
Cook."

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

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

Mulligan: "Representative, what's the genesis of this Bill?"

Chapa LaVia: "The genesis came from the Midwest Democracy  
Center through the University of Illinois, but it was a...  
and it... also constituents. The young... our younger  
constituents that are in college right now wanted some  
means to be able to also vote where they'd like to, whether  
they're on campus for the 4 years or back at home. So, it  
was part of the constituency, the Midwest Democratic Center  
and some individuals from the University of Illinois which  
I'm alumni."

Mulligan: "So, is this just for a voter registration drive? In  
our community the young people are registered as they turn  
18 in high school."

Chapa LaVia: "Right. It's just for voter registration."

Mulligan: "And so this is being put out there on college  
campuses in order to..."

Chapa LaVia: "Help promote the engagement of our young people.  
I once said that if we'd get every 18- to 24-year-old to  
vote, that we'd have really strong constituency, especially  
here in... in Illinois. So, it's very nonpartisan. It's  
just opening up the doors a little bit easier for kids that  
want the abilities to vote off campus or on campus, Ma'am."

STATE OF ILLINOIS  
94th GENERAL ASSEMBLY  
HOUSE OF REPRESENTATIVES  
TRANSCRIPTION DEBATE

32nd Legislative Day

3/17/2005

Mulligan: "Just for the record, do you know the mission statement of the Midwest Democracy Center?"

Chapa LaVia: "I don't... I do not have that in my... my notes, Representative."

Mulligan: "All right. Thank you."

Chapa LaVia: "Thank you."

Speaker Hannig: "This is on the Order of Short Debate. Representative Jenisch, do you have a question or a comment? Proceed."

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

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

Jenisch: "I'm curious if there is any safeguards so that the person who registers at college to vote is then forbidden or not allowed to vote back home, if they're from a different state or from a different county within the State of Illinois?"

Chapa LaVia: "Yeah. There are. The provisions they have to follow have... have to comply with the State Board of Election requirements, so they're not allowed to double vote, if you will."

Jenisch: "So, there's really no safeguards to catch this. It's just their responsibility not to do it."

Chapa LaVia: "No. It's the same as we have now as if you register to vote. You know, the kids aren't openly asked to do that when they sign up for registration, so they're kinda confused on where their voting process is and in the... and what ends up happening is sometimes the kids have to do absentee ballots and they're not back in their home

STATE OF ILLINOIS  
94th GENERAL ASSEMBLY  
HOUSE OF REPRESENTATIVES  
TRANSCRIPTION DEBATE

32nd Legislative Day

3/17/2005

district and there's a lot of confusion. So, this just gives them the ability to try to sort things out if they want to vote and ask the universities that they ask 'em if they'd like to be given information on how to register to vote that complies with State Board of Election material."

Jenisch: "Thank you, Mr. Speaker."

Chapa LaVia: "You're welcome."

Speaker Hannig: "Okay. So, we've... Let's move this to the Order of Standard Debate. There seems to be some interest. We've now have Representative Mulligan, Jenisch speak and Representative Black is recognized to speak for 5 minutes."

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

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

Black: "Representative, on... on the face of the Bill it's very hard for anybody to be opposed to it, but you and I live in the real world and I have great respect for your knowledge and ability to see unintended consequences of things like this. I think you answered one of my questions. One of the problems that a Bill like this has, there is no statewide database that catches a student who votes at his or her college address and then fills out... excuse me, and then fills out an absentee ballot and votes at his or her parents' home. We know it's going on. I... I... I don't know how to stop it because we don't have any statewide database."

Chapa LaVia: "I... I disagree that it's going on. I do agree that it is possible, but that's voter fraud."



STATE OF ILLINOIS  
94th GENERAL ASSEMBLY  
HOUSE OF REPRESENTATIVES  
TRANSCRIPTION DEBATE

32nd Legislative Day

3/17/2005

Black: "All right. Staff has told me that we are working on legislation to create that statewide database, so that... I think that's long overdue and I think it's..."

Chapa LaVia: "It is. Thank you."

Black: "...I think it's necessary. Let me give you a scenario why and I may vote against this Bill because I've been contacted by constituents and you may wanna... maybe you can set their mind, as well as mine, at ease. If you live in a college town where there are several thousand students, nobody wants to inhibit their right to vote for state, federal, even local elections. Where I've heard from the... where I get complaints are from people when they turn out in large numbers to vote for a public referendum to levy a tax, to provide a certain service. It's awfully hard sometimes to overcome 3 or 4 or 5 thousand student votes that will levy a tax on property to pay for a service which they think is okay, but then the bulk of them leave when they graduate and they never really pay those property taxes. And I think that's what some people in university towns are... are getting a little upset about. I... Representative, I had a Bill that would try to stop that, but... but quite frankly, I tabled it because I knew there was no support for it. But what... what would you tell constituents..."

Chapa LaVia: "Well... well, fortunately..."

Black: "...who live in college towns that have that?"

Chapa LaVia: "...in this great country you don't have to be a property owner in order to vote. And just to give you some

STATE OF ILLINOIS  
94th GENERAL ASSEMBLY  
HOUSE OF REPRESENTATIVES  
TRANSCRIPTION DEBATE

32nd Legislative Day

3/17/2005

history and your staff will tell ya, this is the same piece of legislation we voted on last year. It was Senate Bill 955, but the President did not call it onto the floor. It's just reference."

Black: "Well, you know, the Senate is a very deliberative Body. They must have found something wrong with the Bill. Did they share what they thought was wrong with the Bill with you?"

Chapa LaVia: "We sent over way too many Bills, Representative."

Black: "Ahhh. You know, it appears that we might..."

Chapa LaVia: "They ran out of time even though we went into overtime."

Black: "It appears to me we might be doing that again."

Chapa LaVia: "Please don't say that."

Black: "What... what was the vote on that Bill last year? Was it unanimous?"

Chapa LaVia: "I... I don't remember, we can check."

Black: "Okay."

Chapa LaVia: "Or I can get back to ya on this."

Black: "Well, I... I'd like to be consistent on my voting pattern, but I decided a long time ago I'd rather be right than consistent."

Chapa LaVia: "I think you went blue."

Black: "So, I'll just vote my conscience. Thank you very much."

Chapa LaVia: "You went... you went blue."

Speaker Hannig: "Representative Chapa LaVia to close."

STATE OF ILLINOIS  
94th GENERAL ASSEMBLY  
HOUSE OF REPRESENTATIVES  
TRANSCRIPTION DEBATE

32nd Legislative Day

3/17/2005

Chapa LaVia: "I would just request an 'aye' vote. Thank you very much."

Speaker Hannig: "The question is, 'Shall this Bill pass?' All in favor vote 'aye'; opposed 'nay'. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Mr. Clerk... Representative Olson. Mr. Clerk, take the record. On this question, there are 83 voting 'yes' and 30 voting 'no'. And this Bill, having received a Constitutional Majority, is hereby declared passed. Mr. Clerk, I'm advised that we could call... Okay. Would you read House Bill... On page 14 of the Calendar, would you read House Bill 1469."

Clerk Mahoney: "House Bill 1469, a Bill for an Act concerning criminal law. Second Reading of this House Bill. No Committee Amendments. No Floor Amendments. No Motions filed."

Speaker Hannig: "Representative Chavez, do you wish us to move this to Third? Do you wish us to move it to Third? Okay. Mr. Clerk, Third Reading. On Hou... on page 13 of the Calendar is House Bill 1397. Mr. Clerk, would you read the Bill."

Clerk Mahoney: "House Bill 1397, a Bill for an Act concerning children. Second Reading of this House Bill. No Committee Amendments. No Floor Amendments. No Motions filed."

Speaker Hannig: "Third Reading. On page 30 of the Calendar is House Bill 1058. Mr. Clerk, would you read the Bill."

Clerk Mahoney: "House Bill 1058, a Bill for an Act concerning business. Third Reading of this House Bill."

STATE OF ILLINOIS  
94th GENERAL ASSEMBLY  
HOUSE OF REPRESENTATIVES  
TRANSCRIPTION DEBATE

32nd Legislative Day

3/17/2005

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

Colvin: "Thank you, Mr. Speaker. House Bill 1058 amends the Co... Consumer Fraud and Deceptive Business Practices Act to allow consumers to place a security freeze on their credit reports in the event that they have been a victim of identity theft. Essentially, it would work in the sense that any individual who has been a proven victim of identity theft would have the ability to send a letter, a certified letter, to the credit reporting agencies and asking them to put a freeze on their credit and by 'freeze' simply meaning that no outside entity would have access to their credit information during that period of investigation while that individual works to fix the problem or cure whatever happened during that breach of security. It's very important, in this day and age, that we take these type of steps to protect ourselves in the event of some type of identity theft, seeing that it's such a growing crime in the United States. And I would ask for an 'aye' vote. And I'll try to answer any questions."

Speaker Hannig: "The Gentleman has moved for passage of House Bill 1058. Is there any discussion? This is on the Order of Short Debate. Representative Flider is recognized in response."

Flider: "Mr. Speaker, will the Sponsor yield?"

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

Flider: "Representative Colvin, this legislation strikes me as heading in the right direction. We recently had a national

STATE OF ILLINOIS  
94th GENERAL ASSEMBLY  
HOUSE OF REPRESENTATIVES  
TRANSCRIPTION DEBATE

32nd Legislative Day

3/17/2005

news story and actually, a tragedy that occurred when a company had inadvertently given away credit information about individuals that was supposed to be secure. And does this have any relation to that kind of activity?"

Colvin: "I'm familiar of the case that you're talking about. It's involving a company by the name of ChoicePoint. It's a credit clearing house company and I believe there's legislation dealing with, in the event that that company was breached and... and consumers here in Illinois if their credit information was breached by that company, that company would indeed have to send notice to those individuals that... that their credit information may have been compromised by some outside source. That's the second piece of legislation, but it's part and parcel to the overall problem of identity theft. Unfortunately, with all its... the technology we live with in the 21st century, it's given, I think, access to a whole new criminal wave of activity dealin' with identity theft and the ability to hack into very sophisticated computer systems to steal this very valuable information."

Flider: "Well, one of the things that I had noticed recently and this came... this came to my attention because the Attorney General, Lisa Madigan, had made public the fact that each... every consumer in Illinois during the month of March could access their credit reports. They can access their information if... and all you have to do is, is you have to go online and you can put in the appropriate information and you can access your credit information and

STATE OF ILLINOIS  
94th GENERAL ASSEMBLY  
HOUSE OF REPRESENTATIVES  
TRANSCRIPTION DEBATE

32nd Legislative Day

3/17/2005

you can actually see who has looked at your credit report, who has accessed it. And so, in my case, for example, I had applied for a loan and... and the company that had... that I had applied to had looked at my credit information. But also, I was a little bit troubled to see that one of the companies that had accessed my tru... my credit information was ChoicePoint. And, ya know, standing here today, I don't know why. I'd like to find out why, but I wonder if that's the kinda thing that we're talking about is that, ya know, because somebody's accessed their credit report now somebody's at risk or we're at risk. And so, ya know, things should be frozen or are we on the right track with this legislation?"

Colvin: "Your comments are right on point and well-taken. And the ability to access one's credit is very subjective in arbitrary ways is a concern to many people. But this legislation will impact only those individuals where there has been some proven... well, I won't say proven, but where there has been some evidence of a breach of security and someone's credit information has been accessed and you, looking at it in illegal fashion, hence the identity... hence the definition of 'identity theft'. And this legislation's important because it's the first measure that I think we're passing that will give the consumer some direct action he can take to protect himself temporarily while there's an ensuing investigation and he attempts to make himself whole in the event that there was some identity theft. So, it's... and that's the only thing this measure really does. It

STATE OF ILLINOIS  
94th GENERAL ASSEMBLY  
HOUSE OF REPRESENTATIVES  
TRANSCRIPTION DEBATE

32nd Legislative Day

3/17/2005

gives the consumer control over his own personal financial information in terms of who can access it or not. There was some concerns about individuals who may have to apply for credit in some sinstes... instances when they have a freeze on their credit. Well, those same individuals who put a freeze on their credit can also send notice to the credit reporting agencies for certain individuals or certain companies to have access to their credit information. So, for example, if your heater went out in the middle of winter and you had to apply for instant credit at Sears for a new heater, you can send notice to the credit rating... the credit reporting agencies that Sears credit will have access to your credit information but no one else. So, this is a real good measure, in my opinion, dealing with the growing problem of identity theft and it gives the consumers a chance to do something, take a proactive step, in... in protecting their own selves and their own credit information."

Flider: "I notice in our analysis that there are some organizations and associations that have some opposition. Do you know why they would be opposed to something like this?"

Colvin: "Well, in our analysis, I don't have any here, but I have heard from different groups who wanted to be opted out and I guess in the sense of being opted out..."

Speaker Hannig: "Representative Flider, your time... your 5 minutes have expired. Could you bring your remarks to a close? Okay."

STATE OF ILLINOIS  
94th GENERAL ASSEMBLY  
HOUSE OF REPRESENTATIVES  
TRANSCRIPTION DEBATE

32nd Legislative Day

3/17/2005

Flider: "Thank you, Mr. Speaker. I... I just would like to say. I think this is in the right direction and any time that... that we can prevent a identity theft from occurring it's really up to the individual these days. We have to have the ability to prevent that as individuals. Thank you."

Speaker Hannig: "Okay."

Colvin: "Thank you, Represen..."

Speaker Hannig: "So, this is on the Order of Short Debate. Representative Kelly, do you have a short question?"

Kelly: "Not a question, just to the Bill. I stand in strong support of this Bill. I, myself, have been a victim of identity theft and it took 4 months to straighten out my records. So, I appreciate this Bill. And I urge an 'aye' vote."

Speaker Hannig: "Okay. So, 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' and 0 voting 'no'. And this Bill, having received a Constitutional Majority, is hereby declared passed. On page 31 of the Calendar is House Bill 1548. Representative Currie. Mr. Clerk, would you read the Bill."

Clerk Mahoney: "House Bill 1548, a Bill for an Act concerning State Government. Third Reading of this House Bill."

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



STATE OF ILLINOIS  
94th GENERAL ASSEMBLY  
HOUSE OF REPRESENTATIVES  
TRANSCRIPTION DEBATE

32nd Legislative Day

3/17/2005

Currie: "Thank you, Speaker and Members of the House. Today, when a DCFS child is adopted, the adoptive parents may be entitled to subsidies. Should the adoptive parents die, the new adoptive parents can resume those subsidies once that adoption is final. What this measure tries to do is make sure that the subsidies will continue through the point at which the new parents adopt. The alternative, if it is important for financial resources to be available for that child, would be to return the child to DCFS care. We are checking with the department to make sure that federal subsidies would be eligible to be used for providing these resources to the new parents who are about to adopt and the department would... would want to be able to continue the subsidies in this interim; that the interim can stretch not just for 6 months, but sometimes for 12, 36 or 48 months and it's important to see to it that the child has the financial resources it takes to rear him or her. So, I would appreciate your support for passage of House Bill 1548."

Speaker Hannig: "The Lady moves for the adoption... for the passage of House Bill 1548. 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 113 voting 'yes' and 0 voting 'no'. And this Bill, having received a Constitutional Majority, is hereby

STATE OF ILLINOIS  
94th GENERAL ASSEMBLY  
HOUSE OF REPRESENTATIVES  
TRANSCRIPTION DEBATE

32nd Legislative Day

3/17/2005

declared passed. Representative Eddy, for what reason do you rise?"

Eddy: "Purposes of an announcement."

Speaker Hannig: "St... Make your announcement."

Eddy: "Ladies and Gentlemen of the House, earlier I inquired as to the desire of House Members to purchase the House photo and an option that was not currently being offered. I want to inform the Body that I have made contact with the individual and they will not offer any other options than the options that are being offered. That is their final answer. Wanted to inform the Body of that."

Speaker Hannig: "Representative Black, for what..."

Eddy: "Thank you."

Speaker Hannig: "Are you outraged, Representative Black?"

Black: "Yes, Mr. Speaker. Is this really the final answer?"

Speaker Hannig: "Maybe we should get some help or something."

Black: "Well, I... To tell you the truth, Mr. Speaker, I'm not gonna buy any picture that has Representative Eddy's picture in it, so we're even."

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

Colvin: "I wanna thank my colleague, Representative Eddy, for the petition that he sent around here. But, Eddy, the only real petition they're gonna understand if nobody purchases that picture at those ridiculous prices. And I think that's the only way we're gonna send a message and I guarantee you if nobody buys that picture, in a week or two he'll be selling again at \$55 like he did last year."

STATE OF ILLINOIS  
94th GENERAL ASSEMBLY  
HOUSE OF REPRESENTATIVES  
TRANSCRIPTION DEBATE

32nd Legislative Day

3/17/2005

Speaker Hannig: "Representative Stephens, do you have a thought on this?"

Stephens: "Wait a minute, wait a minute, wait a minute. This is much more of a bargain than you first realize. If you'll take a look at the picture, I'm not in it."

Speaker Hannig: "Representative Eddy."

Eddy: "So... someone has just made the suggestion that perhaps we should look at a reverse auction. Well, I..."

Speaker Hannig: "That wasn't so popular yesterday."

Eddy: "We could amend the... maybe you could amend the Bill in the Senate to include this and the reverse auction could... You might think about that..."

Speaker Hannig: "Yeah. I'll... I'll..."

Eddy: "...Representative."

Speaker Hannig: "...think about that."

Eddy: "Thank you."

Speaker Hannig: "Yeah. Representative Mendoza."

Mendoza: "Yeah. I just wanna say that Representative McCarthy is in... is introducing legislation that will put it out to bid. So, once we boycott this, we should add a Bill that says we're putting it out to bid."

Speaker Hannig: "Excellent. Okay. On page 31 of the Calendar is House Bill 2242. Mr. Clerk, would you read the Bill. Representative D'Amico, you're up."

Clerk Mahoney: "House Bill 2242, a Bill for an Act concerning State Government."

D'Amico: "Thank you, Mr. Speaker. House Bill 2242 was written into law in 2003 and what it does is we wanna add State

STATE OF ILLINOIS  
94th GENERAL ASSEMBLY  
HOUSE OF REPRESENTATIVES  
TRANSCRIPTION DEBATE

32nd Legislative Day

3/17/2005

Troopers to it. Anyone filing a complaint against a sworn peace officer must have a complaint supported by a sworn affidavit and State Troopers were omitted from this law in 2003. Any questions, I'll be..."

Speaker Hannig: "The Gentleman has moved for passage of House Bill 2242. And on that question, Representative Parke."

Parke: "Well, if they were left out, why are they opposing the legislation? Do they just think it's not good public policy or what?"

D'Amico: "I... They are not opposing. I was talking with Buddy Parker yesterday about it. They are onboard with me."

Parke: "Okay. Well, then our staff analysis is not correct. It shows that they're an oppon... in opposition."

D'Amico: "This was brought to me by State Troopers themselves and I sat and talked with 'em yesterday right out here inside... up in the lobby."

Parke: "Okay. Well, yeah, but I'm talking about the State Police, not the troopers themselves but the State Police. Do you... have you talked to the State Police, their liaison or the... their association?"

D'Amico: "The one... Nobody has contacted me in opposition to it. And I was talking to them yesterday... Buddy Parker, I talked to and also I talked to a couple..."

Parke: "Who is... who is Buddy Parker?"

D'Amico: "He's associated with the State... State Police."

Parke: "Is he... is he the liaison?"

D'Amico: "Yes."

Parke: "Okay. Thank you."

STATE OF ILLINOIS  
94th GENERAL ASSEMBLY  
HOUSE OF REPRESENTATIVES  
TRANSCRIPTION DEBATE

32nd Legislative Day

3/17/2005

Speaker Hannig: "Any further discussion? Then the question is, 'Shall this Bill pass?' All in favor vote 'aye'; opposed 'nay'. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Mr. Clerk... Representative Younge. Mr. Clerk, take the record. On this question, there are 112 voting 'yes' and 1 voting 'no'. And this Bill, having received a Constitutional Majority, is hereby declared passed. Representative Biggins has House Bill 2595 been digested?"

Biggins: "Yes. Mr. Speaker, I think we got some soup here, but..."

Speaker Hannig: "Okay."

Biggins: "...we'll let the Members decide that."

Speaker Hannig: "So, why don't we have the Clerk read the Bill."

Clerk Mahoney: "House Bill 2595, a Bill for an Act concerning revenue. Third Reading of this House Bill."

Speaker Hannig: "Representative Biggins."

Biggins: "Thank you, Mr. Speaker and Ladies and Gentlemen of the House. House Bill 2595 is relative to the result of the tragic Chicago fire that occurred in an office building in October of '03 in the Cook County admis... in the Cook County administration building. I'd like to read some of the points that the legislation encompasses and then be glad to answer any questions that any Members may have. First of all, the main proponents of it include the Building Owners and Managers Association, the Illinois Association of Realtors, the Chicagoland Chamber of

STATE OF ILLINOIS  
94th GENERAL ASSEMBLY  
HOUSE OF REPRESENTATIVES  
TRANSCRIPTION DEBATE

32nd Legislative Day

3/17/2005

Commerce and they have worked closely with the City of Chicago which supports passage of this Bill. The purpose of the Bill is to create a financing mechanism to comply with a recent City of Chicago public safety ordinance recently adopted for retrofitting of commercial office buildings with sprinklers and other fire safety fixtures. The... the Building Owners and Managers Association estimates that 85 commercial office buildings in Chicago will be required to retrofit with sprinklers as a result of this ordinance, the Chicago ordinance, rather, that they've adopted. Those who work in these buildings, along with fire safety personnel, generally are the intended beneficiaries of this public safety program. Permissive authority: the Bill simply grants those municipalities that adopt mandatory sprinkler ordinances with permissive authority to create service areas for this purpose. No property may be brought into a service area unless it voluntarily petitions for inclusion. I wanna repeat that. No property is included or made part of this ordinance unless it voluntarily wishes to do so. There's a lack of tax impact. The Bill has been designed so that only those property owners who do choose to participate, created by this Bill, will be affected and nonparticipants will not be assessed under this measure, nor it will be... they'd be affected at all. There's no exposure to the City of Chicago or any other unit of local government or taxpayers generally. Bonds are to be taxable and they will have nonrecourse. No effects will be had on schools, no

STATE OF ILLINOIS  
94th GENERAL ASSEMBLY  
HOUSE OF REPRESENTATIVES  
TRANSCRIPTION DEBATE

32nd Legislative Day

3/17/2005

additional taxes. There'll be no additional risk and this will promote public safety. I would be happy to answer questions. There is no known opponents at this time to the Bill. We have a companion measure being worked through the Senate, Senate Bill 1294, sponsored by Represen... Senators Harmon and Lauzen and they are advancing that Bill in the Senate. I'd be happy to answer any questions any Memb... Members of the Body may have."

Speaker Hannig: "Okay. The Gentleman has moved for the passage of House Bill 2595. This is on the Order of Short Debate.

In response, Representative Fritchey is recognized. Rep..."

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

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

Fritchey: "Representative, the Bill does something else, as well, though. Can you please... I'm over here. Can you... can you tell us what the Amendment does?"

Biggins: "Yes. It does provide that 100 percent of the property owners included have to approve, in the service area, have to approve of the measure."

Fritchey: "Right now, for an SSA to be approved, under the statutes on the books, it's democracy in action. The SSA gets approved if 51 percent of building owners or the affected property owners approve the SSA. What this now says, it doesn't raise it to a supermajority, it raises it to 100 percent of the owners have to agree. And if one building does not wanna go along with the provisions of the SSA to retrofit for safety purposes, they can deny the

STATE OF ILLINOIS  
94th GENERAL ASSEMBLY  
HOUSE OF REPRESENTATIVES  
TRANSCRIPTION DEBATE

32nd Legislative Day

3/17/2005

entire affected area the ability to have that SSA, can't they?"

Biggins: "That's correct. Thank you for bringing that point up."

Fritchey: "Do you not see a problem with that?"

Biggins: "No, I think it's a benefit of it."

Fritchey: "You think... you think it's a benefit that 99 percent of the affected property owners can say that they want to take advantage of this SSA and put sprinklers in and retrofit and save people's lives, but one building owner can get in the way of that. We're not going from 51 percent to 60 or 51 to 75, we're lookin' 51 to 100 percent have to approve to do this."

Biggins: "The reason it was drawn and drafted this tightly was that... so that it would not be usurping or... or the government was not forcing its way upon a particular building owner. If they don't wanna be involved in this program, they don't have to be."

Fritchey: "We... we have SSAs in my district down at that Chamber of Commerce level in the neighborhoods and there's often the subject of spirited debate, nobody gets forced to do anything. It is democracy in action. It works the same way this Body works. It's a majority rule. So, it does more than say that nobody gets forced into a life-saving retrofit, it says that one property owner can prevent a sprinkler retrofit for the entire proposed SS area... SSA area."



STATE OF ILLINOIS  
94th GENERAL ASSEMBLY  
HOUSE OF REPRESENTATIVES  
TRANSCRIPTION DEBATE

32nd Legislative Day

3/17/2005

Biggins: "Each property owner is respon... is the voice only in its development or participation in its own property, not in any other property."

Fritchey: "Understood, but..."

Biggins: "They may create every... special area created can be... will probably include one building at a... one ownership at a time."

Fritchey: "I... I didn't hear the last part. I apologize."

Biggins: "It'll probably have one building... one ownership entity would be for each building. Then after you would..."

Fritchey: "Under... understood. But one buil... you may have 75 affected buildings in an SSA, in a proposed SSA, 74 of those buildings can say, this is fantastic, this gives us the financial incentive that we need in order to retrofit and put in sprinklers and prevent another tragedy like the Cook County Building, but that seventy-fifth building can say, we don't wanna go along with this for whatever our reason may be and the other 74 buildings are then denied the benefits of that SSA, aren't they?"

Biggins: "No, because if that's the case, the other 74 buildings can exclude the one building that doesn't wanna be in it, redraw it and offer it to the rest of those who wanna be in it. No one's forced to participate in this program."

Fritchey: "I... I... I would... I would submit that it's essentially impossible to draw an SSA and cut out one building in the center of that SSA. Legal... legally I don't think it'd be permissible to do. Practically, it wouldn't be permissible

STATE OF ILLINOIS  
94th GENERAL ASSEMBLY  
HOUSE OF REPRESENTATIVES  
TRANSCRIPTION DEBATE

32nd Legislative Day

3/17/2005

to do. If that was the case, then they could simply carve out whole areas."

Biggins: "Yes."

Fritchey: "The SSAs have historically been majority rule. If you wanna take it to a supermajority, maybe I would understand that. But to have absolute 100 percent inclusion really seems to be a poison pill hidden within this legislation designed to gut it."

Biggins: "The SSA can be one building."

Fritchey: "They could..."

Biggins: "It doesn't have to be more than one."

Fritchey: "It could be, so... so then... so then if..."

Biggins: "So, therefore, any building that doesn't wanna opt in can opt out... can stay out of it."

Fritchey: "So, then if we have 75 contiguous buildings, we have to go and do a number of different SSAs which is gonna cost more money to implement, more money to oversee, more money for the regulatory authorities."

Biggins: "Well, the... They don't have to be contiguous properties to be in the SSA. They can be scattered throughout the whole city, for that matter. Anyone that wants to opt in can opt in. And anybody else that be in..."

Fritchey: "I... I... I don't... I don't believe..."

Biggins: "...and any building owner that doesn't wanna be in it does not... is not gonna be in it."

Fritchey: "I don't believe that you can create one SSA that has noncontiguous properties in it, Representative. If you know that I'm wrong, I'd love to hear that. But my

STATE OF ILLINOIS  
94th GENERAL ASSEMBLY  
HOUSE OF REPRESENTATIVES  
TRANSCRIPTION DEBATE

32nd Legislative Day

3/17/2005

understand... there has to be a contiguity of the district.  
You cannot have a patch..."

Speaker Hannig: "Representative Fritchey, your... your 5 minutes  
have expired. Would you like to bring your remarks to a  
close."

Fritchey: "I'm done."

Speaker Hannig: "Okay. There seems to be a little interest in  
this Bill. So, Representative Currie, would you like to  
close on this Bill on Short Debate."

Currie: "Sure. Thank you very much, Speaker. Just to make a  
couple of clarifications. Some high-rise buildings in  
Chicago will be required to do updates for fire safety  
purposes based on new ordinances by the City of Chicago.  
The question is, how are they going to pay for it? Under  
the provisions of 2595, noncontiguous, noncompact Special  
Service Areas could be developed with 100 percent support  
of those within this noncontiguous, noncompact district.  
So, here, what we're trying to do is to let those building  
owners, knowing they have to meet these new requirements,  
let them participate in a program that means they can bond  
money and pay for the project over a period of time rather  
than having to take it out of current revenues all at once.  
Building owners that want to go it alone, in that high-rise  
district, will continue able to do so. This seems to me,  
House Bill 2595, to be a carefully constructed program so  
that those building owners under these new requirements  
will, in fact, be able to do the job in an effective and  
efficient manner. And I don't think that the problems we

STATE OF ILLINOIS  
94th GENERAL ASSEMBLY  
HOUSE OF REPRESENTATIVES  
TRANSCRIPTION DEBATE

32nd Legislative Day

3/17/2005

heard about, 51 percent versus 100 percent, apply to the specifics of this particular proposal. I urge your 'aye' votes."

Speaker Hannig: "Okay. The Lady has closed on House Bill 2595. And so the question is, 'Shall this Bill pass?' All in favor vote 'aye'; opposed 'nay'. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Mr. Clerk, take the record. On this question, there are 73 voting 'yes' and 40 voting 'no'. And this Bill, having received a Constitutional Majority, is hereby declared passed. On page 33 of the Calendar is House Bill 3595. Mr. Clerk, would you read the Bill."

Clerk Mahoney: "House Bill 3595, a Bill for an Act concerning civil law. Third Reading of this House Bill."

Speaker Hannig: "Representative Brosnahan."

Brosnahan: "Thank you. Thank you, Mr. Speaker, Ladies and Gentlemen of the House. House Bill 3595 amends the Local Government and Governmental Employees Tort Immunity Act by specifically including trustees of schools of townships and the treasurers of schools of townships and the definition of 'local public entity'. I know of no opposition to this legislation. And I'd be happy to answer any questions."

Speaker Hannig: "The Gentleman has moved for passage of House Bill 3595. 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 113 voting

STATE OF ILLINOIS  
94th GENERAL ASSEMBLY  
HOUSE OF REPRESENTATIVES  
TRANSCRIPTION DEBATE

32nd Legislative Day

3/17/2005

'yes' and 0 voting 'no'. And this Bill, having received a Constitutional Majority, is hereby declared passed. On page 3 of the Calendar is House Bill 315. Representative Burke is recognized. Mr. Clerk, read the Bill."

Clerk Mahoney: "House Bill 315 has been read a second time, previously. Amendment #1 was approved in committee. Floor Amendment #2 was adopted by the House. All Motions have been filed."

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

Clerk Mahoney: "House Bill 315, a Bill for an Act concerning animals. Third Reading of this House Bill."

Speaker Hannig: "Representative Burke."

Burke: "Thank you, Mr. Speaker and Ladies and Gentlemen of the House. I'm sure many of you have been hearing about this particular piece of legislation in the last several days. Let me make it perfectly clear what this Bill would do. Firstly, it would create spec... a special fund in the State Treasury administered by the Illinois Public Health and Safety Animal Control Fund. The fund would reimburse private veterinarians for the sterilization and vaccination of dogs of disadvantaged owners. The director of Public Health would set up reimbursement fees: 10 percent of the fund allocated each year to the U of I Veterinary School for a community outreach program; 20 percent of the fund would go to municipalities and counties for grants for existing spaying and neutering programs. The fund collection would begin January 1 of 2006 and be sunsetted

STATE OF ILLINOIS  
94th GENERAL ASSEMBLY  
HOUSE OF REPRESENTATIVES  
TRANSCRIPTION DEBATE

32nd Legislative Day

3/17/2005

in the year 2012. The fund would be composed of voluntary donations, voluntary income tax checkoff and a \$3 public fee on each dog at the time of registration for rabies inoculation. Farm dogs have been exempted. The owner... or pardon me, owner pays \$15 that was a copay for sterilization and vaccinations. Veterinarian participation in vaccination and steriliza... sterilization program is strictly voluntary. County rabies registration fee deposited in the County Animal Control Fund and \$3 public safety fee on each dog, that is registered and collected, would be forwarded quarterly to the Department of Public Health for deposit to the Public Health and Safety Animal Control Fund. And I'd be happy to answer any questions."

Speaker Hannig: "Okay. This is on the Order of Short Debate. The Gentleman has moved for the passage of House Bill 315. Is there anyone who speaks in response? The Gentleman from Vermilion, Representative Black."

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

Speaker Hannig: "Yes, state your inquiry."

Black: "Yes. I'm joined by..."

Speaker Hannig: "Yes, you can remove it from Short Debate."

Black: "Yeah. Remove the Bill from Short Debate, will you please?"

Speaker Hannig: "We'll take the Bill off Short Debate."

Black: "Thank you."

Speaker Hannig: "The Bill's on Standard Debate. Representative Black."

STATE OF ILLINOIS  
94th GENERAL ASSEMBLY  
HOUSE OF REPRESENTATIVES  
TRANSCRIPTION DEBATE

32nd Legislative Day

3/17/2005

Black: "Thank you very much, Mr. Speaker and Ladies and Gentlemen of the House. While I have great respect for the Sponsor and I told him a day or two ago, I stand in strong opposition to this Bill. The Bill has a very laudable goal of trying to reduce the number of unwanted animals in the state and that is a laudable goal. However, this Bill has some... some real, real life problems. Number one, it increases the tax on rabies vaccinations by \$3 a year. Now, that places an undue burden on people like me who are responsible pet owners and follow all rules and regulations about vaccinating their animals. One of the big problems in this Bill, to get the Farm Bureau support is... they removed farm dogs from the Act. If there's any dog that wanders through 10, 20, 50, a hundred acres every day and comes in contact with skunks, raccoons, rabies-carrying animals, it's farm dogs. For heaven's sake, you don't wanna exempt the very dog that's out in the... and wandering around from this Act. This is a tremendous weakness in the Bill. Secondly, the... the increased tax on the rabies vaccination is a disincentive, a disincentive, if you will, to people who want to do the right thing, who takes their dogs in, who follow the law. You know, when it gets up to 25 or 30 dollars in some counties to register and vaccinate your dog, it becomes a little easier just to say, I'm not gonna do it, I don't wanna do it. I've also been contacted by the Iroquois County treasurer, a part of the district that I used to represent. Treasurer David Perzee goes on to say, 'Many small rural village homeowners have 911

STATE OF ILLINOIS  
94th GENERAL ASSEMBLY  
HOUSE OF REPRESENTATIVES  
TRANSCRIPTION DEBATE

32nd Legislative Day

3/17/2005

addresses. How are we to determine the difference between a rural dog and a city dog as to concern for vaccination?' He goes on to say, 'If this Bill is passed, our office will no longer register dogs for Iroquois County.' How can we discriminate against town dog owners in addition to charging them an extra fee which will be sent out of the county? When all else is said and done, does anybody in a small area think that we're gonna see any real money from the \$2½ million that this Bill will allegedly raise? We won't get enough money to spay one dog or one cat. You know it's all gonna go to the urban areas. Ya know, you have a situation in this state that works pretty darn good. Ya have a lot of dedicated animal control officers. County boards have come into compliance with this over the last few years. Dr. Bromwell was the state veterinarian for years. He's retired and he said we were making real progress. And along comes another Bill to tax responsible dog owners that will allegedly give money to irresponsible dog owners to spay and neuter. It isn't gonna happen. I wish it would. You're just creating more people who will not follow the law that adds to the problem. It doesn't help the problem. And you know, when all is said and done and as much respect as I have for the Sponsor, we don't have an animal control problem in this state, we have a people ownership problem. The dog and the cat don't do anything wrong. It's the irresponsible owner that doesn't take care of their pet that we oughta go after and you don't help them by raising the taxes on them and saying



STATE OF ILLINOIS  
94th GENERAL ASSEMBLY  
HOUSE OF REPRESENTATIVES  
TRANSCRIPTION DEBATE

32nd Legislative Day

3/17/2005

you're going to redistribute it for a spay and neuter program. I can attest that Vermilion County has a good program. This isn't necessary. It is an ill-conceived Bill. I would hope and again, in all due respect to Representative Burke, a man I like and I respect, it's a bad Bill. And I hope you vote 'no'."

Speaker Hannig: "Representative Brosnahan."

Brosnahan: "Thank you, Mr. Speaker, Ladies and Gentlemen of the House. To the Bill. I rise in strong support of this measure and I know there's plenty of Bills that we hear on this floor that maybe aren't serious. And ya know, I hear the barking and the howling and people making cat calls and I just wanna bring to your attention that the reason that we have this legislation today and I wanna, again, compliment the hard work of the Sponsor, Dan Burke. One of the reasons we have it today is an incident that happened a couple years ago near 87th and Western in the City of Chicago in my... in my district on the Dan Ryan Woods. A woman by the name of Anna Cieslewicz was attacked by a number of stray dogs. Anna died as a result of those injuries. I knew Anna very well. She was a registered nurse. She was actually my children's nurse, so I saw Anna on a regular basis. Having four young kids, I spent a lot of time, my wife and I, in the pediatrician's office, so I got to know her. What this Bill is attempting to do is to reduce the number of strays that we have out there. In many areas, not just in... in the City of Chicago or in urban areas, it's not just a problem in our districts, it's a

STATE OF ILLINOIS  
94th GENERAL ASSEMBLY  
HOUSE OF REPRESENTATIVES  
TRANSCRIPTION DEBATE

32nd Legislative Day

3/17/2005

problem in a lot of places. We are just trying to reduce the number of strays. I've heard arguments against this Bill and they just don't hold any water with me. I know the veterinarians are against this Bill. If you look at the Bill, you look at the language, it's permissive. If they don't wanna participate in this, the veterinarians do not have to participate in that. It's as simple as that. We are not forcing them to do this. Again, I just wanna compliment the Sponsor for all his hard work and I just want people to know that this is a very serious measure. And I would urge all of you to please support this legislation. Thank you."

Speaker Hannig: "Representative Jerry Mitchell is recognized for 5 minutes."

Mitchell, J.: "Thank you, Mr. Speaker. To the Bill. Ladies and Gentlemen of the House, I stand in support of the Gentleman's legislation simply because we have got to start paying attention to the problem. I had a 14-year-old freshman in high school mauled to death early one morning in my district by three pit bulls and a mixed boxer. Now, I don't know what the answer is, but we don't have the solution yet. This is an attempt to try to take aggressive dogs, dogs that are a threat to our children, neuter them and maybe make 'em less aggressive. Three dollars is not gonna break anybody's back. Dog owners need to help solve the problem and I agree with... with my colleague that I rep... that I respect very much that was upset over this fee. The problem is irresponsible dog owners. If anybody can come

STATE OF ILLINOIS  
94th GENERAL ASSEMBLY  
HOUSE OF REPRESENTATIVES  
TRANSCRIPTION DEBATE

32nd Legislative Day

3/17/2005

up with a better solution, I'll be on that Bill too. But when you look your constituents in the eye and try to explain to a set of parents why four dogs, running loose, killed their daughter, then come and tell me what it is because I didn't know what to say to 'em. Mr. Speaker, I stand in support of the Gentleman's legislation. Thank you."

Speaker Hannig: "Representative Burke to close."

Burke: "I thought this was on long debate, now. You have no other interested parties?"

Speaker Hannig: "No other... No one else is seeking recognition, Representative."

Burke: "Thank you, Speaker. Let me say, Ladies and Gentlemen, this is indeed a very, very serious matter as Representative Brosnahan pointed out, as Representative Mitchell has pointed out. People have lost their lives as a result of this stray dog problem, not only in Chicago, but across the state. Ladies and Gentlemen, 4.7 million dog bites occur in the U. S. each year, 70 percent of those bites involved unaltered male dogs. Nearly 50 percent of dog attacks involve children younger than 12 years old. Three hundred and thirty-four thousand people had to go to U. S. emergency rooms last year for dog bite injuries. The insurance industry pays out more than \$1 billion each year in homeowners' liability from dog bites. I would submit to you, Ladies and Gentlemen, that the collection of \$3, one time a year, to begin to approach the solving of this problem is not a lot to ask. I might remind the Members,

STATE OF ILLINOIS  
94th GENERAL ASSEMBLY  
HOUSE OF REPRESENTATIVES  
TRANSCRIPTION DEBATE

32nd Legislative Day

3/17/2005

as well, we did not imagine this Bill. There are four other states that have implemented this program in their communities, let me introduce them to you: New Jersey, New Hampshire, New York, Connecticut, Maine and Colorado. The New Jersey program resulted in a 29 percent decline in animal impoundments and a 10 percent drop in euthanasia, despite an 8.5 percent increase in the human population. In 10 years, New Hampshire's program saved taxpayers \$3.23 for every dollar invested in animal population control funds. Since 1994, when the program was implemented, a number of animals entering municipal animal shelters has declined by over 37 percent and euthanasias had decreased by 77 percent. I can't, for the life of me, understand why the veterinary community is not fully in support of this measure. I asked them in committee, 'you're down here to oppose it; you're down here taking up the time of this committee; I'd like to know what have you recommended that would begin to solve this problem.' It is not a barking or laughing matter, Ladies and Gentlemen. This is a serious, serious concern particularly for the families that have suffered losses as a result of stray dogs roaming our communities. I would strongly encourage you to consider your constituency, not one veterinarian that may have called you, even though I have the greatest respect and admiration for that profession, they are not policymakers. You, every woman and man in this chamber, is... are the people that make the policy not the veterinarians of our state, as much as I have great admiration for them. I

STATE OF ILLINOIS  
94th GENERAL ASSEMBLY  
HOUSE OF REPRESENTATIVES  
TRANSCRIPTION DEBATE

32nd Legislative Day

3/17/2005

would ask you to seriously consider this matter and vote in favor of House Bill 315. Thank you so much."

Speaker Hannig: "The question is, 'Shall this Bill pass?' All in favor vote 'aye'; opposed 'nay'. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Have all voted who wish? Mr. Clerk... Have all voted who wish? Mr. Clerk, take the record. Representative Burke, would you wish this on Postponed? Mr. Clerk, put this on the Order of Postponed Consideration. On page 2 of the Calendar is House Bill 1336. Excuse me. On page 12 of the Calendar is House Bill 1336. Read the Bill, Mr. Clerk."

Clerk Mahoney: "House Bill 1336, a Bill for an Act concerning education. Second Reading of this House Bill. No Committee Amendments. No Floor Amendments. No Motions filed."

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

D'Amico: "A point of personal privilege. I mis... I misspoke on House Bill 2242. I will work with the State Police when it goes over to the Senate."

Speaker Hannig: "Okay. On page 34 of the Calendar is House Bill 3879. Mr. Clerk, would you read the Bill."

Clerk Bolin: "House Bill 3879, a Bill for an Act concerning education. Third Reading of this House Bill."

Speaker Hannig: "And the Lady from Will, Representative Kosel will handle this Bill for Leader Cross. Representative Kosel."

STATE OF ILLINOIS  
94th GENERAL ASSEMBLY  
HOUSE OF REPRESENTATIVES  
TRANSCRIPTION DEBATE

32nd Legislative Day

3/17/2005

Kosel: "Thank you very much, Mr. Speaker. Last year we codified into law the priorities for a school construction grant program. This Bill, 3879, will require the State Board of Education to reactivate the construction grant program by immediately ranking all applications that they have received. I would ask for your positive consideration."

Speaker Hannig: "The Lady has moved for passage of House Bill 3879. This is on the Order of Short Debate. And Representative Stephens is recognized in response."

Stephens: "Just an inquiry of the Chair."

Speaker Hannig: "O..."

Stephens: "My 'no' button seems to be worn out and it's not working. I wonder if the electrician could come by."

Speaker Hannig: "Yes. We can have the electrician come and look at that. On House Bill 3879 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' and 0 voting 'no'. And this Bill, having received a Constitutional Majority, is hereby declared passed. On page 11 of the Calendar is House Bill 1299. Mr. Clerk, would you read that Bill."

Clerk Bolin: "House Bill 1299, a Bill for an Act concerning civil law. Second Reading of this House Bill. Amendment #1 was adopted in committee. Floor Amendment #2, offered

STATE OF ILLINOIS  
94th GENERAL ASSEMBLY  
HOUSE OF REPRESENTATIVES  
TRANSCRIPTION DEBATE

32nd Legislative Day

3/17/2005

by Representative Howard, has been approved for consideration."

Speaker Hannig: "Representative Howard."

Howard: "Yes. Thank you, Mr. Speaker. Amendment #2 would make some minor changes to the Bill in definitions. It would insert into the Bill the quote, 'that any illegality of the sex trade activities on the part of the plaintiff shall not be an affirmative defense to any action brought under this Act.' That was something that was discussed in committee and this Amendment makes the... makes the Bill no opposition from any... anybody at this... at this time."

Speaker Hannig: "The Lady moves for the adoption of Amendment #2. Is there any discussion? All in favor say 'aye'; opposed 'nay'. The 'ayes' have it. The Amendment is adopted. Any further Amendments?"

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

Speaker Hannig: "Third Reading. The Chair's advised that we've sorted through House Bill 783. Is that right? So, Representative... on page 29 of the Calendar is House Bill 783. The Lady from Cook, Representative Soto."

Soto: "I just wanna bring back House Bill 783. There was a technical correction that needed to be implemented. We have done that. As we speak, the Amendment is being drawn up, so it's... on a technical nature. So, it... I urge an 'aye' vote."

Speaker Hannig: "So, it's your intention to pass the Bill at this time, Representative?"

Soto: "Yes, to pass the Bill."

STATE OF ILLINOIS  
94th GENERAL ASSEMBLY  
HOUSE OF REPRESENTATIVES  
TRANSCRIPTION DEBATE

32nd Legislative Day

3/17/2005

Speaker Hannig: "So, the Lady moves..."

Soto: "There's an agreement..."

Speaker Hannig: "...the Lady moves for passage of House Bill 783.

And on that question, the Gentleman from Vermilion,  
Representative Black."

Black: "Yeah. Thank you very much, Mr. Speaker and Ladies and  
Gentlemen of the House. I really appreciate the Sponsor's  
willingness to take this Bill out of the record. What we  
have discovered is there is a very technical one word  
almost a definitional or semantics problem in this Bill and  
she has promised that she will get that taken care of in  
the House or excuse me, in the Senate. Now, having said  
that, the underlying Bill some of you will vote for and  
some of you will vote against, but I just wanna commend the  
Representative on working with her staff and our staff and  
getting the fact straightened out that the Bill does need  
an Amendment and she has... she has promised that that will  
take place in the Senate. I thank her for that."

Speaker Hannig: "Any further discussion? Then the question is,  
'Shall this Bill pass?' All in favor vote 'aye'; opposed  
'nay'. The voting is open. Have all voted who wish? Have  
all voted who wish? Have all voted who wish? Mr. Clerk,  
take the record. On this question, there are 102 voting  
'yes' and 11 voting 'no'. And this Bill, having received a  
Constitutional Majority, is hereby declared passed. On  
page 27 of the Calendar is House Bill 112. Mr. Clerk,  
would you read the Bill."



STATE OF ILLINOIS  
94th GENERAL ASSEMBLY  
HOUSE OF REPRESENTATIVES  
TRANSCRIPTION DEBATE

32nd Legislative Day

3/17/2005

Clerk Bolin: "House Bill 112, a Bill for an Act concerning transportation. Third Reading of this House Bill."

Speaker Hannig: "Representative Feigenholtz."

Feigenholtz: "Thank you very much, Mr. Speaker. Yesterday we adopted House... Floor Amendment #3 which became the Bill, clarifying language in this Bill, requiring the follow... following public entities to use 2 percent biodiesel motor fuel in their diesel powered vehicles when fueling at a bulk central fueling facility: the State of Illinois, the county of... any county or unit of local government, any school district, any community college or a mass transit agency. I'd be glad to answer any questions."

Speaker Hannig: "The Lady has moved for passage of House Bill 112. And in response, Representative Parke is recognized."

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

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

Parke: "Amendment 3 says that you deleted the section that previously exempted elementary and secondary school districts from the requirement. Now, why did you do that?"

Feigenholtz: "Well, originally, the Bill re... was a lot more problematic, Representative Parke, because it required biodiesel 50, B50, which would... really creates a much bigger burden because of the high levels. Since we dropped it down to 2 percent, I believe that some of the school board's issues were alleviated because they were concerned about whether or not the engines that they have on their vehicles could handle that kind of concentration."

STATE OF ILLINOIS  
94th GENERAL ASSEMBLY  
HOUSE OF REPRESENTATIVES  
TRANSCRIPTION DEBATE

32nd Legislative Day

3/17/2005

Parke: "And have you heard it from any of the school districts that have opposed this or said that they are concerned about it?"

Feigenholtz: "No. I... I spoke with Deanna Sullivan and she said her major concern was the B50, but we had brought it down to B2 long before that. There's also a lot of opportunities in the Bill to exclude oneself including whether or not there is a central bulk fueling station, if it's available. Ya know, this is actually a pretty easy Bill to comply with."

Parke: "Okay. Thank you."

Speaker Hannig: "Okay. This is still on the Order of Short Debate. Representative Eddy, do you wish to ask a few questions?"

Eddy: "Yeah. If... if... the Sponsor yield?"

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

Eddy: "Just very quickly. I wanna get the idea of what that bulk central fueling station... What your intention of that definition is? I think that's the center of the concerns for some of the school districts."

Feigenholtz: "If... if you and I'm reading my analysis, Representative Eddy, and how it's defined is a bulk central fueling facility is defined as a 'noncommercial fueling facility whose primary purpose is the fueling of vehicles owned or operated by the state, a county or unit of local government, a community college or public college, university or a mass transit agency.' So, if it's a... if

STATE OF ILLINOIS  
94th GENERAL ASSEMBLY  
HOUSE OF REPRESENTATIVES  
TRANSCRIPTION DEBATE

32nd Legislative Day

3/17/2005

it's a school board that doesn't... that goes to the local gas station, they're exempt."

Eddy: "But... but if on the school grounds the bus fleet is fueled, that would then be the central fueling station, if they purchased fuel in bulk and have it available to fuel their fleet?"

Feigenholtz: "Correct."

Eddy: "Okay. Thank you very much and it is the 2 percent standard, as you mentioned?"

Feigenholtz: "I can't hear you."

Eddy: "It is the 2 percent standard that... that you mentioned?"

Feigenholtz: "That's where we're at, 2 percent."

Eddy: "Okay. Thank you very much, Mr. Speaker."

Feigenholtz: "Unless there's an engine that's retrofitted. We've stipulated in this Bill that there are some entities included in this Bill that are actually using, as you know, because you're probably involved in soybeans, right?"

Eddy: "Absolutely."

Feigenholtz: "That there are some John Deere, as you know, and a lot of vehicles are using a higher concentration of biodiesel and so, we're not... we're not discouraging them from doing that if their fuel engines have been retrofitted or can handle that. But for... ya know, this is just a B2 Bill for these entities right now."

Eddy: "Thank you very much. To the Bill."

Speaker Hannig: "To the Bill."

Eddy: "I... I commend the Speaker(sic-Sponsor) on working with the alliance on this issue regarding the problems the

STATE OF ILLINOIS  
94th GENERAL ASSEMBLY  
HOUSE OF REPRESENTATIVES  
TRANSCRIPTION DEBATE

32nd Legislative Day

3/17/2005

districts had with the Bill. And I believe with those Amendments and that cooperation that schools should be able to comply with this in a pretty easy fashion. Thank you."

Speaker Hannig: "Okay. 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' and 0 voting 'no'. And this Bill, having received a Constitutional Majority, is hereby declared passed. On page 32 of the Calendar is House Bill 2589. Representative Davis. Mr. Clerk, read the Bill."

Clerk Bolin: "House Bill 2589, a Bill for an Act concerning education. Third Reading of this House Bill."

Speaker Hannig: "Representative Davis."

Davis, M.: "Thank you, Mr. Chairman. House Bill 2589 amends the K-3 class size reduction grant program. It provides that if a State Board of Education determines that a school is misusing funds that were awarded under this program the school district, rather than the school, would determine how those funds would be used. This class size reduction grant awards grants to... excuse me... schools on early academic warning or academic watch lists to defray the costs of keeping average class sizes at or below 20 pupils per class. This program was established through Public Act 93-814; however, it was never funded. But we feel that this is a protected piece of legislation because once those funds are granted and a school decides to use those funds

STATE OF ILLINOIS  
94th GENERAL ASSEMBLY  
HOUSE OF REPRESENTATIVES  
TRANSCRIPTION DEBATE

32nd Legislative Day

3/17/2005

inappropriately they would go to that school board and the school board would decide how the spun... funds would be spent."

Speaker Hannig: "Okay. The Lady has moved for passage of House Bill 2589. 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... Representative Younge, would you like to be recorded? Mr. Clerk, take the record. On this question, there are 112 voting 'yes' and 0 voting 'no'. And this Bill, having received a Constitutional Majority, is hereby declared passed. On page 28 of the Calendar is House Bill 157. Mr. Clerk, would you read the Bill."

Clerk Bolin: "House Bill 157, a Bill for an Act concerning public employee benefits. Third Reading of this House Bill."

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

Delgado: "Thank you, Mr. Speaker and Members of the House. House Bill 1... House Bill 157 allows teachers... Chicago teachers to become medicare eligible if they were continuously employed prior to March 31, 1986 and remain employed by the Chicago Public Schools. Prior to 19... prior to 1986, teachers for the City of Chicago were not eligible for medicare. CPS then became a medicare eligible employer; however, teachers who were employed before the change were not affected. Any employee who entered into

STATE OF ILLINOIS  
94th GENERAL ASSEMBLY  
HOUSE OF REPRESENTATIVES  
TRANSCRIPTION DEBATE

32nd Legislative Day

3/17/2005

service after this date, either as a new member as... excuse me, as a new employee or as a reentry, was eligible for medicare benefits and employer and employee were required to pay 0.145 percent of salary each to the Federal Government for these benefits. This Bill would make all Chicago teachers eligible for medicare assuming they have enough quarters to meet the federal guidelines. The Teachers Retirement System (TRS) allowed downstate teachers to become medicare eligible after legislation in the 93rd General Assembly. And I would ask for your 'aye' vote."

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

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

Speaker Hannig: "Indicates he'll yield."

Parke: "Now, Representative, the Chicago teach... Chicago School Board is shown here to be in opposition. Do you know if they still stand in opposition?"

Delgado: "Yes. As far as I'm concer... as far as I know right now, Representative, they continue to have issues with this particular piece of legislation. I would try to create parity. I've worked with them with this particular legislation, but here I'm supporting on... on the teach... on the teachers side themselves as to creating parity in this state as already we've implemented this downstate. And this is the right thing to do for these employees."

Parke: "Do you have any idea how much this is gonna cost the Chicago Teachers Pension System to do this?"

STATE OF ILLINOIS  
94th GENERAL ASSEMBLY  
HOUSE OF REPRESENTATIVES  
TRANSCRIPTION DEBATE

32nd Legislative Day

3/17/2005

Delgado: "That number I don't have with me, no."

Parke: "How many people will participate in this, do you think?"

Delgado: "It would be probably less than about 7 thousand because..."

Parke: "Seven thousand. What... what is the individual cost, do you think..."

Delgado: "The individual..."

Parke: "...per..."

Delgado: "...your individual cost, I don't have in front of me, but keep in mind, Representative, there's gonna be some employees already having... being covered by medicare by their spouses or other parts of their families, so there's gonna... actually reduce those numbers because they're gonna have options... they're gonna have other options that might already exist in their lives. And again, they now... not necessarily all qualify based on the amount of quarters they worked. So, there are some caveats there that... but at least it's gonna be on the menu to are those who are eligible and deserve this and bring this state... yeah, an even playing field, if you will, with the rest of the state."

Parke: "All right. To the Bill. Ladies and Gentlemen, I must rise in opposition to the Gentleman's legislation. This is a Bill that affects the Chicago Teachers Pension System. We are struggling in this state whether it's private or public systems to pay the current benefits that are required now and to fund them properly. Though the

STATE OF ILLINOIS  
94th GENERAL ASSEMBLY  
HOUSE OF REPRESENTATIVES  
TRANSCRIPTION DEBATE

32nd Legislative Day

3/17/2005

underlying legislation, I'm sure, has merit, I must rise in opposition to the Gentleman's Motion."

Speaker Hannig: "This is on the Order of Short Debate. Representative Molaro, do you have a brief comment?"

Molaro: "Ye... yes, I do. I just wanna make sure that the prior speaker understands this. This is a savings to the retirement system. This isn't a cost to the retirement system; it's a savings to them. It will... there might be some cost to the Board of Education because the Board of Education now has to make medicare payments. But what it does is because the retirees are eligible for medicare the retirement system will no longer have to pay the higher premiums. So, therefore, it's a cost savings to the retirement system so we should vote for it for the exact reasons that the previous speaker just spoke. We need this savings. It's a savings to the retirement system. And this is a great Bill. Thank you."

Speaker Hannig: "Okay. It seems like there's some interest in this Bill, so why don't we allow Representative Stephens a few minutes."

Stephens: "I won't be voting 'no' because the electrician took my 'no' button."

Speaker Hannig: "Maybe that's a good thing, Representative. Okay. Representative Delgado to close."

Delgado: "Thank you, Mr. Speaker. Once again, this particular piece of legislation, as one of my colleagues pointed out, this actually will be a... a saver and also elig... creates eligibility for federal funds. And I do wanna correct in



STATE OF ILLINOIS  
94th GENERAL ASSEMBLY  
HOUSE OF REPRESENTATIVES  
TRANSCRIPTION DEBATE

32nd Legislative Day

3/17/2005

terms of the number. It's... I'm being told by staff, it's even about a thousand. I would ask for your 'aye' vote on 157. And let's create a level playing field for all teachers in the State of Illinois."

Speaker Hannig: "Representative Parke, you spoke during debate. For what reason do you rise?"

Parke: "Because I have a further understanding of the legislation. I now agree with the previous speaker and that I think I can support the legislation because though it costs the City of Chicago, in the long run, it'll save the pension system money. So, thank you."

Speaker Hannig: "So, Representative Rose, would... would you like to make a few comments, as well?"

Rose: "Good news. My seatmate is now able to vote 'no'."

Speaker Hannig: "But Representative Parke said we should vote 'yes'. Okay. Representative Black."

Black: "Yeah. Thank you very much, Mr. Speaker. I was... I was called out to a meeting in the back hall. A very unhappy woman sicced her dog on me, bit me. Bit me where I... well, I can't show ya. I hope she had that dog vaccinated. I can tell ya that. Will the Sponsor yield?"

Speaker Hannig: "Representative, he... he's actually closed."

Black: "He's closed?"

Speaker Hannig: "Yeah. He's closed on the Bill."

Black: "Well, I was out in the back getting attacked by a dog. I... I don't know what to... This Bill... All right. What... This doesn't have anything to do with the early retirement

STATE OF ILLINOIS  
94th GENERAL ASSEMBLY  
HOUSE OF REPRESENTATIVES  
TRANSCRIPTION DEBATE

32nd Legislative Day

3/17/2005

option does it? You know me. I wanna reach out. I wanna help the City of Chicago."

Speaker Hannig: "Thank you, Representative Black. Representative Burke."

Burke: "Thank you, Mr. Speaker. Did I hear Representative Black use my name in debate?"

Speaker Hannig: "We certainly hope not."

Burke: "Well, ya know, that dog that bit him didn't finish the job."

Speaker Hannig: "Okay. Now, the question is, on House Bill 157, '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' and 0 voting 'no'. And this Bill, having received a Constitutional Majority, is hereby declared passed. On page 8 of the Calendar is House Bill 920. Mr. Clerk, would you read the Bill."

Clerk Bolin: "House Bill 920, a Bill for an Act concerning criminal law. Second Reading of this House Bill. Amendment #1 was adopted in committee. No Floor Amendments. A fiscal note has been requested on the Bill and the note has not been filed."

Speaker Hannig: "Okay. So, Representative Meyer(sic-Myers), that Bill will remain on the Order of Second Reading. On page 19 of the Calendar is House Bill 2598. Mr. Clerk, read the Bill."

STATE OF ILLINOIS  
94th GENERAL ASSEMBLY  
HOUSE OF REPRESENTATIVES  
TRANSCRIPTION DEBATE

32nd Legislative Day

3/17/2005

Clerk Bolin: "House Bill 2598, a Bill for an Act concerning child support. Second Reading of this House Bill. Amendment #1 was adopted in committee. No Floor Amendments. No Motions filed."

Speaker Hannig: "Third Reading. Mr. Clerk, on page 23 of the Calendar is House Bill 3564. Would you please read that Bill."

Clerk Bolin: "House Bill 3564, a Bill for an Act concerning State Government. Second Reading of this House Bill. Amendment #1 was adopted in committee. No Floor Amendments have been approved for consideration. No Motions filed."

Speaker Hannig: "Okay. I'm advised to hold that on the Order of Second Reading at the request of the Sponsor. Mr. Clerk, would you read the Agreed Resolutions."

Clerk Bolin: "House Resolution 230, offered by Representative Cross. House Resolution 231, offered by Representative Osmond. And House Resolution 232, offered by Representative Sacia."

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

Clerk Bolin: "Senate Joint Resolution #33, offered by Representative Currie."

RESOLVED, BY THE SENATE OF THE NINETY-FOURTH GENERAL ASSEMBLY OF THE STATE OF ILLINOIS, THE HOUSE OF REPRESENTATIVES CONCURRING HEREIN, that when the two Houses adjourn on

STATE OF ILLINOIS  
94th GENERAL ASSEMBLY  
HOUSE OF REPRESENTATIVES  
TRANSCRIPTION DEBATE

32nd Legislative Day

3/17/2005

Thursday, March 17, 2005, the Senate stands adjourned until Wednesday, April 06, 2005 at 12:00 noon; and the House of Representatives stands adjourned until Tuesday, April 05, 2005."

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

Reitz: "Thank you, Mr. Speaker. For the purposes of an announcement I had. We passed out, for the Illinois Legislative Sportsmen's Caucus, just a reminder notice. On April 6, we'll be having the Sportsmen's Caucus. It will be held at the Orr Building from... the reception is starting at 6, the auction is starting at 7... at 7. Our auctioneer, is said on there, is Representative Sacia from this chamber and Representative Sullivan, but the... the reminder is just to ask everyone to try and bring along any type of prizes that they can br... that they can bring. The... All the proceeds from the auction go to the Conservation Foundation to help with youth in handicap hunts. So, we look forward to seeing everyone there. Thank you."

Speaker Hannig: "Are there any other announcements? Then Representative Currie moves, that providing the Clerk perfunctory time, that the House stand adjourned until Tuesday, April 5 at the hour of 12 noon. All in favor say 'aye'; opposed 'nay'. The 'ayes' have it. And the Motion is adopted and the House stands adjourned."

STATE OF ILLINOIS  
94th GENERAL ASSEMBLY  
HOUSE OF REPRESENTATIVES  
TRANSCRIPTION DEBATE

32nd Legislative Day

3/17/2005

Clerk Bolin: "The designated hour having arrived, the House Perfunctory Session will come to order. Committee.. Committee Reports. Representative McKeon, Chairperson from the Committee on Labor, to which the following measure/s was/were referred, action taken on March 17, 2005, reported the same back with the following recommendation/s: 'do pass Standard Debate' House Bill 3485. Introduction of Resolutions. House Resolution 233, offered by Representative Howard and House Resolution 234, offered by Representative Mathias. These Resolutions are referred to the House Rules Committee. There being no further business, the House Perfunctory Session will stand adjourned."