

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

83rd Legislative Day

1/26/2006

Speaker Hannig: "The hour of 12:00 having arrived, the House will be in order. The Members will please be in their seats. Members and guests are asked to refrain from starting their laptops, turn off all cell phones and pagers, and rise for the invocation and the Pledge of Allegiance. We shall led in prayer today by Elder Samuel White with Monroe Memorial Church of God in Christ in Alton, Illinois. Elder White is the guest of Representative Beiser."

Elder White: "Let us pray. Heavenly Father, we do thank You and give You glorious honor. We praise You for being in Your family. We thank You for being Your sons and daughters. We thank You for Your wisdom and Your knowledge and Your quickness of understanding that You have shared with us. We thank You for our Representative Beiser and all of the other Representatives. We thank You because You will share Your wisdom with us. Share Your wisdom and Your knowledge, a resolutional... that is resolutional in its making. That they will have the means whereby that they can make Illinois a better place to stay and that the thought that they make Illinois a better to stay will become to be the thought that we can make America the very place to stay. And I pray, Oh God, that You would bless each and every family that is represented in these Representatives. Help them, Oh God, in their struggles and give them the confidence so that they may cheer them on and that they may cheer them on as a family. I pray this prayer for all of us in the State of Illinois and our Representative in the name of Jesus Christ, our Lord. Amen."

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Speaker Hannig: "Representative McCarthy will you lead us in the Pledge today."

McCarthy - 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 for Attendance. Representative Currie."

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

Speaker Hannig: "Representative Bost."

Bost: "Thank you, Mr. Speaker. Let the record reflect that Representative Bassi, Kosel, and Mathias are excused today."

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

Stephens: "Inquiry of the Chair."

Speaker Hannig: "Yes."

Stephens: "Are there sanctions for having your phone ring during the prayer or the Pledge?"

Speaker Hannig: "There... there probably should be severe penalties, Representative. We'll have to..."

Stephens: "If you could get back to Representative Mitchell on that, we'd appreciate it."

Speaker Hannig: "Yeah, okay. Mr. Clerk, take the record. There are 110 Members answering the Roll Call, a quorum is present. Mr. Clerk, read your Committee Reports. Excuse me. Representative Bost, for what reason do you rise?"

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Bost: "Just a quick question, Mr. Speaker. I was wondering if today was possibly gonna be a little bit shorter day because I notice we only had one pastor pray and all of the rest of this week we had two pastors pray. I thought maybe if... is it a shorter day, is that why we did that that way?"

Speaker Hannig: "Perhaps. Mr. Clerk."

Clerk Mahoney: "Committee Reports. Representative Daniels, Chairperson from the Committee on Developmental Disabilities & Mental Illness, to which the following measure/s was/were referred, action taken on January 26, 2006, reported the same back with the following recommendation/s: 'recommends be adopted' House Resolution 732. Representative McAuliffe, Chairperson from the Committee on Veterans Affairs, to which the following measure/s was/were referred, action taken on January 26, 2006, reported the same back with the following recommendation/s: 'do pass Short Debate' House Bill 4561. Representative Molaro, Chairperson from the Committee on Judiciary II-Criminal Law, to which the following measure/s was/were referred, action taken on January 26, 2006, reported the same back with the following recommendation/s: 'do pass Short Debate' House Bill 4398, House Bill 4607, House Bill 4711; 'do pass as amended Short Debate' House Bill 4300 and House Bill 4532; 'do pass as amended Standard Debate' is House Bill is 4322. Representative Howard, Chairperson from the Committee on Computer Technology, to which the following measure/s was/were referred, action taken on January 26, 2006, reported the same back with the following recommendation/s: 'recommends be adopted' a Motion to Concur with Senate Floor Amendment #1 to House Bill 3650.

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Representative Reitz, Chairperson from the Committee on Revenue, to which the following measure/s was/were referred, action taken on January 26, 2006, reported the same back with the following recommendation/s: 'recommends be adopted' is Floor Amendment #1 to House Bill 1744."

Speaker Hannig: "Okay, on the Order of Business, House Bills- Second Reading on page 2 of the Calendar. We'll begin at the top. Representative Froehlich has House Bill 1295. Representative Froehlich? Okay, we'll take that out of the record. Representative Colvin, you have House Bill 1744. Representative Colvin? Rep... would you like to move this from Second to Third? Okay. Mr. Clerk, read the Bill."

Clerk Mahoney: "House Bill 1744 has been read a second time, previously. No Committee Amendments. Amendment #1, offered by Representative Colvin, has been approved for consideration."

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

Colvin: "Thank you, Mr. Speaker. I move for adoption of Floor Amendment #1 to House Bill 1744, is an issue that we dealt with here in the spring in House Bill 466. This is, quite frankly, in response to the shortage of funding to the LIHEAP Program, which is a federally funded program that goes directly to states to help low-income individuals deal with the... with the problem with paying their household heating bills. This legislation, in its original form, simply would abate the gas revenue tax from the energy bills of households of individuals whose bills are paid for using LIHEAP funds. It's sort of the same principle behind

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individuals who use food stamps or LINK cards to buy food and medicine in the fact they pay no sales tax on those products. Following that same format, the gas revenue tax that's collected by the State of Illinois would be abated from the General Revenue Fund to the amount of roughly \$5.2 million. An amount equal to that abatement would be transferred from GRF to LIHEAP to simply expand their program further. Living in this era of spiking natural gas prices and energy costs, the LIHEAP Program has taken... has taken a significant challenge in terms of stretching it to accommodate as many families as possible. This very simple solution will generate an additional \$5.2 million for the program, will roughly help to heat an additional 10 thousand homes in the State of Illinois. The bass... the Bill passed out of here in the spring in unanimous fashion, I believe it was 113-0. I'll be happy to entertain any questions on the Amendment. This particular Amendment becomes the Bill."

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

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

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

Parke: "Representative, you wanna transfer 5.2 million from the GRF, right?"

Colvin: "That's correct."

Parke: "And so, therefore, we have made this a priority. This is more important than any other projects that we have is to make sure that \$5.2 million is out of the General Revenue Fund that can't be used for any... for other purposes. And

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you think that this is worthwhile enough to do this, is that right?"

Colvin: "I absolutely believe it is worthwhile to do it. In... in fact, I can't think of anything more critical to the safety and the health and the well-being of any family than to live in a... in a winter here in the Midwest and that... have to do so in a cold home. I think..."

Parke: "Ya know, I have a tendency to think that that probably has a good... is a good idea, myself. Have you checked with the Governor's Office to see if they are in agreement with you doing this? I mean, ya know, he's gonna have his budget message I think in two weeks. Do you know if this is gonna be included in his budget message or anything like that? Are you aware of that?"

Colvin: "We as... we discussed this Amendment actually long before we came into Session. I met with the Governor's Office in November and they indicated their full support and if we pass this Bill to the Governor's desk, he will surely sign it."

Parke: "Okay, so let's get this straight now. You have talked to the Governor's people... did you talk to the Governor directly or to his staff?"

Colvin: "I talked to his staff."

Parke: "The staff, okay. Staff feels that \$5.2 million coming out of the General Revenue Fund is okay and that if it comes to the Governor's desk, he'll sign it. That's what you said to us."

Colvin: "Right. The Governor's Office has indicated that... and I spoke to the Deputy Governor..."

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Parke: "Okay."

Colvin: "...in specific."

Parke: "I just wanna understand. Well, ya know that Representative Schock came up with a Bill, and I'm included and Bill Black, to not only transfer 5.2, but \$50 million, because we think 5.2 is just not enough with the crisis, in which you said, we're havin' a crisis going on in this state right now and that you think that 5.2 is a good start, but we think \$50 million, because of the increase in gas tax, would be a good idea. Would you give a thought that maybe instead of 5.2 we might do \$50 million?"

Colvin: "We... well, you know, Representative, I don't really wanna get into a lengthy debate over the objectivity over which number is better. This is the piece of legislation that I developed. I'm familiar with Representative Schock's Bill, sounds good to me. But right now, this is the proposal that I brought forth and hopefully... in fact, it's the same proposal I brought forth last year. I don't know if the Representative was workin' on it at that time or not, but in the spring, I had a Bill that does ex... the exact identical thing. We passed it out of this chamber in a unanimous fashion. It didn't go anywhere in the Senate, but hopefully we can restore it some renewed energy in both chambers and get it to the Governor's Office. Ya know, Representative Parke, I think there is always room to do more and I'm encouraged that Representative Schock would have put a Bill in that would secure \$15 (sic-50) million. But this is the proposal we're making today, and it takes another \$15 (sic-50) million... I would like to see another

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25 million, but this is the proposal that we've had here today. And I'm seek approval for that."

Parke: "Well, then, we both agree that Representative Schock's Bill has merit and it's a good idea. We hope that it'll be entertained as we go through the legislative process. I rise in support of the Gentleman's Bill and the Amendment 1 to it and would encourage the Body to support the Gentleman's Bill."

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

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

Speaker Hannig: "Third Reading. Representative Acevedo, you have House Bill 2414 on the Order of Second Reading. Do you wish to move that to Third? Representative Acevedo."

Acevedo: "Yes, Mr. Speaker, I wish to withdraw Amendment #6 from House Bill 2414."

Speaker Hannig: "Okay. Mr. Clerk, what is... what is the status of the Amendments that are on the Bill?"

Clerk Mahoney: "On House Bill 2414, Floor Amendments 1 and 2 were adopted to the Bill. Floor Amendment #5 lost and Floor Amendment #6 has recommend... been approved for consideration."

Speaker Hannig: "Okay. Mr. Clerk, read this Bill now a second time."

Clerk Mahoney: "House Bill 2414 has been read a second time, previously. No Committee Amendments. Floor Amendment #1



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and 2 have been adopted to the Bill. Floor Amendment #6 has been approved for consideration."

Speaker Hannig: "So, is it your intention, Representative... did you say to withdraw that Amendment?"

Acevedo: "Yes, I'd like to withdraw Amendment #6."

Speaker Hannig: "Okay, the Gentleman withdraws Amendment #6. Are there any further Amendments?"

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

Speaker Hannig: "Do you move... Okay. Hold it at Second? Okay. We'll hold the Bill on Second Reading. House Bill 4125, Representative Flowers. Out of the record. Representative Jakobsson on House Bill 4135. Mr. Clerk, read the Bill."

Clerk Mahoney: "House Bill 4135, a Bill for an Act concerning regulation. Second Reading of this House Bill. No Committee Amendments. No Floor Amendments. All Motions have been filed."

Speaker Hannig: "Third Reading. Representative Flider, you have House Bill 4147. Mr. Clerk, read the Bill."

Clerk Mahoney: "House Bill 4147, a Bill for an Act in relation to economic development. Second Reading of this House Bill. Amendment #1 was approved in committee. No Floor Amendments. No Motions filed."

Speaker Hannig: "Third Reading. Representative Schmitz on 4197. Out of the record. Representative Franks, you have 4205. Representative Franks. Out of the record. Representative Feigenholtz, 4302. Okay. Out of the record. Representative Flowers, 4306. Out of the record."

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Representative Brosnahan. Okay. Mr. Clerk, read House Bill 4315."

Clerk Mahoney: "House Bill 4315, a Bill for an Act concerning regulation. Second Reading of this House Bill. Amendment #1 was approved in committee. No Floor Amendments. No Motions filed."

Speaker Hannig: "Third Reading. Representative Reis on 43... Okay. Out of the record. Representative Burke on 4345. Out of the record. Representative Lang on 4350. Representative Lang. Out of the record. Representative Tenhouse, House Bill 4425 from Second to Third. Mr. Clerk, read the Bill."

Clerk Mahoney: "House Bill 4425, a Bill for an Act concerning business. Second Reading of this House Bill. No Committee Amendments. No Floor Amendments. No Motions filed."

Speaker Hannig: "Third Reading. Representative Bost, you have 4444. Out of the record. Representative Holbrook. Mr. Clerk, read House Bill 4449."

Clerk Mahoney: "House Bill 4449, a Bill for an Act concerning consumer fraud. Second Reading of this House Bill. Amendment #1 was approved in committee. No Floor Amendments. No Motions filed."

Speaker Hannig: "Third Reading. Representative McKeon on 4453. Mr. Clerk, read the Bill."

Clerk Mahoney: "House Bill 4453, a Bill for an Act concerning State Government. Second Reading of this House Bill. No Committee Amendments. No Floor Amendments. No Motions filed."

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Speaker Hannig: "Third Reading. Representative Currie on 4462.  
Mr. Clerk, read the Bill."

Clerk Mahoney: "House Bill 4462, a Bill for an Act concerning  
safety. Second Reading of this House Bill. Amendment #1  
was approved in committee. No Floor Amendments. No Motions  
filed."

Speaker Hannig: "Third Reading. Representative Sacia, you have  
House Bill 4521. Representative Sacia. Could someone help  
me get the Gentleman's attention? You... from Second to  
Third, Representative? Out of the record. Representative  
Phelps on 4525. Mr. Clerk, read the Bill."

Clerk Mahoney: "House Bill 4425, a Bill for an Act concerning  
State Government. Second Reading of this House Bill. No  
Committee Amendments. No Floor Amendments. However, a  
fiscal note and state debt note have been requested and not  
yet filed."

Speaker Hannig: "Okay. So, Representative Phelps, that has to  
remain on Second Reading until the appropriate notes are  
filed. Representative Currie on 4526. Mr. Clerk, read the  
Bill."

Clerk Mahoney: "House Bill 4526, a Bill for an Act concerning  
State Government. Second Reading of this House Bill. No  
Committee Amendments. No Floor Amendments. All notes have  
been filed."

Speaker Hannig: "Third Reading. Representative Coulson? Mr.  
Clerk, read 4696."

Clerk Mahoney: "House Bill 4696, a Bill for an Act concerning  
education. Second Reading of this House Bill. No Committee  
Amendments. No Floor Amendments. No Motions filed."

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Speaker Hannig: "Third Reading. Let's return for a moment to House Bill 4302. Mr. Clerk, would you read that Bill. Yes, on page 2 of the Calendar is House Bill 4302."

Clerk Mahoney: "House..."

Speaker Hannig: "Could you read the Bill."

Clerk Mahoney: "House Bill 4302, a Bill for an Act concerning aging. Second Reading of this House Bill. Amendment #1 was approved in committee. No Floor Amendments. No Motions filed."

Speaker Hannig: "Third Reading. Proceeding down the Calendar on page 3 of the... is House Bills-Third Reading. The first Bill is House Bill 4134. Representative Feigenholtz, do you wish to read that on Third? No? Out of the record. Representative Boland? Out of the record. Representative Yarbrough, you have House Bill 4172. Mr. Clerk, read the Bill."

Clerk Mahoney: "House Bill 4172, a Bill for an Act concerning consumer fraud. Third Reading of this House Bill."

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

Yarbrough: "Thank you, Mr. Speaker and Members of the House. I have for your consideration today House Bill 4172. Across the country, legitimate artists and their fans are being hurt by performers claiming to be something they are not. They are the well-known names of musical groups to mislead fans who find out too late that they didn't buy tickets to their favorite group back in high school but to an act misusing the original group's name. Artists are also being hurt by this scam. In Nevada, the band 'Danny and the Juniors' had to fight off to keep a knockoff group from

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using their name. In Las Vegas, a group claiming to be 'The Drifters' performed but they are missing a key ingredient, none of the original band members will be present. Artists deserve protection from these opportunists. They work hard for success and they deserve the credit and the profit that comes with it. House Bill 4172 lets fans and performers fight back. Consumers should get what they paid for, that's why this legislation makes it illegal for knockoff groups to misrepresent themselves. The Bill makes this type of representation a violation of the Consumer Fraud Act and gives the Attorney General the authority to stop such performances. Authorized tribute bands and trademark holders are exempt. Violators could have to return illegitimate profits and pay a fine up to \$50 thousand. This legislation was brought to us by the Vocal Group Hall of Fame which helped to pass similar legislation in Pennsylvania just last week and has successfully reformed laws in South Carolina. This is a bar... bipartisan effort. It was unanimous decision in the committee and there's no opposition to the Bill. I'd be happy to answer any questions."

Speaker Hannig: "Okay, the Lady has moved for the passage of House Bill 4172. This is on Short Debate. Representative Fritchey, do you wish to rise in response? Representative Fritchey, would you like to speak in response?"

Fritchey: "Just... for the record... will the Sponsor yield, Speaker?"

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

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Fritchey: "Representative, we discussed this yesterday. Just for clarification, why is this not covered under present fraud laws, misrepresentation laws, contract laws, estate laws, et cetera?"

Yarbrough: "Okay, in talking to the Attorney General's Office, they said basically it's covered; however, this really makes it very clear for this particular... for performances. The... Mary Wilson, who is original member of 'The Supremes', was here in committee and she explained that she tried to pass this law in the federal level but was unsuccessful. And so, what she needs to do is identify 10 states that would be willing to pass the law and then maybe get it passed on the federal level. But basically, it is covered; however, not for this particular... not for performance groups."

Fritchey: "All right. All right. To the... to the Bill, Speaker. And as I told the Sponsor yesterday, I respect what she's doing and, in fact, I'm a cosponsor of the Bill. I do believe that this issue is probably covered under law on the books today to the extent that there is a performer out there that has expend the time and energy to try to protect her body of work. I respect that. I respect what you're doing here. At some point in time, we are gonna need to revisit the whole code, though. We are compiling more and more statutes here, many of which are duplicative. But congratulations on your efforts. Thank you."

Speaker Hannig: "So, we have a... we have a number of Members who wish to speak, so we'll put this on the Order of Standard Debate. And Representative Black is recognized to speak for 5 minutes."

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

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

Black: "Representative, I certainly don't oppose your Bill, but our staff indicates... you may wanna check with yours... that this law is probably superfluous because any suit brought against an offender would have to go to Federal Court under a Trademark Infringement Act and that the state has no jurisdiction in this case or these kinds of cases. Has your staff checked on that possibility with federal authorities?"

Yarbrough: "It's my understanding what this Bill will do will give the Attorney General an opportunity to stop it in the State of Illinois."

Black: "I... and again, I'm... I'm not in opposition to the Bill, but I have learned that when... when staff points certain things out, we need to look at it very carefully, and I'll quote from our staff notes, 'In researching the legislation, I have derived that this Bill would have no effect on the legality of advertising using a trademarked name. The United States Patent and Trademark Office conduct trademark and copyright registration and Federal Law governs the jurisprudence of any of these registered trademarks. So, it's very possible that this law may well convolute the enforcement and prosecution of trademark and copyright infringement.' I... I bring that up simply because I don't think it's your intent to make it more difficult to protect these names that, in fact, may be a trademark or a copyright. It's something you may wanna look into as the Bill goes to the Senate. And having said that, let me ask

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you another question. At my age, I go to a lot of nostalgia concerts. Ya know, groups that were very popular when I was young, and many of those artists are dead. But maybe somebody who played one date with them takes that name, like 'The Turtles', and they have these nostalgia concerts: 'The Turtles' starring so-and-so or 'The Supremes' with Mary Wilson. Are there exceptions in your Bill that would cover these kinds of nostalgia acts? I went to one in Chicago not long ago to see 'The Chi-Lites', and most of the original members of 'The Chi-Lites' are dead. But it was a great... a great concert singing their songs. So, how... is there an exception in the Bill to those kinds of nostalgia acts?"

Yarbrough: "Than... thank you for asking that question. That's one of the exemptions in the Bill's tribute groups. But what you just talked about, Mary Wilson and 'The Supremes', she's one of the original members of 'The Supremes'..."

Black: "Right."

Yarbrough: "...and so she would have the ability to... to have that performance."

Black: "All right. And so, if somebody... and if somebody comes into your town and there are several 'Beatles' tribute groups, but they aren't called 'The Beatles'. So if it's a tribute group, they're not..."

Yarbrough: "They're all exempt."

Black: "...they're not covered under this Bill. All right."

Yarbrough: "They're all exempt."

Black: "Just so that the public is aware... I mean, ya know, I'm always amazed that the public would line up to buy tickets to see 'The Beatles', when they know obviously 'The Beatles'



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no longer exist. In fact, I saw the Governor not long ago standing in line to buy a ticket to see Elvis. I don't have the heart to tell him that Elvis is dead and I don't feel so good myself. But if it's obviously a tribute group, then they're not covered, right?"

Yarbrough: "That's correct."

Black: "Okay, fine. Thank you very much. And I... just by... just by way of trying to help your Bill, you may wanna have your staff or your technical review team look into that federal jurisprudence issue rather than the state having primary jurisprudence. Just so you don't... the law of unintended consequences doesn't come up later."

Yarbrough: "Thank..."

Speaker Hannig: "Representative Dunkin for 5 minutes. Representative Dunkin, did you wish... okay. The Gentleman does not wish to speak. Representative Yarbrough to close."

Yarbrough: "Thank you for your questions and let me just say that I met Mary Wilson at the National Foundation of Women Legislators and she performed there and she indicated at the end of her performance how she could... she is unable to perform in Europe because of these knockoff groups that are havin' performances in Europe and charging a small amount of money, maybe like \$5 thousand, where maybe she charges \$25 thousand. Those people, they don't understand that that's not the 'real deal' in Europe and it's unfortunate that she's being penalized. So, I'm asking for a favorable vote and thank you."

Speaker Hannig: "The question is, 'Shall this Bill pass?' All in favor vote 'aye'; opposed 'nay'. The voting is open."

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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 0 voting 'no'. And this Bill, having received a Constitutional Majority, is hereby declared passed. Mr. Clerk, what is the status of House Bill 4173?"

Clerk Mahoney: "House Bill 4173 is on the Order of Third Reading."

Speaker Hannig: "Return that to the Order of Second Reading at the request of the Sponsor. Representative Lang, you have House Bill 4202. Representative Lang, do you wish us to call... Representative Lang, do you wish us to read House Bill 4202 on Third Reading? Out of the record. Representative Ramey, you have House Bill 4204. Mr. Clerk, read the Bill."

Clerk Mahoney: "House Bill 4204, a Bill for an Act concerning transportation. Third Reading of this House Bill."

Speaker Hannig: "Representative Ramey."

Ramey: "Thank you, Mr. Speaker. House Bill 4204 brings forward to you today an Act that was a few years back that brought a DUI fund out of the fines that they collected for DUI. That fund has become bloated and they can't use their moneys any longer, so they would like a little more flexibility for our police agencies. So, the Bill that I bring forward to you today allows our state agen... State Police agencies to add that fund and use it towards prevention of other alcohol and drug-related criminal violence... violent acts. I ask for your support on this Bill."

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Speaker Hannig: "The Gentleman moves for the passage of House Bill 4204. And on that question, the Gentleman from Champaign, Representative Rose."

Rose: "Will the Representative yield for a question?"

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

Rose: "Does this have anything to do with confiscating driver's licenses?"

Ramey: "No."

Rose: "How about if you're under 17, takin' away the right to have a driver's license?"

Ramey: "No."

Rose: "This doesn't have anything to do with that?"

Ramey: "No."

Rose: "Okay. Thank you."

Speaker Hannig: "Representative Gordon."

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

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

Gordon: "Good. How are you, Representative?"

Ramey: "Doing well, thank you."

Gordon: "Great, great. So, you're telling this Body today that there's a bloated fund at police departments all over the State of Illinois. Is that right?"

Ramey: "The majority of 'em, yes."

Gordon: "How much?"

Ramey: "It varies from different departments. I've heard as much as 2 to 5 thousand dollars, up to \$20 thousand that they cannot spend."

Gordon: "So, 2 to 5 thousand and you've also heard \$20 thousand. Is that right?"

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Ramey: "Correct."

Gordon: "Okay. Now, in... in the analysis that I have in front of me it says that if they purchase a vehicle, that that could be considered in violation of the law as it stands now. Is that right?"

Ramey: "Right."

Gordon: "So a police officer in a police car patrolling in a vehicle who may never ever make a DUI arrest is not preventing alcohol-related crime just by being there?"

Ramey: "He would be then, yes."

Gordon: "So then it's not a violation, right?"

Ramey: "This law or the... old one or the current... the one I'm introducing?"

Gordon: "It's not a violation of the law as written then if they buy a vehicle and they're on patrol, right?"

Ramey: "Using those funds, they cannot buy the vehicle."

Gordon: "But if they buy the vehicle and they're on patrol and they're patrolling the streets for people who speed, for improper registration, for accidents, for someone who would possibly get a DUI, then they are using it for alcohol-related offenses. Is that right?"

Ramey: "They are, yes."

Gordon: "Okay. So then the law that you're writing is just rewriting what we already have and you're just saying it again 'cause we really, really mean it this time, right?"

Ramey: "No."

Gordon: "Oh, okay. How does it make it different then?"

Ramey: "Because the... the expenditure does not allow for them to buy the cars. The Bill I'm introducing will allow them."

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Gordon: "I... Mr. Speaker, I can't hear the response to the question."

Ramey: "To an..."

Speaker Hannig: "Proceed, Representative."

Ramey: "To answer your question, the fund is not allowing them to buy the vehicles, as it is now. It will allow them to do so, if passed."

Gordon: "And... and where did this Bill come from? Who brought it to you?"

Ramey: "The police chief in Elmhurst informed me of his excess funds that he could not use."

Gordon: "I know a former police chief in Elmhurst."

Ramey: "Which one?"

Gordon: "I... I think it's somebody who used to be down here. He left us. He's a traitor. He went across the hall."

Ramey: "Well, that's what I hear."

Gordon: "Right. So, what you're not doing... now make sure this isn't... this is correct. Police departments have this extra funds, but... and you're allowing it now to be used for other things. We're not spreading limited resources thinner, are we?"

Ramey: "No. It's alcohol and drug-related violent crimes. What... an example..."

Gordon: "The violent crime... I'm sorry. Violent crimes for drugs as well?"

Ramey: "Yes. An example I was given had to deal... deal with spousal abuse. Many times, in those cases, it's alcohol or drug-related and they cannot use these funds for that type

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of prevention. So, this Bill will allow that to go forward."

Gordon: "So, they'll be able to use these funds for other drug crimes?"

Ramey: "Violent crimes."

Gordon: "Okay. Well, how come... now, maybe up in your area there's a lot of extra funds of... ya know, from these arrests because there's a lot more people where you live and, ya know, maybe the people there pay their fines. But as we go further south into my district and other Representatives' districts, there's not a lot of money. So why don't we ask all these police departments to put it back into a big fund and we can allocate it out to the smaller departments. How do you feel about that?"

Ramey: "That's not what the police chiefs told me. I was at a meeting of about 70 of 'em which were from all over the state and many of 'em had those extra funds and they were looking forward to using them in this way that this Bill presents."

Gordon: "Do you have the exact names and the amounts of all of those persons and the amount in those funds and the counties and the municipalities that they represent, Representative?"

Ramey: "I do not have them handy today, no."

Gordon: "Okay. Now, according to also what I have in front of me that approximately 20 percent of a fine of a DUI is what goes back to the police department."

Ramey: "Correct."

Gordon: "Could you give me a detailed analysis of where the other 80 percent of the fine goes?"

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Ramey: "It goes into the General Revenue Fund."

Gordon: "The General Revenue Fund for who?"

Ramey: "The state."

Gordon: "So the state gets the rest of that fine and 20 perce...  
the state gets 80 percent, the 20 percent goes to the police  
department?"

Ramey: "Correct."

Gordon: "It... none of it goes to the county?"

Ramey: "As I understand it, no."

Gordon: "None of it goes to the clerk's office?"

Ramey: "As I understand it, no."

Gordon: "Okay. Well, maybe you should check your understanding  
on a couple of those, Representative."

Ramey: "Thank you for the information."

Gordon: "Okay. I think you've got a great Bill here. I think  
it's a great way to do it. It's not a... we're not raising  
any fees, are we?"

Ramey: "No."

Gordon: "This is... this is not a 'fee' Bill?"

Ramey: "No."

Gordon: "So... so the key word of 'fee' shouldn't scare anybody in  
this room. Is that right?"

Ramey: "It should not scare anyone."

Gordon: "Okay. Thank you very much for joining us."

Ramey: "Thank you, Representative."

Gordon: "Well done, Representative."

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

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

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

Black: "Mr. Speaker, I have a serious question not... not related to what normally goes on in this process. When we increased the DUI fines last year, that money went to the General Revenue Fund. So my question to the Sponsor is, how can the Elmhurst Police Department have a surplus of funds? It would seem to me that the Governor addressed that last year and said that that money has to come back to the state. I... I may or may not agree with that, but that's... I think was made very clear last year. And I know some of us have gotten calls from our chiefs of police saying, 'How does Elmhurst have this pot of money when, in fact, we don't and can't?' How did this happen?"

Ramey: "They must make more DUI arrests."

Black: "But when we increased that fine last year, the Governor made it very clear that that fine money had to come back to the state's General Revenue Fund."

Ramey: "Eighty percent of it."

Black: "So you're talking just about the 20 percent?"

Ramey: "Correct."

Black: "And in a 1-year period..."

Ramey: "No."

Black: "...they had collected enough money?"

Ramey: "No. This is over a period of years. What the... these fines..."

Black: "All right. So, they... they have money that... then prior to the increase in the fine from last year?"



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Ramey: "Correct."

Black: "Okay. And so, they want this Bill then to be retrospective and allow them to spend the money on... correct me if I'm wrong... on any police equipment rather than just DUI-related equipment?"

Ramey: "Not any police equipment. It's equipment related to DUI, alcohol- and drug-related violent crimes."

Black: "Give me an example of what that equipment would be."

Ramey: "The example, of which I just mentioned earlier, when they are called out to spousal abuse, which many times is alcohol- or drug-related, they can't use the moneys from DUI funds for prevention of those crimes."

Black: "Okay. All right. Well, let me ask you a rhetorical question. Would the City of Elmhurst be willing just to send this money to the State Treasury? I mean, you know, we just heard last week, we need the money."

Ramey: "Since it's rhetorical, do you want me to answer?"

Black: "Well, I... I... it would be a very nice gesture on behalf of the City of Elmhurst if they'd send it to the state."

Ramey: "What also this will help out then is in DUIs they have breathalyzers. The parts for those machines, such as the replaceable mouthpiece, they cannot buy with those funds. So this will help them replace those parts."

Black: "Well, if... if the City of Elmhurst is doing such a good job, and they must be if they have this surplus, could we use that surplus money to help fund the capital bonding Bill? This might be a source of revenue we hadn't looked at."

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Ramey: "You may check with the Governor on that to see if he'll use that source..."

Black: "All right. I think it would be a good idea if we did. Well, I do seriously thank you for your answer about the money that I thought went to GRF, because that was a factor that some of us were kinda scratchin' our head about and it's a very forthright answer. And a very good job, very good job. Thank you."

Speaker Hannig: "Representative Davis, Will Davis."

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

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

Davis, W.: "Could you explain again, Representative, exactly what you think this Bill is going to do?"

Ramey: "One more time. One more time, please."

Davis, W.: "Could you please explain, again, exactly what you think this Bill will do and what it'll accomplish?"

Ramey: "Certainly. This Bill will take the funds that police departments already get from... for DUI fines and allow them to spend it in other areas with DUI, alcohol- and drug-related violent crimes."

Davis, W.: "Okay. So, only dealing with alcohol-, drug-related offenses, right?"

Ramey: "Violent crimes, correct."

Davis, W.: "So this Bill has nothing to do with quick-take?"

Ramey: "With what?"

Davis, W.: "This Bill has nothing to do with quick-take?"

Ramey: "No."

Davis, W.: "Okay. Has nothing to do with raising fees?"

Ramey: "No."

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Davis, W.: "Okay. Has nothing to do with airport authorities?"

Ramey: "No, it does not."

Davis, W.: "Okay. Can you... Another serious question. Why... why am I on this Bill?"

Ramey: "You asked me to be on that Bill."

Davis, W.: "Oh, okay. I did ask you."

Ramey: "And I... and I appreciate you doing that, Sir."

Davis, W.: "Oh. In the spirit of bipartisanship, ya know, why... why not? Why not? Okay. And last but not least, a very, very serious question. How much wood could a woodchuck chuck if a woodchuck could chuck wood?"

Ramey: "When... Three. Three."

Davis, W.: "Three? Okay. My colleague just asked me to ask you one more question. Is there... is there a headway provision in here?"

Ramey: "Oh, I'm sorry. One more time."

Davis, W.: "Is there a headway provision in this Bill?"

Ramey: "No."

Davis, W.: "No? Do you know what a headway is?"

Ramey: "No."

Davis, W.: "Why don't you... Never mind. Never mind. Okay."

Ramey: "Thank you, Mr..."

Davis, W.: "Congrat... congratulations, Representative, on your first Bill."

Ramey: "Thank you, Mr. Davis. I appreciate your help on this."

Davis, W.: "Thank you."

Speaker Hannig: "Representative Fritchey."

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

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

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Fritchey: "Representative, this chamber and this institution is filled with all kinds of little trivia. We... we have a lot of new Members here who may not realize this. You and I discussed this briefly in committee. You... you, in fact, were honored to have a previous relative in this Body, weren't you?"

Ramey: "Yes, I was."

Fritchey: "And who was that?"

Ramey: "That would be Senator 'Pate' Philip, Speaker of the... Senate President."

Fritchey: "I... I brought up a point last night, and after I ran out of fingers and toes I really lost count how many are my Bills that your relative had killed as they went over to the Senate. And... and I guess while you're the... the sins of the father should not be visited upon the son or stepson in this case."

Ramey: "Your point taken, stepson."

Fritchey: "You're a wise man. I was going to say that that is the saving grace why there should be retribution because that being the case, I don't know that you could a vote from this side of the aisle. But you seem to be a much more reasonable... He was a very honorable man. He killed a lot of good Bills, though. And I don't know how... how this Bill would fare if he were still over there, but I think it'll get out of here and I wish you well. Thank you."

Ramey: "Thank you, Representative."

Speaker Hannig: "Representative McCarthy. Representative McCarthy, your turn."

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

Speaker Hannig: "Well, actually, there's only one other Gentleman wishing to speak. So, why don't we let Representative Stephens finish the debate and then we'll have Representative Ramey wrap it up. So, Representative Stephens for 5 minutes."

Stephens: "Will the Gentleman yield?"

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

Stephens: "You mentioned former President of the Senate, 'Pate' Philip. And Representative Fritchey said that a lot of his Bills were killed by Senator Philip. My question to you, Sir, is, well, why didn't he kill all of Fritchey's Bills?"

Ramey: "I believe he said he tried."

Speaker Hannig: "Representative Ramey to close."

Ramey: "Thank you very much, Ladies and Gentlemen. This Bill is a good Bill. Has support of the State Police, the Chiefs of Police, Secretary of State Police, MADD, and AIM. I ask for your support on this Bill. 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? Have all voted who wish? Representative Collins, do you wish to be recorded? Have all voted who wish? Mr. Clerk, take the record. On this question, there are 110 voting 'yes' and 0 voting 'no'. And this Bill, having received a Constitutional Majority, is hereby declared passed. Congratulations, Representative.

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Representative Hoffman, you have House Bill 4377. Mr. Clerk, read the Bill."

Clerk Mahoney: "House Bill 4377, a Bill for an Act concerning gaming. Third Reading of this House Bill."

Speaker Hannig: "Representative Hoffman."

Hoffman: "Thank you, Mr. Speaker, Ladies and Gentlemen of the House. This Bill would address and help out and ma... continue to make viable the Fairmount Racetrack and make sure that the people who work at Fairmount Racetrack will continue to have live racing. By doing li... something similar to what we did with the Rock Island riverboat in areas that have very significant competition, we have looked at them and givem... given them a break on the... on the... the tax that they pay to the state. This would lower the pari-mutuel tax on Fairmount Racetrack from 1.5 percent to .25 percent. The money... then half of all that money would go into, essentially, the prizes that the horses run for and would add additional live racing dates to Fairmount Racetrack, and the 15 hundred to 2 thousand people who directly or indirectly make their livelihood at Fairmount Racetrack would be able to continue to work during live racing. I ask for an 'aye' vote."

Speaker Hannig: "The Gentleman has moved for the passage of House Bill 4377. This is on Short Debate. Does anyone stand in response? 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? Have all voted who wish? Mr. Clerk... Mr. Clerk, take the record. On this question, there

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are 78 voting 'yes' and 31 voting 'no'. And this Bill, having received a Constitutional Majority, is hereby declared passed. Representative D'Amico on House Bill 4419. Mr. Clerk, read the Bill."

Clerk Mahoney: "House Bill 4419, a Bill for an Act concerning regulation. Third Reading of this House Bill."

Speaker Hannig: "The Gentleman from Cook, Representative D'Amico."

D'Amico: "Thank you, Mr. Speaker, Ladies and Gentlemen of the House. This Bill provides that the ICC shall require all public utilities to establish a security policy that includes on-site safeguards to restrict access to critical infrastructure and computerized control data systems. I'm open for any questions."

Speaker Hannig: "This is on the Order of Short Debate. Does anyone stand in response? 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 Colvin, do you wish to be recorded? Mr. Clerk, take the record. On this question, there are 109 voting 'yes' and 0 voting 'no'. And this Bill, having received a Constitutional Majority, is hereby declared passed. Representative Rita, do you wish us to read House Bill 4699? No? Out of the record. Representative Mendoza on 4736. Mr. Clerk, read the Bill."

Clerk Mahoney: "House Bill 4736, a Bill for an Act concerning regulation. Third Reading of this House Bill."

Speaker Hannig: "Representative Mendoza."

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Mendoza: "Thank you, Mr. Speaker, Ladies and Gentlemen of the House. House Bill 4736 is an initiative of the Illinois Bank... Bankers Association and a very simple and straightforward Bill. Check printers currently are required to follow certain account verification requirements that are pursuant to the Check Printer and Check Number Act when filling out checking orders. However, due to a technical deficiency in the current Act, check printers are not required to follow these verification requirements for accounts with out-of-state national banks. They're not specifically included in the definition of what a 'financial institution' is in the Act. The issue was first raised in an interpretive letter and it's an issue that they are now aware of and wanna make a simple correction for. So, we wanna make sure that when anyone goes to open up a new checking account, that those requirements that we maintain are important for Illinois banking institutions based out of Illinois to comply with in order... they need to verify my name, my address, that I am who I say I am, that I live where I say I live, in order to avoid any type of potential identity fraud or identity theft, that those same requirements for verification are also held important with national banks that are not based in Illinois. So, very simple Bill, very straightforward. We had no opposition in committee. And I, again, would ask for your 'aye' vote."

Speaker Hannig: "This is on the Order of Short Debate. Does anyone stand in response? 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



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who wish? Have all voted who wish? Mr. Clerk, take the record. On this question, there are 109 voting 'yes' and 0 voting 'no'. And this Bill, having received a Constitutional Majority, is hereby declared passed. Mr. Clerk, what is the status of House Bill 1744 for Representative Colvin?"

Clerk Mahoney: "House Bill 1744 is on the Order of Third Reading."

Speaker Hannig: "Has that Bill been read a second time, previously?"

Clerk Mahoney: "House Bill 1744 has been read a second time, previously."

Speaker Hannig: "Okay, so read the Bill on Third Reading."

Clerk Mahoney: "House Bill 1744, a Bill for an Act concerning revenue. Third Reading of this House Bill."

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

Colvin: "Thank you, Mr. Speaker. As previously stated a few moments ago, House Bill 1744, I'm simply askin' for consideration for a program dealing with the LIHEAP Program... dealing with the lack of funding for LIHEAP that comes from the Federal Government in relation to escalating energy prices for heating homes. This program, again, simply abates the gas revenue tax from the household bills where LIHEAP funds are used to pay those heating bills. That amounts to roughly \$5.2 million that would be taken from the General Revenue Fund, put into LIHEAP to extend the program further. Based on the cost of running LIHEAP, it will generate an additional... funds to heat an additional 10

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thousand households in the State of Illinois. Last year... last spring, we passed this Bill out of the House unanimously; it didn't go anywhere in the... in the Senate. Hopefully, we've renewed some energy to do just that. I would appreciate an 'aye' vote and will... happy to answer any questions."

Speaker Hannig: "Okay, this Bill is on the Order of Short Debate. And Representative Black, do you wish to speak in response?"

Black: "Speak in response? Not necessarily. I'd just like to ask the Sponsor a question."

Speaker Hannig: "Okay, the Gentleman will yield."

Black: "Representative, I'm gonna put you on the spot. But this is... this is one of these issues that makes some of us, who have been here a long time kind of just shake our head. The Bill is needed and necessary. Doesn't go far enough, I know you would agree with that. I probably have 55 families in my district that are disconnected right now. 'Cause of the weather warm up, they're... they're disconnected. The agency that administers LIHEAP funds in my area, out of money. I filed a Bill that would transfer... or well, I'm not the Chief Sponsor, but a Bill has been filed on our side of the aisle that I am very proud to cosponsor that would take \$50 million out of the sales tax revenue on motor fuel that, by any conservative estimate in this Session on this fiscal year, will generate a hundred and eighty million more dollars than we budgeted. Now, why couldn't we, since it's energy-related... we can't even get the Bill out of Rules that would put \$50 million out of that fund and put it into

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LIHEAP, which now we're talkin' serious money. I mean, I... I know it's not your... it's not your call on what Bills get released and called and what Bills don't, but I would be remiss in my own personal philosophy if I didn't say I intend to vote for your Bill but your Bill doesn't go far enough. It doesn't help enough people. All of you on that side of the aisle should cosponsor our Bill that takes \$50 million that's in the bank and transfers it from the sales tax account on motor fuel and puts it into LIHEAP. That'll get us through this year and we won't leave anybody behind, and we'll be able to reconnect the disconnects. But for whatever the reason, your side of the aisle won't let us move that Bill. I think that's wrong. I don't care whether it's a Republican issue, a Democrat issue, whether we were in the Majority, I'd say we were wrong if we wouldn't move the Bill. And I think it's wrong that your Party won't let us move that Bill. And I think you would cosponsor it with us if we had a chance to have... have the Bill heard in committee and on the floor. So, I'm not going to rail against your Bill, I intend to vote for it. But I... having been here a number of years, I fail to understand why all of us as individual Members allow this kind of thing to happen. We'll vote for a pittance when we could have the whole schmeel. We could... we could fund LIHEAP for the balance of this year. And I don't know whether it's politics; I don't know whether it's the decision makers don't live in a district like I do or whatever the case is. I'll vote for your Bill, but I just wanted the public record to say and reflect that we can do better, we could do better, but for

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some reason that I cannot fathom, a Bill that would put \$50 million into LIHEAP will not be released from the Rules Committee. We can't even debate it; we can't even vote on it on the floor. I think it's wrong. I think it's absolutely ethically and morally wrong when the need is there and the need is so drastic."

Speaker Hannig: "Okay, so there are a number of Members who wish to speak, so we'll put this on the Order of... of Standard Debate. And Representative Durkin, you're recognized for 5 minutes."

Durkin: "I just have a bri... I have a brief question for the Sponsor."

Speaker Hannig: "The Sponsor will yield."

Durkin: "Representative Colvin, if we do not use all this money in this year, what would happen with that? Would the money revert back to GRF or is it gonna stay in LIHEAP?"

Colvin: "Unfortunately, I... I would argue that... I mean, I wish we had that problem. Unfortunately, we won't. Right now, the need for additional LIHEAP dollars for the State of Illinois alone, I'm not talkin' about the whole national program, but the State of Illinois, according to U. S. Senator Dick Durbin, is roughly \$55 million to carry us through the heating season to help every family that would need the help up until April 1. Currently, the LIHEAP funds in the State of Illinois are scheduled to run out by February 1, still with two... a full two months in the normal heating season here in the State of Illinois. So, this \$5 million will help an estimated 10 thousand households in the State of Illinois, but that speaks nothing of the additional

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71 thousand households that will go be... that will... still  
will be without the help of a LIHEAP grant."

Durkin: "But if we do not have to use..."

Colvin: "But if I..."

Durkin: "...all this money, we're... we're not sure... you're not...  
I'm not quite sure if... I just wanna know if that money's  
gonna... if that money's gonna stay in LIHEAP... the LIHEAP fund  
even if it isn't expended."

Colvin: "These dollars will stay in the LIHEAP fund."

Durkin: "All right. Now, who administers this program? I mean,  
what... what agency?"

Colvin: "The Department of Public Aid."

Durkin: "All right. I... do you feel they're doin' a sufficient  
job of marketing the accessibility of the funds that are  
gonna be used under this program? 'Cause, I mean, I... I'm  
curious if you believe that they're doin' a good enough  
job..."

Colvin: "The program..."

Durkin: "...of getting out to the public knowin' that the money's  
there."

Colvin: "The program will be made available, I'm assuming,  
through the normal marketing process for LIHEAP. I know a  
number of community organizations in the City of Chicago  
that administer LIHEAP, a number of churches administer the  
program. And when I say administer, I mean they're  
available to take applications and forward them on to the  
Department of Public Aid."

Durkin: "All right."

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Colvin: "None of these dollars will be earmarked for marketing campaigns or what have you, simply to go into helping those families. Now, the normal process how mar... LIHEAP is marketed, I'm assuming, won't change. But you'd have to talk to the department to get an answer to that."

Durkin: "Well, I just hope the Department of Aging can get involved in this too, because I know we have... this is a great idea and I'm gonna support it. And I just wanna make sure that the people out there know that the money's there, they're gonna have access to it. And we also have an agency who's gonna be able to process this if they can do it without going through all the bureaucracy. So, I appreciate your work on this and thank you for answering those questions."

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, I understand where you're coming on this. I have people in my district that call up in tears over their heating bills this year, not knowing how they're gonna pay them, so I certainly understand what you're trying to do. But I'm wondering, what... what exactly is the genesis of your Bill? Who brought it to you?"

Colvin: "This was an issue I developed on my own, my own volition, last spring, back in January when I filed this Bill in the spring, for the Spring Session. We passed it out of here unanimously in the spring and it went to the Senate. But the issue, I'm not gonna say I own it, but no one came to me and asked me to put the Bill in. I'm trying

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to address a particular need. I'm hearin' there were other proposals that were made. I haven't seen 'em, but... and I don't doubt the sincerity of those proposals and I wish I'd known about 'em. Quite frankly, it would... some of the numbers that have been thrown out by some of the other previous speakers, but this was a Bill of my own volition."

Mulligan: "Has the Office of Budget and Management or Management and Budget come to you and talked to you about your Bill at all?"

Colvin: "Yes, they did. They came to talk to me about the fiscal impact to GRF."

Mulligan: "About the fact... what... were they for it or did they tell you where they could find \$5.2 million of GF... GRF and what line item it would come under, or did they tell you they were against it because of the money?"

Colvin: "They didn't indicate a position of 'for' or 'against' as much as they made me aware of the fiscal impact. I don't think their opinion probably would have swayed me one way or the other simply based on what I think is a prioritized need for additional funding for a particular program."

Mulligan: "Yes, except af..."

Colvin: "But they did make me aware of what the fiscal impact was."

Mulligan: "Yeah, but after you pass it, the Governor has to sign it. So, passing it is nice, looks good, but doesn't accomplish anything if the Governor doesn't sign it, that's why I was wondering what they told you their intent would be about your Bill if it were successful."

Colvin: "Was that a question?"

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Mulligan: "Representative, are you aware that last year the Office of Budget and Management did a fund sweep on the LIHEAP fund and then when AARP found out about it, they put the money back?"

Colvin: "All the more reason to vote for this Bill."

Mulligan: "Right, but I'm certainly not going to give them money. Ya know, I think that they were wrong. I think they have a problem because of the federal part of it and so they couldn't actually take it. But if they're not telling you what they're going to do about signing it or where they're gonna get the money, aren't they just being passive aggressive and probably the Governor won't sign the Bill?"

Colvin: "I'm sorry, but I..."

Mulligan: "You're busy letting... adding cosponsors to a very good Bill, I understand."

Colvin: "I can't... I can't hear you right now. It's a lot of noise in the chamber."

Mulligan: "I guess it really doesn't matter, except the debate is going on the record. But quite frankly, if the Governor did a fund sweep on it last year and then secretly put it back, I think we have to be..."

Colvin: "Oh, I'm not... Well, you know what, I... I mean, I'm not here to make guesses on political speculations that you may have."

Mulligan: "It wasn't a speculation."

Colvin: "I can only tell you what my intentions are. And my intentions is to find a few extra dollars to help some poor folks and some low-income folks and some elderly folks heat



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their homes in the brutal Northwest... I mean, Midwestern winter."

Mulligan: "All right. So, how did you come up with \$5.2 million? Where did that figure come from, as opposed to what Representative Black is suggesting?"

Colvin: "It's simply 50 percent of the fuel heating tax that's garnered during the winter months... during the heating winter months of 2005. It's 50 percent of that. It was calculated to be \$10.4 million that would be generated in revenue tax during that period. We took 50 percent of it, which is clearly delineated in the Bill, which is \$5.2 million."

Mulligan: "All right, I certainly understand it. Quite frankly, I'd like to see it pass for a lot of reasons 'cause I'd like to see the Governor put his money where his mouth is and sign the Bill."

Speaker Hannig: "Representative Colvin, you're recognized to close."

Colvin: "...you, Mr. Speaker. Once again, to speak to... and I think most of my colleagues here have said it best... and I also wanna give a particular thank you to the Lieutenant Governor of the State of Illinois, Pat Quinn, who was instrumental in drafting this legislation. His intention, my intention, and it seems to be the intention of the will of this Body, is that we put critically needed dollars into a program that helps people heat their homes. This is more than just a heating issue. It's a public safety issue. And it's a health issue when it comes to having a warm place to stay during the cold, winter months in here in the

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Midwestern part of the country. Thank you, and I 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? Representative Smith, do you wish to be recorded? Mr. Clerk, take the record. On this question, there are 109 voting 'yes' and 0 voting 'no'. And this Bill, having received a Constitutional Majority, is hereby declared passed. On page 4 of the Calendar, under the Order of Resolutions, Representative Black, you have House Joint Resolution 74. Representative Black. House Joint Resolution 74."

Black: "Yeah, thank you very much, Mr. Speaker and Ladies and Gentlemen of the House. House Joint Resolution 74 was drafted at the request of a constituent of mine whose son, who was a freshman at the University of Illinois, went missing on November the 5th, 2001. She would... and we... we have... are pursuing legislation as well. But this Resolution would call attention to the day that he disappeared and that all people... we continually need to put focus on the fact that people disappear and we need to make sure that our law enforcement entities and the media and all of us take this a little more seriously because sometimes... That first 48 hours people just said, 'Oh, don't worry about it, they'll come home.' Well, this was almost 6 years and no one has seen Ryan Katcher since that fateful night. I would be glad to answer any questions that you have and would ask your favorable consideration of House Joint Resolution 74."

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Speaker Hannig: "The Gentleman moves for the adoption of House Joint Resolution 74. Is there any discussion? Then all in favor say 'aye'; opposed 'nay'. The 'ayes' have it. And the Resolution is adopted. Representative Colvin, you have House Joint Resolution 75. Out of the record. Representative Acevedo, House Joint Resolution 76. Representative Acevedo."

Acevedo: "Thank you, Mr. Speaker, Ladies and Gentlemen of the House. House Joint Resolution 76 creates a False Identification Task Force to address the problem of illegal sale of fraudulent driver's license and other false forms of identification. The False ID Task Force shall study the problem of the illegal sale of false fo... false forms of identification and shall determine the most effective methods for combating illegal sales. The task force shall report its findings to the General Assembly no later than December 31, 2006. I'd be happy to answer any questions."

Speaker Hannig: "The Gentleman moves for the adoption of House Joint Resolution 76. Is there any discussion? Then the question is, 'Shall House Joint 70... House Joint Resolution 76 be adopted?' 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 0 voting 'no'. And the Resolution is adopted. Representative Cross, you have House Resolution 711. Okay. Representative... Representative Durkin."

Durkin: "Thank you, Mr. Speaker. House Resolution 711 recognizes the 1985 Chicago Bears as the greatest football

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team of all time and designates the month of November 2005 as the 1985 Chicago Bears Championship Month. And it was exactly 20 years ago today that the Chicago Bears won the Super Bowl and having a... knowingly I have one constituent who's a member of that 1985 team. I ask that we recognize the Bears and request an 'aye' vote in support of this."

Speaker Hannig: "And on the Resolution, Representative Stephens. Okay. Is there any discussion? Then all in favor of the Resolution say 'aye'; opposed 'nay'. The 'ayes' have it. And the Resolution is adopted. Representative Churchill, you have House Resolution 722."

Churchill: "Thank you, Mr. Speaker, Ladies and Gentlemen of the House. Representative Osmond and I share the Village of Lindenhurst which this year celebrates its 50th anniversary. As a part of its golden anniversary celebration, they passed out 50 thousand daffodils to the people living in the community. They planted those daffodils and so now we are trying to make the Village of Lindenhurst the daffodil capital of Illinois. Appreciate your support."

Speaker Hannig: "And on that question, Representative Osmond."

Osmond: "Thank you, Mr. Speaker. I'd like to invite all of the Members of the General Assembly up in the spring to see the daffodils that are planted in Lindenhurst. Lindenhurst is a very small community, very active, and they took it upon themselves to organize a celebration for their 50th anniversary. So, I invite everyone to come up and see the daffodils."

Speaker Hannig: "Is there any further discussion? Then all in favor of the Resolution say 'aye'; opposed 'nay'. The

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'ayes' have it. And the Resolution is adopted.  
Representative Ryg on House Resolution 765."

Ryg: "Thank you, Mr. Speaker. House Resolution 765 designates the month of May as Character Matters Month throughout the State of Illinois. Character Matters was fostered to coop... has fostered cooperation among schools, communities, and businesses in order to surround young people with positive values and role models. And I ask for your support."

Speaker Hannig: "Is there any discussion? Then all in favor of the Resolution say 'aye'; opposed 'nay'. The 'ayes' have it. And the Resolution is adopted. Representative Chapa LaVia on House Resolution 806."

Chapa LaVia: "This... this Resolution makes November the 15th, March of Dimes Awareness Day."

Speaker Hannig: "Is there any discussion? Then all in favor of the Resolution say 'aye'; opposed 'nay'. The 'ayes' have it. And the Resolution is adopted. Mr. Clerk, read the Agreed Resolutions."

Clerk Bolin: "Agreed Resolutions. House Resolution 854, offered by Representative Monique Davis. House Resolution 855, offered by Representative Pihos. House Resolution 856, offered by Representative Dunkin."

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. On page 5 in the... of the Calendar, a Motion in writing by Representative McGuire to table House Bill 4304. In addition, we have here at the podium Motions in writing to table House Bill 4434 and 4767. Is there any discussion?"

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Then all in favor of the Motions say 'aye'; opposed 'nay'. The 'ayes' have it. The Motion is adopted. And those Bills are tabled. Representative Bradley is recognized."

Bradley, J.: "Mr. Speaker, I would ask the Members of the Body for a moment of silence, ask for their attention. Last night we learned of a horrible tragedy in my district in Southern Illinois on I-57. Six people were killed, five of those people were friends of mine. Ray Ruzich and his two children, Jessica, age 8 and Ashley, age 11 and Shelly Bonney and her daughter Kaylynn, 10. It's a horrible tragedy and we just ask for our thoughts and prayers to be with the families of these victims of this horrible tragedy. And ask for a moment of silence. Thank you."

Speaker Hannig: "And before the House adjourns today, you'll see on page 4 of the Calendar a Resolution to mourn the death of a former Member, State Representative Gerald Bradley. So, Mr. Clerk, would you read that Resolution."

Clerk Bolin: "House Resolution 792.

WHEREAS, The members of the House of Representatives of the State of Illinois learned with sadness of the death of former State Representative Gerald A. Bradley of Bloomington on Wednesday, December 28, 2005; and

WHEREAS, Mr. Bradley was born October 15, 1927, in Chicago; he married Mary Condon on December 29, 1951, in Bloomington; she preceded him in death on February 17, 2000; and

WHEREAS, He was a graduate of Thornton-Harvey High School and Illinois Wesleyan University, where he lettered in football, basketball, baseball, and track; and

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WHEREAS, He valiantly served his country as a member of the U.S. Army during the Korean War; he owned and operated Bloomington Tent and Awning Co. from 1957 to 2002; and

WHEREAS, Mr. Bradley was elected Democratic State Representative in the 44th District of Illinois in 1969 and served seven terms until 1982; he served as a majority whip in Springfield for several years; and

WHEREAS, He was chairman of the board of First Federal Savings and Loan, Bloomington, and served on the board of OSF St. Joseph Medical Center, Bloomington, and he was a member of Holy Trinity Catholic Church, Bloomington; and

WHEREAS, The passing of Gerald A. Bradley has been deeply felt by many, especially his daughters, Katie (Robert) Stotler and Margaret Lehman; his sons, David (Carolyn) Bradley and Michael Bradley; his six grandchildren; his two great-grandchildren; and his sister, Barbara (Kent) Milton; therefore, be it

RESOLVED, BY THE HOUSE OF REPRESENTATIVES OF THE NINETY-FOURTH GENERAL ASSEMBLY OF THE STATE OF ILLINOIS, that we mourn the passing of former State Representative Gerald A. Bradley, and we extend our deepest sympathy to his family, friends, and all who knew and loved him; and be it further

RESOLVED, That a suitable copy of this resolution be presented to his family as an expression of our sincerest condolences."

Speaker Hannig: "Majority Leader, Representative Currie."

Currie: "Thank you, Speaker and Members of the House. I served during two of Gerry Bradley's terms here in the Illinois House of Representatives. He was in Leadership and he was

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the kind of person that newcomers couldn't help but look up to for his willingness to share information and help about how to wend your way through the legislative process. He had a particular interest in foreign affairs, a special interest in the Republic of Taiwan and its relationship to the Peoples Republic. He was a man of engaging cheer, always pleasant, very much a gentleman, someone who worked very hard for the people who lived in his district. We were sorry to see him leave the General Assembly in 1982 because he served us and he served the people well. My sincere condolences to his children, his four children and his six grandchildren, two great-grandchildren. He was a wonderful human being and an excellent public servant."

Speaker Hannig: "Representative Brady."

Brady: "Thank you, Mr. Speaker. Ladies and Gentlemen of the House, it's my privilege today, though sad, to stand before you and offer brief remarks of remembrance for Representative Gerry Bradley of Bloomington. Some of you, as Leader Currie indicated, remember Gerry and served with Gerry in this chamber before the reduction of the number of districts in the state. Gerry was an outstanding athlete in high school and in college at Illinois Wesleyan University in Bloomington. He had a family-owned business, Bloomington Tent and Awning and it was a business where all the members of the family truly helped out. He was known as an ordinary guy who looked out for the interest of his workers, looked out for the interest of his hometown. I grew up two doors from the Bradleys in Bloomington and knew his wife, Mary, who preceded him in death, his children David, Michael,



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Katie, and Margaret. David, who is with us in the gallery, David if you'd acknowledge, in memory of your dad. His daughter, Margaret worked for the Speaker for a number of years in the Chicago office and many of you remember her from that. Gerry had the ability to bring people together and was respected for being a man of his word. He worked very hard on workers' compensation issues and other labor issues. However, owning his own small business, he balanced the needs of labor and the necessities of business. He had friends on both sides of the aisle, was elected as a Democratic Representative from a predominantly Republican district, showing his great ability to reach and be received and respected by all. After serving seven terms in this chamber, he actually later came out of political retirement to run for Congress in the 15th Congressional District. And as recently as 2002, ran for State Senator in the 44th District. Occasionally, I would visit with Gerry during a break in his yard work on his front porch. I once asked him during an election for me if I could put a yard sign in his yard. He said with a smile, 'I just sent you a donation. I've mellowed a lot, but let's don't push it.' Gerry possessed the following qualities that made him a respected and well-liked State Representative: he could get along with people, he was honest, he was sincere, and he was a hard worker at every task he undertook. Our local paper runs a column called Where Are They Now. And last fall they featured former State Representative Gerry Bradley and highlighted his many accomplishments and his love of golf, his love of the White Sox, but most importantly, as a loving

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father and a kind man. And when asked about his time as State Representative, he said and I quote, 'It was a time in my life I will never forget.' He will be greatly missed. Thank you."

Speaker Hannig: "Representative Brady moves for the adoption of House Resolution 792. All in favor say 'aye'; opposed 'nay'. The 'ayes' have it. And the Resolution is adopted. As we prepare to adjourn, the House would just... the Chair would just call to everyone's attention that Session next Thursday is canceled. So, Session next Thursday is canceled. Representative Currie now moves that, allowing perfunctory time for the Clerk, that the House stands adjourned until Tuesday, January 31, at the hour of 12 noon. All in favor say 'aye'; opposed 'nay'. The 'ayes' have it. The Resolution is adopted... and the... the Motion is adopted. And the House stands adjourned."

Clerk Mahoney: "House Perfunctory Session will come to order. Referred to the House Committee on Rules: House Resolution 857, offered by Representative Osterman. House Resolution 858, offered by Representative Pihos. House Resolution 859, offered by Representative Cross. House Joint Resolution Constitutional Amendment-First Reading #29.

RESOLVED, BY THE HOUSE OF REPRESENTATIVES OF THE NINETY-FOURTH GENERAL ASSEMBLY OF THE STATE OF ILLINOIS, THE SENATE CONCURRING HEREIN, that there shall be submitted to the electors of the State for adoption or rejection at the general election next occurring at least 6 months after the adoption of this resolution a proposition to amend Section 1 of Article X of the Illinois Constitution as follows:

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ARTICLE X

EDUCATION

SECTION 1. FUNDAMENTAL RIGHT - FREE SCHOOLS

A fundamental right of the People of the State is the educational development of all persons to the limits of their capacities. It is the paramount duty of the State to provide for a thorough and efficient system of high quality public educational institutions and services and to guarantee equality of educational opportunity as a fundamental right of each citizen. Education in public schools through the secondary level shall be free. The State has the preponderant financial responsibility for financing the system of public education. There may be such other free education as the General Assembly provides by law.

SCHEDULE

This Constitutional Amendment takes effect upon being declared adopted in accordance with Section 7 of the Illinois Constitutional Amendment Act. Introduction and reading of House Bills-First Reading. House Bill 5315, offered by Representative Hannig, a Bill for an Act concerning revenue. House Bill 5316, offered by Representative Hannig, a Bill for an Act concerning revenue. House Bill 5317, offered by Representative Hannig, a Bill for an Act concerning revenue. House Bill 5318, offered by Representative Hannig, a Bill for an Act concerning revenue. House Bill 5319, offered by Representative Hannig, a Bill for an Act concerning revenue. House Bill 5320, offered by Representative Hannig, a Bill for an Act concerning liquor. House Bill 5321, offered by Representative Moffitt, a Bill

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for an Act concerning local government. House Bill 5322, offered by Representative Kosel, a Bill for an Act concerning transportation. House Bill 5323, offered by Representative Black, a Bill for an Act concerning regulation. House Bill 5324, offered by Representative Osterman, a Bill for an Act concerning local government. House Bill 5325, offered by Representative Cross, a Bill for an Act concerning property. House Bill 5326, offered by Representative Joyce, a Bill for an Act concerning appropriations. House Bill 5327, offered by Representative Joyce, a Bill for an Act concerning criminal law. House Bill 5328, offered by Representative Franks, a Bill for an Act concerning wireless telephones. House Bill 5329, offered by Representative Washington, a Bill for an Act concerning local government. House Bill 5330, offered by Representative Dunn, a Bill for an Act concerning health. House Bill 5331, offered by Representative Eddy, a Bill for an Act concerning public employee benefits. House Bill 5322 (sic-5332), offered by Representative Reis, a Bill for an Act concerning wildlife. House Bill 5333, offered by Representative Sacia, a Bill for an Act concerning wildlife. House Bill 5334, offered by Representative Osterman, a Bill for an Act concerning property. House Bill 5335, offered by Representative Osterman, a Bill for an Act in relation to public employee benefits. House Bill 5336, offered by Representative Osterman, a Bill for an Act concerning criminal law. House Bill 5337, offered by Representative Jenisch, a Bill for an Act concerning insurance. House Bill 5338, offered by Representative McGuire, a Bill for an Act

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concerning revenue. House Bill 5339, offered by Representative Sommer, a Bill for an Act concerning insurance. House Bill 5340, offered by Representative Sommer, a Bill for an Act concerning schools. House Bill 5341, offered by Representative McKeon, a Bill for an Act concerning finance. House Bill 5342, offered by Representative Colvin, a Bill for an Act concerning criminal law. House Bill 5343, offered by Representative Watson, a Bill for an Act concerning State Government. House Bill 5344, offered by Representative Colvin, a Bill for an Act concerning revenue. House Bill 5345, offered by Representative Colvin, a Bill for an Act concerning government. House Bill 5346, offered by Representative Saviano, a Bill for an Act concerning gaming. House Bill 5347, offered by Representative Saviano, a Bill for an Act concerning regulation. House Bill 5348, offered by Representative Moffitt, a Bill for an Act concerning burn injury reporting. House Bill 5349, offered by Representative Mautino, a Bill for an Act concerning insurance. House Bill 5350, offered by Representative Mautino, a Bill for an Act concerning insurance. House Bill 5351, offered by Representative Reitz, a Bill for an Act concerning regulation. House Bill 5352, offered by Representative Hannig, a Bill for an Act concerning education. House Bill 5353, offered by Representative Hultgren, a Bill for an Act concerning lending practices. House Bill 5354, offered by Representative Mautino, a Bill for an Act concerning municipalities. House Bill 5355, offered by Representative Boland, a Bill for an Act

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concerning insurance. House Bill 5356, offered by Representative Poe, a Bill for an Act concerning local government. House Bill 5357, offered by Representative Hamos, a Bill for an Act concerning public employee benefits. House Bill 5358, offered by Representative Collins, a Bill for an Act concerning criminal law. House Bill 5359, offered by Representative Coulson, a Bill for an Act concerning regulation. House Bill 5360, offered by Representative Hassert, a Bill for an Act concerning revenue. House Bill 5361, offered by Representative Scully, a Bill for an Act concerning finance. House Bill 5362, offered by Representative Sacia, a Bill for an Act concerning revenue. House Bill 5363, offered by Representative Sacia, a Bill for an Act concerning State Government. House Bill 5364, offered by Representative Krause, a Bill for an Act concerning revenue. House Bill 5365, offered by Representative Krause, a Bill for an Act concerning revenue. House Bill 5366, offered by Representative Myers, a Bill for an Act concerning transportation. House Bill 5367, offered by Representative Myers, a Bill for an Act concerning State Government. House Bill 5368, offered by Representative Myers, a Bill for an Act concerning civil law. House Bill 5369, offered by Representative Hoffman, a Bill for an Act concerning civil law. House Bill 5370, offered by Representative Giles, a Bill for an Act concerning education. House Bill 5371, offered by Representative Mitchell, Bill, a Bill for an Act concerning regulation. House Bill 5372, offered by Representative Burke, a Bill for an Act concerning local

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government. House Bill 5373, offered by Representative Feigenholtz, a Bill for an Act concerning health care. House Bill 5374, offered by Representative Eddy, a Bill for an Act concerning schools. House Bill 5375, offered by Representative Chavez, a Bill for an Act concerning children. House Bill 5376, offered by Representative Parke, a Bill for an Act concerning business. House Bill 5377, offered by Representative Munson, a Bill for an Act concerning property. House Bill 5378, offered by Representative Munson, a Bill for an Act concerning certain telephone service accounts. House Bill 5379, offered by Representative Munson, a Bill for an Act concerning civil procedure. House Bill 5380, offered by Representative Munson, a Bill for an Act concerning civil law. And House Bill 5381, offered by Representative Collins, a Bill for an Act concerning criminal law. There being no further business, the House Perfunctory Session will stand adjourned."